

**POLITICAL PARTY BYLAWS - UNITED STATES**

**SENATORS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: Craig A. Frank

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**LONG TITLE**

**General Description:**

This bill authorizes political parties to include provisions in their bylaws establishing, if desired by the political party, a process for the political party to consult with its party members in the Utah Senate and House about United States Senate incumbents and candidates.

**Highlighted Provisions:**

This bill:

- ▶ authorizes political parties to establish a process in their bylaws to:
  - consult with and obtain the opinion of members of its party serving in the Utah House and Utah Senate about the performance and policy positions of the United States Senators from Utah and any candidates for United States Senate from Utah including specifically their views and actions on state's rights and federalism and their performance in representing Utah's interests; and
  - if desired by the political party, obtain collective or individual endorsements of a particular United States Senate candidate from the members of its political party serving in the Utah Senate or Utah House.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

30 AMENDS:

31 **20A-8-401**, as last amended by Laws of Utah 2004, Chapter 38



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

34 Section 1. Section **20A-8-401** is amended to read:

35 **20A-8-401. Registered political parties -- Bylaws.**

36 (1) (a) Each registered state political party shall file a copy of its constitution and  
37 bylaws with the lieutenant governor by January 1, 1995.

38 (b) Each new or unregistered state political party that seeks to become a registered  
39 political party under the authority of this chapter shall file a copy of its proposed constitution  
40 and bylaws at the time it files its registration information.

41 (c) Each registered state political party shall file revised copies of its constitution or  
42 bylaws with the lieutenant governor within 15 days after the constitution or bylaws are  
43 adopted or amended.

44 (2) Each state political party, each new political party seeking registration, and each  
45 unregistered political party seeking registration shall ensure that its constitution or bylaws  
46 contain:

47 (a) provisions establishing party organization, structure, membership, and governance  
48 that include:

49 (i) a description of the position, selection process, qualifications, duties, and terms of  
50 each party officer and committees defined by constitution and bylaws;

51 (ii) a provision requiring a designated party officer to serve as liaison with the  
52 lieutenant governor on all matters relating to the political party's relationship with the state;

53 (iii) a description of the requirements for participation in party processes;

54 (iv) the dates, times, and quorum of any regularly scheduled party meetings,  
55 conventions, or other conclaves; and

56 (v) a mechanism for making the names of delegates, candidates, and elected party  
57 officers available to the public shortly after they are selected;

58 (b) a procedure for selecting party officers that allows active participation by party  
59 members;

60 (c) a procedure for selecting party candidates at the federal, state, and county levels  
61 that allows active participation by party members;

62 (d) (i) a procedure for selecting electors who are pledged to cast their votes in the  
63 electoral college for the party's candidates for president and vice president of the United  
64 States; and

65 (ii) a procedure for filling vacancies in the office of presidential elector because of  
66 death, refusal to act, failure to attend, ineligibility, or any other cause;

67 (e) a procedure for filling vacancies in the office of representative or senator because  
68 of death, resignation, or ineligibility;

69 (f) a provision requiring the governor and lieutenant governor to run as a joint ticket;

70 (g) a procedure for replacing party candidates who die, become disabled, or are  
71 disqualified before a primary or regular general election;

72 (h) provisions governing the deposit and expenditure of party funds, and governing the  
73 accounting for, reporting, and audit of party financial transactions;

74 (i) provisions governing access to party records;

75 (j) a procedure for amending the constitution or bylaws that allows active participation  
76 by party members or their representatives; ~~and~~

77 (k) a process for resolving grievances against the political party[-]; and

78 (l) if desired by the political party, a process for consulting with, and obtaining the  
79 opinion of, the political party's Utah Senate and Utah House members about:

80 (i) the performance of the two United States Senators from Utah, including  
81 specifically:

82 (A) their views and actions regarding the defense of state's rights and federalism; and

83 (B) their performance in representing Utah's interests;

84 (ii) the members' opinion about, or rating of, and support or opposition to the policy  
85 positions of any candidates for United States Senate from Utah, including incumbents,

86 including specifically:

87 (A) their views and actions regarding the defense of state's rights and federalism; and

88 (B) their performance in representing Utah's interests; and

89 (iii) the members' collective or individual endorsement or rating of a particular

90 candidate for United States Senate from Utah.