

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

**MUNICIPAL CANDIDACY RESIDENCY**

**AMENDMENT**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Terry R. Spencer**

AN ACT RELATING TO CITIES AND TOWNS; MODIFYING RESIDENCY REQUIREMENTS FOR PERSONS SEEKING MUNICIPAL OFFICE; AND MAKING TECHNICAL CHANGES.

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

AMENDS:

**10-3-301**, as last amended by Chapters 1 and 21, Laws of Utah 1994

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

Section 1. Section **10-3-301** is amended to read:

**10-3-301. Eligibility and residency requirements for elected municipal office.**

(1) (a) A person filing a declaration of candidacy for a municipal office shall:

(i) have been a resident of the municipality in which the person seeks office for at least [~~one year~~] 365 days immediately before the date of the election; and

(ii) meet the other requirements of Section 20A-9-203.

(b) A person living in an area annexed to a municipality meets the residency requirement of this subsection if that person resided within the area annexed to the municipality for at least [~~one year~~] 365 days before the date of the election.

(2) Any person elected to municipal office shall be a registered voter in the municipality in which [~~he~~] the person was elected.

(3) (a) Each elected officer of a municipality shall maintain residency within the boundaries of the municipality during [~~his~~] the officer's term of office.

(b) If an elected officer of a municipality establishes [~~his~~] a principal place of residence as provided in Section 20A-2-105 outside the municipality during [~~his~~] the officer's term of office,

28 the office is automatically vacant.

29 (4) If an elected municipal officer is absent from the municipality any time during [his]  
30 the officer's term of office for a continuous period of more than 60 days without the consent of the  
31 municipal legislative body, the municipal office is automatically vacant.

---

---

**Legislative Review Note**  
**as of 9-17-99 11:20 AM**

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

**Office of Legislative Research and General Counsel**