

Senator Howard A. Stephenson proposes to substitute the following bill:

FILLING MIDTERM VACANCIES IN THE

LEGISLATURE

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: David Ure

AN ACT RELATING TO ELECTIONS; MODIFYING PROCEDURES FOR FILLING
MIDTERM VACANCIES IN THE LEGISLATURE; AND MAKING TECHNICAL
CORRECTIONS.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

20A-1-503, as enacted by Chapter 1, Laws of Utah 1993

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

Section 1. Section **20A-1-503** is amended to read:

20A-1-503. Midterm vacancies in the Legislature.

(1) As used in this section[;]:

(a) "Central committee" means:

~~[(a)]~~ (i) the state central committee, when the legislative district encompasses more than
one county; and

~~[(b)]~~ (ii) the county central committee, when the legislative district is entirely within one
county.

§ ~~[(b)]~~ "Legislative party leader" means:

——— (i) the speaker of the House, for a representative who is a member of the majority political
party;

——— (ii) the House minority leader, for a representative who is a member of the minority
political party; §

1 § ~~(iii) the Senate president, for a senator who is a member of the majority political party; or~~

2 ~~(iv) the Senate minority leader, for a senator who is a member of the minority political~~
3 ~~party.] §~~

4 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
5 the § ~~[+]~~ § governor § ~~[+ legislative party leader]~~ § shall fill the vacancy by:

6 (a) appointing the person who meets the qualifications for the office whose name was
7 submitted by the central committee of the same political party of the prior officeholder if the
8 process used to nominate the replacement was the standard process used by that political party to
9 select a candidate without a primary election;

10 (b) appointing a person who meets the qualifications for the office from two persons
11 whose names were submitted by the central committee of the same political party of the prior
12 officeholder if the process used to nominate those persons was the standard process used by that
13 political party to select candidates for the primary election ballot; or

14 (c) appointing a person who meets the qualifications for the office from three persons
15 nominated by the central committee of the same political party as the prior officeholder.

16 (3) (a) When a vacancy occurs for any reason in the office of senator in the Legislature,
17 it shall be filled for the unexpired term at the next regular general election.

18 (b) The § ~~[+]~~ § governor § ~~[+ legislative party leader]~~ § shall fill the vacancy until the next
18a regular

19 general election by:

20 (i) appointing the person who meets the qualifications for the office whose name was
21 submitted by the central committee of the same political party of the prior officeholder if the
22 process used to select that person was the standard process used by that political party to nominate
23 the replacement without a primary election;

24 (ii) appointing a person who meets the qualifications for the office from two persons
25 whose names were submitted by the central committee of the same political party of the prior
26 officeholder if the process used to nominate those persons was the standard process used by that
27 political party to select candidates for the primary election ballot; or

28 (iii) appointing a person who meets the qualifications for the office from three persons
29 nominated by the central committee of the same political party as the prior officeholder.