

28 of the prior officeholder if the process used to nominate those persons was the standard process
29 used by that political party to select candidates for the primary election ballot; or

30 (c) appointing a person who meets the qualifications for the office from three persons
31 ~~[nominated]~~ whose names were submitted by the ~~[central committee]~~ party liaison of the same
32 political party as the prior officeholder.

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

35 (b) The governor shall fill the vacancy until the next regular general election by:

36 (i) appointing the person who meets the qualifications for the office whose name was
37 submitted by the ~~[central committee]~~ party liaison of the same political party of the prior
38 officeholder if the process used to select that person was the standard process used by that political
39 party to nominate the replacement without a primary election;

40 (ii) appointing a person who meets the qualifications for the office from two persons
41 whose names were submitted by the ~~[central committee]~~ party liaison of the same political party
42 of the prior officeholder if the process used to nominate those persons was the standard process
43 used by that political party to select candidates for the primary election ballot; or

44 (iii) appointing a person who meets the qualifications for the office from three persons
45 ~~[nominated]~~ whose names were submitted by the ~~[central committee]~~ party liaison of the same
46 political party as the prior officeholder.

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

48 **20A-8-401. Registered political parties -- Bylaws.**

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

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

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

57 (2) Each state political party, each new political party seeking registration, and each
58 unregistered political party seeking registration shall ensure that its constitution or bylaws contain:

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

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

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

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

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

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

70 (b) a procedure for selecting party officers that allows active participation by party
71 members;

72 (c) a procedure for selecting party candidates at the federal, state, and county levels that
73 allows active participation by party members;

74 (d) (i) a procedure for selecting electors who are pledged to cast their votes in the electoral
75 college for the party's candidates for president and vice president of the United States; and

76 (ii) a procedure for filling vacancies in the office of presidential elector because of death,
77 refusal to act, failure to attend, ineligibility, or any other cause;

78 (e) a procedure for submitting names to the governor to fill midterm vacancies in the office
79 of:

80 (i) representative in the Legislature consistent with Subsection 20A-1-503(2)(c); and

81 (ii) senator in the Legislature consistent with Subsection 20A-1-503(3)(b)(iii);

82 [~~e~~] (f) a provision requiring the governor and lieutenant governor to run as a joint ticket;

83 [~~f~~] (g) a procedure for replacing party candidates who die, become disabled, or are
84 disqualified before a primary or regular general election;

85 [~~g~~] (h) provisions governing the deposit and expenditure of party funds, and governing
86 the accounting for, reporting, and audit of party financial transactions;

87 [~~h~~] (i) provisions governing access to party records;

88 [~~i~~] (j) a procedure for amending the constitution or bylaws that allows active participation
89 by party members or their representatives; and

90 [(j)] (k) a process for resolving grievances against the political party.

Legislative Review Note
as of 1-31-02 11:56 AM

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

Office of Legislative Research and General Counsel