

1 **FILLING MIDTERM VACANCIES IN THE**
2 **LEGISLATURE**

3 1998 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: David Ure**

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

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

10 AMENDS:

11 **20A-1-503**, as enacted by Chapter 1, Laws of Utah 1993

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

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

14 **20A-1-503. Midterm vacancies in the Legislature.**

15 (1) As used in this section[=];

16 (a) "Central committee" means:

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

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

21 (b) "Legislative party leader" means:

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

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

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

27 (iv) the Senate minority leader, for a senator who is a member of the minority political

1 party.

2 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
3 the [governor] legislative party leader shall fill the vacancy by appointing a person who meets the
4 qualifications for the office from three persons nominated by the central committee of the same
5 political party as the prior officeholder.

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

8 (b) The [governor] legislative party leader shall fill the vacancy until the next regular
9 general election by appointing a person who meets the qualifications for the office from three
10 persons nominated by the central committee of the same political party as the prior officeholder.

Legislative Review Note
as of 1-9-98 12:03 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel