

1 **Candidate Nomination Procedures Amendments**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Andrew Stoddard

Senate Sponsor:

3 **LONG TITLE**4 **General Description:**5 This bill amends provisions relating to nominating candidates for elective office and
6 placing candidates on a ballot.7 **Highlighted Provisions:**

8 This bill:

9 ▶ defines terms;
10 ▶ repeals provisions relating to a qualified political party;
11 ▶ establishes two types of registered political parties:12 • a primary nominating party that nominates candidates through signature-gathering
13 only, participates in the regular primary election, and has the name of the primary
14 nominating party listed on the regular general election ballot in association with the
15 party's candidates; and16 • a convention nominating party that nominates candidates using a method that does not
17 involve the signature-gathering process described in the preceding paragraph or
18 participation in the regular primary election, and whose candidates are listed on the
19 regular general election ballot without an indication of the convention nominating
20 party that nominated the candidates;21 ▶ requires a registered political party to choose whether to be a primary nominating party or
22 a convention nominating party;
23 ▶ modifies signature-gathering thresholds; and
24 ▶ makes technical and conforming changes.25 **Money Appropriated in this Bill:**

26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 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

56 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

61 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

65 **20A-9-409**, as last amended by Laws of Utah 2025, Chapter 39

66

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

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

69 **20A-1-102 . Definitions.**

70 As used in this title:

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

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

75 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
76 storage medium, that records an individual voter's vote.

77 (b) "Ballot" does not include a record to tally multiple votes.

78 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on
79 the ballot for their approval or rejection including:

80 (a) an opinion question specifically authorized by the Legislature;

81 (b) a constitutional amendment;

82 (c) an initiative;

83 (d) a referendum;

84 (e) a bond proposition;

85 (f) a judicial retention question;

86 (g) an incorporation of a city or town; or

87 (h) any other ballot question specifically authorized by the Legislature.

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

91 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
92 20A-4-306 to canvass election returns.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

119 (b) does not include:

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

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

124 (20) "Elected official" means:

125 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,
126 Municipal Alternate Voting Methods Pilot Project;

127 (b) a person who is considered to be elected to a municipal office in accordance with
128 Subsection [20A-1-206(1)(e)(ii)] 20A-1-206(2)(b)(ii); or

129 (c) a person who is considered to be elected to a special district office in accordance
130 with Subsection 20A-1-206(3)(b)(ii).

131 (21) "Election" means a regular general election, a municipal general election, a statewide
132 special election, a local special election, a regular primary election, a municipal primary

133 election, and a special district election.

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

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

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

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

140 (b) act as the presiding election judge; or

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

142 (25) "Election material" includes:

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

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

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

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

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

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

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

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

151 (g) the physical and electronic log of replicated ballots described in Subsection
152 20A-4-104(3);

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

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

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

156 (k) scanned copies of return envelopes;

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

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

159 (26) "Election officer" means:

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

161 (b) the county clerk for:

162 (i) a county ballot and election; and

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

164 20A-5-400.1 or 20A-5-400.5;

165 (c) the municipal clerk for:

166 (i) a municipal 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;
- (d) the special district clerk or chief executive officer for:
 - (i) a special district 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; or
- (e) the business administrator or superintendent of a school district for:
 - (i) a school district 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.

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

) "Election results" means:

- (a) for an election other than a bond election, the count of votes cast in the election and the election returns requested by the board of canvassers; or
- (b) for bond elections, the count of those votes cast for and against the bond proposition plus any or all of the election returns that the board of canvassers may request.

) "Election results database" means the following information generated by voting equipment:

- (a) one or more electronic files that contains a digital interpretation of each ballot that is counted in an election;
- (b) a ballot image; and
- (c) other information related to a ballot that is adjudicated under Section 20A-4-105.

) "Election returns" means:

- (a) the pollbook;
- (b) the military and overseas absentee voter registration and voting certificates;
- (c) one of the tally sheets;
- (d) any unprocessed ballots;
- (e) all counted ballots;
- (f) all excess ballots;
- (g) all unused ballots;
- (h) all spoiled ballots;
- (i) all ballot disposition forms, including any provisional ballot disposition forms;
- (j) the final election results database described in Section 20A-5-802.5;
- (k) all return envelopes;

201 (l) any provisional ballot envelopes; and

202 (m) the total votes cast form.

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

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

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

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

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

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

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

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

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

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

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

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

229 (41) "Municipal executive" means:

230 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
231 (b) the mayor in the council-manager form of government defined in Subsection
232 10-3b-103(6).

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

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

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

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

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

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

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

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

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

247 (a) the ballot as an official ballot;

248 (b) the date of the election; and

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

251 (ii) for a ballot prepared by a county clerk, the words required by Subsection [
252 20A-6-301(1)(b)(iii)] 20A-6-30(1)(c)(iii).

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

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

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

260 (b) "Poll worker" includes election judges.

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

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

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

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

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

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

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

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

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

274 (59) "Provider election officer" means an election officer who enters into a contract or
275 interlocal agreement with a contracting election officer to conduct an election for the
276 contracting election officer's local political subdivision in accordance with Section
277 20A-5-400.1.

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

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

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

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

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

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

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

290 (i) elected to public office; or

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

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

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

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

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

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

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

303 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
304 local school board positions to advance to the regular general election.

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

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

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

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

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

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

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

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

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

320 (a) is spoiled by the voter;

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

322 (c) lacks the official endorsement.

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

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

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

328 (a) political parties;

329 (b) candidates for an office; or

330 (c) ballot propositions.

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

333 (80) "Vacancy" means:

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

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

340 (81) "Valid voter identification" means:

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

343 (i) a currently valid Utah driver license;

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

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

347 (A) the state; or

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

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

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

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

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

354 (i) a valid tribal identification card;

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

356 (iii) a tribal treaty card; or

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

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

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

364 (iii) a certified birth certificate;

365 (iv) a valid social security card;

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

368 (vi) an original or copy of a paycheck from the voter's employer, dated no more than
369 90 calendar days before the date of the election;

370 (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 [ECard] 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.

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

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

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

"Voter" means an individual who:

- meets the requirements for voting in an election;
- meets the requirements of election registration;
- is registered to vote; and
- is listed in the official register.

"Voter registration deadline" means the registration deadline provided in Section A-2-102.5.

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

"Voting booth" means:

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

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

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

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

405 (91) "Write-in ballot" means a ballot containing any write-in votes.
406 (92) "Write-in vote" means a vote cast for an individual, whose name is not printed on the
407 ballot, in accordance with the procedures established in this title.

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

409 **20A-1-201.5 . Primary election dates.**

410 (1) The regular primary election shall be held throughout the state on the fourth Tuesday of
411 June of each even numbered year as provided in Section 20A-9-403, [20A-9-407, or
412 20A-9-408,] as applicable, to nominate persons for national, state, school board, and
413 county offices.

414 (2) A municipal primary election shall be held, if necessary, on the second Tuesday
415 following the first Monday in August before the regular municipal election to nominate
416 persons for:
417 (a) municipal offices; or
418 (b) local school board office for a new school district or a reorganized new school
419 district under Section 53G-3-302.

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

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

423 **20A-1-501 . Candidate vacancies -- Procedure for filling.**

424 (1) As used in this section, "central committee" means:
425 (a) the state central committee of a political party, for a candidate for:
426 (i) United States senator, United States representative, governor, lieutenant governor,
427 attorney general, state treasurer, or state auditor; or
428 (ii) state legislator if the legislative district encompasses all or a portion of more than
429 one county; or
430 (b) the county central committee of a political party, for a party candidate seeking an
431 office, other than an office described in Subsection (1)(a), elected at an election held
432 in an even-numbered year.

433 (2) Except as provided in Subsection (6), the central committee may certify the name of
434 another candidate to the appropriate election officer if:
435 (a) for a registered political party that will have a candidate on a ballot in a primary
436 election:
437 (i) after the close of the period for filing a declaration of candidacy and continuing
438 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

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

474 (c) The name of a candidate who is certified under Subsection (2)(c) after the deadline

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

476 (6) A political party may not replace a candidate who is disqualified for failure to timely

477 file a campaign disclosure financial report under Chapter 11, Campaign and Financial

478 Reporting Requirements, or Section 17-70-403.

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

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

481 **20A-1-502 . Midterm vacancy in office of United States senator.**

482 (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of

483 United States senator, the governor shall, within seven calendar days after the day on

484 which the vacancy occurs, issue a proclamation calling a special congressional election

485 to fill the vacancy that:

486 (a) sets a date for a primary congressional special election, and a later date for a general

487 congressional special election, on the same day as one of the following elections:

488 (i) a municipal general election;

489 (ii) a presidential primary election;

490 (iii) a regular primary election; or

491 (iv) a regular general election;

492 (b) sets the date of the primary congressional special election on the same day as the

493 next election described in Subsections (1)(a)(i) through (iv) that is more than 90

494 calendar days after the day on which the governor issues the proclamation;

495 (c) sets the date of the general special congressional election on the same day as the next

496 election described in Subsection (1)(a) that is more than 90 calendar days after the

497 primary special congressional election described in Subsection (1)(b);

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

499 nominating party at least 21 calendar days, but no more than 28 calendar days, to

500 select one candidate, in a manner determined by the ~~registered political~~ convention

501 nominating party, as a candidate for the ~~registered political party~~ convention

502 nominating party to appear on the general special congressional election ballot, in the

503 manner described in Subsection 20A-9-402.2(3) and Section 20A-6-301;

504 (e) for each qualified political primary nominating party, provides at least 21 calendar

505 days, but no more than 28 calendar days[⁴]

506 [~~(f)~~ 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

541 described in Subsection (3)(a).

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

546 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator
547 until the earlier of the day on which:
548 (i) the vacancy is filled by election under Subsection (1) or (2); or
549 (ii) the six-year term for the senate office ends.

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

552 (6) A vacancy in the office of United States senator does not occur unless the senator:
553 (a) has left the office; or
554 (b) submits an irrevocable letter of resignation to the governor or to the president of the
555 United States Senate.

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

557 **20A-1-502.5 . Midterm vacancy in office of United States representative.**

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

562 (a) sets a date for a primary congressional special election, and a later date for a general
563 congressional special election, on the same day as one of the following elections:
564 (i) a municipal general election;
565 (ii) a presidential primary election;
566 (iii) a regular primary election; or
567 (iv) a regular general election;

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

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

574 (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

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

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

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

616 (6) A vacancy in the office of United States representative does not occur unless the
617 representative:
618 (a) has left the office; or
619 (b) submits an irrevocable letter of resignation to the governor or to the speaker of the
620 United States House of Representatives.

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

622 **20A-1-503 . Midterm vacancies in the Legislature.**

623 (1) As used in this section:
624 (a) "Filing deadline" means the final date for filing:
625 (i) a declaration of candidacy as provided in Section 20A-9-202; and
626 (ii) a certificate of nomination as provided in Section 20A-9-503.
627 (b) "Party liaison" means the political party officer designated to serve as a liaison with
628 the lieutenant governor on all matters relating to the political party's relationship with
629 the state as required by Section 20A-8-401.

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

633 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
634 the office of senator in the Legislature, it shall be filled for the unexpired term at the
635 next regular general election.
636 (b) The governor shall fill the vacancy until the next regular general election by
637 immediately appointing the person whose name was submitted by the party liaison of
638 the same political party as the prior senator.

639 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but
640 before August 31 of an even-numbered year in which the term of office does not
641 expire, the lieutenant governor shall:
642 (i) establish a date and time, which is before the date for a candidate to be certified

643 for the ballot under Section 20A-9-701 and no later than 21 calendar days after the
644 day on which the vacancy occurred, by which a person intending to obtain a
645 position on the ballot for the vacant office shall file:

646 (A) a declaration of candidacy; or
647 (B) a certificate of nomination; and

648 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):
649 (A) on the lieutenant governor's website; and
650 (B) to each registered political party.

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

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

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

657 (A) nominated as a party candidate; or
658 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
659 Qualifications and Nominating Procedures.

660 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in
661 Subsection [20A-9-202(1)(b)] 20A-9-201.5(2) and before August 31, of an
662 even-numbered year in which the term of office does not expire, a party liaison from
663 each registered political party may submit a name of a person described in Subsection
664 (4)(b) to the lieutenant governor before 5 p.m. no later than August 30 for placement
665 on the regular general election ballot.

666 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
667 even-numbered year in which a term does not expire, the governor shall fill the vacancy
668 for the unexpired term by immediately appointing the person whose name was submitted
669 by the party liaison of the same political party as the prior senator.

670 (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill
671 a vacancy described in this section shall, no later than the deadline for the individual
672 to file an interim report under Subsection 20A-11-303(3)(a), make a complete
673 conflict of interest disclosure on the website described in Section 20A-11-1602.5.

674 (b) An individual described in Subsection (6)(a) is not required to comply with
675 Subsection (6)(a) if the individual:

676 (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;

711 (d) a petition to incorporate a proposed municipality under Section 10-2a-208;
712 (e) a petition to consolidate adjoining counties under Section 17-61-201;
713 (f) a petition to annex a portion of a county to an adjoining county under Section
714 17-61-301;
715 (g) a petition for the creation of a new county under Section 17-61-401;
716 (h) a petition for the removal of a county seat under Section 17-60-302;
717 (i) a petition for the adoption of an optional plan under Section 17-62-303;
718 (j) a petition for the repeal of an optional plan under Section 17-62-505;
719 (k) a petition to create a special district under Section 17B-1-203;
720 (l) a petition to withdraw an area from a special district under Section 17B-1-504;
721 (m) a petition to dissolve a special district under Section 17B-1-1303;
722 (n) a petition for issuance of local building authority bonds under Section 17D-2-502;
723 (o) a petition to become a registered political party under Section 20A-8-103;
724 (p) a nomination petition for municipal office under Section 20A-9-203;
725 [(~~q~~) a nomination petition for a regular primary election under Subsection
726 20A-9-403(3)(a) and Section 20A-9-405;]
727 [(~~r~~) (~~q~~) a petition for a political party to qualify as a municipal political party under
728 Section 20A-9-404;]
729 [(~~s~~) (~~r~~) a petition for the nomination of a [~~qualified political party under Section~~
730 20A-9-408] primary nominating party under Section 20A-9-402.3;
731 [(~~t~~) (~~s~~) a nomination petition for a candidate not affiliated with a political party under
732 Section 20A-9-502;]
733 [(~~u~~) (~~t~~) a nomination petition to become a delegate to a ratification convention under
734 Section 20A-15-103;]
735 [(~~v~~) (~~u~~) a petition to create a new school district under Section 53G-3-301;]
736 [(~~w~~) (~~v~~) a petition to consolidate school districts under Section 53G-3-401;]
737 [(~~x~~) (~~w~~) a petition to transfer a portion of a school district to another district under
738 Section 53G-3-501;]
739 [(~~y~~) (~~x~~) a petition to determine whether a privatization project agreement should be
740 approved under Section 73-10d-4; or]
741 [(~~z~~) (~~y~~) a statewide petition.]

742 (4) "Statewide petition" means:

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

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

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

748 (i) the given name, the surname, or both, provided by the individual with the
749 individual's petition signature, contain only minor spelling differences when
750 compared to the given name and surname shown on the official register;

751 (ii) the surname provided by the individual with the individual's petition signature
752 exactly matches the surname shown on the official register, and the given names
753 differ only because one of the given names shown is a commonly used
754 abbreviation or variation of the other;

755 (iii) the surname provided by the individual with the individual's petition signature
756 exactly matches the surname shown on the official register, and the given names
757 differ only because one of the given names shown is accompanied by a first or
758 middle initial or a middle name which is not shown on the other record; or

759 (iv) the surname provided by the individual with the individual's petition signature
760 exactly matches the surname shown on the official register, and the given names
761 differ only because one of the given names shown is an alphabetically
762 corresponding initial that has been provided in the place of a given name shown
763 on the other record.

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

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

768 **20A-2-104 . Voter registration form -- Registered voter lists -- Fees for copies.**

769 (1) As used in this section:

770 (a) "Candidate for public office" means an individual:

771 (i) who files a declaration of candidacy for a public office; or
772 ~~[(ii) who files a notice of intent to gather signatures under Section 20A-9-408; or]~~
773 ~~[(iii)] (ii) employed by, under contract with, or a volunteer of, an individual described~~
774 ~~in Subsection [(1)(a)(i) or (ii)] (1)(a)(i) for political campaign purposes.~~

775 (b) "Dating violence" means the same as that term is defined in Section 78B-7-402 and
776 the federal Violence Against Women Act of 1994, as amended.

777 (c) "Domestic violence" means the same as that term is defined in Section 77-36-1 and
778 the federal Violence Against Women Act of 1994, as amended.

779 (d) "Hash [Code] code" means a code generated by applying an algorithm to a set of data
780 to produce a code that:
781 (i) uniquely represents the set of data;
782 (ii) is always the same if the same algorithm is applied to the same set of data; and
783 (iii) cannot be reversed to reveal the data applied to the algorithm.

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

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

800 801 UTAH ELECTION REGISTRATION FORM

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

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

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

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

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

808 Name of Voter

809 810 First Middle Last

811 Utah Driver License or Utah Identification Card

812 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

846 year of birth is available to political parties, candidates for public office, certain third parties,
847 and their contractors, employees, and volunteers, in accordance with the requirements of law.

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

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

854 **REQUEST FOR ADDITIONAL PRIVACY PROTECTION**

855 In addition to the protections provided above, you may request that identifying
856 information on your voter registration records be withheld from all political parties, candidates
857 for public office, and their contractors, employees, and volunteers, by submitting a
858 withholding request form, and any required verification, as described in the following
859 paragraphs.

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

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

872 **CITIZENSHIP AFFIDAVIT**

873 Name:

874 Name at birth, if different:

875 Place of birth:

876 Date of birth:

877 Date and place of naturalization (if applicable):

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

880 correct.

882 Signature of Applicant

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

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

889 FOR OFFICIAL USE ONLY

890 Type of I.D. _____

891 Voting Precinct _____

892 Voting I.D. Number _____

893 -----
894 (b) The voter registration form described in Subsection (2)(a) shall include:

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

896 -----
897 **BALLOT NOTIFICATIONS**

898 Do you consent to receive communications about the status of your ballot and other official
899 communications, by text, at the phone number you provided above? Yes No
900 -----";

901 and

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

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

905 _____ Mail a ballot to me.

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

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

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

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

913 (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);

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

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

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

992 (c) The lieutenant governor or a county clerk:

993 (i) may not disclose the year of birth of a registered voter to a person that the
994 lieutenant governor or county clerk reasonably believes:
995 (A) is not a qualified person or a person described in Subsection (4)(l); or
996 (B) will provide or use the year of birth in a manner prohibited by law; and

997 (ii) may not disclose information under [Subseetions] Subsection (4)(n) or (o) to a
998 person that the lieutenant governor or county clerk reasonably believes:
999 (A) is not a person described in Subsection (4)(a)(v) or (vi); or
1000 (B) will provide or use the information in a manner prohibited by law.

1001 (d) The lieutenant governor or a county clerk may not disclose the voter registration
1002 form of a person, or information included in the person's voter registration form,
1003 whose voter registration form is classified as private under Subsection (4)(h) to a
1004 person other than:

1005 (i) a government official or government employee acting in the government official's
1006 or government employee's capacity as a government official or government
1007 employee; or

1008 (ii) subject to Subsection (4)(e), a person described in Subsection (4)(a)(v) or (vi) for
1009 a political purpose.

1010 (e)(i) Except as provided in Subsection (4)(e)(ii), when disclosing a record or
1011 information under Subsection (4)(d)(ii), the lieutenant governor or county clerk
1012 shall exclude the information described in Subsection 63G-2-302(1)(j), other than
1013 the year of birth.

1014 (ii) If disclosing a record or information under Subsection (4)(d)(ii) in relation to the
1015 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).

1050 (j) In addition to any criminal penalty that may be imposed under this section, the
1051 lieutenant governor may impose a civil fine against a person who violates a provision
1052 of this section, in an amount equal to the greater of:
1053 (i) the product of 30 and the square root of the total number of:
1054 (A) records obtained, provided, or used unlawfully, rounded to the nearest whole
1055 dollar; or
1056 (B) records from which information is obtained, provided, or used unlawfully,
1057 rounded to the nearest whole dollar; or
1058 (ii) \$200.

1059 (k) A qualified person may not obtain, provide, or use the year of birth of a registered
1060 voter, if the year of birth is obtained from the list of registered voters or from a voter
1061 registration record, unless the person:
1062 (i) is a government official or government employee who obtains, provides, or uses
1063 the year of birth in the government official's or government employee's capacity
1064 as a government official or government employee;
1065 (ii) is a qualified person described in Subsection (4)(a)(ii), (iii), or (iv) and obtains or
1066 uses the year of birth only to verify the accuracy of personal information
1067 submitted by an individual or to confirm the identity of a person in order to
1068 prevent fraud, waste, or abuse;
1069 (iii) is a qualified person described in Subsection (4)(a)(v) or (vi) and obtains,
1070 provides, or uses the year of birth for a political purpose of the political party or
1071 candidate for public office; or
1072 (iv) is a qualified person described in Subsection (4)(a)(vii) and obtains, provides, or
1073 uses the year of birth to provide the year of birth to another qualified person to
1074 verify the accuracy of personal information submitted by an individual or to
1075 confirm the identity of a person in order to prevent fraud, waste, or abuse.

1076 (l) The lieutenant governor or a county clerk may provide a year of birth to a member of
1077 the media, in relation to an individual designated by the member of the media, in
1078 order for the member of the media to verify the identity of the individual.

1079 (m) A person described in Subsection (4)(a)(v) or (vi) may not use or disclose
1080 information from a voter registration record for a purpose other than a political
1081 purpose.

1082 (n) Notwithstanding Subsection 63G-2-302(1)(k) or (l), the lieutenant governor or a
1083 county clerk shall, when providing the list of registered voters to a qualified person

1084 described in Subsection (4)(a)(v) or (vi), include, from the record of a voter whose
1085 record is withheld under Subsection (7), the information described in Subsection
1086 (4)(o), if:

1087 (i) the lieutenant governor or a county clerk verifies the identity of the person and
1088 that the person is a qualified person described in Subsection (4)(a)(v) or (vi); and
1089 (ii) the qualified person described in Subsection (4)(a)(v) or (vi) signs a document
1090 that includes the following:

1091 (A) the name, address, and telephone number of the person requesting the list of
1092 registered voters;

1093 (B) an indication of the type of qualified person that the person requesting the list
1094 claims to be;

1095 (C) a statement regarding the purpose for which the person desires to obtain the
1096 information;

1097 (D) a list of the purposes for which the qualified person may use the information;

1098 (E) a statement that the information may not be provided or used for a purpose
1099 other than a purpose described under Subsection (4)(n)(ii)(D);

1100 (F) a statement that if the person obtains the information under false pretenses, or
1101 provides or uses the information in a manner that is prohibited by law, the
1102 person is guilty of a class A misdemeanor and is subject to a civil fine;

1103 (G) an assertion from the person that the person will not provide or use the
1104 information in a manner that is prohibited by law; and

1105 (H) notice that if the person makes a false statement in the document, the person is
1106 punishable by law under Section 76-8-504.

1107 (o) Except as provided in Subsection (4)(p), the information that the lieutenant governor
1108 or a county clerk is required to provide, under Subsection (4)(n), from the record of a
1109 protected individual is:

1110 (i) a single hash code, generated from a string of data that includes both the voter's
1111 voter identification number and residential address;

1112 (ii) the voter's residential address;

1113 (iii) the voter's mailing address, if different from the voter's residential address;

1114 (iv) the party affiliation of the voter;

1115 (v) the precinct number for the voter's residential address;

1116 (vi) the voter's voting history; and

1117 (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

1186 website.

1187 (c) The plan described in Subsection (10)(a) may include providing the notice described
1188 in Subsection (10)(a) by:

1189 (i) publication on the Utah Public Notice Website, created in Section 63A-16-601;
1190 (ii) publication on the lieutenant governor's website or a county's website;
1191 (iii) posting the notice in public locations;
1192 (iv) publication in a newspaper;
1193 (v) sending notification to the voters by electronic means;
1194 (vi) sending notice by other methods used by government entities to communicate
1195 with citizens; or
1196 (vii) providing notice by any other method.

1197 (d) The lieutenant governor shall provide the notice included in a plan described in this
1198 Subsection (10) before June 16, 2023.

1199 Section 9. Section **20A-2-107** is amended to read:

1200 **20A-2-107 . Designating or changing party affiliation -- Times permitted.**

1201 (1) As used in this section, "change of affiliation deadline" means:

1202 (a) for an election held in an even-numbered year in which a presidential election will be
1203 held, the day after the declaration of candidacy deadline described in Subsection [
1204 ~~20A-9-201.5(1)~~] 20A-9-201.5(1)(b); or

1205 (b) for an election held in an even-numbered year in which a presidential election will
1206 not be held, April 1.

1207 (2) The county clerk shall:

1208 (a) except as provided in Subsection (6) or 20A-2-107.5(3), record the party affiliation
1209 designated by the voter on the voter registration form as the voter's party affiliation; or

1210 (b) if no political party affiliation is designated by the voter on the voter registration
1211 form:

1212 (i) except as provided in Subsection (2)(b)(ii), record the voter's party affiliation as
1213 the party that the voter designated the last time that the voter designated a party on
1214 a voter registration form, unless the voter more recently registered as
1215 "unaffiliated"; or

1216 (ii) record the voter's party affiliation as "unaffiliated" if the voter:
1217 (A) did not previously designate a party;
1218 (B) most recently designated the voter's party affiliation as "unaffiliated"; or
1219 (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.

1254 Section 10. Section **20A-5-101** is amended to read:

1255 **20A-5-101 . Notice of election.**

1256 (1) On or before November 15 in the year before each regular general election year, the
1257 lieutenant governor shall prepare and transmit a written notice to each county clerk that:
1258 (a) designates the offices to be filled at the next year's regular general election;
1259 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
1260 certifying nomination petition signatures, as applicable, under Sections [20A-9-403,
1261 20A-9-407, and 20A-9-408] 20A-9-202 and 20A-9-202.3 for those offices; and
1262 (c) contains a description of any ballot propositions to be decided by the voters that have
1263 qualified for the ballot as of that date.

1264 (2)(a) No later than seven business days after the day on which the lieutenant governor
1265 transmits the written notice described in Subsection (1), each county clerk shall
1266 provide notice for the county, as a class A notice under Section 63G-30-102, for
1267 seven business days before the day of the election and in accordance with Subsection
1268 (3).
1269 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a),
1270 showing a copy of the notice and the places where the notice was posted.

1271 (3) The notice described in Subsection (2) shall:
1272 (a) designate the offices to be voted on in that election; and
1273 (b) identify the dates for filing a declaration of candidacy for those offices.

1274 (4) Except as provided in Subsection (6), before each election, the election officer shall give
1275 printed notice of the following information:
1276 (a) the date of election;
1277 (b) the hours during which the polls will be open;
1278 (c) the polling places for each voting precinct, early voting polling place, and election
1279 day voting center;
1280 (d) the address of the Statewide Electronic Voter Information Website and, if available,
1281 the address of the election officer's website, with a statement indicating that the
1282 election officer will post on the website any changes to the location of a polling place
1283 and the location of any additional polling place;
1284 (e) a phone number that a voter may call to obtain information regarding the location of
1285 a polling place;
1286 (f) the qualifications for persons to vote in the election; and
1287 (g) instructions regarding how an individual with a disability, who is not able to vote a

1288 manual ballot by mail, may obtain information on voting in an accessible manner.

1289 (5) The election officer shall provide the notice described in Subsection (4) for the
1290 jurisdiction, as a class A notice under Section 63G-30-102, for at least seven business
1291 days before the day of the election.

1292 (6) Instead of including the information described in Subsection (4) in the notice, the
1293 election officer may give printed notice that:

1294 (a) is entitled "Notice of Election";

1295 (b) includes the following: "A [indicate election type] will be held in [indicate the
1296 jurisdiction] on [indicate date of election]. Information relating to the election,
1297 including polling places, polling place hours, and qualifications of voters may be
1298 obtained from the following sources:"; and

1299 (c) specifies the following sources where an individual may view or obtain the
1300 information described in Subsection (4):

1301 (i) if the jurisdiction has a website, the jurisdiction's website;

1302 (ii) the physical address of the jurisdiction offices; and

1303 (iii) a mailing address and telephone number.

1304 Section 11. Section **20A-6-301** is amended to read:

1305 **20A-6-301 . Manual ballots -- Regular general election.**

1306 (1) Each election officer shall ensure that:

1307 [(a) all manual ballots furnished for use at the regular general election contain:]

1308 [(i) no captions or other endorsements except as provided in this section;]

1309 [(ii) no symbols, markings, or other descriptions of a political party or group, except
1310 for a registered political party that has chosen to nominate its candidates in
1311 accordance with Section 20A-9-403; and]

1312 [(iii) no indication that a candidate for elective office has been nominated by, or has
1313 been endorsed by, or is in any way affiliated with a political party or group, unless
1314 the candidate has been nominated by a registered political party in accordance
1315 with Subsection 20A-9-202(4) or Subsection 20A-9-403(5);]

1316 (a) candidates of a primary nominating party who are, in accordance with Sections
1317 20A-9-402.3 and 20A-9-403, nominated to advance to the regular general election
1318 ballot appear on the general election ballot in association with the name of the
1319 primary nominating party;

1320 (b) except as provided in Subsection 20A-9-402.2(4) in relation to an election for
1321 president and vice president of the United States, candidates of a convention

1322 nominating party who are, in accordance with Section 20A-9-402.4, nominated to be
1323 placed on the regular general election ballot appear on the ballot without any
1324 indication of association with the convention nominating party;

1325 [b)] (c) at the top of the ballot, the following endorsements are printed in 18 point bold
1326 type:

1327 (i) "Official Ballot for ____ County, Utah";

1328 (ii) the date of the election; and

1329 (iii) the words "certified by the Clerk of _____ County" or, as applicable, the
1330 name of a combined office that includes the duties of a county clerk;

1331 [e)] (d) unaffiliated candidates, candidates not affiliated with a registered political party,
1332 and all other candidates for elective office who were not nominated by a [registered
1333 political] primary nominating party to advance to the general election in accordance
1334 with [Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] Sections 20A-9-402.3
1335 and 20A-9-403, are listed with the other candidates for the same office in accordance
1336 with Sections 20A-6-109 and 20A-6-110, without a party name or title;

1337 [d)] (e) each ticket containing the lists of candidates, including the party name and
1338 device, are separated by heavy parallel lines;

1339 [e)] (f) the offices to be filled are plainly printed immediately above the names of the
1340 candidates for those offices;

1341 [f)] (g) the names of candidates are printed in capital letters, not less than one-eighth nor
1342 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point,
1343 between lines or rules three-eighths of an inch apart; and

1344 [g)] (h) on a ticket for a race in which a voter is authorized to cast a write-in vote and in
1345 which a write-in candidate is qualified under Section 20A-9-601:

1346 (i) the ballot includes a space for a write-in candidate immediately following the last
1347 candidate listed on that ticket; or

1348 (ii) for the offices of president and vice president and governor and lieutenant
1349 governor, the ballot includes two spaces for write-in candidates immediately
1350 following the last candidates on that ticket, one placed above the other, to enable
1351 the entry of two valid write-in candidates.

1352 (2) An election officer shall ensure that:

1353 (a) each individual nominated by [any registered political party under Subseetion
1354 20A-9-202(4) or Subsection 20A-9-403(5)] a primary nominating party to advance to
1355 the general election ballot in accordance with Sections 20A-9-402.3 and 20A-9-403,

1356 and no other individual, is placed on the ballot:
1357 (i) under the registered political party's name, if any; or
1358 (ii) under the title of the registered political party as designated by them in their
1359 certificates of nomination or petition, or, if none is designated, then under some
1360 suitable title;
1361 (b) the names of all unaffiliated candidates that qualify as required in Chapter 9, Part 5,
1362 Candidates not Affiliated with a Party, are placed on the ballot;
1363 (c) the names of the candidates for president and vice president are used on the ballot
1364 instead of the names of the presidential electors; and
1365 (d) the ballots contain no other names.

1366 (3) When the ballot contains a nonpartisan section, the election officer shall ensure that:
1367 (a) the designation of the office to be filled in the election and the number of candidates
1368 to be elected are printed in type not smaller than eight point;
1369 (b) the words designating the office are printed flush with the left-hand margin;
1370 (c) the words, "Vote for one" or "Vote for up to _____ (the number of candidates for
1371 which the voter may vote)" extend to the extreme right of the column;
1372 (d) the nonpartisan candidates are grouped according to the office for which they are
1373 candidates;
1374 (e) the names in each group are placed in accordance with Sections 20A-6-109 and
1375 20A-6-110, with the surnames last; and
1376 (f) each group is preceded by the designation of the office for which the candidates seek
1377 election, and the words, "Vote for one" or "Vote for up to _____ (the number of
1378 candidates for which the voter may vote)," according to the number to be elected.

1379 (4) Each election officer shall ensure that:
1380 (a) proposed amendments to the Utah Constitution are listed on the ballot in accordance
1381 with Section 20A-6-107;
1382 (b) ballot propositions submitted to the voters are listed on the ballot in accordance with
1383 Section 20A-6-107;
1384 (c) bond propositions that have qualified for the ballot are listed on the ballot under the
1385 title assigned to each bond proposition under Section 11-14-206; and
1386 (d) the judicial retention section of the ballot includes a statement at the beginning
1387 directing voters to the Judicial Performance Evaluation Commission's website in
1388 accordance with Subsection 20A-12-201(4).

1389 Section 12. Section **20A-6-302** is amended to read:

1390 **20A-6-302 . Manual ballots -- Placement of candidates' names.**

1391 (1) An election officer shall ensure, for manual ballots in regular general elections, that:

1392 (a) each candidate is listed by party, if nominated by a [registered political party under
1393 Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] primary nominating party
1394 under Sections 20A-9-202.3 and 20A-9-403;

1395 (b) candidates' surnames are listed in alphabetical order on the ballots when two or more
1396 candidates' names are required to be listed on a ticket under the title of an office; and

1397 (c) the names of candidates are placed on the ballot in:

1398 (i) the manner described in Section 20A-6-109; and

1399 (ii) the order described in Section 20A-6-110.

1400 (2)(a) When there is only one candidate for county attorney at the regular general
1401 election in counties that have three or fewer registered voters of the county who are
1402 licensed active members in good standing of the Utah State Bar, the county clerk
1403 shall cause that candidate's name and party affiliation, if any, to be placed on a
1404 separate section of the ballot with the following question: "Shall (name of candidate)
1405 be elected to the office of county attorney? Yes ____ No ____.".

1406 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
1407 elected to the office of county attorney.

1408 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
1409 elected and may not take office, nor may the candidate continue in the office past the
1410 end of the term resulting from any prior election or appointment.

1411 (d) When the name of only one candidate for county attorney is printed on the ballot
1412 under authority of this Subsection (2), the county clerk may not count any write-in
1413 votes received for the office of county attorney.

1414 (e) If no qualified individual files for the office of county attorney or if the candidate is
1415 not elected by the voters, the county legislative body shall appoint the county
1416 attorney as provided in Section 20A-1-509.2.

1417 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
1418 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a)
1419 to the two consecutive terms immediately preceding the term for which the candidate
1420 is seeking election, Subsection (2)(a) does not apply and that candidate shall be
1421 considered to be an unopposed candidate the same as any other unopposed candidate
1422 for another office, unless a petition is filed with the county clerk before 5 p.m. no
1423 later than the day before that year's primary election that:

1424 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and
1425 (ii) contains the signatures of registered voters in the county representing in number
1426 at least 25% of all votes cast in the county for all candidates for governor at the
1427 last election at which a governor was elected.

1428 (3)(a) When there is only one candidate for district attorney at the regular general
1429 election in a prosecution district that has three or fewer registered voters of the
1430 district who are licensed active members in good standing of the Utah State Bar, the
1431 county clerk shall cause that candidate's name and party affiliation, if any, to be
1432 placed on a separate section of the ballot with the following question: "Shall (name of
1433 candidate) be elected to the office of district attorney? Yes ____ No ____.".

1434 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
1435 elected to the office of district attorney.

1436 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
1437 elected and may not take office, nor may the candidate continue in the office past the
1438 end of the term resulting from any prior election or appointment.

1439 (d) When the name of only one candidate for district attorney is printed on the ballot
1440 under authority of this Subsection (3), the county clerk may not count any write-in
1441 votes received for the office of district attorney.

1442 (e) If no qualified individual files for the office of district attorney, or if the only
1443 candidate is not elected by the voters under this subsection, the county legislative
1444 body shall appoint a new district attorney for a four-year term as provided in Section
1445 20A-1-509.2.

1446 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
1447 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a)
1448 to the two consecutive terms immediately preceding the term for which the candidate
1449 is seeking election, Subsection (3)(a) does not apply and that candidate shall be
1450 considered to be an unopposed candidate the same as any other unopposed candidate
1451 for another office, unless a petition is filed with the county clerk before 5 p.m. no
1452 later than the day before that year's primary election that:
1453 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and
1454 (ii) contains the signatures of registered voters in the county representing in number
1455 at least 25% of all votes cast in the county for all candidates for governor at the
1456 last election at which a governor was elected.

1457 Section 13. Section **20A-6-304** is amended to read:

1458 **20A-6-304 . Regular general election -- Mechanical ballots.**

1459 (1) Each election officer shall ensure that:

1460 (a) the format and content of a mechanical ballot is arranged in approximately the same
1461 order as manual ballots;

1462 (b) the titles of offices and the names of candidates are displayed in vertical columns or
1463 in a series of separate displays;

1464 (c) the mechanical ballot is of sufficient length to include, after the list of candidates:
1465 (i) the names of candidates for judicial offices and any other nonpartisan offices; and
1466 (ii) any ballot propositions submitted to the voters for their approval or rejection;

1467 (d) the office titles are displayed above or at the side of the names of candidates so as to
1468 indicate clearly the candidates for each office and the number to be elected;

1469 (e) the party designation of each candidate who has been nominated by a [registered
1470 political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] primary
1471 nominating party under Sections 20A-9-202.4 and 20A-9-403 is displayed adjacent to
1472 the candidate's name; and

1473 (f) if possible, all candidates for one office are grouped in one column or upon one
1474 display screen.

1475 (2) Each election officer shall ensure that:

1476 (a) proposed amendments to the Utah Constitution are displayed in accordance with
1477 Section 20A-6-107;

1478 (b) ballot propositions submitted to the voters are displayed in accordance with Section
1479 20A-6-107;

1480 (c) bond propositions that have qualified for the ballot are displayed under the title
1481 assigned to each bond proposition under Section 11-14-206; and

1482 (d) the judicial retention section of the ballot includes a statement at the beginning
1483 directing voters to the Judicial Performance Evaluation Commission's website in
1484 accordance with Subsection 20A-12-201(4).

1485 Section 14. Section **20A-8-103** is amended to read:

1486 **20A-8-103 . Petition procedures -- Criminal penalty -- Removal of signature.**

1487 (1) As used in this section, the proposed name or emblem of a registered political party is
1488 " distinguishable " if a reasonable person of average intelligence will be able to perceive a
1489 difference between the proposed name or emblem and any name or emblem currently
1490 being used by another registered political party.

1491 (2) To become a registered political party, an organization of registered voters that is not a

1492 continuing political party shall:

1493 (a) circulate a petition seeking registered political party status beginning no earlier than
1494 the date of the statewide canvass held after the last regular general election and
1495 ending before 5 p.m. no later than November 30 of the year before the year in which
1496 the next regular general election will be held;

1497 (b) file a petition with the lieutenant governor that is signed, with a holographic
1498 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30
1499 of the year in which a regular general election will be held; and

1500 (c) file, with the petition described in Subsection (2)(b), [a document certifying:] the
1501 certification required in Subsection 20A-9-402.1(1) and, if applicable, Subsection
1502 20A-9-402.1(3).

1503 [(i) the identity of one or more registered political parties whose members may vote
1504 for the organization's candidates;]
1505 [(ii) whether unaffiliated voters may vote for the organization's candidates; and]
1506 [(iii) whether, for the next election, the organization intends to nominate the
1507 organization's candidates in accordance with the provisions of Section 20A-9-406.]

1508 (3) The petition shall:

1509 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;

1510 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
1511 blank for the purpose of binding;

1512 (c) contain the name of the political party and the words "Political Party Registration
1513 Petition" printed directly below the horizontal line;

1514 (d) contain the word "Warning" printed directly under the words described in Subsection
1515 (3)(c);

1516 (e) contain, to the right of the word "Warning," the following statement printed in not less than
1517 eight-point, single leaded type:

1518 "It is a class A misdemeanor for anyone to knowingly sign a political party registration
1519 petition signature sheet with any name other than the individual's own name or more than once
1520 for the same party or if the individual is not registered to vote in this state and does not intend
1521 to become registered to vote in this state before the petition is submitted to the lieutenant
1522 governor.";

1523 (f) contain the following statement directly under the statement described in Subsection (3)(e):

1524 "POLITICAL PARTY REGISTRATION PETITION To the Honorable ____,

1525 Lieutenant Governor:

1526 We, the undersigned citizens of Utah, seek registered political party status for ____
1527 (name);

1528 Each signer says:

1529 I have personally signed this petition with a holographic signature;

1530 I am registered to vote in Utah or will register to vote in Utah before the petition is
1531 submitted to the lieutenant governor;

1532 I am or desire to become a member of the political party; and

1533 My street address is written correctly after my name.";

1534 (g) be vertically divided into columns as follows:

1535 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
1536 headed with "For Office Use Only," and be subdivided with a light vertical line
1537 down the middle;

1538 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
1539 Name (must be legible to be counted)";

1540 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
1541 Registered Voter";

1542 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

1543 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
1544 Code"; and

1545 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
1546 information is not required, but it may be used to verify your identity with voter
1547 registration records. If you choose not to provide it, your signature may not be
1548 certified as a valid signature if you change your address before petition signatures
1549 are certified or if the information you provide does not match your voter
1550 registration records.";

1551 (h) have a final page bound to one or more signature sheets that are bound together that
1552 contains the following printed statement:

1553 "Verification

1554 State of Utah, County of ____

1555 I, _____, of ____, hereby state that:

1556 I am at least 18 years old;

1557 All the names that appear on the signature sheets bound to this page were signed by
1558 individuals who professed to be the individuals whose names appear on the signature sheets,
1559 and each individual signed the individual's name on the signature sheets in my presence;

1560 I believe that each individual has printed and signed the individual's name and written
1561 the individual's street address correctly, and that each individual is registered to vote in Utah or
1562 will register to vote in Utah before the petition is submitted to the lieutenant governor.

1563

1564 (Signature) (Residence Address) (Date)"; and

1565 (i) be bound to a cover sheet that:

1566 (i) identifies the political party's name, which may not exceed four words, and the
1567 emblem of the party;

1568 (ii) states the process that the organization will follow to organize and adopt a
1569 constitution and bylaws; and

1570 (iii) is signed by a filing officer, who agrees to receive communications on behalf of
1571 the organization.

1572 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual in
1573 whose presence each signature sheet is signed:

1574 (a) is at least 18 years old; and

1575 (b) verifies each signature sheet by completing the verification bound to one or more
1576 signature sheets that are bound together.

1577 (5) An individual may not sign the verification if the individual signed a signature sheet
1578 bound to the verification.

1579 (6) The lieutenant governor shall:

1580 (a) use the procedures described in Section 20A-1-1002 to determine whether a signer is
1581 a registered voter;

1582 (b) review the proposed name and emblem to determine if they are "distinguishable"
1583 from the names and emblems of other registered political parties; and

1584 (c) certify the lieutenant governor's findings to the filing officer described in Subsection
1585 (3)(i)(iii) within 30 calendar days after the day on which the organization files the
1586 petition described in Subsection (2)(b).

1587 (7)(a) If the lieutenant governor determines that the petition meets the requirements of
1588 this section, and that the proposed name and emblem are distinguishable, the
1589 lieutenant governor shall authorize the filing officer described in Subsection (3)(i)(iii)
1590 to organize the prospective political party.

1591 (b) If the lieutenant governor finds that the name, emblem, or both are not
1592 distinguishable from the names and emblems of other registered political parties, the
1593 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.

1628 (b) "Candidates for elective office" does not mean candidates for:
1629 (i) justice or judge of court of record or not of record;
1630 (ii) presidential elector;
1631 (iii) any political party offices; and
1632 (iv) municipal or special district offices.

1633 (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney
1634 general, state auditor, and state treasurer.

1635 (3) "Continuing political party" means the same as that term is defined in Section
1636 20A-8-101.

1637 (4) "Convention nominating party" means a registered political party that:
1638 (a) timely makes the certification described in Subsection 20A-9-402.1(1)(b); or
1639 (b) fails to timely make a certification described in Subsection 20A-9-402.1(1).

1640 [(4)] (5)(a) "County office" means an elective office where the officeholder is selected by
1641 voters entirely within one county.

1642 (b) "County office" does not mean:
1643 (i) the office of justice or judge of any court of record or not of record;
1644 (ii) the office of presidential elector;
1645 (iii) any political party offices;
1646 (iv) any municipal or special district offices; and
1647 (v) the office of United States Senator and United States Representative.

1648 [(5)] (6) "Electronic candidate qualification process" means[:]
1649 [(a) ~~as it relates to a registered political party that is not a qualified political party,~~] the
1650 process for gathering signatures electronically to seek the nomination of a [registered
1651 ~~political~~] primary nominating party, described in:
1652 (a) Section 20A-9-202.3;
1653 [(i)] (b) Section 20A-9-403; and
1654 [(ii)] ~~Seetion 20A-9-405, except Subsections 20A-9-405(3) and (5); and]~~
1655 [(iii)] (c) Section 20A-21-201[; and].
1656 [(b) ~~as it relates to a qualified political party, the proceess, for gathering signatures~~
1657 ~~electronically to seek the nomination of a registered political party, described in:~~]
1658 [(i) ~~Section 20A-9-405, except Subsections 20A-9-405(3) and (5);~~]
1659 [(ii) ~~Seetion 20A-9-408; and]~~
1660 [(iii) ~~Section 20A-21-201.]~~
1661 [(6)] (7) "Federal office" means an elective office for United States Senator and United

1662 States Representative.

1663 [({7})] (8) "Filing officer" means:

1664 (a) the lieutenant governor, for:

1665 (i) the office of United States Senator and United States Representative; and

1666 (ii) all constitutional offices;

1667 (b) for the office of a state senator, state representative, or the state school board, the

1668 lieutenant governor or the applicable clerk described in Subsection [({7})(e) or (d)]

1669 (8)(c) or (d);

1670 (c) the county clerk, for county offices and local school district offices;

1671 (d) the county clerk in the filer's county of residence, for multicounty offices;

1672 (e) the city or town clerk, for municipal offices; or

1673 (f) the special district clerk, for special district offices.

1674 [({8})] (9) "Local government office" includes county offices, municipal offices, and special

1675 district offices and other elective offices selected by the voters from a political division

1676 entirely within one county.

1677 [({9})] (10) "Manual candidate qualification process" means the process for gathering

1678 signatures to seek the nomination of a registered political party, using paper signature

1679 packets that a signer physically signs.

1680 [({10})] (11)(a) "Multicounty office" means an elective office where the officeholder is

1681 selected by the voters from more than one county.

1682 (b) "Multicounty office" does not mean:

1683 (i) a county office;

1684 (ii) a federal office;

1685 (iii) the office of justice or judge of any court of record or not of record;

1686 (iv) the office of presidential elector;

1687 (v) any political party offices; or

1688 (vi) any municipal or special district offices.

1689 [({11})] (12) "Municipal office" means an elective office in a municipality.

1690 [({12})] (13)(a) "Political division" means a geographic unit from which an officeholder is

1691 elected and that an officeholder represents.

1692 (b) "Political division" includes a county, a city, a town, a special district, a school

1693 district, a legislative district, and a county prosecution district.

1694 [({13})] "Qualified political party" means a registered political party that:]

1695 [(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 [(e) 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

1730 registered political party, means:

1731 (a) when using the manual candidate qualification process, a holographic signature
1732 collected physically on a nomination petition described in [Subsection 20A-9-405(3)]
1733 Section 20A-9-202.3; or

1734 (b) when using the electronic candidate qualification process:
1735 (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or
1736 (ii) a holographic signature collected electronically under Subsection
1737 20A-21-201(6)(c)(ii)(B).

1738 [(15)] (17) "Special district office" means an elected office in a special district.

1739 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.**

1743 (1) Before filing a declaration of candidacy for election to any office, an individual shall:

1744 (a) be a United States citizen; and
1745 (b) meet the legal requirements of that office[; and].
1746 (c) [if seeking a registered political party's nomination as a candidate for elective office,
1747 state:]
1748 [(i) the registered political party of which the individual is a member; or]
1749 [(ii) that the individual is not a member of a registered political party.]

1750 (2)(a) Except as provided in Subsection (2)(b), an individual may not:

1751 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
1752 Utah during any election year;
1753 (ii) appear on the ballot as the candidate of more than one political party; or
1754 (iii) file a declaration of candidacy for a registered political party of which the
1755 individual is not a member, except to the extent that the registered political party
1756 permits otherwise in the registered political party's bylaws.

1757 (b)(i) An individual may file a declaration of candidacy for, or be a candidate for,
1758 president or vice president of the United States and another office, if the
1759 individual resigns the individual's candidacy for the other office after the
1760 individual is officially nominated for president or vice president of the United
1761 States.
1762 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more
1763 than one justice court judge office.

1764 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
1765 the individual filed a declaration of candidacy for another office in the same
1766 election year if the individual withdraws as a candidate for the other office in
1767 accordance with Subsection 20A-9-202(6) before filing the declaration of
1768 candidacy for lieutenant governor.

1769 (iv) For the 2026 election year only, an individual who files a declaration of
1770 candidacy to seek the nomination of a qualified political party for constitutional
1771 office, multicounty office, or county office:
1772 (A) may also be a candidate for United States representative;
1773 (B) may, if the individual desires to use the signature-gathering process to qualify
1774 for the primary election ballot for the office of United States representative, file
1775 a notice of intent to gather signatures for, and gather signatures for, that office;
1776 and
1777 (C) shall, before filing a declaration of candidacy for the office of United States
1778 representative, withdraw as a candidate for the constitutional office,
1779 multicounty office, or county office for which the individual filed a declaration
1780 of candidacy.

1781 (3)(a) Except for a candidate for president or vice president of the United States, before
1782 the filing officer may accept any declaration of candidacy, the filing officer shall:
1783 (i) read to the individual the constitutional and statutory qualification requirements
1784 for the office that the individual is seeking;
1785 (ii) require the individual to state whether the individual meets the requirements
1786 described in Subsection (3)(a)(i);
1787 (iii) if the declaration of candidacy is for a county office, inform the individual that
1788 an individual who holds a county elected office may not, at the same time, hold a
1789 municipal elected office; and
1790 (iv) if the declaration of candidacy is for a legislative office, inform the individual
1791 that Utah Constitution, Article VI, Section 6, prohibits a person who holds a
1792 public office of profit or trust, under authority of the United States or Utah, from
1793 being a member of the Legislature.

1794 (b)(i) Before accepting a declaration of candidacy for the office of county attorney,
1795 the county clerk shall ensure that the individual filing that declaration of
1796 candidacy is:
1797 (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,

1866 Article VII, Sec. 3, [Utah Constitution, prior to] before taking office.

1867 (ii) In addition to the requirements described in Subsection (3)(e)(i), an individual
1868 shall also provide the filing officer with the individual's license number with:

1869 (A) the Utah State Bar, if the individual is a member; or

1870 (B) any other state bar association, if the individual is a member.

1871 (iii) An individual filing the declaration of candidacy for the office of attorney
1872 general shall also make the conflict of interest disclosure described in Section
1873 20A-11-1603.

1874 (f) Before accepting a declaration of candidacy for the office of governor, lieutenant
1875 governor, state auditor, state treasurer, state legislator, or State Board of Education
1876 member, the filing officer shall ensure that the individual filing the declaration of
1877 candidacy also makes the conflict of interest disclosure described in Section
1878 20A-11-1603.

1879 (4) If an individual who files a declaration of candidacy does not meet the qualification
1880 requirements for the office the individual is seeking, the filing officer may not accept the
1881 individual's declaration of candidacy.

1882 (5) If an individual who files a declaration of candidacy meets the requirements described
1883 in Subsection (3), the filing officer shall:

1884 (a) inform the individual that:

1885 (i) subject to Section 20A-6-109, the individual's name will appear on the ballot as
1886 the individual's name is written on the individual's declaration of candidacy;

1887 (ii) the individual may be required to comply with state or local campaign finance
1888 disclosure laws; and

1889 (iii) the individual is required to file a financial statement before the individual's
1890 political convention under:

1891 (A) Section 20A-11-204 for a candidate for constitutional office;

1892 (B) Section 20A-11-303 for a candidate for the Legislature; or

1893 (C) local campaign finance disclosure laws, if applicable;

1894 (b) except for a presidential candidate, provide the individual with a copy of the current
1895 campaign financial disclosure laws for the office the individual is seeking and inform
1896 the individual that failure to comply will result in disqualification as a candidate and
1897 removal of the individual's name from the ballot;

1898 (c)(i) provide the individual with a copy of Section 20A-7-801 regarding the
1899 Statewide Electronic Voter Information Website Program and inform the

1900 individual of the submission deadline under Subsection 20A-7-801(4)(a);
1901 (ii) inform the individual that the individual must provide the filing officer with an
1902 email address that the individual actively monitors:
1903 (A) to receive a communication from a filing officer or an election officer; and
1904 (B) if the individual wishes to display a candidate profile on the Statewide
1905 Electronic Voter Information Website, to submit to the website the
1906 biographical and other information described in Subsection 20A-7-801(4)(a)(ii);
1907 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is
1908 not a record under Title 63G, Chapter 2, Government Records Access and
1909 Management Act; and
1910 (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);
1911 (d) provide the candidate with a copy of the pledge of fair campaign practices described
1912 under Section 20A-9-206 and inform the candidate that:
1913 (i) signing the pledge is voluntary; and
1914 (ii) signed pledges shall be filed with the filing officer;
1915 (e) accept the individual's declaration of candidacy; and
1916 (f) if the individual has filed for a partisan office, provide a certified copy of the
1917 declaration of candidacy to the chair of the county or state political party [or] for
1918 which the individual is [a member] seeking nomination.
1919 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
1920 shall:
1921 (a) accept the candidate's pledge; and
1922 (b) if the candidate has filed for a partisan office, provide a certified copy of the
1923 candidate's pledge to the chair of the county or state political party [or] for which the
1924 candidate is [a member] seeking nomination.
1925 [(7)(a) Except for a candidate for president or vice president of the United States, the
1926 form of the declaration of candidacy shall:]
1927 [(i) be substantially as follows:
1928 "State of Utah, County of _____
1929 I, _____, declare my candidacy for the office of _____, seeking the
1930 nomination of the _____ party. I do solemnly swear, under penalty of perjury, that: I will meet
1931 the qualifications to hold the office, both legally and constitutionally, if selected; I reside at
1932 _____ in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not
1933 knowingly violate any law governing campaigns and elections; if filing via a designated agent,

1934 I will be out of the state of Utah during the entire candidate filing period; I will file all
1935 campaign financial disclosure reports as required by law; and I understand that failure to do so
1936 will result in my disqualification as a candidate for this office and removal of my name from
1937 the ballot. The mailing address that I designate for receiving official election notices is
1938 _____.

1939 _____
1940 Subscribed and sworn before me this _____ (month\day\year).
1941

1942 Notary Public (or other officer qualified to administer oath)."; and]

1943 [(ii) require the candidate to state, in the sworn statement described in Subsection
1944 (7)(a)(i):]
1945 [(A) the registered political party of which the candidate is a member; or]
1946 [(B) that the candidate is not a member of a registered political party.]
1947 [(b) (7) An agent designated under Subsection [20A-9-202(1)(e)] 20A-9-202(1)(b) to file a
1948 declaration of candidacy may not sign the form described in [Subsection (7)(a) or
Section 20A-9-408.5.

1949 (8)(a) Except for a candidate for president or vice president of the United States, the fee
1950 for filing a declaration of candidacy is:

1951 (i) \$50 for candidates for the local school district board; and
1952 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
1953 person holding the office for all other federal, state, and county offices.

1954 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any
1955 candidate:

1956 (i) who is disqualified; or
1957 (ii) who the filing officer determines has filed improperly.

1958 (c)(i) The county clerk shall immediately pay to the county treasurer all fees received
1959 from candidates.

1960 (ii) The lieutenant governor shall:

1961 (A) apportion to and pay to the county treasurers of the various counties all fees
1962 received for filing of nomination certificates or acceptances; and
1963 (B) ensure that each county receives that proportion of the total amount paid to the
1964 lieutenant governor from the congressional district that the total vote of that
1965 county for all candidates for representative in Congress bears to the total vote
1966 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)

1993

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:

1999 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a
2000 candidate who is found guilty of filing a false statement, in addition to being subject to
2001 criminal penalties, will be removed from the ballot."

2002 (vi) The filing officer may request that a person who makes a claim of impecuniosity
2003 under this Subsection (8)(d) file a financial statement on a form prepared by the
2004 election official.

2005 (9) An individual who fails to file a declaration of candidacy or certificate of nomination
2006 within the time provided in this chapter is ineligible for nomination to office.

2007 (10) A declaration of candidacy filed under this section may not be amended or modified
2008 after the final date established for filing a declaration of candidacy.

2009 Section 17. Section **20A-9-201.5** is amended to read:

2010 **20A-9-201.5 . Declaration of candidacy filing period for a registered political
2011 party.**

2012 For a [qualified] registered political party:

2013 (1) except as provided in Subsection (2), the filing period to file a declaration of candidacy
2014 for an elective office that is to be filled at the next regular general election:
2015 (a) begins at 8 a.m. on the first business day in January of an even-numbered year; and
2016 (b) ends at 5 p.m. on the fifth business day in January of an even-numbered year; and
2017 (2) for the 2026 election year only, the filing period to file a declaration of candidacy for
2018 the office of United States representative:
2019 (a) begins at 8 a.m. on March 9, 2026; and
2020 (b) ends at 5 p.m. on March 13, 2026.

2021 Section 18. Section **20A-9-202** is amended to read:

2022 **20A-9-202 . Declarations of candidacy for regular general elections.**

2023 (1)(a) An individual seeking to become a candidate for an elective office that is to be
2024 filled at the next regular general election shall:

2025 (i) except as provided in Subsection [(1)(e)] (1)(b), file a declaration of candidacy in
2026 person with the filing officer[on or after January 1 of the regular general election
2027 year, and, if applicable, before the individual circulates nomination petitions under
2028 Section 20A-9-405] :

2029 (A) during the applicable candidacy filing period; and

2030 (B) for an individual seeking the nomination of a primary nominating party,

2031 before the individual circulates nomination petitions under Section 20A-9-202.3;
2032 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.

2067 (b) The designated clerk shall provide to the county clerk of each county in the
2068 prosecution district a certified copy of each declaration of candidacy filed for the
2069 office of district attorney.

2070 (3)(a) [Before the deadline described in Subsection (1)(b)] During the applicable
2071 candidacy filing period, each lieutenant governor candidate shall:
2072 (i) file a declaration of candidacy with the lieutenant governor;
2073 (ii) pay the filing fee; and
2074 (iii) submit a letter from a candidate for governor who has received certification for
2075 the primary-election ballot under Section 20A-9-403 that names the lieutenant
2076 governor candidate as a joint-ticket running mate.

2077 (b)(i) A candidate for lieutenant governor who fails to timely file is disqualified.
2078 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file
2079 to replace the disqualified candidate.

2080 (4) Before 5 p.m. no later than August 31, each registered political party shall:
2081 (a) certify the names of the political party's candidates for president and vice president of
2082 the United States to the lieutenant governor; or
2083 (b) provide written authorization for the lieutenant governor to accept the certification of
2084 candidates for president and vice president of the United States from the national
2085 office of the registered political party.

2086 (5)(a) A declaration of candidacy filed under this section is valid unless a written
2087 objection is filed with the clerk or lieutenant governor no later than 5 p.m. on the last
2088 business day that is at least 10 calendar days before the [deadline described in
2089 Subsection 20A-9-409(4)(c)] first Wednesday before the fourth Saturday in April.
2090 (b) If an objection is made, the clerk or lieutenant governor shall:
2091 (i) mail or personally deliver notice of the objection to the affected candidate
2092 immediately; and
2093 (ii) decide any objection within 48 hours after it is filed.
2094 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
2095 problem by:
2096 (i) amending the declaration or petition no later than 5 p.m. on the first business day
2097 that is at least three calendar days after the day on which the objection is
2098 sustained; or
2099 (ii) filing a new declaration no later than 5 p.m. on the first business day that is at
2100 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.**

2135 (1) Beginning in 2026:

2136 (a) a registered political party is either a primary nominating party or a convention
2137 nominating party:

2138 (b) a registered political party that is a primary nominating party:

2139 (i) shall, except as provided in Subsection 20A-9-202(4) for a federal presidential
2140 election, nominate the registered political party's candidates to run for office using
2141 the process described in Section 20A-9-402.3; and

2142 (ii) may not nominate the registered political party's candidates to run for office using
2143 any process other than the process described in Section 20A-9-402.3; and

2144 (c) a registered political party that is a convention nominating party:

2145 (i) may nominate the registered political party's candidates to run for office in the
2146 regular general election using any lawful process other than the process described
2147 in Section 20A-9-402.3;

2148 (ii) may not nominate the registered political party's candidates to run for office using
2149 the process described in Section 20A-9-402.3; and

2150 (iii) may not participate in the regular primary election.

2151 (2) A registered political party that is a continuing political party shall, before 5 p.m. on the
2152 first Monday of October of an odd-numbered year, certify in writing to the lieutenant
2153 governor one of the following:

2154 (a) that, for the elections in the following year, the registered political party chooses to:

2155 (i) be a primary nominating party;

2156 (ii) nominate the registered political party's candidates solely by using the
2157 signature-gathering and primary election process described in Sections
2158 20A-9-402.3 and 20A-9-403;

2159 (iii) participate in the regular primary election; and

2160 (iv) have the party's candidates placed on the regular general election ballot in the
2161 manner described in Subsections 20A-9-402.2(2) and 20A-6-301(1)(a); or

2162 (b) that, for the elections in the following year, the registered political party chooses to:

2163 (i) be a convention nominating party;

2164 (ii) nominate the registered political party's candidates by using a method other than
2165 using the petition and primary election process described in Sections 20A-9-402.3
2166 and 20A-9-403;

2167 (iii) not participate in the regular primary election; and

2168 (iv) have the party's candidates placed on the regular general election ballot in the

2169 manner described in Subsections 20A-9-402.2(3) and 20A-6-301(1)(b).

2170 (3) A registered political party that makes the certification described in Subsection (2)(a)
2171 shall include in the written certification:
2172 (a) the identity of one or more registered political parties whose members may vote for
2173 the registered political party's candidates in the next regular primary election; and
2174 (b) a statement regarding whether unaffiliated voters may vote for the registered political
2175 party's candidates in the next regular primary election.

2176 (4) A registered political party that fails to timely make a certification described in
2177 Subsection (2):
2178 (a) is, by failing to timely make the certification, making the choices described in
2179 Subsection (2)(b); and
2180 (b) is a convention nominating party for the elections in the year following the
2181 certification deadline.

2182 (5) A registered political party that makes a certification described in Subsection (2) or (3)
2183 may not change the certification, or the choices made in the certification, until the next
2184 odd-numbered year.

2185 (6) A registered political party that is not a continuing political party shall make the
2186 certification described in Subsection (2) and, if applicable, Subsection (3), at the time
2187 that the registered political party files the petition described in Section 20A-8-103.

2188 Section 20. Section **20A-9-402.2** is enacted to read:

2189 **20A-9-402.2 . Effect of choosing party nomination status.**

2190 (1)(a) A registered political party that chooses, under Subsection 20A-9-402.1(2)(a), to
2191 be a primary nominating party shall participate in the regular primary election
2192 process described in Sections 20A-9-402.3 and 20A-9-403.

2193 (b) A registered political party that chooses, under Subsection 20A-9-402.1(2)(b) or (4),
2194 to be a convention nominating party may not:
2195 (i) participate in the regular primary election process described in Sections
2196 20A-9-402.3 and 20A-9-403; or
2197 (ii) participate in the regular primary election.

2198 (2) The candidates of a primary nominating party who are, in accordance with Sections
2199 20A-9-402.3 and 20A-9-403, nominated to advance to the regular general election ballot
2200 shall appear on the general election ballot in association with the name of the primary
2201 nominating party.

2202 (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

2237 running mate of an individual who is nominated by a primary nominating party, under
2238 this section, for the office of governor:

2239 (a) shall, during the declaration of candidacy filing period described in Section
2240 20A-9-201.5, file a declaration of candidacy and submit a letter from the candidate
2241 for governor that names the lieutenant governor candidate as a joint-ticket running
2242 mate; and

2243 (b) is not required to gather signatures.

2244 (5) A qualified individual may seek the nomination of a primary nominating party for an
2245 elective office by:

2246 (a) complying with the requirements described in this section; and

2247 (b) collecting signatures, on a nomination petition form approved by the lieutenant
2248 governor that complies with Subsection 20A-9-405(3), during the period beginning
2249 when the member files a declaration of candidacy and ending at 5 p.m. on the first
2250 Tuesday in April, in the following amounts:

2251 (i) for a statewide race, 14,000 signatures of registered voters in the state who are
2252 permitted by the primary nominating party to vote for the primary nominating
2253 party's candidates in a regular primary election;

2254 (ii) for a congressional district race, 3,500 signatures of registered voters who are
2255 residents of the congressional district and are permitted by the primary nominating
2256 party to vote for the primary nominating party's candidates in a regular primary;

2257 (iii) for a state Senate district race, 1,000 signatures of registered voters who are
2258 residents of the state Senate district and are permitted by the primary nominating
2259 party to vote for the primary nominating party candidates in a regular primary
2260 election;

2261 (iv) for a state House district race, 500 signatures of registered voters who are
2262 residents of the state House district and are permitted by the primary nominating
2263 party to vote for the primary nominating party's candidates in a regular primary
2264 election;

2265 (v) for a State Board of Education race, the lesser of:

2266 (A) 1,000 signatures of registered voters who are residents of the State Board of
2267 Education district and are permitted by the primary nominating party to vote
2268 for the primary nominating party's candidates in a regular primary election; or

2269 (B) 3% of the registered voters who are residents of the applicable State Board of
2270 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

2339 the assistance of the county clerk, as applicable, use the procedures described in Section
2340 20A-1-1002 to verify submitted nomination petition signatures.

2341 (12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2342 director of elections within the Office of the Lieutenant Governor may make rules that
2343 provide for the transparent, orderly, and timely submission, verification, and
2344 certification of nomination petition signatures.

2345 Section 22. Section **20A-9-402.4** is enacted to read:

2346 **20A-9-402.4 . Convention nominating party -- Nomination process.**

2347 (1) Except as otherwise provided for a federal presidential election, a qualified individual
2348 who, under this section, is seeking the nomination of a convention nominating party of
2349 an elective office that is to be filled at the next general election shall:

2350 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2351 person, with the filing officer during the declaration of candidacy filing period
2352 described in Section 20A-9-201.5; and
2353 (b) pay the filing fee.

2354 (2) A qualified individual who, under this section, is seeking the nomination of a
2355 convention nominating party for the office of district attorney within a multicounty
2356 prosecution district that is to be filled at the next general election shall:

2357 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2358 person, with the filing officer during the declaration of candidacy filing period
2359 described in Section 20A-9-201.5; and
2360 (b) pay the filing fee.

2361 (3) A qualified individual who files as a candidate for lieutenant governor as the joint-ticket
2362 running mate of an individual who is nominated by a convention nominating party,
2363 under this section, for the office of governor shall, during the declaration of candidacy
2364 filing period described in Section 20A-9-201.5, file a declaration of candidacy and
2365 submit a letter from the candidate for governor that names the lieutenant governor
2366 candidate as a joint-ticket running mate.

2367 (4) A qualified individual may seek the nomination of a convention nominating party for an
2368 elective office by participating in the process established by the convention nominating
2369 party to nominate the convention nominating party's candidates.

2370 (5) Except as otherwise provided for a federal presidential election, an individual
2371 nominated to run for office by a convention nominating party:
2372 (a) may not participate in the regular primary election; and

2373 (b) may participate in the regular general election, only in accordance with this section
2374 and Subsections 20A-9-402.2(3) and 20A-6-301(1)(b).

2375 **(6) A convention nominating party:**

2376 (a) shall, before 5 p.m. on the first Monday after the fourth Saturday in April, certify to
2377 the lieutenant governor the names of each candidate nominated by the convention
2378 nominating party to be placed on the regular general election ballot; and
2379 (b) may not nominate more than one candidate for each office to be filled at the regular
2380 general election.

2381 Section 23. Section **20A-9-403** is amended to read:

2382 **20A-9-403 . Regular primary elections.**

2383 (1)[(a)] Candidates for elective office that are to be filled at the next regular general
2384 election who are seeking the nomination of a primary nomination party shall be
2385 nominated in a regular primary election [by direct vote of the people in the manner
2386 prescribed in this section. The regular primary election is held] , as described in this
2387 section, on the date specified in Section 20A-1-201.5. [Nothing in this section shall
2388 affect a candidate's ability to qualify for a regular general election's ballot as an
2389 unaffiliated candidate under Section 20A-9-501 or to participate in a regular general
2390 election as a write-in candidate under Section 20A-9-601.]
2391 [(b) Each registered political party that chooses to have the names of the registered
2392 political party's candidates for elective office featured with party affiliation on the
2393 ballot at a regular general election shall comply with the requirements of this section
2394 and shall nominate the registered political party's candidates for elective office in the
2395 manner described in this section.]
2396 [(e) A filing officer may not permit an official ballot at a regular general election to be
2397 produced or used if the ballot denotes affiliation between a registered political party
2398 or any other political group and a candidate for elective office who is not nominated
2399 in the manner prescribed in this section or in Subsection 20A-9-202(4).]
2400 [(d) Unless noted otherwise, the dates in this section refer to those that occur in each
2401 even-numbered year in which a regular general election will be held.]
2402 [(2)(a) Each registered political party, in a statement filed with the lieutenant governor,
2403 shall:]
2404 [(i) either declare the registered political party's intent to participate in the next
2405 regular primary election or declare that the registered political party chooses not to
2406 have the names of the registered political party's candidates for elective office

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

↳ if the registered political party participates in the upcoming regular primary election, identify one or more registered political parties whose members may vote for the registered political party's candidates and whether individuals identified as unaffiliated with a political party may vote for the registered political party's candidates.]

[**(b)(i)** A registered political party that is a continuing political party shall file the statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on November 30 of each odd-numbered year.]

[**(ii)** An organization that is seeking to become a registered political party under Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered political party files the petition described in Section 20A-8-103.]

[3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective office on the regular primary ballot of the registered political party listed on the declaration of candidacy only if the individual is certified by the appropriate filing officer as having submitted a nomination petition that was:]

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

[ii) signed by at least 2% of the registered political party's members who reside in the political division of the office that the individual seeks.]

[b] (i) A candidate for elective office shall, in accordance with Section 20A-9-408.3, submit signatures for a nomination petition to the appropriate filing officer for verification and certification no later than 5 p.m. on March 31.]

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

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

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

[ii) The lieutenant governor shall publish the determination for each elective office 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 Subsektion (3)(a) no later
2448 than the deadline described in Subsektion 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 Subsektion (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 Subsektion (3)(f).]

2459 [(e) Notwithstanding any other provision in this Subsektion (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 Subsektion 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 Subsektion (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.

2543 (3) For the manual candidate qualification process, the nomination petitions shall be in
2544 substantially the following form:
2545 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;
2546 (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space
2547 above that line blank for purposes of binding;
2548 (c) the petition shall be headed by a caption stating the purpose of the petition and the
2549 name of the proposed candidate;
2550 (d) the petition shall feature the word "Warning" followed by the following statement in
2551 no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone
2552 to knowingly sign a nomination petition with any name other than the person's own
2553 name, or more than once for the same candidate, or if the person is not registered to
2554 vote in this state.";
2555 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively
2556 numbered one through 10;
2557 (f) the signature portion of the petition shall be divided into columns headed by the
2558 following titles:
2559 (i) Registered Voter's Printed Name;
2560 (ii) Signature of Registered Voter;
2561 (iii) Party Affiliation of Registered Voter;
2562 (iv) Birth Date or Age (Optional);
2563 (v) Street Address, City, Zip Code; and
2564 (vi) Date of Signature; and
2565 (g) a photograph of the candidate may appear on the nomination petition.

2566 (4) For the electronic candidate qualification process, the lieutenant governor shall design
2567 an electronic form, using progressive screens, that includes:
2568 (a) the following warning:
2569 "Warning: It is a class A misdemeanor for anyone to knowingly sign a nomination
2570 petition with any name other than the person's own name, or more than once for the same
2571 candidate, or if the person is not registered to vote in this state."; and
2572 (b) the following information for each individual who signs the petition:
2573 (i) name;
2574 (ii) party affiliation;
2575 (iii) date of birth or age, (optional);
2576 (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

2611 compensation is based directly on the number of signatures submitted to a filing
2612 officer rather than on the number of signatures verified or on some other basis.

2613 (9) Any person violating Subsection (8) is guilty of a class A misdemeanor.

2614 (10)(a) A voter who signs a nomination petition may have the voter's signature removed
2615 from the petition by, no later than three business days after the day on which the
2616 candidate files the petition with the appropriate filing officer, submitting to the filing
2617 officer a statement requesting that the voter's signature be removed.

2618 (b) A statement described in Subsection (10)(a) shall comply with the requirements
2619 described in Subsection 20A-1-1003(2).

2620 (c) The filing officer shall use the procedures described in Subsection 20A-1-1003(3) to
2621 determine whether to remove an individual's signature from a nomination petition
2622 after receiving a timely, valid statement requesting removal of the signature.

2623 Section 25. Section **20A-9-408.5** is amended to read:

2624 **20A-9-408.5 . Declaration of candidacy form for qualified political party.**

2625 The declaration of candidacy form [described in Sections 20A-9-407 and 20A-9-408] for
2626 an office to be filled at the regular general election shall:

2627 (1) be substantially as follows:

2628 "State of Utah, County of _____

2629 I, _____, declare my intention of becoming a candidate for the office of _____
2630 as a candidate for the _____ party. I do solemnly swear, under penalty of perjury, that: I will
2631 meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside
2632 at _____ in the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will
2633 not knowingly violate any law governing campaigns and elections; I will file all campaign
2634 financial disclosure reports as required by law; and I understand that failure to do so will result
2635 in my disqualification as a candidate for this office and removal of my name from the ballot.
2636 The mailing address that I designate for receiving official election notices is
2637 _____
2638 _____.

2639 Subscribed and sworn before me this _____(month\day\year). Notary Public (or
2640 other officer qualified to administer oath)."; and

2641 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

2642 (a) the registered political party of which the candidate is a member[;] or
2643 [();] that the candidate is not a member of a registered political party; and
2644 (b) the registered political party whose nomination the candidate seeks.

2645 [({3}) direct the candidate to indicate whether the candidate is seeking the nomination using:]
2646 [({a}) the convention process described in Section 20A-9-407;]
2647 [({b}) the signature-gathering process described in Section 20A-9-408; or]
2648 [({e}) both processes described in Subsections (3)(a) and (b).]

2649 Section 26. Section **20A-9-411** is amended to read:

2650 **20A-9-411 . Signing multiple nomination petitions.**

2651 [({1}) An individual who signs a petition, described in Section [20A-9-403 or 20A-9-408]

2652 20A-9-402.3, to nominate a candidate may [not] sign a petition to nominate another
2653 candidate for the same office.

2654 [({2}) If an individual signs more than one petition in violation of Subsection (1), the election
2655 officer may only count the signature on the first petition that the election officer reviews
2656 for that office.]

2657 Section 27. Section **20A-9-701** is amended to read:

2658 **20A-9-701 . Certification of party candidates to county clerks -- Display on ballot.**

2659 (1) No later than August 31 of each regular general election year, the lieutenant governor
2660 shall certify to each county clerk, for offices to be voted upon at the regular general
2661 election in that county clerk's county:

2662 (a) the names of each candidate nominated under Subsection 20A-9-202(4) or
2663 Subsection [20A-9-403(5)] 20A-9-403(4); and

2664 (b) the names of the candidates for president and vice president that are certified by the
2665 registered political party as the party's nominees.

2666 (2) The names shall be certified by the lieutenant governor and shall be displayed on the
2667 ballot as they are provided on the candidate's declaration of candidacy.

2668 (3) No [other] names, other than the names certified under Subsection (1), may appear on
2669 the ballot as affiliated with, endorsed by, or nominated by any other registered political
2670 party, political party, or other political group.

2671 Section 28. Section **20A-21-101** is amended to read:

2672 **20A-21-101 . Definitions.**

2673 As used in this chapter:

2674 (1) "Approved device" means a device described in Subsection 20A-21-201(4).

2675 (2) "Candidate qualification process" means the process, described in Section [20A-9-403
2676 or 20A-9-408] 20A-9-202.3, of gathering signatures to seek the nomination of a [
2677 registered political] primary nominating party.

2678 (3) "Electronic candidate qualification process" means the same as that term is defined in

2679 Section 20A-9-101.

2680 (4) "Electronic initiative process" means the same as that term is defined in Section
2681 20A-7-101.

2682 (5) "Electronic referendum process" means the same as that term is defined in Section
2683 20A-7-101.

2684 (6) "Manual candidate qualification process" means the same as that term is defined in
2685 Section 20A-9-101.

2686 (7) "Petition" means:

2687 (a) as it relates to the electronic initiative process or the electronic referendum process,
2688 the electronic record that an individual signs to indicate the individual is in favor of
2689 placing the initiative or referendum on the ballot; or

2690 (b) as it relates to electronic candidate qualification process, the electronic record that an
2691 individual signs to indicate the individual is in favor of placing an individual's name
2692 on the ballot to run for a particular elective office.

2693 (8) "Signature" means:

2694 (a) as it relates to a signature gathered for an initiative or referendum, the same as that
2695 term is defined in Section 20A-7-101; or

2696 (b) as it relates to a signature gathered for the candidate qualification process, the same
2697 as that term is defined in Section 20A-9-101.

2698 (9) "Website" means:

2699 (a) as it relates to the electronic initiative process or the electronic referendum process,
2700 the website designated by the lieutenant governor for collecting the signatures and
2701 other information relating to the electronic initiative process or the electronic
2702 referendum process; or

2703 (b) as it relates to the electronic candidate qualification process, a website designated by
2704 the lieutenant governor for collecting the signatures and other information relating to
2705 the electronic candidate qualification process.

2706 Section 29. Section **63G-2-305** is amended to read:

2707 **63G-2-305 . Protected records.**

2708 The following records are protected if properly classified by a governmental entity:

2709 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
2710 provided the governmental entity with the information specified in Section 63G-2-309;

2711 (2) commercial information or nonindividual financial information obtained from a person
2712 if:

2713 (a) disclosure of the information could reasonably be expected to result in unfair
2714 competitive injury to the person submitting the information or would impair the
2715 ability of the governmental entity to obtain necessary information in the future;

2716 (b) the person submitting the information has a greater interest in prohibiting access than
2717 the public in obtaining access; and

2718 (c) the person submitting the information has provided the governmental entity with the
2719 information specified in Section 63G-2-309;

2720 (3) commercial or financial information acquired or prepared by a governmental entity to
2721 the extent that disclosure would lead to financial speculations in currencies, securities, or
2722 commodities that will interfere with a planned transaction by the governmental entity or
2723 cause substantial financial injury to the governmental entity or state economy;

2724 (4) records, the disclosure of which could cause commercial injury to, or confer a
2725 competitive advantage upon a potential or actual competitor of, a commercial project
2726 entity as defined in Subsection 11-13-103(4);

2727 (5) test questions and answers to be used in future license, certification, registration,
2728 employment, or academic examinations;

2729 (6) records, the disclosure of which would impair governmental procurement proceedings
2730 or give an unfair advantage to any person proposing to enter into a contract or agreement
2731 with a governmental entity, except, subject to Subsections (1) and (2), that this
2732 Subsection (6) does not restrict the right of a person to have access to, after the contract
2733 or grant has been awarded and signed by all parties:

2734 (a) a bid, proposal, application, or other information submitted to or by a governmental
2735 entity in response to:
2736 (i) an invitation for bids;
2737 (ii) a request for proposals;
2738 (iii) a request for quotes;
2739 (iv) a grant; or
2740 (v) other similar document; or
2741 (b) an unsolicited proposal, as defined in Section 63G-6a-712;

2742 (7) information submitted to or by a governmental entity in response to a request for
2743 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
2744 restrict the right of a person to have access to the information, after:
2745 (a) a contract directly relating to the subject of the request for information has been
2746 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;

2815 (19)(a)(i) personal files of a state legislator, including personal correspondence to or
2816 from a member of the Legislature; and
2817 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
2818 legislative action or policy may not be classified as protected under this section;
2819 and
2820 (b)(i) an internal communication that is part of the deliberative process in connection
2821 with the preparation of legislation between:
2822 (A) members of a legislative body;
2823 (B) a member of a legislative body and a member of the legislative body's staff; or
2824 (C) members of a legislative body's staff; and
2825 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
2826 legislative action or policy may not be classified as protected under this section;
2827 (20)(a) records in the custody or control of the Office of Legislative Research and
2828 General Counsel, that, if disclosed, would reveal a particular legislator's
2829 contemplated legislation or contemplated course of action before the legislator has
2830 elected to support the legislation or course of action, or made the legislation or course
2831 of action public; and
2832 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
2833 Office of Legislative Research and General Counsel is a public document unless a
2834 legislator asks that the records requesting the legislation be maintained as protected
2835 records until such time as the legislator elects to make the legislation or course of
2836 action public;
2837 (21) a research request from a legislator to a legislative staff member and research findings
2838 prepared in response to the request;
2839 (22) drafts, unless otherwise classified as public;
2840 (23) records concerning a governmental entity's strategy about:
2841 (a) collective bargaining; or
2842 (b) imminent or pending litigation;
2843 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
2844 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
2845 Uninsured Employers' Fund, or similar divisions in other governmental entities;
2846 (25) records, other than personnel evaluations, that contain a personal recommendation
2847 concerning an individual if disclosure would constitute a clearly unwarranted invasion
2848 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

2883 section may not be used to restrict access to a record evidencing a final contract;

2884 (36) materials to which access must be limited for purposes of securing or maintaining the

2885 governmental entity's proprietary protection of intellectual property rights including

2886 patents, copyrights, and trade secrets;

2887 (37) the name of a donor or a prospective donor to a governmental entity, including an

2888 institution of higher education defined in Section 53H-1-101, and other information

2889 concerning the donation that could reasonably be expected to reveal the identity of the

2890 donor, provided that:

2891 (a) the donor requests anonymity in writing;

2892 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be

2893 classified protected by the governmental entity under this Subsection (37); and

2894 (c) except for an institution of higher education defined in Section 53H-1-101, the

2895 governmental unit to which the donation is made is primarily engaged in educational,

2896 charitable, or artistic endeavors, and has no regulatory or legislative authority over

2897 the donor, a member of the donor's immediate family, or any entity owned or

2898 controlled by the donor or the donor's immediate family;

2899 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;

2900 (39) a notification of workers' compensation insurance coverage described in Section

2901 34A-2-205;

2902 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher

2903 education defined in Section 53H-1-101, which have been developed, discovered,

2904 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the

2905 institution:

2906 (a) unpublished lecture notes;

2907 (b) unpublished notes, data, and information:

2908 (i) relating to research; and

2909 (ii) of:

2910 (A) the institution of higher education defined in Section 53H-1-101; or

2911 (B) a sponsor of sponsored research;

2912 (c) unpublished manuscripts;

2913 (d) creative works in process;

2914 (e) scholarly correspondence;[~~and~~]

2915 (f) confidential information contained in research proposals;

2916 (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 [e] 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

an individual with a life-threatening condition;

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

3087 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature
3088 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
3089 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
3090 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
3091 Victims Guidelines for Prosecutors Act;
3092 (78) a record submitted to the Insurance Department under Section 31A-48-103;
3093 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
3094 prohibited under Section 63G-26-103;
3095 (80) an image taken of an individual during the process of booking the individual into jail,
3096 unless:
3097 (a) the individual is convicted of a criminal offense based upon the conduct for which
3098 the individual was incarcerated at the time the image was taken;
3099 (b) a law enforcement agency releases or disseminates the image:
3100 (i) after determining that the individual is a fugitive or an imminent threat to an
3101 individual or to public safety and releasing or disseminating the image will assist
3102 in apprehending the individual or reducing or eliminating the threat; or
3103 (ii) to a potential witness or other individual with direct knowledge of events relevant
3104 to a criminal investigation or criminal proceeding for the purpose of identifying or
3105 locating an individual in connection with the criminal investigation or criminal
3106 proceeding;
3107 (c) a judge orders the release or dissemination of the image based on a finding that the
3108 release or dissemination is in furtherance of a legitimate law enforcement interest; or
3109 (d) the image is displayed to a person who is permitted to view the image under Section
3110 17-72-802;

3111 (81) a record:
3112 (a) concerning an interstate claim to the use of waters in the Colorado River system;
3113 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
3114 representative from another state or the federal government as provided in Section
3115 63M-14-205; and
3116 (c) the disclosure of which would:
3117 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
3118 Colorado River system;
3119 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
3120 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.