

Senator Scott D. McCoy proposes the following substitute bill:

FILLING VACANCIES IN THE SENATE

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John W. Hickman

House Sponsor: Stephen H. Urquhart

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 exists in the state Senate due to the death of a state senator, the person appointed to fill the vacancy shall serve for the entire unexpired term rather than only until the next regular general election; and

- makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

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:

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

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

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

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

(3) (a) (i) ~~[When]~~ Except as provided in Subsection (3)(b), when a vacancy occurs for any reason in the office of senator in the Legislature, ~~[it]~~ the vacancy shall be filled for the unexpired term at the next regular general election.

~~[(b)]~~ (ii) The governor shall fill the vacancy until the next regular general election by immediately appointing the person whose name was submitted by the party liaison of the same political party as the prior senator.

(b) Beginning on January 1, 2008, when a vacancy exists in the office of senator in the Legislature due to the death of a state senator, the governor shall fill the vacancy for the unexpired term by immediately appointing the person whose name was submitted by the party liaison of the same political party as the deceased senator.

Section 2. **Effective date.**

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