



Date: 3/3/26 | Policy Analyst: Kirsi Jarvis | Prepared For: Rep. Shepherd

4th Sub. H.B. 361: Elections Provisions Amendments

This document provides an overview of 4th substitute H.B. 361, "Elections Provisions Amendments," which addresses provisions relating to elections. The 4th substitute incorporates recommendations presented by the lieutenant governor's office to the Government Operations Interim Committee. The key provisions include reducing redundancy in election-related notices, standardizing declaration of candidacy periods, clarifying the use of a county clerk's or election officer's name on printed materials, and resolving discrepancies in other election-related deadlines and duties.

Key Points

- Modifies, consolidates, and adds provisions for election-related notices
- Modifies certain declaration of candidacy periods to:
 - Coincide with periods for municipal elections
 - Make periods for all registered political parties the same
- Prohibits a county clerk's or election officer's name from appearing on certain ballot-related materials
- Modifies deadlines and requirements related to elections and storage of election material, ballots, and election returns
- Grants rulemaking authority to the Office of the Lieutenant Governor to regulate the use of the Great Seal of the State of Utah
- Modifies and clarifies the crime of illegally using or defacing the Great Seal

Notices

Current code lacks clarity regarding required notices relating to elections and sometimes fails to assign duties to those best positioned to perform those duties. For example, the lieutenant governor's office is currently required to send information to county clerks regarding what county offices will appear on a ballot, though the county clerks are better suited to provide this information. The sponsor is seeking to modify election-related notices to clearly describe requirements, correctly assign duties, and ensure the lieutenant governor, counties, special districts, and municipalities notify the public in a correct and timely manner.

Additionally, election-related notices currently appear in several different sections of code. The sponsor is also seeking to increase consistency and transparency by consolidating multiple notice provisions in one location, adding certain notice requirements, and organizing notice requirements in chronological order.

OLRGC is a nonpartisan staff office of the Legislature, and the contents of this document should not be considered in support for or opposition to the legislation. This document is a high-level summary and may not include an exhaustive list of all proposed changes contained in the legislation.

Below is a list of notices that are consolidated, modified, or added in the bill:

Regular Elections (Even-Numbered Year)

- State Notice of Candidate Filing for Regular Election (and Statewide Ballot Propositions)
- County Notice of Candidate Filing for Regular Election (and Local Ballot Propositions)
- Special District Notice of Candidate Filing for Regular Election
- Registered Political Party Notice of Convention Results
- Certification of State Candidates for Regular Primary Election
- Certification of County Candidates for Regular Primary Election
- Certification of Special District Candidates Regular Primary Election
- Regular Primary Election Notice (for Counties and Special Districts)
- Certification of State Candidates for Regular General Election (and Ballot Propositions)
- Certification of County Candidates for Regular General Election (and Ballot Propositions)
- Certification of Special District Candidates for Regular General Election
- Notice of Cancellation of Special District Election
- Regular General Election Notice (for Counties and Special Districts)

Municipal Election Year (Odd-Numbered Year)

- Municipal Notice of Open Offices for Municipal Election
- Special District Notice of Open Offices for Municipal Election
- Municipal Notice of Candidate Filing for Municipal Election
- Special District Notice of Candidate Filing for Municipal Election
- Municipal Certification of Candidates for Municipal Primary Election
- Special District Certification of Candidates for Municipal Primary Election
- Municipal Primary Election Notice (for Municipalities and Special Districts)
- Certification of Municipal Candidates for Municipal General Election (and Ballot Propositions)
- Certification of Special District Candidates for Municipal General Election
- Notice of Cancellation of Municipal General Election
- Notice of Cancellation of Special District Election
- Municipal General Election Notice (for Municipalities and Special Districts)

Declaration of Candidacy Periods

Currently, deadlines for the declaration of candidacy periods for registered political parties that are not qualified political parties (QPPs) are different than the deadlines for registered political parties that are QPPs. The sponsor is seeking to make declaration of candidacy periods consistent for all parties and make the deadlines for all elections uniform.

The bill:

- Makes declaration of candidacy periods the same for all registered political parties
- Modifies deadlines for declaration of candidacy periods to be consistent for all municipal elections

Name of County Clerk and Election Officer

The name of an election officer (including a county clerk) can currently appear on ballot-related printed materials, resulting in these materials appearing to the public as publicly-funded campaign material. The sponsor is seeking to address this problem by prohibiting the inclusion of an election officer's name on certain ballot-related materials, including:

- the official endorsement for a ballot;
- a return envelope for a ballot; or
- the ballot, except for listing the election officer as a candidate on the ballot

The provision will not take effect until January 1, 2027.

Great Seal of the State of Utah

Though the lieutenant governor is responsible for the keeping and use of the Great Seal of the State of Utah, the lieutenant governor does not currently have rulemaking authority in relation to fulfilling these duties. The sponsor is seeking to grant this rulemaking authority.

Other Changes

- Clarifies provisions relating to the crime of illegally using or defacing the Great Seal of the State of Utah
- Modifies certain deadlines to occur on a business day
- Modifies and consolidates provisions relating to removing the names of deceased individuals from the list of registered voters
- Modifies requirements related to the storage of election material, ballots, and election returns
- Modifies the deadline to file an objection to a declaration of candidacy
- Modifies and removes inconsistent provisions relating to participation in a regular primary election

