

**POLITICAL ACTIVITY AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Curtis S. Bramble**

House Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Election Code and the Lobbyist Disclosure and Regulation Act.

**Highlighted Provisions:**

This bill:

- ▶ defines and amends terms;
- ▶ amends and corrects provisions relating to primary elections;
- ▶ changes the date on which a county clerk is required to provide an election notice;
- ▶ modifies the political party registration petition;
- ▶ modifies provisions relating to a declaration of candidacy;
- ▶ amends provisions relating to notifications that a qualified political party is required to provide to the lieutenant governor;
- ▶ amends ballot provisions;
- ▶ modifies provisions relating to rulemaking authority;
- ▶ amends provisions relating to candidate nomination and certification;
- ▶ amends provisions relating to nomination petitions;
- ▶ amends provisions relating to straight party voting;
- ▶ modifies requirements relating to reporting by a corporation or a lobbyist; and
- ▶ makes technical and conforming amendments.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

30 None

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **20A-1-102**, as last amended by Laws of Utah 2014, Chapters 17, 31, 231, 362, and 391

34 **20A-1-201.5**, as last amended by Laws of Utah 2013, Chapter 320

35 **20A-3-106**, as last amended by Laws of Utah 2006, Chapter 326

36 **20A-5-101**, as last amended by Laws of Utah 2014, Chapters 17 and 362

37 **20A-6-303**, as last amended by Laws of Utah 2014, Chapter 17

38 **20A-6-304**, as last amended by Laws of Utah 2014, Chapter 17

39 **20A-9-101**, as last amended by Laws of Utah 2014, Chapter 17

40 **20A-9-201**, as last amended by Laws of Utah 2014, Chapter 17

41 **20A-9-202**, as last amended by Laws of Utah 2014, Chapter 17

42 **20A-9-403**, as last amended by Laws of Utah 2014, Chapter 17

43 **20A-9-406**, as enacted by Laws of Utah 2014, Chapter 17

44 **20A-9-407**, as enacted by Laws of Utah 2014, Chapter 17

45 **20A-9-408**, as enacted by Laws of Utah 2014, Chapter 17

46 **20A-9-701**, as last amended by Laws of Utah 2014, Chapter 17

47 **20A-11-701**, as last amended by Laws of Utah 2013, Chapters 318 and 420

48 **36-11-201**, as last amended by Laws of Utah 2010, Chapter 325

49 ENACTS:

50 **20A-9-408.5**, Utah Code Annotated 1953

51 **20A-9-411**, Utah Code Annotated 1953

52 **20A-11-705**, Utah Code Annotated 1953



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

55 Section 1. Section **20A-1-102** is amended to read:

56 **20A-1-102. Definitions.**

57 As used in this title:

58 (1) "Active voter" means a registered voter who has not been classified as an inactive  
59 voter by the county clerk.

60 (2) "Automatic tabulating equipment" means apparatus that automatically examines  
61 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

62 (3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic,  
63 upon which a voter records the voter's votes.

64 (b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy  
65 envelopes.

66 (4) "Ballot label" means the cards, papers, booklet, pages, or other materials that:

67 (a) contain the names of offices and candidates and statements of ballot propositions to  
68 be voted on; and

69 (b) are used in conjunction with ballot sheets that do not display that information.

70 (5) "Ballot proposition" means a question, issue, or proposal that is submitted to voters  
71 on the ballot for their approval or rejection including:

72 (a) an opinion question specifically authorized by the Legislature;

73 (b) a constitutional amendment;

74 (c) an initiative;

75 (d) a referendum;

76 (e) a bond proposition;

77 (f) a judicial retention question;

78 (g) an incorporation of a city or town; or

79 (h) any other ballot question specifically authorized by the Legislature.

80 (6) "Ballot sheet":

81 (a) means a ballot that:

82 (i) consists of paper or a card where the voter's votes are marked or recorded; and

83 (ii) can be counted using automatic tabulating equipment; and

84 (b) includes punch card ballots and other ballots that are machine-countable.

85 (7) "Bind," "binding," or "bound" means securing more than one piece of paper

86 together with a staple or stitch in at least three places across the top of the paper in the blank  
87 space reserved for securing the paper.

88 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and  
89 [20A-4-306](#) to canvass election returns.

90 (9) "Bond election" means an election held for the purpose of approving or rejecting  
91 the proposed issuance of bonds by a government entity.

92 (10) "Book voter registration form" means voter registration forms contained in a  
93 bound book that are used by election officers and registration agents to register persons to vote.

94 (11) "Business reply mail envelope" means an envelope that may be mailed free of  
95 charge by the sender.

96 (12) "By-mail voter registration form" means a voter registration form designed to be  
97 completed by the voter and mailed to the election officer.

98 (13) "Canvass" means the review of election returns and the official declaration of  
99 election results by the board of canvassers.

100 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at  
101 the canvass.

102 (15) "Contracting election officer" means an election officer who enters into a contract  
103 or interlocal agreement with a provider election officer.

104 (16) "Convention" means the political party convention at which party officers and  
105 delegates are selected.

106 (17) "Counting center" means one or more locations selected by the election officer in  
107 charge of the election for the automatic counting of ballots.

108 (18) "Counting judge" means a poll worker designated to count the ballots during  
109 election day.

110 (19) "Counting poll watcher" means a person selected as provided in Section  
111 [20A-3-201](#) to witness the counting of ballots.

112 (20) "Counting room" means a suitable and convenient private place or room,  
113 immediately adjoining the place where the election is being held, for use by the poll workers

114 and counting judges to count ballots during election day.

115 (21) "County officers" means those county officers that are required by law to be  
116 elected.

117 (22) "Date of the election" or "election day" or "day of the election":

118 (a) means the day that is specified in the calendar year as the day that the election  
119 occurs; and

120 (b) does not include:

121 (i) deadlines established for absentee voting; or

122 (ii) any early voting or early voting period as provided under Chapter 3, Part 6, Early  
123 Voting.

124 (23) "Elected official" means:

125 (a) a person elected to an office under Section [20A-1-303](#);

126 (b) a person who is considered to be elected to a municipal office in accordance with  
127 Subsection [20A-1-206\(1\)\(c\)\(ii\)](#); or

128 (c) a person who is considered to be elected to a local district office in accordance with  
129 Subsection [20A-1-206\(3\)\(c\)\(ii\)](#).

130 (24) "Election" means a regular general election, a municipal general election, a  
131 statewide special election, a local special election, a regular primary election, a municipal  
132 primary election, and a local district election.

133 (25) "Election Assistance Commission" means the commission established by Public  
134 Law 107-252, the Help America Vote Act of 2002.

135 (26) "Election cycle" means the period beginning on the first day persons are eligible to  
136 file declarations of candidacy and ending when the canvass is completed.

137 (27) "Election judge" means a poll worker that is assigned to:

138 (a) preside over other poll workers at a polling place;

139 (b) act as the presiding election judge; or

140 (c) serve as a canvassing judge, counting judge, or receiving judge.

141 (28) "Election officer" means:

- 142 (a) the lieutenant governor, for all statewide ballots and elections;
- 143 (b) the county clerk for:
  - 144 (i) a county ballot and election; and
  - 145 (ii) a ballot and election as a provider election officer as provided in Section
  - 146 [20A-5-400.1](#) or [20A-5-400.5](#);
- 147 (c) the municipal clerk for:
  - 148 (i) a municipal ballot and election; and
  - 149 (ii) a ballot and election as a provider election officer as provided in Section
  - 150 [20A-5-400.1](#) or [20A-5-400.5](#);
- 151 (d) the local district clerk or chief executive officer for:
  - 152 (i) a local district ballot and election; and
  - 153 (ii) a ballot and election as a provider election officer as provided in Section
  - 154 [20A-5-400.1](#) or [20A-5-400.5](#); or
- 155 (e) the business administrator or superintendent of a school district for:
  - 156 (i) a school district ballot and election; and
  - 157 (ii) a ballot and election as a provider election officer as provided in Section
  - 158 [20A-5-400.1](#) or [20A-5-400.5](#).
- 159 (29) "Election official" means any election officer, election judge, or poll worker.
- 160 (30) "Election results" means:
  - 161 (a) for an election other than a bond election, the count of votes cast in the election and
  - 162 the election returns requested by the board of canvassers; or
  - 163 (b) for bond elections, the count of those votes cast for and against the bond
  - 164 proposition plus any or all of the election returns that the board of canvassers may request.
- 165 (31) "Election returns" includes the pollbook, the military and overseas absentee voter
- 166 registration and voting certificates, one of the tally sheets, any unprocessed absentee ballots, all
- 167 counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition
- 168 form, and the total votes cast form.
- 169 (32) "Electronic ballot" means a ballot that is recorded using a direct electronic voting

170 device or other voting device that records and stores ballot information by electronic means.

171 (33) "Electronic signature" means an electronic sound, symbol, or process attached to  
172 or logically associated with a record and executed or adopted by a person with the intent to sign  
173 the record.

174 (34) (a) "Electronic voting device" means a voting device that uses electronic ballots.

175 (b) "Electronic voting device" includes a direct recording electronic voting device.

176 (35) "Inactive voter" means a registered voter who has:

177 (a) been sent the notice required by Section 20A-2-306; and

178 (b) failed to respond to that notice.

179 (36) "Inspecting poll watcher" means a person selected as provided in this title to  
180 witness the receipt and safe deposit of voted and counted ballots.

181 (37) "Judicial office" means the office filled by any judicial officer.

182 (38) "Judicial officer" means any justice or judge of a court of record or any county  
183 court judge.

184 (39) "Local district" means a local government entity under Title 17B, Limited Purpose  
185 Local Government Entities - Local Districts, and includes a special service district under Title  
186 17D, Chapter 1, Special Service District Act.

187 (40) "Local district officers" means those local district board members that are required  
188 by law to be elected.

189 (41) "Local election" means a regular county election, a regular municipal election, a  
190 municipal primary election, a local special election, a local district election, and a bond  
191 election.

192 (42) "Local political subdivision" means a county, a municipality, a local district, or a  
193 local school district.

194 (43) "Local special election" means a special election called by the governing body of a  
195 local political subdivision in which all registered voters of the local political subdivision may  
196 vote.

197 (44) "Municipal executive" means:

198 (a) the mayor in the council-mayor form of government defined in Section [10-3b-102](#);  
199 or

200 (b) the mayor in the council-manager form of government defined in Subsection  
201 [10-3b-103\(6\)](#).

202 (45) "Municipal general election" means the election held in municipalities and, as  
203 applicable, local districts on the first Tuesday after the first Monday in November of each  
204 odd-numbered year for the purposes established in Section [20A-1-202](#).

205 (46) "Municipal legislative body" means the council of the city or town in any form of  
206 municipal government.

207 (47) "Municipal office" means an elective office in a municipality.

208 (48) "Municipal officers" means those municipal officers that are required by law to be  
209 elected.

210 (49) "Municipal primary election" means an election held to nominate candidates for  
211 municipal office.

212 (50) "Official ballot" means the ballots distributed by the election officer to the poll  
213 workers to be given to voters to record their votes.

214 (51) "Official endorsement" means:

215 (a) the information on the ballot that identifies:

216 (i) the ballot as an official ballot;

217 (ii) the date of the election; and

218 (iii) the facsimile signature of the election officer; and

219 (b) the information on the ballot stub that identifies:

220 (i) the poll worker's initials; and

221 (ii) the ballot number.

222 (52) "Official register" means the official record furnished to election officials by the  
223 election officer that contains the information required by Section [20A-5-401](#).

224 (53) "Paper ballot" means a paper that contains:

225 (a) the names of offices and candidates and statements of ballot propositions to be



226 voted on; and

227 (b) spaces for the voter to record the voter's vote for each office and for or against each  
228 ballot proposition.

229 (54) "Pilot project" means the election day voter registration pilot project created in  
230 Section [20A-4-108](#).

231 (55) "Political party" means an organization of registered voters that has qualified to  
232 participate in an election by meeting the requirements of Chapter 8, Political Party Formation  
233 and Procedures.

234 (56) "Pollbook" means a record of the names of voters in the order that they appear to  
235 cast votes.

236 (57) "Polling place" means the building where voting is conducted.

237 (58) (a) "Poll worker" means a person assigned by an election official to assist with an  
238 election, voting, or counting votes.

239 (b) "Poll worker" includes election judges.

240 (c) "Poll worker" does not include a watcher.

241 (59) "Position" means a square, circle, rectangle, or other geometric shape on a ballot  
242 in which the voter marks the voter's choice.

243 (60) "Primary convention" means the political party conventions held during the year  
244 of the regular general election.

245 (61) "Protective counter" means a separate counter, which cannot be reset, that:

246 (a) is built into a voting machine; and

247 (b) records the total number of movements of the operating lever.

248 (62) "Provider election officer" means an election officer who enters into a contract or  
249 interlocal agreement with a contracting election officer to conduct an election for the  
250 contracting election officer's local political subdivision in accordance with Section  
251 [20A-5-400.1](#).

252 (63) "Provisional ballot" means a ballot voted provisionally by a person:

253 (a) whose name is not listed on the official register at the polling place;

254 (b) whose legal right to vote is challenged as provided in this title; or

255 (c) whose identity was not sufficiently established by a poll worker.

256 (64) "Provisional ballot envelope" means an envelope printed in the form required by  
257 Section [20A-6-105](#) that is used to identify provisional ballots and to provide information to  
258 verify a person's legal right to vote.

259 (65) "Qualify" or "qualified" means to take the oath of office and begin performing the  
260 duties of the position for which the person was elected.

261 (66) "Receiving judge" means the poll worker that checks the voter's name in the  
262 official register, provides the voter with a ballot, and removes the ballot stub from the ballot  
263 after the voter has voted.

264 (67) "Registration form" means a book voter registration form and a by-mail voter  
265 registration form.

266 (68) "Regular ballot" means a ballot that is not a provisional ballot.

267 (69) "Regular general election" means the election held throughout the state on the first  
268 Tuesday after the first Monday in November of each even-numbered year for the purposes  
269 established in Section [20A-1-201](#).

270 (70) "Regular primary election" means the election on the fourth Tuesday of June of  
271 each even-numbered year, to nominate candidates of political parties and candidates for  
272 nonpartisan local school board positions to advance to the regular general election.

273 (71) "Resident" means a person who resides within a specific voting precinct in Utah.

274 (72) "Sample ballot" means a mock ballot similar in form to the official ballot printed  
275 and distributed as provided in Section [20A-5-405](#).

276 (73) "Scratch vote" means to mark or punch the straight party ticket and then mark or  
277 punch the ballot for one or more candidates who are members of different political parties or  
278 who are unaffiliated.

279 (74) "Secrecy envelope" means the envelope given to a voter along with the ballot into  
280 which the voter places the ballot after the voter has voted it in order to preserve the secrecy of  
281 the voter's vote.

- 282 (75) "Special election" means an election held as authorized by Section 20A-1-203.
- 283 (76) "Spoiled ballot" means each ballot that:
  - 284 (a) is spoiled by the voter;
  - 285 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
  - 286 (c) lacks the official endorsement.
- 287 (77) "Statewide special election" means a special election called by the governor or the  
288 Legislature in which all registered voters in Utah may vote.
- 289 (78) "Stub" means the detachable part of each ballot.
- 290 (79) "Substitute ballots" means replacement ballots provided by an election officer to  
291 the poll workers when the official ballots are lost or stolen.
- 292 (80) "Ticket" means each list of candidates for each political party or for each group of  
293 petitioners.
- 294 (81) "Transfer case" means the sealed box used to transport voted ballots to the  
295 counting center.
- 296 (82) "Vacancy" means the absence of a person to serve in any position created by  
297 statute, whether that absence occurs because of death, disability, disqualification, resignation,  
298 or other cause.
- 299 (83) "Valid voter identification" means:
  - 300 (a) a form of identification that bears the name and photograph of the voter which may  
301 include:
    - 302 (i) a currently valid Utah driver license;
    - 303 (ii) a currently valid identification card that is issued by:
      - 304 (A) the state; or
      - 305 (B) a branch, department, or agency of the United States;
    - 306 (iii) a currently valid Utah permit to carry a concealed weapon;
    - 307 (iv) a currently valid United States passport; or
    - 308 (v) a currently valid United States military identification card;
  - 309 (b) one of the following identification cards, whether or not the card includes a

310 photograph of the voter:

311 (i) a valid tribal identification card;

312 (ii) a Bureau of Indian Affairs card; or

313 (iii) a tribal treaty card; or

314 (c) two forms of identification not listed under Subsection (83)(a) or (b) but that bear  
315 the name of the voter and provide evidence that the voter resides in the voting precinct, which  
316 may include:

317 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the  
318 election;

319 (ii) a bank or other financial account statement, or a legible copy thereof;

320 (iii) a certified birth certificate;

321 (iv) a valid Social Security card;

322 (v) a check issued by the state or the federal government or a legible copy thereof;

323 (vi) a paycheck from the voter's employer, or a legible copy thereof;

324 (vii) a currently valid Utah hunting or fishing license;

325 (viii) certified naturalization documentation;

326 (ix) a currently valid license issued by an authorized agency of the United States;

327 (x) a certified copy of court records showing the voter's adoption or name change;

328 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

329 (xii) a currently valid identification card issued by:

330 (A) a local government within the state;

331 (B) an employer for an employee; or

332 (C) a college, university, technical school, or professional school located within the  
333 state; or

334 (xiii) a current Utah vehicle registration.

335 (84) "Valid write-in candidate" means a candidate who has qualified as a write-in  
336 candidate by following the procedures and requirements of this title.

337 (85) "Voter" means a person who:

- 338 (a) meets the requirements for voting in an election;
- 339 (b) meets the requirements of election registration;
- 340 (c) is registered to vote; and
- 341 (d) is listed in the official register book.
- 342 (86) "Voter registration deadline" means the registration deadline provided in Section
- 343 [20A-2-102.5](#).
- 344 (87) "Voting area" means the area within six feet of the voting booths, voting
- 345 machines, and ballot box.
- 346 (88) "Voting booth" means:
- 347 (a) the space or compartment within a polling place that is provided for the preparation
- 348 of ballots, including the voting machine enclosure or curtain; or
- 349 (b) a voting device that is free standing.
- 350 (89) "Voting device" means:
- 351 (a) an apparatus in which ballot sheets are used in connection with a punch device for
- 352 piercing the ballots by the voter;
- 353 (b) a device for marking the ballots with ink or another substance;
- 354 (c) an electronic voting device or other device used to make selections and cast a ballot
- 355 electronically, or any component thereof;
- 356 (d) an automated voting system under Section [20A-5-302](#); or
- 357 (e) any other method for recording votes on ballots so that the ballot may be tabulated
- 358 by means of automatic tabulating equipment.
- 359 (90) "Voting machine" means a machine designed for the sole purpose of recording
- 360 and tabulating votes cast by voters at an election.
- 361 (91) "Voting poll watcher" means a person appointed as provided in this title to
- 362 witness the distribution of ballots and the voting process.
- 363 (92) "Voting precinct" means the smallest voting unit established as provided by law
- 364 within which qualified voters vote at one polling place.
- 365 (93) "Watcher" means a voting poll watcher, a counting poll watcher, an inspecting

366 poll watcher, and a testing watcher.

367 (94) "Western States Presidential Primary" means the election established in Chapter 9,  
368 Part 8, Western States Presidential Primary.

369 (95) "Write-in ballot" means a ballot containing any write-in votes.

370 (96) "Write-in vote" means a vote cast for a person whose name is not printed on the  
371 ballot according to the procedures established in this title.

372 Section 2. Section **20A-1-201.5** is amended to read:

373 **20A-1-201.5. Primary election dates.**

374 (1) A regular primary election shall be held throughout the state on the fourth Tuesday  
375 of June of each even numbered year as provided in Section [20A-9-403](#), [20A-9-407](#), or  
376 [20A-9-408](#), as applicable, to nominate persons for national, state, school board, and county  
377 offices.

378 (2) A municipal primary election shall be held, if necessary, on the second Tuesday  
379 following the first Monday in August before the regular municipal election to nominate persons  
380 for municipal offices.

381 (3) If the Legislature makes an appropriation for a Western States Presidential Primary  
382 election, the Western States Presidential Primary election shall be held throughout the state on  
383 the first Tuesday in February in the year in which a presidential election will be held.

384 Section 3. Section **20A-3-106** is amended to read:

385 **20A-3-106. Voting straight ticket -- Splitting ballot -- Writing in names -- Effect**  
386 **of unnecessary marking of cross.**

387 (1) When voting a paper ballot, any voter desiring to vote for all the candidates who are  
388 listed on the ballot as being from any one registered political party may:

389 (a) mark in the circle or position above that political party;

390 (b) mark in the squares or position opposite the names of all candidates for that party  
391 ticket; or

392 (c) make both markings.

393 (2) (a) When voting a ballot sheet, any voter desiring to vote for all the candidates who

394 are listed on the ballot as being from any one registered political party may:

395 (i) mark the selected party on the straight party page or section; or

396 (ii) mark the name of each candidate from that party.

397 (b) To vote for candidates from two or more political parties, the voter may:

398 (i) mark in the squares or positions opposite the names of the candidates for whom the  
399 voter wishes to vote without marking in any circle; or

400 (ii) indicate [~~his~~] the voter's choice by:

401 (A) marking in the circle or position above one political party; and

402 (B) marking in the squares or positions opposite the names of desired candidates who  
403 are members of any party, are unaffiliated, or are listed without party name.

404 (3) (a) When voting an electronic ballot, any voter desiring to vote for all the  
405 candidates who are listed on the ballot as being from any one registered political party may:

406 (i) select that party on the straight party selection area; or

407 (ii) select the name of each candidate from that party.

408 (b) To vote for candidates from two or more political parties, the voter may:

409 (i) select the names of the candidates for whom the voter wishes to vote without  
410 selecting a political party in the straight party selection area; or

411 (ii) (A) select a political party in the straight party selection area; and

412 (B) select the names of the candidates for whom the voter wishes to vote who are  
413 members of any party, are unaffiliated, or are listed without party name.

414 (4) In any election other than a primary election, if a voter voting a ballot has selected  
415 or placed a mark next to a party name in order to vote a straight party ticket and wishes to vote  
416 for a person on another party ticket for an office, or for an unaffiliated candidate, the voter shall  
417 select or mark the ballot next to the name of the candidate for whom the voter wishes to vote.

418 (5) (a) The voter may cast a write-in vote on a paper ballot or ballot sheet:

419 (i) by entering the name of a valid write-in candidate:

420 (A) by writing the name of a valid write-in candidate in the blank write-in section of  
421 the ballot; or

422 (B) by affixing a sticker with the office and name of the valid write-in name printed on  
423 it in the blank write-in part of the ballot; and

424 (ii) by placing a mark opposite the name of the write-in candidate to indicate the voter's  
425 vote.

426 (b) On a paper ballot or ballot sheet, a voter is considered to have voted for the person  
427 whose name is written or whose sticker appears in the blank write-in part of the ballot, if a  
428 mark is made opposite that name.

429 (c) On a paper ballot or ballot sheet, the unnecessary marking of a mark in a square on  
430 the ticket below the marked circle does not affect the validity of the vote.

431 (6) The voter may cast a write-in vote on an electronic ballot by:

432 (a) marking the appropriate position opposite the area for entering a write-in candidate  
433 for the office sought by the candidate for whom the voter wishes to vote; and

434 (b) entering the name of a valid write-in candidate in the write-in selection area.

435 Section 4. Section **20A-5-101** is amended to read:

436 **20A-5-101. Notice of election.**

437 (1) On or before November 15 in the year before each regular general election year, the  
438 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

439 (a) designates the offices to be filled at the next year's regular general election;

440 (b) identifies the dates for filing a declaration of candidacy, and for submitting and  
441 certifying nomination petition signatures, as applicable, under ~~[Section]~~ Sections [20A-9-403](#),  
442 [20A-9-407](#), and [20A-9-408](#) for those offices;

443 (c) includes the master ballot position list for the next year and the year following as  
444 established under Section [20A-6-305](#); and

445 (d) contains a description of any ballot propositions to be decided by the voters that  
446 have qualified for the ballot as of that date.

447 (2) (a) No later than ~~[November 15 in the year before the regular general election year]~~  
448 seven business days after the day on which the lieutenant governor transmits the written notice  
449 described in Subsection (1), each county clerk shall:



450 (i) publish a notice:  
451 (A) once in a newspaper published in that county; and  
452 (B) as required in Section 45-1-101; or  
453 (ii) (A) cause a copy of the notice to be posted in a conspicuous place most likely to  
454 give notice of the election to the voters in each voting precinct within the county; and  
455 (B) prepare an affidavit of that posting, showing a copy of the notice and the places  
456 where the notice was posted.

457 (b) The notice required by Subsection (2)(a) shall:  
458 (i) designate the offices to be voted on in that election; and  
459 (ii) identify the dates for filing a declaration of candidacy for those offices.  
460 (3) Before each election, the election officer shall give written or printed notice of:  
461 (a) the date and place of election;  
462 (b) the hours during which the polls will be open;  
463 (c) the polling places for each voting precinct;  
464 (d) an election day voting center designated under Section 20A-3-703; and  
465 (e) the qualifications for persons to vote in the election.

466 (4) To provide the notice required by Subsection (3), the election officer shall publish  
467 the notice at least two days before the election:

468 (a) in a newspaper of general circulation common to the area or in which the election is  
469 being held; and  
470 (b) as required in Section 45-1-101.

471 Section 5. Section 20A-6-303 is amended to read:

472 **20A-6-303. Regular general election -- Ballot sheets.**

473 (1) Each election officer shall ensure that:  
474 (a) copy on the ballot sheets or ballot labels, as applicable, are arranged in  
475 approximately the same order as paper ballots;  
476 (b) the titles of offices and the names of candidates are printed in vertical columns or in  
477 a series of separate pages;

478 (c) the ballot sheet or any pages used for the ballot label are of sufficient number to  
479 include, after the list of candidates:

480 (i) the names of candidates for judicial offices and any other nonpartisan offices; and  
481 (ii) any ballot propositions submitted to the voters for their approval or rejection;

482 (d) (i) a voting square or position is included where the voter may record a straight  
483 party ticket vote for all the candidates ~~[of]~~ who are listed on the ballot as being from one party  
484 by one mark or punch; and

485 (ii) the name of each political party listed in the straight party selection area includes  
486 the word "party" at the end of the party's name;

487 (e) the tickets are printed in the order specified under Section 20A-6-305;

488 (f) the office titles are printed immediately adjacent to the names of candidates so as to  
489 indicate clearly the candidates for each office and the number to be elected;

490 (g) the party designation of each candidate who has been nominated by a registered  
491 political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5) is printed  
492 immediately adjacent to the candidate's name; and

493 (h) (i) if possible, all candidates for one office are grouped in one column or upon one  
494 page;

495 (ii) if all candidates for one office cannot be listed in one column or grouped on one  
496 page:

497 (A) the ballot sheet or ballot label shall be clearly marked to indicate that the list of  
498 candidates is continued on the following column or page; and

499 (B) approximately the same number of names shall be printed in each column or on  
500 each page.

501 (2) Each election officer shall ensure that:

502 (a) proposed amendments to the Utah Constitution are listed in accordance with  
503 Section 20A-6-107;

504 (b) ballot propositions submitted to the voters are listed in accordance with Section  
505 20A-6-107; and

506 (c) bond propositions that have qualified for the ballot are listed under the title  
507 assigned to each bond proposition under Section 11-14-206.

508 Section 6. Section 20A-6-304 is amended to read:

509 **20A-6-304. Regular general election -- Electronic ballots.**

510 (1) Each election officer shall ensure that:

511 (a) the format and content of the electronic ballot is arranged in approximately the  
512 same order as paper ballots;

513 (b) the titles of offices and the names of candidates are displayed in vertical columns or  
514 in a series of separate display screens;

515 (c) the electronic ballot is of sufficient length to include, after the list of candidates:

516 (i) the names of candidates for judicial offices and any other nonpartisan offices; and

517 (ii) any ballot propositions submitted to the voters for their approval or rejection;

518 (d) (i) a voting square or position is included where the voter may record a straight  
519 party ticket vote for all the candidates [of] who are listed on the ballot as being from one party  
520 by making a single selection; and

521 (ii) the name of each political party listed in the straight party selection area includes  
522 the word "party" at the end of the party's name;

523 (e) the tickets are displayed in the order specified under Section 20A-6-305;

524 (f) the office titles are displayed above or at the side of the names of candidates so as to  
525 indicate clearly the candidates for each office and the number to be elected;

526 (g) the party designation of each candidate who has been nominated by a registered  
527 political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5) is displayed  
528 adjacent to the candidate's name; and

529 (h) if possible, all candidates for one office are grouped in one column or upon one  
530 display screen.

531 (2) Each election officer shall ensure that:

532 (a) proposed amendments to the Utah Constitution are displayed in accordance with  
533 Section 20A-6-107;

534 (b) ballot propositions submitted to the voters are displayed in accordance with Section  
535 20A-6-107; and

536 (c) bond propositions that have qualified for the ballot are displayed under the title  
537 assigned to each bond proposition under Section 11-14-206.

538 Section 7. Section 20A-9-101 is amended to read:

539 **20A-9-101. Definitions.**

540 As used in this chapter:

541 (1) (a) "Candidates for elective office" means persons who file a declaration of  
542 candidacy under Section 20A-9-202 to run in a regular general election for a federal office,  
543 constitutional office, multicounty office, or county office.

544 (b) "Candidates for elective office" does not mean candidates for:

545 (i) justice or judge of court of record or not of record;

546 (ii) presidential elector;

547 (iii) any political party offices; and

548 (iv) municipal or local district offices.

549 (2) "Constitutional office" means the state offices of governor, lieutenant governor,  
550 attorney general, state auditor, and state treasurer.

551 (3) "Continuing political party" [~~is as~~] means the same as that term is defined in  
552 Section 20A-8-101.

553 (4) (a) "County office" means an elective office where the office holder is selected by  
554 voters entirely within one county.

555 (b) "County office" does not mean:

556 (i) the office of justice or judge of any court of record or not of record;

557 (ii) the office of presidential elector;

558 (iii) any political party offices;

559 (iv) any municipal or local district offices; and

560 (v) the office of United States Senator and United States Representative.

561 (5) "Federal office" means an elective office for United States Senator and United

562 States Representative.

563 (6) "Filing officer" means:

564 (a) the lieutenant governor, for:

565 (i) the office of United States Senator and United States Representative; and

566 (ii) all constitutional offices;

567 (b) the county clerk, for county offices and local school district offices, and the county

568 clerk in the filer's county of residence, for multicounty offices;

569 (c) the city or town clerk, for municipal offices; and

570 (d) the local district clerk, for local district offices.

571 (7) "Local district office" means an elected office in a local district.

572 (8) "Local government office" includes county offices, municipal offices, and local

573 district offices and other elective offices selected by the voters from a political division entirely

574 within one county.

575 (9) (a) "Multicounty office" means an elective office where the office holder is selected

576 by the voters from more than one county.

577 (b) "Multicounty office" does not mean:

578 (i) a county office;

579 (ii) a federal office;

580 (iii) the office of justice or judge of any court of record or not of record;

581 (iv) the office of presidential elector;

582 (v) any political party offices; and

583 (vi) any municipal or local district offices.

584 (10) "Municipal office" means an elective office in a municipality.

585 (11) (a) "Political division" means a geographic unit from which an office holder is

586 elected and that an office holder represents.

587 (b) "Political division" includes a county, a city, a town, a local district, a school

588 district, a legislative district, and a county prosecution district.

589 (12) "Qualified political party" means a registered political party that:

590 (a) permits voters who are unaffiliated with any political party to vote for the registered  
591 political party's candidates in a primary election;

592 (b) (i) permits a delegate for the registered political party to vote on a candidate  
593 nomination in the registered political party's convention remotely; or

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

596 (c) does not hold the registered political party's convention before [~~April 1~~] the fourth  
597 Saturday in March of an even-numbered year;

598 (d) permits a member of the registered political party to seek the registered political  
599 party's nomination for any elective office by the member choosing to seek the nomination by  
600 either or both of the following methods:

601 (i) seeking the nomination through the registered political party's convention process,  
602 in accordance with the provisions of Section [20A-9-407](#); or

603 (ii) seeking the nomination by collecting signatures, in accordance with the provisions  
604 of Section [20A-9-408](#); and

605 (e) (i) if the registered political party is a continuing political party, no later than 5 p.m.  
606 on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the  
607 election in the following year, the registered political party intends to nominate the registered  
608 political party's candidates in accordance with the provisions of [~~Sections [20A-9-407](#) and~~  
609 [20A-9-408](#).] Section [20A-9-406](#); or

610 (ii) if the registered political party is not a continuing political party, certifies at the  
611 time that the registered political party files the petition described in Section [20A-8-103](#) that, for  
612 the next election, the registered political party intends to nominate the registered political  
613 party's candidates in accordance with the provisions of Section [20A-9-406](#).

614 Section 8. Section [20A-9-201](#) is amended to read:

615 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**  
616 **more than one political party prohibited with exceptions -- General filing and form**  
617 **requirements -- Affidavit of impecuniosity.**

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

619 (a) be a United States citizen;

620 (b) meet the legal requirements of that office; and

621 (c) if seeking a registered political party's nomination as a candidate for elective office,

622 [~~designate that registered political party as their preferred party affiliation on their declaration~~  
623 ~~of candidacy.~~] state:

624 (i) the registered political party of which the person is a member; or

625 (ii) that the person is not a member of a registered political party.

626 (2) (a) Except as provided in Subsection (2)(b), ~~[a person]~~ an individual may not:

627 (i) file a declaration of candidacy for, or be a candidate for, more than one office in  
628 Utah during any election year; ~~[or]~~

629 (ii) appear on the ballot as the candidate of more than one political party~~[-];~~ or

630 (iii) file a declaration of candidacy for a registered political party of which the  
631 individual is not a member, except to the extent that the registered political party permits  
632 otherwise in the registered political party's bylaws.

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

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

639 (iii) A person may file a declaration of candidacy for lieutenant governor even if the  
640 person filed a declaration of candidacy for another office in the same election year if the person  
641 withdraws as a candidate for the other office in accordance with Subsection [20A-9-202\(6\)](#)  
642 before filing the declaration of candidacy for lieutenant governor.

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

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

646 requirements for the office that the candidate is seeking; and

647 (B) require the candidate to state whether or not the candidate meets those  
648 requirements.

649 (ii) Before accepting a declaration of candidacy for the office of county attorney, the  
650 county clerk shall ensure that the person filing that declaration of candidacy is:

651 (A) a United States citizen;

652 (B) an attorney licensed to practice law in Utah who is an active member in good  
653 standing of the Utah State Bar;

654 (C) a registered voter in the county in which the person is seeking office; and

655 (D) a current resident of the county in which the person is seeking office and either has  
656 been a resident of that county for at least one year or was appointed and is currently serving as  
657 county attorney and became a resident of the county within 30 days after appointment to the  
658 office.

659 (iii) Before accepting a declaration of candidacy for the office of district attorney, the  
660 county clerk shall ensure that, as of the date of the election, the person filing that declaration of  
661 candidacy is:

662 (A) a United States citizen;

663 (B) an attorney licensed to practice law in Utah who is an active member in good  
664 standing of the Utah State Bar;

665 (C) a registered voter in the prosecution district in which the person is seeking office;  
666 and

667 (D) a current resident of the prosecution district in which the person is seeking office  
668 and either will have been a resident of that prosecution district for at least one year as of the  
669 date of the election or was appointed and is currently serving as district attorney and became a  
670 resident of the prosecution district within 30 days after receiving appointment to the office.

671 (iv) Before accepting a declaration of candidacy for the office of county sheriff, the  
672 county clerk shall ensure that the person filing the declaration of candidacy:

673 (A) as of the date of filing:



674 (I) is a United States citizen;

675 (II) is a registered voter in the county in which the person seeks office;

676 (III) (Aa) has successfully met the standards and training requirements established for  
677 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and  
678 Certification Act; or

679 (Bb) has met the waiver requirements in Section 53-6-206; and

680 (IV) is qualified to be certified as a law enforcement officer, as defined in Section  
681 53-13-103; and

682 (B) as of the date of the election, shall have been a resident of the county in which the  
683 person seeks office for at least one year.

684 (v) Before accepting a declaration of candidacy for the office of governor, lieutenant  
685 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of  
686 Education member, the filing officer shall ensure:

687 (A) that the person filing the declaration of candidacy also files the financial disclosure  
688 required by Section 20A-11-1603; and

689 (B) if the filing officer is not the lieutenant governor, that the financial disclosure is  
690 provided to the lieutenant governor according to the procedures and requirements of Section  
691 20A-11-1603.

692 (b) If the prospective candidate states that the qualification requirements for the office  
693 are not met, the filing officer may not accept the prospective candidate's declaration of  
694 candidacy.

695 (c) If the candidate meets the requirements of Subsection (3)(a) and states that the  
696 requirements of candidacy are met, the filing officer shall:

697 (i) inform the candidate that:

698 (A) the candidate's name will appear on the ballot as it is written on the declaration of  
699 candidacy;

700 (B) the candidate may be required to comply with state or local campaign finance  
701 disclosure laws; and

702 (C) the candidate is required to file a financial statement before the candidate's political  
703 convention under:

704 (I) Section 20A-11-204 for a candidate for constitutional office;

705 (II) Section 20A-11-303 for a candidate for the Legislature; or

706 (III) local campaign finance disclosure laws, if applicable;

707 (ii) except for a presidential candidate, provide the candidate with a copy of the current  
708 campaign financial disclosure laws for the office the candidate is seeking and inform the  
709 candidate that failure to comply will result in disqualification as a candidate and removal of the  
710 candidate's name from the ballot;

711 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide  
712 Electronic Voter Information Website Program and inform the candidate of the submission  
713 deadline under Subsection 20A-7-801(4)(a);

714 (iv) provide the candidate with a copy of the pledge of fair campaign practices  
715 described under Section 20A-9-206 and inform the candidate that:

716 (A) signing the pledge is voluntary; and

717 (B) signed pledges shall be filed with the filing officer;

718 (v) accept the candidate's declaration of candidacy; and

719 (vi) if the candidate has filed for a partisan office, provide a certified copy of the  
720 declaration of candidacy to the chair of the county or state political party of which the  
721 candidate is a member.

722 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing  
723 officer shall:

724 (i) accept the candidate's pledge; and

725 (ii) if the candidate has filed for a partisan office, provide a certified copy of the  
726 candidate's pledge to the chair of the county or state political party of which the candidate is a  
727 member.

728 (4) (a) Except for presidential candidates, the form of the declaration of candidacy  
729 shall;

730 (i) be substantially as follows:

731 "State of Utah, County of \_\_\_\_\_

732 I, \_\_\_\_\_, declare my candidacy for the office of \_\_\_\_\_, seeking the

733 nomination of the \_\_\_\_\_ party[~~, which is my preferred political party affiliation~~]. I do

734 solemnly swear that: I will meet the qualifications to hold the office, both legally and

735 constitutionally, if selected; I reside at \_\_\_\_\_ in the City or Town of \_\_\_\_\_,

736 Utah, Zip Code \_\_\_\_\_ Phone No. \_\_\_\_\_; I will not knowingly violate any law governing

737 campaigns and elections; I will file all campaign financial disclosure reports as required

738 by law; and I understand that failure to do so will result in my disqualification as a

739 candidate for this office and removal of my name from the ballot. The mailing address

740 that I designate for receiving official election notices is

741 \_\_\_\_\_.

742 \_\_\_\_\_

743 Subscribed and sworn before me this \_\_\_\_\_ (month\day\year).

744 \_\_\_\_\_ Notary Public (or other officer qualified to administer oath.); and

745 (ii) require the candidate to state, in the sworn statement described in Subsection

746 (4)(a)(i):

747 (A) the registered political party of which the candidate is a member; or

748 (B) that the candidate is not a member of a registered political party.

749 (b) An agent designated to file a declaration of candidacy under Section [20A-9-202](#)

750 may not sign the form described in Subsection (4)(a).

751 (5) (a) Except for presidential candidates, the fee for filing a declaration of candidacy

752 is:

753 (i) \$50 for candidates for the local school district board; and

754 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the

755 person holding the office for all other federal, state, and county offices.

756 (b) Except for presidential candidates, the filing officer shall refund the filing fee to

757 any candidate:

758 (i) who is disqualified; or  
 759 (ii) who the filing officer determines has filed improperly.  
 760 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received  
 761 from candidates.

762 (ii) The lieutenant governor shall:  
 763 (A) apportion to and pay to the county treasurers of the various counties all fees  
 764 received for filing of nomination certificates or acceptances; and

765 (B) ensure that each county receives that proportion of the total amount paid to the  
 766 lieutenant governor from the congressional district that the total vote of that county for all  
 767 candidates for representative in Congress bears to the total vote of all counties within the  
 768 congressional district for all candidates for representative in Congress.

769 (d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy  
 770 without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by  
 771 an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer,  
 772 a financial statement filed at the time the affidavit is submitted.

773 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

774 (iii) (A) False statements made on an affidavit of impecuniosity or a financial  
 775 statement filed under this section shall be subject to the criminal penalties provided under  
 776 Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.

777 (B) Conviction of a criminal offense under Subsection (5)(d)(iii)(A) shall be  
 778 considered an offense under this title for the purposes of assessing the penalties provided in  
 779 Subsection 20A-1-609(2).

780 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in  
 781 substantially the following form:

782 "Affidavit of Impecuniosity  
 783 Individual Name  
 784 \_\_\_\_\_ Address \_\_\_\_\_  
 785 Phone Number \_\_\_\_\_

786 I, \_\_\_\_\_ (name), do solemnly [swear] [affirm], under penalty of law  
787 for false statements, that, owing to my poverty, I am unable to pay the filing fee required by  
788 law.

789 Date \_\_\_\_\_ Signature \_\_\_\_\_

790 Affiant

791 Subscribed and sworn to before me on \_\_\_\_\_ (month\day\year)

792 \_\_\_\_\_  
793 (signature)

794 Name and Title of Officer Authorized to Administer Oath \_\_\_\_\_"

795 (v) The filing officer shall provide to a person who requests an affidavit of  
796 impecuniosity a statement printed in substantially the following form, which may be included  
797 on the affidavit of impecuniosity:

798 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a  
799 candidate who is found guilty of filing a false statement, in addition to being subject to criminal  
800 penalties, will be removed from the ballot."

801 (vi) The filing officer may request that a person who makes a claim of impecuniosity  
802 under this Subsection (5)(d) file a financial statement on a form prepared by the election  
803 official.

804 (6) (a) If there is no legislative appropriation for the Western States Presidential  
805 Primary election, as provided in Part 8, Western States Presidential Primary, a candidate for  
806 president of the United States who is affiliated with a registered political party and chooses to  
807 participate in the regular primary election shall:

808 (i) file a declaration of candidacy, in person or via a designated agent, with the  
809 lieutenant governor:

810 (A) on a form developed and provided by the lieutenant governor; and

811 (B) on or after the second Friday in March and before 5 p.m. on the third Thursday in  
812 March before the next regular primary election;

813 (ii) identify the registered political party whose nomination the candidate is seeking;

814 (iii) provide a letter from the registered political party certifying that the candidate may  
815 participate as a candidate for that party in that party's presidential primary election; and

816 (iv) pay the filing fee of \$500.

817 (b) An agent designated to file a declaration of candidacy may not sign the form  
818 described in Subsection (6)(a)(i)(A).

819 (7) Any person who fails to file a declaration of candidacy or certificate of nomination  
820 within the time provided in this chapter is ineligible for nomination to office.

821 (8) A declaration of candidacy filed under this section may not be amended or  
822 modified after the final date established for filing a declaration of candidacy.

823 Section 9. Section **20A-9-202** is amended to read:

824 **20A-9-202. Declarations of candidacy for regular general elections.**

825 (1) (a) Each person seeking to become a candidate for an elective office that is to be  
826 filled at the next regular general election shall:

827 (i) file a declaration of candidacy in person with the filing officer on or after January 1  
828 of the regular general election year, and, if applicable, before the candidate circulates  
829 nomination petitions under Section [20A-9-405](#); and

830 (ii) pay the filing fee.

831 (b) Each county clerk who receives a declaration of candidacy from a candidate for  
832 multicounty office shall transmit the filing fee and a copy of the candidate's declaration of  
833 candidacy to the lieutenant governor within one working day after it is filed.

834 (c) Each day during the filing period, each county clerk shall notify the lieutenant  
835 governor electronically or by telephone of candidates who have filed in their office.

836 (d) Each person seeking the office of lieutenant governor, the office of district attorney,  
837 or the office of president or vice president of the United States shall comply with the specific  
838 declaration of candidacy requirements established by this section.

839 (2) (a) Each person intending to become a candidate for the office of district attorney  
840 within a multicounty prosecution district that is to be filled at the next regular general election  
841 shall:

842 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement  
843 creating the prosecution district on or after January 1 of the regular general election year, and  
844 before the candidate circulates nomination petitions under Section 20A-9-405; and

845 (ii) pay the filing fee.

846 (b) The designated clerk shall provide to the county clerk of each county in the  
847 prosecution district a certified copy of each declaration of candidacy filed for the office of  
848 district attorney.

849 (3) (a) On or before 5 p.m. on the first Monday after the third Saturday in April, each  
850 lieutenant governor candidate shall:

851 (i) file a declaration of candidacy with the lieutenant governor;

852 (ii) pay the filing fee; and

853 (iii) submit a letter from a candidate for governor who has received certification for the  
854 primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate  
855 as a joint-ticket running mate.

856 (b) Any candidate for lieutenant governor who fails to timely file is disqualified. If a  
857 lieutenant governor is disqualified, another candidate shall file to replace the disqualified  
858 candidate.

859 (4) Each registered political party shall:

860 (a) certify the names of its candidates for president and vice president of the United  
861 States to the lieutenant governor no later than August 31; or

862 (b) provide written authorization for the lieutenant governor to accept the certification  
863 of candidates for president and vice president of the United States from the national office of  
864 the registered political party.

865 (5) (a) A declaration of candidacy filed under this section is valid unless a written  
866 objection is filed with the clerk or lieutenant governor within five days after the last day for  
867 filing.

868 (b) If an objection is made, the clerk or lieutenant governor shall:

869 (i) mail or personally deliver notice of the objection to the affected candidate

870 immediately; and

871 (ii) decide any objection within 48 hours after it is filed.

872 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the  
873 problem by amending the declaration or petition within three days after the objection is  
874 sustained or by filing a new declaration within three days after the objection is sustained.

875 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

876 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable  
877 by a district court if prompt application is made to the court.

878 (iii) The decision of the district court is final unless the Supreme Court, in the exercise  
879 of its discretion, agrees to review the lower court decision.

880 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by  
881 filing a written affidavit with the clerk.

882 (7) Except as provided in Subsection 20A-9-201(4)(b), notwithstanding a requirement  
883 in this section to file a declaration of candidacy in person, a person may designate an agent to  
884 file the form described in Subsection 20A-9-201(4) in person with the filing officer if:

885 (a) the person is located outside the state during the filing period because:

886 (i) of employment with the state or the United States; or

887 (ii) the person is a member of:

888 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or  
889 Coast Guard of the United States who is on active duty;

890 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the  
891 commissioned corps of the National Oceanic and Atmospheric Administration of the United  
892 States; or

893 (C) the National Guard on activated status;

894 (b) the person communicates with the filing officer using an electronic device that  
895 allows the person and filing officer to see and hear each other; and

896 (c) the person provides the filing officer with an email address to which the filing  
897 officer may send the copies described in Subsection 20A-9-201(3).



898 Section 10. Section **20A-9-403** is amended to read:

899 **20A-9-403. Regular primary elections.**

900 (1) (a) Candidates for elective office that are to be filled at the next regular general  
901 election shall be nominated in a regular primary election by direct vote of the people in the  
902 manner prescribed in this section. The fourth Tuesday of June of each even-numbered year is  
903 designated as regular primary election day. Nothing in this section shall affect a candidate's  
904 ability to qualify for a regular general election's ballot as an unaffiliated candidate under  
905 Section **20A-9-501** or to participate in a regular general election as a write-in candidate under  
906 Section **20A-9-601**.

907 (b) Each registered political party that chooses to have the names of its candidates for  
908 elective office featured with party affiliation on the ballot at a regular general election shall  
909 comply with the requirements of this section and shall nominate its candidates for elective  
910 office in the manner prescribed in this section.

911 (c) A filing officer may not permit an official ballot at a regular general election to be  
912 produced or used if the ballot denotes affiliation between a registered political party or any  
913 other political group and a candidate for elective office who was not nominated in the manner  
914 prescribed in this section or in Subsection **20A-9-202(4)**.

915 (d) Unless noted otherwise, the dates in this section refer to those that occur in each  
916 even-numbered year in which a regular general election will be held.

917 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,  
918 shall:

919 (i) either declare their intent to participate in the next regular primary election or  
920 declare that the registered political party chooses not to have the names of its candidates for  
921 elective office featured on the ballot at the next regular general election; and

922 (ii) if the registered political party participates in the upcoming regular primary  
923 election, identify one or more registered political parties whose members may vote for the  
924 registered political party's candidates and whether or not persons identified as unaffiliated with  
925 a political party may vote for the registered political party's candidates[; ~~and~~].

926 ~~[(iii) if the registered political party participates in the upcoming regular primary~~  
927 ~~election, indicate whether it chooses to nominate unopposed candidates without their name~~  
928 ~~appearing on the ballot, as described under Subsection (5)(c).]~~

929 (b) (i) A registered political party that is a continuing political party must file the  
930 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on  
931 November 15 of each odd-numbered year.

932 (ii) An organization that is seeking to become a registered political party under Section  
933 [20A-8-103](#) must file the statement described in [~~Subsection (2)(b) no later than 5 p.m. on~~  
934 ~~February 15]~~ Subsection (2)(a) at the time that the registered political party files the petition  
935 described in Section [20A-8-103](#).

936 (3) (a) Except as provided in Subsection (3)(e), a person who has submitted a  
937 declaration of candidacy under Section [20A-9-202](#) shall appear as a candidate for elective  
938 office on the regular primary ballot of the registered political party listed on the declaration of  
939 candidacy only if the person is certified by the appropriate filing officer as having submitted a  
940 set of nomination petitions that was:

941 (i) circulated and completed in accordance with Section [20A-9-405](#); and  
942 (ii) signed by at least two percent of the registered political party's members who reside  
943 in the political division of the office that the person seeks.

944 (b) A candidate for elective office shall submit nomination petitions to the appropriate  
945 filing officer for verification and certification no later than 5 p.m. on the final day in March.  
946 Candidates may supplement their submissions at any time on or before the filing deadline.

947 (c) The lieutenant governor shall determine for each elective office the total number of  
948 signatures that must be submitted under Subsection (3)(a)(ii) by counting the aggregate number  
949 of persons residing in each elective office's political division who have designated a particular  
950 registered political party on their voter registration forms as of November 1 of each  
951 odd-numbered year. The lieutenant governor shall publish this determination for each elective  
952 office no later than November 15 of each odd-numbered year.

953 (d) The filing officer shall:

- 954 (i) verify signatures on nomination petitions in a transparent and orderly manner;
- 955 (ii) for all qualifying candidates for elective office who submitted nomination petitions  
956 to the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on  
957 the first Monday after the third Saturday in April;
- 958 (iii) consider active and inactive voters eligible to sign nomination petitions;
- 959 (iv) consider a person who signs a nomination petition a member of a registered  
960 political party for purposes of Subsection (3)(a)(ii) if the person has designated that registered  
961 political party as ~~[their preferred party affiliation on their]~~ the person's party membership on the  
962 person's voter registration form ~~[prior to 5 p.m. on the final day in March]~~; and
- 963 (v) utilize procedures described in Section [20A-7-206.3](#) to verify submitted nomination  
964 petition signatures, or use statistical sampling procedures to verify submitted nomination  
965 petition signatures pursuant to rules ~~[issued by the lieutenant governor]~~ made under Subsection  
966 (3)(f).
- 967 (e) Notwithstanding any other provision in this Subsection (3), a candidate for  
968 lieutenant governor may appear on the regular primary ballot of a registered political party  
969 without submitting nomination petitions if the candidate files a declaration of candidacy and  
970 complies with Subsection [20A-9-202\(3\)](#).
- 971 ~~[(f) The lieutenant governor shall issue rules that]~~
- 972 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
973 director of elections, within the Office of the Lieutenant Governor, shall make rules that:
- 974 (i) provide for the use of statistical sampling procedures ~~[for]~~ that:
- 975 (A) filing officers are required to use to verify signatures under Subsection (3)(d)~~[-~~  
976 ~~The statistical sampling procedures shall]; and~~
- 977 (B) reflect a bona fide effort to determine the validity of a candidate's entire  
978 submission, using widely recognized statistical sampling techniques~~[- The lieutenant governor~~  
979 ~~may also issue supplemental rules and guidance that]; and~~
- 980 (ii) provide for the transparent, orderly, and timely submission, verification, and  
981 certification of nomination petition signatures.

982 (g) The county clerk shall:

983 (i) review the declarations of candidacy filed by candidates for local boards of  
984 education to determine if more than two candidates have filed for the same seat;

985 (ii) place the names of all candidates who have filed a declaration of candidacy for a  
986 local board of education seat on the nonpartisan section of the ballot if more than two  
987 candidates have filed for the same seat; and

988 (iii) determine the order of the local board of education candidates' names on the ballot  
989 in accordance with Section 20A-6-305.

990 (4) (a) By 5 p.m. on the first Wednesday after the third Saturday in April, the lieutenant  
991 governor shall provide to the county clerks:

992 (i) a list of the names of all candidates for federal, constitutional, multi-county, and  
993 county offices who have received certifications under Subsection (3), along with instructions  
994 on how those names shall appear on the primary-election ballot in accordance with Section  
995 20A-6-305; and

996 (ii) a list of unopposed candidates for elective office who have been nominated by a  
997 registered political party under Subsection (5)(c) and instruct the county clerks to exclude such  
998 candidates from the primary-election ballot.

999 (b) A candidate for lieutenant governor and a candidate for governor campaigning as  
1000 joint-ticket running mates shall appear jointly on the primary-election ballot.

1001 (c) After the county clerk receives the certified list from the lieutenant governor under  
1002 Subsection (4)(a), the county clerk shall post or publish a primary election notice in  
1003 substantially the following form:

1004 "Notice is given that a primary election will be held Tuesday, June \_\_\_\_,  
1005 \_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan  
1006 local school board positions listed on the primary ballot. The polling place for voting precinct  
1007 \_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.  
1008 Attest: county clerk."

1009 (5) (a) Candidates, other than presidential candidates, receiving the highest number of

1010 votes cast for each office at the regular primary election are nominated by their registered  
1011 political party for that office or are nominated as a candidate for a nonpartisan local school  
1012 board position.

1013 (b) If two or more candidates, other than presidential candidates, are to be elected to  
1014 the office at the regular general election, those party candidates equal in number to positions to  
1015 be filled who receive the highest number of votes at the regular primary election are the  
1016 nominees of their party for those positions.

1017 (c) A candidate who is unopposed for an elective office in the regular primary election  
1018 of a registered political party is nominated by the party for that office without appearing on the  
1019 primary ballot~~[, provided that the party has chosen to nominate unopposed candidates under~~  
1020 ~~Subsection (2)(a)(iii)].~~ A candidate is "unopposed" if no person other than the candidate has  
1021 received a certification under Subsection (3) for the regular primary election ballot of the  
1022 candidate's registered political party for a particular elective office.

1023 (6) (a) When a tie vote occurs in any primary election for any national, state, or other  
1024 office that represents more than one county, the governor, lieutenant governor, and attorney  
1025 general shall, at a public meeting called by the governor and in the presence of the candidates  
1026 involved, select the nominee by lot cast in whatever manner the governor determines.

1027 (b) When a tie vote occurs in any primary election for any county office, the district  
1028 court judges of the district in which the county is located shall, at a public meeting called by  
1029 the judges and in the presence of the candidates involved, select the nominee by lot cast in  
1030 whatever manner the judges determine.

1031 (7) The expense of providing all ballots, blanks, or other supplies to be used at any  
1032 primary election provided for by this section, and all expenses necessarily incurred in the  
1033 preparation for or the conduct of that primary election shall be paid out of the treasury of the  
1034 county or state, in the same manner as for the regular general elections.

1035 (8) An individual may not file a declaration of candidacy for a registered political party  
1036 of which the individual is not a member, except to the extent that the registered political party  
1037 permits otherwise under the registered political party's bylaws.

1038 Section 11. Section **20A-9-406** is amended to read:

1039 **20A-9-406. Qualified political party -- Requirements and exemptions.**

1040 The following provisions apply to a qualified political party:

1041 (1) the qualified political party shall [~~certify to the lieutenant governor~~], no later than 5  
1042 p.m. on March 1 of each even-numbered year[~~:(a)~~], certify to the lieutenant governor the  
1043 identity of one or more registered political parties whose members may vote for the qualified  
1044 political party's candidates; [~~and~~]

1045 [~~(b) whether the qualified political party chooses to nominate unopposed candidates~~  
1046 ~~without the names of the candidates appearing on the ballot, as described in Subsection~~  
1047 ~~20A-9-403(5)(c);~~]

1048 (2) the provisions of Subsections **20A-9-403**(1) through (4)(a), Subsection  
1049 **20A-9-403**(5)(c), and Section **20A-9-405** do not apply to a nomination for the qualified  
1050 political party;

1051 (3) an individual may only [~~obtain a~~] seek the nomination [~~for~~] of the qualified  
1052 political party by using a method described in Section **20A-9-407**, Section **20A-9-408**, or both;

1053 (4) the qualified political party shall comply with the provisions of Sections  
1054 **20A-9-407**, **20A-9-408**, and **20A-9-409**;

1055 (5) notwithstanding Subsection **20A-6-301**(1)(a), (1)(g), or (2)(a), each election officer  
1056 shall ensure that a ballot described in Section **20A-6-301** includes each person nominated by a  
1057 qualified political party [~~under Section 20A-9-407 or 20A-9-408~~]:

1058 (a) under the qualified political party's name and emblem, if any; or

1059 (b) under the title of the qualified registered political party as designated by the  
1060 qualified political party in the certification described in Subsection (1), or, if none is  
1061 designated, then under some suitable title;

1062 (6) notwithstanding Subsection **20A-6-302**(1)(a), each election officer shall ensure, for  
1063 paper ballots in regular general elections, that each candidate who is nominated by the qualified  
1064 political party is listed by party;

1065 (7) notwithstanding Subsection **20A-6-303**(1)(g), each election officer shall ensure that

1066 the party designation of each candidate who is nominated by the qualified political party is  
1067 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;

1068 (8) notwithstanding Subsection 20A-6-304(1)(g), each election officer shall ensure that  
1069 the party designation of each candidate who is nominated by the qualified political party is  
1070 displayed adjacent to the candidate's name on an electronic ballot;

1071 (9) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also  
1072 includes an individual who files a declaration of candidacy under Section 20A-9-407 or  
1073 20A-9-408 to run in a regular general election for a federal office, constitutional office,  
1074 multicounty office, or county office;

1075 (10) an individual who is nominated by, or seeking the nomination of, the qualified  
1076 political party is not required to comply with Subsection 20A-9-201(1)(c);

1077 (11) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled  
1078 to have each of the qualified political party's candidates for elective office appear on the  
1079 primary ballot of the qualified political party with an indication that each candidate is a  
1080 candidate for the qualified political party;

1081 (12) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include  
1082 on the list provided by the lieutenant governor to the county clerks:

1083 (a) the names of all candidates of the qualified political party for federal, constitutional,  
1084 multicounty, and county offices; and

1085 (b) the names of unopposed candidates for elective office who have been nominated by  
1086 the qualified political party and instruct the county clerks to exclude such candidates from the  
1087 primary-election ballot;

1088 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an  
1089 elective office in the regular primary election of the qualified political party is nominated by  
1090 the party for that office without appearing on the primary ballot[, provided that the party has  
1091 chosen to nominate unopposed candidates under Subsection 20A-9-403(2)(a)(iii)]; and

1092 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section  
1093 20A-9-405, the qualified political party is entitled to have the names of its candidates for

1094 elective office featured with party affiliation on the ballot at a regular general election.

1095 Section 12. Section 20A-9-407 is amended to read:

1096 **20A-9-407. Convention process to seek the nomination of a qualified political**  
1097 **party.**

1098 (1) This section describes the requirements for a member of a qualified political party  
1099 who is seeking the nomination of a qualified political party for an elective office through the  
1100 qualified political party's convention [~~nomination~~] process.

1101 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of  
1102 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
1103 the nomination of, the qualified political party under this section shall be substantially as  
1104 [~~follows:~~] described in Section 20A-9-408.5.

1105 [~~"State of Utah, County of \_\_\_\_\_]~~

1106 [~~I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of~~  
1107 ~~\_\_\_\_\_ as a candidate for the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications~~  
1108 ~~to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in~~  
1109 ~~the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate~~  
1110 ~~any law governing campaigns and elections; I will file all campaign financial disclosure reports~~  
1111 ~~as required by law; and I understand that failure to do so will result in my disqualification as a~~  
1112 ~~candidate for this office and removal of my name from the ballot. The mailing address that I~~  
1113 ~~designate for receiving official election notices is~~

1114 \_\_\_\_\_  
1115 \_\_\_\_\_.

1116 ~~\_\_\_\_\_ Subscribed and sworn before me this \_\_\_\_\_ (month\day\year). Notary Public (or~~  
1117 ~~other officer qualified to administer oath)."]~~

1118 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection  
1119 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the  
1120 nomination of the qualified political party for an elective office that is to be filled at the next  
1121 general election, shall:



1122 (a) file a declaration of candidacy in person with the filing officer on or after the  
1123 second Friday in March and before 5 p.m. on the third Thursday in March before the next  
1124 regular general election; and

1125 (b) pay the filing fee.

1126 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political  
1127 party who, under this section, is seeking the nomination of the qualified political party for the  
1128 office of district attorney within a multicounty prosecution district that is to be filled at the next  
1129 general election shall:

1130 (a) file a declaration of candidacy with the county clerk designated in the interlocal  
1131 agreement creating the prosecution district on or after the second Friday in March and before 5  
1132 p.m. on the third Thursday in March before the next regular general election; and

1133 (b) pay the filing fee.

1134 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate  
1135 who files as the joint-ticket running mate of an individual who is nominated by a qualified  
1136 political party, under this section, for the office of governor shall submit a letter from the  
1137 candidate for governor that names the lieutenant governor candidate as a joint-ticket running  
1138 mate.

1139 (6) (a) A qualified political party that nominates a candidate under this section shall  
1140 certify the name of the candidate to the lieutenant governor before 5 p.m. on the first Monday  
1141 after the fourth Saturday in April.

1142 [~~6~~] (b) The lieutenant governor shall ensure that the certification described in  
1143 Subsection 20A-9-701(1) also includes the name of each candidate nominated by a qualified  
1144 political party under this section.

1145 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who  
1146 is nominated by a qualified political party under this section, designate the qualified political  
1147 party that nominated the candidate.

1148 Section 13. Section 20A-9-408 is amended to read:

1149 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**

1150 **political party.**

1151 (1) This section describes the requirements for a member of a qualified political party  
1152 who is seeking the nomination of the qualified political party for an elective office through the  
1153 signature-gathering [~~nomination~~] process described in this section.

1154 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of  
1155 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
1156 the nomination of, the qualified political party under this section shall be substantially as  
1157 [follows:] described in Section 20A-9-408.5.

1158 [<sup>1</sup>State of Utah, County of \_\_\_\_\_

1159 ~~\_\_\_\_\_ I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of  
1160 \_\_\_\_\_ as a candidate for the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications  
1161 to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in  
1162 the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate  
1163 any law governing campaigns and elections; I will file all campaign financial disclosure reports  
1164 as required by law; and I understand that failure to do so will result in my disqualification as a  
1165 candidate for this office and removal of my name from the ballot. The mailing address that I  
1166 designate for receiving official election notices is~~

1167 \_\_\_\_\_  
1168 \_\_\_\_\_.

1169 ~~\_\_\_\_\_ Subscribed and sworn before me this \_\_\_\_\_ (month\day\year). Notary Public (or  
1170 other officer qualified to administer oath)."]~~

1171 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection  
1172 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the  
1173 nomination of the qualified political party for an elective office that is to be filled at the next  
1174 general election shall:

1175 (a) within the period beginning on January 1 before the next regular general election  
1176 and ending on the third Thursday in March of the same year, and before gathering signatures  
1177 under this section, file with the filing officer on a form approved by the lieutenant governor a

1178 notice of intent to gather signatures for candidacy that includes:

1179 (i) the name of the member who will attempt to become a candidate for a registered  
1180 political party under this section;

1181 (ii) the name of the registered political party for which the member is seeking  
1182 nomination;

1183 (iii) the office for which the member is seeking to become a candidate;

1184 (iv) the address and telephone number of the member; and

1185 (v) other information required by the lieutenant governor;

1186 (b) file a declaration of candidacy, in person, with the filing officer on or after the  
1187 second Friday in March and before 5 p.m. on the third Thursday in March before the next  
1188 regular general election; and

1189 (c) pay the filing fee.

1190 (4) Notwithstanding Subsection [20A-9-202\(2\)\(a\)](#), a member of a qualified political  
1191 party who, under this section, is seeking the nomination of the qualified political party for the  
1192 office of district attorney within a multicounty prosecution district that is to be filled at the next  
1193 general election shall:

1194 (a) on or after January 1 before the next regular general election, and before gathering  
1195 signatures under this section, file with the filing officer on a form approved by the lieutenant  
1196 governor a notice of intent to gather signatures for candidacy that includes:

1197 (i) the name of the member who will attempt to become a candidate for a registered  
1198 political party under this section;

1199 (ii) the name of the registered political party for which the member is seeking  
1200 nomination;

1201 (iii) the office for which the member is seeking to become a candidate;

1202 (iv) the address and telephone number of the member; and

1203 (v) other information required by the lieutenant governor;

1204 (b) file a declaration of candidacy, in person, with the filing officer on or after the  
1205 second Friday in March and before 5 p.m. on the third Thursday in March before the next

1206 regular general election; and

1207 (c) pay the filing fee.

1208 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate  
1209 who files as the joint-ticket running mate of an individual who is nominated by a qualified  
1210 political party, under this section, for the office of governor shall submit a letter from the  
1211 candidate for governor that names the lieutenant governor candidate as a joint-ticket running  
1212 mate.

1213 (6) The lieutenant governor shall ensure that the certification described in Subsection  
1214 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party  
1215 under this section.

1216 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who  
1217 is nominated by a qualified political party under this section, designate the qualified political  
1218 party that nominated the candidate.

1219 (8) A member of a qualified political party may seek the nomination of the qualified  
1220 political party for an elective office by:

1221 (a) complying with the requirements described in this section; and

1222 (b) collecting signatures, on a form approved by the lieutenant [~~governor's office~~]  
1223 governor, during the period beginning on January 1 of an even-numbered year and ending 14  
1224 days before the day on which the qualified political party's convention for the office is held, in  
1225 the following amounts:

1226 (i) for a statewide race, 28,000 signatures of registered voters in the state who are  
1227 permitted by the qualified political party to vote for the qualified political party's candidates in  
1228 a primary election;

1229 (ii) for a congressional district race, 7,000 signatures of registered voters who are  
1230 residents of the congressional district and are permitted by the qualified political party to vote  
1231 for the qualified political party's candidates in a primary election;

1232 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
1233 residents of the state Senate district and are permitted by the qualified political party to vote for

1234 the qualified political party's candidates in a primary election;

1235 (iv) for a state House district race, 1,000 signatures of registered voters who are  
1236 residents of the state House district and are permitted by the qualified political party to vote for  
1237 the qualified political party's candidates in a primary election; and

1238 (v) for a county office race, signatures of 3% of the registered voters who are residents  
1239 of the area permitted to vote for the county office and are permitted by the qualified political  
1240 party to vote for the qualified political party's candidates in a primary election.

1241 (9) (a) In order for a member of the qualified political party to qualify as a candidate  
1242 for the qualified political party's nomination for an elective office under this section, the  
1243 member shall:

1244 (i) collect the signatures on a form approved by the lieutenant [~~governor's office~~]  
1245 governor, using the same circulation and verification requirements described in Sections  
1246 [~~20A-7-304 and 20A-7-305~~] 20A-7-204 and 20A-7-205; and

1247 (ii) submit the signatures to the election officer no later than 14 days before the day on  
1248 which the qualified political party holds its convention to select candidates, for the elective  
1249 office, for the qualified political party's nomination.

1250 (b) An individual may not gather signatures under this section until after the individual  
1251 files a notice of intent to gather signatures for candidacy described in this section.

1252 (c) An individual who files a notice of intent to gather signatures for candidacy,  
1253 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files  
1254 the notice of intent to gather signatures for candidacy:

1255 (i) required to comply with the reporting requirements that a candidate for office is  
1256 required to comply with; and

1257 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
1258 apply to a candidate for office in relation to the reporting requirements described in Subsection  
1259 (9)(c)(i).

1260 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the  
1261 election officer shall, no later than one day before the day on which the qualified political party

1262 holds the convention to select a nominee for the elective office to which the signature packets  
1263 relate:

1264 (i) check the name of each individual who completes the verification for a signature  
1265 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

1266 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a  
1267 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

1268 (iii) determine whether each signer is a registered voter who is qualified to sign the  
1269 petition, using the same method, described in Section 20A-7-206.3, used to verify a signature  
1270 on a petition;

1271 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
1272 signature packet; and

1273 (v) notify the qualified political party and the lieutenant governor of the name of each  
1274 member of the qualified political party who qualifies as a nominee of the qualified political  
1275 party, under this section, for the elective office to which the convention relates.

1276 (e) Upon receipt of a notice of intent to gather signatures for candidacy described in  
1277 this section, the lieutenant governor shall post the notice of intent to gather signatures for  
1278 candidacy on the lieutenant governor's website in the same location that the lieutenant governor  
1279 posts a declaration of candidacy.

1280 Section 14. Section 20A-9-408.5 is enacted to read:

1281 **20A-9-408.5. Declaration of candidacy form for qualified political party.**

1282 The declaration of candidacy form described in Sections 20A-9-407 and 20A-9-408

1283 shall:

1284 (1) be substantially as follows:

1285 "State of Utah, County of \_\_\_\_\_

1286 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of \_\_\_\_\_

1287 as a candidate for the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications

1288 to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in

1289 the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate

1290 any law governing campaigns and elections; I will file all campaign financial disclosure reports  
1291 as required by law; and I understand that failure to do so will result in my disqualification as a  
1292 candidate for this office and removal of my name from the ballot. The mailing address that I  
1293 designate for receiving official election notices is

1294 \_\_\_\_\_  
1295 \_\_\_\_\_.

1296 Subscribed and sworn before me this (month\day\year). Notary Public (or  
1297 other officer qualified to administer oath).";

1298 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

1299 (a) the registered political party of which the candidate is a member; or

1300 (b) that the candidate is not a member of a registered political party; and

1301 (3) direct the candidate to indicate whether the candidate is seeking the nomination

1302 using:

1303 (a) the convention process described in Section [20A-9-407](#);

1304 (b) the signature-gathering process described in Section [20A-9-408](#); or

1305 (c) both processes described in Subsections (3)(a) and (b).

1306 Section 15. Section **20A-9-411** is enacted to read:

1307 **20A-9-411. Signing multiple nomination petitions.**

1308 (1) An individual who signs a petition, described in Section [20A-9-403](#) or [20A-9-408](#),  
1309 to nominate a candidate may not sign a petition to nominate another candidate for the same  
1310 office.

1311 (2) If an individual signs more than one petition in violation of Subsection (1), the  
1312 election officer may only count the signature on the first petition that the election officer  
1313 reviews for that office.

1314 Section 16. Section **20A-9-701** is amended to read:

1315 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1316 (1) No later than August 31 of each regular general election year, the lieutenant  
1317 governor shall certify to each county clerk, for offices to be voted upon at the regular general

1318 election in that county clerk's county:

1319 (a) the names of each candidate nominated under Subsection 20A-9-202(4) or  
1320 Subsection 20A-9-403(5) [~~for offices to be voted upon at the regular general election in that~~  
1321 ~~county clerk's county.]; and~~

1322 (b) the names of the candidates for president and vice president that are certified by the  
1323 registered political party as the party's nominees.

1324 (2) The names shall be certified by the lieutenant governor and shall be displayed on  
1325 the ballot as they are provided on the candidate's declaration of candidacy. No other names  
1326 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered  
1327 political party, political party, or other political group.

1328 Section 17. Section 20A-11-701 is amended to read:

1329 **20A-11-701. Campaign financial reporting by corporations -- Filing requirements**  
1330 **-- Statement contents -- Donor reporting and notification required.**

1331 (1) (a) Each corporation that has made expenditures for political purposes that total at  
1332 least \$750 during a calendar year shall file a verified financial statement with the lieutenant  
1333 governor's office:

- 1334 (i) on January 10, reporting expenditures as of December 31 of the previous year;
- 1335 (ii) seven days before the state political convention for each major political party;
- 1336 (iii) seven days before the regular primary election date;
- 1337 (iv) on August 31; and
- 1338 (v) seven days before the regular general election date.

1339 (b) The corporation shall report:

- 1340 (i) a detailed listing of all expenditures made since the last financial statement;
- 1341 (ii) for financial statements filed under Subsections (1)(a)(ii) through (v), all  
1342 expenditures as of five days before the required filing date of the financial statement; and
- 1343 (iii) whether the corporation, including an officer of the corporation, director of the  
1344 corporation, or person with at least 10% ownership in the corporation:

1345 (A) has bid since the last financial statement on a contract, as defined in Section



1346 63G-6a-103, in excess of \$100,000;

1347 (B) is currently bidding on a contract, as defined in Section 63G-6a-103, in excess of  
1348 \$100,000; or

1349 (C) is a party to a contract, as defined in Section 63G-6a-103, in excess of \$100,000.

1350 (c) The corporation need not file a financial statement under this section if the  
1351 corporation made no expenditures during the reporting period.

1352 (d) The corporation is not required to report an expenditure made to, or on behalf of, a  
1353 reporting entity that the reporting entity is required to include in a financial statement described  
1354 in this chapter or Chapter 12, Part 2, Judicial Retention Elections.

1355 (2) The financial statement shall include:

1356 (a) the name and address of each reporting entity that received an expenditure from the  
1357 corporation, and the amount of each expenditure;

1358 (b) the total amount of expenditures disbursed by the corporation:

1359 (i) since the last financial statement; and

1360 (ii) during the calendar year;

1361 (c) (i) a statement that the corporation did not receive any money from any donor  
1362 during the calendar year or the previous calendar year that the corporation has not reported in a  
1363 previous financial statement; or

1364 (ii) a report, described in Subsection (3), of the money received from donors during the  
1365 calendar year or the previous calendar year that the corporation has not reported in a previous  
1366 financial statement; and

1367 (d) a statement by the corporation's treasurer or chief financial officer certifying the  
1368 accuracy of the financial statement.

1369 (3) (a) The report required by Subsection (2)(c)(ii) shall include:

1370 (i) the name and address of each donor;

1371 (ii) the amount of the money received by the corporation from each donor; and

1372 (iii) the date on which the corporation received the money.

1373 (b) A corporation shall report money received from donors in the following order:

1374 (i) first, beginning with the least recent date on which the corporation received money  
1375 that the corporation has not reported in a previous financial statement, the money received from  
1376 a donor that:

1377 (A) requests that the corporation use the money to make an expenditure;

1378 (B) gives the money to the corporation in response to a solicitation indicating the  
1379 corporation's intent to make an expenditure; or

1380 (C) knows that the corporation may use the money to make an expenditure; and

1381 (ii) second, divide the difference between the total amount of expenditures made since  
1382 the last financial statement and the total amount of money reported under Subsection (3)(b)(i)  
1383 on a proration basis between all donors that:

1384 (A) are not described in Subsection (3)(b)(i);

1385 (B) gave at least \$50 during the calendar year or previous calendar year; and

1386 (C) have not been reported in a previous financial statement.

1387 (c) If the amount reported under Subsection (3)(b) is less than the total amount of  
1388 expenditures made since the last financial statement, the financial statement shall contain a  
1389 statement that the corporation has reported all donors that gave money, and all money received  
1390 by donors, during the calendar year or previous calendar year that the corporation has not  
1391 reported in a previous financial statement.

1392 (d) The corporation shall indicate on the financial statement that the amount attributed  
1393 to each donor under Subsection (3)(b)(ii) is only an estimate.

1394 (e) (i) For all individual donations of \$50 or less, the corporation may report a single  
1395 aggregate figure without separate detailed listings.

1396 (ii) The corporation:

1397 (A) may not report in the aggregate two or more donations from the same source that  
1398 have an aggregate total of more than \$50; and

1399 (B) shall separately report donations described in Subsection (3)(e)(ii)(A).

1400 (4) If a corporation makes expenditures that total at least \$750 during a calendar year,  
1401 the corporation shall notify a person giving money to the corporation that:

- 1402 (a) the corporation may use the money to make an expenditure; and
- 1403 (b) the person's name and address may be disclosed on the corporation's financial
- 1404 statement.

1405 Section 18. Section **20A-11-705** is enacted to read:

1406 **20A-11-705. Notice of in-kind contributions.**

1407 (1) A corporation that makes an in-kind contribution to a reporting entity shall, in  
1408 accordance with Subsection (2), provide the reporting entity a written notice that includes:

- 1409 (a) the name and address of the corporation;
- 1410 (b) the date of the in-kind expenditure;
- 1411 (c) a description of the in-kind expenditure; and
- 1412 (d) the value, in dollars, of the in-kind expenditure.

1413 (2) A corporation shall provide the written notice described in Subsection (1) to the  
1414 reporting entity:

1415 (a) except as provided in Subsection (2)(b), within 30 days after the day on which the  
1416 corporation makes the in-kind contribution; or

1417 (b) within three business days after the day on which the corporation makes the in-kind  
1418 contribution, if:

1419 (i) the in-kind contribution is to a candidate who is contested in a convention and the  
1420 corporation makes the in-kind contribution within 30 days before the day on which the  
1421 convention is held;

1422 (ii) the in-kind contribution is to a candidate who is contested in a primary election and  
1423 the corporation makes the in-kind contribution within 30 days before the day on which the  
1424 primary election is held; or

1425 (iii) the in-kind contribution is to a candidate who is contested in a general election and  
1426 the corporation makes the in-kind contribution within 30 days before the day on which the  
1427 general election is held.

1428 (3) A corporation that provides, and a reporting entity that receives, the written notice  
1429 described in Subsection (1) shall retain a copy of the notice for five years after the day on

1430 which the written notice is provided to the reporting entity.

1431 (4) A corporation or reporting entity that fails to comply with the requirements of this  
1432 section is guilty of a class B misdemeanor.

1433 (5) A person that intentionally or knowingly provides, or conspires to provide, false  
1434 information on a written notice described in this section is guilty of a class B misdemeanor.

1435 Section 19. Section **36-11-201** is amended to read:

1436 **36-11-201. Lobbyist, principal, and government officer financial reporting**  
1437 **requirements -- Prohibition for related person to make expenditures.**

1438 (1) (a) (i) [~~A~~] Except as provided in Subsection (1)(a)(ii), a lobbyist shall file financial  
1439 reports with the lieutenant governor on or before the due dates specified in Subsection (2).

1440 (ii) [~~If a~~] A lobbyist who has not made an expenditure during [the] a quarterly reporting  
1441 period[~~, the lobbyist shall file a financial report listing the amount of expenditures as "none."~~]  
1442 is not required to file a quarterly financial report for that quarterly reporting period.

1443 (iii) A lobbyist who is not required to file any quarterly reports under this section for a  
1444 calendar year shall, on or before January 10 of the following year, file a financial report listing  
1445 the amount of the expenditures for the entire preceding year as "none."

1446 (b) A government officer or principal that makes an expenditure during any of the  
1447 quarterly reporting periods under Subsection (2)(a) shall file a financial report with the  
1448 lieutenant governor on or before the date that a report for that quarter is due.

1449 (2) (a) A financial report is due quarterly on the following dates:

1450 (i) April 10, for the period of January 1 through March 31;

1451 (ii) July 10, for the period of April 1 through June 30;

1452 (iii) October 10, for the period of July 1 through September 30; and

1453 (iv) January 10, for the period of October 1 through December 31 of the previous year.

1454 (b) If the due date for a financial report falls on a Saturday, Sunday, or legal holiday,  
1455 the report is due on the next succeeding business day.

1456 (c) A financial report is timely filed if it is filed electronically before the close of  
1457 regular office hours on or before the due date.

- 1458 (3) A financial report shall contain:
- 1459 (a) the total amount of expenditures made to benefit any public official during the
- 1460 quarterly reporting period;
- 1461 (b) the total amount of expenditures made, by the type of public official, during the
- 1462 quarterly reporting period;
- 1463 (c) for the financial report due on January 10:
- 1464 (i) the total amount of expenditures made to benefit any public official during the last
- 1465 calendar year; and
- 1466 (ii) the total amount of expenditures made, by the type of public official, during the last
- 1467 calendar year;
- 1468 (d) a disclosure of each expenditure made during the quarterly reporting period to
- 1469 reimburse or pay for travel or lodging for a public official, including:
- 1470 (i) each travel destination and each lodging location;
- 1471 (ii) the name of each public official who benefitted from the expenditure on travel or
- 1472 lodging;
- 1473 (iii) the public official type of each public official named;
- 1474 (iv) for each public official named, a listing of the amount and purpose of each
- 1475 expenditure made for travel or lodging; and
- 1476 (v) the total amount of expenditures listed under Subsection (3)(d)(iv);
- 1477 (e) a disclosure of aggregate daily expenditures greater than \$10 made during the
- 1478 quarterly reporting period including:
- 1479 (i) the date and purpose of the expenditure;
- 1480 (ii) the location of the expenditure;
- 1481 (iii) the name of any public official benefitted by the expenditure;
- 1482 (iv) the type of the public official benefitted by the expenditure; and
- 1483 (v) the total monetary worth of the benefit that the expenditure conferred on any public
- 1484 official;
- 1485 (f) for each public official who was employed by the lobbyist, principal, or government

1486 officer, a list that provides:

1487 (i) the name of the public official; and

1488 (ii) the nature of the employment with the public official;

1489 (g) each bill or resolution, by number and short title, on behalf of which the lobbyist,

1490 principal, or government officer made an expenditure to a public official;

1491 (h) a description of each executive action on behalf of which the lobbyist, principal, or

1492 government officer made an expenditure to a public official;

1493 (i) the general purposes, interests, and nature of the entities that the lobbyist, principal,

1494 or government officer filing the report represents; and

1495 (j) for a lobbyist, a certification that the information provided in the report is true,

1496 accurate, and complete to the lobbyist's best knowledge and belief.

1497 (4) A related person may not, while assisting a lobbyist, principal, or government

1498 officer in lobbying, make an expenditure that benefits a public official under circumstances that

1499 would otherwise fall within the disclosure requirements of this chapter if the expenditure was

1500 made by the lobbyist, principal, or government officer.

1501 (5) The lieutenant governor shall:

1502 (a) (i) develop a preprinted form for a financial report required by this section; and

1503 (ii) make copies of the form available to a lobbyist, principal, or government officer

1504 who requests a form; and

1505 (b) provide a reporting system that allows a lobbyist, principal, or government officer

1506 to submit a financial report required by this chapter via the Internet.

1507 (6) (a) A lobbyist and a principal shall continue to file a financial report required by

1508 this section until the lobbyist or principal files a statement with the lieutenant governor that:

1509 (i) states:

1510 (A) for a lobbyist, that the lobbyist has ceased lobbying activities; or

1511 (B) for a principal, that the principal no longer employs an individual as a lobbyist;

1512 (ii) in the case of a lobbyist, states that the lobbyist is surrendering the lobbyist's

1513 license;

1514 (iii) contains a listing, as required by this section, of all previously unreported  
1515 expenditures that have been made through the date of the statement; and

1516 (iv) states that the lobbyist or principal will not make any additional expenditure that is  
1517 not disclosed on the statement unless the lobbyist or principal complies with the disclosure and  
1518 licensing requirements of this chapter.

1519 (b) [~~A~~] Except as provided in Subsection (1)(a)(ii), a person that fails to renew the  
1520 lobbyist's license or otherwise ceases to be licensed is required to file a financial report  
1521 quarterly until the person files the statement required by Subsection (6)(a).