

**FILING FEE FOR WRITE-IN CANDIDATES**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Peter C. Knudson**

House Sponsor: Glenn A. Donnelson

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**LONG TITLE**

**General Description:**

This bill modifies the Election Code to require a filing fee for write-in candidates.

**Highlighted Provisions:**

This bill:

- ▶ modifies the Election Code to require a filing fee for write-in candidates.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

**AMENDS:**

**20A-9-601**, as last amended by Laws of Utah 2006, Chapter 264

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

Section 1. Section **20A-9-601** is amended to read:

**20A-9-601. Qualifying as a write-in candidate.**

(1) (a) Each person wishing to become a valid write-in candidate shall:

(i) file a declaration of candidacy with the appropriate filing officer not later than 30 days before the regular general election or municipal general election in which the person intends to be a write-in candidate[-]; and



28            (ii) pay the fee for filing a declaration of candidacy as required under this chapter.

29            (b) If the filing deadline falls on a weekend or holiday, it shall be extended to the next  
30 regular business day.

31            (c) (i) The filing officer shall:

32            (A) read to the candidate the constitutional and statutory requirements for the office;  
33 and

34            (B) ask the candidate whether or not the candidate meets the requirements.

35            (ii) If the candidate cannot meet the requirements of office, the filing officer may not  
36 accept the write-in candidate's declaration of candidacy.

37            (2) A write-in candidate in towns need not prequalify with the filing officer.

38            (3) By November 1 of each regular general election year, the lieutenant governor shall  
39 certify to each county clerk the names of all write-in candidates who filed their declaration of  
40 candidacy with the lieutenant governor.

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**Legislative Review Note**  
**as of 1-9-08 9:16 AM**

**Office of Legislative Research and General Counsel**

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**S.B. 126 - Filing Fee for Write-in Candidates**

**Fiscal Note**

2008 General Session  
State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations. Based upon the past two elections cycles, the fees established by this bill may generate between \$2,000 and \$4,000 in General Fund revenue in election years.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
General Fund, One-Time	\$0	\$0	\$0	\$0	\$3,000	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,000</b>	<b>\$0</b>

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for businesses. Individuals who file as write-in candidates will incur a direct cost. Local governments may receive additional revenue associated with filing fees.