

Part 1 General Requirements

20A-9-101 Definitions.

As used in this chapter:

- (1)
 - (a) "Candidates for elective office" means persons who file a declaration of candidacy under Section 20A-9-202 to run in a regular general election for a federal office, constitutional office, multicounty office, or county office.
 - (b) "Candidates for elective office" does not mean candidates for:
 - (i) justice or judge of court of record or not of record;
 - (ii) presidential elector;
 - (iii) any political party offices; and
 - (iv) municipal or special district offices.
- (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney general, state auditor, and state treasurer.
- (3) "Continuing political party" means the same as that term is defined in Section 20A-8-101.
- (4)
 - (a) "County office" means an elective office where the officeholder is selected by voters entirely within one county.
 - (b) "County office" does not mean:
 - (i) the office of justice or judge of any court of record or not of record;
 - (ii) the office of presidential elector;
 - (iii) any political party offices;
 - (iv) any municipal or special district offices; and
 - (v) the office of United States Senator and United States Representative.
- (5) "Electronic candidate qualification process" means:
 - (a) as it relates to a registered political party that is not a qualified political party, the process for gathering signatures electronically to seek the nomination of a registered political party, described in:
 - (i) Section 20A-9-403;
 - (ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and
 - (iii) Section 20A-21-201; and
 - (b) as it relates to a qualified political party, the process, for gathering signatures electronically to seek the nomination of a registered political party, described in:
 - (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);
 - (ii) Section 20A-9-408; and
 - (iii) Section 20A-21-201.
- (6) "Federal office" means an elective office for United States Senator and United States Representative.
- (7) "Filing officer" means:
 - (a) the lieutenant governor, for:
 - (i) the office of United States Senator and United States Representative; and
 - (ii) all constitutional offices;
 - (b) for the office of a state senator, state representative, or the state school board, the lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);
 - (c) the county clerk, for county offices and local school district offices;

- (d) the county clerk in the filer's county of residence, for multicounty offices;
 - (e) the city or town clerk, for municipal offices; or
 - (f) the special district clerk, for special district offices.
- (8) "Local government office" includes county offices, municipal offices, and special district offices and other elective offices selected by the voters from a political division entirely within one county.
- (9) "Manual candidate qualification process" means the process for gathering signatures to seek the nomination of a registered political party, using paper signature packets that a signer physically signs.
- (10)
- (a) "Multicounty office" means an elective office where the officeholder is selected by the voters from more than one county.
 - (b) "Multicounty office" does not mean:
 - (i) a county office;
 - (ii) a federal office;
 - (iii) the office of justice or judge of any court of record or not of record;
 - (iv) the office of presidential elector;
 - (v) any political party offices; or
 - (vi) any municipal or special district offices.
- (11) "Municipal office" means an elective office in a municipality.
- (12)
- (a) "Political division" means a geographic unit from which an officeholder is elected and that an officeholder represents.
 - (b) "Political division" includes a county, a city, a town, a special district, a school district, a legislative district, and a county prosecution district.
- (13) "Qualified political party" means a registered political party that:
- (a)
 - (i) permits a delegate for the registered political party to vote on a candidate nomination in the registered political party's convention remotely; or
 - (ii) provides a procedure for designating an alternate delegate if a delegate is not present at the registered political party's convention;
 - (b) does not hold the registered political party's convention before the fourth Saturday in March of an even-numbered year;
 - (c) permits a member of the registered political party to seek the registered political party's nomination for any elective office by the member choosing to seek the nomination by either or both of the following methods:
 - (i) seeking the nomination through the registered political party's convention process, in accordance with the provisions of Section 20A-9-407; or
 - (ii) seeking the nomination by collecting signatures, in accordance with the provisions of Section 20A-9-408; and
 - (d)
 - (i) if the registered political party is a continuing political party, no later than 5 p.m. on the first Monday of October of an odd-numbered year, certifies to the lieutenant governor that, for the election in the following year, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406; or
 - (ii) if the registered political party is not a continuing political party, certifies at the time that the registered political party files the petition described in Section 20A-8-103 that, for the next

election, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406.

- (14) "Signature," as it relates to a petition for a candidate to seek the nomination of a registered political party, means:
- (a) when using the manual candidate qualification process, a holographic signature collected physically on a nomination petition described in Subsection 20A-9-405(3); or
 - (b) when using the electronic candidate qualification process:
 - (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or
 - (ii) a holographic signature collected electronically under Subsection 20A-21-201(6)(c)(ii)(B).
- (15) "Special district office" means an elected office in a special district.

Amended by Chapter 15, 2023 General Session

Amended by Chapter 45, 2023 General Session