

- 28 • establishes, at 65% or higher, the minimum percentage of votes that a candidate
 29 must receive at the party caucus in order to avoid a primary;
- 30 ▶ modifies provisions and dates relating to a declaration of candidacy;
- 31 ▶ provides that candidates for elective office shall be nominated in direct primary
 32 elections, unless the candidates are listed on the ballot as unaffiliated or are
 33 nominated by a qualified political party;
- 34 ▶ modifies provisions relating to the conduct of a primary election;
- 35 ▶ describes petition requirements for appearing on a primary election ballot for
 36 nomination as a candidate for an identified political party;
- 37 ▶ grants rulemaking authority to the lieutenant governor;
- 38 ▶ describes duties of the lieutenant governor and county clerks in relation to the
 39 provisions of this bill;
- 40 ▶ describes requirements and exceptions for a qualified political party;
- 41 ▶ describes an alternate nomination procedure for a qualified political party; and
- 42 ▶ makes technical and conforming changes.

43 **Money Appropriated in this Bill:**

44 None

45 **Other Special Clauses:**

46 ~~§~~→ [None] This bill takes effect on January 1, 2015. ←~~§~~

47 **Utah Code Sections Affected:**

48 AMENDS:

- 49 20A-1-102, as last amended by Laws of Utah 2013, Chapter 320
- 50 20A-1-501, as last amended by Laws of Utah 2013, Chapter 317
- 51 20A-5-101, as last amended by Laws of Utah 2011, Chapters 291 and 292
- 52 20A-6-301, as last amended by Laws of Utah 2012, Chapter 68
- 53 20A-6-302, as last amended by Laws of Utah 2013, Chapter 317
- 54 20A-6-303, as last amended by Laws of Utah 2011, Chapter 292
- 55 20A-6-304, as last amended by Laws of Utah 2011, Chapter 292
- 56 20A-6-305, as enacted by Laws of Utah 2011, Chapter 292
- 57 20A-9-101, as last amended by Laws of Utah 2007, Chapter 329
- 58 20A-9-201, as last amended by Laws of Utah 2013, Chapters 145 and 317

803 (ii) provides a procedure for designating an alternate delegate if a delegate is not
 804 present at the registered political party's convention; and

805 (e) establishes, at 65% or higher, the minimum percentage of votes that a candidate
 806 must receive at the party ~~§~~→ [caucus] convention ←~~§~~ in order to avoid a primary.

807 Section 10. Section **20A-9-201** is amended to read:

808 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
 809 **more than one political party prohibited with exceptions -- General filing and form**
 810 **requirements -- Affidavit of impecuniosity.**

811 (1) Before filing a declaration of candidacy for election to any office, a person shall:

812 (a) be a United States citizen; [~~and~~]

813 (b) meet the legal requirements of that office[-]; and

814 (c) if seeking a registered political party's nomination as a candidate for elective office,
 815 designate that registered political party as their preferred party affiliation on their declaration of
 816 candidacy.

817 (2) (a) Except as provided in Subsection (2)(b), a person may not:

818 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
 819 Utah during any election year; or

820 (ii) appear on the ballot as the candidate of more than one political party.

821 (b) (i) A person may file a declaration of candidacy for, or be a candidate for, president
 822 or vice president of the United States and another office, if the person resigns the person's
 823 candidacy for the other office after the person is officially nominated for president or vice
 824 president of the United States.

825 (ii) A person may file a declaration of candidacy for, or be a candidate for, more than
 826 one justice court judge office.

827 (iii) A person may file a declaration of candidacy for lieutenant governor even if the
 828 person filed a declaration of candidacy for another office in the same election year if the person
 829 withdraws as a candidate for the other office in accordance with Subsection **20A-9-202(6)**
 830 before filing the declaration of candidacy for lieutenant governor.

831 (3) (a) (i) Except for presidential candidates, before the filing officer may accept any
 832 declaration of candidacy, the filing officer shall:

833 (A) read to the prospective candidate the constitutional and statutory qualification

1423 (c) to the county clerks no later than 5 p.m. on the first Monday after the third Saturday
 1424 in April of each even-numbered year, the name and office of each of the qualified political
 1425 party's county candidates and indicate which of the candidates will be on the primary ballot.

1426 Section 16. Section **20A-9-701** is amended to read:

1427 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1428 (1) No later than August 31 of each regular general election year, the lieutenant
 1429 governor shall certify to each county clerk the names of each candidate~~[, including candidates~~
 1430 ~~for president and vice president, certified by each registered political party as that party's~~
 1431 ~~nominees]~~ nominated under Subsection 20A-9-202(4) or Subsection 20A-9-403(5) for offices
 1432 to be voted upon at the regular general election in that county clerk's county.

1433 (2) The names shall be certified by the lieutenant governor and shall be displayed on
 1434 the ballot as they are provided on the candidate's declaration of candidacy. No other names
 1435 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
 1436 political party, political party, or other political group.

1436a **Ŝ→ Section 17. Effective date.**

1436b **This bill takes effect on January 1, 2015 ←Ŝ**

Legislative Review Note
 as of 2-3-14 9:55 AM

Office of Legislative Research and General Counsel