

1                                   **CANDIDATES NOT AFFILIATED WITH A**  
2   **PARTY**

3   2003 GENERAL SESSION  
4   STATE OF UTAH

5   **Sponsor: Michael E. Noel**

6   **This act modifies the Election Code by modifying the requirements for a certificate of**  
7   **nomination for candidates not affiliated with a political party.**

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

9   AMENDS:

10           **20A-9-502**, as last amended by Chapter 75, Laws of Utah 2000

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

12           Section 1. Section **20A-9-502** is amended to read:

13           **20A-9-502. Certificate of nomination -- Contents -- Circulation -- Verification.**

14           (1) The candidate shall:

15           (a) prepare a certificate of nomination in substantially the following form:

16           "State of Utah, County of \_\_\_\_\_

17           I, \_\_\_\_\_, declare my intention of becoming an unaffiliated candidate for the  
18   political group designated as \_\_\_\_ for the office of \_\_\_\_\_. I do solemnly swear that I can  
19   qualify to hold that office both legally and constitutionally if selected, and that I reside at \_\_\_\_  
20   Street, in the city of \_\_\_\_\_, county of \_\_\_\_\_, state of Utah, zip code \_\_\_\_\_, phone \_\_\_\_\_, and that I  
21   am providing, or have provided, the required number of signatures of registered voters required  
22   by law; that as a candidate at the next election I will not knowingly violate any election or  
23   campaign law, and that I will qualify for the office if I am elected to it.

24   \_\_\_\_\_  
25   Subscribed and sworn to before me this \_\_\_\_\_(month\day\year).

26   \_\_\_\_\_  
27   Notary Public (or other officer



qualified to administer oaths"); and

(b) attach signature sheets to the certificate that contain a place for the registered voter's signature, a place for the registered voter to print his name, and a place for the registered voter's address.

(2) (a) The candidate shall circulate the nomination petition and submit it to the county clerk for certification when the petition has been completed by:

(i) at least 1,000 registered voters residing within the state when the nomination is for an office to be filled by the voters of the entire state; or

(ii) at least 300 registered voters residing within a political division or at least 5% of the registered voters residing within a political division, whichever is less, when the nomination is for an office to be filled by the voters of any political division smaller than the state.

(b) In reviewing the petition, the county clerk shall count and certify only those persons who signed the petition who:

(i) are registered voters within the political division that the candidate seeks to represent; and

(ii) did not sign any other certificate of nomination for that office.

(c) The candidate may supplement or amend the certificate of nomination at any time on or before the filing deadline.

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**Legislative Review Note**  
**as of 12-16-02 3:52 PM**

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

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0061**

**Candidates Not Affiliated With A Party**

*30-Dec-02*

*10:47 AM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**