

PRESIDENTIAL PRIMARY AMENDMENTS

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: M. Susan Lawrence

This act modifies the Western States Presidential Primary process by making the primary contingent upon legislative appropriation and by changing the date for the primary.

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

AMENDS:

20A-9-802, as enacted by Chapter 22, Laws of Utah 1999

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

Section 1. Section **20A-9-802** is amended to read:

20A-9-802. Western States Presidential Primary established -- Other ballot issues prohibited.

(1) (a) [~~There~~] Contingent upon legislative appropriation, there is established a Western States Presidential Primary election to be held the [~~first~~] last Friday [~~after the first Monday in March~~] in February in the year in which a presidential election will be held.

(b) Except as otherwise specifically provided in this chapter, county clerks shall administer the Western States Presidential Primary according to the provisions of Title 20A, Election Code, including:

(i) Title 20A, Chapter 1, General Provisions;

(ii) Title 20A, Chapter 2, Voter Registration;

(iii) Title 20A, Chapter 3, Voting;

(iv) Title 20A, Chapter 4, Election Returns and Election Contests;

(v) Title 20A, Chapter 5, Election Administration; and

(vi) Title 20A, Chapter 6, Ballot Form.

(c) (i) The county clerks shall ensure that the ballot voted by the voters at the Western



28 States Presidential Primary contains only the names of candidates for President of the United
29 States who have qualified as provided in this part.

30 (ii) The county clerks may not present any other items to the voters to be voted upon at
31 this election.

32 (2) Registered political parties, and candidates for President of the United States who
33 are affiliated with a registered political party, may participate in the Western States Presidential
34 Primary established by this part.

35 (3) As a condition for using the state's election system, each registered political party
36 wishing to participate in Utah's Western States Presidential Primary shall:

37 (a) declare their intent to participate in the Western States Presidential Primary;

38 (b) identify one or more registered political parties whose members may vote for the
39 registered political party's candidates and whether or not persons identified as unaffiliated with
40 a political party may vote for the registered political party's candidates; and

41 (c) certify that information to the lieutenant governor no later than 5 p.m. on the June
42 30 of the year before the year in which the presidential primary will be held.

Legislative Review Note
as of 2-12-03 10:11 AM

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

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0342

Presidential Primary Amendments

17-Feb-03

10:52 AM

State Impact

Any fiscal impact is contingent on an appropriation by the Legislature.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst