

**Representative Marc K. Roberts** proposes the following substitute bill:

**PRIMARY ELECTIONS MODIFICATIONS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Marc K. Roberts**

Senate Sponsor: Alvin B. Jackson

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**LONG TITLE**

**General Description:**

This bill amends the Election Code to provide that, for certain primary races for offices where more than two candidates are seeking the nomination of the same political party for the same office, if one candidate does not receive more than ~~50%~~ 40% of the votes cast in the race, the party shall choose a nominee from among the two candidates who received the highest number of votes.

**Highlighted Provisions:**

This bill:

- defines terms;
- provides that, for certain primary races for offices where more than two candidates

are seeking the nomination of the same political party for the same office, if one candidate does not receive more than ~~50%~~ 40% of the votes cast in the race, the party shall, in accordance with the party's bylaws, choose a nominee from among the two candidates who received the highest number of votes; and

- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**



398 lot which candidate is selected in a public meeting in the presence of each person subject to the  
399 tie within five days of the canvass or within five days of the recount if one is requested or held.

400 Section 4. Section **20A-4-303.5** is enacted to read:

401 **20A-4-303.5. Determining nominee in multi-candidate primary race.**

402 (1) Except as provided in Subsection (2), in a multi-candidate primary race the  
403 candidate who receives the highest number of votes is nominated.

404 (2) If the candidate who receives the highest number of votes in a multi-candidate  
405 primary race does not receive more than ~~H→~~ [50%] 40% ~~←H~~ of the total votes cast in that race,  
405a the party shall,  
406 within 30 days after the day on which the board of canvassers certifies the vote totals:

407 (a) in accordance with the party's bylaws, choose, as the party's nominee, one of the  
408 two candidates who received the highest number of votes; and

409 (b) provide to the election officer for the next general election a certificate of  
410 nomination stating the name of the candidate chosen.

411 Section 5. Section **20A-4-304** is amended to read:

412 **20A-4-304. Declaration of results -- Canvassers' report.**

413 (1) Each board of canvassers shall:

414 (a) except as provided in Section 20A-4-303.5, declare "elected" or "nominated" those  
415 persons who:

416 (i) had the highest number of votes; and

417 (ii) sought election or nomination to an office completely within the board's  
418 jurisdiction;

419 (b) declare:

420 (i) "approved" those ballot propositions that:

421 (A) had more "yes" votes than "no" votes; and

422 (B) were submitted only to the voters within the board's jurisdiction;

423 (ii) "rejected" those ballot propositions that:

424 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes"  
425 votes; and

426 (B) were submitted only to the voters within the board's jurisdiction;

427 (c) certify the vote totals for persons and for and against ballot propositions that were  
428 submitted to voters within and beyond the board's jurisdiction and transmit those vote totals to