

Trevor Lee proposes the following substitute bill:

Election Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: Jefferson S. Burton

LONG TITLE

General Description:

This bill modifies provisions relating to the nomination of candidates by political parties.

Highlighted Provisions:

This bill:

- removes the ability to qualify as a nominee of a political party by gathering signatures;
- repeals provisions relating to qualified political parties, and other provisions enacted by

2014, S.B 54, Elections Amendments;

- provides for nominations by political parties by convention, followed by a primary election only if the political party chooses to send more than one candidate to the ballot as a potential nominee; and

- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-1-201.5, as last amended by Laws of Utah 2024, Third Special Session, Chapter 3

20A-1-502, as last amended by Laws of Utah 2025, Chapter 448

20A-1-502.5, as last amended by Laws of Utah 2025, Chapter 448

20A-1-503, as last amended by Laws of Utah 2025, Chapters 90, 448

20A-1-1001, as last amended by Laws of Utah 2025, First Special Session, Chapter 16

20A-3a-106, as last amended by Laws of Utah 2025, Chapters 381, 448

20A-5-101, as last amended by Laws of Utah 2025, Chapter 448

20A-8-103, as last amended by Laws of Utah 2025, Chapters 38, 448

29 **20A-9-101**, as last amended by Laws of Utah 2023, Chapters 15, 45
 30 **20A-9-201**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
 31 **20A-9-201.5**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
 32 **20A-9-202**, as last amended by Laws of Utah 2025, Chapter 448
 33 **20A-9-403**, as last amended by Laws of Utah 2025, Chapters 39, 448
 34 **20A-9-407**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
 35 **20A-9-408.5**, as last amended by Laws of Utah 2021, Chapter 183
 36 **20A-9-409**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16
 37 **20A-21-101**, as enacted by Laws of Utah 2022, Chapter 325
 38 **63G-2-305**, as last amended by Laws of Utah 2025, First Special Session, Chapter 17

39 REPEALS:

40 **20A-9-405**, as last amended by Laws of Utah 2025, Chapter 38
 41 **20A-9-406**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
 42 **20A-9-408**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
 43 **20A-9-408.1**, as enacted by Laws of Utah 2025, Chapter 448
 44 **20A-9-408.2**, as enacted by Laws of Utah 2025, Chapter 448
 45 **20A-9-408.3**, as enacted by Laws of Utah 2025, Chapter 448
 46 **20A-9-410**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
 47 **20A-9-411**, as enacted by Laws of Utah 2015, Chapter 296

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

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

51 **20A-1-201.5 . Primary election dates.**

- 52 (1) The regular primary election shall be held throughout the state on the fourth Tuesday of
 53 June of each even numbered year as provided in Section 20A-9-403[;] or 20A-9-407, [~~or~~
 54 ~~20A-9-408,~~]as applicable, to nominate persons for national, state, school board, and
 55 county offices.
- 56 (2) A municipal primary election shall be held, if necessary, on the second Tuesday
 57 following the first Monday in August before the regular municipal election to nominate
 58 persons for:
 59 (a) municipal offices; or
 60 (b) local school board office for a new school district or a reorganized new school
 61 district under Section 53G-3-302.
- 62 (3) A presidential primary election shall be held throughout the state on the first Tuesday in

63 March in the year in which a presidential election will be held.

64 Section 2. Section **20A-1-502** is amended to read:

65 **20A-1-502 . Midterm vacancy in office of United States senator.**

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

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

72 (i) a municipal general election;

73 (ii) a presidential primary election;

74 (iii) a regular primary election; or

75 (iv) a regular general election;

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

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

82 ~~[(d) provides each registered political party that is not a qualified political party at least
83 21 calendar days, but no more than 28 calendar days, to select one candidate, in a
84 manner determined by the registered political party, as a candidate for the registered
85 political party;]~~

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

88 ~~[(f)]~~ (i) for ~~[the qualified]~~ a registered political party to select one candidate, using the
89 convention process described in Section 20A-9-407, as a candidate for the [
90 qualified] registered political party;~~[-and]~~

91 ~~[(g)]~~ (ii) for a member of the qualified political party to submit signatures to qualify as a
92 candidate for the qualified political party using the signature-gathering process
93 described in Section 20A-9-408;]

94 ~~[(h)]~~ (e) consistent with the requirements of this section, establishes the deadlines, time
95 frames, and procedures for filing a declaration of candidacy, giving notice of an
96 election, and other election requirements; and

- 97 ~~(g)~~ (f) requires an election officer to comply with the requirements of Chapter 16,
98 Uniform Military and Overseas Voters Act.
- 99 (2)(a) The governor may set a date for a primary special congressional election or a
100 general special congressional election on a date other than a date described in
101 Subsection (1)(a) if:
- 102 (i) on the same day on which the governor issues the proclamation described in
103 Subsection (1) the governor calls a special session for the Legislature to
104 appropriate money to hold the election on a different day; or
- 105 (ii) if the governor issues the proclamation described in Subsection (1) on or after
106 January 1, but before the end of the general session of the Legislature, and
107 requests in the proclamation described in Subsection (1) that the Legislature
108 appropriate money to hold the election on a different day.
- 109 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the
110 election on a different day, the proclamation described in Subsection (1) is void and
111 the governor shall, within seven calendar days after the day on which the Legislature
112 declines to appropriate money to hold the election on a different day, issue a
113 proclamation, in accordance with Subsection (1), that sets the special congressional
114 primary and general elections on dates described in Subsections (1)(a)(i) through (iv).
- 115 (3) A special congressional election to fill a vacancy in the office of United States senator
116 will not be held if:
- 117 (a) the next regular general election that occurs after the day on which the vacancy
118 occurs is the regular general election that occurs immediately before the six-year term
119 for the senate office ends; and
- 120 (b) the vacancy occurs after August 1 of the year before the regular general election
121 described in Subsection (3)(a).
- 122 (4)(a) The governor shall appoint an individual to temporarily fill a vacancy in the office
123 of United States senator from one of three individuals nominated by the Legislature,
124 each of whom is a member of the political party of which the prior officeholder was a
125 member at the time the prior officeholder was elected.
- 126 (b) The individual appointed under Subsection (4)(a) shall serve as United States senator
127 until the earlier of the day on which:
- 128 (i) the vacancy is filled by election under Subsection (1) or (2); or
129 (ii) the six-year term for the senate office ends.
- 130 (5) An individual elected to fill a vacancy under this section shall serve until the end of the

131 current term in which the vacancy filled by the election occurs.

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

133 (a) has left the office; or

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

136 Section 3. Section **20A-1-502.5** is amended to read:

137 **20A-1-502.5 . Midterm vacancy in office of United States representative.**

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

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

144 (i) a municipal general election;

145 (ii) a presidential primary election;

146 (iii) a regular primary election; or

147 (iv) a regular general election;

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

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

154 [~~(d) provides each registered political party that is not a qualified political party at least
155 21 calendar days, but no more than 28 calendar days, to select one candidate, in a
156 manner determined by the registered political party, as a candidate for the registered
157 political party;~~]

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

160 [(i)] for [~~the qualified~~] a registered political party to select one candidate, using the
161 convention process described in Section 20A-9-407, as a candidate for the
162 qualified political party; [~~and~~]

163 [(ii)] for a member of the qualified political party to submit signatures to qualify as a
164 candidate for the qualified political party using the signature-gathering process

- 165 described in ~~Section 20A-9-408;~~
166 [(f)] (e) consistent with the requirements of this section, establishes the deadlines, time
167 frames, and procedures for filing a declaration of candidacy, giving notice of an
168 election, and other election requirements; and
169 [(g)] (f) requires an election officer to comply with the requirements of Chapter 16,
170 Uniform Military and Overseas Voters Act.
- 171 (2) The governor may set a date for a primary special congressional election or a general
172 special congressional election on a date other than a date described in Subsection (1)(a)
173 if:
174 (a) on the same day on which the governor issues the proclamation described in
175 Subsection (1) the governor calls a special session for the Legislature to appropriate
176 money to hold the election on a different day; or
177 (b) if the governor issues the proclamation described in Subsection (1) on or after
178 January 1, but before the end of the general session of the Legislature, and requests in
179 the proclamation described in Subsection (1) that the Legislature appropriate money
180 to hold the election on a different day.
- 181 (3) If the Legislature does not, under Subsection (2), appropriate money to hold the election
182 on a different day, the proclamation described in Subsection (1) is void and the governor
183 shall, within seven calendar days after the day on which the Legislature declines to
184 appropriate money to hold the election on a different day, issue a proclamation, in
185 accordance with Subsection (1), that sets the special congressional primary and general
186 elections on dates described in Subsections (1)(a)(i) through (iv).
- 187 (4) A special congressional election to fill a vacancy in the office of United States
188 representative will not be held if the vacancy occurs fewer than 180 calendar days before
189 the next regular general election.
- 190 (5) An individual who fills a vacancy under this section shall serve until the end of the
191 current term in which the vacancy occurs.
- 192 (6) A vacancy in the office of United States representative does not occur unless the
193 representative:
194 (a) has left the office; or
195 (b) submits an irrevocable letter of resignation to the governor or to the speaker of the
196 United States House of Representatives.
- 197 Section 4. Section **20A-1-503** is amended to read:
198 **20A-1-503 . Midterm vacancies in the Legislature.**

- 199 (1) As used in this section:
- 200 (a) "Filing deadline" means the final date for filing:
- 201 (i) a declaration of candidacy as provided in Section 20A-9-202; and
- 202 (ii) a certificate of nomination as provided in Section 20A-9-503.
- 203 (b) "Party liaison" means the political party officer designated to serve as a liaison with
- 204 the lieutenant governor on all matters relating to the political party's relationship with
- 205 the state as required by Section 20A-8-401.
- 206 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
- 207 the governor shall fill the vacancy by immediately appointing the person whose name
- 208 was submitted by the party liaison of the same political party as the prior representative.
- 209 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
- 210 the office of senator in the Legislature, it shall be filled for the unexpired term at the
- 211 next regular general election.
- 212 (b) The governor shall fill the vacancy until the next regular general election by
- 213 immediately appointing the person whose name was submitted by the party liaison of
- 214 the same political party as the prior senator.
- 215 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but
- 216 before August 31 of an even-numbered year in which the term of office does not
- 217 expire, the lieutenant governor shall:
- 218 (i) establish a date and time, which is before the date for a candidate to be certified
- 219 for the ballot under Section 20A-9-701 and no later than 21 calendar days after the
- 220 day on which the vacancy occurred, by which a person intending to obtain a
- 221 position on the ballot for the vacant office shall file:
- 222 (A) a declaration of candidacy; or
- 223 (B) a certificate of nomination; and
- 224 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):
- 225 (A) on the lieutenant governor's website; and
- 226 (B) to each registered political party.
- 227 (b) A person intending to obtain a position on the ballot for the vacant office shall:
- 228 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of
- 229 candidacy or certificate of nomination according to the procedures and
- 230 requirements of Chapter 9, Candidate Qualifications and Nominating Procedures;
- 231 and
- 232 (ii) run in the regular general election if:

- 233 (A) nominated as a party candidate; or
- 234 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
- 235 Qualifications and Nominating Procedures.
- 236 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline [~~described in~~
- 237 ~~Subsection 20A-9-202(1)(b)] for filing a declaration of candidacy and before August~~
- 238 31, of an even-numbered year in which the term of office does not expire, a party
- 239 liaison from each registered political party may submit a name of a person described
- 240 in Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than August 30
- 241 for placement on the regular general election ballot.
- 242 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
- 243 even-numbered year in which a term does not expire, the governor shall fill the vacancy
- 244 for the unexpired term by immediately appointing the person whose name was submitted
- 245 by the party liaison of the same political party as the prior senator.
- 246 (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill
- 247 a vacancy described in this section shall, no later than the deadline for the individual
- 248 to file an interim report under Subsection 20A-11-303(3)(a), make a complete
- 249 conflict of interest disclosure on the website described in Section 20A-11-1602.5.
- 250 (b) An individual described in Subsection (6)(a) is not required to comply with
- 251 Subsection (6)(a) if the individual:
- 252 (i)(A) currently holds the office of senator and is seeking appointment as a
- 253 representative; or
- 254 (B) currently holds the office of representative and is seeking appointment as a
- 255 senator;
- 256 (ii) already, that same year, filed a conflict of interest disclosure for the office
- 257 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
- 258 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written
- 259 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
- 260 is updated and accurate as of the date of the written statement.
- 261 (7) The lieutenant governor shall make each conflict of interest disclosure made by an
- 262 individual described in Subsection (6)(a) available for public inspection in accordance
- 263 with Subsection 20A-11-1603(4).
- 264 (8) A vacancy in the office of senator or representative of the Legislature does not occur
- 265 unless the senator or representative:
- 266 (a) has left the office; or

- 267 (b) submits an irrevocable letter of resignation to:
 268 (i) for a senator, the president of the Senate; or
 269 (ii) for a representative, the speaker of the House of Representatives.

270 Section 5. Section **20A-1-1001** is amended to read:

271 **20A-1-1001 . Definitions.**

272 As used in this part:

- 273 (1)(a) "Clerk" means the lieutenant governor, a county clerk, municipal clerk, town
 274 clerk, city recorder, or municipal recorder.
 275 (b) "Clerk" includes a board of trustees under Title 17B, Chapter 1, Provisions
 276 Applicable to All Special Districts.
- 277 (2) "Local petition" means:
 278 (a) a manual or electronic local initiative petition described in Chapter 7, Part 5, Local
 279 Initiatives - Procedures; or
 280 (b) a manual or electronic local referendum petition described in Chapter 7, Part 6, Local
 281 Referenda - Procedures.
- 282 (3) "Petition" means one of the following written requests, signed by registered voters,
 283 appealing to an authority with respect to a particular cause:
 284 (a) a local petition;
 285 (b) a petition to consolidate two or more municipalities under Section 10-2-601;
 286 (c) a petition for disincorporation of a municipality under Section 10-2-701;
 287 (d) a petition to incorporate a proposed municipality under Section 10-2a-208;
 288 (e) a petition to consolidate adjoining counties under Section 17-61-201;
 289 (f) a petition to annex a portion of a county to an adjoining county under Section
 290 17-61-301;
 291 (g) a petition for the creation of a new county under Section 17-61-401;
 292 (h) a petition for the removal of a county seat under Section 17-60-302;
 293 (i) a petition for the adoption of an optional plan under Section 17-62-303;
 294 (j) a petition for the repeal of an optional plan under Section 17-62-505;
 295 (k) a petition to create a special district under Section 17B-1-203;
 296 (l) a petition to withdraw an area from a special district under Section 17B-1-504;
 297 (m) a petition to dissolve a special district under Section 17B-1-1303;
 298 (n) a petition for issuance of local building authority bonds under Section 17D-2-502;
 299 (o) a petition to become a registered political party under Section 20A-8-103;
 300 (p) a nomination petition for municipal office under Section 20A-9-203;

- 301 ~~[(q)]~~ a nomination petition for a regular primary election under Subsection
 302 20A-9-403(3)(a) and Section 20A-9-405;]
- 303 ~~[(t)]~~ (q) a petition for a political party to qualify as a municipal political party under
 304 Section 20A-9-404;
- 305 ~~[(s)]~~ a petition for the nomination of a qualified political party under Section 20A-9-408;]
- 306 ~~[(t)]~~ (r) a nomination petition for a candidate not affiliated with a political party under
 307 Section 20A-9-502;
- 308 ~~[(t)]~~ (s) a nomination petition to become a delegate to a ratification convention under
 309 Section 20A-15-103;
- 310 ~~[(v)]~~ (t) a petition to create a new school district under Section 53G-3-301;
- 311 ~~[(w)]~~ (u) a petition to consolidate school districts under Section 53G-3-401;
- 312 ~~[(x)]~~ (v) a petition to transfer a portion of a school district to another district under
 313 Section 53G-3-501;
- 314 ~~[(y)]~~ (w) a petition to determine whether a privatization project agreement should be
 315 approved under Section 73-10d-4; or
- 316 ~~[(z)]~~ (x) a statewide petition.
- 317 (4) "Statewide petition" means:
- 318 (a) a manual or electronic statewide initiative petition described in Chapter 7, Part 2,
 319 Statewide Initiatives; or
- 320 (b) a manual or electronic statewide referendum petition described in Chapter 7, Part 3,
 321 Statewide Referenda.
- 322 (5)(a) "Substantially similar name" means:
- 323 (i) the given name, the surname, or both, provided by the individual with the
 324 individual's petition signature, contain only minor spelling differences when
 325 compared to the given name and surname shown on the official register;
- 326 (ii) the surname provided by the individual with the individual's petition signature
 327 exactly matches the surname shown on the official register, and the given names
 328 differ only because one of the given names shown is a commonly used
 329 abbreviation or variation of the other;
- 330 (iii) the surname provided by the individual with the individual's petition signature
 331 exactly matches the surname shown on the official register, and the given names
 332 differ only because one of the given names shown is accompanied by a first or
 333 middle initial or a middle name which is not shown on the other record; or
- 334 (iv) the surname provided by the individual with the individual's petition signature

335 exactly matches the surname shown on the official register, and the given names
 336 differ only because one of the given names shown is an alphabetically
 337 corresponding initial that has been provided in the place of a given name shown
 338 on the other record.

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

342 Section 6. Section **20A-3a-106** is amended to read:

343 **20A-3a-106 . Rulemaking authority relating to conducting an election.**

344 The director of elections, within the Office of the Lieutenant Governor, may make rules,
 345 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing
 346 requirements for:

- 347 (1) a return envelope, to ensure uniformity and security of the envelopes;
 348 (2) complying with the signature comparison audit requirements described in Section
 349 20A-3a-402.5; or
 350 (3) conducting and documenting the identity verification process described in Subsection
 351 20A-3a-401(7)(b)[~~;~~or] .
 352 [~~(4) establishing specific requirements and procedures for an election officer to:~~
 353 [~~(a) perform the signature comparison audits described in Subsection 20A-9-408(9)(e);~~
 354 ~~or]~~
 355 [~~(b) fulfill the chain of custody requirements described in Section 20A-9-408.3.]~~

356 Section 7. Section **20A-5-101** is amended to read:

357 **20A-5-101 . Notice of election.**

- 358 (1) On or before November 15 in the year before each regular general election year, the
 359 lieutenant governor shall prepare and transmit a written notice to each county clerk that:
 360 (a) designates the offices to be filled at the next year's regular general election;
 361 (b) identifies the dates for filing a declaration of candidacy[~~, and for submitting and~~
 362 ~~certifying nomination petition signatures, as applicable,] under Sections 20A-9-403[~~,~~
 363 and 20A-9-407[~~, and 20A-9-408]~~ for those offices; and
 364 (c) contains a description of any ballot propositions to be decided by the voters that have
 365 qualified for the ballot as of that date.
 366 (2)(a) No later than seven business days after the day on which the lieutenant governor
 367 transmits the written notice described in Subsection (1), each county clerk shall
 368 provide notice for the county, as a class A notice under Section 63G-30-102, for~~

- 369 seven business days before the day of the election and in accordance with Subsection
370 (3).
- 371 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a),
372 showing a copy of the notice and the places where the notice was posted.
- 373 (3) The notice described in Subsection (2) shall:
- 374 (a) designate the offices to be voted on in that election; and
375 (b) identify the dates for filing a declaration of candidacy for those offices.
- 376 (4) Except as provided in Subsection (6), before each election, the election officer shall give
377 printed notice of the following information:
- 378 (a) the date of election;
379 (b) the hours during which the polls will be open;
380 (c) the polling places for each voting precinct, early voting polling place, and election
381 day voting center;
382 (d) the address of the Statewide Electronic Voter Information Website and, if available,
383 the address of the election officer's website, with a statement indicating that the
384 election officer will post on the website any changes to the location of a polling place
385 and the location of any additional polling place;
386 (e) a phone number that a voter may call to obtain information regarding the location of
387 a polling place;
388 (f) the qualifications for persons to vote in the election: and
389 (g) instructions regarding how an individual with a disability, who is not able to vote a
390 manual ballot by mail, may obtain information on voting in an accessible manner.
- 391 (5) The election officer shall provide the notice described in Subsection (4) for the
392 jurisdiction, as a class A notice under Section 63G-30-102, for at least seven business
393 days before the day of the election.
- 394 (6) Instead of including the information described in Subsection (4) in the notice, the
395 election officer may give printed notice that:
- 396 (a) is entitled "Notice of Election";
397 (b) includes the following: "A [indicate election type] will be held in [indicate the
398 jurisdiction] on [indicate date of election]. Information relating to the election,
399 including polling places, polling place hours, and qualifications of voters may be
400 obtained from the following sources:"; and
401 (c) specifies the following sources where an individual may view or obtain the
402 information described in Subsection (4):

- 403 (i) if the jurisdiction has a website, the jurisdiction's website;
 404 (ii) the physical address of the jurisdiction offices; and
 405 (iii) a mailing address and telephone number.

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

407 **20A-8-103 . Petition procedures -- Criminal penalty -- Removal of signature.**

- 408 (1) As used in this section, the proposed name or emblem of a registered political party is
 409 "distinguishable" if a reasonable person of average intelligence will be able to perceive a
 410 difference between the proposed name or emblem and any name or emblem currently
 411 being used by another registered political party.
- 412 (2) To become a registered political party, an organization of registered voters that is not a
 413 continuing political party shall:
- 414 (a) circulate a petition seeking registered political party status beginning no earlier than
 415 the date of the statewide canvass held after the last regular general election and
 416 ending before 5 p.m. no later than November 30 of the year before the year in which
 417 the next regular general election will be held;
- 418 (b) file a petition with the lieutenant governor that is signed, with a holographic
 419 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30
 420 of the year in which a regular general election will be held; and
- 421 (c) file, with the petition described in Subsection (2)(b), a document certifying:
- 422 (i) the identity of one or more registered political parties whose members may vote
 423 for the organization's candidates; and
- 424 (ii) whether unaffiliated voters may vote for the organization's candidates[~~;~~ and] .
 425 [~~(iii) whether, for the next election, the organization intends to nominate the~~
 426 ~~organization's candidates in accordance with the provisions of Section 20A-9-406.~~]
- 427 (3) The petition shall:
- 428 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;
- 429 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
 430 blank for the purpose of binding;
- 431 (c) contain the name of the political party and the words "Political Party Registration
 432 Petition" printed directly below the horizontal line;
- 433 (d) contain the word "Warning" printed directly under the words described in Subsection
 434 (3)(c);
- 435 (e) contain, to the right of the word "Warning," the following statement printed in not less than
 436 eight-point, single leaded type:

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

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

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

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

447 Each signer says:

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

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

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

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

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

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

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

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

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

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

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

470 (h) have a final page bound to one or more signature sheets that are bound together that

471 contains the following printed statement:

472 "Verification

473 State of Utah, County of ____

474 I, _____, of _____, hereby state that:

475 I am at least 18 years old;

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

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

482 _____
483 (Signature) (Residence Address) (Date)"; and

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

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

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

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

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

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

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

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

498 (6) The lieutenant governor shall:

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

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

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

- 505 petition described in Subsection (2)(b).
- 506 (7)(a) If the lieutenant governor determines that the petition meets the requirements of
507 this section, and that the proposed name and emblem are distinguishable, the
508 lieutenant governor shall authorize the filing officer described in Subsection (3)(i)(iii)
509 to organize the prospective political party.
- 510 (b) If the lieutenant governor finds that the name, emblem, or both are not
511 distinguishable from the names and emblems of other registered political parties, the
512 lieutenant governor shall notify the filing officer that the filing officer has seven
513 calendar days to electronically submit a new name or emblem to the lieutenant
514 governor.
- 515 (8) A registered political party may not change its name or emblem during the regular
516 general election cycle.
- 517 (9)(a) It is unlawful for an individual to:
- 518 (i) knowingly sign a political party registration petition:
- 519 (A) with any name other than the individual's own name;
- 520 (B) more than once for the same political party; or
- 521 (C) if the individual is not registered to vote in this state and does not intend to
522 become registered to vote in this state before the petition is submitted to the
523 lieutenant governor; or
- 524 (ii) sign the verification of a political party registration petition signature sheet if the
525 individual:
- 526 (A) has not witnessed the signing by those individuals whose names appear on the
527 political party registration petition signature sheet; or
- 528 (B) knows that an individual whose signature appears on the political party
529 registration petition signature sheet is not registered to vote in this state and
530 does not intend to become registered to vote in this state.
- 531 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.
- 532 (10)(a) A voter who signs a petition under this section may have the voter's signature
533 removed from the petition by, no later than three business days after the day on
534 which the petition is filed with the lieutenant governor, submitting to the lieutenant
535 governor a statement requesting that the voter's signature be removed.
- 536 (b) A statement described in Subsection (10)(a) shall comply with the requirements
537 described in Subsection 20A-1-1003(2).
- 538 (c) The lieutenant governor shall use the procedures described in Subsection

539 20A-1-1003(3) to determine whether to remove an individual's signature from a
 540 petition after receiving a timely, valid statement requesting removal of the signature.

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

542 **20A-9-101 . Definitions.**

543 As used in this chapter:

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

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

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

549 (ii) presidential elector;

550 (iii) any political party offices; and

551 (iv) municipal or special district offices.

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

554 (3) "Continuing political party" means the same as that term is defined in Section
 555 20A-8-101.

556 (4)(a) "County office" means an elective office where the officeholder is selected by
 557 voters entirely within one county.

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

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

560 (ii) the office of presidential elector;

561 (iii) any political party offices;

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

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

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

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

568 [~~(i) Section 20A-9-403;]~~

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

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

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

- 573 ~~[(i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);]~~
574 ~~[(ii) Section 20A-9-408; and]~~
575 ~~[(iii) Section 20A-21-201.]~~
- 576 ~~[(6)]~~ (5) "Federal office" means an elective office for United States Senator and United
577 States Representative.
- 578 ~~[(7)]~~ (6) "Filing officer" means:
- 579 (a) the lieutenant governor, for:
- 580 (i) the office of United States Senator and United States Representative; and
581 (ii) all constitutional offices;
- 582 (b) for the office of a state senator, state representative, or the state school board, the
583 lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);
584 (c) the county clerk, for county offices and local school district offices;
585 (d) the county clerk in the filer's county of residence, for multicounty offices;
586 (e) the city or town clerk, for municipal offices; or
587 (f) the special district clerk, for special district offices.
- 588 ~~[(8)]~~ (7) "Local government office" includes county offices, municipal offices, and special
589 district offices and other elective offices selected by the voters from a political division
590 entirely within one county.
- 591 ~~[(9) "Manual candidate qualification process" means the process for gathering signatures to
592 seek the nomination of a registered political party, using paper signature packets that a
593 signer physically signs.]~~
- 594 ~~[(10)]~~ (8)(a) "Multicounty office" means an elective office where the officeholder is
595 selected by the voters from more than one county.
- 596 (b) "Multicounty office" does not mean:
- 597 (i) a county office;
598 (ii) a federal office;
599 (iii) the office of justice or judge of any court of record or not of record;
600 (iv) the office of presidential elector;
601 (v) any political party offices; or
602 (vi) any municipal or special district offices.
- 603 ~~[(11)]~~ (9) "Municipal office" means an elective office in a municipality.
- 604 ~~[(12)]~~ (10)(a) "Political division" means a geographic unit from which an officeholder is
605 elected and that an officeholder represents.
- 606 (b) "Political division" includes a county, a city, a town, a special district, a school

- 607 district, a legislative district, and a county prosecution district.
- 608 [(13) "Qualified political party" means a registered political party that:]
- 609 [(a)(i) permits a delegate for the registered political party to vote on a candidate
- 610 nomination in the registered political party's convention remotely; or]
- 611 [(ii) provides a procedure for designating an alternate delegate if a delegate is not
- 612 present at the registered political party's convention;]
- 613 [(b) does not hold the registered political party's convention before the fourth Saturday
- 614 in March of an even-numbered year;]
- 615 [(c) permits a member of the registered political party to seek the registered political
- 616 party's nomination for any elective office by the member choosing to seek the
- 617 nomination by either or both of the following methods:]
- 618 [(i) seeking the nomination through the registered political party's convention
- 619 process, in accordance with the provisions of Section 20A-9-407; or]
- 620 [(ii) seeking the nomination by collecting signatures, in accordance with the
- 621 provisions of Section 20A-9-408; and]
- 622 [(d)(i) if the registered political party is a continuing political party, no later than 5
- 623 p.m. on the first Monday of October of an odd-numbered year, certifies to the
- 624 lieutenant governor that, for the election in the following year, the registered
- 625 political party intends to nominate the registered political party's candidates in
- 626 accordance with the provisions of Section 20A-9-406; or]
- 627 [(ii) if the registered political party is not a continuing political party, certifies at the
- 628 time that the registered political party files the petition described in Section
- 629 20A-8-103 that, for the next election, the registered political party intends to
- 630 nominate the registered political party's candidates in accordance with the
- 631 provisions of Section 20A-9-406.]
- 632 [(14) "Signature," as it relates to a petition for a candidate to seek the nomination of a
- 633 registered political party, means:]
- 634 [(a) when using the manual candidate qualification process, a holographic signature
- 635 collected physically on a nomination petition described in Subsection 20A-9-405(3);
- 636 or]
- 637 [(b) when using the electronic candidate qualification process:]
- 638 [(i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or]
- 639 [(ii) a holographic signature collected electronically under Subsection
- 640 20A-21-201(6)(c)(ii)(B).]

641 [(15)] (11) "Special district office" means an elected office in a special district.

642 Section 10. Section **20A-9-201** is amended to read:

643 **20A-9-201 . Declarations of candidacy -- Candidacy for more than one office or**
644 **of more than one political party prohibited with exceptions -- General filing and form**
645 **requirements -- Affidavit of impecuniosity.**

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

647 (a) be a United States citizen;

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

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

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

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

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

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

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

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

660 (b)(i) An individual may file a declaration of candidacy for, or be a candidate for,
661 president or vice president of the United States and another office, if the
662 individual resigns the individual's candidacy for the other office after the
663 individual is officially nominated for president or vice president of the United
664 States.

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

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

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

- 675 (A) may also be a candidate for United States representative;
- 676 (B) may, if the individual desires to use the signature-gathering process to qualify
677 for the primary election ballot for the office of United States representative, file
678 a notice of intent to gather signatures for, and gather signatures for, that office;
679 and
- 680 (C) shall, before filing a declaration of candidacy for the office of United States
681 representative, withdraw as a candidate for the constitutional office,
682 multicounty office, or county office for which the individual filed a declaration
683 of candidacy.
- 684 (3)(a) Except for a candidate for president or vice president of the United States, before
685 the filing officer may accept any declaration of candidacy, the filing officer shall:
- 686 (i) read to the individual the constitutional and statutory qualification requirements
687 for the office that the individual is seeking;
- 688 (ii) require the individual to state whether the individual meets the requirements
689 described in Subsection (3)(a)(i);
- 690 (iii) if the declaration of candidacy is for a county office, inform the individual that
691 an individual who holds a county elected office may not, at the same time, hold a
692 municipal elected office; and
- 693 (iv) if the declaration of candidacy is for a legislative office, inform the individual
694 that Utah Constitution, Article VI, Section 6, prohibits a person who holds a
695 public office of profit or trust, under authority of the United States or Utah, from
696 being a member of the Legislature.
- 697 (b)(i) Before accepting a declaration of candidacy for the office of county attorney,
698 the county clerk shall ensure that the individual filing that declaration of
699 candidacy is:
- 700 (A) a United States citizen;
- 701 (B) an attorney licensed to practice law in the state who is an active member in
702 good standing of the Utah State Bar;
- 703 (C) a registered voter in the county in which the individual is seeking office; and
- 704 (D) a current resident of the county in which the individual is seeking office and
705 either has been a resident of that county for at least one year before the date of
706 the election or was appointed and is currently serving as county attorney and
707 became a resident of the county within 30 calendar days after appointment to
708 the office.

- 709 (ii) An individual filing a declaration of candidacy for the office of county attorney
710 shall submit with the individual's declaration:
- 711 (A) a letter from the Utah Supreme Court, affirming that the individual is an
712 attorney in good standing;
- 713 (B) proof of the individual's application with the Utah State Bar, with an affidavit
714 describing the status of the individual's application; or
- 715 (C) an affidavit describing how the individual intends to comply with the
716 requirements for office of county attorney described in Subsection (3)(b)(i),
717 prior to taking office.
- 718 (iii) In addition to the requirements described in Subsection (3)(b)(ii), an individual
719 shall also provide the filing officer with the individual's license number with:
- 720 (A) the Utah State Bar, if the individual is a member; or
721 (B) any other state bar association, if the individual is a member.
- 722 (c)(i) Before accepting a declaration of candidacy for the office of district attorney,
723 the county clerk shall ensure that, as of the date of the election, the individual
724 filing that declaration of candidacy is:
- 725 (A) a United States citizen;
- 726 (B) an attorney licensed to practice law in the state who is an active member in
727 good standing of the Utah State Bar;
- 728 (C) a registered voter in the prosecution district in which the individual is seeking
729 office; and
- 730 (D) a current resident of the prosecution district in which the individual is seeking
731 office and either will have been a resident of that prosecution district for at
732 least one year before the date of the election or was appointed and is currently
733 serving as district attorney or county attorney and became a resident of the
734 prosecution district within 30 calendar days after receiving appointment to the
735 office.
- 736 (ii) An individual filing a declaration of candidacy for the office of district attorney
737 shall submit with the individual's declaration:
- 738 (A) a letter from the Utah Supreme Court, affirming that the individual is an
739 attorney in good standing;
- 740 (B) proof of the individual's application with the Utah State Bar, with an affidavit
741 describing the status of the individual's application; or
- 742 (C) an affidavit describing how the individual intends to comply with the

- 743 requirements for office of district attorney described in Subsection (3)(c)(i),
744 prior to taking office.
- 745 (iii) In addition to the requirements described in Subsection (3)(c)(ii), an individual
746 shall also provide the filing officer with the individual's license number with:
747 (A) the Utah State Bar, if the individual is a member; or
748 (B) any other state bar association, if the individual is a member.
- 749 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
750 county clerk shall ensure that the individual filing the declaration:
751 (i) is a United States citizen;
752 (ii) is a registered voter in the county in which the individual seeks office;
753 (iii)(A) has successfully met the standards and training requirements established
754 for law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer
755 Training and Certification Act; or
756 (B) has met the waiver requirements in Section 53-6-206;
757 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
758 53-13-103; and
759 (v) before the date of the election, will have been a resident of the county in which
760 the individual seeks office for at least one year.
- 761 (e)(i) An individual filing a declaration of candidacy for the office of attorney general
762 shall submit with the individual's declaration:
763 (A) a letter from the Utah Supreme Court, affirming that the individual is an
764 attorney in good standing;
765 (B) proof of the individual's application with the Utah State Bar, with an affidavit
766 describing the status of the individual's application; or
767 (C) an affidavit describing how the individual intends to comply with the
768 requirements for office of attorney general, described in Article VII, Sec. 3,
769 Utah Constitution, prior to taking office.
- 770 (ii) In addition to the requirements described in Subsection (3)(e)(i), an individual
771 shall also provide the filing officer with the individual's license number with:
772 (A) the Utah State Bar, if the individual is a member; or
773 (B) any other state bar association, if the individual is a member.
- 774 (iii) An individual filing the declaration of candidacy for the office of attorney
775 general shall also make the conflict of interest disclosure described in Section
776 20A-11-1603.

- 777 (f) Before accepting a declaration of candidacy for the office of governor, lieutenant
778 governor, state auditor, state treasurer, state legislator, or State Board of Education
779 member, the filing officer shall ensure that the individual filing the declaration of
780 candidacy also makes the conflict of interest disclosure described in Section
781 20A-11-1603.
- 782 (4) If an individual who files a declaration of candidacy does not meet the qualification
783 requirements for the office the individual is seeking, the filing officer may not accept the
784 individual's declaration of candidacy.
- 785 (5) If an individual who files a declaration of candidacy meets the requirements described
786 in Subsection (3), the filing officer shall:
- 787 (a) inform the individual that:
- 788 (i) subject to Section 20A-6-109, the individual's name will appear on the ballot as
789 the individual's name is written on the individual's declaration of candidacy;
- 790 (ii) the individual may be required to comply with state or local campaign finance
791 disclosure laws; and
- 792 (iii) the individual is required to file a financial statement before the individual's
793 political convention under:
- 794 (A) Section 20A-11-204 for a candidate for constitutional office;
- 795 (B) Section 20A-11-303 for a candidate for the Legislature; or
- 796 (C) local campaign finance disclosure laws, if applicable;
- 797 (b) except for a presidential candidate, provide the individual with a copy of the current
798 campaign financial disclosure laws for the office the individual is seeking and inform
799 the individual that failure to comply will result in disqualification as a candidate and
800 removal of the individual's name from the ballot;
- 801 (c)(i) provide the individual with a copy of Section 20A-7-801 regarding the
802 Statewide Electronic Voter Information Website Program and inform the
803 individual of the submission deadline under Subsection 20A-7-801(4)(a);
- 804 (ii) inform the individual that the individual must provide the filing officer with an
805 email address that the individual actively monitors:
- 806 (A) to receive a communication from a filing officer or an election officer; and
- 807 (B) if the individual wishes to display a candidate profile on the Statewide
808 Electronic Voter Information Website, to submit to the website the
809 biographical and other information described in Subsection 20A-7-801
810 (4)(a)(ii);

811 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is
812 not a record under Title 63G, Chapter 2, Government Records Access and
813 Management Act; and

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

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

817 (i) signing the pledge is voluntary; and

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

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

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

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

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

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

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

831 (i) be substantially as follows:

832 "State of Utah, County of ____

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

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

845

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

846

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

847

(7)(a)(i):

848

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

849

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

850

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

851

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

852

Section 20A-9-408.5.

853

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

854

for filing a declaration of candidacy is:

855

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

856

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

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

858

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

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candidate:

860

(i) who is disqualified; or

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

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

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from candidates.

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(ii) The lieutenant governor shall:

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(A) apportion to and pay to the county treasurers of the various counties all fees

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received for filing of nomination certificates or acceptances; and

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

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

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

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of all counties within the congressional district for all candidates for

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representative in Congress.

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

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

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

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

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is submitted.

877

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

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

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

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

887 "Affidavit of Impecuniosity

888 Individual Name

889 _____Address_____

890 Phone Number _____

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

894 Date _____

895 Signature_____ Affiant

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

897

898

(signature)

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

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

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

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

909 (9) An individual who fails to file a declaration of candidacy or certificate of nomination

910 within the time provided in this chapter is ineligible for nomination to office.

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

913 Section 11. Section **20A-9-201.5** is amended to read:

914 **20A-9-201.5 . Declaration of candidacy filing period for a registered political**
915 **party.**

916 For a [qualified] registered political party:

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

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

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

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

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

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

925 Section 12. Section **20A-9-202** is amended to read:

926 **20A-9-202 . Declarations of candidacy for regular general elections.**

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

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

933 (ii) pay the filing fee.

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

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

940 (i) the individual is located outside of the state during the entire filing period;

941 (ii) the designated agent appears in person before the filing officer;

942 (iii) the individual communicates with the filing officer using an electronic device
943 that allows the individual and filing officer to see and hear each other; and

944 (iv) the individual provides the filing officer with an email address to which the filing
945 officer may send the individual the copies described in Subsection 20A-9-201(5).

946 ~~[(d)]~~ (c) Each county clerk who receives a declaration of candidacy from a candidate for
947 multicounty office shall transmit the filing fee and a copy of the candidate's
948 declaration of candidacy to the lieutenant governor within one business day after the
949 candidate files the declaration of candidacy.

950 ~~[(e)]~~ (d) Each business day during the filing period, each county clerk shall notify the
951 lieutenant governor electronically or by telephone of candidates who have filed a
952 declaration of candidacy with the county clerk.

953 ~~[(f)]~~ (e) Each individual seeking the office of lieutenant governor, the office of district
954 attorney, or the office of president or vice president of the United States shall comply
955 with the specific declaration of candidacy requirements established by this section.

956 (2)(a) Each individual intending to become a candidate for the office of district attorney
957 within a multicounty prosecution district that is to be filled at the next regular general
958 election shall:

959 (i) file a declaration of candidacy with the clerk designated in the interlocal
960 agreement creating the prosecution district on or after January 1 of the regular
961 general election year~~[-, and before the individual circulates nomination petitions~~
962 ~~under Section 20A-9-405]; and~~

963 (ii) pay the filing fee.

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

967 (3)(a) Before the deadline described in Subsection (1)(b), each lieutenant governor
968 candidate shall:

969 (i) file a declaration of candidacy with the lieutenant governor;

970 (ii) pay the filing fee; and

971 (iii) submit a letter from a candidate for governor who has received certification for
972 the primary-election ballot under Section 20A-9-403 that names the lieutenant
973 governor candidate as a joint-ticket running mate.

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

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

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

- 978 (a) certify the names of the political party's candidates for president and vice president of
979 the United States to the lieutenant governor; or
- 980 (b) provide written authorization for the lieutenant governor to accept the certification of
981 candidates for president and vice president of the United States from the national
982 office of the registered political party.
- 983 (5)(a) A declaration of candidacy filed under this section is valid unless a written
984 objection is filed with the clerk or lieutenant governor no later than 5 p.m. on the last
985 business day that is at least 10 calendar days before the deadline described in
986 Subsection [~~20A-9-409(4)(e)~~] 20A-9-409(2)(c).
- 987 (b) If an objection is made, the clerk or lieutenant governor shall:
- 988 (i) mail or personally deliver notice of the objection to the affected candidate
989 immediately; and
- 990 (ii) decide any objection within 48 hours after it is filed.
- 991 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
992 problem by:
- 993 (i) amending the declaration or petition no later than 5 p.m. on the first business day
994 that is at least three calendar days after the day on which the objection is
995 sustained; or
- 996 (ii) filing a new declaration no later than 5 p.m. on the first business day that is at
997 least three calendar days after the day on which the objection is sustained.
- 998 (d)(i) The clerk's or lieutenant governor's decision upon objections to form is final.
999 (ii) The clerk's or lieutenant governor's decision upon substantive matters is
1000 reviewable by a district court if prompt application is made to the court.
- 1001 (iii) The decision of the district court is final unless the Supreme Court, in the
1002 exercise of its discretion, agrees to review the lower court decision.
- 1003 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing
1004 a written affidavit with the clerk.
- 1005 (7)(a) Except for a candidate who is certified by a registered political party under
1006 Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later
1007 than August 31 of a general election year, each individual running as a candidate for
1008 vice president of the United States shall:
- 1009 (i) file a declaration of candidacy, in person or via a designated agent, on a form
1010 developed by the lieutenant governor, that:
- 1011 (A) contains the individual's name, address, and telephone number;

- 1012 (B) states that the individual meets the qualifications for the office of vice
 1013 president of the United States;
- 1014 (C) names the presidential candidate, who has qualified for the general election
 1015 ballot, with which the individual is running as a joint-ticket running mate;
- 1016 (D) states that the individual agrees to be the running mate of the presidential
 1017 candidate described in Subsection (7)(a)(i)(C); and
- 1018 (E) contains any other necessary information identified by the lieutenant governor;
- 1019 (ii) pay the filing fee; and
- 1020 (iii) submit a letter from the presidential candidate described in Subsection
 1021 (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice
 1022 presidential candidate.

1023 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of
 1024 candidacy.

1025 (c) A vice presidential candidate who fails to meet the requirements described in this
 1026 Subsection (7) may not appear on the general election ballot.

1027 (8) An individual filing a declaration of candidacy for president or vice president of the
 1028 United States shall pay a filing fee of \$500.

1029 Section 13. Section **20A-9-403** is amended to read:

1030 **20A-9-403 . Regular primary elections.**

1031 (1)[(a) Candidates for elective office that are to be filled at the next regular general
 1032 election shall be nominated in a regular primary election by direct vote of the people
 1033 in the manner prescribed in this section.]The regular primary election is held on the
 1034 date specified in Section 20A-1-201.5. Nothing in this section shall affect a
 1035 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
 1036 candidate under Section 20A-9-501 or to participate in a regular general election as a
 1037 write-in candidate under Section 20A-9-601.

1038 [(b) Each registered political party that chooses to have the names of the registered
 1039 political party's candidates for elective office featured with party affiliation on the
 1040 ballot at a regular general election shall comply with the requirements of this section
 1041 and shall nominate the registered political party's candidates for elective office in the
 1042 manner described in this section.]

1043 [(c) A filing officer may not permit an official ballot at a regular general election to be
 1044 produced or used if the ballot denotes affiliation between a registered political party
 1045 or any other political group and a candidate for elective office who is not nominated

- 1046 in the manner prescribed in this section or in Subsection 20A-9-202(4).]
- 1047 ~~[(d)]~~ (a) Unless noted otherwise, the dates in this section refer to those that occur in each
- 1048 even-numbered year in which a regular general election will be held.
- 1049 (2)(a) Each registered political party, in a statement filed with the lieutenant governor,
- 1050 shall~~[-]~~
- 1051 ~~[(i) either declare the registered political party's intent to participate in the next~~
- 1052 ~~regular primary election or declare that the registered political party chooses not to~~
- 1053 ~~have the names of the registered political party's candidates for elective office~~
- 1054 ~~featured on the ballot at the next regular general election; and]~~
- 1055 [(ii)] if the registered political party participates in the upcoming regular primary
- 1056 election, identify one or more registered political parties whose members may
- 1057 vote for the registered political party's candidates and whether individuals
- 1058 identified as unaffiliated with a political party may vote for the registered political
- 1059 party's candidates.
- 1060 (b)(i) A registered political party that is a continuing political party shall file the
- 1061 statement described in Subsection (2)(a) with the lieutenant governor no later than
- 1062 5 p.m. on November 30 of each odd-numbered year.
- 1063 (ii) An organization that is seeking to become a registered political party under
- 1064 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the
- 1065 time that the registered political party files the petition described in Section
- 1066 20A-8-103.
- 1067 ~~[(3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration~~
- 1068 ~~of candidacy under Section 20A-9-202 shall appear as a candidate for elective office~~
- 1069 ~~on the regular primary ballot of the registered political party listed on the declaration~~
- 1070 ~~of candidacy only if the individual is certified by the appropriate filing officer as~~
- 1071 ~~having submitted a nomination petition that was:]~~
- 1072 ~~[(i) circulated and completed in accordance with Section 20A-9-405; and]~~
- 1073 ~~[(ii) signed by at least 2% of the registered political party's members who reside in~~
- 1074 ~~the political division of the office that the individual seeks.]~~
- 1075 ~~[(b)(i) A candidate for elective office shall, in accordance with Section 20A-9-408.3,~~
- 1076 ~~submit signatures for a nomination petition to the appropriate filing officer for~~
- 1077 ~~verification and certification no later than 5 p.m. on March 31.]~~
- 1078 ~~[(ii) A candidate may supplement the candidate's submissions at any time on or~~
- 1079 ~~before the filing deadline.]~~

- 1080 ~~[(e)(i) The lieutenant governor shall determine for each elective office the total~~
1081 ~~number of signatures that must be submitted under Subsection (3)(a)(ii) or~~
1082 ~~20A-9-408(8) by counting the aggregate number of individuals residing in each~~
1083 ~~elective office's political division who have designated a particular registered~~
1084 ~~political party on the individuals' voter registration forms on or before November~~
1085 ~~15 of each odd-numbered year.]~~
1086 ~~[(ii) The lieutenant governor shall publish the determination for each elective~~
1087 ~~office~~
1088 ~~no later than November 30 of each odd-numbered year.]~~
1089 ~~[(d) The filing officer shall:]~~
1090 ~~[(i) except as otherwise provided in Section 20A-21-201, and in accordance with~~
1091 ~~Section 20A-9-408.3, verify signatures on nomination petitions in a transparent~~
1092 ~~and orderly manner, no later than 14 calendar days after the day on which a~~
1093 ~~candidate submits the signatures to the filing officer;]~~
1094 ~~[(ii) for all qualifying candidates for elective office who submit nomination~~
1095 ~~petitions~~
1096 ~~to the filing officer, issue certifications referenced in Subsection (3)(a) no later~~
1097 ~~than the deadline described in Subsection 20A-9-202(1)(b);]~~
1098 ~~[(iii) consider active and inactive voters eligible to sign nomination petitions;]~~
1099 ~~[(iv) consider an individual who signs a nomination petition a member of a~~
1100 ~~registered~~
1101 ~~political party for purposes of Subsection (3)(a)(ii) if the individual has~~
1102 ~~designated~~
1103 ~~that registered political party as the individual's party membership on the~~
1104 ~~individual's voter registration form; and]~~
1105 ~~[(v) except as otherwise provided in Section 20A-21-201 and with the assistance of~~
1106 ~~the county clerk as applicable, use the procedures described in Section~~
1107 ~~20A-1-1002~~
1108 ~~to verify submitted nomination petition signatures, or use statistical sampling~~
1109 ~~procedures to verify submitted nomination petition signatures in accordance~~
1110 ~~with~~
1111 ~~rules made under Subsection (3)(f).]~~
1112 ~~[(e) Notwithstanding any other provision in this Subsection (3), a candidate for~~

lieutenant governor may appear on the regular primary ballot of a registered political

party without submitting nomination petitions if the candidate files a declaration of candidacy and complies with Subsection 20A-9-202(3).]

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

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

[(A) filing officers are required to use to verify signatures under Subsection (3) (d);

and]

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

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

[(g)] (3) The county clerk shall:

[(i)] (a) review the declarations of candidacy filed by candidates for local boards of education to determine if more than two candidates have filed for the same seat;

[(ii)] (b) place the names of all candidates who have filed a declaration of candidacy for a local board of education seat on the nonpartisan section of the ballot if more than two candidates have filed for the same seat; and

[(iii)] (c) place the local board of education candidates' names on the ballot in accordance with Sections 20A-6-109 and 20A-6-110.

(4)(a) Before the deadline described in Subsection [20A-9-409(4)(e)] 20A-9-409(2)(c), the lieutenant governor shall provide to the county clerks:

(i) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have received certifications under Subsection (3), along with instructions on how those names shall appear on the primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110; and

(ii) a list of unopposed candidates for elective office who have been nominated by a registered political party under Subsection (5)(c) and instruct the county clerks to exclude the unopposed candidates from the primary election ballot.

(b) A candidate for lieutenant governor and a candidate for governor campaigning as joint-ticket running mates shall appear jointly on the primary election ballot.

- 1139 (c) After the county clerk receives the certified list from the lieutenant governor under
 1140 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
 1141 substantially the following form:
 1142 "Notice is given that a primary election will be held Tuesday, June _____,
 1143 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
 1144 local school board positions listed on the primary ballot. The polling place for voting precinct
 1145 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
 1146 Attest: county clerk."
- 1147 (5)(a) A candidate who, at the regular primary election, receives the highest number of
 1148 votes cast for the office sought by the candidate is:
 1149 (i) nominated for that office by the candidate's registered political party; or
 1150 (ii) for a nonpartisan local school board position, nominated for that office.
- 1151 (b) If two or more candidates are to be elected to the office at the regular general
 1152 election, those party candidates equal in number to positions to be filled who receive
 1153 the highest number of votes at the regular primary election are the nominees of the
 1154 candidates' party for those positions.
- 1155 (c)(i) As used in this Subsection (5)(c), a candidate is "unopposed" if:
 1156 (A) no individual other than the candidate receives a certification under
 1157 Subsection (3) for the regular primary election ballot of the candidate's
 1158 registered political party for a particular elective office; or
 1159 (B) for an office where more than one individual is to be elected or nominated, the
 1160 number of candidates who receive certification under Subsection (3) for the
 1161 regular primary election of the candidate's registered political party does not
 1162 exceed the total number of candidates to be elected or nominated for that office.
- 1163 (ii) A candidate who is unopposed for an elective office in the regular primary
 1164 election of a registered political party is nominated by the party for that office
 1165 without appearing on the primary election ballot.
- 1166 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary
 1167 election provided for by this section, and all expenses necessarily incurred in the
 1168 preparation for or the conduct of that primary election shall be paid out of the treasury of
 1169 the county or state, in the same manner as for the regular general elections.
- 1170 (7) An individual may not file a declaration of candidacy for a registered political party of
 1171 which the individual is not a member, except to the extent that the registered political
 1172 party permits otherwise under the registered political party's bylaws.

1173 Section 14. Section **20A-9-407** is amended to read:

1174 **20A-9-407 . Convention process to seek the nomination of a registered political**
 1175 **party.**

1176 (1) This section describes the requirements for a member of a [qualified] registered political
 1177 party who is seeking the nomination of a [qualified] registered political party for an
 1178 elective office through the [qualified] registered political party's convention process.

1179 (2) [~~Notwithstanding Subsection 20A-9-201(7)(a), the~~] The form of the declaration of
 1180 candidacy for a member of a [qualified] registered political party who is nominated by,
 1181 or who is seeking the nomination of, the [qualified] registered political party under this
 1182 section shall be substantially as described in Section 20A-9-408.5.

1183 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
 1184 20A-9-202(4), a member of a [qualified] registered political party who, under this
 1185 section, is seeking the nomination of the [qualified] registered political party for an
 1186 elective office that is to be filled at the next general election, shall:

1187 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy in
 1188 person with the filing officer during the applicable declaration of candidacy filing
 1189 period described in Section 20A-9-201.5; and

1190 (b) pay the filing fee.

1191 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a [qualified] registered
 1192 political party who, under this section, is seeking the nomination of the [qualified]
 1193 registered political party for the office of district attorney within a multicounty
 1194 prosecution district that is to be filled at the next general election, shall:

1195 (a) file a declaration of candidacy with the county clerk designated in the interlocal
 1196 agreement creating the prosecution district during the applicable declaration of
 1197 candidacy filing period described in Section 20A-9-201.5; and

1198 (b) pay the filing fee.

1199 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
 1200 files as the joint-ticket running mate of an individual who is nominated by a qualified
 1201 political party, under this section, for the office of governor shall, during the applicable
 1202 declaration of candidacy filing period described in Section 20A-9-201.5, file a
 1203 declaration of candidacy and submit a letter from the candidate for governor that names
 1204 the lieutenant governor candidate as a joint-ticket running mate.

1205 (6)[(a)] A [qualified] registered political party that nominates a candidate under this
 1206 section shall:

1207 (a) for each office for which the registered political party will have two or more
 1208 candidates on the regular primary election ballot for the party, certify the names of
 1209 the candidates to the county clerk before the deadline described in Subsection *****;
 1210 and

1211 (b) for each office for which the registered political party will not participate in the
 1212 regular primary election, certify the name of the candidate who will appear on the
 1213 general election ballot for the party before August 31. [~~certify the name of the~~
 1214 candidate to the lieutenant governor before the deadline described in Subsection
 1215 20A-9-202(1)(b).]

1216 [~~(b) The lieutenant governor shall include, in the primary ballot certification or, for a~~
 1217 ~~race where a primary is not held because the candidate is unopposed, in the general~~
 1218 ~~election ballot certification, the name of each candidate nominated by a qualified~~
 1219 ~~political party under this section.]~~

1220 (7) A registered political party

1221 [~~(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is~~
 1222 ~~nominated by a qualified political party under this section, designate the qualified~~
 1223 ~~political party that nominated the candidate.]~~

1224 Section 15. Section **20A-9-408.5** is amended to read:

1225 **20A-9-408.5 . Declaration of candidacy form for a registered political party.**

1226 The declaration of candidacy form described in [~~Sections~~] Section 20A-9-407 [~~and~~
 1227 ~~20A-9-408-]~~shall:

1228 (1) be substantially as follows:

1229 "State of Utah, County of ____

1230 I, _____, declare my intention of becoming a candidate for the office of ____

1231 as a candidate for the ____ party. I do solemnly swear, under penalty of perjury, that: I will

1232 meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside

1233 at _____ in the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will

1234 not knowingly violate any law governing campaigns and elections; I will file all campaign

1235 financial disclosure reports as required by law; and I understand that failure to do so will result

1236 in my disqualification as a candidate for this office and removal of my name from the ballot.

1237 The mailing address that I designate for receiving official election notices is

1238 _____

1239 _____.

1240 Subscribed and sworn before me this _____(month\day\year). Notary Public (or

- 1241 other officer qualified to administer oath)."; and
- 1242 (2) direct the candidate to state, in the sworn statement described in Subsection (1):
- 1243 (a) the registered political party of which the candidate is a member; or
- 1244 (b) that the candidate is not a member of a registered political party. ~~;~~ and]
- 1245 ~~[(3) direct the candidate to indicate whether the candidate is seeking the nomination using:]~~
- 1246 ~~[(a) the convention process described in Section 20A-9-407;]~~
- 1247 ~~[(b) the signature-gathering process described in Section 20A-9-408; or]~~
- 1248 ~~[(c) both processes described in Subsections (3)(a) and (b).]~~
- 1249 Section 16. Section **20A-9-409** is amended to read:
- 1250 **20A-9-409 . Primary election provisions relating to a registered political party.**
- 1251 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.
- 1252 ~~[(2)(a) A qualified political party that nominates one or more candidates for an elective~~
- 1253 ~~office under Section 20A-9-407 and does not have a candidate qualify as a candidate~~
- 1254 ~~for that office under Section 20A-9-408, may, but is not required to, participate in the~~
- 1255 ~~primary election for that office.]~~
- 1256 ~~[(b) A qualified political party that has only one candidate qualify as a candidate for an~~
- 1257 ~~elective office under Section 20A-9-408 and does not nominate a candidate for that~~
- 1258 ~~office under Section 20A-9-407, may, but is not required to, participate in the~~
- 1259 ~~primary election for that office.]~~
- 1260 ~~[(c) A qualified political party that nominates one or more candidates for an elective~~
- 1261 ~~office under Section 20A-9-407 and has one or more candidates qualify as a~~
- 1262 ~~candidate for that office under Section 20A-9-408 shall participate in the primary~~
- 1263 ~~election for that office.]~~
- 1264 ~~[(d) A qualified political party that has two or more candidates qualify as candidates for~~
- 1265 ~~an elective office under Section 20A-9-408 and does not nominate a candidate for~~
- 1266 ~~that office under Section 20A-9-407 shall participate in the primary election for that~~
- 1267 ~~office.]~~
- 1268 ~~[(3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section 17-62-201~~
- 1269 ~~or 17-62-202, a qualified political party shall participate in the primary election for a~~
- 1270 ~~county commission office if:]~~
- 1271 ~~[(a) there is more than one:]~~
- 1272 ~~[(i) open position as defined in Section 17-62-201; or]~~
- 1273 ~~[(ii) midterm vacancy as defined in Section 17-62-201; and]~~
- 1274 ~~[(b) the number of candidates nominated under Section 20A-9-407 or qualified under~~

1275 ~~Section 20A-9-408 for the respective open positions or midterm vacancies exceeds~~
 1276 ~~the number of respective open positions or midterm vacancies.]~~

1277 [(4)] (2)(a) As used in this Subsection [(4)] (2), a candidate is "unopposed" if:

1278 (i) no individual other than the candidate receives a certification, from the appropriate
 1279 filing officer, for the regular primary election ballot of the candidate's registered
 1280 political party for a particular elective office; or

1281 (ii) for an office where more than one individual is to be elected or nominated, the
 1282 number of candidates who receive certification, from the appropriate filing officer,
 1283 for the regular primary election of the candidate's registered political party does
 1284 not exceed the total number of candidates to be elected or nominated for that
 1285 office.

1286 (b) Before the deadline described in Subsection [(4)(e)] (2)(c), the lieutenant governor
 1287 shall:

1288 (i) provide to the county clerks:

1289 (A) a list of the names of all candidates for federal, constitutional, multi-county,
 1290 single county, and county offices who have received certifications from the
 1291 appropriate filing officer, along with instructions on how those names shall
 1292 appear on the primary election ballot in accordance with Sections 20A-6-109
 1293 and 20A-6-110; and

1294 (B) a list of unopposed candidates for elective office who have been nominated by
 1295 a registered political party; and

1296 (ii) instruct the county clerks to exclude unopposed candidates from the primary
 1297 election ballot.

1298 (c) The deadline described in Subsection [(4)(b)] (2)(b) is 5 p.m. on the first Wednesday
 1299 after the fourth Saturday in April.

1300 Section 17. Section **20A-21-101** is amended to read:

1301 **20A-21-101 . Definitions.**

1302 As used in this chapter:

1303 (1) "Approved device" means a device described in Subsection 20A-21-201(4).

1304 [(2) "Candidate qualification process" means the process, described in Section 20A-9-403
 1305 or 20A-9-408, of gathering signatures to seek the nomination of a registered political
 1306 party.]

1307 [(3) "Electronic candidate qualification process" means the same as that term is defined in
 1308 Section 20A-9-101.]

- 1309 [(4)] (2) "Electronic initiative process" means the same as that term is defined in Section
 1310 20A-7-101.
- 1311 [(5)] (3) "Electronic referendum process" means the same as that term is defined in Section
 1312 20A-7-101.
- 1313 [~~(6) "Manual candidate qualification process" means the same as that term is defined in~~
 1314 ~~Section 20A-9-101.]~~
- 1315 [(7)] (4) "Petition" means:
- 1316 (a) as it relates to the electronic initiative process or the electronic referendum process,
 1317 the electronic record that an individual signs to indicate the individual is in favor of
 1318 placing the initiative or referendum on the ballot; or
- 1319 (b) as it relates to electronic candidate qualification process, the electronic record that an
 1320 individual signs to indicate the individual is in favor of placing an individual's name
 1321 on the ballot to run for a particular elective office.
- 1322 [(8)] (5) "Signature" means:
- 1323 (a) as it relates to a signature gathered for an initiative or referendum, the same as that
 1324 term is defined in Section 20A-7-101; or
- 1325 (b) as it relates to a signature gathered for the candidate qualification process, the same
 1326 as that term is defined in Section 20A-9-101.
- 1327 [(9)] (6) "Website" means:
- 1328 (a) as it relates to the electronic initiative process or the electronic referendum process,
 1329 the website designated by the lieutenant governor for collecting the signatures and
 1330 other information relating to the electronic initiative process or the electronic
 1331 referendum process; or
- 1332 (b) as it relates to the electronic candidate qualification process, a website designated by
 1333 the lieutenant governor for collecting the signatures and other information relating to
 1334 the electronic candidate qualification process.
- 1335 Section 18. Section **63G-2-305** is amended to read:
- 1336 **63G-2-305 . Protected records.**
- 1337 The following records are protected if properly classified by a governmental entity:
- 1338 (1) trade secrets as defined in Section 13-24-2 if the person submitting the trade secret has
 1339 provided the governmental entity with the information specified in Section 63G-2-309;
- 1340 (2) commercial information or nonindividual financial information obtained from a person
 1341 if:
- 1342 (a) disclosure of the information could reasonably be expected to result in unfair

- 1343 competitive injury to the person submitting the information or would impair the
1344 ability of the governmental entity to obtain necessary information in the future;
- 1345 (b) the person submitting the information has a greater interest in prohibiting access than
1346 the public in obtaining access; and
- 1347 (c) the person submitting the information has provided the governmental entity with the
1348 information specified in Section 63G-2-309;
- 1349 (3) commercial or financial information acquired or prepared by a governmental entity to
1350 the extent that disclosure would lead to financial speculations in currencies, securities, or
1351 commodities that will interfere with a planned transaction by the governmental entity or
1352 cause substantial financial injury to the governmental entity or state economy;
- 1353 (4) records, the disclosure of which could cause commercial injury to, or confer a
1354 competitive advantage upon a potential or actual competitor of, a commercial project
1355 entity as defined in Subsection 11-13-103(4);
- 1356 (5) test questions and answers to be used in future license, certification, registration,
1357 employment, or academic examinations;
- 1358 (6) records, the disclosure of which would impair governmental procurement proceedings
1359 or give an unfair advantage to any person proposing to enter into a contract or agreement
1360 with a governmental entity, except, subject to Subsections (1) and (2), that this
1361 Subsection (6) does not restrict the right of a person to have access to, after the contract
1362 or grant has been awarded and signed by all parties:
- 1363 (a) a bid, proposal, application, or other information submitted to or by a governmental
1364 entity in response to:
- 1365 (i) an invitation for bids;
- 1366 (ii) a request for proposals;
- 1367 (iii) a request for quotes;
- 1368 (iv) a grant; or
- 1369 (v) other similar document; or
- 1370 (b) an unsolicited proposal, as defined in Section 63G-6a-712;
- 1371 (7) information submitted to or by a governmental entity in response to a request for
1372 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not
1373 restrict the right of a person to have access to the information, after:
- 1374 (a) a contract directly relating to the subject of the request for information has been
1375 awarded and signed by all parties; or
- 1376 (b)(i) a final determination is made not to enter into a contract that relates to the

- 1377 subject of the request for information; and
1378 (ii) at least two years have passed after the day on which the request for information
1379 is issued;
- 1380 (8) records that would identify real property or the appraisal or estimated value of real or
1381 personal property, including intellectual property, under consideration for public
1382 acquisition before any rights to the property are acquired unless:
- 1383 (a) public interest in obtaining access to the information is greater than or equal to the
1384 governmental entity's need to acquire the property on the best terms possible;
- 1385 (b) the information has already been disclosed to persons not employed by or under a
1386 duty of confidentiality to the entity;
- 1387 (c) in the case of records that would identify property, potential sellers of the described
1388 property have already learned of the governmental entity's plans to acquire the
1389 property;
- 1390 (d) in the case of records that would identify the appraisal or estimated value of
1391 property, the potential sellers have already learned of the governmental entity's
1392 estimated value of the property; or
- 1393 (e) the property under consideration for public acquisition is a single family residence
1394 and the governmental entity seeking to acquire the property has initiated negotiations
1395 to acquire the property as required under Section 78B-6-505;
- 1396 (9) records prepared in contemplation of sale, exchange, lease, rental, or other compensated
1397 transaction of real or personal property including intellectual property, which, if
1398 disclosed prior to completion of the transaction, would reveal the appraisal or estimated
1399 value of the subject property, unless:
- 1400 (a) the public interest in access is greater than or equal to the interests in restricting
1401 access, including the governmental entity's interest in maximizing the financial
1402 benefit of the transaction; or
- 1403 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
1404 the value of the subject property have already been disclosed to persons not
1405 employed by or under a duty of confidentiality to the entity;
- 1406 (10) records created or maintained for civil, criminal, or administrative enforcement
1407 purposes or audit purposes, or for discipline, licensing, certification, or registration
1408 purposes, if release of the records:
- 1409 (a) reasonably could be expected to interfere with investigations undertaken for
1410 enforcement, discipline, licensing, certification, or registration purposes;

- 1411 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
1412 proceedings;
- 1413 (c) would create a danger of depriving a person of a right to a fair trial or impartial
1414 hearing;
- 1415 (d) reasonably could be expected to disclose the identity of a source who is not generally
1416 known outside of government and, in the case of a record compiled in the course of
1417 an investigation, disclose information furnished by a source not generally known
1418 outside of government if disclosure would compromise the source; or
- 1419 (e) reasonably could be expected to disclose investigative or audit techniques,
1420 procedures, policies, or orders not generally known outside of government if
1421 disclosure would interfere with enforcement or audit efforts;
- 1422 (11) records the disclosure of which would jeopardize the life or safety of an individual;
- 1423 (12) records the disclosure of which would jeopardize the security of governmental
1424 property, governmental programs, or governmental recordkeeping systems from
1425 damage, theft, or other appropriation or use contrary to law or public policy;
- 1426 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
1427 facility, or records relating to incarceration, treatment, probation, or parole, that would
1428 interfere with the control and supervision of an offender's incarceration, treatment,
1429 probation, or parole;
- 1430 (14) records that, if disclosed, would reveal recommendations made to the Board of
1431 Pardons and Parole by an employee of or contractor for the Department of Corrections,
1432 the Board of Pardons and Parole, or the Department of Health and Human Services that
1433 are based on the employee's or contractor's supervision, diagnosis, or treatment of any
1434 person within the board's jurisdiction;
- 1435 (15) records and audit workpapers that identify audit, collection, and operational procedures
1436 and methods used by the State Tax Commission, if disclosure would interfere with
1437 audits or collections;
- 1438 (16) records of a governmental audit agency relating to an ongoing or planned audit until
1439 the final audit is released;
- 1440 (17) records that are subject to the attorney client privilege;
- 1441 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
1442 employee, or agent of a governmental entity for, or in anticipation of, litigation or a
1443 judicial, quasi-judicial, or administrative proceeding;
- 1444 (19)(a)(i) personal files of a state legislator, including personal correspondence to or

- 1445 from a member of the Legislature; and
- 1446 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
- 1447 legislative action or policy may not be classified as protected under this section;
- 1448 and
- 1449 (b)(i) an internal communication that is part of the deliberative process in connection
- 1450 with the preparation of legislation between:
- 1451 (A) members of a legislative body;
- 1452 (B) a member of a legislative body and a member of the legislative body's staff; or
- 1453 (C) members of a legislative body's staff; and
- 1454 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
- 1455 legislative action or policy may not be classified as protected under this section;
- 1456 (20)(a) records in the custody or control of the Office of Legislative Research and
- 1457 General Counsel, that, if disclosed, would reveal a particular legislator's
- 1458 contemplated legislation or contemplated course of action before the legislator has
- 1459 elected to support the legislation or course of action, or made the legislation or course
- 1460 of action public; and
- 1461 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
- 1462 Office of Legislative Research and General Counsel is a public document unless a
- 1463 legislator asks that the records requesting the legislation be maintained as protected
- 1464 records until such time as the legislator elects to make the legislation or course of
- 1465 action public;
- 1466 (21) a research request from a legislator to a legislative staff member and research findings
- 1467 prepared in response to the request;
- 1468 (22) drafts, unless otherwise classified as public;
- 1469 (23) records concerning a governmental entity's strategy about:
- 1470 (a) collective bargaining; or
- 1471 (b) imminent or pending litigation;
- 1472 (24) records of investigations of loss occurrences and analyses of loss occurrences that may
- 1473 be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
- 1474 Uninsured Employers' Fund, or similar divisions in other governmental entities;
- 1475 (25) records, other than personnel evaluations, that contain a personal recommendation
- 1476 concerning an individual if disclosure would constitute a clearly unwarranted invasion
- 1477 of personal privacy, or disclosure is not in the public interest;
- 1478 (26) records that reveal the location of historic, prehistoric, paleontological, or biological

- 1479 resources that if known would jeopardize the security of those resources or of valuable
1480 historic, scientific, educational, or cultural information;
- 1481 (27) records of independent state agencies if the disclosure of the records would conflict
1482 with the fiduciary obligations of the agency;
- 1483 (28) records of an institution of higher education defined in Section 53H-1-101 regarding
1484 tenure evaluations, appointments, applications for admissions, retention decisions, and
1485 promotions, which could be properly discussed in a meeting closed in accordance with
1486 Title 52, Chapter 4, Open and Public Meetings Act, provided that records of the final
1487 decisions about tenure, appointments, retention, promotions, or those students admitted,
1488 may not be classified as protected under this section;
- 1489 (29) records of the governor's office, including budget recommendations, legislative
1490 proposals, and policy statements, that if disclosed would reveal the governor's
1491 contemplated policies or contemplated courses of action before the governor has
1492 implemented or rejected those policies or courses of action or made them public;
- 1493 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
1494 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
1495 recommendations in these areas;
- 1496 (31) records provided by the United States or by a government entity outside the state that
1497 are given to the governmental entity with a requirement that they be managed as
1498 protected records if the providing entity certifies that the record would not be subject to
1499 public disclosure if retained by it;
- 1500 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
1501 public body except as provided in Section 52-4-206;
- 1502 (33) records that would reveal the contents of settlement negotiations but not including final
1503 settlements or empirical data to the extent that they are not otherwise exempt from
1504 disclosure;
- 1505 (34) memoranda prepared by staff and used in the decision-making process by an
1506 administrative law judge, a member of the Board of Pardons and Parole, or a member of
1507 any other body charged by law with performing a quasi-judicial function;
- 1508 (35) records that would reveal negotiations regarding assistance or incentives offered by or
1509 requested from a governmental entity for the purpose of encouraging a person to expand
1510 or locate a business in Utah, but only if disclosure would result in actual economic harm
1511 to the person or place the governmental entity at a competitive disadvantage, but this
1512 section may not be used to restrict access to a record evidencing a final contract;

- 1513 (36) materials to which access must be limited for purposes of securing or maintaining the
1514 governmental entity's proprietary protection of intellectual property rights including
1515 patents, copyrights, and trade secrets;
- 1516 (37) the name of a donor or a prospective donor to a governmental entity, including an
1517 institution of higher education defined in Section 53H-1-101, and other information
1518 concerning the donation that could reasonably be expected to reveal the identity of the
1519 donor, provided that:
- 1520 (a) the donor requests anonymity in writing;
- 1521 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
1522 classified protected by the governmental entity under this Subsection (37); and
- 1523 (c) except for an institution of higher education defined in Section 53H-1-101, the
1524 governmental unit to which the donation is made is primarily engaged in educational,
1525 charitable, or artistic endeavors, and has no regulatory or legislative authority over
1526 the donor, a member of the donor's immediate family, or any entity owned or
1527 controlled by the donor or the donor's immediate family;
- 1528 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and 73-18-13;
- 1529 (39) a notification of workers' compensation insurance coverage described in Section
1530 34A-2-205;
- 1531 (40) subject to Subsections (40)(g) and (h), the following records of an institution of higher
1532 education defined in Section 53H-1-101, which have been developed, discovered,
1533 disclosed to, or received by or on behalf of faculty, staff, employees, or students of the
1534 institution:
- 1535 (a) unpublished lecture notes;
- 1536 (b) unpublished notes, data, and information:
- 1537 (i) relating to research; and
- 1538 (ii) of:
- 1539 (A) the institution of higher education defined in Section 53H-1-101; or
- 1540 (B) a sponsor of sponsored research;
- 1541 (c) unpublished manuscripts;
- 1542 (d) creative works in process;
- 1543 (e) scholarly correspondence; and
- 1544 (f) confidential information contained in research proposals;
- 1545 (g) this Subsection (40) may not be construed to prohibit disclosure of public
1546 information required pursuant to Subsection 53H-14-202(2)(a) or (b); and

- 1547 (h) this Subsection (40) may not be construed to affect the ownership of a record;
- 1548 (41)(a) records in the custody or control of the Office of the Legislative Auditor General
- 1549 that would reveal the name of a particular legislator who requests a legislative audit
- 1550 prior to the date that audit is completed and made public; and
- 1551 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
- 1552 Office of the Legislative Auditor General is a public document unless the legislator
- 1553 asks that the records in the custody or control of the Office of the Legislative Auditor
- 1554 General that would reveal the name of a particular legislator who requests a
- 1555 legislative audit be maintained as protected records until the audit is completed and
- 1556 made public;
- 1557 (42) records that provide detail as to the location of an explosive, including a map or other
- 1558 document that indicates the location of:
- 1559 (a) a production facility; or
- 1560 (b) a magazine;
- 1561 (43) information contained in the statewide database of the Division of Aging and Adult
- 1562 Services created by Section 26B-6-210;
- 1563 (44) information contained in the Licensing Information System described in Title 80,
- 1564 Chapter 2, Child Welfare Services;
- 1565 (45) information regarding National Guard operations or activities in support of the
- 1566 National Guard's federal mission;
- 1567 (46) records provided by any pawn or secondhand business to a law enforcement agency or
- 1568 to the central database in compliance with Title 13, Chapter 32a, Pawnshop, Secondhand
- 1569 Merchandise, and Catalytic Converter Transaction Information Act;
- 1570 (47) information regarding food security, risk, and vulnerability assessments performed by
- 1571 the Department of Agriculture and Food;
- 1572 (48) except to the extent that the record is exempt from this chapter pursuant to Section
- 1573 63G-2-106, records related to an emergency plan or program, a copy of which is
- 1574 provided to or prepared or maintained by the Division of Emergency Management, and
- 1575 the disclosure of which would jeopardize:
- 1576 (a) the safety of the general public; or
- 1577 (b) the security of:
- 1578 (i) governmental property;
- 1579 (ii) governmental programs; or
- 1580 (iii) the property of a private person who provides the Division of Emergency

- 1581 Management information;
- 1582 (49) records of the Department of Agriculture and Food that provides for the identification,
 1583 tracing, or control of livestock diseases, including any program established under Title
 1584 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
 1585 of Animal Disease;
- 1586 (50) as provided in Section 26B-2-709:
- 1587 (a) information or records held by the Department of Health and Human Services related
 1588 to a complaint regarding a provider, program, or facility which the department is
 1589 unable to substantiate; and
- 1590 (b) information or records related to a complaint received by the Department of Health
 1591 and Human Services from an anonymous complainant regarding a provider, program,
 1592 or facility;
- 1593 (51) unless otherwise classified as public under Section 63G-2-301 and except as provided
 1594 under Section 41-1a-116, an individual's home address, home telephone number, or
 1595 personal mobile phone number, if:
- 1596 (a) the individual is required to provide the information in order to comply with a law,
 1597 ordinance, rule, or order of a government entity; and
- 1598 (b) the subject of the record has a reasonable expectation that this information will be
 1599 kept confidential due to:
- 1600 (i) the nature of the law, ordinance, rule, or order; and
- 1601 (ii) the individual complying with the law, ordinance, rule, or order;
- 1602 (52) the portion of the following documents that contains a candidate's residential or
 1603 mailing address, if the candidate provides to the filing officer another address or phone
 1604 number where the candidate may be contacted:
- 1605 (a) a declaration of candidacy~~[, a nomination petition,]~~ or a certificate of nomination,
 1606 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, ~~[20A-9-405,~~
 1607 ~~20A-9-408,]~~ 20A-9-408.5, 20A-9-502, or 20A-9-601; or
- 1608 (b) an affidavit of impecuniosity, described in Section 20A-9-201~~[; or]~~ ;
- 1609 ~~[(c) a notice of intent to gather signatures for candidacy, described in Section 20A-9-408;]~~
- 1610 (53) the name, home address, work addresses, and telephone numbers of an individual that
 1611 is engaged in, or that provides goods or services for, medical or scientific research that is:
- 1612 (a) conducted within the state system of higher education, as described in Section
 1613 53H-1-102; and
- 1614 (b) conducted using animals;

- 1615 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance
1616 Evaluation Commission concerning an individual commissioner's vote, in relation to
1617 whether a judge meets or exceeds minimum performance standards under Subsection
1618 78A-12-203(4), and information disclosed under Subsection 78A-12-203(5)(e);
- 1619 (55) information collected and a report prepared by the Judicial Performance Evaluation
1620 Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter 12,
1621 Judicial Performance Evaluation Commission Act, requires disclosure of, or makes
1622 public, the information or report;
- 1623 (56) records provided or received by the Public Lands Policy Coordinating Office in
1624 furtherance of any contract or other agreement made in accordance with Section
1625 63L-11-202;
- 1626 (57) information requested by and provided to the 911 Division under Section 63H-7a-302;
- 1627 (58) in accordance with Section 73-10-33:
- 1628 (a) a management plan for a water conveyance facility in the possession of the Division
1629 of Water Resources or the Board of Water Resources; or
- 1630 (b) an outline of an emergency response plan in possession of the state or a county or
1631 municipality;
- 1632 (59) the following records in the custody or control of the Office of Inspector General of
1633 Medicaid Services, created in Section 63A-13-201:
- 1634 (a) records that would disclose information relating to allegations of personal
1635 misconduct, gross mismanagement, or illegal activity of a person if the information
1636 or allegation cannot be corroborated by the Office of Inspector General of Medicaid
1637 Services through other documents or evidence, and the records relating to the
1638 allegation are not relied upon by the Office of Inspector General of Medicaid
1639 Services in preparing a final investigation report or final audit report;
- 1640 (b) records and audit workpapers to the extent they would disclose the identity of a
1641 person who, during the course of an investigation or audit, communicated the
1642 existence of any Medicaid fraud, waste, or abuse, or a violation or suspected
1643 violation of a law, rule, or regulation adopted under the laws of this state, a political
1644 subdivision of the state, or any recognized entity of the United States, if the
1645 information was disclosed on the condition that the identity of the person be
1646 protected;
- 1647 (c) before the time that an investigation or audit is completed and the final investigation
1648 or final audit report is released, records or drafts circulated to a person who is not an

- 1649 employee or head of a governmental entity for the person's response or information;
- 1650 (d) records that would disclose an outline or part of any investigation, audit survey plan,
- 1651 or audit program; or
- 1652 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
- 1653 investigation or audit;
- 1654 (60) records that reveal methods used by the Office of Inspector General of Medicaid
- 1655 Services, the fraud unit, or the Department of Health and Human Services, to discover
- 1656 Medicaid fraud, waste, or abuse;
- 1657 (61) information provided to the Department of Health and Human Services or the Division
- 1658 of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
- 1659 58-68-304(3) and (4);
- 1660 (62) a record described in Section 63G-12-210;
- 1661 (63) captured plate data that is obtained through an automatic license plate reader system
- 1662 used by a governmental entity as authorized in Section 41-6a-2003;
- 1663 (64) an audio or video recording created by a body-worn camera, as that term is defined in
- 1664 Section 77-7a-103, that records sound or images inside a hospital or health care facility
- 1665 as those terms are defined in Section 78B-3-403, inside a clinic of a health care provider,
- 1666 as that term is defined in Section 78B-3-403, or inside a human service program as that
- 1667 term is defined in Section 26B-2-101, except for recordings that:
- 1668 (a) depict the commission of an alleged crime;
- 1669 (b) record any encounter between a law enforcement officer and a person that results in
- 1670 death or bodily injury, or includes an instance when an officer fires a weapon;
- 1671 (c) record any encounter that is the subject of a complaint or a legal proceeding against a
- 1672 law enforcement officer or law enforcement agency;
- 1673 (d) contain an officer involved critical incident as defined in Subsection 76-2-408(1)(f);
- 1674 or
- 1675 (e) have been requested for reclassification as a public record by a subject or authorized
- 1676 agent of a subject featured in the recording;
- 1677 (65) a record pertaining to the search process for a president of an institution of higher
- 1678 education described in Section 53H-3-302;
- 1679 (66) an audio recording that is:
- 1680 (a) produced by an audio recording device that is used in conjunction with a device or
- 1681 piece of equipment designed or intended for resuscitating an individual or for treating
- 1682 an individual with a life-threatening condition;

- 1683 (b) produced during an emergency event when an individual employed to provide law
1684 enforcement, fire protection, paramedic, emergency medical, or other first responder
1685 service:
- 1686 (i) is responding to an individual needing resuscitation or with a life-threatening
1687 condition; and
- 1688 (ii) uses a device or piece of equipment designed or intended for resuscitating an
1689 individual or for treating an individual with a life-threatening condition; and
- 1690 (c) intended and used for purposes of training emergency responders how to improve
1691 their response to an emergency situation;
- 1692 (67) records submitted by or prepared in relation to an applicant seeking a recommendation
1693 by the Research and General Counsel Subcommittee, the Budget Subcommittee, or the
1694 Legislative Audit Subcommittee, established under Section 36-12-8, for an employment
1695 position with the Legislature;
- 1696 (68) work papers as defined in Section 31A-2-204;
- 1697 (69) a record made available to Adult Protective Services or a law enforcement agency
1698 under Section 61-1-206;
- 1699 (70) a record submitted to the Insurance Department in accordance with Section
1700 31A-37-201;
- 1701 (71) a record described in Section 31A-37-503;
- 1702 (72) any record created by the Division of Professional Licensing as a result of Subsection
1703 58-37f-304(5) or 58-37f-702(2)(a)(ii);
- 1704 (73) a record described in Section 72-16-306 that relates to the reporting of an injury
1705 involving an amusement ride;
- 1706 (74) except as provided in Subsection 63G-2-305.5(1), the signature of an individual on a
1707 political petition, or on a request to withdraw a signature from a political petition,
1708 including a petition or request described in the following titles:
- 1709 (a) Title 10, Utah Municipal Code;
- 1710 (b) Title 17, Counties;
- 1711 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;
- 1712 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and
- 1713 (e) Title 20A, Election Code;
- 1714 (75) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in a
1715 voter registration record;
- 1716 (76) except as provided in Subsection 63G-2-305.5(3), any signature, other than a signature

- 1717 described in Subsection (74) or (75), in the custody of the lieutenant governor or a local
1718 political subdivision collected or held under, or in relation to, Title 20A, Election Code;
1719 (77) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part 5,
1720 Victims Guidelines for Prosecutors Act;
- 1721 (78) a record submitted to the Insurance Department under Section 31A-48-103;
- 1722 (79) personal information, as defined in Section 63G-26-102, to the extent disclosure is
1723 prohibited under Section 63G-26-103;
- 1724 (80) an image taken of an individual during the process of booking the individual into jail,
1725 unless:
- 1726 (a) the individual is convicted of a criminal offense based upon the conduct for which
1727 the individual was incarcerated at the time the image was taken;
- 1728 (b) a law enforcement agency releases or disseminates the image:
- 1729 (i) after determining that the individual is a fugitive or an imminent threat to an
1730 individual or to public safety and releasing or disseminating the image will assist
1731 in apprehending the individual or reducing or eliminating the threat; or
- 1732 (ii) to a potential witness or other individual with direct knowledge of events relevant
1733 to a criminal investigation or criminal proceeding for the purpose of identifying or
1734 locating an individual in connection with the criminal investigation or criminal
1735 proceeding;
- 1736 (c) a judge orders the release or dissemination of the image based on a finding that the
1737 release or dissemination is in furtherance of a legitimate law enforcement interest; or
- 1738 (d) the image is displayed to a person who is permitted to view the image under Section
1739 17-72-802;
- 1740 (81) a record:
- 1741 (a) concerning an interstate claim to the use of waters in the Colorado River system;
- 1742 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
1743 representative from another state or the federal government as provided in Section
1744 63M-14-205; and
- 1745 (c) the disclosure of which would:
- 1746 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
1747 Colorado River system;
- 1748 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
1749 negotiate the best terms and conditions regarding the use of water in the Colorado
1750 River system; or

- 1751 (iii) give an advantage to another state or to the federal government in negotiations
1752 regarding the use of water in the Colorado River system;
- 1753 (82) any part of an application described in Section 63N-16-201 that the Governor's Office
1754 of Economic Opportunity determines is nonpublic, confidential information that if
1755 disclosed would result in actual economic harm to the applicant, but this Subsection (82)
1756 may not be used to restrict access to a record evidencing a final contract or approval
1757 decision;
- 1758 (83) the following records of a drinking water or wastewater facility:
- 1759 (a) an engineering or architectural drawing of the drinking water or wastewater facility;
1760 and
- 1761 (b) except as provided in Section 63G-2-106, a record detailing tools or processes the
1762 drinking water or wastewater facility uses to secure, or prohibit access to, the records
1763 described in Subsection (83)(a);
- 1764 (84) a statement that an employee of a governmental entity provides to the governmental
1765 entity as part of the governmental entity's personnel or administrative investigation into
1766 potential misconduct involving the employee if the governmental entity:
- 1767 (a) requires the statement under threat of employment disciplinary action, including
1768 possible termination of employment, for the employee's refusal to provide the
1769 statement; and
- 1770 (b) provides the employee assurance that the statement cannot be used against the
1771 employee in any criminal proceeding;
- 1772 (85) any part of an application for a Utah Fits All Scholarship account described in Section
1773 53F-6-402 or other information identifying a scholarship student as defined in Section
1774 53F-6-401;
- 1775 (86) a record:
- 1776 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 1777 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
1778 person concerning the claim, including a representative from another state or the
1779 federal government; and
- 1780 (c) the disclosure of which would:
- 1781 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
1782 Great Salt Lake;
- 1783 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
1784 and conditions regarding the use of water in the Great Salt Lake; or

- 1785 (iii) give an advantage to another person including another state or to the federal
 1786 government in negotiations regarding the use of water in the Great Salt Lake;
 1787 (87) a consumer complaint described in Section 13-2-11, unless the consumer complaint is
 1788 reclassified as public as described in Subsection 13-2-11(4);
 1789 (88) a record of the Utah water agent, appointed under Section 73-10g-702:
 1790 (a) concerning a claim to the use of waters;
 1791 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
 1792 representative from another state, a tribe, the federal government, or other
 1793 government entity as provided in Title 73, Chapter 10g, Part 7, Utah Water Agent;
 1794 and
 1795 (c) the disclosure of which would:
 1796 (i) reveal a legal strategy relating to the state's claim to the use of the water;
 1797 (ii) harm the ability of the Utah water agent to negotiate the best terms and conditions
 1798 regarding the use of water; or
 1799 (iii) give an advantage to another state, a tribe, the federal government, or other
 1800 government entity in negotiations regarding the use of water; and
 1801 (89) a record created or maintained for an investigation of the Prosecutor Conduct
 1802 Commission, created in Section 63M-7-1102, that contains any personal identifying
 1803 information of a prosecuting attorney, including:
 1804 (a) a complaint, or a document that is submitted or created for a complaint, received by
 1805 the Prosecutor Conduct Commission; or
 1806 (b) a finding by the Prosecutor Conduct Commission.

1807 Section 19. **Repealer.**

1808 This bill repeals:

1809 Section **20A-9-405, Nomination petitions for regular primary elections.**

1810 Section **20A-9-406, Qualified political party -- Requirements and exemptions.**

1811 Section **20A-9-408, Signature-gathering process to seek the nomination of a qualified**
 1812 **political party -- Removal of signature.**

1813 Section **20A-9-408.1, Candidate nomination document -- Access - Limitations -- Storage.**

1814 Section **20A-9-408.2, Tracking signatures on candidate nomination petition.**

1815 Section **20A-9-408.3, Submission of candidate signature packet -- Requirements for**
 1816 **submission -- Signature packet chain of custody and storage.**

1817 Section **20A-9-410, Rulemaking authority.**

1818 Section **20A-9-411, Signing multiple nomination petitions.**

1819 Section 20. **Effective Date.**

1820 This bill takes effect on May 6, 2026.