

Effective 5/13/2014

20A-1-802 Definitions.

As used in this part:

- (1) "Bad faith" means that a person files a petition described in Subsection 20A-1-803(1):
 - (a) under circumstances where a reasonable person would not believe that the allegations are true; or
 - (b)
 - (i) within 60 days before an election that the candidate to which the petition relates will appear on the ballot; and
 - (ii) under circumstances where a reasonable person would not believe that the allegations constitute a significant violation of a provision of this title.
- (2) "Defendant" means each person against whom an allegation is made in the verified petition described in Subsection 20A-1-803(1).
- (3) "Receiving official" means:
 - (a) the lieutenant governor, unless the verified petition described in Section 20A-1-803 alleges a violation by the governor, the lieutenant governor, or an employee of the lieutenant governor's office; or
 - (b) the attorney general, if the verified petition described in Section 20A-1-803 alleges a violation by the governor, the lieutenant governor, or an employee of the lieutenant governor's office.
- (4) "Reviewing official" means:
 - (a) except as provided in Subsection (4)(b), the receiving official; or
 - (b) the reviewing official appointed under Subsection 20A-1-803(3)(a), if the receiving official appoints another individual as the reviewing official under Subsection 20A-1-803(3)(a).
- (5) "Significant violation" means:
 - (a) a violation that, if known by voters before the election, may have resulted in a candidate, other than the candidate certified as having won the election, winning the election; or
 - (b) a violation that, had the violation not occurred, may have resulted in a candidate, other than the candidate certified as having won the election, winning the election.

Enacted by Chapter 254, 2014 General Session