

### **Part 3 Presidential Electors**

#### **20A-13-301 Presidential elections -- Effect of vote.**

- (1)
  - (a) Each registered political party shall choose individuals to act as presidential electors and to fill vacancies in the office of presidential electors for their party's candidates for president and vice president of the United States according to the procedures established in their bylaws.
  - (b) Each registered political party shall certify to the lieutenant governor the names and addresses of the individuals selected by the political party as the party's presidential electors before 5 p.m. no later than August 31.
  - (c) An unaffiliated candidate or write-in candidate for the office of president of the United States shall, no later than 5 p.m. ten days after the day on which the candidate files a declaration of candidacy, certify to the lieutenant governor the names and addresses of each individual selected by the candidate as a presidential elector for the candidate and each individual selected by the candidate to fill a vacancy in the office of presidential elector for the candidate.
- (2) The highest number of votes cast for candidates for president and vice president of the United States elects the presidential electors for:
  - (a) except as provided in Subsection (2)(b), the political party of those candidates; or
  - (b) if the candidates receiving the highest number of votes are unaffiliated candidates or write-in candidates, the presidential electors selected for those candidates under Subsection (1)(c).

Amended by Chapter 22, 2020 General Session

#### **20A-13-302 Certificate of election.**

- (1) The lieutenant governor shall transmit certificates of election to each of the electors selected under Section 20A-13-301:
  - (a) if the candidates for president and vice president of the United States who receive the highest number of votes in the state are unaffiliated candidates or write-in candidates, by the candidate for president; or
  - (b) if the candidates for president and vice president of the United States who receive the highest number of votes in the state are the nominees of a registered political party, by the registered political party.
- (2) Presidential electors may not receive compensation for their services.

Amended by Chapter 22, 2020 General Session

#### **20A-13-303 Filling vacancies.**

If there is a vacancy in the office of presidential elector because of death, refusal to act, failure to attend, ineligibility, or any other cause, the individual or political party represented by the elector who caused the vacancy shall immediately fill the vacancy.

Amended by Chapter 22, 2020 General Session

#### **20A-13-304 Meeting to ballot -- Casting ballot for individual not nominated by elector's candidate or party.**

- (1) The electors shall meet at the office of the lieutenant governor at the state capitol at noon of the first Wednesday of the January after their election, or at noon of any other day designated by the Congress of the United States of America.
- (2) After convening, the electors shall perform their duties in conformity with the United States Constitution and laws.
- (3) Any elector who casts an electoral ballot for an individual not nominated by the individual, or by the party of which the elector is an elector, except in the cases of death or felony conviction of a candidate, is considered to have resigned from the office of elector, the elector's vote may not be recorded, and the remaining electors shall appoint another individual to fill the vacancy.

Amended by Chapter 22, 2020 General Session