

Michael K. McKell proposes the following substitute bill:

Election Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor:

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LONG TITLE

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General Description:

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This bill amends provisions relating to elections.

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Highlighted Provisions:

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This bill:

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▸ defines terms;

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▸ enacts a temporary provision regarding the computation of time;

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▸ prohibits certain action by a county clerk;

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▸ requires the lieutenant governor to create a written conflict of interest avoidance plan;

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▸ modifies provisions relating to filling an office vacancy;

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▸ provides that if a vacancy in an elected office is filled by appointment, the appointee shall

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be a member of the same political party of which the prior officeholder was a member at

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the time the prior officeholder was last elected or appointed;

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▸ establishes a process to fill a vacancy created by an officeholder who was not affiliated

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with a political party at the time the officeholder was last elected or appointed;

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▸ establishes the crime of electronic communications abuse of elections or elected office;

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▸ subject to certain exceptions, provides that, when poll workers verify a voter's identity in

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relation to a ballot returned by mail, the poll workers are required to verify the signature

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on the affidavit in addition to the last four digits of an identification number;

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▸ modifies the number of signatures that a qualified political party candidate for a county

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office is required to collect to qualify for placement on the primary election ballot;

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▸ requires an incumbent county clerk who is running for reelection to contract with another

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county clerk to provide certain services in relation to verifying candidate signatures for

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the race;

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▸ modifies a provision relating to the frequency of an elections audit performed by the

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Office of the Legislative Auditor General;

- 29 ▶ permits the use of campaign funds for certain goods or services relating to security; and
30 ▶ makes technical and conforming changes.

31 **Money Appropriated in this Bill:**

32 None

33 **Other Special Clauses:**

34 This bill provides a special effective date.

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **17-69-202 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
38 First Special Session, Chapter 13

39 **17-70-403 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
40 First Special Session, Chapter 13

41 **20A-1-104 (Effective 05/06/26)**, as repealed and reenacted by Laws of Utah 2025,
42 Chapter 448

43 **20A-1-106 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 297

44 **20A-1-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

45 **20A-1-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 448

46 **20A-1-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 90

47 **20A-1-508 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
48 Session, Chapter 16

49 **20A-1-509.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second
50 Special Session, Chapter 2

51 **20A-1-509.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
52 Session, Chapter 16

53 **20A-1-513 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

54 **20A-1-609 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 325

55 **20A-3a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
56 Session, Chapter 6

57 **20A-9-408 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Second Special
58 Session, Chapter 2

59 **20A-11-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 447

60 **20A-11-204 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,
61 448

62 **20A-11-1303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,

63 448
 64 **36-12-15.2 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 156
 65 **63I-2-220 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Forth Special
 66 Session, Chapter 2

67 ENACTS:

68 **20A-1-109 (Effective 05/06/26)**, Utah Code Annotated 1953
 69 **20A-1-608.1 (Effective 05/06/26)**, Utah Code Annotated 1953
 70 **20A-9-408.4 (Effective 05/06/26)**, Utah Code Annotated 1953

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

73 Section 1. Section **17-69-202** is amended to read:

74 **17-69-202 (Effective 05/06/26). Qualifications for a county auditor in a county of**
 75 **the first class.**

76 (1) In a county of the first class, in addition to the requirements described in Section
 77 17-66-201, an individual filing a declaration of candidacy for the office of county
 78 auditor, an individual elected to the office of county auditor, or an interim replacement
 79 appointed under Subsection 20A-1-508(3) or (4), shall have one or more of the
 80 following professional certifications active and in good standing:

- 81 (a) certified public accountant;
- 82 (b) certified internal auditor;
- 83 (c) certified fraud examiner;
- 84 (d) certified management accountant; or
- 85 (e) certified information systems auditor.

86 (2) Subsection (1) does not apply to any other position within an auditor's office, except
 87 that a chief deputy or other individual filling the vacancy of an elected auditor in a
 88 county of the first class may not be appointed as an interim replacement under
 89 Subsection 20A-1-508(3) or (4) unless the individual meets the qualifications of
 90 Subsection (1) and Section 17-66-201.

91 Section 2. Section **17-70-403** is amended to read:

92 **17-70-403 (Effective 05/06/26). Campaign financial disclosure in county elections.**

93 (1) A county shall adopt an ordinance establishing campaign finance disclosure
 94 requirements for:

- 95 (a) candidates for county office; and
- 96 (b) candidates for local school board office who reside in that county.

- 97 (2) The ordinance required by Subsection (1) shall include:
- 98 (a) a requirement that each candidate for county office or local school board office
- 99 report the candidate's itemized and total campaign contributions and expenditures at
- 100 least once within the two weeks before the election and at least once within two
- 101 months after the election;
- 102 (b) a definition of "contribution" and "expenditure" that requires reporting of
- 103 nonmonetary contributions such as in-kind contributions and contributions of
- 104 tangible things;
- 105 (c) a requirement that the financial reports identify:
- 106 (i) for each contribution, the name of the donor of the contribution, if known, and the
- 107 amount of the contribution; and
- 108 (ii) for each expenditure, the name of the recipient and the amount of the expenditure;
- 109 (d) a requirement that a candidate for county office or local school board office deposit a
- 110 contribution in a separate campaign account into a financial institution;
- 111 (e) a prohibition against a candidate for county office or local school board office
- 112 depositing or mingling any contributions received into a personal or business account;
- 113 (f) a requirement that a candidate for county office who receives a contribution that is
- 114 cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is
- 115 unknown, shall, within 30 days after receiving the contribution, disburse the amount
- 116 of the contribution to:
- 117 (i) the treasurer of the state or a political subdivision for deposit into the state's or
- 118 political subdivision's general fund; or
- 119 (ii) an organization that is exempt from federal income taxation under Section
- 120 501(c)(3), Internal Revenue Code;
- 121 (g) a requirement that a candidate seeking appointment to fill a midterm vacancy in a
- 122 county office or local school board office file the financial report described in
- 123 Subsection (2)(c) with the county clerk:
- 124 (i) for a county office vacancy described in Subsection 20A-1-508(3)~~[-or (7)]~~, (4), or
- 125 (9), no later than three business days before the day on which the political party of
- 126 the prior officeholder submits the candidate's name to the county legislative body
- 127 as the individual the political party selects to fill the vacancy;
- 128 (ii) for a county or district attorney office vacancy described in Subsection
- 129 20A-1-509.1(5)(a), no later than three business days before the day on which the
- 130 political party of the prior officeholder submits the candidate's name to the county

- 131 legislative body as one of the three individuals the party nominates to fill the
132 vacancy;
- 133 (iii) for a county or district attorney office vacancy described in Section 20A-1-509.2:
134 (A) no later than the deadline for the candidate to submit an application to fill the
135 vacancy under Subsection 20A-1-509.2(2)(c); and
136 (B) if, under Subsection 20A-1-509.2(3), more than three attorneys submit an
137 application to fill the vacancy, no later than three business days before the day
138 on which the political party of the prior officeholder submits the candidate's
139 name to the county legislative body as one of the three individuals the party
140 nominates to fill the vacancy; or
- 141 (iv) for a local school board office vacancy, no later than three business days before
142 the day on which the local school board meets to interview each candidate
143 interested in filling the vacancy in accordance with Section 20A-1-511; and
- 144 (h) a requirement that, upon receipt of the financial report described in Subsection (2)(g),
145 the county clerk immediately submit a copy of the report to the county legislative
146 body.
- 147 (3)(a) As used in this Subsection (3), "account" means an account in a financial
148 institution:
- 149 (i) that is not described in Subsection (2)(d); and
150 (ii) into which or from which a person who, as a candidate for an office, other than a
151 county office for which the person files a declaration of candidacy or federal
152 office, or as a holder of an office, other than a county office for which the person
153 files a declaration of candidacy or federal office, deposits a contribution or makes
154 an expenditure.
- 155 (b) The ordinance required by Subsection (1) shall include a requirement that a
156 candidate for county office or local school board office include on a financial report
157 filed in accordance with the ordinance a contribution deposited in or an expenditure
158 made from an account:
- 159 (i) since the last financial report was filed; or
160 (ii) that has not been reported under a statute or ordinance that governs the account.
- 161 (4) If any county fails to adopt a campaign finance disclosure ordinance described in
162 Subsection (1), candidates for county office, other than community council office, and
163 candidates for local school board office shall comply with the financial reporting
164 requirements contained in Subsections (5) through (10).

- 165 (5) A candidate for elective office in a county or local school board office:
166 (a) shall deposit a contribution into a separate campaign account in a financial
167 institution; and
168 (b) may not deposit or mingle any contributions received into a personal or business
169 account.
- 170 (6) Each candidate for elective office in any county who is not required to submit a
171 campaign financial statement to the lieutenant governor, and each candidate for local
172 school board office, shall file a signed campaign financial statement with the county
173 clerk:
174 (a) seven days before the date of the regular general election, reporting each contribution
175 and each expenditure as of 10 days before the date of the regular general election; and
176 (b) no later than 30 days after the date of the regular general election.
- 177 (7)(a) The statement filed seven days before the regular general election shall include:
178 (i) a list of each contribution received by the candidate, and the name of the donor, if
179 known; and
180 (ii) a list of each expenditure for political purposes made during the campaign period,
181 and the recipient of each expenditure.
- 182 (b) The statement filed 30 days after the regular general election shall include:
183 (i) a list of each contribution received after the cutoff date for the statement filed
184 seven days before the election, and the name of the donor; and
185 (ii) a list of all expenditures for political purposes made by the candidate after the
186 cutoff date for the statement filed seven days before the election, and the recipient
187 of each expenditure.
- 188 (8)(a) As used in this Subsection (8), "account" means an account in a financial
189 institution:
190 (i) that is not described in Subsection (5)(a); and
191 (ii) into which or from which a person who, as a candidate for an office, other than a
192 county office for which the person filed a declaration of candidacy or federal
193 office, or as a holder of an office, other than a county office for which the person
194 filed a declaration of candidacy or federal office, deposits a contribution or makes
195 an expenditure.
- 196 (b) A county office candidate and a local school board office candidate shall include on
197 any campaign financial statement filed in accordance with Subsection (6) or (7):
198 (i) a contribution deposited into an account:

- 199 (A) since the last campaign finance statement was filed; or
200 (B) that has not been reported under a statute or ordinance that governs the
201 account; or
202 (ii) an expenditure made from an account:
203 (A) since the last campaign finance statement was filed; or
204 (B) that has not been reported under a statute or ordinance that governs the
205 account.
- 206 (9) Within 30 days after receiving a contribution that is cash or a negotiable instrument,
207 exceeds \$50, and is from a donor whose name is unknown, a county office candidate
208 shall disburse the amount of the contribution to:
209 (a) the treasurer of the state or a political subdivision for deposit into the state's or
210 political subdivision's general fund; or
211 (b) an organization that is exempt from federal income taxation under Section 501(c)(3),
212 Internal Revenue Code.
- 213 (10) Candidates for elective office in any county, and candidates for local school board
214 office, who are eliminated at a primary election shall file a signed campaign financial
215 statement containing the information required by this section not later than 30 days after
216 the primary election.
- 217 (11)(a) A candidate seeking appointment to fill a midterm vacancy in a county office or
218 local school board office shall:
219 (i) comply with Subsections (5) and (9); and
220 (ii) file a signed campaign financial statement with the county clerk no later than the
221 deadline described in Subsection (2)(g).
222 (b) Upon receipt of the campaign financial statement described in Subsection (11)(a)(ii),
223 the county clerk shall immediately submit a copy of the statement to the county
224 legislative body.
- 225 (12) Any individual who fails to comply with this section is guilty of an infraction.
- 226 (13)(a) Counties may, by ordinance, enact requirements that:
227 (i) require greater disclosure of campaign contributions and expenditures; and
228 (ii) impose additional penalties.
229 (b) The requirements described in Subsection (13)(a) apply to a local school board office
230 candidate who resides in that county.
- 231 (14) If a candidate fails to file an interim report due before the election, the county clerk:
232 (a) may send an electronic notice to the candidate and the political party of which the

- 233 candidate is a member, if any, that states:
- 234 (i) that the candidate failed to timely file the report; and
- 235 (ii) that, if the candidate fails to file the report within 24 hours after the deadline for
- 236 filing the report, the candidate will be disqualified and the political party will not
- 237 be permitted to replace the candidate; and
- 238 (b) impose a fine of \$100 on the candidate.
- 239 (15)(a) The county clerk shall disqualify a candidate and inform the appropriate election
- 240 officials that the candidate is disqualified if the candidate fails to file an interim
- 241 report described in Subsection (14) within 24 hours after the deadline for filing the
- 242 report.
- 243 (b) The political party of a candidate who is disqualified under Subsection (15)(a) may
- 244 not replace the candidate.
- 245 (c) A candidate who is disqualified under Subsection (15)(a) shall file with the county
- 246 clerk a complete and accurate campaign finance statement within 30 days after the
- 247 day on which the candidate is disqualified.
- 248 (16) If a candidate is disqualified under Subsection (15)(a), the election official:
- 249 (a) shall:
- 250 (i) notify every opposing candidate for the county office that the candidate is
- 251 disqualified;
- 252 (ii) send an email notification to each voter who is eligible to vote in the county
- 253 election office race for whom the election official has an email address informing
- 254 the voter that the candidate is disqualified and that votes cast for the candidate will
- 255 not be counted;
- 256 (iii) post notice of the disqualification on the county's website; and
- 257 (iv) if practicable, remove the candidate's name from the ballot by blacking out the
- 258 candidate's name before the ballots are delivered to voters; and
- 259 (b) may not count any votes for that candidate.
- 260 (17) An election official may fulfill the requirement described in Subsection (16)(a) in
- 261 relation to a mailed ballot, including a military or overseas ballot, by including with the
- 262 ballot a written notice directing the voter to the county's website to inform the voter
- 263 whether a candidate on the ballot is disqualified.
- 264 (18) A candidate is not disqualified if:
- 265 (a) the candidate files the interim reports described in Subsection (14) no later than 24
- 266 hours after the applicable deadlines for filing the reports;

- 267 (b) the reports are completed, detailing accurately and completely the information
268 required by this section except for inadvertent omissions or insignificant errors or
269 inaccuracies; and
- 270 (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the
271 next scheduled report.
- 272 (19)(a) A report is considered timely filed if:
- 273 (i) the report is received in the county clerk's office no later than midnight, Mountain
274 Time, at the end of the day on which the report is due;
- 275 (ii) the report is received in the county clerk's office with a United States Postal
276 Service postmark three days or more before the date that the report was due; or
- 277 (iii) the candidate has proof that the report was mailed, with appropriate postage and
278 addressing, three days before the report was due.
- 279 (b) For a county clerk's office that is not open until midnight at the end of the day on
280 which a report is due, the county clerk shall permit a candidate to file the report via
281 email or another electronic means designated by the county clerk.
- 282 (20)(a) Any private party in interest may bring an action in a court with jurisdiction
283 under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of
284 this section or any ordinance adopted under this section.
- 285 (b) In a civil action filed under Subsection (20)(a), the court shall award costs and
286 attorney fees to the prevailing party.
- 287 (21) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access
288 and Management Act, the county clerk shall:
- 289 (a) make each campaign finance statement filed by a candidate available for public
290 inspection and copying no later than one business day after the statement is filed; and
- 291 (b) make the campaign finance statement filed by a candidate available for public
292 inspection by:
- 293 (i) posting an electronic copy or the contents of the statement on the county's website
294 no later than seven business days after the day on which the statement is filed; and
- 295 (ii) in order to meet the requirements of Subsection 20A-11-103(4)(b)(ii), providing
296 the lieutenant governor with a link to the electronic posting described in
297 Subsection (21)(b)(i) no later than two business days after the day the statement is
298 filed.

299 Section 3. Section **20A-1-104** is amended to read:

300 **20A-1-104 (Effective 05/06/26). Computation of time.**

- 301 (1) Time is computed in this title as provided in this section.
- 302 (2) Except as provided in Subsection (3), or as otherwise expressly provided in this title:
- 303 (a) if a provision describes a time period in terms of a certain number of calendar days:
- 304 (i) the time period is calculated by consecutive days; and
- 305 (ii) the beginning and ending day of the time period is the calendar day on which the
- 306 time period begins or ends;
- 307 (b) if a provision describes a time period in terms of a certain number of business days,
- 308 only the business days are included in the calculation; and
- 309 (c) if a provision describes a time period in terms of a certain number of days rather than
- 310 calendar days or business days, the days referred to mean calendar days.
- 311 (3) A time period that relates to filing an action or document in court is calculated as
- 312 provided in court rule.
- 313 (4) Except in relation to the following chapters, if a deadline described in this title ends on a
- 314 weekend or holiday, the deadline is extended to the next business day:
- 315 (a) Chapter 19, Utah Independent Redistricting Commission and Standards Act; and
- 316 (b) Chapter 20, Utah Independent Redistricting Commission.
- 317 Section 4. Section **20A-1-106** is amended to read:
- 318 **20A-1-106 (Effective 05/06/26). Duties of a clerk -- Prohibited action.**
- 319 (1) As used in this section, "clerk" means an election officer other than the lieutenant
- 320 governor.
- 321 (2) A clerk shall:
- 322 (a) comply with all of the following in relation to elections:
- 323 (i) federal and state law;
- 324 (ii) federal and state rules; and
- 325 (iii) the policies and direction of the lieutenant governor; and
- 326 (b) diligently learn and become familiar with the law, rules, policies, and direction
- 327 described in Subsection (2)(a).
- 328 (3) A clerk may not:
- 329 (a) take an action in the clerk's capacity as a clerk that shows partiality or discrimination
- 330 for or against the following with respect to an election that the clerk is involved in
- 331 administering:
- 332 (i) a candidate;
- 333 (ii) an individual seeking candidacy;
- 334 (iii) a ballot measure; or

- 335 (iv) a proposed ballot measure; or
 336 (b) knowingly solicit or accept a political contribution from an employee or volunteer
 337 over whom the clerk has authority.

338 Section 5. Section **20A-1-109** is enacted to read:

339 **20A-1-109 (Effective 05/06/26). Lieutenant governor conflict of interest**
 340 **avoidance plan -- Creation and presentation.**

- 341 (1) The lieutenant governor shall, before August 31, 2026, create a written conflict of
 342 interest risk avoidance plan that:
- 343 (a) identifies specific types of decisions or actions the lieutenant governor may take, in
 344 the course and scope of the duties or powers of the office of lieutenant governor, that
 345 could create a conflict of interest by influencing, or being perceived to influence, the
 346 lieutenant governor's candidacy for an office;
- 347 (b) for each type of decision or action identified under Subsection (1)(a), establishes
 348 procedures and actions the lieutenant governor will take to mitigate or avoid the
 349 conflict, including:
- 350 (i) recusal from making the decision or taking the action; and
 351 (ii) designating the person who will make the decision or take the action in the event
 352 of a recusal; and
- 353 (c) for each type of decision or action considered in relation to creating the plan that the
 354 lieutenant governor concludes does not constitute a conflict of interest:
- 355 (i) a description of the type of decision or action; and
 356 (ii) an explanation of why the type of decision or action does not constitute a conflict
 357 of interest or the appearance of a conflict of interest.
- 358 (2) The lieutenant governor shall:
- 359 (a) forward a copy of the plan described in Subsection (1) to the Government Operations
 360 Interim Committee on or before September 1, 2026;
- 361 (b) if requested by the chairs of the Government Operations Interim Committee, present
 362 the plan to the committee at a meeting specified by the chairs of the committee; and
- 363 (c) keep a copy of the plan available for public review on the lieutenant governor's
 364 website.
- 365 (3) Beginning on January 1, 2029, when a new lieutenant governor first takes office, the
 366 lieutenant governor shall, within 90 days after first taking office:
- 367 (a)(i) adopt the written conflict of interest risk avoidance plan used by the previous
 368 lieutenant governor; or

- 369 (ii) create a new written conflict of interest avoidance plan in accordance with the
370 requirements described in Subsection (1);
- 371 (b) forward a copy of the plan described in Subsection (3)(a) to the Government
372 Operations Interim Committee;
- 373 (c) if requested by the chairs of the Government Operations Interim Committee, present
374 the plan to the committee at a meeting specified by the chairs of the committee; and
- 375 (d) keep a copy of the plan available for public review on the lieutenant governor's
376 website.
- 377 (4) If, at any time during the lieutenant governor's term of office, the lieutenant governor
378 revises the written conflict of interest avoidance plan, the lieutenant governor shall:
- 379 (a) forward a copy of the revised plan to the Government Operations Interim Committee;
- 380 (b) if requested by the chairs of the Government Operations Interim Committee, present
381 the revised plan to the committee at a meeting specified by the chairs of the
382 committee; and
- 383 (c) keep a copy of the revised plan available for public review on the lieutenant
384 governor's website.
- 385 (5) The lieutenant governor shall comply with the written conflict of interest avoidance plan
386 adopted or created by the lieutenant governor under this section.

387 Section 6. Section **20A-1-502** is amended to read:

388 **20A-1-502 (Effective 05/06/26). Midterm vacancy in office of United States**
389 **senator.**

- 390 (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of
391 United States senator, the governor shall, within seven calendar days after the day on
392 which the vacancy occurs, issue a proclamation calling a special congressional election
393 to fill the vacancy that:
- 394 (a) sets a date for a primary congressional special election, and a later date for a general
395 congressional special election, on the same day as one of the following elections:
396 (i) a municipal general election;
397 (ii) a presidential primary election;
398 (iii) a regular primary election; or
399 (iv) a regular general election;
- 400 (b) sets the date of the primary congressional special election on the same day as the
401 next election described in Subsections (1)(a)(i) through (iv) that is more than 90
402 calendar days after the day on which the governor issues the proclamation;

- 403 (c) sets the date of the general special congressional election on the same day as the next
404 election described in Subsection (1)(a) that is more than 90 calendar days after the
405 primary special congressional election described in Subsection (1)(b);
- 406 (d) provides each registered political party that is not a qualified political party at least
407 21 calendar days, but no more than 28 calendar days, to select one candidate, in a
408 manner determined by the registered political party, as a candidate for the registered
409 political party;
- 410 (e) for each qualified political party, provides at least 21 calendar days, but no more than
411 28 calendar days:
- 412 (i) for the qualified political party to select one candidate, using the convention
413 process described in Section 20A-9-407, as a candidate for the qualified political
414 party; and
- 415 (ii) for a member of the qualified political party to submit signatures to qualify as a
416 candidate for the qualified political party using the signature-gathering process
417 described in Section 20A-9-408;
- 418 (f) consistent with the requirements of this section, establishes the deadlines, time
419 frames, and procedures for filing a declaration of candidacy, giving notice of an
420 election, and other election requirements; and
- 421 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform
422 Military and Overseas Voters Act.
- 423 (2)(a) The governor may set a date for a primary special congressional election or a
424 general special congressional election on a date other than a date described in
425 Subsection (1)(a) if:
- 426 (i) on the same day on which the governor issues the proclamation described in
427 Subsection (1) the governor calls a special session for the Legislature to
428 appropriate money to hold the election on a different day; or
- 429 (ii) if the governor issues the proclamation described in Subsection (1) on or after
430 January 1, but before the end of the general session of the Legislature, and
431 requests in the proclamation described in Subsection (1) that the Legislature
432 appropriate money to hold the election on a different day.
- 433 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the
434 election on a different day, the proclamation described in Subsection (1) is void and
435 the governor shall, within seven calendar days after the day on which the Legislature
436 declines to appropriate money to hold the election on a different day, issue a

- 437 proclamation, in accordance with Subsection (1), that sets the special congressional
438 primary and general elections on dates described in Subsections (1)(a)(i) through (iv).
- 439 (3) A special congressional election to fill a vacancy in the office of United States senator
440 will not be held if:
- 441 (a) the next regular general election that occurs after the day on which the vacancy
442 occurs is the regular general election that occurs immediately before the six-year term
443 for the senate office ends; and
- 444 (b) the vacancy occurs after August 1 of the year before the regular general election
445 described in Subsection (3)(a).
- 446 (4)(a) The governor shall appoint an individual to temporarily fill a vacancy in the office
447 of United States senator from one of three individuals nominated by the Legislature,
448 each of whom ~~[is a member of the political party of which the prior officeholder was~~
449 ~~a member at the time the prior officeholder was elected.]~~ meets the qualifications for
450 the office, as follows:
- 451 (i) if the prior officeholder was a member of a registered political party when the
452 prior officeholder last took office, either by election or by appointment under this
453 section, the individuals nominated by the Legislature shall be members of the
454 registered political party of which the prior officeholder was a member when last
455 elected or appointed; or
- 456 (ii) if the prior officeholder was not a member of a registered political party when the
457 prior officeholder last took office, either by election or by appointment under this
458 section, the individuals nominated by the Legislature may be members of any
459 registered political party or unaffiliated with a registered political party.
- 460 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator
461 until the earlier of the day on which:
- 462 (i) the vacancy is filled by election under Subsection (1) or (2); or
463 (ii) the six-year term for the senate office ends.
- 464 (5) An individual elected to fill a vacancy under this section shall serve until the end of the
465 current term in which the vacancy filled by the election occurs.
- 466 (6) A vacancy in the office of United States senator does not occur unless the senator:
- 467 (a) has left the office; or
468 (b) submits an irrevocable letter of resignation to the governor or to the president of the
469 United States Senate.
- 470 Section 7. Section **20A-1-503** is amended to read:

471 **20A-1-503 (Effective 05/06/26). Midterm vacancies in the Legislature.**

472 (1) As used in this section:

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

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

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

476 (b) "Party liaison" means the political party officer designated to serve as a liaison with
477 the lieutenant governor on all matters relating to the political party's relationship with
478 the state as required by Section 20A-8-401.479 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
480 the governor shall fill the vacancy [~~by immediately appointing the person whose name~~
481 ~~was submitted by the party liaison of the same political party as the prior representative.]~~
482 as follows:483 (a) if the prior officeholder was a member of a registered political party when the prior
484 officeholder last took office, either by election or by appointment under this section,
485 by immediately appointing the individual whose name is submitted by the party
486 liaison of the same registered political party of which the prior officeholder was a
487 member when last elected or appointed, if the individual meets the qualifications for
488 office; or489 (b) if the prior officeholder was not a member of a registered political party when the
490 prior officeholder last took office, either by election or by appointment under this
491 section, by immediately appointing one of three individuals nominated by the House
492 of Representatives, who meet the qualifications for office, regardless of whether the
493 individual is a member of a particular registered political party or is unaffiliated with
494 a registered political party.495 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
496 the office of senator in the Legislature, [~~it~~] the vacancy shall be filled for the
497 unexpired term at the next regular general election.498 (b) The governor shall fill the vacancy until the next regular general election [~~by~~
499 ~~immediately appointing the person whose name was submitted by the party liaison of~~
500 ~~the same political party as the prior senator.] as follows:~~501 (i) if the prior officeholder was a member of a registered political party when the
502 prior officeholder last took office, either by election or by appointment under this
503 section, by immediately appointing the individual whose name is submitted by the
504 party liaison of the same registered political party of which the prior officeholder

505 was a member when last elected or appointed, if the individual meets the
506 qualifications for office; or
507 (ii) if the prior officeholder was not a member of a registered political party when the
508 prior officeholder last took office, either by election or by appointment under this
509 section, by immediately appointing one of three individuals nominated by the
510 Senate, who meet the qualifications for office, regardless of whether the
511 individual is a member of a particular registered political party or is unaffiliated
512 with a registered political party.

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

516 (i) establish a date and time, which is before the date for a candidate to be certified
517 for the ballot under Section 20A-9-701 and no later than 21 calendar days after the
518 day on which the vacancy occurred, by which a person intending to obtain a
519 position on the ballot for the vacant office shall file:

520 (A) a declaration of candidacy; or

521 (B) a certificate of nomination; and

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

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

524 (B) to each registered political party.

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

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

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

531 (A) nominated as a party candidate; or

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

534 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in
535 Subsection 20A-9-202(1)(b) and before August 31, of an even-numbered year in
536 which the term of office does not expire, a party liaison from each registered political
537 party may submit a name of a person described in Subsection (4)(b) to the lieutenant
538 governor before 5 p.m. no later than August 30 for placement on the regular general

- 539 election ballot.
- 540 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
541 even-numbered year in which a term does not expire, the governor shall fill the vacancy
542 for the unexpired term [~~by immediately appointing the person whose name was~~
543 ~~submitted by the party liaison of the same political party as the prior senator.] in
544 accordance with Subsection (3)(b).~~
- 545 (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill
546 a vacancy described in this section shall, no later than the deadline for the individual
547 to file an interim report under Subsection 20A-11-303(3)(a), make a complete
548 conflict of interest disclosure on the website described in Section 20A-11-1602.5.
- 549 (b) An individual described in Subsection (6)(a) is not required to comply with
550 Subsection (6)(a) if the individual:
- 551 (i)(A) currently holds the office of senator and is seeking appointment as a
552 representative; or
- 553 (B) currently holds the office of representative and is seeking appointment as a
554 senator;
- 555 (ii) already, that same year, filed a conflict of interest disclosure for the office
556 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
- 557 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written
558 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
559 is updated and accurate as of the date of the written statement.
- 560 (7) The lieutenant governor shall make each conflict of interest disclosure made by an
561 individual described in Subsection (6)(a) available for public inspection in accordance
562 with Subsection 20A-11-1603(4).
- 563 (8) A vacancy in the office of senator or representative of the Legislature does not occur
564 unless the senator or representative:
- 565 (a) has left the office; or
- 566 (b) submits an irrevocable letter of resignation to:
- 567 (i) for a senator, the president of the Senate; or
- 568 (ii) for a representative, the speaker of the House of Representatives.
- 569 Section 8. Section **20A-1-504** is amended to read:
- 570 **20A-1-504 (Effective 05/06/26). Midterm vacancies in the offices of attorney**
571 **general, state treasurer, state auditor, State Board of Education member, and lieutenant**
572 **governor.**

- 573 (1)(a) When a vacancy occurs for any reason in the office of attorney general, state
574 treasurer, state auditor, or State Board of Education member, the vacancy shall be
575 filled for the unexpired term at the next regular general election.
- 576 ~~[(b) The governor shall fill the vacancy until the next regular general election by:]~~
- 577 ~~[(i) appointing a person who meets the qualifications for the office from three persons~~
578 ~~nominated by the state central committee of the same political party as the prior~~
579 ~~officeholder; or]~~
- 580 ~~[(ii) for a State Board of Education vacancy, if the individual who is being replaced:]~~
- 581 ~~[(A) was elected at a nonpartisan State Board of Education election, by~~
582 ~~appointing, with the advice and consent of the Senate, an individual who meets~~
583 ~~the qualifications and residency requirements for filling the vacancy described~~
584 ~~in Section 20A-14-103;]~~
- 585 ~~[(B) was elected at a partisan State Board of Education election, but is not a~~
586 ~~member of a political party, by appointing, with the advice and consent of the~~
587 ~~Senate, an individual who meets the qualifications and residency requirements~~
588 ~~for filling the vacancy described in Section 20A-14-103; or]~~
- 589 ~~[(C) was elected at a partisan State Board of Education election, and is a member~~
590 ~~of a political party, by appointing an individual who meets the qualifications~~
591 ~~for the office from three persons nominated by the state central committee of~~
592 ~~the same political party as the prior officeholder.]~~
- 593 (b) The governor shall fill a vacancy described in Subsection (1)(a) until the next general
594 election, as follows:
- 595 (i) if the prior officeholder was a member of a registered political party when the
596 prior officeholder last took office, either by election or by appointment under this
597 section, by immediately appointing the individual whose name is submitted by the
598 party liaison of the same registered political party of which the prior officeholder
599 was a member when last elected or appointed, if the individual meets the
600 qualifications for office; or
- 601 (ii) if the prior officeholder was not a member of a registered political party when the
602 prior officeholder last took office, either by election or by appointment under this
603 section, by appointing, with the advice and consent of the Senate, an individual
604 who meets the qualifications for office, regardless of whether the individual is a
605 member of a particular registered political party or is unaffiliated with a registered
606 political party.

- 607 (2) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the
 608 advice and consent of the Senate, appoint a person to hold the office until the next
 609 regular general election at which the governor stands for election.
- 610 (3)(a) Except as provided in Subsection (3)(b), an individual seeking appointment to fill
 611 a vacancy described in this section shall make a complete conflict of interest
 612 disclosure on the website described in Section 20A-11-1602.5:
- 613 (i) for a vacancy in the office of lieutenant governor, attorney general, state treasurer,
 614 or state auditor, no later than the deadline for the individual to file an interim
 615 report under Subsection 20A-11-204(3)(a); or
- 616 (ii) for a vacancy in the office of State Board of Education member, no later than the
 617 deadline for the individual to file an interim report under Subsection
 618 20A-11-1303(2)(a).
- 619 (b) An individual described in Subsection (3)(a) is not required to comply with
 620 Subsection (3)(a) if the individual:
- 621 (i) currently holds an office described in Subsection (1)(a) or (2);
 622 (ii) already, that same year, filed a conflict of interest disclosure for the office
 623 described in Subsection (3)(b)(i), in accordance with Section 20A-11-1604; and
 624 (iii) no later than the deadline described in Subsection (3)(a), indicates, in a written
 625 statement, that the conflict of interest disclosure described in Subsection (3)(b)(ii)
 626 is updated and accurate as of the date of the written statement.
- 627 (4) The lieutenant governor shall make each conflict of interest disclosure made by an
 628 individual described in Subsection (3)(a) available for public inspection in accordance
 629 with Subsection 20A-11-1603(4).
- 630 (5) A vacancy in an office described in Subsection (1)(a) or (2) does not occur unless the
 631 individual occupying the office:
- 632 (a) has left the office; or
 633 (b) submits an irrevocable letter of resignation to the governor.
- 634 Section 9. Section **20A-1-508** is amended to read:
- 635 **20A-1-508 (Effective 05/06/26). Midterm vacancies in county elected offices --**
 636 **Temporary manager -- Interim replacement.**
- 637 (1) As used in this section:
- 638 (a)(i) "County offices" includes the county executive, members of the county
 639 legislative body, the county treasurer, the county sheriff, the county clerk, the
 640 county auditor, the county recorder, the county surveyor, and the county assessor.

- 641 (ii) "County offices" does not include the office of county attorney, district attorney,
642 or judge.
- 643 (b) "Party liaison" means the political party officer designated to serve as a liaison with
644 each county legislative body on all matters relating to the political party's relationship
645 with a county as required by Section 20A-8-401.
- 646 (2)(a) Except as provided in Subsection (2)(d), until a county legislative body appoints
647 an interim replacement to fill a vacant county office under Subsection (3), or the
648 governor appoints an interim replacement under Subsection (4), the following shall
649 temporarily discharge the duties of the county office as a temporary manager:
- 650 (i) for a county office with one chief deputy, the chief deputy;
- 651 (ii) for a county office with more than one chief deputy:
- 652 (A) the chief deputy with the most cumulative time served as a chief deputy for
653 the county office; or
- 654 (B) notwithstanding Subsection (2)(a)(ii)(A), if, before the vacating county officer
655 vacates the office, the county officer files with the county clerk a written
656 statement designating one of the county officer's chief deputies to discharge the
657 duties of the county office in the event the county officer vacates the office, the
658 designated chief deputy; or
- 659 (iii) for a county office without a chief deputy:
- 660 (A) if one management-level employee serving under the county office has a
661 higher-seniority management level than any other employee serving under the
662 county office, that management-level employee;
- 663 (B) if two or more management-level employees serving under the county office
664 have the same and highest-seniority management level, the highest-seniority
665 management-level employee with the most cumulative time served in the
666 employee's current position; or
- 667 (C) notwithstanding Subsection (2)(a)(iii)(A) or (B), if, before the vacating county
668 officer vacates the office, the county officer files with the county clerk a
669 written statement designating one of the county officer's employees to
670 discharge the county officer's duties in the event the county officer vacates the
671 office, the designated employee.
- 672 (b) Except as provided in Subsection (2)(c), a temporary manager described in
673 Subsection (2)(a) who temporarily discharges the duties of a county office holds the
674 powers and duties of the county office until the county legislative body appoints an

- 675 interim replacement under Subsection (3) or the governor appoints an interim
676 replacement under Subsection (4).
- 677 (c) The temporary manager described in Subsection (2)(a) who temporarily discharges
678 the duties of a county office:
- 679 (i) may not take an oath of office for the county office as a temporary manager;
680 (ii) shall comply with Title 17, Chapter 63, Fiscal Authority and Processes, and the
681 county's budget ordinances and policies;
682 (iii) unless approved by the county legislative body, may not change the
683 compensation of an employee;
684 (iv) unless approved by the county legislative body, may not promote or demote an
685 employee or change an employee's job title;
686 (v) may terminate an employee only if the termination is conducted in accordance
687 with:
- 688 (A) personnel rules described in Subsection 17-75-602(2) that are approved by the
689 county legislative body; and
690 (B) applicable law;
- 691 (vi) unless approved by the county legislative body, may not exceed by more than 5%
692 an expenditure that was planned before the county office for which the temporary
693 manager discharges duties was vacated;
694 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or
695 compensation; and
696 (viii) if approved by the county legislative body, may receive a performance award
697 after:
- 698 (A) the county legislative body appoints an interim replacement under Subsection
699 (3) or the governor appoints an interim replacement under Subsection (4); and
700 (B) the interim replacement is sworn into office.
- 701 (d) This Subsection (2) does not apply to a vacancy in the office of county legislative
702 body member.
- 703 (3)(a) Until a replacement is selected as provided in this section and has qualified, the
704 county legislative body shall appoint an interim replacement to fill the vacant office
705 by following the procedures and requirements of this Subsection (3) through
706 Subsection (5).
- 707 (b) In addition to this Subsection (3), or Subsection (4) as applicable, an interim
708 replacement appointed to the office of county auditor in a county of the first class is

709 subject to the requirements described in Section 17-69-202.

710 (c)~~(f)~~ To appoint an interim replacement, the county legislative body shall, within
711 10 calendar days after the day on which the vacancy occurs, give notice of the
712 vacancy~~[-tø]~~:

713 ~~[(A)]~~ (i) to the county clerk; and

714 ~~[(B) the party liaison of the same political party of the prior office holder.]~~

715 (ii) if the prior officeholder was a member of a registered political party when the
716 prior officeholder last took office, either by election or by appointment under this
717 section, to the party liaison of that registered political party.

718 ~~[(f)]~~ (d) ~~[The]~~ If the prior officeholder was a member of a registered political party when
719 the prior officeholder last took office, either by election or by appointment under this
720 section:

721 (i) the county legislative body shall invite the party liaison described in Subsection [
722 ~~(3)(e)(i)(B)] (3)(c)(ii) to submit the name of an individual to fill the vacancy[-:] ;~~

723 ~~[(f)]~~ (ii) ~~[The]~~ the party liaison described in Subsection (3)(c)(ii) shall, no later than 5
724 p.m. on the first business day that is at least 30 calendar days, after the day on
725 which the party liaison receives the notice described in Subsection ~~[(3)(e)(i)(B)]~~
726 (3)(c)(ii), or if the party liaison does not receive the notice, no later than 5 p.m. on
727 the first business day that is at least 40 calendar days after the day on which the
728 vacancy occurs, submit to the county legislative body the name of an individual
729 whom the party selects in accordance with the party's constitution or bylaws, and
730 who meets the qualifications for the office, to serve as the interim replacement[-:] ;
731 and

732 ~~[(f)]~~ (iii) ~~[The]~~ the county legislative body shall, no later than seven calendar days
733 after the day on which a party liaison submits the name of [the] an individual who
734 meets the qualifications for office to serve as the interim replacement, appoint the
735 individual to serve out the unexpired term.

736 (e) If the prior officeholder was not a member of a registered political party when the
737 prior officeholder last took office, either by election or by appointment under this
738 section, the county legislative body shall, no later than 5 p.m. on the first business
739 day that is at least 30 calendar days after the day on which the county legislative
740 body provides the notice described in Subsection (3)(c)(i), appoint an individual who
741 meets the qualifications for the office to serve as the interim replacement, regardless
742 of whether the individual is a member of a particular registered political party or is

743 unaffiliated with a registered political party.

744 ~~[(d)]~~ (4)~~[(i)]~~ If the county legislative body fails to appoint an interim replacement to

745 fill the vacancy in accordance with Subsection ~~[(3)(e)(iv),]~~ (3)(d) or (e), as

746 applicable:

747 (a) the county clerk shall, no later than seven calendar days after the day of the deadline

748 described in Subsection ~~[(3)(e)(iv)]~~ (3)(d)(iii) or (e), as applicable, send to the

749 governor a letter that:

750 ~~[(A)]~~ (i) informs the governor that the county legislative body has failed to appoint a

751 replacement within the statutory time period;~~and]~~

752 (ii) states whether the prior officeholder is an officeholder described in Subsection

753 (3)(d) or (e); and

754 ~~[(B)]~~ (iii) ~~[contains]~~ if the prior officeholder is an officeholder described in Subsection

755 (3)(d), states the name of the individual submitted by the party liaison to fill the

756 vacancy[-] ; and

757 ~~[(ii)]~~ (b) ~~[The]~~ the governor shall, within 10 calendar days after the day on which the

758 governor receives the letter described in Subsection ~~[(3)(d)(i);]~~ (4)(a):

759 (i) if the prior officeholder is an officeholder described in Subsection (3)(d), appoint

760 the individual named by the party liaison as an interim replacement to fill the

761 vacancy[-] , if the individual meets the qualifications for office; or

762 (ii) if the prior officeholder is an officeholder described in Subsection (3)(e), appoint

763 an individual who meets the qualifications for the office to serve out the unexpired

764 term, regardless of whether the individual is a member of a particular registered

765 political party or is unaffiliated with a registered political party.

766 ~~[(e)]~~ (5) An individual appointed as interim replacement under ~~[this Subsection (3)]~~

767 Subsection (3) or (4) shall hold office until a successor is elected and has qualified.

768 ~~[(4)]~~ (6)(a) The requirements of this Subsection ~~[(4)]~~ (6) apply to all county offices that

769 become vacant if:

770 (i) the vacant office has an unexpired term of two years or more; and

771 (ii) the vacancy occurs after the election at which the officeholder was elected, or

772 after the officeholder was appointed under this section, but before the first day of

773 the declaration of candidacy filing period described in Section 20A-9-201.5.

774 (b)(i) When the conditions described in Subsection ~~[(4)(a)]~~ (6)(a) are met, the county

775 clerk shall as soon as practicable, but no later than 180 calendar days before the

776 next regular general election, notify the public and each registered political party

- 777 that the vacancy exists.
- 778 (ii) An individual intending to become a party candidate for the vacant office shall
779 file a declaration of candidacy in accordance with:
- 780 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
781 and
782 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if
783 applicable.
- 784 (iii) An individual who is nominated as a party candidate, who qualifies as an
785 unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not
786 Affiliated with a Party, or who qualifies as a write-in candidate for the vacant
787 office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
788 general election.
- 789 [~~(5)~~] (7)(a) The requirements of this Subsection [~~(5)~~] (7) apply to all county offices that
790 become vacant if:
- 791 (i) the vacant office has an unexpired term of two years or more; and
792 (ii) the vacancy occurs on or after the first day of the declaration of candidacy filing
793 period described in Section 20A-9-201.5, but more than 75 calendar days before
794 the regular primary election.
- 795 (b) When the conditions described in Subsection [~~(5)(a)~~] (7)(a) are met, the county clerk
796 shall as soon as practicable, but no later than 70 calendar days before the next regular
797 primary election, notify the public and each registered political party:
- 798 (i) that the vacancy exists; and
799 (ii) of the deadlines described in Subsection [~~(5)(e)(i)~~] (7)(c)(i) and the deadlines
800 established under Subsection [~~(5)(d)(ii)~~] (7)(d)(ii).
- 801 (c)(i) An individual intending to become a party candidate for a vacant office shall,
802 no later than 5 p.m. on the first business day that is at least five calendar days after
803 the day on which the notice is given, file a declaration of candidacy for the vacant
804 office in accordance with:
- 805 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
806 and
807 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if
808 applicable.
- 809 (ii) The county central committee of each party shall:
- 810 (A) select a candidate or candidates from among those qualified candidates who

- 811 have filed declarations of candidacy; and
- 812 (B) certify the name of the candidate or candidates to the county clerk as soon as
- 813 practicable, but no later than 5 p.m. on the last business day that is at least 60
- 814 calendar days before the day of the regular primary election.
- 815 (d)(i) Except as provided in Subsection [~~(5)(d)(ii)~~] (7)(d)(ii), an individual intending
- 816 to become a candidate for a vacant office who does not wish to affiliate with a
- 817 registered political party shall file a verified certificate of nomination described in
- 818 Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5,
- 819 Candidates not Affiliated with a Party.
- 820 (ii)(A) The county clerk shall establish, in the clerk's reasonable discretion, a
- 821 deadline that is no later than 5 p.m. on the last business day that is at least 65
- 822 calendar days before the day of the next regular general election by which an
- 823 individual who is not affiliated with a registered political party is required to
- 824 submit a certificate of nomination under Subsection [~~(5)(d)(i)~~] (7)(d)(i).
- 825 (B) The county clerk shall establish the deadline described in Subsection [
- 826 ~~(5)(d)(ii)(A)~~] (7)(d)(ii)(A) in a manner that gives an unaffiliated candidate an
- 827 equal opportunity to access the regular general election ballot.
- 828 (e) An individual who is nominated as a party candidate for the vacant office, who
- 829 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
- 830 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the
- 831 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
- 832 general election.
- 833 [~~(6)~~] (8)(a) The requirements of this Subsection [~~(6)~~] (8) apply to all county offices that
- 834 become vacant:
- 835 (i) if the vacant office has an unexpired term of two years or more; and
- 836 (ii) when 75 calendar days or less remain before the day of the regular primary
- 837 election but more than 65 calendar days remain before the day of the regular
- 838 general election.
- 839 (b) When the conditions described in Subsection [~~(6)(a)~~] (8)(a) are met, the county clerk
- 840 shall, as soon as practicable, notify the public and each registered political party:
- 841 (i) that the vacancy exists; and
- 842 (ii) of the deadlines established under Subsection [~~(6)(d)~~] (8)(d).
- 843 (c)(i) Before the deadline that the county clerk establishes under Subsection [
- 844 ~~(6)(d)(i)(A)~~] (8)(d)(i)(A), the county central committee of each registered political

- 845 party that wishes to submit a candidate for the office shall certify the name of one
 846 candidate to the county clerk for placement on the regular general election ballot.
- 847 (ii) Before the deadline that the county clerk establishes under Subsection [
 848 ~~(6)(d)(i)(B)~~] (8)(d)(i)(B), a candidate who does not wish to affiliate with a
 849 registered political party shall file a verified certificate of nomination described in
 850 Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5,
 851 Candidates not Affiliated with a Party.
- 852 (iii) Before the deadline that the county clerk establishes under Subsection [
 853 ~~(6)(d)(i)(C)~~] (8)(d)(i)(C), a write-in candidate shall submit to the county clerk a
 854 declaration of candidacy described in Section 20A-9-601.
- 855 (d)(i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines
 856 that are no later than 5 p.m. on the last business day that is at least 65 calendar
 857 days before the day of the next regular general election by which:
- 858 (A) a registered political party is required to certify a name under Subsection [
 859 ~~(6)(e)(i)~~] (8)(c)(i);
- 860 (B) an individual who does not wish to affiliate with a registered political party is
 861 required to submit a certificate of nomination under Subsection [~~(6)(e)(ii)~~]
 862 (8)(c)(ii); and
- 863 (C) a write-in candidate is required to submit a declaration of candidacy under
 864 Subsection [~~(6)(e)(iii)~~] (8)(c)(iii).
- 865 (ii) The county clerk shall establish deadlines under Subsection [~~(6)(d)(i)~~] (8)(d)(i) in
 866 a manner that gives an unaffiliated candidate or a write-in candidate an equal
 867 opportunity to access the regular general election ballot.
- 868 (e) An individual who is certified as a party candidate for the vacant office, who
 869 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
 870 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the
 871 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
 872 general election.
- 873 [~~(7)~~] (9)(a) The requirements of this Subsection [~~(7)~~] (9) apply to all county offices that
 874 become vacant if:
- 875 (i) [~~if~~]the vacant office has an unexpired term of less than two years; or
- 876 (ii) [~~if~~]the vacant office has an unexpired term of two years or more but 65 calendar
 877 days or less remain before the day of the next regular general election.
- 878 [~~(b)(i)~~] When the conditions described in Subsection ~~(7)(a)~~ are met, the county

879 legislative body shall as soon as practicable, but no later than 10 calendar days
880 after the day on which the vacancy occurs, give notice of the vacancy to:]
881 [~~(A) the county clerk; and~~]
882 [~~(B) the party liaison of the same political party as the prior office holder.~~]
883 [(ii) The county legislative body shall invite the party liaison described in Subsection
884 ~~(7)(b)(i)(B) to submit the name of an individual to fill the vacancy.~~]
885 [(iii) The party liaison shall, no later than 5 p.m. on the first business day that is at
886 least 30 calendar days after the day on which the party liaison receives the notice
887 described in Subsection ~~(7)(b)(i)(B)~~, or if the party liaison does not receive the
888 notice, no later than 5 p.m. on the first business day that is at least 40 calendar
889 days after the day on which the vacancy occurs, submit to the county legislative
890 body the name of an individual to fill the vacancy.]
891 [(iv) The county legislative body shall, no later than seven calendar days after the day
892 on which a party liaison submits the name of the individual to fill the vacancy,
893 appoint the individual to serve out the unexpired term.]
894 [(e)(i) If the county legislative body fails to appoint an individual to fill the vacancy
895 in accordance with Subsection ~~(7)(b)(iv)~~, the county clerk shall send to the
896 governor a letter that:]
897 [~~(A) informs the governor that the county legislative body has failed to appoint an~~
898 ~~individual to fill the vacancy within the statutory time period; and~~]
899 [~~(B) contains the name of the individual submitted by the party liaison to fill the~~
900 ~~vacancy.~~]
901 [(ii) The governor shall, within 10 calendar days after the day on which the governor
902 receives the letter described in Subsection ~~(7)(c)(i)~~, appoint the individual named
903 by the party liaison to fill the vacancy.]
904 (b) When the conditions described in Subsection (9)(a) are met:
905 (i) the county legislative body shall fill the vacancy for the remainder of the term by
906 following the same procedures, described in Subsections (3)(b) through (e), as
907 required to appoint an interim replacement;
908 (ii) if the county legislative body fails to appoint an individual to fill the vacancy
909 under Subsection (9)(b)(i), the county clerk and the governor shall take the actions
910 described in Subsection (4) to fill the vacancy for the remainder of the term, using
911 the same procedures described in Subsection (4) for appointing an interim
912 replacement; and

913 ~~[(d)]~~ (iii) ~~[An]~~ an individual appointed to fill the vacancy under this Subsection ~~[(7)]~~ (9)
 914 shall hold office until a successor is elected and has qualified.

915 ~~[(8)]~~ (10) Except as otherwise provided by law, the county legislative body may appoint
 916 replacements to fill all vacancies that occur in those offices filled by appointment of the
 917 county legislative body.

918 ~~[(9)]~~ (11) Nothing in this section prohibits a candidate that does not wish to affiliate with a
 919 political party from filing a certificate of nomination for a vacant office within the same
 920 time limits as a candidate that is affiliated with a political party.

921 ~~[(10)]~~ (12)(a) Each individual elected under Subsection ~~[(4), (5), or (6)]~~ (6), (7), or (8) to
 922 fill a vacancy in a county office shall serve for the remainder of the unexpired term of
 923 the individual who created the vacancy and until a successor is elected and qualified.

924 (b) ~~[Nothing in this section may be construed to]~~ This section does not contradict or alter
 925 the provisions of Section 17-66-202.

926 ~~[(11)]~~ (13)(a) Except as provided in Subsection ~~[(11)(b)]~~ (13)(b), for an individual
 927 seeking appointment to fill a vacancy described in Subsection ~~[(3) or (7)]~~ (3), (4), or
 928 (9), the individual shall, no later than the deadline for the individual to file a financial
 929 report under Section 17-70-403:

930 (i) complete a conflict of interest disclosure statement in accordance with Section
 931 17-70-304; and

932 (ii) submit the conflict of interest disclosure statement to the county legislative body
 933 and the county clerk.

934 (b) An individual described in Subsection ~~[(11)(a)]~~ (13)(a) is not required to comply with
 935 Subsection ~~[(11)(a)]~~ (13)(a) if the individual:

936 (i) currently holds an office described in Subsection (1)(a)(i);

937 (ii) already, that same year, filed a conflict of interest disclosure statement for the
 938 office described in Subsection ~~[(11)(b)(i)]~~ (13)(b)(i), in accordance with Section
 939 17-70-509; and

940 (iii) no later than the deadline described in Subsection ~~[(11)(a)]~~ (13)(a), indicates, in a
 941 written notice submitted to the county clerk, that the conflict of interest disclosure
 942 statement described in Subsection ~~[(11)(b)(ii)]~~ (13)(b)(ii) is updated and accurate
 943 as of the date of the written notice.

944 ~~[(12)]~~ (14)(a) The county clerk shall make each conflict of interest disclosure statement
 945 made by an individual described in Subsection ~~[(11)(a)]~~ (13)(a) available for public
 946 inspection by posting an electronic copy of the statement on the county's website for

- 947 at least 10 calendar days after the day on which ~~the county legislative body~~]:
- 948 (i) the county legislative body appoints an interim replacement under Subsection (3);[
- 949 ~~or~~]
- 950 (ii) the governor appoints an interim replacement under Subsection (4);
- 951 ~~[(ii)]~~ (iii) the county legislative body appoints an individual to fill a vacancy under
- 952 Subsection (9)(b)(i); or
- 953 (iv) the governor appoints an individual to fill a vacancy under Subsection ~~[(7)]~~
- 954 (9)(b)(ii).
- 955 (b) The county clerk shall post the electronic statement described in Subsection ~~[(12)(a)]~~
- 956 (14)(a) no later than two business days after the day on which the county clerk
- 957 receives the statement.
- 958 ~~[(13)]~~ (15) A vacancy in a county office does not occur unless the individual occupying the
- 959 office:
- 960 (a) has left the office; or
- 961 (b) submits an irrevocable letter of resignation to the county legislative body.
- 962 Section 10. Section **20A-1-509.1** is amended to read:
- 963 **20A-1-509.1 (Effective 05/06/26). Procedure for filling midterm vacancy in**
- 964 **county or district with 15 or more attorneys.**
- 965 (1) When a vacancy occurs in the office of county or district attorney in a county or district
- 966 having 15 or more attorneys who are licensed active members in good standing with the
- 967 Utah State Bar and registered voters, the vacancy shall be filled as provided in this
- 968 section.
- 969 (2)(a) The requirements of this Subsection (2) apply when the office of county attorney
- 970 or district attorney becomes vacant and:
- 971 (i) the vacant office has an unexpired term of two years or more; and
- 972 (ii) the vacancy occurs before the first day of the applicable declaration of candidacy
- 973 filing period described in Section 20A-9-201.5.
- 974 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall
- 975 notify the public and each registered political party that the vacancy exists.
- 976 (c) All persons intending to become candidates for the vacant office shall:
- 977 (i) file a declaration of candidacy according to the procedures and requirements of
- 978 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
- 979 (ii) if nominated as a party candidate or qualified as an independent or write-in
- 980 candidate under Chapter 9, Candidate Qualifications and Nominating Procedures,

- 981 run in the regular general election; and
- 982 (iii) if elected, complete the unexpired term of the person who created the vacancy.
- 983 (d) If the vacancy occurs during the applicable declaration of candidacy filing period
- 984 described in Section 20A-9-201.5:
- 985 (i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be
- 986 extended until 5 p.m. on the first business day that is no later than seven calendar
- 987 days after the last day of the applicable declaration of candidacy filing period
- 988 described in Section 20A-9-201.5; and
- 989 (ii) the county clerk shall notify the public and each registered political party that the
- 990 vacancy exists.
- 991 (3)(a) The requirements of this Subsection (3) apply when the office of county attorney
- 992 or district attorney becomes vacant and:
- 993 (i) the vacant office has an unexpired term of two years or more; and
- 994 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year
- 995 but more than 75 calendar days before the regular primary election.
- 996 (b) When the conditions established in Subsection (3)(a) are met, the county clerk shall:
- 997 (i) notify the public and each registered political party that the vacancy exists; and
- 998 (ii) identify the date and time by which a person interested in becoming a candidate
- 999 shall file a declaration of candidacy.
- 1000 (c) All persons intending to become candidates for the vacant office shall:
- 1001 (i) no later than 5 p.m. on the first business day that is at least five calendar days after
- 1002 the day on which the county clerk gives the notice described in Subsection (3)(b)(i),
- 1003 file a declaration of candidacy for the vacant office as required by Chapter 9, Part
- 1004 2, Candidate Qualifications and Declarations of Candidacy; and
- 1005 (ii) if elected, complete the unexpired term of the person who created the vacancy.
- 1006 (d) The county central committee of each party shall:
- 1007 (i) select a candidate or candidates from among those qualified candidates who have
- 1008 filed declarations of candidacy; and
- 1009 (ii) certify the name of the candidate or candidates to the county clerk:
- 1010 (A) no later than 5 p.m. on the last business day that is at least 60 calendar days
- 1011 before the day of the regular primary election; or
- 1012 (B) electronically, before midnight no later than 60 calendar days before the day
- 1013 of the regular primary election.
- 1014 (4)(a) The requirements of this Subsection (4) apply when the office of county attorney

- 1015 or district attorney becomes vacant and:
- 1016 (i) the vacant office has an unexpired term of two years or more; and
- 1017 (ii) 75 calendar days or less remain before the regular primary election but more than
- 1018 65 calendar days remain before the regular general election.
- 1019 (b) When the conditions established in Subsection (4)(a) are met, the county central
- 1020 committees of each registered political party that wishes to submit a candidate for the
- 1021 office shall, not later than five calendar days after the day on which the vacancy
- 1022 occurs, certify the name of one candidate to the county clerk for placement on the
- 1023 regular general election ballot.
- 1024 (c) The candidate elected shall complete the unexpired term of the person who created
- 1025 the vacancy.
- 1026 (5)(a) The requirements of this Subsection (5) apply when the office of county attorney
- 1027 or district attorney becomes vacant and:
- 1028 (i) the vacant office has an unexpired term of less than two years; or
- 1029 (ii) the vacant office has an unexpired term of two years or more but 65 calendar days
- 1030 or less remain before the next regular general election.
- 1031 (b) When the conditions established in Subsection (5)(a) are met, the county legislative
- 1032 body shall give notice of the vacancy to:
- 1033 (i) the county clerk; and
- 1034 [~~(ii) the county central committee of the same political party of the prior officeholder.~~]
- 1035 (ii) if the prior officeholder was a member of a registered political party when the
- 1036 prior officeholder last took office, either by election or by appointment under this
- 1037 section, the county central committee of that registered political party.
- 1038 (c) [~~The~~] If the prior officeholder was a member of a registered political party when the
- 1039 prior officeholder last took office, either by election or appointment under this
- 1040 section:
- 1041 (i) the county legislative body shall invite the committee described in Subsection [
- 1042 (5)(b)(ii)] (5)(b)(ii) to submit the names of three nominees to fill the vacancy[-] ;
- 1043 [~~(d)~~] (ii) [~~The~~] the county central committee shall, [~~within 30 calendar days after the~~
- 1044 day on which the county legislative body gives the notice described in Subsection
- 1045 (5)(b)(ii)] no later than 5 p.m. on the first business day that is at least 45 calendar
- 1046 days after the day on which the county central committee receives the notice
- 1047 described in Subsection (5)(b)(ii), submit to the county legislative body the names
- 1048 of three nominees who meet the qualifications for the office to fill the vacancy[-] ;

1049 and
 1050 [(e)] (iii) [The] the county legislative body shall, within 45 calendar days after the day
 1051 on which the vacancy occurs, appoint one of those nominees to serve out the
 1052 unexpired term.

1053 (d) If the prior officeholder was not a member of a registered political party when the
 1054 prior officeholder last took office, either by election or appointment under this
 1055 section, the county legislative body shall, no later than 5 p.m. on the first business
 1056 day that is at least 45 calendar days after the day on which the county legislative
 1057 body posts the notice described in Subsection (5)(b)(i), appoint an individual who
 1058 meets the qualifications for the office to fill the vacancy, regardless of whether the
 1059 individual is a member of a particular registered political party or is unaffiliated with
 1060 a registered political party.

1061 [(f)] (e) If the county legislative body fails to appoint a person to fill the vacancy [~~within~~
 1062 ~~45 calendar days,~~] in accordance with Subsection (5)(c) or (d), as applicable:

1063 (i) the county clerk shall, no later than the deadline described in Subsection (5)(c)(iii)
 1064 or (d), as applicable, send to the governor a letter that:

1065 [(i)] (A) informs the governor that the county legislative body has failed to appoint [
 1066 a person] an individual to fill the vacancy within the statutory time period;[~~and~~]

1067 (B) states whether the prior officeholder is an officeholder described in Subsection
 1068 (5)(c) or (d); and

1069 [(ii)] (C) [~~contains~~] if the prior officeholder is an officeholder described in
 1070 Subsection (5)(c), includes the [list] names of the nominees submitted by the
 1071 party central committee[.]; and

1072 [(g)] (ii) [The] the governor shall[~~appoint a person to fill the vacancy from that list of~~
 1073 nominees] , within 30 calendar days after the day on which the governor receives
 1074 the letter described in Subsection [~~(5)(f).~~] (5)(e)(i):

1075 (A) if the prior officeholder is an officeholder described in Subsection (5)(c),
 1076 appoint one of the nominees described in Subsection (5)(c)(ii) to fill the
 1077 vacancy; or

1078 (B) if the prior officeholder is an officeholder described in Subsection (5)(d),
 1079 appoint an individual who meets the qualifications for the office to fill the
 1080 vacancy, regardless of whether the individual is a member of a particular
 1081 registered political party or is unaffiliated with a registered political party.

1082 [(h)] (f) [~~A person~~] An individual appointed to fill the vacancy under this Subsection (5)

1083 shall complete the unexpired term of the [~~person~~] individual who created the vacancy.

1084 (6) [~~A person~~] An individual seeking appointment to fill a vacancy described in Subsection [
1085 ~~(5)(a)~~] (5) shall, no later than the deadline for the [~~person~~] individual to file a financial
1086 report under Section 17-70-403:

1087 (a) complete a conflict of interest disclosure statement in accordance with Section
1088 17-70-304; and

1089 (b) submit the conflict of interest disclosure statement to the county legislative body and
1090 the county clerk.

1091 (7)(a) The county clerk shall make each conflict of interest disclosure statement made by [
1092 ~~a person~~] an individual described in Subsection (6) available for public inspection by
1093 posting an electronic copy of the statement on the county's website for at least 10
1094 calendar days after the day on which the county legislative body appoints [~~a person~~]
1095 the individual to fill the vacancy.

1096 (b) The county clerk shall post the electronic statement described in Subsection (7)(a) no
1097 later than two business days after the day on which the county clerk receives the
1098 statement.

1099 (8) A vacancy in the office described in Subsection (1) does not occur unless the [~~person~~]
1100 individual occupying the office:

1101 (a) has left the office; or

1102 (b) submits an irrevocable letter of resignation to the county legislative body.

1103 (9) Nothing in this section prevents or prohibits independent candidates from filing a
1104 declaration of candidacy for the office within the required time limits.

1105 Section 11. Section **20A-1-509.2** is amended to read:

1106 **20A-1-509.2 (Effective 05/06/26). Procedure for filling vacancy in county or**
1107 **district with fewer than 15 attorneys.**

1108 (1) When a vacancy occurs in the office of county or district attorney, including a vacancy
1109 created by the failure of a person to file as a candidate for the office of county or district
1110 attorney in an election, in a county or district having fewer than 15 attorneys who are
1111 licensed, active members in good standing with the Utah State Bar and registered voters,
1112 the vacancy shall be filled as provided in this section.

1113 (2) The county clerk shall send a letter to each attorney residing in the county or district
1114 who is a licensed, active member in good standing with the Utah State Bar and a
1115 registered voter that:

1116 (a) informs the attorney of the vacancy;

- 1117 (b) invites the attorney to apply for the vacancy; and
- 1118 (c) informs the attorney that if the attorney does not respond before 5 p.m. on the first
- 1119 business day that is at least 10 calendar days after the day on which the county clerk
- 1120 sends the letter, the attorney's candidacy to fill the vacancy will not be considered.
- 1121 ~~[(3)(a)(i) If, before the deadline described in Subsection (2)(e), more than three~~
- 1122 ~~attorneys who are licensed, active members in good standing with the Utah State~~
- 1123 ~~Bar and registered voters in the county or district have applied for the vacancy, the~~
- 1124 ~~county clerk shall, except as provided in Subsection (3)(a)(ii), submit the~~
- 1125 ~~applications to the county central committee of the same political party of the~~
- 1126 ~~prior officeholder.]~~
- 1127 ~~[(ii) In multicounty prosecution districts, the clerk shall submit the applications to the~~
- 1128 ~~county central committee of each county within the prosecution district.]~~
- 1129 ~~[(b) The central committee shall nominate three of the applicants and forward the~~
- 1130 ~~applicants' names to the county legislative body no later than 5 p.m. on the first~~
- 1131 ~~business day that is at least 20 calendar days after the day on which the county clerk~~
- 1132 ~~submits the applicants' names under Subsection (3)(a).]~~
- 1133 ~~[(c) The county legislative body shall appoint one of the nominees to fill the vacant~~
- 1134 ~~position.]~~
- 1135 ~~[(d) If the central committee of the political party fails to submit at least three names to~~
- 1136 ~~the county legislative body before the deadline described in Subsection (3)(b), the~~
- 1137 ~~county legislative body shall appoint one of the applicants to fill the vacant position.]~~
- 1138 ~~[(e) If the county legislative body fails to appoint a person to fill the vacancy within 120~~
- 1139 ~~calendar days after the day on which the vacancy occurs, the county clerk shall mail~~
- 1140 ~~to the governor:]~~
- 1141 ~~[(i) a letter informing the governor that the county legislative body has failed to~~
- 1142 ~~appoint a person to fill the vacancy; and]~~
- 1143 ~~[(ii)(A) the list of nominees, if any, submitted by the central committee of the~~
- 1144 ~~political party; or]~~
- 1145 ~~[(B) if the party central committee has not submitted a list of at least three~~
- 1146 ~~nominees within the required time, the names of the persons who submitted~~
- 1147 ~~applications for the vacant position to the county clerk.]~~
- 1148 ~~[(f) The governor shall appoint, within 30 calendar days after the day on which the~~
- 1149 ~~governor receives the letter described in Subsection (3)(e), a person from the list to~~
- 1150 ~~fill the vacancy.]~~

- 1151 (3) If, before the deadline described in Subsection (2)(c), more than three attorneys who are
1152 licensed, active members in good standing with the Utah State Bar, and are registered
1153 voters in the county or district, have applied for the vacancy:
- 1154 (a) if the prior officeholder was a member of a registered political party when the prior
1155 officeholder last took office, either by election or by appointment under this section:
- 1156 (i) the county clerk shall:
- 1157 (A) except as provided in Subsection (3)(a)(i)(B), submit the applications to the
1158 county central committee of the same registered political party of which the
1159 prior officeholder was a member when the prior officeholder last took office; or
- 1160 (B) for a multicounty prosecution district, submit the applications to the county
1161 central committee of the same registered political party of which the prior
1162 officeholder was a member when the prior officeholder last took office, for
1163 each county within the multicounty prosecution district;
- 1164 (ii)(A) except as provided in Subsection (3)(a)(ii)(B), the county central
1165 committee described in Subsection (3)(a)(i)(A) shall nominate three of the
1166 applicants and forward the applicants' names to the county legislative body no
1167 later than 5 p.m. on the first business day that is at least 20 calendar days after
1168 the day on which the county clerk submits the applicants' names under
1169 Subsection (3)(a)(i)(A); or
- 1170 (B) for a multicounty prosecution district, the county central committees described
1171 in Subsection (3)(a)(i)(B) shall jointly nominate three of the applicants and
1172 forward the applicants' names to the county legislative bodies in the
1173 multicounty prosecution districts no later than 5 p.m. on the first business day
1174 that is at least 20 calendar days after the day on which the county clerk submits
1175 the applicants' names under Subsection (3)(a)(i)(B); and
- 1176 (iii)(A) except as provided in Subsection (3)(a)(iii)(B), the county legislative body
1177 shall appoint one of the nominees to fill the vacant position; or
- 1178 (B) for a multicounty prosecution district, the county legislative bodies shall
1179 jointly appoint one of the nominees to fill the vacant position; or
- 1180 (b) if the prior officeholder was not a member of a registered political party when the
1181 prior officeholder last took office, either by election or by appointment under this
1182 section:
- 1183 (i) the county clerk shall:
- 1184 (A) except as provided in Subsection (3)(b)(i)(B), submit the applications to the

- 1185 county legislative body; or
- 1186 (B) for a multicounty prosecution district, submit the applications to the county
- 1187 legislative bodies of each county within the multicounty prosecution district;
- 1188 and
- 1189 (ii)(A) except as provided in Subsection (3)(b)(ii)(B), the county legislative body
- 1190 described in Subsection (3)(b)(i)(A) shall appoint one of the applicants to fill
- 1191 the vacant position; or
- 1192 (B) for a multicounty prosecution district, the county legislative bodies described
- 1193 in Subsection (3)(b)(i)(B) shall jointly appoint one of the applicants to fill the
- 1194 vacant position.
- 1195 (4)(a) Except as provided in Subsection (4)(b), if the central committee described in
- 1196 Subsection (3)(a)(ii)(A) fails to submit at least three names to the county legislative
- 1197 body before the deadline described in Subsection (3)(a)(ii)(A), the county legislative
- 1198 body shall appoint one of the applicants to fill the vacant position.
- 1199 (b) If the central committees described in Subsection (3)(a)(ii)(B) fail to jointly submit
- 1200 at least three names to the county legislative bodies before the deadline described in
- 1201 Subsection (3)(a)(ii)(B), the county legislative bodies shall jointly appoint one of the
- 1202 applicants to fill the vacant position.
- 1203 (5) If, within 120 calendar days after the day on which the vacancy occurs, the county
- 1204 legislative body fails under Subsection (3)(a)(iii)(A) or (4)(a) to appoint an individual to
- 1205 fill the vacancy, or the county legislative bodies fail under Subsection (3)(a)(iii)(B) or
- 1206 (4)(b) to jointly appoint an individual to fill the vacancy, the county clerk shall send the
- 1207 governor notice that:
- 1208 (a) states that the county legislative body or bodies have failed to timely appoint a
- 1209 person to fill the vacancy; and
- 1210 (b) includes the following:
- 1211 (i) for a vacancy where the prior officeholder was a member of a registered political
- 1212 party when the prior officeholder last took office:
- 1213 (A) if the applicable central committee or applicable central committees timely
- 1214 submitted at least three nominees, the names of the nominees; or
- 1215 (B) if the applicable central committee or applicable central committees failed to
- 1216 timely submit at least three nominees, the names of the applicants; or
- 1217 (ii) for a vacancy where the prior officeholder was not a member of a political party
- 1218 when the prior officeholder last took office, the names of the applicants.

- 1219 (6) The governor shall, within 30 calendar days after the day on which the governor
 1220 receives the notice described in Subsection (5)(a), appoint an individual from the names
 1221 provided under Subsection (5)(b), to fill the vacancy.
- 1222 [(4)] (7)(a) If, before the deadline described in Subsection (2)(c), three or fewer attorneys
 1223 who are licensed, active members in good standing with the Utah State Bar and
 1224 registered voters in the county or district have applied for the vacancy, the county
 1225 legislative body, or, for a prosecution district, the county legislative bodies jointly,
 1226 may:
- 1227 (i) appoint one of [~~them~~] the attorneys to be county or district attorney; or
 1228 (ii) solicit additional applicants and appoint a county or district attorney as provided
 1229 in Subsection [(4)(b)] (7)(b).
- 1230 (b)(i) If three or fewer attorneys who are licensed members in good standing of the
 1231 Utah State Bar and registered voters in the county or district submit applications,
 1232 the county legislative body, or county legislative bodies, may publicly solicit and
 1233 accept additional applications for the position from licensed, active members in
 1234 good standing of the Utah State Bar who are not residents of the county or
 1235 prosecution district.
- 1236 (ii) The county legislative body, or county legislative bodies, shall consider the
 1237 applications submitted by the attorneys who are residents of and registered voters
 1238 in the county or prosecution district and the applications submitted by the
 1239 attorneys who are not residents of the county or prosecution district and shall
 1240 appoint one of the applicants to be county attorney or district attorney.
- 1241 (c) If the county legislative body, [~~fails~~] or county legislative bodies, fail to appoint [~~a~~
 1242 ~~person~~] an attorney to fill the vacancy within 120 calendar days after the day on
 1243 which the vacancy occurs, the county clerk shall:
- 1244 (i) notify the governor that the county legislative body [~~has~~] or county legislative
 1245 bodies have failed to fill the vacancy within the required time period; and
 1246 (ii) provide the governor with a list of all the applicants.
- 1247 (d) The governor shall appoint [~~a person~~] an attorney to fill the vacancy within 30
 1248 calendar days after the day on which the governor receives the notification described
 1249 in Subsection [(4)(e)] (7)(c).
- 1250 [(5)] (8) [~~The person~~] An attorney appointed to fill [~~the~~] a vacancy described in this section
 1251 shall serve for the unexpired term of the [~~person~~] attorney who created the vacancy.
- 1252 [(6)] (9) [~~A person~~] An attorney seeking appointment to fill a vacancy under this section

1253 shall, no later than the deadline for the ~~[person]~~ attorney to file a financial report under
 1254 Section 17-70-403:

- 1255 (a) complete a conflict of interest disclosure statement in accordance with Section
 1256 17-70-304; and
 1257 (b) submit the conflict of interest disclosure statement to the county legislative body and
 1258 the county clerk.

1259 ~~[(7)]~~ (10)(a) The county clerk shall make each conflict of interest disclosure statement
 1260 made by ~~[a person]~~ an attorney described in Subsection ~~[(6)]~~ (9) available for public
 1261 inspection by posting an electronic copy of the statement on the county's website for
 1262 at least 10 calendar days after the day on which the county legislative body appoints [
 1263 ~~a person]~~ an attorney to fill the vacancy.

1264 (b) The county clerk shall post the electronic statement described in Subsection ~~[(7)(a)]~~
 1265 (10)(a) no later than two business days after the day on which the county clerk
 1266 receives the statement.

1267 ~~[(8)]~~ (11) A vacancy in the office described in Subsection (1) does not occur until the [
 1268 ~~person]~~ attorney occupying the office:

- 1269 (a) has left the office; or
 1270 (b) submits an irrevocable letter of resignation to the county legislative body.

1271 Section 12. Section **20A-1-513** is amended to read:

1272 **20A-1-513 (Effective 05/06/26). Temporary absence in elected office of a political**
 1273 **subdivision for military service.**

1274 (1) As used in this section:

1275 (a)(i) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps,
 1276 Space Force, and Coast Guard.

1277 (ii) "Armed forces" includes the National Guard.

1278 (b)(i) "Elected official" means an individual who holds an office of a political
 1279 subdivision that is required by law to be filled by an election.

1280 (ii) "Elected official" includes an individual who is appointed to fill a vacancy in an
 1281 office described in Subsection (1)(b)(i).

1282 (c) "Elected official reservist" means an elected official who is:

1283 (i) a member of the armed forces reserves component;

1284 (ii) a member of the National Guard; or

1285 (iii) a retired member of the armed forces who may be called to active, full-time duty
 1286 in the armed forces under Title 10, U.S.C., Armed Forces.

- 1287 (d)(i) "Military leave" means the temporary absence from an office:
1288 (A) by an elected official reservist called to active, full-time duty in the armed
1289 forces; and
1290 (B) for a period of time that exceeds 30 calendar days and does not exceed 400
1291 calendar days.
- 1292 (ii) "Military leave" includes the time an individual on leave, as described in
1293 Subsection (1)(d)(i), spends for:
1294 (A) out processing;
1295 (B) an administrative delay;
1296 (C) accrued leave; and
1297 (D) on rest and recuperation leave program of the armed forces.
- 1298 (e) "Political subdivision's governing body" means:
1299 (i) for a county, city, or town, the legislative body of the county, city, or town;
1300 (ii) for a special district, the board of trustees of the special district;
1301 (iii) for a local school district, the local school board;
1302 (iv) for a special service district:
1303 (A) the legislative body of the county, city, or town that established the special
1304 service district, if no administrative control board has been appointed under
1305 Section 17D-1-301; or
1306 (B) the administrative control board of the special service district, if an
1307 administrative control board has been appointed under Section 17D-1-301; and
1308 (v) for a political subdivision not listed in Subsections (1)(e)(i) through (iv), the body
1309 that governs the affairs of the political subdivision.
- 1310 (f) "Temporary replacement" means the individual appointed by the political
1311 subdivision's governing body in accordance with this section to exercise the powers
1312 and duties of the office of an elected official reservist who takes military leave.
- 1313 (2) An elected official reservist who takes military leave in accordance with this section
1314 does not create a vacancy in the elected official's office.
- 1315 (3)(a) An elected official reservist who is called to active, full-time duty in the armed
1316 forces under Title 10, U.S.C., Armed Forces, shall notify the political subdivision's
1317 governing body of the elected official's orders no later than 5 p.m. on the first
1318 business day that is at least five calendar days after the day on which the elected
1319 official receives the orders.
- 1320 (b) An elected official reservist described in Subsection (3)(a) may:

- 1321 (i) if the period of active, full-time duty does not exceed 270 calendar days:
1322 (A) continue to carry out the elected official's duties if possible while on active,
1323 full-time duty; or
1324 (B) take military leave if the elected official submits to the political subdivision's
1325 governing body written notice of the intent to take military leave and the
1326 expected duration of the military leave; or
- 1327 (ii) if the period of active, full-time duty exceeds 270 calendar days but does not
1328 exceed 400 calendar days, take military leave if the elected official submits to the
1329 political subdivision's governing body:
1330 (A) written notice of the intent to take military leave and the expected duration of
1331 the military leave; and
1332 (B) written certification that the secretary of the armed force of which the elected
1333 official is a member granted the elected official permission under [U.S.] United
1334 States Department of Defense Directive 1344.10 to continue to hold the elected
1335 official's office while on active, full-time duty.
- 1336 (4)(a) An elected official reservist who chooses to continue to carry out the elected
1337 official's duties under Subsection (3)(b)(i)(A) shall, no later than 10 calendar days
1338 after the day of the elected official's deployment, confirm in writing to the political
1339 subdivision's governing body that the elected official has the ability to carry out the
1340 elected official's duties.
- 1341 (b) If an elected official reservist does not submit the confirmation to the political
1342 subdivision's governing body before the deadline described in Subsection (4)(a), the
1343 political subdivision's governing body shall:
1344 (i) place the elected official in military leave status; and
1345 (ii) appoint a temporary replacement in accordance with Subsection (8).
- 1346 (5)(a) An elected official reservist who chooses to take military leave under Subsection
1347 (3)(b)(ii) shall, no later than 21 calendar days after the date of the elected official's
1348 deployment, submit to the political subdivision's governing body the written notice
1349 and certification described in Subsection (3)(b)(ii).
- 1350 (b) If an elected official reservist does not submit the notice and certification to the
1351 political subdivision's governing body before the deadline described in Subsection
1352 (5)(a):
1353 (i) the political subdivision's governing body may not appoint a temporary
1354 replacement under Subsection (8); and

- 1355 (ii) the elected official reservist creates a vacancy in the elected official's office.
- 1356 (6) An elected official reservist who is called to active, full-time duty in the armed forces
- 1357 under Title 10, U.S.C., Armed Forces, for a period of more than 400 calendar days
- 1358 creates a vacancy in the elected official's office.
- 1359 (7) An elected official reservist's military leave:
- 1360 (a) begins:
- 1361 (i) for an elected official reservist described in Subsection (3)(b)(i), the later of:
- 1362 (A) the day after the day on which the elected official notifies the political
- 1363 subdivision's governing body of the intent to take military leave;
- 1364 (B) 11 calendar days after the day of the elected official's deployment if no
- 1365 confirmation is received by the political subdivision's governing body in
- 1366 accordance with Subsection (4)(a); or
- 1367 (C) the day on which the elected official begins active, full-time duty in the armed
- 1368 forces; or
- 1369 (ii) for an elected official reservist described in Subsection (3)(b)(ii), the day after the
- 1370 day on which the elected official submits to the political subdivision's governing
- 1371 body the written notice and certification described in Subsection (3)(b)(ii); and
- 1372 (b) ends the sooner of:
- 1373 (i) the expiration of the elected official reservist's term of office; or
- 1374 (ii) the day on which the elected official reservist ends active, full-time duty in the
- 1375 armed forces.
- 1376 (8) A temporary replacement shall:
- 1377 (a) meet the qualifications required to hold the office; and
- 1378 (b) be appointed:
- 1379 (i) when an elected official reservist:
- 1380 (A) takes military leave under Subsection (3)(b)(i)(B) or (b)(ii); or
- 1381 (B) is placed in military leave status under Subsection (4)(b)(i); and
- 1382 (ii) by the political subdivision's governing body:
- 1383 (A) if a registered political party nominated the elected official reservist as a
- 1384 candidate for the office, in the same manner as provided in Subsection
- 1385 20A-1-508(3) or (4) for the appointment of an interim replacement; or
- 1386 (B) if a registered political party did not nominate the elected official reservist as a
- 1387 candidate for the office, after submitting an application in accordance with
- 1388 Subsection (10)(b).

- 1389 (9)(a) A temporary replacement shall exercise the powers and duties of the office for
1390 which the temporary replacement is appointed for the duration of the elected official
1391 reservist's military leave.
- 1392 (b) An elected reservist may not exercise the powers or duties of the office while on
1393 military leave.
- 1394 (c) If a temporary replacement is not appointed as required by Subsection (8)(b), no
1395 individual may exercise the powers and duties of the elected official reservist's office
1396 during the elected official's military leave.

1397 (10) The political subdivision's governing body shall establish:

- 1398 (a) the distribution of the emoluments of the office between the elected official reservist
1399 and the temporary replacement; and
- 1400 (b) an application form and the date and time before which an individual shall submit
1401 the application to be considered by the political subdivision's governing body for
1402 appointment as a temporary replacement.

1403 (11) This section does not apply to an elected official who is not an elected official reservist.
1404 Section 13. Section **20A-1-608.1** is enacted to read:

1405 **20A-1-608.1 (Effective 05/06/26). Electronic communications abuse of elections**
1406 **or elected office.**

1407 (1) As used in this section:

- 1408 (a) "Actor" means the same as that term is defined in Section 76-1-101.5.
- 1409 (b) "In relation to an election process" means anything governed by this title, or another
1410 provision of law that governs a matter addressed by this title, including:
- 1411 (i) the administration or conduct of an election or a requirement or process relating to
1412 an election; or
- 1413 (ii) a provision relating to:
- 1414 (A) a voter or voting;
- 1415 (B) a candidate for public office or candidacy for public office;
- 1416 (C) an officeholder;
- 1417 (D) campaigning or political fundraising;
- 1418 (E) a person that participates in, or seeks to influence, an election; or
- 1419 (F) a lobbyist or lobbying.

1420 (2) An actor commits electronic communications abuse of elections or elected office if the
1421 actor:

- 1422 (a) commits a violation of a provision of Title 76, Chapter 12, Part 2, Electronic

- 1423 Communication Abuse; and
- 1424 (b) commits the violation described in Subsection (2)(a):
- 1425 (i) by obtaining, using, or disseminating information obtained, directly or indirectly,
- 1426 from a voter registration record, a petition, a declaration of candidacy, a financial
- 1427 disclosure, a conflict of interest disclosure, or another source of information
- 1428 obtained, stored, provided, or disclosed under this title or in relation to elections;
- 1429 (ii) with the intent to retaliate against, threaten, interfere with, or fraudulently
- 1430 influence a person in relation to an election process;
- 1431 (iii) with the intent to interfere with or fraudulently influence a matter in relation to
- 1432 an election process; or
- 1433 (iv) with the intent to retaliate against, threaten, interfere with, or fraudulently
- 1434 influence:
- 1435 (A) a candidate in relation to the candidate's campaign or candidacy; or
- 1436 (B) an officeholder in relation to a duty of the officeholder, an action as an
- 1437 officeholder, or inaction as an officeholder.

- 1438 (3) If an actor can, for the same conduct, be charged under this section or under Title 76,
- 1439 Chapter 12, Part 2, Electronic Communication Abuse, the actor shall be charged under
- 1440 this section, unless a charge under Title 76, Chapter 12, Part 2, Electronic
- 1441 Communication Abuse, carries a more serious penalty.

1442 Section 14. Section **20A-1-609** is amended to read:

1443 **20A-1-609 (Effective 05/06/26). Omnibus penalties.**

- 1444 (1)(a) Except as provided in Subsection (1)(b), (1)(c), or (2), a person who violates any
- 1445 provision of this title is guilty of a class B misdemeanor.
- 1446 (b) Subsection (1)(a) does not apply to a provision of this title for which another penalty
- 1447 is expressly stated.
- 1448 (c) An individual is not guilty of a crime for, by signing a petition for an initiative or
- 1449 referendum, falsely making the statement described in Subsection
- 1450 20A-7-203(3)(d)(xx), 20A-7-303(3)(d)(xx), 20A-7-503(3)(d)(xx), or
- 1451 20A-7-603(3)(d)(xx).

- 1452 (2) A person who violates Section 20A-1-608.1 is:

- 1453 (a) except as provided in Subsection (2)(b), guilty of a class A misdemeanor; or
- 1454 (b) guilty of a third degree felony for a second or subsequent violation.

- 1455 [~~2~~] (3) Except as provided by Section 20A-2-101.3 or 20A-2-101.5, an individual
- 1456 convicted of any offense under this title may not:

- 1457 (a) file a declaration of candidacy for any office or appear on the ballot as a candidate
 1458 for any office during the election cycle in which the violation occurred;
 1459 (b) take or hold the office to which the individual was elected; and
 1460 (c) receive the emoluments of the office to which the individual was elected.

1461 ~~[(3)]~~ (4)(a) Any individual convicted of any offense under this title forfeits the right to
 1462 vote at any election unless the right to vote is restored as provided in Section
 1463 20A-2-101.3 or 20A-2-101.5.

1464 (b) Any person may challenge the right to vote of a person described in Subsection [
 1465 ~~(3)(a)]~~ (4)(a) by following the procedures and requirements of Section 20A-3a-803.
 1466 Section 15. Section **20A-3a-401** is amended to read:

1467 **20A-3a-401 (Effective 05/06/26). Custody of voted ballots mailed or deposited in**
 1468 **a ballot drop box -- Disposition -- Notice -- Disclosures relating to unresolved ballots.**

1469 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal
 1470 means.

1471 (2) Poll workers shall process return envelopes containing manual ballots that are in the
 1472 custody of the poll workers in accordance with this section.

1473 (3) Poll workers shall examine a return envelope to make the determinations described in
 1474 Subsection (4).

1475 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers
 1476 determine:

1477 (a) for an election held before January 1, 2029:

1478 (i) ~~[that]~~ if the return envelope contains a four digit number on the portion of the
 1479 return envelope for a voter to enter the last four digits of the voter's Utah driver
 1480 license number, Utah state identification card number, or social security number,
 1481 that the four digit number correctly identifies the last four digits of one of those
 1482 numbers for the voter to whom the return envelope relates; ~~[or]~~

1483 (ii) if the return envelope does not contain ~~[the digits described in Subsection (4)(a)(i)]~~
 1484 a four digit number on the portion of the return envelope described in Subsection
 1485 (4)(a)(i), that:

1486 (A) in accordance with the rules made under Subsection (13), the signature on the
 1487 affidavit of the return envelope is reasonably consistent with the individual's
 1488 signature in the voter registration records; or

1489 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
 1490 signature is verified by alternative means; and

- 1491 (iii) if the return envelope contains the correct four digit number under Subsection
 1492 (4)(a)(i), that:
 1493 (A) in accordance with the rules made under Subsection (13), the signature on the
 1494 affidavit of the return envelope is reasonably consistent with the individual's
 1495 signature in the voter registration records; or
 1496 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
 1497 signature is verified by alternative means;
- 1498 (b) for an election held on or after January 1, 2029:
 1499 (i)(A) that the return envelope contains the last four digits of the voter's Utah
 1500 driver license number, Utah state identification card number, or social security
 1501 number;
 1502 [~~(ii)~~] (B) if the return envelope does not contain the digits described in Subsection
 1503 (4)(b)(i), that the voter included in the return envelope a copy of the
 1504 identification described in Subsection 20A-3a-204(2)(c)(ii); or
 1505 [~~(iii)~~] (C) for a voter described in Subsection 20A-3a-301(7), that the voter
 1506 complied with Subsection 20A-3a-301(7); and
 1507 (ii) that:
 1508 (A) in accordance with the rules made under Subsection (13), the signature on the
 1509 affidavit of the return envelope is reasonably consistent with the individual's
 1510 signature in the voter registration records; or
 1511 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
 1512 signature is verified by alternative means;
- 1513 (c) that the affidavit is sufficient;
 1514 (d) that the voter is registered to vote in the correct precinct;
 1515 (e) that the voter's right to vote the ballot has not been challenged;
 1516 (f) that the voter has not already voted in the election; and
 1517 (g) for a voter who has not yet provided valid voter identification with the voter's voter
 1518 registration, whether the voter has provided valid voter identification with the return
 1519 envelope.
- 1520 (5)(a) If the poll workers make all of the findings described in Subsection (4), the poll
 1521 workers shall:
 1522 (i) remove the manual ballot from the return envelope in a manner that does not
 1523 destroy the affidavit on the return envelope;
 1524 (ii) ensure that the ballot is not examined in connection with the return envelope; and

- 1525 (iii) place the ballot with the other ballots to be counted.
- 1526 (b) If the poll workers do not make all of the findings described in Subsection (4), the
1527 poll workers shall:
- 1528 (i) disallow the vote;
- 1529 (ii) except as provided in Subsection (6), without opening the return envelope, record
1530 the ballot as "rejected" and state the reason for the rejection; and
- 1531 (iii) except as provided in Subsection (6), place the return envelope, unopened, with
1532 the other rejected return envelopes.
- 1533 (6) A poll worker may open a return envelope, if necessary, to determine compliance with
1534 Subsection (4)(b)(ii), (4)(b)(iii), or (4)(g).
- 1535 (7)(a) If the poll workers reject an individual's ballot because the poll workers determine
1536 that the return envelope does not comply with Subsection (4), the election officer
1537 shall:
- 1538 (i) contact the individual in accordance with Subsection (8); and
- 1539 (ii) inform the individual:
- 1540 (A) that the identification information provided on the return envelope is in
1541 question;
- 1542 (B) how the individual may resolve the issue; and
- 1543 (C) that, in order for the ballot to be counted, the individual is required to deliver
1544 to the election officer a correctly completed affidavit, provided by the county
1545 clerk, that meets the requirements described in Subsection (7)(d).
- 1546 (b) If, under Subsection [~~(4)(a)(ii)(A)~~] (4)(a) or (b), the poll workers reject an individual's
1547 ballot because the poll workers determine, in accordance with rules made under
1548 Subsection (13), that the signature on the return envelope is not reasonably consistent
1549 with the individual's signature in the voter registration records, the election officer
1550 shall:
- 1551 (i) contact the individual in accordance with Subsection (8); and
- 1552 (ii) inform the individual:
- 1553 (A) that the individual's signature is in question;
- 1554 (B) how the individual may resolve the issue; and
- 1555 (C) that, in order for the ballot to be counted, the individual is required to deliver
1556 to the election officer a correctly completed affidavit, provided by the county
1557 clerk, that meets the requirements described in Subsection (7)(d).
- 1558 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b)

- 1559 includes:
- 1560 (i) when communicating the notice by mail, a printed copy of the affidavit described
- 1561 in Subsection (7)(d) and a courtesy reply envelope;
- 1562 (ii) when communicating the notice electronically, a link to a copy of the affidavit
- 1563 described in Subsection (7)(d) or information on how to obtain a copy of the
- 1564 affidavit; or
- 1565 (iii) when communicating the notice by phone, either during a direct conversation
- 1566 with the voter or in a voicemail, arrangements for the voter to receive a copy of
- 1567 the affidavit described in Subsection (7)(d), either in person from the clerk's
- 1568 office, by mail, or electronically.
- 1569 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
- 1570 (i) an attestation that the individual voted the ballot;
- 1571 (ii) a space for the individual to enter the individual's name, date of birth, and driver
- 1572 license number or the last four digits of the individual's social security number;
- 1573 (iii) a space for the individual to sign the affidavit;
- 1574 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant
- 1575 governor's and county clerk's use of the information in the affidavit and the
- 1576 individual's signature on the affidavit for voter identification purposes; and
- 1577 (v) a check box accompanied by language in substantially the following form: "I am
- 1578 a voter with a qualifying disability under the Americans with Disabilities Act that
- 1579 impacts my ability to sign my name consistently. I can provide appropriate
- 1580 documentation upon request. To discuss accommodations, I can be contacted at
- 1581 _____".
- 1582 (e) In order for an individual described in Subsection (7)(a) or (b) to have the
- 1583 individual's ballot counted, the individual shall deliver the affidavit described in
- 1584 Subsection (7)(d) to the election officer.
- 1585 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall
- 1586 immediately:
- 1587 (i) scan the signature on the affidavit electronically and keep the signature on file in
- 1588 the statewide voter registration database developed under Section 20A-2-502;
- 1589 (ii) if the election officer receives the affidavit no later than noon on the last business
- 1590 day before the day on which the canvass begins, count the individual's ballot; and
- 1591 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the
- 1592 rules described in Subsection (13)(c).

- 1593 (8)(a) The election officer shall, within two business days after the day on which an
1594 individual's ballot is rejected, notify the individual of the rejection and the reason for
1595 the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:
- 1596 (i) the ballot is cured within one business day after the day on which the ballot is
1597 rejected; or
 - 1598 (ii) the ballot is rejected because the ballot is received late or for another reason that
1599 cannot be cured.
- 1600 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the
1601 election officer shall notify the individual of the rejection and the reason for the
1602 rejection by phone, mail, email, or, if consent is obtained, text message, within the
1603 later of:
- 1604 (i) 30 calendar days after the day of the rejection; or
 - 1605 (ii) 30 calendar days after the day of the election.
- 1606 (c) The election officer may, when notifying an individual by phone under this
1607 Subsection (8), use auto-dial technology.
- 1608 (9) An election officer may not count the ballot of an individual whom the election officer
1609 contacts under Subsection (7) or (8) unless, no later than noon on the last business day
1610 before the day on which the canvass begins, the election officer:
- 1611 (a) receives a signed affidavit from the individual under Subsection (7); or
 - 1612 (b)(i) contacts the individual;
 - 1613 (ii) if the election officer has reason to believe that an individual, other than the voter
1614 to whom the ballot was sent, signed the ballot affidavit, informs the individual that
1615 it is unlawful to sign a ballot affidavit for another person, even if the person gives
1616 permission;
 - 1617 (iii) verifies the identity of the individual by:
 - 1618 (A) requiring the individual to provide at least two types of personal identifying
1619 information for the individual; and
 - 1620 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records
1621 relating to the individual that are in the possession or control of an election
1622 officer; and
 - 1623 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
 - 1624 (A) the name and voter identification number of the individual contacted;
 - 1625 (B) the name of the individual who conducts the verification;
 - 1626 (C) the date and manner of the communication;

- 1627 (D) the type of personal identifying information provided by the individual;
- 1628 (E) a description of the records against which the personal identifying information
- 1629 provided by the individual is compared and verified; and
- 1630 (F) other information required by the lieutenant governor.
- 1631 (10)(a) The election officer shall retain and preserve:
- 1632 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- 1633 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection
- 1634 20A-4-202(3).
- 1635 (b) If the election officer complies with Subsection (10)(a)(ii) by including the
- 1636 documentation in the voter's voter registration record, the election officer shall make,
- 1637 retain, and preserve a record of the name and voter identification number of each
- 1638 voter contacted under Subsection (9)(b).
- 1639 (11)(a) The election officer shall record the following in the database used in the
- 1640 verification process:
- 1641 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day
- 1642 after the day on which the election officer rejects the ballot; and
- 1643 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business
- 1644 day after the day on which the ballot rejection is resolved.
- 1645 (b) An election officer shall include, in the canvass report, a final report of the
- 1646 disposition of all rejected and resolved ballots, including, for ballots rejected, the
- 1647 following:
- 1648 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
- 1649 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in
- 1650 records on file, do not correspond.
- 1651 (12) Willful failure to comply with this section constitutes willful neglect of duty under
- 1652 Section 20A-5-701.
- 1653 (13) The director of elections within the Office of the Lieutenant Governor shall make
- 1654 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
- 1655 establish:
- 1656 (a) criteria and processes for use by poll workers in determining if a signature
- 1657 corresponds with the signature on file for the voter under Subsection (4)(a)(ii)(A);
- 1658 (b) training and certification requirements for election officers and employees of election
- 1659 officers regarding the criteria and processes described in Subsection (13)(a); and
- 1660 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.

- 1661 Secs. 12131 through 12165, an alternative means of verifying the identity of an
1662 individual who checks the box described in Subsection (7)(d)(v).
- 1663 (14)(a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may
1664 disclose the name and address of a voter whose ballot has been rejected and not yet
1665 resolved with:
- 1666 (i) a candidate in the election;
 - 1667 (ii) an individual who represents the candidate's campaign;
 - 1668 (iii) the sponsors of an initiative or referendum appearing on the ballot; or
 - 1669 (iv) for a ballot proposition appearing on the ballot, an individual who represents a
1670 political issues committee, as defined in Section 20A-11-101, if the political
1671 issues committee supports or opposes the ballot proposition.
- 1672 (b) If an election officer discloses the information described in Subsection (14)(a), the
1673 election officer shall:
- 1674 (i) make the disclosure within two business days after the day on which the request is
1675 made;
 - 1676 (ii) respond to each request in the order the requests were made; and
 - 1677 (iii) make each disclosure in a manner, and within a period of time, that does not
1678 reflect favoritism to one requestor over another.
- 1679 (c) A disclosure described in this Subsection (14) may not include the name or address
1680 of a protected individual, as defined in Subsection 20A-2-104(1).

1681 Section 16. Section **20A-9-408** is amended to read:

1682 **20A-9-408 (Effective 01/01/27). Signature-gathering process to seek the**
1683 **nomination of a qualified political party -- Removal of signature.**

- 1684 (1) This section describes the requirements for a member of a qualified political party who
1685 is seeking the nomination of the qualified political party for an elective office through
1686 the signature-gathering process described in this section.
- 1687 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
1688 for a member of a qualified political party who is nominated by, or who is seeking the
1689 nomination of, the qualified political party under this section shall be substantially as
1690 described in Section 20A-9-408.5.
- 1691 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
1692 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
1693 the nomination of the qualified political party for an elective office that is to be filled at
1694 the next general election shall:

- 1695 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
1696 declaration of candidacy filing period described in Section 20A-9-201.5, and before
1697 gathering signatures under this section, file with the filing officer on a form approved
1698 by the lieutenant governor a notice of intent to gather signatures for candidacy that
1699 includes:
- 1700 (i) the name of the member who will attempt to become a candidate for a registered
1701 political party under this section;
 - 1702 (ii) the name of the registered political party for which the member is seeking
1703 nomination;
 - 1704 (iii) the office for which the member is seeking to become a candidate;
 - 1705 (iv) the address and telephone number of the member; and
 - 1706 (v) other information required by the lieutenant governor;
- 1707 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
1708 person, with the filing officer during the applicable declaration of candidacy filing
1709 period described in Section 20A-9-201.5; and
- 1710 (c) pay the filing fee.
- 1711 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
1712 who, under this section, is seeking the nomination of the qualified political party for the
1713 office of district attorney within a multicounty prosecution district that is to be filled at
1714 the next general election shall:
- 1715 (a) during the applicable declaration of candidacy filing period described in Section
1716 20A-9-201.5, and before gathering signatures under this section, file with the filing
1717 officer on a form approved by the lieutenant governor a notice of intent to gather
1718 signatures for candidacy that includes:
 - 1719 (i) the name of the member who will attempt to become a candidate for a registered
1720 political party under this section;
 - 1721 (ii) the name of the registered political party for which the member is seeking
1722 nomination;
 - 1723 (iii) the office for which the member is seeking to become a candidate;
 - 1724 (iv) the address and telephone number of the member; and
 - 1725 (v) other information required by the lieutenant governor;
 - 1726 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
1727 person, with the filing officer during the applicable declaration of candidacy filing
1728 period described in Section 20A-9-201.5; and

- 1729 (c) pay the filing fee.
- 1730 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
1731 files as the joint-ticket running mate of an individual who is nominated by a qualified
1732 political party, under this section, for the office of governor shall, during the applicable
1733 declaration of candidacy filing period described in Section 20A-9-201.5, file a
1734 declaration of candidacy and submit a letter from the candidate for governor that names
1735 the lieutenant governor candidate as a joint-ticket running mate.
- 1736 (6) The lieutenant governor shall ensure that the certification described in Subsection
1737 20A-9-701(1) also includes the name of each candidate nominated by a qualified
1738 political party under this section.
- 1739 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is
1740 nominated by a qualified political party under this section, designate the qualified
1741 political party that nominated the candidate.
- 1742 (8) A member of a qualified political party may seek the nomination of the qualified
1743 political party for an elective office by:
- 1744 (a) complying with the requirements described in this section; and
- 1745 (b) collecting signatures, on a form approved by the lieutenant governor that complies
1746 with Subsection 20A-9-405(3), during the period beginning on the day on which the
1747 member files a notice of intent to gather signatures and ending at the applicable
1748 deadline described in Subsection (12), in the following amounts:
- 1749 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
1750 permitted by the qualified political party to vote for the qualified political party's
1751 candidates in a primary election;
- 1752 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000
1753 signatures of registered voters who are residents of the congressional district and
1754 are permitted by the qualified political party to vote for the qualified political
1755 party's candidates in a primary election;
- 1756 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1757 residents of the state Senate district and are permitted by the qualified political
1758 party to vote for the qualified political party's candidates in a primary election;
- 1759 (iv) for a state House district race, 1,000 signatures of registered voters who are
1760 residents of the state House district and are permitted by the qualified political
1761 party to vote for the qualified political party's candidates in a primary election;
- 1762 (v) for a State Board of Education race, the lesser of:

- 1763 (A) 2,000 signatures of registered voters who are residents of the State Board of
1764 Education district and are permitted by the qualified political party to vote for
1765 the qualified political party's candidates in a primary election; or
1766 (B) 3% of the registered voters of the qualified political party who are residents of
1767 the applicable State Board of Education district; and
1768 (vi) for a county office race, the lesser of:
1769 (A) 2,000 signatures of registered voters who are residents of the area permitted to
1770 vote for the county office and are permitted by the qualified political party to
1771 vote for the qualified political party's candidates in a primary election; or
1772 (B) signatures of [~~3%~~ 1.5%] of the registered voters who are residents of the area
1773 permitted to vote for the county office and are permitted by the qualified
1774 political party to vote for the qualified political party's candidates in a primary
1775 election.
- 1776 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 1777 (b) In order for a member of the qualified political party to qualify as a candidate for the
1778 qualified political party's nomination for an elective office under this section, using
1779 the manual candidate qualification process, the member shall:
- 1780 (i) collect the signatures on a form approved by the lieutenant governor, using the
1781 same circulation and verification requirements described in Sections 20A-7-105
1782 and 20A-7-204; and
- 1783 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election
1784 officer before the applicable deadline described in Subsection (12).
- 1785 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in
1786 accordance with Section 20A-9-408.3, the election officer shall, no later than the
1787 earlier of 14 calendar days after the day on which the election officer receives the
1788 signatures, or one day before the day on which the qualified political party holds the
1789 convention to select a nominee for the elective office to which the signature packets
1790 relate:
- 1791 (i) check the name of each individual who completes the verification for a signature
1792 packet to determine whether each individual is at least 18 years old;
- 1793 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at
1794 least 18 years old to the attorney general and the county attorney;
- 1795 (iii) with the assistance of the county clerk as applicable, determine whether each
1796 signer is a registered voter who is qualified to sign the petition, using the same

- 1797 method, described in Section 20A-1-1002, used to verify a signature on a petition;
1798 and
- 1799 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1800 signature packet.
- 1801 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)
1802 may have the voter's signature removed from the form by, no later than 5 p.m.
1803 three business days after the day on which the member submits the signature form
1804 to the election officer, submitting to the election officer a statement requesting
1805 that the voter's signature be removed.
- 1806 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
1807 described in Subsection 20A-1-1003(2).
- 1808 (iii) With the assistance of the county clerk as applicable, the election officer shall
1809 use the procedures described in Subsection 20A-1-1003(3) to determine whether
1810 to remove an individual's signature after receiving a timely, valid statement
1811 requesting removal of the signature.
- 1812 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules
1813 made under Section 20A-3a-106, conduct regular audits of signature comparisons
1814 made between signatures gathered under this section and voter signatures
1815 maintained by the election officer.
- 1816 (ii) An individual who conducts an audit of signature comparisons under this section
1817 may not audit the individual's own work.
- 1818 (iii) The election officer shall:
- 1819 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to
1820 determine the accuracy of the comparisons made;
- 1821 (B) record the individuals who conducted the audit;
- 1822 (C) record the audit results;
- 1823 (D) provide additional training or staff reassignments, as needed, based on the
1824 results of an audit described in Subsection (9)(e)(i); and
- 1825 (E) record any remedial action taken.
- 1826 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 1827 (f) An election officer who certifies signatures under Subsection (9)(c) or
1828 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate
1829 has reached the applicable signature threshold described in Subsection (8) or
1830 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the

- 1831 candidate in excess of the number of signatures required, until the election officer
1832 either:
- 1833 (i) certifies signatures equal to 110% of the applicable signature threshold; or
 - 1834 (ii) has reviewed all signatures submitted for the candidate before reaching an
1835 amount equal to 110% of the applicable signature threshold.
- 1836 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
1837 process.
- 1838 (b) In order for a member of the qualified political party to qualify as a candidate for the
1839 qualified political party's nomination for an elective office under this section, the
1840 member shall, before the deadline described in Subsection (12), collect signatures
1841 electronically:
- 1842 (i) in accordance with Section 20A-21-201; and
 - 1843 (ii) using progressive screens, in a format approved by the lieutenant governor, that
1844 complies with Subsection 20A-9-405(4).
- 1845 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
1846 election officer shall, no later than the earlier of 14 calendar days after the day on
1847 which the election officer receives the signatures, or one day before the day on which
1848 the qualified political party holds the convention to select a nominee for the elective
1849 office to which the signature packets relate:
- 1850 (i) check the name of each individual who completes the verification for a signature
1851 to determine whether each individual is at least 18 years old; and
 - 1852 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
1853 at least 18 years old to the attorney general and the county attorney.
- 1854 (11)(a) An individual may not gather signatures under this section until after the
1855 individual files a notice of intent to gather signatures for candidacy described in this
1856 section.
- 1857 (b) An individual who files a notice of intent to gather signatures for candidacy,
1858 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
1859 individual files the notice of intent to gather signatures for candidacy:
- 1860 (i) required to comply with the reporting requirements that a candidate for office is
1861 required to comply with; and
 - 1862 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1863 apply to a candidate for office in relation to the reporting requirements described
1864 in Subsection (11)(b)(i).

1865 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
 1866 Subsections (8) and (10)(b), the election officer shall, no later than the day before the
 1867 day on which the qualified political party holds the convention to select a nominee
 1868 for the elective office to which the signature packets relate, notify the qualified
 1869 political party and the lieutenant governor of the name of each member of the
 1870 qualified political party who qualifies as a nominee of the qualified political party,
 1871 under this section, for the elective office to which the convention relates.

1872 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
 1873 section, the lieutenant governor shall post the notice of intent to gather signatures for
 1874 candidacy on the lieutenant governor's website in the same location that the
 1875 lieutenant governor posts a declaration of candidacy.

1876 (12) The deadline before which a member of a qualified political party must collect and
 1877 submit signatures to the election officer under this section is 5 p.m. on the last business
 1878 day that is at least 14 calendar days before the day on which the qualified political
 1879 party's convention for the office begins.

1880 (13) For the 2026 election year only, an individual who desires to gather signatures to seek
 1881 the nomination of a qualified political party for the office of United States representative
 1882 shall:

1883 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures
 1884 during the period beginning at 8 a.m. on the first business day of January and ending
 1885 at 5 p.m. on March 13, 2026; and

1886 (b) during the period beginning on the day on which the individual files the notice of
 1887 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
 1888 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
 1889 collect 7,000 signatures of registered voters who are residents of the state and are
 1890 permitted by the qualified political party to vote for the qualified political party's
 1891 candidates in a primary election.

1892 Section 17. Section **20A-9-408.4** is enacted to read:

1893 **20A-9-408.4 (Effective 05/06/26). Incumbent county clerk required to contract**
 1894 **for certain services relating to a race for reelection.**

1895 In relation to a race in which an incumbent county clerk is running for reelection, the
 1896 incumbent county clerk shall:

1897 (1) contract with another county clerk to fulfill the responsibilities described in:

1898 (a) Subsection 20A-9-403(3)(d);

- 1899 (b) Subsection 20A-9-405(10)(c);
 1900 (c) Subsections 20A-9-408(9)(c), (d)(iii), and (f);
 1901 (d) Subsections 20A-9-408(10)(c) and (11)(c); and
 1902 (e) Subsections 20A-9-408.3(2) through (3) and (5) through (7);
 1903 (2) no later than one business day after the day on which the incumbent county clerk
 1904 receives a signature packet for the race, deliver the signature packet to the other county
 1905 clerk described in Subsection (1); and
 1906 (3) on the same business day on which the incumbent county clerk receives a document
 1907 requesting the removal of a signature from a signature packet for the race, electronically
 1908 send a clear image of the document to the other county clerk described in Subsection (1).

1909 Section 18. Section **20A-11-104** is amended to read:

1910 **20A-11-104 (Effective 05/06/26). Personal use expenditure -- Authorized and**
 1911 **prohibited uses of campaign funds -- Enforcement -- Penalties.**

1912 (1)(a) As used in this chapter, "personal use expenditure" means an expenditure that:

1913 (i)(A) is not excluded from the definition of personal use expenditure by
 1914 Subsection (2); and

1915 (B) primarily furthers a personal interest of a candidate or officeholder or a
 1916 candidate's or officeholder's family, which interest is not connected with the
 1917 performance of an activity as a candidate or an activity or duty of an
 1918 officeholder; or

1919 (ii) would likely cause the candidate or officeholder to recognize the expenditure as
 1920 taxable income under federal or state law.

1921 (b) "Personal use expenditure" includes:

1922 (i) a mortgage, rent, utility, or vehicle payment;

1923 (ii) a household food item or supply;

1924 (iii) a clothing expense, except:

1925 (A) clothing bearing the candidate's name or campaign slogan or logo that is used
 1926 in the candidate's campaign;

1927 (B) clothing bearing the logo or name of a jurisdiction, district, government
 1928 organization, government entity, caucus, or political party that the officeholder
 1929 represents or of which the officeholder is a member; or

1930 (C) repair or replacement of clothing that is damaged while the candidate or
 1931 officeholder is engaged in an activity of a candidate or officeholder;

1932 (iv) an admission to a sporting, artistic, or recreational event or other form of

- 1933 entertainment;
- 1934 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;
- 1935 (vi) a salary payment made to:
- 1936 (A) a candidate or officeholder; or
- 1937 (B) a person who has not provided a bona fide service to a candidate or
- 1938 officeholder;
- 1939 (vii) a vacation;
- 1940 (viii) a vehicle expense;
- 1941 (ix) a meal expense;
- 1942 (x) a travel expense;
- 1943 (xi) a payment of an administrative, civil, or criminal penalty;
- 1944 (xii) a satisfaction of a personal debt;
- 1945 (xiii) a personal service, including the service of an attorney, accountant, physician,
- 1946 or other professional person;
- 1947 (xiv) a membership fee for a professional or service organization; and
- 1948 (xv) a payment in excess of the fair market value of the item or service purchased.
- 1949 (2) As used in this chapter, "personal use expenditure" does not include an expenditure
- 1950 made:
- 1951 (a) for a political purpose;
- 1952 (b) for candidacy for public office;
- 1953 (c) to fulfill a duty or activity of an officeholder;
- 1954 (d) for a donation to a registered political party;
- 1955 (e) for a contribution to another candidate's campaign account, including sponsorship of
- 1956 or attendance at an event, the primary purpose of which is to solicit a contribution for
- 1957 another candidate's campaign account;
- 1958 (f) to return all or a portion of a contribution to a contributor;
- 1959 (g) for the following items, if made in connection with the candidacy for public office or
- 1960 an activity or duty of an officeholder:
- 1961 (i)(A) a mileage allowance at the rate established by the Division of Finance under
- 1962 Section 63A-3-107; or
- 1963 (B) for motor fuel or special fuel, as defined in Section 59-13-102;
- 1964 (ii) a food expense, including food or beverages:
- 1965 (A) served at a campaign event;
- 1966 (B) served at a charitable event;

- 1967 (C) consumed, or provided to others, by a candidate while the candidate is
 1968 engaged in campaigning;
- 1969 (D) consumed, or provided to others, by an officeholder while the officeholder is
 1970 acting in the capacity of an officeholder; or
- 1971 (E) provided as a gift to an individual who works on a candidate's campaign or
 1972 who assists an officeholder in the officeholder's capacity as an officeholder;
- 1973 (iii) a travel expense of a candidate, if the primary purpose of the travel is related to
 1974 the candidate's campaign, including airfare, car rental, other transportation, hotel,
 1975 or other expenses incidental to the travel;
- 1976 (iv) a travel expense of an individual assisting a candidate, if the primary purpose of
 1977 the travel by the individual is to assist the candidate with the candidate's
 1978 campaign, including an expense described in Subsection (2)(g)(iii);
- 1979 (v) a travel expense of an officeholder, if the primary purpose of the travel is related
 1980 to an activity or duty of the officeholder, including an expense described in
 1981 Subsection (2)(g)(iii);
- 1982 (vi) a travel expense of an individual assisting an officeholder, if the primary purpose
 1983 of the travel by the individual is to assist the officeholder in an activity or duty of
 1984 an officeholder, including an expense described in Subsection (2)(g)(iii);
- 1985 (vii) a payment for a service provided by an attorney or accountant;
- 1986 (viii) a tuition payment or registration fee for participation in a meeting or conference;
- 1987 (ix) a gift;
- 1988 (x) a payment for the following items in connection with an office space:
 1989 (A) rent;
 1990 (B) utilities;
 1991 (C) a supply; or
 1992 (D) furnishing;
- 1993 (xi) a booth at a meeting or event;
- 1994 (xii) educational material; or
- 1995 (xiii) an item purchased for a purpose related to a campaign or to an activity or duty
 1996 of an officeholder;
- 1997 (h) to purchase or mail informational material, a survey, or a greeting card;
- 1998 (i) for a donation to a charitable organization, as defined by Section 13-22-2, including
 1999 admission to or sponsorship of an event, the primary purpose of which is charitable
 2000 solicitation, as defined in Section 13-22-2;

- 2001 (j) to repay a loan a candidate makes from the candidate's personal account to the
 2002 candidate's campaign account;
- 2003 (k) to pay membership dues to a national organization whose primary purpose is to
 2004 address general public policy;
- 2005 (l) for admission to or sponsorship of an event, the primary purpose of which is to
 2006 promote the social, educational, or economic well-being of the state or the candidate's
 2007 or officeholder's community;
- 2008 (m) for one or more guests of an officeholder or candidate to attend an event, meeting,
 2009 or conference described in this Subsection (2), including related travel expenses and
 2010 other expenses, if attendance by the guest is for a primary purpose described in
 2011 Subsection (2)(g)(iv) or (vi);~~[-or]~~
- 2012 (n) to pay childcare expenses of:
- 2013 (i) a candidate while the candidate is engaging in campaign activity; or
- 2014 (ii) an officeholder while the officeholder is engaging in the duties of an officeholder~~[-]~~ ;
- 2015 or
- 2016 (o) by a candidate or officeholder to purchase reasonably necessary goods, other than
 2017 weapons, or services, for the purpose of protecting the security of the candidate or
 2018 officeholder, the candidate's or officeholder's family, or the candidate's or
 2019 officeholder's staff, which may include:
- 2020 (i) a security system for use at the candidate's or officeholder's home, place of
 2021 business, or campaign office; or
- 2022 (ii) security services while the candidate or officeholder is traveling to or from, or
 2023 attending:
- 2024 (A) a campaign event; or
- 2025 (B) for an officeholder, an event relating to an activity or duty of the officeholder.
- 2026 (3)(a) The lieutenant governor shall enforce this chapter prohibiting a personal use
 2027 expenditure by:
- 2028 (i) evaluating a financial statement to identify a personal use expenditure; and
- 2029 (ii) commencing an informal adjudicative proceeding in accordance with Title 63G,
 2030 Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable
 2031 cause to believe a candidate or officeholder has made a personal use expenditure.
- 2032 (b) Following the proceeding, the lieutenant governor may issue a signed order requiring
 2033 a candidate or officeholder who has made a personal use expenditure to:
- 2034 (i) remit an administrative penalty of an amount equal to 50% of the personal use

2035 expenditure to the lieutenant governor; and
 2036 (ii) deposit the amount of the personal use expenditure in the campaign account from
 2037 which the personal use expenditure was disbursed.

2038 (c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) [~~in~~]
 2039 into the General Fund.

2040 Section 19. Section **20A-11-204** is amended to read:

2041 **20A-11-204 (Effective 05/06/26). State office candidate and state officeholder --**
 2042 **Financial reporting requirements -- Interim reports.**

2043 (1) As used in this section:

2044 (a) "Campaign account" means a separate campaign account required under Subsection
 2045 20A-11-201(1)(a) or (c).

2046 (b) "Received" means:

2047 (i) for a cash contribution, that the cash is given to a state office candidate or a
 2048 member of the state office candidate's personal campaign committee;

2049 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
 2050 instrument or check is negotiated;

2051 (iii) for a direct deposit made into a campaign account by a person not associated
 2052 with the campaign, the earlier of:

2053 (A) the day on which the state office candidate or a member of the state office
 2054 candidate's personal campaign committee becomes aware of the deposit and
 2055 the source of the deposit;

2056 (B) the day on which the state office candidate or a member of the state office
 2057 candidate's personal campaign committee receives notice of the deposit and the
 2058 source of the deposit by mail, email, text, or similar means; or

2059 (C) 31 calendar days after the day on which the direct deposit occurs; or

2060 (iv) for any other type of contribution, that any portion of the contribution's benefit
 2061 inures to the state office candidate.

2062 (2) Except as provided in Subsection (3), each state office candidate shall file an interim
 2063 report at the following times in any year in which the candidate has filed a declaration of
 2064 candidacy for a public office:

2065 (a)(i) seven calendar days before the candidate's political convention; or

2066 (ii) for an unaffiliated candidate, the fourth Saturday in March;

2067 (b) seven calendar days before the regular primary election date;

2068 (c) September 30; and

- 2069 (d) seven calendar days before the regular general election date.
- 2070 (3) If a state office candidate is a state office candidate seeking appointment for a midterm
2071 vacancy, the state office candidate:
- 2072 (a) shall file an interim report:
- 2073 (i) for a vacancy described in Subsection 20A-1-504(1)(b)(i), no later than three
2074 business days before the day on which the political party of the party for which
2075 the state office candidate seeks nomination meets to declare a nominee for the
2076 governor to appoint~~[in accordance with Subsection 20A-1-504(1)(a); or]~~ ;
- 2077 (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii), no later than three
2078 business days before the day on which the Senate meets to consider the governor's
2079 nomination; or
- 2080 ~~[(ii)]~~ (iii) if a state office candidate decides to seek the appointment with less than
2081 three business days before the ~~[day on which the political party meets]~~ applicable
2082 day described in Subsection (3)(a)(i) or (ii), or the political party or the Senate
2083 schedules the ~~[meeting to declare a nominee]~~ applicable meeting described in
2084 Subsection (3)(a)(i) or (ii) less than three business days before the day of the
2085 meeting, no later than 5 p.m. on the last day of business before the day on which
2086 the political party or the Senate meets; and
- 2087 (b) is not required to file an interim report at the times described in Subsection (2).
- 2088 (4) Each interim report shall include the following information:
- 2089 (a) the net balance of the last summary report, if any;
- 2090 (b) a single figure equal to the total amount of receipts reported on all prior interim
2091 reports, if any, during the calendar year in which the interim report is due;
- 2092 (c) a single figure equal to the total amount of expenditures reported on all prior interim
2093 reports, if any, filed during the calendar year in which the interim report is due;
- 2094 (d) a detailed listing of:
- 2095 (i) for a state office candidate, each contribution received since the last summary
2096 report that has not been reported in detail on a prior interim report; or
- 2097 (ii) for a state officeholder, each contribution and public service assistance received
2098 since the last summary report that has not been reported in detail on a prior
2099 interim report;
- 2100 (e) for each nonmonetary contribution:
- 2101 (i) the fair market value of the contribution with that information provided by the
2102 contributor; and

- 2103 (ii) a specific description of the contribution;
- 2104 (f) a detailed listing of each expenditure made since the last summary report that has not
2105 been reported in detail on a prior interim report;
- 2106 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 2107 (h) a net balance for the year consisting of the net balance from the last summary report,
2108 if any, plus all receipts since the last summary report minus all expenditures since the
2109 last summary report;
- 2110 (i) a summary page in the form required by the lieutenant governor that identifies:
- 2111 (i) beginning balance;
- 2112 (ii) total contributions and public service assistance received during the period since
2113 the last statement;
- 2114 (iii) total contributions and public service assistance received to date;
- 2115 (iv) total expenditures during the period since the last statement; and
- 2116 (v) total expenditures to date; and
- 2117 (j) the name of a political action committee for which the state office candidate or state
2118 officeholder is designated as an officer who has primary decision-making authority
2119 under Section 20A-11-601.

2120 (5)(a) In preparing each interim report, all receipts and expenditures shall be reported as
2121 of five calendar days before the required filing date of the report.

2122 (b) Any negotiable instrument or check received by a state office candidate or state
2123 officeholder more than five calendar days before the required filing date of a report
2124 required by this section shall be included in the interim report.

2125 Section 20. Section **20A-11-1303** is amended to read:

2126 **20A-11-1303 (Effective 05/06/26). School board office candidate and school**
2127 **board officeholder -- Financial reporting requirements -- Interim reports.**

2128 (1)(a) As used in this section, "received" means:

- 2129 (i) for a cash contribution, that the cash is given to a school board office candidate or
2130 a member of the school board office candidate's personal campaign committee;
- 2131 (ii) for a contribution that is a check or other negotiable instrument, that the check or
2132 other negotiable instrument is negotiated;
- 2133 (iii) for a direct deposit made into a campaign account by a person not associated
2134 with the campaign, the earlier of:
- 2135 (A) the day on which the school board office candidate or a member of the school
2136 board office candidate's personal campaign committee becomes aware of the

- 2137 deposit and the source of the deposit;
- 2138 (B) the day on which the school board office candidate or a member of the school
- 2139 board office candidate's personal campaign committee receives notice of the
- 2140 deposit and the source of the deposit by mail, email, text, or similar means; or
- 2141 (C) 31 calendar days after the day on which the direct deposit occurs; or
- 2142 (iv) for any other type of contribution, that any portion of the contribution's benefit
- 2143 inures to the school board office candidate.
- 2144 (b) As used in this Subsection (1), "campaign account" means a separate campaign
- 2145 account required under Subsection 20A-11-1301(1)(a)(i) or (c)(i).
- 2146 (c) Except as provided in Subsection (2), each school board office candidate shall file an
- 2147 interim report at the following times in any year in which the candidate has filed a
- 2148 declaration of candidacy for a public office:
- 2149 (i) May 15;
- 2150 (ii) seven calendar days before the regular primary election date;
- 2151 (iii) September 30; and
- 2152 (iv) seven calendar days before the regular general election date.
- 2153 (2) If a school board office candidate is a school board office candidate seeking
- 2154 appointment for a midterm vacancy, the school board office candidate:
- 2155 (a) shall file an interim report:
- 2156 (i) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(A) or (B)~~]
- 2157 20A-1-504(1)(b)(ii), no later than three business days before the day on which the
- 2158 Senate meets to consider the school board office candidate's nomination; [~~or~~]
- 2159 (ii) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(C):~~]
- 2160 20A-1-504(1)(b)(i),
- 2161 [~~(A)~~] no later than three business days before the day on which the political party
- 2162 of the party for which the school board office candidate seeks nomination
- 2163 meets to declare a nominee for the governor to appoint; or
- 2164 [~~(B)~~] (iii) if the school board office candidate decides to seek the appointment with
- 2165 less than three business days before the [day on which the political party meets]
- 2166 applicable day described in Subsection (2)(a)(i) or (ii), or the political party or the
- 2167 Senate schedules the [meeting to declare a nominee] applicable meeting described
- 2168 in Subsection (2)(a)(i) or (ii) less than three business days before the day of the
- 2169 meeting, no later than 5 p.m. on the last day of business before the day on which
- 2170 the political party or the Senate meets; and

- 2171 (b) is not required to file an interim report at the times described in Subsection (1)(c).
2172 (3) Each interim report shall include the following information:
2173 (a) the net balance of the last summary report, if any;
2174 (b) a single figure equal to the total amount of receipts reported on all prior interim
2175 reports, if any, during the calendar year in which the interim report is due;
2176 (c) a single figure equal to the total amount of expenditures reported on all prior interim
2177 reports, if any, filed during the calendar year in which the interim report is due;
2178 (d) a detailed listing of:
2179 (i) for a school board office candidate, each contribution received since the last
2180 summary report that has not been reported in detail on a prior interim report; or
2181 (ii) for a school board officeholder, each contribution and public service assistance
2182 received since the last summary report that has not been reported in detail on a
2183 prior interim report;
2184 (e) for each nonmonetary contribution:
2185 (i) the fair market value of the contribution with that information provided by the
2186 contributor; and
2187 (ii) a specific description of the contribution;
2188 (f) a detailed listing of each expenditure made since the last summary report that has not
2189 been reported in detail on a prior interim report;
2190 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
2191 (h) a net balance for the year consisting of the net balance from the last summary report,
2192 if any, plus all receipts since the last summary report minus all expenditures since the
2193 last summary report;
2194 (i) a summary page in the form required by the lieutenant governor that identifies:
2195 (i) beginning balance;
2196 (ii) total contributions during the period since the last statement;
2197 (iii) total contributions to date;
2198 (iv) total expenditures during the period since the last statement; and
2199 (v) total expenditures to date; and
2200 (j) the name of a political action committee for which the school board office candidate
2201 or school board officeholder is designated as an officer who has primary
2202 decision-making authority under Section 20A-11-601.
2203 (4)(a) In preparing each interim report, all receipts and expenditures shall be reported as
2204 of five calendar days before the required filing date of the report.

2205 (b) Any negotiable instrument or check received by a school board office candidate or
 2206 school board officeholder more than five calendar days before the required filing date
 2207 of a report required by this section shall be included in the interim report.

2208 Section 21. Section **36-12-15.2** is amended to read:

2209 **36-12-15.2 (Effective 05/06/26). Elections audit.**

2210 (1) As used in this section, "office" means the Office of the Legislative Auditor General.

2211 (2) In addition to other audits performed by the office, the office shall, [each
 2212 even-numbered year, in accordance with this section and under the direction of the
 2213 Legislative Audit Subcommittee] as frequently as determined necessary by the office or
 2214 the Legislative Audit Subcommittee, conduct a comprehensive performance audit of the
 2215 state's election system and controls[-] :

2216 (a) in accordance with this section; and

2217 (b) under the direction of the Legislative Audit Subcommittee.

2218 (3) The audit may include the entire election process for the elections held in an
 2219 even-numbered year, including:

2220 (a) procedures and practices that occur before or after the beginning of the year to
 2221 prepare for the elections; and

2222 (b) procedures, practices, and standards relating to:

2223 (i) voter registration;

2224 (ii) candidate filing and selection;

2225 (iii) the preparation, printing, distribution, handling, examining, counting, and all
 2226 other handling of ballots; and

2227 (iv) the entire election process, including the regular primary election, the regular
 2228 general election, and the determination of election results.

2229 (4) The audit extends to the functions of all persons involved in the election process,
 2230 including the Office of the Lieutenant Governor, each county clerk's office, and each
 2231 board of canvassers.

2232 (5) At a minimum, the office shall conduct a survey to audit the work of the Office of the
 2233 Lieutenant Governor and each county election office.

2234 (6) Based on the results of the survey described in Subsection (5), the office shall conduct a
 2235 more comprehensive audit of the jurisdictions or practices that, in the opinion of the
 2236 office, present the highest risk.

2237 (7) In addition to auditing the jurisdictions and practices described in Subsection (6), the
 2238 office may audit any other jurisdictions or entities, or any practices or procedures, that

- 2239 the office determines necessary to ensure the success of a comprehensive performance
2240 audit of the election system.
- 2241 (8) To conduct an audit described in this section, the office has the full authority described
2242 in Section 36-12-15, including:
- 2243 (a) full access to closely observe, examine, and copy all records, documents, recordings,
2244 and other information the office determines to be useful in conducting an audit
2245 described in this section;
- 2246 (b) full access to closely observe, examine, and copy ballots, ballot envelopes, vote
2247 tallies, canvassing records, and voter registration records;
- 2248 (c) full access to closely observe and examine all facilities, storage areas, and
2249 equipment, and to closely observe, examine, or copy all materials, that the office
2250 determines to be useful in conducting an audit described in this section;
- 2251 (d) full access to all staff, including full-time, part-time, and volunteer staff;
- 2252 (e) full access to closely observe, examine, and copy all records and information relating
2253 to election audits that are conducted by the Office of the Lieutenant Governor, a
2254 county clerk, or any other person;
- 2255 (f) the right to, within the scope of the audit, attend any meeting, including a closed
2256 meeting;
- 2257 (g) the right to, within the scope of the audit, closely observe and examine any work or
2258 other process; and
- 2259 (h) all other authority described in Section 36-12-15.
- 2260 (9) As with any audit conducted under the authority described in Section 36-12-15, all
2261 officials and staff shall fully assist, and cooperate with, the office in conducting an audit
2262 described in this section.
- 2263 (10) In conducting an audit described in this section, the office:
- 2264 (a) shall preserve the right of a voter to a secret ballot;
- 2265 (b) shall, when examining election returns, allow the election officer or a designee of the
2266 election officer to be present to ensure the chain of custody of the election returns;
2267 and
- 2268 (c) may not, while votes are being counted, communicate in any manner, directly or
2269 indirectly, by word or sign, the progress of the vote, the current result of the vote
2270 count, or any other information about the vote count.
- 2271 (11) An election officer, or an election officer's designee, who is present under Subsection
2272 (10)(b) may not interfere with the performance of the audit.

2273 Section 22. Section **63I-2-220** is amended to read:
2274 **63I-2-220 (Effective 05/06/26). Repeal dates: Title 20A.**
2275 [~~(1) Section 20A-7-103.1, Constitutional amendments proposed during specified timeframe~~
2276 ~~-- Analysis -- Arguments -- Publication, is repealed July 1, 2025.]~~
2277 [~~(2) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is~~
2278 ~~repealed January 1, 2026.]~~
Subsection 20A-1-104(4), relating to the extension of a deadline that falls on a weekend or holiday, is repealed on May 5, 2027.

2279 Section 23. **Effective Date.**
2280 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.
2281 (2) The actions affecting Section 20A-9-408 (Effective 01/01/27) take effect on January 1,
2282 2027.