

POLITICAL PARTY AMENDMENTS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Lowell A. Nelson

AN ACT RELATING TO POLITICAL PARTIES; MODIFYING DEFINITIONS; EXPANDING CONSTITUTION AND BYLAW REQUIREMENTS FOR REGISTERED POLITICAL PARTIES; REQUIRING COUNTY AFFILIATES OF REGISTERED POLITICAL PARTIES TO PROVIDE CERTAIN INFORMATION; AND MAKING TECHNICAL CORRECTIONS.

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

AMENDS:

20A-8-101, as last amended by Chapter 182, Laws of Utah 1997

20A-8-401, as last amended by Chapter 213, Laws of Utah 1996

20A-8-402, as enacted by Chapter 182, Laws of Utah 1997

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

Section 1. Section **20A-8-101** is amended to read:

20A-8-101. Definitions.

As used in this chapter:

(1) "Continuing political party" means an organization of voters that participated in the last regular general election and polled a total vote for any of its candidates for any office equal to 2% or more of the total votes cast for all candidates for the United States House of Representatives.

(2) "County political party" means, for each registered political party, all of the persons within a single county who, under definitions established by the county political party, are members of the registered political party.

[(2)] (3) "Newly registered political party" means [an] a statewide organization of voters that has complied with the petition and organizing procedures of this chapter to become a registered political party.

[(3)] (4) "Registered political party" means an organization of voters that:

(a) participated in the last regular general election and polled a total vote for any of its candidates for any office equal to 2% or more of the total votes cast for all candidates for the

United States House of Representatives; or

(b) has complied with the petition and organizing procedures of this chapter.

(5) "State political party" means, for each registered political party, all of the persons in Utah who, under definitions established by the state political party, are members of the registered political party.

Section 2. Section **20A-8-401** is amended to read:

20A-8-401. Registered political parties -- Bylaws.

(1) (a) Each registered state political party shall file a copy of its constitution and bylaws with the lieutenant governor by January 1, 1995.

(b) Each new or unregistered state political party that seeks to become a registered political party under the authority of this chapter shall file a copy of its proposed constitution and bylaws at the time it files its registration information.

(c) Each registered state political party shall file revised copies of its constitution or bylaws with the lieutenant governor within 15 days after the constitution or bylaws are adopted or amended.

(2) Each [~~registered~~] state political party, each new political party seeking registration, and each unregistered political party seeking registration shall ensure that its constitution or bylaws contain:

(a) provisions establishing party organization, structure, membership, and governance that include:

(i) a description of the position, selection process, qualifications, duties, and terms of each party officer and committees defined by constitution and bylaws;

(ii) a provision requiring a designated party officer to serve as liaison with the lieutenant governor on all matters relating to the political party's relationship with the state;

(iii) a description of the requirements for participation in party processes;

(iv) the dates, times, and quorum of any regularly scheduled party meetings, conventions, or other conclaves; and

(v) a mechanism for making the names of [~~party officers;~~] delegates, [~~and~~] candidates, and elected party officers available to the public shortly after they are selected;

- (b) a procedure for selecting party officers that allows active participation by party members;
- (c) a procedure for selecting party candidates at the federal, state, and county levels that allows active participation by party members;
- (d) a procedure for selecting electors who are pledged to cast their votes in the electoral college for the party's candidates for president and vice president of the United States;
- (e) a provision requiring the governor and lieutenant governor to run as a joint ticket;
- (f) a procedure for replacing party candidates who die, become disabled, or are disqualified before a primary or regular general election;
- (g) provisions governing the deposit and expenditure of party funds, and governing the accounting for, reporting, and audit of party financial transactions;
- (h) provisions governing access to party records; ~~and~~
- (i) a procedure for amending the constitution or bylaws that allows active participation by party members or their representatives~~[-]; and~~
- (j) a process for resolving grievances against the political party.

Section 3. Section **20A-8-402** is amended to read:

20A-8-402. Political party officers -- Submission of names of officers to the lieutenant governor.

- (1) Each ~~[registered]~~ state political party shall:
 - ~~[(1)]~~ (a) designate a ~~[state]~~ party officer to act as liaison with the lieutenant governor's office; and
 - (b) within seven days of any change in the party liaison, submit the name of the new liaison to the lieutenant governor.
- (2) Each state political party and each county political party shall:
 - (a) submit the names of its ~~[state]~~ officers ~~[and liaison]~~ to the lieutenant governor within seven days after the officers are selected; and
 - ~~[(3)]~~ (b) within seven days of any change in party officers ~~[or liaison]~~, submit the names of the new officers ~~[and liaison]~~ to the lieutenant governor.