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FILLING VACANCIES IN THE SENATE

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John W. Hickman

House Sponsor: Ben C. Ferry

LONG TITLE

General Description:

This bill modifies provisions of the Election Code relating to filling vacancies in the state Senate.

Highlighted Provisions:

This bill:

- ▶ provides that ~~§~~, beginning on January 1, 2008, ~~§~~ when a vacancy ~~§~~ [occurs] exists ~~§~~ in the state Senate, the person appointed to fill the vacancy shall serve for the entire unexpired term rather than only until the next regular general election;

- ▶ removes the requirement to hold an election to choose a candidate to serve for that part of the unexpired term that may remain after the regular general election; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

~~§~~ [None] This bill provides an immediate effective date. ~~§~~

Utah Code Sections Affected:

AMENDS:

20A-1-503, as last amended by Laws of Utah 2004, Chapter 38

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



S.B. 123

28 Section 1. Section 20A-1-503 is amended to read:

29 **20A-1-503. Midterm vacancies in the Legislature.**

30 (1) As used in this section, "party liaison" means the political party officer designated
31 to serve as a liaison with the lieutenant governor on all matters relating to the political party's
32 relationship with the state as required by Section 20A-8-401.

33 (2) When a vacancy occurs for any reason in the office of representative in the
34 Legislature, the governor shall fill the vacancy for the unexpired term by immediately
35 appointing the person whose name was submitted by the party liaison of the same political
36 party as the prior representative.

37 (3) [~~(a)~~] ~~§~~ **→** [~~When~~] Beginning on January 1, 2008, when ~~←§~~ a vacancy ~~§~~ **→** [~~occurs~~]
37a exists ~~←§~~ for any reason in the office of senator in the
38 Legislature, [~~it shall be filled~~] the governor shall fill the vacancy for the unexpired term [~~at the~~
39 ~~next regular general election.~~ (b) ~~The governor shall fill the vacancy until the next regular~~
40 ~~general election~~] by immediately appointing the person whose name was submitted by the party
41 liaison of the same political party as the prior senator.

41a **§** **→** Section 2. Effective date.

41b If approved by two-thirds of all the members elected to each house, this bill takes effect upon
41c approval by the governor, or the day following the constitutional time limit of Utah
41d Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
41e the date of veto override. ~~←§~~

Legislative Review Note
as of 1-3-08 6:49 AM

Office of Legislative Research and General Counsel

S.B. 123 - Filling Vacancies in the Senate

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals or businesses. Local governments may avoid costs associated with additional races to fill mid-term Senate vacancies.
