

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

General Description:

This bill amends provisions relating to elections.

Highlighted Provisions:

This bill:

- defines terms;
- enacts a temporary provision regarding the computation of time;
- prohibits certain action by a county clerk;
- requires the lieutenant governor to create a written conflict of interest avoidance plan;
- modifies provisions relating to filling an office vacancy;
- provides that if a vacancy in an elected office is filled by appointment, the appointee shall be a member of the same political party of which the prior officeholder was a member at the time the prior officeholder was last elected or appointed;
- establishes a process to fill a vacancy created by an officeholder who was not affiliated with a political party at the time the officeholder was last elected or appointed;
- establishes the crime of electronic communications abuse of elections or elected office;
- subject to certain exceptions, provides that, when poll workers verify a voter's identity in relation to a ballot returned by mail, the poll workers are required to verify the signature on the affidavit in addition to the last four digits of an identification number;
- modifies the number of signatures that a qualified political party candidate for a county office is required to collect to qualify for placement on the primary election ballot;
- requires an incumbent county clerk who is running for reelection to contract with another county clerk to provide certain services in relation to verifying candidate signatures for the race;
- permits the use of campaign funds for certain goods or services relating to security; and
- makes technical and conforming changes.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 This bill provides a special effective date.

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **17-69-202 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
36 First Special Session, Chapter 1337 **17-70-403 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
38 First Special Session, Chapter 1339 **20A-1-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
40 Session, Chapter 641 **20A-1-104 (Effective 05/06/26)**, as repealed and reenacted by Laws of Utah 2025,
42 Chapter 44843 **20A-1-106 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 29744 **20A-1-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 44845 **20A-1-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 44846 **20A-1-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 9047 **20A-1-508 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
48 Session, Chapter 1649 **20A-1-509.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second
50 Special Session, Chapter 251 **20A-1-509.2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
52 Session, Chapter 1653 **20A-1-513 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 44854 **20A-1-609 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 32555 **20A-3a-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
56 Session, Chapter 657 **20A-9-408 (Effective 01/01/27)**, as last amended by Laws of Utah 2025, Second Special
58 Session, Chapter 259 **20A-11-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 44760 **20A-11-204 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,
61 44862 **20A-11-1303 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90,

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

66 ENACTS:

67 **20A-1-109 (Effective 05/06/26)**, Utah Code Annotated 1953
 68 **20A-1-608.1 (Effective 05/06/26)**, Utah Code Annotated 1953
 69 **20A-9-408.4 (Effective 05/06/26)**, Utah Code Annotated 1953

70

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

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

73 **17-69-202 (Effective 05/06/26). Qualifications for a county auditor in a county of**
 74 **the first class.**

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

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

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

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

91 **17-70-403 (Effective 05/06/26). Campaign financial disclosure in county elections.**

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

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

96 (2) The ordinance required by Subsection (1) shall include:

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

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

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

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

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

267 required by this section except for inadvertent omissions or insignificant errors or
268 inaccuracies; and

269 (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the
270 next scheduled report.

271 (19)(a) A report is considered timely filed if:

272 (i) the report is received in the county clerk's office no later than midnight, Mountain
273 Time, at the end of the day on which the report is due;

274 (ii) the report is received in the county clerk's office with a United States Postal
275 Service postmark three days or more before the date that the report was due; or

276 (iii) the candidate has proof that the report was mailed, with appropriate postage and
277 addressing, three days before the report was due.

278 (b) For a county clerk's office that is not open until midnight at the end of the day on
279 which a report is due, the county clerk shall permit a candidate to file the report via
280 email or another electronic means designated by the county clerk.

281 (20)(a) Any private party in interest may bring an action in a court with jurisdiction
282 under Title 78A, Judiciary and Judicial Administration, to enforce the provisions of
283 this section or any ordinance adopted under this section.

284 (b) In a civil action filed under Subsection (20)(a), the court shall award costs and
285 attorney fees to the prevailing party.

286 (21) Notwithstanding any provision of Title 63G, Chapter 2, Government Records Access
287 and Management Act, the county clerk shall:

288 (a) make each campaign finance statement filed by a candidate available for public
289 inspection and copying no later than one business day after the statement is filed; and

290 (b) make the campaign finance statement filed by a candidate available for public
291 inspection by:

292 (i) posting an electronic copy or the contents of the statement on the county's website
293 no later than seven business days after the day on which the statement is filed; and

294 (ii) in order to meet the requirements of Subsection 20A-11-103(4)(b)(ii), providing
295 the lieutenant governor with a link to the electronic posting described in
296 Subsection (21)(b)(i) no later than two business days after the day the statement is
297 filed.

298 Section 3. Section **20A-1-102** is amended to read:

299 **20A-1-102 (Effective 05/06/26). Definitions.**

300 As used in this title:

- 301 (1) "Active voter" means a registered voter who has not been classified as an inactive voter
302 by the county clerk.
- 303 (2) "Automatic tabulating equipment" means apparatus that automatically examines and
304 counts votes recorded on ballots and tabulates the results.
- 305 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
306 storage medium, that records an individual voter's vote.
- 307 (b) "Ballot" does not include a record to tally multiple votes.
- 308 (4) "Ballot proposition" means a question, issue, or proposal that is submitted to voters on
309 the ballot for their approval or rejection including:
- 310 (a) an opinion question specifically authorized by the Legislature;
311 (b) a constitutional amendment;
312 (c) an initiative;
313 (d) a referendum;
314 (e) a bond proposition;
315 (f) a judicial retention question;
316 (g) an incorporation of a city or town; or
317 (h) any other ballot question specifically authorized by the Legislature.
- 318 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together
319 using staples or another means in at least three places across the top of the paper in the
320 blank space reserved for securing the paper.
- 321 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
322 20A-4-306 to canvass election returns.
- 323 (7) "Bond election" means an election held for the purpose of approving or rejecting the
324 proposed issuance of bonds by a government entity.
- 325 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not
326 a holiday.
- 327 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by
328 the sender.
- 329 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday,
330 a business day, or any other type of day.
- 331 (11) "Canvass" means the review of election returns and the official declaration of election
332 results by the board of canvassers.
- 333 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the
334 canvass.

- 335 (13) "Contracting election officer" means an election officer who enters into a contract or
336 interlocal agreement with a provider election officer.
- 337 (14) "Convention" means the political party convention at which party officers and
338 delegates are selected.
- 339 (15) "Counting center" means one or more locations selected by the election officer in
340 charge of the election for the automatic counting of ballots.
- 341 (16) "Counting judge" means a poll worker designated to count the ballots during election
342 day.
- 343 (17) "Counting room" means a suitable and convenient private place or room for use by the
344 poll workers and counting judges to count ballots.
- 345 (18) "County officers" means those county officers that are required by law to be elected.
- 346 (19) "Date of the election" or "election day" or "day of the election":
- 347 (a) means the day that is specified in the calendar year as the day on which the election
348 occurs; and
- 349 (b) does not include:
- 350 (i) deadlines established for voting by mail, military-overseas voting, or emergency
351 voting; or
- 352 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,
353 Early Voting.
- 354 (20) "Elected official" means:
- 355 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,
356 Municipal Alternate Voting Methods Pilot Project;
- 357 (b) a person who is considered to be elected to a municipal office in accordance with
358 Subsection 20A-1-206(1)(c)(ii); or
- 359 (c) a person who is considered to be elected to a special district office in accordance
360 with Subsection 20A-1-206(3)(b)(ii).
- 361 (21) "Election" means a regular general election, a municipal general election, a statewide
362 special election, a local special election, a regular primary election, a municipal primary
363 election, and a special district election.
- 364 (22) "Election Assistance Commission" means the commission established by the Help
365 America Vote Act of 2002, Pub. L. No. 107-252.
- 366 (23) "Election cycle" means the period beginning on the first day on which individuals are
367 eligible to file declarations of candidacy and ending when the canvass is completed.
- 368 (24) "Election judge" means a poll worker that is assigned to:

- 369 (a) preside over other poll workers at a polling place;
370 (b) act as the presiding election judge; or
371 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 372 (25) "Election material" includes:
- 373 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
374 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
375 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
376 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
377 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
378 (ii) the batch log described in Subsection 20A-3a-401.1(5);
379 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
380 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
381 (g) the physical and electronic log of replicated ballots described in Subsection
382 20A-4-104(3);
383 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
384 (i) the record of voter database access described in Subsection 20A-5-905(2);
385 (j) the reports on military and overseas voters described in Section 20A-16-202;
386 (k) scanned copies of return envelopes;
387 (l) a copy of the final election results database described in Section 20A-5-802.5; and
388 (m) the materials used in the programming of the automatic tabulating equipment.
- 389 (26) "Election officer" means:
- 390 (a) the lieutenant governor, for all statewide ballots and elections;
391 (b) the county clerk for:
392 (i) a county ballot and election; and
393 (ii) a ballot and election as a provider election officer as provided in Section
394 20A-5-400.1 or 20A-5-400.5;
395 (c) the municipal clerk for:
396 (i) a municipal ballot and election; and
397 (ii) a ballot and election as a provider election officer as provided in Section
398 20A-5-400.1 or 20A-5-400.5;
399 (d) the special district clerk or chief executive officer for:
400 (i) a special district ballot and election; and
401 (ii) a ballot and election as a provider election officer as provided in Section
402 20A-5-400.1 or 20A-5-400.5; or

- 403 (e) the business administrator or superintendent of a school district for:
404 (i) a school district ballot and election; and
405 (ii) a ballot and election as a provider election officer as provided in Section
406 20A-5-400.1 or 20A-5-400.5.
- 407 (27) "Election official" means any election officer, election judge, or poll worker.
- 408 (28) "Election results" means:
- 409 (a) for an election other than a bond election, the count of votes cast in the election and
410 the election returns requested by the board of canvassers; or
411 (b) for bond elections, the count of those votes cast for and against the bond proposition
412 plus any or all of the election returns that the board of canvassers may request.
- 413 (29) "Election results database" means the following information generated by voting
414 equipment:
- 415 (a) one or more electronic files that contains a digital interpretation of each ballot that is
416 counted in an election;
417 (b) a ballot image; and
418 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 419 (30) "Election returns" means:
- 420 (a) the pollbook;
421 (b) the military and overseas absentee voter registration and voting certificates;
422 (c) one of the tally sheets;
423 (d) any unprocessed ballots;
424 (e) all counted ballots;
425 (f) all excess ballots;
426 (g) all unused ballots;
427 (h) all spoiled ballots;
428 (i) all ballot disposition forms, including any provisional ballot disposition forms;
429 (j) the final election results database described in Section 20A-5-802.5;
430 (k) all return envelopes;
431 (l) any provisional ballot envelopes; and
432 (m) the total votes cast form.
- 433 (31) "Electronic signature" means an electronic sound, symbol, or process attached to or
434 logically associated with a record and executed or adopted by a person with the intent to
435 sign the record.
- 436 (32) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).

- 437 (33) "Inactive voter" means a registered voter who is listed as inactive by a county clerk
438 under Subsection 20A-2-505(4)(c)(i) or (ii).
- 439 (34) "Judicial office" means the office filled by any judicial officer.
- 440 (35) "Judicial officer" means any justice or judge of a court of record or any county court
441 judge.
- 442 (36) "Local election" means a regular county election, a regular municipal election, a
443 municipal primary election, a local special election, a special district election, and a
444 bond election.
- 445 (37) "Local political subdivision" means a county, a municipality, a special district, or a
446 local school district.
- 447 (38) "Local special election" means a special election called by the governing body of a
448 local political subdivision in which all registered voters of the local political subdivision
449 may vote.
- 450 (39) "Manual ballot" means a paper document produced by an election officer on which an
451 individual records an individual's vote by directly placing a mark on the paper document
452 using a pen or other marking instrument.
- 453 (40) "Mechanical ballot" means a record, including a paper record, electronic record, or
454 mechanical record, that:
- 455 (a) is created via electronic or mechanical means; and
- 456 (b) records an individual voter's vote cast via a method other than an individual directly
457 placing a mark, using a pen or other marking instrument, to record an individual
458 voter's vote.
- 459 (41) "Municipal executive" means:
- 460 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
- 461 (b) the mayor in the council-manager form of government defined in Subsection
462 10-3b-103(6).
- 463 (42) "Municipal general election" means the election held in municipalities and, as
464 applicable, special districts on the first Tuesday after the first Monday in November of
465 each odd-numbered year for the purposes established in Section 20A-1-202.
- 466 (43) "Municipal legislative body" means the council of the city or town in any form of
467 municipal government.
- 468 (44) "Municipal office" means an elective office in a municipality.
- 469 (45) "Municipal officers" means those municipal officers that are required by law to be
470 elected.

- 471 (46) "Municipal primary election" means an election held to nominate candidates for
472 municipal office.
- 473 (47) "Municipality" means a city or town.
- 474 (48) "Official ballot" means the ballots distributed by the election officer for voters to
475 record their votes.
- 476 (49) "Official endorsement" means the information on the ballot that identifies:
477 (a) the ballot as an official ballot;
478 (b) the date of the election; and
479 (c)(i) for a ballot prepared by an election officer other than a county clerk, the
480 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
481 (ii) for a ballot prepared by a county clerk, the words required by Subsection
482 20A-6-301(1)(b)(iii).
- 483 (50) "Official register" means the official record furnished to election officials by the
484 election officer that contains the information required by Section 20A-5-401.
- 485 (51) "Political party" means an organization of registered voters that has qualified to
486 participate in an election by meeting the requirements of Chapter 8, Political Party
487 Formation and Procedures.
- 488 (52)(a) "Poll worker" means a person assigned by an election official to assist with an
489 election, voting, or counting votes.
490 (b) "Poll worker" includes election judges.
491 (c) "Poll worker" does not include a watcher.
- 492 (53) "Pollbook" means a record of the names of voters in the order that the voters appear to
493 cast votes.
- 494 (54) "Polling place" means a building where voting is conducted.
- 495 (55) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in
496 which the voter marks the voter's choice.
- 497 (56) "Presidential Primary Election" means the election established in Chapter 9, Part 8,
498 Presidential Primary Election.
- 499 (57) "Primary convention" means the political party conventions held during the year of the
500 regular general election.
- 501 (58) "Protective counter" means a separate counter, which cannot be reset, that:
502 (a) is built into a voting machine; and
503 (b) records the total number of movements of the operating lever.
- 504 (59) "Provider election officer" means an election officer who enters into a contract or

- 505 interlocal agreement with a contracting election officer to conduct an election for the
506 contracting election officer's local political subdivision in accordance with Section
507 20A-5-400.1.
- 508 (60) "Provisional ballot" means a ballot voted provisionally by a person:
509 (a) whose name is not listed on the official register at the polling place;
510 (b) whose legal right to vote is challenged as provided in this title; or
511 (c) whose identity was not sufficiently established by a poll worker.
- 512 (61) "Provisional ballot envelope" means an envelope printed in the form required by
513 Section 20A-6-105 that is used to identify provisional ballots and to provide information
514 to verify a person's legal right to vote.
- 515 (62)(a) "Public figure" means an individual who, due to the individual being considered
516 for, holding, or having held a position of prominence in a public or private capacity,
517 or due to the individual's celebrity status, has an increased risk to the individual's
518 safety.
- 519 (b) "Public figure" does not include an individual:
520 (i) elected to public office; or
521 (ii) appointed to fill a vacancy in an elected public office.
- 522 (63) "Qualify" or "qualified" means to take the oath of office and begin performing the
523 duties of the position for which the individual was elected.
- 524 (64) "Receiving judge" means the poll worker that checks the voter's name in the official
525 register at a polling place and provides the voter with a ballot.
- 526 (65) "Registration form" means a form by which an individual may register to vote under
527 this title.
- 528 (66) "Regular ballot" means a ballot that is not a provisional ballot.
- 529 (67) "Regular general election" means the election held throughout the state on the first
530 Tuesday after the first Monday in November of each even-numbered year for the
531 purposes established in Section 20A-1-201.
- 532 (68) "Regular primary election" means the election, held on the date specified in Section
533 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
534 local school board positions to advance to the regular general election.
- 535 (69) "Resident" means a person who resides within a specific voting precinct in Utah.
- 536 (70) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
537 provided to a voter with a manual ballot:
538 (a) into which the voter places the manual ballot after the voter has voted the manual

- 539 ballot in order to preserve the secrecy of the voter's vote; and
- 540 (b) that includes the voter affidavit and a place for the voter's signature.
- 541 (71) "Sample ballot" means a mock ballot similar in form to the official ballot, published as
- 542 provided in Section 20A-5-405.
- 543 (72) "Special district" means a local government entity under Title 17B, Limited Purpose
- 544 Local Government Entities - Special Districts, and includes a special service district
- 545 under Title 17D, Chapter 1, Special Service District Act.
- 546 (73) "Special district officers" means those special district board members who are required
- 547 by law to be elected.
- 548 (74) "Special election" means an election held as authorized by Section 20A-1-203.
- 549 (75) "Spoiled ballot" means each ballot that:
- 550 (a) is spoiled by the voter;
- 551 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
- 552 (c) lacks the official endorsement.
- 553 (76) "Statewide special election" means a special election called by the governor or the
- 554 Legislature in which all registered voters in Utah may vote.
- 555 (77) "Tabulation system" means a device or system designed for the sole purpose of
- 556 tabulating votes cast by voters at an election.
- 557 (78) "Ticket" means a list of:
- 558 (a) political parties;
- 559 (b) candidates for an office; or
- 560 (c) ballot propositions.
- 561 (79) "Transfer case" means the sealed box used to transport voted ballots to the counting
- 562 center.
- 563 (80) "Vacancy" means:
- 564 (a) except as provided in Subsection (80)(b), the absence of an individual to serve in a
- 565 position created by state constitution or state statute, whether that absence occurs
- 566 because of death, disability, disqualification, resignation, or other cause; or
- 567 (b) in relation to a candidate for a position created by state constitution or state statute,
- 568 the removal of a candidate due to the candidate's death, resignation, or
- 569 disqualification.
- 570 (81) "Valid voter identification" means:
- 571 (a) a form of identification that bears the name and photograph of the voter which may
- 572 include:

- 573 (i) a currently valid Utah driver license;
- 574 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8,
575 Identification Card Act;
- 576 (iii) a currently valid identification card that is issued by:
- 577 (A) the state; or
- 578 (B) a branch, department, or agency of the United States;
- 579 (iv) a currently valid Utah permit to carry a concealed weapon;
- 580 (v) a currently valid United States passport; or
- 581 (vi) a currently valid United States military identification card;
- 582 (b) one of the following identification cards, regardless of whether the card includes a
583 photograph of the voter:
- 584 (i) a valid tribal identification card;
- 585 (ii) a Bureau of Indian Affairs card; or
- 586 (iii) a tribal treaty card; or
- 587 (c) two forms of identification not listed under Subsection (81)(a) or (b) but that bear the
588 name of the voter and provide evidence that the voter resides in the voting precinct,
589 which may include:
- 590 [~~(i)~~ before January 1, 2029, an original or copy of a current utility bill, dated no more
591 than 90 calendar days before the date of the election;]
- 592 [~~(ii)~~ before January 1, 2029, an original or copy of a bank or other financial account
593 statement, dated no more than 90 calendar days before the date of the election;]
- 594 [~~(iii)~~] (i) a certified birth certificate;
- 595 [~~(iv)~~] (ii) a valid social security card;
- 596 [~~(v)~~] (iii) an original or copy of a check issued by the state or the federal government,
597 dated no more than 90 calendar days before the date of the election;
- 598 [~~(vi)~~] (iv) an original or copy of a paycheck from the voter's employer, dated no more
599 than 90 calendar days before the date of the election;
- 600 [~~(vii)~~] (v) a currently valid Utah hunting or fishing license;
- 601 [~~(viii)~~] (vi) certified naturalization documentation;
- 602 [~~(ix)~~] (vii) a currently valid license issued by an authorized agency of the United
603 States;
- 604 [~~(x)~~] (viii) a certified copy of court records showing the voter's adoption or name
605 change;
- 606 [~~(xi)~~] (ix) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

- 607 [~~(xii)~~] (x) a currently valid identification card issued by:
- 608 (A) a local government within the state;
- 609 (B) an employer for an employee; or
- 610 (C) a college, university, technical school, or professional school located within
- 611 the state; or
- 612 [~~(xiii)~~] (xi) a current Utah vehicle registration.
- 613 (82) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate
- 614 by following the procedures and requirements of this title.
- 615 (83) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 616 (a) mailing the ballot to the location designated in the mailing; or
- 617 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 618 (84) "Voter" means an individual who:
- 619 (a) meets the requirements for voting in an election;
- 620 (b) meets the requirements of election registration;
- 621 (c) is registered to vote; and
- 622 (d) is listed in the official register.
- 623 (85) "Voter registration deadline" means the registration deadline provided in Section
- 624 20A-2-102.5.
- 625 (86) "Voting area" means the area within six feet of the voting booths, voting machines,
- 626 and ballot box.
- 627 (87) "Voting booth" means:
- 628 (a) the space or compartment within a polling place that is provided for the preparation
- 629 of ballots, including the voting enclosure or curtain; or
- 630 (b) a voting device that is free standing.
- 631 (88) "Voting device" means any device provided by an election officer for a voter to vote a
- 632 mechanical ballot.
- 633 (89) "Voting precinct" means the smallest geographical voting unit, established under
- 634 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.
- 635 (90) "Watcher" means an individual who complies with the requirements described in
- 636 Section 20A-3a-801 to become a watcher for an election.
- 637 (91) "Write-in ballot" means a ballot containing any write-in votes.
- 638 (92) "Write-in vote" means a vote cast for an individual, whose name is not printed on the
- 639 ballot, in accordance with the procedures established in this title.
- 640 Section 4. Section **20A-1-104** is amended to read:

641 **20A-1-104 (Effective 05/06/26). Computation of time.**

- 642 (1) Time is computed in this title as provided in this section.
- 643 (2) Except as provided in Subsection (3), or as otherwise expressly provided in this title:
- 644 (a) if a provision describes a time period in terms of a certain number of calendar days:
- 645 (i) the time period is calculated by consecutive days; and
- 646 (ii) the beginning and ending day of the time period is the calendar day on which the
- 647 time period begins or ends;
- 648 (b) if a provision describes a time period in terms of a certain number of business days,
- 649 only the business days are included in the calculation; and
- 650 (c) if a provision describes a time period in terms of a certain number of days rather than
- 651 calendar days or business days, the days referred to mean calendar days.
- 652 (3) A time period that relates to filing an action or document in court is calculated as
- 653 provided in court rule.
- 654 (4) Except in relation to the following chapters, if a deadline described in this title ends on a
- 655 weekend or holiday, the deadline is extended to the next business day:
- 656 (a) Chapter 19, Utah Independent Redistricting Commission and Standards Act; and
- 657 (b) Chapter 20, Utah Independent Redistricting Commission.

658 Section 5. Section **20A-1-106** is amended to read:

659 **20A-1-106 (Effective 05/06/26). Duties of a clerk -- Prohibited action.**

- 660 (1) As used in this section, "clerk" means an election officer other than the lieutenant
- 661 governor.
- 662 (2) A clerk shall:
- 663 (a) comply with all of the following in relation to elections:
- 664 (i) federal and state law;
- 665 (ii) federal and state rules; and
- 666 (iii) the policies and direction of the lieutenant governor; and
- 667 (b) diligently learn and become familiar with the law, rules, policies, and direction
- 668 described in Subsection (2)(a).
- 669 (3) A clerk may not:
- 670 (a) take an action in the clerk's capacity as a clerk that shows partiality or discrimination
- 671 for or against the following with respect to an election that the clerk is involved in
- 672 administering:
- 673 (i) a candidate;
- 674 (ii) an individual seeking candidacy;

- 675 (iii) a ballot measure; or
676 (iv) a proposed ballot measure; or
677 (b) knowingly solicit or accept a political contribution from an employee or volunteer
678 over whom the clerk has authority.

679 Section 6. Section **20A-1-109** is enacted to read:

680 **20A-1-109 (Effective 05/06/26). Lieutenant governor conflict of interest**
681 **avoidance plan -- Creation and presentation.**

- 682 (1) The lieutenant governor shall, before August 31, 2026, create a written conflict of
683 interest risk avoidance plan that:
684 (a) identifies specific types of decisions or actions the lieutenant governor may take, in
685 the course and scope of the duties or powers of the office of lieutenant governor, that
686 could create a conflict of interest by influencing, or being perceived to influence, the
687 lieutenant governor's candidacy for an office;
688 (b) for each type of decision or action identified under Subsection (1)(a), establishes
689 procedures and actions the lieutenant governor will take to mitigate or avoid the
690 conflict, including:
691 (i) recusal from making the decision or taking the action; and
692 (ii) designating the person who will make the decision or take the action in the event
693 of a recusal; and
694 (c) for each type of decision or action considered in relation to creating the plan that the
695 lieutenant governor concludes does not constitute a conflict of interest:
696 (i) a description of the type of decision or action; and
697 (ii) an explanation of why the type of decision or action does not constitute a conflict
698 of interest or the appearance of a conflict of interest.
699 (2) The lieutenant governor shall:
700 (a) forward a copy of the plan described in Subsection (1) to the Government Operations
701 Interim Committee on or before September 1, 2026;
702 (b) if requested by the chairs of the Government Operations Interim Committee, present
703 the plan to the committee at a meeting specified by the chairs of the committee; and
704 (c) keep a copy of the plan available for public review on the lieutenant governor's
705 website.
706 (3) Beginning on January 1, 2029, when a new lieutenant governor first takes office, the
707 lieutenant governor shall, within 90 days after first taking office:
708 (a)(i) adopt the written conflict of interest risk avoidance plan used by the previous

- 709 lieutenant governor; or
- 710 (ii) create a new written conflict of interest avoidance plan in accordance with the
- 711 requirements described in Subsection (1);
- 712 (b) forward a copy of the plan described in Subsection (3)(a) to the Government
- 713 Operations Interim Committee;
- 714 (c) if requested by the chairs of the Government Operations Interim Committee, present
- 715 the plan to the committee at a meeting specified by the chairs of the committee; and
- 716 (d) keep a copy of the plan available for public review on the lieutenant governor's
- 717 website.
- 718 (4) If, at any time during the lieutenant governor's term of office, the lieutenant governor
- 719 revises the written conflict of interest avoidance plan, the lieutenant governor shall:
- 720 (a) forward a copy of the revised plan to the Government Operations Interim Committee;
- 721 (b) if requested by the chairs of the Government Operations Interim Committee, present
- 722 the revised plan to the committee at a meeting specified by the chairs of the
- 723 committee; and
- 724 (c) keep a copy of the revised plan available for public review on the lieutenant
- 725 governor's website.
- 726 (5) The lieutenant governor shall comply with the written conflict of interest avoidance plan
- 727 adopted or created by the lieutenant governor under this section.

728 Section 7. Section **20A-1-502** is amended to read:

729 **20A-1-502 (Effective 05/06/26). Midterm vacancy in office of United States**

730 **senator.**

- 731 (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office of
- 732 United States senator, the governor shall, within seven calendar days after the day on
- 733 which the vacancy occurs, issue a proclamation calling a special congressional election
- 734 to fill the vacancy that:
- 735 (a) sets a date for a primary congressional special election, and a later date for a general
- 736 congressional special election, on the same day as one of the following elections:
- 737 (i) a municipal general election;
- 738 (ii) a presidential primary election;
- 739 (iii) a regular primary election; or
- 740 (iv) a regular general election;
- 741 (b) sets the date of the primary congressional special election on the same day as the
- 742 next election described in Subsections (1)(a)(i) through (iv) that is more than 90

- 743 calendar days after the day on which the governor issues the proclamation;
- 744 (c) sets the date of the general special congressional election on the same day as the next
745 election described in Subsection (1)(a) that is more than 90 calendar days after the
746 primary special congressional election described in Subsection (1)(b);
- 747 (d) provides each registered political party that is not a qualified political party at least
748 21 calendar days, but no more than 28 calendar days, to select one candidate, in a
749 manner determined by the registered political party, as a candidate for the registered
750 political party;
- 751 (e) for each qualified political party, provides at least 21 calendar days, but no more than
752 28 calendar days:
- 753 (i) for the qualified political party to select one candidate, using the convention
754 process described in Section 20A-9-407, as a candidate for the qualified political
755 party; and
- 756 (ii) for a member of the qualified political party to submit signatures to qualify as a
757 candidate for the qualified political party using the signature-gathering process
758 described in Section 20A-9-408;
- 759 (f) consistent with the requirements of this section, establishes the deadlines, time
760 frames, and procedures for filing a declaration of candidacy, giving notice of an
761 election, and other election requirements; and
- 762 (g) requires an election officer to comply with the requirements of Chapter 16, Uniform
763 Military and Overseas Voters Act.
- 764 (2)(a) The governor may set a date for a primary special congressional election or a
765 general special congressional election on a date other than a date described in
766 Subsection (1)(a) if:
- 767 (i) on the same day on which the governor issues the proclamation described in
768 Subsection (1) the governor calls a special session for the Legislature to
769 appropriate money to hold the election on a different day; or
- 770 (ii) if the governor issues the proclamation described in Subsection (1) on or after
771 January 1, but before the end of the general session of the Legislature, and
772 requests in the proclamation described in Subsection (1) that the Legislature
773 appropriate money to hold the election on a different day.
- 774 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the
775 election on a different day, the proclamation described in Subsection (1) is void and
776 the governor shall, within seven calendar days after the day on which the Legislature

- 777 declines to appropriate money to hold the election on a different day, issue a
778 proclamation, in accordance with Subsection (1), that sets the special congressional
779 primary and general elections on dates described in Subsections (1)(a)(i) through (iv).
- 780 (3) A special congressional election to fill a vacancy in the office of United States senator
781 will not be held if:
- 782 (a) the next regular general election that occurs after the day on which the vacancy
783 occurs is the regular general election that occurs immediately before the six-year term
784 for the senate office ends; and
- 785 (b) the vacancy occurs after August 1 of the year before the regular general election
786 described in Subsection (3)(a).
- 787 (4)(a) The governor shall appoint an individual to temporarily fill a vacancy in the office
788 of United States senator from one of three individuals nominated by the Legislature,
789 each of whom ~~[is a member of the political party of which the prior officeholder was~~
790 ~~a member at the time the prior officeholder was elected.]~~ meets the qualifications for
791 the office, as follows:
- 792 (i) if the prior officeholder was a member of a registered political party when the
793 prior officeholder last took office, either by election or by appointment under this
794 section, the individuals nominated by the Legislature shall be members of the
795 registered political party of which the prior officeholder was a member when last
796 elected or appointed; or
- 797 (ii) if the prior officeholder was not a member of a registered political party when the
798 prior officeholder last took office, either by election or by appointment under this
799 section, the individuals nominated by the Legislature may be members of any
800 registered political party or unaffiliated with a registered political party.
- 801 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator
802 until the earlier of the day on which:
- 803 (i) the vacancy is filled by election under Subsection (1) or (2); or
804 (ii) the six-year term for the senate office ends.
- 805 (5) An individual elected to fill a vacancy under this section shall serve until the end of the
806 current term in which the vacancy filled by the election occurs.
- 807 (6) A vacancy in the office of United States senator does not occur unless the senator:
- 808 (a) has left the office; or
809 (b) submits an irrevocable letter of resignation to the governor or to the president of the
810 United States Senate.

811 Section 8. Section **20A-1-503** is amended to read:

812 **20A-1-503 (Effective 05/06/26). Midterm vacancies in the Legislature.**

813 (1) As used in this section:

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

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

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

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

820 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
821 the governor shall fill the vacancy [~~by immediately appointing the person whose name~~
822 ~~was submitted by the party liaison of the same political party as the prior representative.]~~
823 as follows:

824 (a) if the prior officeholder was a member of a registered political party when the prior
825 officeholder last took office, either by election or by appointment under this section,
826 by immediately appointing the individual whose name is submitted by the party
827 liaison of the same registered political party of which the prior officeholder was a
828 member when last elected or appointed, if the individual meets the qualifications for
829 office; or

830 (b) if the prior officeholder was not a member of a registered political party when the
831 prior officeholder last took office, either by election or by appointment under this
832 section, by immediately appointing one of three individuals nominated by the House
833 of Representatives, who meet the qualifications for office, regardless of whether the
834 individual is a member of a particular registered political party or is unaffiliated with
835 a registered political party.

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

839 (b) The governor shall fill the vacancy until the next regular general election [~~by~~
840 ~~immediately appointing the person whose name was submitted by the party liaison of~~
841 ~~the same political party as the prior senator.] as follows:~~

842 (i) if the prior officeholder was a member of a registered political party when the
843 prior officeholder last took office, either by election or by appointment under this
844 section, by immediately appointing the individual whose name is submitted by the

845 party liaison of the same registered political party of which the prior officeholder
846 was a member when last elected or appointed, if the individual meets the
847 qualifications for office; or

848 (ii) if the prior officeholder was not a member of a registered political party when the
849 prior officeholder last took office, either by election or by appointment under this
850 section, by immediately appointing one of three individuals nominated by the
851 Senate, who meet the qualifications for office, regardless of whether the
852 individual is a member of a particular registered political party or is unaffiliated
853 with a registered political party.

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

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

861 (A) a declaration of candidacy; or

862 (B) a certificate of nomination; and

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

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

865 (B) to each registered political party.

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

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

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

872 (A) nominated as a party candidate; or

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

875 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in
876 Subsection 20A-9-202(1)(b) and before August 31, of an even-numbered year in
877 which the term of office does not expire, a party liaison from each registered political
878 party may submit a name of a person described in Subsection (4)(b) to the lieutenant

879 governor before 5 p.m. no later than August 30 for placement on the regular general
880 election ballot.

881 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
882 even-numbered year in which a term does not expire, the governor shall fill the vacancy
883 for the unexpired term [~~by immediately appointing the person whose name was~~
884 ~~submitted by the party liaison of the same political party as the prior senator.~~] in
885 accordance with Subsection (3)(b).

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

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

892 (i)(A) currently holds the office of senator and is seeking appointment as a
893 representative; or

894 (B) currently holds the office of representative and is seeking appointment as a
895 senator;

896 (ii) already, that same year, filed a conflict of interest disclosure for the office
897 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and

898 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written
899 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
900 is updated and accurate as of the date of the written statement.

901 (7) The lieutenant governor shall make each conflict of interest disclosure made by an
902 individual described in Subsection (6)(a) available for public inspection in accordance
903 with Subsection 20A-11-1603(4).

904 (8) A vacancy in the office of senator or representative of the Legislature does not occur
905 unless the senator or representative:

906 (a) has left the office; or

907 (b) submits an irrevocable letter of resignation to:

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

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

910 Section 9. Section **20A-1-504** is amended to read:

911 **20A-1-504 (Effective 05/06/26). Midterm vacancies in the offices of attorney**
912 **general, state treasurer, state auditor, State Board of Education member, and lieutenant**

913 **governor.**

914 (1)(a) When a vacancy occurs for any reason in the office of attorney general, state
915 treasurer, state auditor, or State Board of Education member, the vacancy shall be
916 filled for the unexpired term at the next regular general election.

917 [~~(b) The governor shall fill the vacancy until the next regular general election by:]~~

918 [~~(i) appointing a person who meets the qualifications for the office from three persons
919 nominated by the state central committee of the same political party as the prior
920 officeholder; or]~~

921 [~~(ii) for a State Board of Education vacancy, if the individual who is being replaced:]~~

922 [~~(A) was elected at a nonpartisan State Board of Education election, by
923 appointing, with the advice and consent of the Senate, an individual who meets
924 the qualifications and residency requirements for filling the vacancy described
925 in Section 20A-14-103;]~~

926 [~~(B) was elected at a partisan State Board of Education election, but is not a
927 member of a political party, by appointing, with the advice and consent of the
928 Senate, an individual who meets the qualifications and residency requirements
929 for filling the vacancy described in Section 20A-14-103; or]~~

930 [~~(C) was elected at a partisan State Board of Education election, and is a member
931 of a political party, by appointing an individual who meets the qualifications
932 for the office from three persons nominated by the state central committee of
933 the same political party as the prior officeholder.]~~

934 (b) The governor shall fill a vacancy described in Subsection (1)(a) until the next general
935 election, as follows:

936 (i) if the prior officeholder was a member of a registered political party when the
937 prior officeholder last took office, either by election or by appointment under this
938 section, by immediately appointing the individual whose name is submitted by the
939 party liaison of the same registered political party of which the prior officeholder
940 was a member when last elected or appointed, if the individual meets the
941 qualifications for office; or

942 (ii) if the prior officeholder was not a member of a registered political party when the
943 prior officeholder last took office, either by election or by appointment under this
944 section, by appointing, with the advice and consent of the Senate, an individual
945 who meets the qualifications for office, regardless of whether the individual is a
946 member of a particular registered political party or is unaffiliated with a registered

- 947 political party.
- 948 (2) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the
949 advice and consent of the Senate, appoint a person to hold the office until the next
950 regular general election at which the governor stands for election.
- 951 (3)(a) Except as provided in Subsection (3)(b), an individual seeking appointment to fill
952 a vacancy described in this section shall make a complete conflict of interest
953 disclosure on the website described in Section 20A-11-1602.5:
- 954 (i) for a vacancy in the office of lieutenant governor, attorney general, state treasurer,
955 or state auditor, no later than the deadline for the individual to file an interim
956 report under Subsection 20A-11-204(3)(a); or
- 957 (ii) for a vacancy in the office of State Board of Education member, no later than the
958 deadline for the individual to file an interim report under Subsection
959 20A-11-1303(2)(a).
- 960 (b) An individual described in Subsection (3)(a) is not required to comply with
961 Subsection (3)(a) if the individual:
- 962 (i) currently holds an office described in Subsection (1)(a) or (2);
963 (ii) already, that same year, filed a conflict of interest disclosure for the office
964 described in Subsection (3)(b)(i), in accordance with Section 20A-11-1604; and
965 (iii) no later than the deadline described in Subsection (3)(a), indicates, in a written
966 statement, that the conflict of interest disclosure described in Subsection (3)(b)(ii)
967 is updated and accurate as of the date of the written statement.
- 968 (4) The lieutenant governor shall make each conflict of interest disclosure made by an
969 individual described in Subsection (3)(a) available for public inspection in accordance
970 with Subsection 20A-11-1603(4).
- 971 (5) A vacancy in an office described in Subsection (1)(a) or (2) does not occur unless the
972 individual occupying the office:
- 973 (a) has left the office; or
974 (b) submits an irrevocable letter of resignation to the governor.
- 975 Section 10. Section **20A-1-508** is amended to read:
- 976 **20A-1-508 (Effective 05/06/26). Midterm vacancies in county elected offices --**
977 **Temporary manager -- Interim replacement.**
- 978 (1) As used in this section:
- 979 (a)(i) "County offices" includes the county executive, members of the county
980 legislative body, the county treasurer, the county sheriff, the county clerk, the

981 county auditor, the county recorder, the county surveyor, and the county assessor.

982 (ii) "County offices" does not include the office of county attorney, district attorney,
983 or judge.

984 (b) "Party liaison" means the political party officer designated to serve as a liaison with
985 each county legislative body on all matters relating to the political party's relationship
986 with a county as required by Section 20A-8-401.

987 (2)(a) Except as provided in Subsection (2)(d), until a county legislative body appoints
988 an interim replacement to fill a vacant county office under Subsection (3), or the
989 governor appoints an interim replacement under Subsection (4), the following shall
990 temporarily discharge the duties of the county office as a temporary manager:

991 (i) for a county office with one chief deputy, the chief deputy;

992 (ii) for a county office with more than one chief deputy:

993 (A) the chief deputy with the most cumulative time served as a chief deputy for
994 the county office; or

995 (B) notwithstanding Subsection (2)(a)(ii)(A), if, before the vacating county officer
996 vacates the office, the county officer files with the county clerk a written
997 statement designating one of the county officer's chief deputies to discharge the
998 duties of the county office in the event the county officer vacates the office, the
999 designated chief deputy; or

1000 (iii) for a county office without a chief deputy:

1001 (A) if one management-level employee serving under the county office has a
1002 higher-seniority management level than any other employee serving under the
1003 county office, that management-level employee;

1004 (B) if two or more management-level employees serving under the county office
1005 have the same and highest-seniority management level, the highest-seniority
1006 management-level employee with the most cumulative time served in the
1007 employee's current position; or

1008 (C) notwithstanding Subsection (2)(a)(iii)(A) or (B), if, before the vacating county
1009 officer vacates the office, the county officer files with the county clerk a
1010 written statement designating one of the county officer's employees to
1011 discharge the county officer's duties in the event the county officer vacates the
1012 office, the designated employee.

1013 (b) Except as provided in Subsection (2)(c), a temporary manager described in

1014 Subsection (2)(a) who temporarily discharges the duties of a county office holds the

- 1015 powers and duties of the county office until the county legislative body appoints an
1016 interim replacement under Subsection (3) or the governor appoints an interim
1017 replacement under Subsection (4).
- 1018 (c) The temporary manager described in Subsection (2)(a) who temporarily discharges
1019 the duties of a county office:
- 1020 (i) may not take an oath of office for the county office as a temporary manager;
- 1021 (ii) shall comply with Title 17, Chapter 63, Fiscal Authority and Processes, and the
1022 county's budget ordinances and policies;
- 1023 (iii) unless approved by the county legislative body, may not change the
1024 compensation of an employee;
- 1025 (iv) unless approved by the county legislative body, may not promote or demote an
1026 employee or change an employee's job title;
- 1027 (v) may terminate an employee only if the termination is conducted in accordance
1028 with:
- 1029 (A) personnel rules described in Subsection 17-75-602(2) that are approved by the
1030 county legislative body; and
- 1031 (B) applicable law;
- 1032 (vi) unless approved by the county legislative body, may not exceed by more than 5%
1033 an expenditure that was planned before the county office for which the temporary
1034 manager discharges duties was vacated;
- 1035 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or
1036 compensation; and
- 1037 (viii) if approved by the county legislative body, may receive a performance award
1038 after:
- 1039 (A) the county legislative body appoints an interim replacement under Subsection
1040 (3) or the governor appoints an interim replacement under Subsection (4); and
- 1041 (B) the interim replacement is sworn into office.
- 1042 (d) This Subsection (2) does not apply to a vacancy in the office of county legislative
1043 body member.
- 1044 (3)(a) Until a replacement is selected as provided in this section and has qualified, the
1045 county legislative body shall appoint an interim replacement to fill the vacant office
1046 by following the procedures and requirements of this Subsection (3) through
1047 Subsection (5).
- 1048 (b) In addition to this Subsection (3), or Subsection (4) as applicable, an interim

1049 replacement appointed to the office of county auditor in a county of the first class is
1050 subject to the requirements described in Section 17-69-202.

1051 (c)(~~+~~) To appoint an interim replacement, the county legislative body shall, within
1052 10 calendar days after the day on which the vacancy occurs, give notice of the
1053 vacancy[~~-to~~]:

1054 [~~(A)~~] (i) to the county clerk; and

1055 [~~(B) the party liaison of the same political party of the prior office holder.~~]

1056 (ii) if the prior officeholder was a member of a registered political party when the
1057 prior officeholder last took office, either by election or by appointment under this
1058 section, to the party liaison of that registered political party.

1059 [~~(ii)~~] (d) [~~The~~] If the prior officeholder was a member of a registered political party when
1060 the prior officeholder last took office, either by election or by appointment under this
1061 section:

1062 (i) the county legislative body shall invite the party liaison described in Subsection [
1063 (~~3~~)(~~e~~)(~~i~~)(~~B~~) (3)(c)(ii) to submit the name of an individual to fill the vacancy[-] ;

1064 [~~(ii)~~] (ii) [~~The~~] the party liaison described in Subsection (3)(c)(ii) shall, no later than 5
1065 p.m. on the first business day that is at least 30 calendar days, after the day on
1066 which the party liaison receives the notice described in Subsection [~~(3~~)(~~e~~)(~~i~~)(~~B~~)
1067 (3)(c)(ii), or if the party liaison does not receive the notice, no later than 5 p.m. on
1068 the first business day that is at least 40 calendar days after the day on which the
1069 vacancy occurs, submit to the county legislative body the name of an individual
1070 whom the party selects in accordance with the party's constitution or bylaws, and
1071 who meets the qualifications for the office, to serve as the interim replacement[-] ;
1072 and

1073 [~~(iv)~~] (iii) [~~The~~] the county legislative body shall, no later than seven calendar days
1074 after the day on which a party liaison submits the name of [~~the~~] an individual who
1075 meets the qualifications for office to serve as the interim replacement, appoint the
1076 individual to serve out the unexpired term.

1077 (e) If the prior officeholder was not a member of a registered political party when the
1078 prior officeholder last took office, either by election or by appointment under this
1079 section, the county legislative body shall, no later than 5 p.m. on the first business
1080 day that is at least 30 calendar days after the day on which the county legislative
1081 body provides the notice described in Subsection (3)(c)(i), appoint an individual who
1082 meets the qualifications for the office to serve as the interim replacement, regardless

1083 of whether the individual is a member of a particular registered political party or is
 1084 unaffiliated with a registered political party.

1085 [~~(4)~~](4)(+) If the county legislative body fails to appoint an interim replacement to
 1086 fill the vacancy in accordance with Subsection [~~(3)(e)(iv)~~], (3)(d) or (e), as
 1087 applicable:

1088 (a) the county clerk shall, no later than seven calendar days after the day of the deadline
 1089 described in Subsection [~~(3)(e)(iv)~~] (3)(d)(iii) or (e), as applicable, send to the
 1090 governor a letter that:

1091 [~~(A)~~] (i) informs the governor that the county legislative body has failed to appoint a
 1092 replacement within the statutory time period; [~~and~~]

1093 (ii) states whether the prior officeholder is an officeholder described in Subsection
 1094 (3)(d) or (e); and

1095 [~~(B)~~] (iii) [~~contains~~] if the prior officeholder is an officeholder described in Subsection
 1096 (3)(d), states the name of the individual submitted by the party liaison to fill the
 1097 vacancy[-] ; and

1098 [(+)] (b) [~~The~~] the governor shall, within 10 calendar days after the day on which the
 1099 governor receives the letter described in Subsection [~~(3)(d)(i)~~], (4)(a):

1100 (i) if the prior officeholder is an officeholder described in Subsection (3)(d), appoint
 1101 the individual named by the party liaison as an interim replacement to fill the
 1102 vacancy[-] , if the individual meets the qualifications for office; or

1103 (ii) if the prior officeholder is an officeholder described in Subsection (3)(e), appoint
 1104 an individual who meets the qualifications for the office to serve out the unexpired
 1105 term, regardless of whether the individual is a member of a particular registered
 1106 political party or is unaffiliated with a registered political party.

1107 [(e)] (5) An individual appointed as interim replacement under [~~this Subsection (3)~~]
 1108 Subsection (3) or (4) shall hold office until a successor is elected and has qualified.

1109 [(4)] (6)(a) The requirements of this Subsection [~~(4)~~] (6) apply to all county offices that
 1110 become vacant if:

1111 (i) the vacant office has an unexpired term of two years or more; and

1112 (ii) the vacancy occurs after the election at which the officeholder was elected, or
 1113 after the officeholder was appointed under this section, but before the first day of
 1114 the declaration of candidacy filing period described in Section 20A-9-201.5.

1115 (b)(i) When the conditions described in Subsection [~~(4)(a)~~] (6)(a) are met, the county
 1116 clerk shall as soon as practicable, but no later than 180 calendar days before the

- 1117 next regular general election, notify the public and each registered political party
1118 that the vacancy exists.
- 1119 (ii) An individual intending to become a party candidate for the vacant office shall
1120 file a declaration of candidacy in accordance with:
- 1121 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
1122 and
1123 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if
1124 applicable.
- 1125 (iii) An individual who is nominated as a party candidate, who qualifies as an
1126 unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not
1127 Affiliated with a Party, or who qualifies as a write-in candidate for the vacant
1128 office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
1129 general election.
- 1130 [~~(5)~~] (7)(a) The requirements of this Subsection [~~(5)~~] (7) apply to all county offices that
1131 become vacant if:
- 1132 (i) the vacant office has an unexpired term of two years or more; and
1133 (ii) the vacancy occurs on or after the first day of the declaration of candidacy filing
1134 period described in Section 20A-9-201.5, but more than 75 calendar days before
1135 the regular primary election.
- 1136 (b) When the conditions described in Subsection [~~(5)(a)~~] (7)(a) are met, the county clerk
1137 shall as soon as practicable, but no later than 70 calendar days before the next regular
1138 primary election, notify the public and each registered political party:
- 1139 (i) that the vacancy exists; and
1140 (ii) of the deadlines described in Subsection [~~(5)(e)(i)~~] (7)(c)(i) and the deadlines
1141 established under Subsection [~~(5)(d)(ii)~~] (7)(d)(ii).
- 1142 (c)(i) An individual intending to become a party candidate for a vacant office shall,
1143 no later than 5 p.m. on the first business day that is at least five calendar days after
1144 the day on which the notice is given, file a declaration of candidacy for the vacant
1145 office in accordance with:
- 1146 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
1147 and
1148 (B) for a county commission office, Subsection 17-62-201(6) or 17-62-202(6), if
1149 applicable.
- 1150 (ii) The county central committee of each party shall:

- 1151 (A) select a candidate or candidates from among those qualified candidates who
 1152 have filed declarations of candidacy; and
- 1153 (B) certify the name of the candidate or candidates to the county clerk as soon as
 1154 practicable, but no later than 5 p.m. on the last business day that is at least 60
 1155 calendar days before the day of the regular primary election.
- 1156 (d)(i) Except as provided in Subsection [~~(5)(d)(ii)~~] (7)(d)(ii), an individual intending
 1157 to become a candidate for a vacant office who does not wish to affiliate with a
 1158 registered political party shall file a verified certificate of nomination described in
 1159 Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5,
 1160 Candidates not Affiliated with a Party.
- 1161 (ii)(A) The county clerk shall establish, in the clerk's reasonable discretion, a
 1162 deadline that is no later than 5 p.m. on the last business day that is at least 65
 1163 calendar days before the day of the next regular general election by which an
 1164 individual who is not affiliated with a registered political party is required to
 1165 submit a certificate of nomination under Subsection [~~(5)(d)(i)~~] (7)(d)(i).
- 1166 (B) The county clerk shall establish the deadline described in Subsection [
 1167 ~~(5)(d)(ii)(A)~~] (7)(d)(ii)(A) in a manner that gives an unaffiliated candidate an
 1168 equal opportunity to access the regular general election ballot.
- 1169 (e) An individual who is nominated as a party candidate for the vacant office, who
 1170 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
 1171 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the
 1172 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
 1173 general election.
- 1174 [~~(6)~~] (8)(a) The requirements of this Subsection [~~(6)~~] (8) apply to all county offices that
 1175 become vacant:
- 1176 (i) if the vacant office has an unexpired term of two years or more; and
 1177 (ii) when 75 calendar days or less remain before the day of the regular primary
 1178 election but more than 65 calendar days remain before the day of the regular
 1179 general election.
- 1180 (b) When the conditions described in Subsection [~~(6)(a)~~] (8)(a) are met, the county clerk
 1181 shall, as soon as practicable, notify the public and each registered political party:
 1182 (i) that the vacancy exists; and
 1183 (ii) of the deadlines established under Subsection [~~(6)(d)~~] (8)(d).
- 1184 (c)(i) Before the deadline that the county clerk establishes under Subsection [
 1185

- 1185 ~~(6)(d)(i)(A)~~ (8)(d)(i)(A), the county central committee of each registered political
 1186 party that wishes to submit a candidate for the office shall certify the name of one
 1187 candidate to the county clerk for placement on the regular general election ballot.
- 1188 (ii) Before the deadline that the county clerk establishes under Subsection [
 1189 ~~(6)(d)(i)(B)~~ (8)(d)(i)(B)], a candidate who does not wish to affiliate with a
 1190 registered political party shall file a verified certificate of nomination described in
 1191 Section 20A-9-502 with the county clerk in accordance with Chapter 9, Part 5,
 1192 Candidates not Affiliated with a Party.
- 1193 (iii) Before the deadline that the county clerk establishes under Subsection [
 1194 ~~(6)(d)(i)(C)~~ (8)(d)(i)(C)], a write-in candidate shall submit to the county clerk a
 1195 declaration of candidacy described in Section 20A-9-601.
- 1196 (d)(i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines
 1197 that are no later than 5 p.m. on the last business day that is at least 65 calendar
 1198 days before the day of the next regular general election by which:
- 1199 (A) a registered political party is required to certify a name under Subsection [
 1200 ~~(6)(e)(i)~~ (8)(c)(i)];
- 1201 (B) an individual who does not wish to affiliate with a registered political party is
 1202 required to submit a certificate of nomination under Subsection [~~(6)(e)(ii)~~
 1203 (8)(c)(ii)]; and
- 1204 (C) a write-in candidate is required to submit a declaration of candidacy under
 1205 Subsection [~~(6)(e)(iii)~~ (8)(c)(iii)].
- 1206 (ii) The county clerk shall establish deadlines under Subsection [~~(6)(d)(i)~~ (8)(d)(i)] in
 1207 a manner that gives an unaffiliated candidate or a write-in candidate an equal
 1208 opportunity to access the regular general election ballot.
- 1209 (e) An individual who is certified as a party candidate for the vacant office, who
 1210 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
 1211 Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the
 1212 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular
 1213 general election.
- 1214 ~~(7)~~ (9)(a) The requirements of this Subsection [~~(7)~~ (9)] apply to all county offices that
 1215 become vacant if:
- 1216 (i) ~~if~~ the vacant office has an unexpired term of less than two years; or
- 1217 (ii) ~~if~~ the vacant office has an unexpired term of two years or more but 65 calendar
 1218 days or less remain before the day of the next regular general election.

- 1219 ~~[(b)(i) When the conditions described in Subsection (7)(a) are met, the county~~
1220 ~~legislative body shall as soon as practicable, but no later than 10 calendar days~~
1221 ~~after the day on which the vacancy occurs, give notice of the vacancy to:]~~
1222 ~~[(A) the county clerk; and]~~
1223 ~~[(B) the party liaison of the same political party as the prior office holder.]~~
1224 ~~[(ii) The county legislative body shall invite the party liaison described in Subsection~~
1225 ~~(7)(b)(i)(B) to submit the name of an individual to fill the vacancy.]~~
1226 ~~[(iii) The party liaison shall, no later than 5 p.m. on the first business day that is at~~
1227 ~~least 30 calendar days after the day on which the party liaison receives the notice~~
1228 ~~described in Subsection (7)(b)(i)(B), or if the party liaison does not receive the~~
1229 ~~notice, no later than 5 p.m. on the first business day that is at least 40 calendar~~
1230 ~~days after the day on which the vacancy occurs, submit to the county legislative~~
1231 ~~body the name of an individual to fill the vacancy.]~~
1232 ~~[(iv) The county legislative body shall, no later than seven calendar days after the day~~
1233 ~~on which a party liaison submits the name of the individual to fill the vacancy,~~
1234 ~~appoint the individual to serve out the unexpired term.]~~
1235 ~~[(c)(i) If the county legislative body fails to appoint an individual to fill the vacancy~~
1236 ~~in accordance with Subsection (7)(b)(iv), the county clerk shall send to the~~
1237 ~~governor a letter that:]~~
1238 ~~[(A) informs the governor that the county legislative body has failed to appoint an~~
1239 ~~individual to fill the vacancy within the statutory time period; and]~~
1240 ~~[(B) contains the name of the individual submitted by the party liaison to fill the~~
1241 ~~vacancy.]~~
1242 ~~[(ii) The governor shall, within 10 calendar days after the day on which the governor~~
1243 ~~receives the letter described in Subsection (7)(c)(i), appoint the individual named~~
1244 ~~by the party liaison to fill the vacancy.]~~
1245 (b) When the conditions described in Subsection (9)(a) are met:
1246 (i) the county legislative body shall fill the vacancy for the remainder of the term by
1247 following the same procedures, described in Subsections (3)(b) through (e), as
1248 required to appoint an interim replacement;
1249 (ii) if the county legislative body fails to appoint an individual to fill the vacancy
1250 under Subsection (9)(b)(i), the county clerk and the governor shall take the actions
1251 described in Subsection (4) to fill the vacancy for the remainder of the term, using
1252 the same procedures described in Subsection (4) for appointing an interim

1253 replacement; and

1254 ~~[(d)]~~ (iii) ~~[An]~~ an individual appointed to fill the vacancy under this Subsection ~~[(7)]~~ (9)

1255 shall hold office until a successor is elected and has qualified.

1256 ~~[(8)]~~ (10) Except as otherwise provided by law, the county legislative body may appoint

1257 replacements to fill all vacancies that occur in those offices filled by appointment of the

1258 county legislative body.

1259 ~~[(9)]~~ (11) Nothing in this section prohibits a candidate that does not wish to affiliate with a

1260 political party from filing a certificate of nomination for a vacant office within the same

1261 time limits as a candidate that is affiliated with a political party.

1262 ~~[(10)]~~ (12)(a) Each individual elected under Subsection ~~[(4), (5), or (6)]~~ (6), (7), or (8) to

1263 fill a vacancy in a county office shall serve for the remainder of the unexpired term of

1264 the individual who created the vacancy and until a successor is elected and qualified.

1265 (b) ~~[Nothing in this section may be construed to]~~ This section does not contradict or alter

1266 the provisions of Section 17-66-202.

1267 ~~[(11)]~~ (13)(a) Except as provided in Subsection ~~[(11)(b)]~~ (13)(b), for an individual

1268 seeking appointment to fill a vacancy described in Subsection ~~[(3) or (7)]~~ (3), (4), or

1269 (9), the individual shall, no later than the deadline for the individual to file a financial

1270 report under Section 17-70-403:

1271 (i) complete a conflict of interest disclosure statement in accordance with Section

1272 17-70-304; and

1273 (ii) submit the conflict of interest disclosure statement to the county legislative body

1274 and the county clerk.

1275 (b) An individual described in Subsection ~~[(11)(a)]~~ (13)(a) is not required to comply with

1276 Subsection ~~[(11)(a)]~~ (13)(a) if the individual:

1277 (i) currently holds an office described in Subsection (1)(a)(i);

1278 (ii) already, that same year, filed a conflict of interest disclosure statement for the

1279 office described in Subsection ~~[(11)(b)(i)]~~ (13)(b)(i), in accordance with Section

1280 17-70-509; and

1281 (iii) no later than the deadline described in Subsection ~~[(11)(a)]~~ (13)(a), indicates, in a

1282 written notice submitted to the county clerk, that the conflict of interest disclosure

1283 statement described in Subsection ~~[(11)(b)(ii)]~~ (13)(b)(ii) is updated and accurate

1284 as of the date of the written notice.

1285 ~~[(12)]~~ (14)(a) The county clerk shall make each conflict of interest disclosure statement

1286 made by an individual described in Subsection ~~[(11)(a)]~~ (13)(a) available for public

- 1287 inspection by posting an electronic copy of the statement on the county's website for
 1288 at least 10 calendar days after the day on which ~~the county legislative body~~]:
- 1289 (i) the county legislative body appoints an interim replacement under Subsection (3);
 1290 or]
- 1291 (ii) the governor appoints an interim replacement under Subsection (4);
 1292 ~~[(ii)]~~ (iii) the county legislative body appoints an individual to fill a vacancy under
 1293 Subsection (9)(b)(i); or
- 1294 (iv) the governor appoints an individual to fill a vacancy under Subsection ~~[(7)]~~
 1295 (9)(b)(ii).
- 1296 (b) The county clerk shall post the electronic statement described in Subsection ~~[(12)(a)]~~
 1297 (14)(a) no later than two business days after the day on which the county clerk
 1298 receives the statement.
- 1299 ~~[(13)]~~ (15) A vacancy in a county office does not occur unless the individual occupying the
 1300 office:
- 1301 (a) has left the office; or
 1302 (b) submits an irrevocable letter of resignation to the county legislative body.
- 1303 Section 11. Section **20A-1-509.1** is amended to read:
 1304 **20A-1-509.1 (Effective 05/06/26). Procedure for filling midterm vacancy in**
 1305 **county or district with 15 or more attorneys.**
- 1306 (1) When a vacancy occurs in the office of county or district attorney in a county or district
 1307 having 15 or more attorneys who are licensed active members in good standing with the
 1308 Utah State Bar and registered voters, the vacancy shall be filled as provided in this
 1309 section.
- 1310 (2)(a) The requirements of this Subsection (2) apply when the office of county attorney
 1311 or district attorney becomes vacant and:
- 1312 (i) the vacant office has an unexpired term of two years or more; and
 1313 (ii) the vacancy occurs before the first day of the applicable declaration of candidacy
 1314 filing period described in Section 20A-9-201.5.
- 1315 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall
 1316 notify the public and each registered political party that the vacancy exists.
- 1317 (c) All persons intending to become candidates for the vacant office shall:
- 1318 (i) file a declaration of candidacy according to the procedures and requirements of
 1319 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;
 1320 (ii) if nominated as a party candidate or qualified as an independent or write-in

- 1321 candidate under Chapter 9, Candidate Qualifications and Nominating Procedures,
1322 run in the regular general election; and
- 1323 (iii) if elected, complete the unexpired term of the person who created the vacancy.
- 1324 (d) If the vacancy occurs during the applicable declaration of candidacy filing period
1325 described in Section 20A-9-201.5:
- 1326 (i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be
1327 extended until 5 p.m. on the first business day that is no later than seven calendar
1328 days after the last day of the applicable declaration of candidacy filing period
1329 described in Section 20A-9-201.5; and
- 1330 (ii) the county clerk shall notify the public and each registered political party that the
1331 vacancy exists.
- 1332 (3)(a) The requirements of this Subsection (3) apply when the office of county attorney
1333 or district attorney becomes vacant and:
- 1334 (i) the vacant office has an unexpired term of two years or more; and
1335 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year
1336 but more than 75 calendar days before the regular primary election.
- 1337 (b) When the conditions established in Subsection (3)(a) are met, the county clerk shall:
- 1338 (i) notify the public and each registered political party that the vacancy exists; and
1339 (ii) identify the date and time by which a person interested in becoming a candidate
1340 shall file a declaration of candidacy.
- 1341 (c) All persons intending to become candidates for the vacant office shall:
- 1342 (i) no later than 5 p.m. on the first business day that is at least five calendar days after
1343 the day on which the county clerk gives the notice described in Subsection (3)(b)(i),
1344 file a declaration of candidacy for the vacant office as required by Chapter 9, Part
1345 2, Candidate Qualifications and Declarations of Candidacy; and
1346 (ii) if elected, complete the unexpired term of the person who created the vacancy.
- 1347 (d) The county central committee of each party shall:
- 1348 (i) select a candidate or candidates from among those qualified candidates who have
1349 filed declarations of candidacy; and
1350 (ii) certify the name of the candidate or candidates to the county clerk:
- 1351 (A) no later than 5 p.m. on the last business day that is at least 60 calendar days
1352 before the day of the regular primary election; or
1353 (B) electronically, before midnight no later than 60 calendar days before the day
1354 of the regular primary election.

- 1355 (4)(a) The requirements of this Subsection (4) apply when the office of county attorney
 1356 or district attorney becomes vacant and:
- 1357 (i) the vacant office has an unexpired term of two years or more; and
 - 1358 (ii) 75 calendar days or less remain before the regular primary election but more than
 1359 65 calendar days remain before the regular general election.
- 1360 (b) When the conditions established in Subsection (4)(a) are met, the county central
 1361 committees of each registered political party that wishes to submit a candidate for the
 1362 office shall, not later than five calendar days after the day on which the vacancy
 1363 occurs, certify the name of one candidate to the county clerk for placement on the
 1364 regular general election ballot.
- 1365 (c) The candidate elected shall complete the unexpired term of the person who created
 1366 the vacancy.
- 1367 (5)(a) The requirements of this Subsection (5) apply when the office of county attorney
 1368 or district attorney becomes vacant and:
- 1369 (i) the vacant office has an unexpired term of less than two years; or
 - 1370 (ii) the vacant office has an unexpired term of two years or more but 65 calendar days
 1371 or less remain before the next regular general election.
- 1372 (b) When the conditions established in Subsection (5)(a) are met, the county legislative
 1373 body shall give notice of the vacancy to:
- 1374 (i) the county clerk; and
 - 1375 [~~(ii) the county central committee of the same political party of the prior officeholder.~~]
 - 1376 (ii) if the prior officeholder was a member of a registered political party when the
 1377 prior officeholder last took office, either by election or by appointment under this
 1378 section, the county central committee of that registered political party.
- 1379 (c) [~~The~~] If the prior officeholder was a member of a registered political party when the
 1380 prior officeholder last took office, either by election or appointment under this
 1381 section:
- 1382 (i) the county legislative body shall invite the committee described in Subsection [
 1383 (5)(b)(i)] (5)(b)(ii) to submit the names of three nominees to fill the vacancy[-] ;
 - 1384 [~~(d)~~] (ii) [The] the county central committee shall, [within 30 calendar days after the
 1385 day on which the county legislative body gives the notice described in Subsection
 1386 (5)(b)(i)] no later than 5 p.m. on the first business day that is at least 45 calendar
 1387 days after the day on which the county central committee receives the notice
 1388 described in Subsection (5)(b)(ii), submit to the county legislative body the names

1389 of three nominees who meet the qualifications for the office to fill the vacancy[-:] ;
 1390 and
 1391 ~~[(e)]~~ ~~(iii)~~ ~~[The]~~ the county legislative body shall, within 45 calendar days after the day
 1392 on which the vacancy occurs, appoint one of those nominees to serve out the
 1393 unexpired term.

1394 (d) If the prior officeholder was not a member of a registered political party when the
 1395 prior officeholder last took office, either by election or appointment under this
 1396 section, the county legislative body shall, no later than 5 p.m. on the first business
 1397 day that is at least 45 calendar days after the day on which the county legislative
 1398 body posts the notice described in Subsection (5)(b)(i), appoint an individual who
 1399 meets the qualifications for the office to fill the vacancy, regardless of whether the
 1400 individual is a member of a particular registered political party or is unaffiliated with
 1401 a registered political party.

1402 ~~[(f)]~~ ~~(e)~~ If the county legislative body fails to appoint a person to fill the vacancy [within
 1403 45-calendar days,-] in accordance with Subsection (5)(c) or (d), as applicable:

1404 ~~(i)~~ the county clerk shall, no later than the deadline described in Subsection (5)(c)(iii)
 1405 or (d), as applicable, send to the governor a letter that:

1406 ~~[(i)]~~ ~~(A)~~ informs the governor that the county legislative body has failed to appoint [
 1407 a person] an individual to fill the vacancy within the statutory time period;[-and]

1408 (B) states whether the prior officeholder is an officeholder described in Subsection
 1409 (5)(c) or (d); and

1410 ~~[(ii)]~~ ~~(C)~~ ~~[contains]~~ if the prior officeholder is an officeholder described in
 1411 Subsection (5)(c), includes the [list] names of the nominees submitted by the
 1412 party central committee[-:] ; and

1413 ~~[(g)]~~ ~~(ii)~~ ~~[The]~~ the governor shall[- appoint a person to fill the vacancy from that list of
 1414 nominees] , within 30 calendar days after the day on which the governor receives
 1415 the letter described in Subsection [~~(5)(f):-] (5)(e)(i):~~

1416 (A) if the prior officeholder is an officeholder described in Subsection (5)(c),
 1417 appoint one of the nominees described in Subsection (5)(c)(ii) to fill the
 1418 vacancy; or

1419 (B) if the prior officeholder is an officeholder described in Subsection (5)(d),
 1420 appoint an individual who meets the qualifications for the office to fill the
 1421 vacancy, regardless of whether the individual is a member of a particular
 1422 registered political party or is unaffiliated with a registered political party.

1423 ~~(h)~~ (f) ~~[A person]~~ An individual appointed to fill the vacancy under this Subsection (5)
 1424 shall complete the unexpired term of the ~~[person]~~ individual who created the vacancy.

1425 (6) ~~[A person]~~ An individual seeking appointment to fill a vacancy described in Subsection [
 1426 ~~(5)(a)~~ (5) shall, no later than the deadline for the ~~[person]~~ individual to file a financial
 1427 report under Section 17-70-403:

1428 (a) complete a conflict of interest disclosure statement in accordance with Section
 1429 17-70-304; and

1430 (b) submit the conflict of interest disclosure statement to the county legislative body and
 1431 the county clerk.

1432 (7)(a) The county clerk shall make each conflict of interest disclosure statement made by [
 1433 ~~a person]~~ an individual described in Subsection (6) available for public inspection by
 1434 posting an electronic copy of the statement on the county's website for at least 10
 1435 calendar days after the day on which the county legislative body appoints ~~[a person]~~
 1436 the individual to fill the vacancy.

1437 (b) The county clerk shall post the electronic statement described in Subsection (7)(a) no
 1438 later than two business days after the day on which the county clerk receives the
 1439 statement.

1440 (8) A vacancy in the office described in Subsection (1) does not occur unless the ~~[person]~~
 1441 individual occupying the office:

1442 (a) has left the office; or

1443 (b) submits an irrevocable letter of resignation to the county legislative body.

1444 (9) Nothing in this section prevents or prohibits independent candidates from filing a
 1445 declaration of candidacy for the office within the required time limits.

1446 Section 12. Section **20A-1-509.2** is amended to read:

1447 **20A-1-509.2 (Effective 05/06/26). Procedure for filling vacancy in county or**
 1448 **district with fewer than 15 attorneys.**

1449 (1) When a vacancy occurs in the office of county or district attorney, including a vacancy
 1450 created by the failure of a person to file as a candidate for the office of county or district
 1451 attorney in an election, in a county or district having fewer than 15 attorneys who are
 1452 licensed, active members in good standing with the Utah State Bar and registered voters,
 1453 the vacancy shall be filled as provided in this section.

1454 (2) The county clerk shall send a letter to each attorney residing in the county or district
 1455 who is a licensed, active member in good standing with the Utah State Bar and a
 1456 registered voter that:

- 1457 (a) informs the attorney of the vacancy;
- 1458 (b) invites the attorney to apply for the vacancy; and
- 1459 (c) informs the attorney that if the attorney does not respond before 5 p.m. on the first
- 1460 business day that is at least 10 calendar days after the day on which the county clerk
- 1461 sends the letter, the attorney's candidacy to fill the vacancy will not be considered.
- 1462 [~~(3)(a)(i) If, before the deadline described in Subsection (2)(c), more than three~~
- 1463 ~~attorneys who are licensed, active members in good standing with the Utah State~~
- 1464 ~~Bar and registered voters in the county or district have applied for the vacancy, the~~
- 1465 ~~county clerk shall, except as provided in Subsection (3)(a)(ii), submit the~~
- 1466 ~~applications to the county central committee of the same political party of the~~
- 1467 ~~prior officeholder.]~~
- 1468 [(ii) ~~In multicounty prosecution districts, the clerk shall submit the applications to the~~
- 1469 ~~county central committee of each county within the prosecution district.]~~
- 1470 [(b) ~~The central committee shall nominate three of the applicants and forward the~~
- 1471 ~~applicants' names to the county legislative body no later than 5 p.m. on the first~~
- 1472 ~~business day that is at least 20 calendar days after the day on which the county clerk~~
- 1473 ~~submits the applicants' names under Subsection (3)(a).]~~
- 1474 [(e) ~~The county legislative body shall appoint one of the nominees to fill the vacant~~
- 1475 ~~position.]~~
- 1476 [(d) ~~If the central committee of the political party fails to submit at least three names to~~
- 1477 ~~the county legislative body before the deadline described in Subsection (3)(b), the~~
- 1478 ~~county legislative body shall appoint one of the applicants to fill the vacant position.]~~
- 1479 [(e) ~~If the county legislative body fails to appoint a person to fill the vacancy within 120~~
- 1480 ~~calendar days after the day on which the vacancy occurs, the county clerk shall mail~~
- 1481 ~~to the governor:]~~
- 1482 [(i) ~~a letter informing the governor that the county legislative body has failed to~~
- 1483 ~~appoint a person to fill the vacancy; and]~~
- 1484 [(ii)(A) ~~the list of nominees, if any, submitted by the central committee of the~~
- 1485 ~~political party; or]~~
- 1486 [(B) ~~if the party central committee has not submitted a list of at least three~~
- 1487 ~~nominees within the required time, the names of the persons who submitted~~
- 1488 ~~applications for the vacant position to the county clerk.]~~
- 1489 [(f) ~~The governor shall appoint, within 30 calendar days after the day on which the~~
- 1490 ~~governor receives the letter described in Subsection (3)(c), a person from the list to~~

- 1491 ~~fill the vacancy.]~~
- 1492 (3) If, before the deadline described in Subsection (2)(c), more than three attorneys who are
- 1493 licensed, active members in good standing with the Utah State Bar, and are registered
- 1494 voters in the county or district, have applied for the vacancy:
- 1495 (a) if the prior officeholder was a member of a registered political party when the prior
- 1496 officeholder last took office, either by election or by appointment under this section:
- 1497 (i) the county clerk shall:
- 1498 (A) except as provided in Subsection (3)(a)(i)(B), submit the applications to the
- 1499 county central committee of the same registered political party of which the
- 1500 prior officeholder was a member when the prior officeholder last took office; or
- 1501 (B) for a multicounty prosecution district, submit the applications to the county
- 1502 central committee of the same registered political party of which the prior
- 1503 officeholder was a member when the prior officeholder last took office, for
- 1504 each county within the multicounty prosecution district;
- 1505 (ii)(A) except as provided in Subsection (3)(a)(ii)(B), the county central
- 1506 committee described in Subsection (3)(a)(i)(A) shall nominate three of the
- 1507 applicants and forward the applicants' names to the county legislative body no
- 1508 later than 5 p.m. on the first business day that is at least 20 calendar days after
- 1509 the day on which the county clerk submits the applicants' names under
- 1510 Subsection (3)(a)(i)(A); or
- 1511 (B) for a multicounty prosecution district, the county central committees described
- 1512 in Subsection (3)(a)(i)(B) shall jointly nominate three of the applicants and
- 1513 forward the applicants' names to the county legislative bodies in the
- 1514 multicounty prosecution districts no later than 5 p.m. on the first business day
- 1515 that is at least 20 calendar days after the day on which the county clerk submits
- 1516 the applicants' names under Subsection (3)(a)(i)(B); and
- 1517 (iii)(A) except as provided in Subsection (3)(a)(iii)(B), the county legislative body
- 1518 shall appoint one of the nominees to fill the vacant position; or
- 1519 (B) for a multicounty prosecution district, the county legislative bodies shall
- 1520 jointly appoint one of the nominees to fill the vacant position; or
- 1521 (b) if the prior officeholder was not a member of a registered political party when the
- 1522 prior officeholder last took office, either by election or by appointment under this
- 1523 section:
- 1524 (i) the county clerk shall:

1525 (A) except as provided in Subsection (3)(b)(i)(B), submit the applications to the
1526 county legislative body; or

1527 (B) for a multicounty prosecution district, submit the applications to the county
1528 legislative bodies of each county within the multicounty prosecution district;
1529 and

1530 (ii)(A) except as provided in Subsection (3)(b)(ii)(B), the county legislative body
1531 described in Subsection (3)(b)(i)(A) shall appoint one of the applicants to fill
1532 the vacant position; or

1533 (B) for a multicounty prosecution district, the county legislative bodies described
1534 in Subsection (3)(b)(i)(B) shall jointly appoint one of the applicants to fill the
1535 vacant position.

1536 (4)(a) Except as provided in Subsection (4)(b), if the central committee described in
1537 Subsection (3)(a)(ii)(A) fails to submit at least three names to the county legislative
1538 body before the deadline described in Subsection (3)(a)(ii)(A), the county legislative
1539 body shall appoint one of the applicants to fill the vacant position.

1540 (b) If the central committees described in Subsection (3)(a)(ii)(B) fail to jointly submit
1541 at least three names to the county legislative bodies before the deadline described in
1542 Subsection (3)(a)(ii)(B), the county legislative bodies shall jointly appoint one of the
1543 applicants to fill the vacant position.

1544 (5) If, within 120 calendar days after the day on which the vacancy occurs, the county
1545 legislative body fails under Subsection (3)(a)(iii)(A) or (4)(a) to appoint an individual to
1546 fill the vacancy, or the county legislative bodies fail under Subsection (3)(a)(iii)(B) or
1547 (4)(b) to jointly appoint an individual to fill the vacancy, the county clerk shall send the
1548 governor notice that:

1549 (a) states that the county legislative body or bodies have failed to timely appoint a
1550 person to fill the vacancy; and

1551 (b) includes the following:

1552 (i) for a vacancy where the prior officeholder was a member of a registered political
1553 party when the prior officeholder last took office:

1554 (A) if the applicable central committee or applicable central committees timely
1555 submitted at least three nominees, the names of the nominees; or

1556 (B) if the applicable central committee or applicable central committees failed to
1557 timely submit at least three nominees, the names of the applicants; or

1558 (ii) for a vacancy where the prior officeholder was not a member of a political party

1559 when the prior officeholder last took office, the names of the applicants.

1560 (6) The governor shall, within 30 calendar days after the day on which the governor
 1561 receives the notice described in Subsection (5)(a), appoint an individual from the names
 1562 provided under Subsection (5)(b), to fill the vacancy.

1563 [~~(4)~~] (7)(a) If, before the deadline described in Subsection (2)(c), three or fewer attorneys
 1564 who are licensed, active members in good standing with the Utah State Bar and
 1565 registered voters in the county or district have applied for the vacancy, the county
 1566 legislative body, or, for a prosecution district, the county legislative bodies jointly,
 1567 may:

1568 (i) appoint one of [~~them~~] the attorneys to be county or district attorney; or
 1569 (ii) solicit additional applicants and appoint a county or district attorney as provided
 1570 in Subsection [~~(4)(b)~~] (7)(b).

1571 (b)(i) If three or fewer attorneys who are licensed members in good standing of the
 1572 Utah State Bar and registered voters in the county or district submit applications,
 1573 the county legislative body, or county legislative bodies, may publicly solicit and
 1574 accept additional applications for the position from licensed, active members in
 1575 good standing of the Utah State Bar who are not residents of the county or
 1576 prosecution district.

1577 (ii) The county legislative body, or county legislative bodies, shall consider the
 1578 applications submitted by the attorneys who are residents of and registered voters
 1579 in the county or prosecution district and the applications submitted by the
 1580 attorneys who are not residents of the county or prosecution district and shall
 1581 appoint one of the applicants to be county attorney or district attorney.

1582 (c) If the county legislative body, [~~fails~~] or county legislative bodies, fail to appoint [~~a~~
 1583 ~~person~~] an attorney to fill the vacancy within 120 calendar days after the day on
 1584 which the vacancy occurs, the county clerk shall:

1585 (i) notify the governor that the county legislative body [~~has~~] or county legislative
 1586 bodies have failed to fill the vacancy within the required time period; and
 1587 (ii) provide the governor with a list of all the applicants.

1588 (d) The governor shall appoint [~~a person~~] an attorney to fill the vacancy within 30
 1589 calendar days after the day on which the governor receives the notification described
 1590 in Subsection [~~(4)(e)~~] (7)(c).

1591 [~~(5)~~] (8) [~~The person~~] An attorney appointed to fill [~~the~~] a vacancy described in this section
 1592 shall serve for the unexpired term of the [~~person~~] attorney who created the vacancy.

1593 [(6)] (9) [A person] An attorney seeking appointment to fill a vacancy under this section
 1594 shall, no later than the deadline for the [person] attorney to file a financial report under
 1595 Section 17-70-403:

- 1596 (a) complete a conflict of interest disclosure statement in accordance with Section
 1597 17-70-304; and
 1598 (b) submit the conflict of interest disclosure statement to the county legislative body and
 1599 the county clerk.

1600 [(7)] (10)(a) The county clerk shall make each conflict of interest disclosure statement
 1601 made by [a person] an attorney described in Subsection [(6)] (9) available for public
 1602 inspection by posting an electronic copy of the statement on the county's website for
 1603 at least 10 calendar days after the day on which the county legislative body appoints [
 1604 a person] an attorney to fill the vacancy.

- 1605 (b) The county clerk shall post the electronic statement described in Subsection [(7)(a)]
 1606 (10)(a) no later than two business days after the day on which the county clerk
 1607 receives the statement.

1608 [(8)] (11) A vacancy in the office described in Subsection (1) does not occur until the [
 1609 person] attorney occupying the office:

- 1610 (a) has left the office; or
 1611 (b) submits an irrevocable letter of resignation to the county legislative body.

1612 Section 13. Section **20A-1-513** is amended to read:

1613 **20A-1-513 (Effective 05/06/26). Temporary absence in elected office of a political**
 1614 **subdivision for military service.**

1615 (1) As used in this section:

1616 (a)(i) "Armed forces" means the United States Army, Navy, Air Force, Marine Corps,
 1617 Space Force, and Coast Guard.

1618 (ii) "Armed forces" includes the National Guard.

1619 (b)(i) "Elected official" means an individual who holds an office of a political
 1620 subdivision that is required by law to be filled by an election.

1621 (ii) "Elected official" includes an individual who is appointed to fill a vacancy in an
 1622 office described in Subsection (1)(b)(i).

1623 (c) "Elected official reservist" means an elected official who is:

1624 (i) a member of the armed forces reserves component;

1625 (ii) a member of the National Guard; or

1626 (iii) a retired member of the armed forces who may be called to active, full-time duty

- 1627 in the armed forces under Title 10, U.S.C., Armed Forces.
- 1628 (d)(i) "Military leave" means the temporary absence from an office:
- 1629 (A) by an elected official reservist called to active, full-time duty in the armed
- 1630 forces; and
- 1631 (B) for a period of time that exceeds 30 calendar days and does not exceed 400
- 1632 calendar days.
- 1633 (ii) "Military leave" includes the time an individual on leave, as described in
- 1634 Subsection (1)(d)(i), spends for:
- 1635 (A) out processing;
- 1636 (B) an administrative delay;
- 1637 (C) accrued leave; and
- 1638 (D) on rest and recuperation leave program of the armed forces.
- 1639 (e) "Political subdivision's governing body" means:
- 1640 (i) for a county, city, or town, the legislative body of the county, city, or town;
- 1641 (ii) for a special district, the board of trustees of the special district;
- 1642 (iii) for a local school district, the local school board;
- 1643 (iv) for a special service district:
- 1644 (A) the legislative body of the county, city, or town that established the special
- 1645 service district, if no administrative control board has been appointed under
- 1646 Section 17D-1-301; or
- 1647 (B) the administrative control board of the special service district, if an
- 1648 administrative control board has been appointed under Section 17D-1-301; and
- 1649 (v) for a political subdivision not listed in Subsections (1)(e)(i) through (iv), the body
- 1650 that governs the affairs of the political subdivision.
- 1651 (f) "Temporary replacement" means the individual appointed by the political
- 1652 subdivision's governing body in accordance with this section to exercise the powers
- 1653 and duties of the office of an elected official reservist who takes military leave.
- 1654 (2) An elected official reservist who takes military leave in accordance with this section
- 1655 does not create a vacancy in the elected official's office.
- 1656 (3)(a) An elected official reservist who is called to active, full-time duty in the armed
- 1657 forces under Title 10, U.S.C., Armed Forces, shall notify the political subdivision's
- 1658 governing body of the elected official's orders no later than 5 p.m. on the first
- 1659 business day that is at least five calendar days after the day on which the elected
- 1660 official receives the orders.

- 1661 (b) An elected official reservist described in Subsection (3)(a) may:
- 1662 (i) if the period of active, full-time duty does not exceed 270 calendar days:
- 1663 (A) continue to carry out the elected official's duties if possible while on active,
- 1664 full-time duty; or
- 1665 (B) take military leave if the elected official submits to the political subdivision's
- 1666 governing body written notice of the intent to take military leave and the
- 1667 expected duration of the military leave; or
- 1668 (ii) if the period of active, full-time duty exceeds 270 calendar days but does not
- 1669 exceed 400 calendar days, take military leave if the elected official submits to the
- 1670 political subdivision's governing body:
- 1671 (A) written notice of the intent to take military leave and the expected duration of
- 1672 the military leave; and
- 1673 (B) written certification that the secretary of the armed force of which the elected
- 1674 official is a member granted the elected official permission under [U.S.] United
- 1675 States Department of Defense Directive 1344.10 to continue to hold the elected
- 1676 official's office while on active, full-time duty.
- 1677 (4)(a) An elected official reservist who chooses to continue to carry out the elected
- 1678 official's duties under Subsection (3)(b)(i)(A) shall, no later than 10 calendar days
- 1679 after the day of the elected official's deployment, confirm in writing to the political
- 1680 subdivision's governing body that the elected official has the ability to carry out the
- 1681 elected official's duties.
- 1682 (b) If an elected official reservist does not submit the confirmation to the political
- 1683 subdivision's governing body before the deadline described in Subsection (4)(a), the
- 1684 political subdivision's governing body shall:
- 1685 (i) place the elected official in military leave status; and
- 1686 (ii) appoint a temporary replacement in accordance with Subsection (8).
- 1687 (5)(a) An elected official reservist who chooses to take military leave under Subsection
- 1688 (3)(b)(ii) shall, no later than 21 calendar days after the date of the elected official's
- 1689 deployment, submit to the political subdivision's governing body the written notice
- 1690 and certification described in Subsection (3)(b)(ii).
- 1691 (b) If an elected official reservist does not submit the notice and certification to the
- 1692 political subdivision's governing body before the deadline described in Subsection
- 1693 (5)(a):
- 1694 (i) the political subdivision's governing body may not appoint a temporary

- 1695 replacement under Subsection (8); and
- 1696 (ii) the elected official reservist creates a vacancy in the elected official's office.
- 1697 (6) An elected official reservist who is called to active, full-time duty in the armed forces
- 1698 under Title 10, U.S.C., Armed Forces, for a period of more than 400 calendar days
- 1699 creates a vacancy in the elected official's office.
- 1700 (7) An elected official reservist's military leave:
- 1701 (a) begins:
- 1702 (i) for an elected official reservist described in Subsection (3)(b)(i), the later of:
- 1703 (A) the day after the day on which the elected official notifies the political
- 1704 subdivision's governing body of the intent to take military leave;
- 1705 (B) 11 calendar days after the day of the elected official's deployment if no
- 1706 confirmation is received by the political subdivision's governing body in
- 1707 accordance with Subsection (4)(a); or
- 1708 (C) the day on which the elected official begins active, full-time duty in the armed
- 1709 forces; or
- 1710 (ii) for an elected official reservist described in Subsection (3)(b)(ii), the day after the
- 1711 day on which the elected official submits to the political subdivision's governing
- 1712 body the written notice and certification described in Subsection (3)(b)(ii); and
- 1713 (b) ends the sooner of:
- 1714 (i) the expiration of the elected official reservist's term of office; or
- 1715 (ii) the day on which the elected official reservist ends active, full-time duty in the
- 1716 armed forces.
- 1717 (8) A temporary replacement shall:
- 1718 (a) meet the qualifications required to hold the office; and
- 1719 (b) be appointed:
- 1720 (i) when an elected official reservist:
- 1721 (A) takes military leave under Subsection (3)(b)(i)(B) or (b)(ii); or
- 1722 (B) is placed in military leave status under Subsection (4)(b)(i); and
- 1723 (ii) by the political subdivision's governing body:
- 1724 (A) if a registered political party nominated the elected official reservist as a
- 1725 candidate for the office, in the same manner as provided in Subsection
- 1726 20A-1-508(3) or (4) for the appointment of an interim replacement; or
- 1727 (B) if a registered political party did not nominate the elected official reservist as a
- 1728 candidate for the office, after submitting an application in accordance with

- 1729 Subsection (10)(b).
- 1730 (9)(a) A temporary replacement shall exercise the powers and duties of the office for
 1731 which the temporary replacement is appointed for the duration of the elected official
 1732 reservist's military leave.
- 1733 (b) An elected reservist may not exercise the powers or duties of the office while on
 1734 military leave.
- 1735 (c) If a temporary replacement is not appointed as required by Subsection (8)(b), no
 1736 individual may exercise the powers and duties of the elected official reservist's office
 1737 during the elected official's military leave.
- 1738 (10) The political subdivision's governing body shall establish:
- 1739 (a) the distribution of the emoluments of the office between the elected official reservist
 1740 and the temporary replacement; and
- 1741 (b) an application form and the date and time before which an individual shall submit
 1742 the application to be considered by the political subdivision's governing body for
 1743 appointment as a temporary replacement.
- 1744 (11) This section does not apply to an elected official who is not an elected official reservist.
- 1745 Section 14. Section **20A-1-608.1** is enacted to read:
- 1746 **20A-1-608.1** (Effective 05/06/26). **Electronic communications abuse of elections**
 1747 **or elected office.**
- 1748 (1) As used in this section:
- 1749 (a) "Actor" means the same as that term is defined in Section 76-1-101.5.
- 1750 (b) "In relation to an election process" means anything governed by this title, or another
 1751 provision of law that governs a matter addressed by this title, including:
- 1752 (i) the administration or conduct of an election or a requirement or process relating to
 1753 an election; or
- 1754 (ii) a provision relating to:
- 1755 (A) a voter or voting;
- 1756 (B) a candidate for public office or candidacy for public office;
- 1757 (C) an officeholder;
- 1758 (D) campaigning or political fundraising;
- 1759 (E) a person that participates in, or seeks to influence, an election; or
- 1760 (F) a lobbyist or lobbying.
- 1761 (2) An actor commits electronic communications abuse of elections or elected office if the
 1762 actor:

- 1763 (a) commits a violation of a provision of Title 76, Chapter 12, Part 2, Electronic
 1764 Communication Abuse; and
- 1765 (b) commits the violation described in Subsection (2)(a):
- 1766 (i) by obtaining, using, or disseminating information obtained, directly or indirectly,
 1767 from a voter registration record, a petition, a declaration of candidacy, a financial
 1768 disclosure, a conflict of interest disclosure, or another source of information
 1769 obtained, stored, provided, or disclosed under this title or in relation to elections;
- 1770 (ii) with the intent to retaliate against, threaten, interfere with, or fraudulently
 1771 influence a person in relation to an election process;
- 1772 (iii) with the intent to interfere with or fraudulently influence a matter in relation to
 1773 an election process; or
- 1774 (iv) with the intent to retaliate against, threaten, interfere with, or fraudulently
 1775 influence:
- 1776 (A) a candidate in relation to the candidate's campaign or candidacy; or
- 1777 (B) an officeholder in relation to a duty of the officeholder, an action as an
 1778 officeholder, or inaction as an officeholder.
- 1779 (3) If an actor can, for the same conduct, be charged under this section or under Title 76,
 1780 Chapter 12, Part 2, Electronic Communication Abuse, the actor shall be charged under
 1781 this section, unless a charge under Title 76, Chapter 12, Part 2, Electronic
 1782 Communication Abuse, carries a more serious penalty.
- 1783 Section 15. Section **20A-1-609** is amended to read:
- 1784 **20A-1-609 (Effective 05/06/26). Omnibus penalties.**
- 1785 (1)(a) Except as provided in Subsection (1)(b), (1)(c), or (2), a person who violates any
 1786 provision of this title is guilty of a class B misdemeanor.
- 1787 (b) Subsection (1)(a) does not apply to a provision of this title for which another penalty
 1788 is expressly stated.
- 1789 (c) An individual is not guilty of a crime for, by signing a petition for an initiative or
 1790 referendum, falsely making the statement described in Subsection
 1791 20A-7-203(3)(d)(xx), 20A-7-303(3)(d)(xx), 20A-7-503(3)(d)(xx), or
 1792 20A-7-603(3)(d)(xx).
- 1793 (2) A person who violates Section 20A-1-608.1 is:
- 1794 (a) except as provided in Subsection (2)(b), guilty of a class A misdemeanor; or
- 1795 (b) guilty of a third degree felony for a second or subsequent violation.
- 1796 [(2)] (3) Except as provided by Section 20A-2-101.3 or 20A-2-101.5, an individual

1797 convicted of any offense under this title may not:

1798 (a) file a declaration of candidacy for any office or appear on the ballot as a candidate
1799 for any office during the election cycle in which the violation occurred;

1800 (b) take or hold the office to which the individual was elected; and

1801 (c) receive the emoluments of the office to which the individual was elected.

1802 [~~(3)~~] (4)(a) Any individual convicted of any offense under this title forfeits the right to
1803 vote at any election unless the right to vote is restored as provided in Section
1804 20A-2-101.3 or 20A-2-101.5.

1805 (b) Any person may challenge the right to vote of a person described in Subsection [
1806 ~~(3)(a)~~] (4)(a) by following the procedures and requirements of Section 20A-3a-803.
1807 Section 16. Section **20A-3a-401** is amended to read:

1808 **20A-3a-401 (Effective 05/06/26). Custody of voted ballots mailed or deposited in**
1809 **a ballot drop box -- Disposition -- Notice -- Disclosures relating to unresolved ballots.**

1810 (1) This section governs ballots returned by mail, via a ballot drop box, or by other legal
1811 means.

1812 (2) Poll workers shall process return envelopes containing manual ballots that are in the
1813 custody of the poll workers in accordance with this section.

1814 (3) Poll workers shall examine a return envelope to make the determinations described in
1815 Subsection (4).

1816 (4) The poll workers shall take the action described in Subsection (5)(a) if the poll workers
1817 determine:

1818 (a) for an election held before January 1, 2029:

1819 (i) [~~that~~] if the return envelope contains a four digit number on the portion of the
1820 return envelope for a voter to enter the last four digits of the voter's Utah driver
1821 license number, Utah state identification card number, or social security number,
1822 that the four digit number correctly identifies the last four digits of one of those
1823 numbers for the voter to whom the return envelope relates; [or]

1824 (ii) if the return envelope does not contain [~~the digits described in Subsection (4)(a)(i)]~~
1825 a four digit number on the portion of the return envelope described in Subsection
1826 (4)(a)(i), that:

1827 (A) in accordance with the rules made under Subsection (13), the signature on the
1828 affidavit of the return envelope is reasonably consistent with the individual's
1829 signature in the voter registration records; or

1830 (B) for an individual who checks the box described in Subsection (7)(d)(v), the

- 1831 signature is verified by alternative means; and
- 1832 (iii) if the return envelope contains the correct four digit number under Subsection
- 1833 (4)(a)(i), that:
- 1834 (A) in accordance with the rules made under Subsection (13), the signature on the
- 1835 affidavit of the return envelope is reasonably consistent with the individual's
- 1836 signature in the voter registration records; or
- 1837 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
- 1838 signature is verified by alternative means;
- 1839 (b) for an election held on or after January 1, 2029:
- 1840 (i)(A) that the return envelope contains the last four digits of the voter's Utah
- 1841 driver license number, Utah state identification card number, or social security
- 1842 number;
- 1843 [~~(ii)~~] (B) if the return envelope does not contain the digits described in Subsection
- 1844 (4)(b)(i), that the voter included in the return envelope a copy of the
- 1845 identification described in Subsection 20A-3a-204(2)(c)(ii); or
- 1846 [~~(iii)~~] (C) for a voter described in Subsection 20A-3a-301(7), that the voter
- 1847 complied with Subsection 20A-3a-301(7); and
- 1848 (ii) that:
- 1849 (A) in accordance with the rules made under Subsection (13), the signature on the
- 1850 affidavit of the return envelope is reasonably consistent with the individual's
- 1851 signature in the voter registration records; or
- 1852 (B) for an individual who checks the box described in Subsection (7)(d)(v), the
- 1853 signature is verified by alternative means;
- 1854 (c) that the affidavit is sufficient;
- 1855 (d) that the voter is registered to vote in the correct precinct;
- 1856 (e) that the voter's right to vote the ballot has not been challenged;
- 1857 (f) that the voter has not already voted in the election; and
- 1858 (g) for a voter who has not yet provided valid voter identification with the voter's voter
- 1859 registration, whether the voter has provided valid voter identification with the return
- 1860 envelope.
- 1861 (5)(a) If the poll workers make all of the findings described in Subsection (4), the poll
- 1862 workers shall:
- 1863 (i) remove the manual ballot from the return envelope in a manner that does not
- 1864 destroy the affidavit on the return envelope;

- 1865 (ii) ensure that the ballot is not examined in connection with the return envelope; and
1866 (iii) place the ballot with the other ballots to be counted.
- 1867 (b) If the poll workers do not make all of the findings described in Subsection (4), the
1868 poll workers shall:
- 1869 (i) disallow the vote;
1870 (ii) except as provided in Subsection (6), without opening the return envelope, record
1871 the ballot as "rejected" and state the reason for the rejection; and
1872 (iii) except as provided in Subsection (6), place the return envelope, unopened, with
1873 the other rejected return envelopes.
- 1874 (6) A poll worker may open a return envelope, if necessary, to determine compliance with
1875 Subsection (4)(b)(ii), (4)(b)(iii), or (4)(g).
- 1876 (7)(a) If the poll workers reject an individual's ballot because the poll workers determine
1877 that the return envelope does not comply with Subsection (4), the election officer
1878 shall:
- 1879 (i) contact the individual in accordance with Subsection (8); and
1880 (ii) inform the individual:
- 1881 (A) that the identification information provided on the return envelope is in
1882 question;
1883 (B) how the individual may resolve the issue; and
1884 (C) that, in order for the ballot to be counted, the individual is required to deliver
1885 to the election officer a correctly completed affidavit, provided by the county
1886 clerk, that meets the requirements described in Subsection (7)(d).
- 1887 (b) If, under Subsection [~~(4)(a)(ii)(A)~~] (4)(a) or (b), the poll workers reject an individual's
1888 ballot because the poll workers determine, in accordance with rules made under
1889 Subsection (13), that the signature on the return envelope is not reasonably consistent
1890 with the individual's signature in the voter registration records, the election officer
1891 shall:
- 1892 (i) contact the individual in accordance with Subsection (8); and
1893 (ii) inform the individual:
- 1894 (A) that the individual's signature is in question;
1895 (B) how the individual may resolve the issue; and
1896 (C) that, in order for the ballot to be counted, the individual is required to deliver
1897 to the election officer a correctly completed affidavit, provided by the county
1898 clerk, that meets the requirements described in Subsection (7)(d).

- 1899 (c) The election officer shall ensure that the notice described in Subsection (7)(a) or (b)
 1900 includes:
- 1901 (i) when communicating the notice by mail, a printed copy of the affidavit described
 1902 in Subsection (7)(d) and a courtesy reply envelope;
- 1903 (ii) when communicating the notice electronically, a link to a copy of the affidavit
 1904 described in Subsection (7)(d) or information on how to obtain a copy of the
 1905 affidavit; or
- 1906 (iii) when communicating the notice by phone, either during a direct conversation
 1907 with the voter or in a voicemail, arrangements for the voter to receive a copy of
 1908 the affidavit described in Subsection (7)(d), either in person from the clerk's
 1909 office, by mail, or electronically.
- 1910 (d) An affidavit described in Subsection (7)(a)(ii)(C) or (7)(b)(ii)(C) shall include:
- 1911 (i) an attestation that the individual voted the ballot;
- 1912 (ii) a space for the individual to enter the individual's name, date of birth, and driver
 1913 license number or the last four digits of the individual's social security number;
- 1914 (iii) a space for the individual to sign the affidavit;
- 1915 (iv) a statement that, by signing the affidavit, the individual authorizes the lieutenant
 1916 governor's and county clerk's use of the information in the affidavit and the
 1917 individual's signature on the affidavit for voter identification purposes; and
- 1918 (v) a check box accompanied by language in substantially the following form: "I am
 1919 a voter with a qualifying disability under the Americans with Disabilities Act that
 1920 impacts my ability to sign my name consistently. I can provide appropriate
 1921 documentation upon request. To discuss accommodations, I can be contacted at
 1922 _____".
- 1923 (e) In order for an individual described in Subsection (7)(a) or (b) to have the
 1924 individual's ballot counted, the individual shall deliver the affidavit described in
 1925 Subsection (7)(d) to the election officer.
- 1926 (f) An election officer who receives a signed affidavit under Subsection (7)(e) shall
 1927 immediately:
- 1928 (i) scan the signature on the affidavit electronically and keep the signature on file in
 1929 the statewide voter registration database developed under Section 20A-2-502;
- 1930 (ii) if the election officer receives the affidavit no later than noon on the last business
 1931 day before the day on which the canvass begins, count the individual's ballot; and
- 1932 (iii) if the check box described in Subsection (7)(d)(v) is checked, comply with the

- 1933 rules described in Subsection (13)(c).
- 1934 (8)(a) The election officer shall, within two business days after the day on which an
1935 individual's ballot is rejected, notify the individual of the rejection and the reason for
1936 the rejection, by phone, mail, email, or, if consent is obtained, text message, unless:
- 1937 (i) the ballot is cured within one business day after the day on which the ballot is
1938 rejected; or
 - 1939 (ii) the ballot is rejected because the ballot is received late or for another reason that
1940 cannot be cured.
- 1941 (b) If an individual's ballot is rejected for a reason described in Subsection (8)(a)(ii), the
1942 election officer shall notify the individual of the rejection and the reason for the
1943 rejection by phone, mail, email, or, if consent is obtained, text message, within the
1944 later of:
- 1945 (i) 30 calendar days after the day of the rejection; or
 - 1946 (ii) 30 calendar days after the day of the election.
- 1947 (c) The election officer may, when notifying an individual by phone under this
1948 Subsection (8), use auto-dial technology.
- 1949 (9) An election officer may not count the ballot of an individual whom the election officer
1950 contacts under Subsection (7) or (8) unless, no later than noon on the last business day
1951 before the day on which the canvass begins, the election officer:
- 1952 (a) receives a signed affidavit from the individual under Subsection (7); or
 - 1953 (b)(i) contacts the individual;
 - 1954 (ii) if the election officer has reason to believe that an individual, other than the voter
1955 to whom the ballot was sent, signed the ballot affidavit, informs the individual that
1956 it is unlawful to sign a ballot affidavit for another person, even if the person gives
1957 permission;
 - 1958 (iii) verifies the identity of the individual by:
 - 1959 (A) requiring the individual to provide at least two types of personal identifying
1960 information for the individual; and
 - 1961 (B) comparing the information provided under Subsection (9)(b)(iii)(A) to records
1962 relating to the individual that are in the possession or control of an election
1963 officer; and
 - 1964 (iv) documents the verification described in Subsection (9)(b)(iii), by recording:
 - 1965 (A) the name and voter identification number of the individual contacted;
 - 1966 (B) the name of the individual who conducts the verification;

- 1967 (C) the date and manner of the communication;
- 1968 (D) the type of personal identifying information provided by the individual;
- 1969 (E) a description of the records against which the personal identifying information
- 1970 provided by the individual is compared and verified; and
- 1971 (F) other information required by the lieutenant governor.
- 1972 (10)(a) The election officer shall retain and preserve:
- 1973 (i) the return envelopes in accordance with Subsection 20A-4-202(2); and
- 1974 (ii) the documents described in Subsection (9)(b)(iv) in accordance with Subsection
- 1975 20A-4-202(3).
- 1976 (b) If the election officer complies with Subsection (10)(a)(ii) by including the
- 1977 documentation in the voter's voter registration record, the election officer shall make,
- 1978 retain, and preserve a record of the name and voter identification number of each
- 1979 voter contacted under Subsection (9)(b).
- 1980 (11)(a) The election officer shall record the following in the database used in the
- 1981 verification process:
- 1982 (i) any initial rejection of a ballot under Subsection (5)(b), within one business day
- 1983 after the day on which the election officer rejects the ballot; and
- 1984 (ii) any resolution of a rejection of a ballot under Subsection (9), within one business
- 1985 day after the day on which the ballot rejection is resolved.
- 1986 (b) An election officer shall include, in the canvass report, a final report of the
- 1987 disposition of all rejected and resolved ballots, including, for ballots rejected, the
- 1988 following:
- 1989 (i) the number of ballots rejected because the voter did not sign the voter's ballot; and
- 1990 (ii) the number of ballots rejected because the voter's signatures on the ballot, and in
- 1991 records on file, do not correspond.
- 1992 (12) Willful failure to comply with this section constitutes willful neglect of duty under
- 1993 Section 20A-5-701.
- 1994 (13) The director of elections within the Office of the Lieutenant Governor shall make
- 1995 rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to
- 1996 establish:
- 1997 (a) criteria and processes for use by poll workers in determining if a signature
- 1998 corresponds with the signature on file for the voter under Subsection (4)(a)(ii)(A);
- 1999 (b) training and certification requirements for election officers and employees of election
- 2000 officers regarding the criteria and processes described in Subsection (13)(a); and

2001 (c) in compliance with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C.
2002 Secs. 12131 through 12165, an alternative means of verifying the identity of an
2003 individual who checks the box described in Subsection (7)(d)(v).

2004 (14)(a) Upon request, and subject to Subsections (14)(b) and (c), an election officer may
2005 disclose the name and address of a voter whose ballot has been rejected and not yet
2006 resolved with:

2007 (i) a candidate in the election;

2008 (ii) an individual who represents the candidate's campaign;

2009 (iii) the sponsors of an initiative or referendum appearing on the ballot; or

2010 (iv) for a ballot proposition appearing on the ballot, an individual who represents a
2011 political issues committee, as defined in Section 20A-11-101, if the political
2012 issues committee supports or opposes the ballot proposition.

2013 (b) If an election officer discloses the information described in Subsection (14)(a), the
2014 election officer shall:

2015 (i) make the disclosure within two business days after the day on which the request is
2016 made;

2017 (ii) respond to each request in the order the requests were made; and

2018 (iii) make each disclosure in a manner, and within a period of time, that does not
2019 reflect favoritism to one requestor over another.

2020 (c) A disclosure described in this Subsection (14) may not include the name or address
2021 of a protected individual, as defined in Subsection 20A-2-104(1).

2022 Section 17. Section **20A-9-408** is amended to read:

2023 **20A-9-408 (Effective 01/01/27). Signature-gathering process to seek the**
2024 **nomination of a qualified political party -- Removal of signature.**

2025 (1) This section describes the requirements for a member of a qualified political party who
2026 is seeking the nomination of the qualified political party for an elective office through
2027 the signature-gathering process described in this section.

2028 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
2029 for a member of a qualified political party who is nominated by, or who is seeking the
2030 nomination of, the qualified political party under this section shall be substantially as
2031 described in Section 20A-9-408.5.

2032 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
2033 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
2034 the nomination of the qualified political party for an elective office that is to be filled at

- 2035 the next general election shall:
- 2036 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
2037 declaration of candidacy filing period described in Section 20A-9-201.5, and before
2038 gathering signatures under this section, file with the filing officer on a form approved
2039 by the lieutenant governor a notice of intent to gather signatures for candidacy that
2040 includes:
- 2041 (i) the name of the member who will attempt to become a candidate for a registered
2042 political party under this section;
- 2043 (ii) the name of the registered political party for which the member is seeking
2044 nomination;
- 2045 (iii) the office for which the member is seeking to become a candidate;
- 2046 (iv) the address and telephone number of the member; and
- 2047 (v) other information required by the lieutenant governor;
- 2048 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2049 person, with the filing officer during the applicable declaration of candidacy filing
2050 period described in Section 20A-9-201.5; and
- 2051 (c) pay the filing fee.
- 2052 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
2053 who, under this section, is seeking the nomination of the qualified political party for the
2054 office of district attorney within a multicounty prosecution district that is to be filled at
2055 the next general election shall:
- 2056 (a) during the applicable declaration of candidacy filing period described in Section
2057 20A-9-201.5, and before gathering signatures under this section, file with the filing
2058 officer on a form approved by the lieutenant governor a notice of intent to gather
2059 signatures for candidacy that includes:
- 2060 (i) the name of the member who will attempt to become a candidate for a registered
2061 political party under this section;
- 2062 (ii) the name of the registered political party for which the member is seeking
2063 nomination;
- 2064 (iii) the office for which the member is seeking to become a candidate;
- 2065 (iv) the address and telephone number of the member; and
- 2066 (v) other information required by the lieutenant governor;
- 2067 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
2068 person, with the filing officer during the applicable declaration of candidacy filing

- 2069 period described in Section 20A-9-201.5; and
2070 (c) pay the filing fee.
- 2071 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
2072 files as the joint-ticket running mate of an individual who is nominated by a qualified
2073 political party, under this section, for the office of governor shall, during the applicable
2074 declaration of candidacy filing period described in Section 20A-9-201.5, file a
2075 declaration of candidacy and submit a letter from the candidate for governor that names
2076 the lieutenant governor candidate as a joint-ticket running mate.
- 2077 (6) The lieutenant governor shall ensure that the certification described in Subsection
2078 20A-9-701(1) also includes the name of each candidate nominated by a qualified
2079 political party under this section.
- 2080 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is
2081 nominated by a qualified political party under this section, designate the qualified
2082 political party that nominated the candidate.
- 2083 (8) A member of a qualified political party may seek the nomination of the qualified
2084 political party for an elective office by:
- 2085 (a) complying with the requirements described in this section; and
2086 (b) collecting signatures, on a form approved by the lieutenant governor that complies
2087 with Subsection 20A-9-405(3), during the period beginning on the day on which the
2088 member files a notice of intent to gather signatures and ending at the applicable
2089 deadline described in Subsection (12), in the following amounts:
- 2090 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
2091 permitted by the qualified political party to vote for the qualified political party's
2092 candidates in a primary election;
- 2093 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000
2094 signatures of registered voters who are residents of the congressional district and
2095 are permitted by the qualified political party to vote for the qualified political
2096 party's candidates in a primary election;
- 2097 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
2098 residents of the state Senate district and are permitted by the qualified political
2099 party to vote for the qualified political party's candidates in a primary election;
- 2100 (iv) for a state House district race, 1,000 signatures of registered voters who are
2101 residents of the state House district and are permitted by the qualified political
2102 party to vote for the qualified political party's candidates in a primary election;

- 2103 (v) for a State Board of Education race, the lesser of:
- 2104 (A) 2,000 signatures of registered voters who are residents of the State Board of
- 2105 Education district and are permitted by the qualified political party to vote for
- 2106 the qualified political party's candidates in a primary election; or
- 2107 (B) 3% of the registered voters of the qualified political party who are residents of
- 2108 the applicable State Board of Education district; and
- 2109 (vi) for a county office race, the lesser of:
- 2110 (A) 2,000 signatures of registered voters who are residents of the area permitted to
- 2111 vote for the county office and are permitted by the qualified political party to
- 2112 vote for the qualified political party's candidates in a primary election; or
- 2113 (B) signatures of [~~3%~~ 1.5%] of the registered voters who are residents of the area
- 2114 permitted to vote for the county office and are permitted by the qualified
- 2115 political party to vote for the qualified political party's candidates in a primary
- 2116 election.
- 2117 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 2118 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 2119 qualified political party's nomination for an elective office under this section, using
- 2120 the manual candidate qualification process, the member shall:
- 2121 (i) collect the signatures on a form approved by the lieutenant governor, using the
- 2122 same circulation and verification requirements described in Sections 20A-7-105
- 2123 and 20A-7-204; and
- 2124 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election
- 2125 officer before the applicable deadline described in Subsection (12).
- 2126 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in
- 2127 accordance with Section 20A-9-408.3, the election officer shall, no later than the
- 2128 earlier of 14 calendar days after the day on which the election officer receives the
- 2129 signatures, or one day before the day on which the qualified political party holds the
- 2130 convention to select a nominee for the elective office to which the signature packets
- 2131 relate:
- 2132 (i) check the name of each individual who completes the verification for a signature
- 2133 packet to determine whether each individual is at least 18 years old;
- 2134 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at
- 2135 least 18 years old to the attorney general and the county attorney;
- 2136 (iii) with the assistance of the county clerk as applicable, determine whether each

- 2137 signer is a registered voter who is qualified to sign the petition, using the same
2138 method, described in Section 20A-1-1002, used to verify a signature on a petition;
2139 and
- 2140 (iv) certify whether each name is that of a registered voter who is qualified to sign the
2141 signature packet.
- 2142 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)
2143 may have the voter's signature removed from the form by, no later than 5 p.m.
2144 three business days after the day on which the member submits the signature form
2145 to the election officer, submitting to the election officer a statement requesting
2146 that the voter's signature be removed.
- 2147 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
2148 described in Subsection 20A-1-1003(2).
- 2149 (iii) With the assistance of the county clerk as applicable, the election officer shall
2150 use the procedures described in Subsection 20A-1-1003(3) to determine whether
2151 to remove an individual's signature after receiving a timely, valid statement
2152 requesting removal of the signature.
- 2153 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules
2154 made under Section 20A-3a-106, conduct regular audits of signature comparisons
2155 made between signatures gathered under this section and voter signatures
2156 maintained by the election officer.
- 2157 (ii) An individual who conducts an audit of signature comparisons under this section
2158 may not audit the individual's own work.
- 2159 (iii) The election officer shall:
- 2160 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to
2161 determine the accuracy of the comparisons made;
- 2162 (B) record the individuals who conducted the audit;
- 2163 (C) record the audit results;
- 2164 (D) provide additional training or staff reassignments, as needed, based on the
2165 results of an audit described in Subsection (9)(e)(i); and
- 2166 (E) record any remedial action taken.
- 2167 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 2168 (f) An election officer who certifies signatures under Subsection (9)(c) or
2169 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate
2170 has reached the applicable signature threshold described in Subsection (8) or

- 2171 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the
2172 candidate in excess of the number of signatures required, until the election officer
2173 either:
- 2174 (i) certifies signatures equal to 110% of the applicable signature threshold; or
 - 2175 (ii) has reviewed all signatures submitted for the candidate before reaching an
2176 amount equal to 110% of the applicable signature threshold.
- 2177 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
2178 process.
- 2179 (b) In order for a member of the qualified political party to qualify as a candidate for the
2180 qualified political party's nomination for an elective office under this section, the
2181 member shall, before the deadline described in Subsection (12), collect signatures
2182 electronically:
- 2183 (i) in accordance with Section 20A-21-201; and
 - 2184 (ii) using progressive screens, in a format approved by the lieutenant governor, that
2185 complies with Subsection 20A-9-405(4).
- 2186 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
2187 election officer shall, no later than the earlier of 14 calendar days after the day on
2188 which the election officer receives the signatures, or one day before the day on which
2189 the qualified political party holds the convention to select a nominee for the elective
2190 office to which the signature packets relate:
- 2191 (i) check the name of each individual who completes the verification for a signature
2192 to determine whether each individual is at least 18 years old; and
 - 2193 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
2194 at least 18 years old to the attorney general and the county attorney.
- 2195 (11)(a) An individual may not gather signatures under this section until after the
2196 individual files a notice of intent to gather signatures for candidacy described in this
2197 section.
- 2198 (b) An individual who files a notice of intent to gather signatures for candidacy,
2199 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
2200 individual files the notice of intent to gather signatures for candidacy:
- 2201 (i) required to comply with the reporting requirements that a candidate for office is
2202 required to comply with; and
 - 2203 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
2204 apply to a candidate for office in relation to the reporting requirements described

- 2205 in Subsection (11)(b)(i).
- 2206 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
2207 Subsections (8) and (10)(b), the election officer shall, no later than the day before the
2208 day on which the qualified political party holds the convention to select a nominee
2209 for the elective office to which the signature packets relate, notify the qualified
2210 political party and the lieutenant governor of the name of each member of the
2211 qualified political party who qualifies as a nominee of the qualified political party,
2212 under this section, for the elective office to which the convention relates.
- 2213 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
2214 section, the lieutenant governor shall post the notice of intent to gather signatures for
2215 candidacy on the lieutenant governor's website in the same location that the
2216 lieutenant governor posts a declaration of candidacy.
- 2217 (12) The deadline before which a member of a qualified political party must collect and
2218 submit signatures to the election officer under this section is 5 p.m. on the last business
2219 day that is at least 14 calendar days before the day on which the qualified political
2220 party's convention for the office begins.
- 2221 (13) For the 2026 election year only, an individual who desires to gather signatures to seek
2222 the nomination of a qualified political party for the office of United States representative
2223 shall:
- 2224 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures
2225 during the period beginning at 8 a.m. on the first business day of January and ending
2226 at 5 p.m. on March 13, 2026; and
- 2227 (b) during the period beginning on the day on which the individual files the notice of
2228 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
2229 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
2230 collect 7,000 signatures of registered voters who are residents of the state and are
2231 permitted by the qualified political party to vote for the qualified political party's
2232 candidates in a primary election.

2233 Section 18. Section **20A-9-408.4** is enacted to read:

2234 **20A-9-408.4 (Effective 05/06/26). Incumbent county clerk required to contract**
2235 **for certain services relating to a race for reelection.**

2236 In relation to a race in which an incumbent county clerk is running for reelection, the
2237 incumbent county clerk shall:

2238 (1) contract with another county clerk to fulfill the responsibilities described in:

- 2239 (a) Subsection 20A-9-403(3)(d);
 2240 (b) Subsection 20A-9-405(10)(c);
 2241 (c) Subsections 20A-9-408(9)(c), (d)(iii), and (f);
 2242 (d) Subsections 20A-9-408(10)(c) and (11)(c); and
 2243 (e) Subsections 20A-9-408.3(2) through (3) and (5) through (7);
 2244 (2) no later than one business day after the day on which the incumbent county clerk
 2245 receives a signature packet for the race, deliver the signature packet to the other county
 2246 clerk described in Subsection (1); and
 2247 (3) on the same business day on which the incumbent county clerk receives a document
 2248 requesting the removal of a signature from a signature packet for the race, electronically
 2249 send a clear image of the document to the other county clerk described in Subsection (1).

2250 Section 19. Section **20A-11-104** is amended to read:

2251 **20A-11-104 (Effective 05/06/26). Personal use expenditure -- Authorized and**
 2252 **prohibited uses of campaign funds -- Enforcement -- Penalties.**

2253 (1)(a) As used in this chapter, "personal use expenditure" means an expenditure that:

2254 (i)(A) is not excluded from the definition of personal use expenditure by

2255 Subsection (2); and

2256 (B) primarily furthers a personal interest of a candidate or officeholder or a
 2257 candidate's or officeholder's family, which interest is not connected with the
 2258 performance of an activity as a candidate or an activity or duty of an
 2259 officeholder; or

2260 (ii) would likely cause the candidate or officeholder to recognize the expenditure as
 2261 taxable income under federal or state law.

2262 (b) "Personal use expenditure" includes:

2263 (i) a mortgage, rent, utility, or vehicle payment;

2264 (ii) a household food item or supply;

2265 (iii) a clothing expense, except:

2266 (A) clothing bearing the candidate's name or campaign slogan or logo that is used
 2267 in the candidate's campaign;

2268 (B) clothing bearing the logo or name of a jurisdiction, district, government
 2269 organization, government entity, caucus, or political party that the officeholder
 2270 represents or of which the officeholder is a member; or

2271 (C) repair or replacement of clothing that is damaged while the candidate or
 2272 officeholder is engaged in an activity of a candidate or officeholder;

- 2273 (iv) an admission to a sporting, artistic, or recreational event or other form of
 2274 entertainment;
- 2275 (v) dues, fees, or gratuities at a country club, health club, or recreational facility;
- 2276 (vi) a salary payment made to:
- 2277 (A) a candidate or officeholder; or
- 2278 (B) a person who has not provided a bona fide service to a candidate or
 2279 officeholder;
- 2280 (vii) a vacation;
- 2281 (viii) a vehicle expense;
- 2282 (ix) a meal expense;
- 2283 (x) a travel expense;
- 2284 (xi) a payment of an administrative, civil, or criminal penalty;
- 2285 (xii) a satisfaction of a personal debt;
- 2286 (xiii) a personal service, including the service of an attorney, accountant, physician,
 2287 or other professional person;
- 2288 (xiv) a membership fee for a professional or service organization; and
- 2289 (xv) a payment in excess of the fair market value of the item or service purchased.
- 2290 (2) As used in this chapter, "personal use expenditure" does not include an expenditure
 2291 made:
- 2292 (a) for a political purpose;
- 2293 (b) for candidacy for public office;
- 2294 (c) to fulfill a duty or activity of an officeholder;
- 2295 (d) for a donation to a registered political party;
- 2296 (e) for a contribution to another candidate's campaign account, including sponsorship of
 2297 or attendance at an event, the primary purpose of which is to solicit a contribution for
 2298 another candidate's campaign account;
- 2299 (f) to return all or a portion of a contribution to a contributor;
- 2300 (g) for the following items, if made in connection with the candidacy for public office or
 2301 an activity or duty of an officeholder:
- 2302 (i)(A) a mileage allowance at the rate established by the Division of Finance under
 2303 Section 63A-3-107; or
- 2304 (B) for motor fuel or special fuel, as defined in Section 59-13-102;
- 2305 (ii) a food expense, including food or beverages:
- 2306 (A) served at a campaign event;

- 2307 (B) served at a charitable event;
- 2308 (C) consumed, or provided to others, by a candidate while the candidate is
2309 engaged in campaigning;
- 2310 (D) consumed, or provided to others, by an officeholder while the officeholder is
2311 acting in the capacity of an officeholder; or
- 2312 (E) provided as a gift to an individual who works on a candidate's campaign or
2313 who assists an officeholder in the officeholder's capacity as an officeholder;
- 2314 (iii) a travel expense of a candidate, if the primary purpose of the travel is related to
2315 the candidate's campaign, including airfare, car rental, other transportation, hotel,
2316 or other expenses incidental to the travel;
- 2317 (iv) a travel expense of an individual assisting a candidate, if the primary purpose of
2318 the travel by the individual is to assist the candidate with the candidate's
2319 campaign, including an expense described in Subsection (2)(g)(iii);
- 2320 (v) a travel expense of an officeholder, if the primary purpose of the travel is related
2321 to an activity or duty of the officeholder, including an expense described in
2322 Subsection (2)(g)(iii);
- 2323 (vi) a travel expense of an individual assisting an officeholder, if the primary purpose
2324 of the travel by the individual is to assist the officeholder in an activity or duty of
2325 an officeholder, including an expense described in Subsection (2)(g)(iii);
- 2326 (vii) a payment for a service provided by an attorney or accountant;
- 2327 (viii) a tuition payment or registration fee for participation in a meeting or conference;
- 2328 (ix) a gift;
- 2329 (x) a payment for the following items in connection with an office space:
- 2330 (A) rent;
- 2331 (B) utilities;
- 2332 (C) a supply; or
- 2333 (D) furnishing;
- 2334 (xi) a booth at a meeting or event;
- 2335 (xii) educational material; or
- 2336 (xiii) an item purchased for a purpose related to a campaign or to an activity or duty
2337 of an officeholder;
- 2338 (h) to purchase or mail informational material, a survey, or a greeting card;
- 2339 (i) for a donation to a charitable organization, as defined by Section 13-22-2, including
2340 admission to or sponsorship of an event, the primary purpose of which is charitable

- 2341 solicitation, as defined in Section 13-22-2;
- 2342 (j) to repay a loan a candidate makes from the candidate's personal account to the
2343 candidate's campaign account;
- 2344 (k) to pay membership dues to a national organization whose primary purpose is to
2345 address general public policy;
- 2346 (l) for admission to or sponsorship of an event, the primary purpose of which is to
2347 promote the social, educational, or economic well-being of the state or the candidate's
2348 or officeholder's community;
- 2349 (m) for one or more guests of an officeholder or candidate to attend an event, meeting,
2350 or conference described in this Subsection (2), including related travel expenses and
2351 other expenses, if attendance by the guest is for a primary purpose described in
2352 Subsection (2)(g)(iv) or (vi); ~~or~~
- 2353 (n) to pay childcare expenses of:
- 2354 (i) a candidate while the candidate is engaging in campaign activity; or
2355 (ii) an officeholder while the officeholder is engaging in the duties of an officeholder~~[-]~~ ;
2356 or
- 2357 (o) by a candidate or officeholder to purchase reasonably necessary goods, other than
2358 weapons, or services, for the purpose of protecting the security of the candidate or
2359 officeholder, the candidate's or officeholder's family, or the candidate's or
2360 officeholder's staff, which may include:
- 2361 (i) a security system for use at the candidate's or officeholder's home, place of
2362 business, or campaign office; or
- 2363 (ii) security services while the candidate or officeholder is traveling to or from, or
2364 attending:
- 2365 (A) a campaign event; or
2366 (B) for an officeholder, an event relating to an activity or duty of the officeholder.
- 2367 (3)(a) The lieutenant governor shall enforce this chapter prohibiting a personal use
2368 expenditure by:
- 2369 (i) evaluating a financial statement to identify a personal use expenditure; and
2370 (ii) commencing an informal adjudicative proceeding in accordance with Title 63G,
2371 Chapter 4, Administrative Procedures Act, if the lieutenant governor has probable
2372 cause to believe a candidate or officeholder has made a personal use expenditure.
- 2373 (b) Following the proceeding, the lieutenant governor may issue a signed order requiring
2374 a candidate or officeholder who has made a personal use expenditure to:

- 2375 (i) remit an administrative penalty of an amount equal to 50% of the personal use
 2376 expenditure to the lieutenant governor; and
 2377 (ii) deposit the amount of the personal use expenditure in the campaign account from
 2378 which the personal use expenditure was disbursed.
 2379 (c) The lieutenant governor shall deposit money received under Subsection (3)(b)(i) [~~in~~]
 2380 into the General Fund.

2381 Section 20. Section **20A-11-204** is amended to read:

2382 **20A-11-204 (Effective 05/06/26). State office candidate and state officeholder --**

2383 **Financial reporting requirements -- Interim reports.**

2384 (1) As used in this section:

2385 (a) "Campaign account" means a separate campaign account required under Subsection
 2386 20A-11-201(1)(a) or (c).

2387 (b) "Received" means:

2388 (i) for a cash contribution, that the cash is given to a state office candidate or a
 2389 member of the state office candidate's personal campaign committee;

2390 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
 2391 instrument or check is negotiated;

2392 (iii) for a direct deposit made into a campaign account by a person not associated
 2393 with the campaign, the earlier of:

2394 (A) the day on which the state office candidate or a member of the state office
 2395 candidate's personal campaign committee becomes aware of the deposit and
 2396 the source of the deposit;

2397 (B) the day on which the state office candidate or a member of the state office
 2398 candidate's personal campaign committee receives notice of the deposit and the
 2399 source of the deposit by mail, email, text, or similar means; or

2400 (C) 31 calendar days after the day on which the direct deposit occurs; or

2401 (iv) for any other type of contribution, that any portion of the contribution's benefit
 2402 inures to the state office candidate.

2403 (2) Except as provided in Subsection (3), each state office candidate shall file an interim
 2404 report at the following times in any year in which the candidate has filed a declaration of
 2405 candidacy for a public office:

2406 (a)(i) seven calendar days before the candidate's political convention; or

2407 (ii) for an unaffiliated candidate, the fourth Saturday in March;

2408 (b) seven calendar days before the regular primary election date;

- 2409 (c) September 30; and
- 2410 (d) seven calendar days before the regular general election date.
- 2411 (3) If a state office candidate is a state office candidate seeking appointment for a midterm
- 2412 vacancy, the state office candidate:
- 2413 (a) shall file an interim report:
- 2414 (i) for a vacancy described in Subsection 20A-1-504(1)(b)(i), no later than three
- 2415 business days before the day on which the political party of the party for which
- 2416 the state office candidate seeks nomination meets to declare a nominee for the
- 2417 governor to appoint[~~in accordance with Subsection 20A-1-504(1)(a); or~~] ;
- 2418 (ii) for a vacancy described in Subsection 20A-1-504(1)(b)(ii), no later than three
- 2419 business days before the day on which the Senate meets to consider the governor's
- 2420 nomination; or
- 2421 ~~[(ii)]~~ (iii) if a state office candidate decides to seek the appointment with less than
- 2422 three business days before the ~~[day on which the political party meets]~~ applicable
- 2423 day described in Subsection (3)(a)(i) or (ii), or the political party or the Senate
- 2424 schedules the [meeting to declare a nominee] applicable meeting described in
- 2425 Subsection (3)(a)(i) or (ii) less than three business days before the day of the
- 2426 meeting, no later than 5 p.m. on the last day of business before the day on which
- 2427 the political party or the Senate meets; and
- 2428 (b) is not required to file an interim report at the times described in Subsection (2).
- 2429 (4) Each interim report shall include the following information:
- 2430 (a) the net balance of the last summary report, if any;
- 2431 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 2432 reports, if any, during the calendar year in which the interim report is due;
- 2433 (c) a single figure equal to the total amount of expenditures reported on all prior interim
- 2434 reports, if any, filed during the calendar year in which the interim report is due;
- 2435 (d) a detailed listing of:
- 2436 (i) for a state office candidate, each contribution received since the last summary
- 2437 report that has not been reported in detail on a prior interim report; or
- 2438 (ii) for a state officeholder, each contribution and public service assistance received
- 2439 since the last summary report that has not been reported in detail on a prior
- 2440 interim report;
- 2441 (e) for each nonmonetary contribution:
- 2442 (i) the fair market value of the contribution with that information provided by the

- 2443 contributor; and
- 2444 (ii) a specific description of the contribution;
- 2445 (f) a detailed listing of each expenditure made since the last summary report that has not
- 2446 been reported in detail on a prior interim report;
- 2447 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 2448 (h) a net balance for the year consisting of the net balance from the last summary report,
- 2449 if any, plus all receipts since the last summary report minus all expenditures since the
- 2450 last summary report;
- 2451 (i) a summary page in the form required by the lieutenant governor that identifies:
- 2452 (i) beginning balance;
- 2453 (ii) total contributions and public service assistance received during the period since
- 2454 the last statement;
- 2455 (iii) total contributions and public service assistance received to date;
- 2456 (iv) total expenditures during the period since the last statement; and
- 2457 (v) total expenditures to date; and
- 2458 (j) the name of a political action committee for which the state office candidate or state
- 2459 officeholder is designated as an officer who has primary decision-making authority
- 2460 under Section 20A-11-601.

2461 (5)(a) In preparing each interim report, all receipts and expenditures shall be reported as

2462 of five calendar days before the required filing date of the report.

2463 (b) Any negotiable instrument or check received by a state office candidate or state

2464 officeholder more than five calendar days before the required filing date of a report

2465 required by this section shall be included in the interim report.

2466 Section 21. Section **20A-11-1303** is amended to read:

2467 **20A-11-1303 (Effective 05/06/26). School board office candidate and school**

2468 **board officeholder -- Financial reporting requirements -- Interim reports.**

2469 (1)(a) As used in this section, "received" means:

- 2470 (i) for a cash contribution, that the cash is given to a school board office candidate or
- 2471 a member of the school board office candidate's personal campaign committee;
- 2472 (ii) for a contribution that is a check or other negotiable instrument, that the check or
- 2473 other negotiable instrument is negotiated;
- 2474 (iii) for a direct deposit made into a campaign account by a person not associated
- 2475 with the campaign, the earlier of:
- 2476 (A) the day on which the school board office candidate or a member of the school

2477 board office candidate's personal campaign committee becomes aware of the
 2478 deposit and the source of the deposit;

2479 (B) the day on which the school board office candidate or a member of the school
 2480 board office candidate's personal campaign committee receives notice of the
 2481 deposit and the source of the deposit by mail, email, text, or similar means; or
 2482 (C) 31 calendar days after the day on which the direct deposit occurs; or
 2483 (iv) for any other type of contribution, that any portion of the contribution's benefit
 2484 inures to the school board office candidate.

2485 (b) As used in this Subsection (1), "campaign account" means a separate campaign
 2486 account required under Subsection 20A-11-1301(1)(a)(i) or (c)(i).

2487 (c) Except as provided in Subsection (2), each school board office candidate shall file an
 2488 interim report at the following times in any year in which the candidate has filed a
 2489 declaration of candidacy for a public office:

2490 (i) May 15;

2491 (ii) seven calendar days before the regular primary election date;

2492 (iii) September 30; and

2493 (iv) seven calendar days before the regular general election date.

2494 (2) If a school board office candidate is a school board office candidate seeking
 2495 appointment for a midterm vacancy, the school board office candidate:

2496 (a) shall file an interim report:

2497 (i) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(A) or (B)~~]
 2498 20A-1-504(1)(b)(ii), no later than three business days before the day on which the
 2499 Senate meets to consider the school board office candidate's nomination; [~~or~~]

2500 (ii) for a vacancy described in Subsection [~~20A-1-504(1)(b)(ii)(C):~~]
 2501 20A-1-504(1)(b)(i),

2502 [~~(A)~~] no later than three business days before the day on which the political party
 2503 of the party for which the school board office candidate seeks nomination
 2504 meets to declare a nominee for the governor to appoint; or

2505 [~~(B)~~] (iii) if the school board office candidate decides to seek the appointment with
 2506 less than three business days before the [~~day on which the political party meets~~]
 2507 applicable day described in Subsection (2)(a)(i) or (ii), or the political party or the
 2508 Senate schedules the [~~meeting to declare a nominee~~] applicable meeting described
 2509 in Subsection (2)(a)(i) or (ii) less than three business days before the day of the
 2510 meeting, no later than 5 p.m. on the last day of business before the day on which

- 2511 the political party or the Senate meets; and
- 2512 (b) is not required to file an interim report at the times described in Subsection (1)(c).
- 2513 (3) Each interim report shall include the following information:
- 2514 (a) the net balance of the last summary report, if any;
- 2515 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 2516 reports, if any, during the calendar year in which the interim report is due;
- 2517 (c) a single figure equal to the total amount of expenditures reported on all prior interim
- 2518 reports, if any, filed during the calendar year in which the interim report is due;
- 2519 (d) a detailed listing of:
- 2520 (i) for a school board office candidate, each contribution received since the last
- 2521 summary report that has not been reported in detail on a prior interim report; or
- 2522 (ii) for a school board officeholder, each contribution and public service assistance
- 2523 received since the last summary report that has not been reported in detail on a
- 2524 prior interim report;
- 2525 (e) for each nonmonetary contribution:
- 2526 (i) the fair market value of the contribution with that information provided by the
- 2527 contributor; and
- 2528 (ii) a specific description of the contribution;
- 2529 (f) a detailed listing of each expenditure made since the last summary report that has not
- 2530 been reported in detail on a prior interim report;
- 2531 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 2532 (h) a net balance for the year consisting of the net balance from the last summary report,
- 2533 if any, plus all receipts since the last summary report minus all expenditures since the
- 2534 last summary report;
- 2535 (i) a summary page in the form required by the lieutenant governor that identifies:
- 2536 (i) beginning balance;
- 2537 (ii) total contributions during the period since the last statement;
- 2538 (iii) total contributions to date;
- 2539 (iv) total expenditures during the period since the last statement; and
- 2540 (v) total expenditures to date; and
- 2541 (j) the name of a political action committee for which the school board office candidate
- 2542 or school board officeholder is designated as an officer who has primary
- 2543 decision-making authority under Section 20A-11-601.
- 2544 (4)(a) In preparing each interim report, all receipts and expenditures shall be reported as

2545 of five calendar days before the required filing date of the report.

2546 (b) Any negotiable instrument or check received by a school board office candidate or
2547 school board officeholder more than five calendar days before the required filing date
2548 of a report required by this section shall be included in the interim report.

2549 Section 22. Section **63I-2-220** is amended to read:

2550 **63I-2-220 (Effective 05/06/26). Repeal dates: Title 20A.**

2551 [~~(1) Section 20A-7-103.1, Constitutional amendments proposed during specified timeframe~~
2552 ~~-- Analysis -- Arguments -- Publication, is repealed July 1, 2025.]~~

2553 [~~(2) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is~~
2554 ~~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.

2555 Section 23. **Effective Date.**

2556 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

2557 (2) The actions affecting Section 20A-9-408 (Effective 01/01/27) take effect on January 1,
2558 2027.