

1 **CLOSED PRIMARY AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Scott K. Jenkins**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the definition of a "qualified political party" in the Election Code by
10 removing the requirement that the qualified political party permit voters who are
11 unaffiliated with any political party to vote for the registered political party's candidates
12 in a primary election.

13 **Highlighted Provisions:**

14 This bill:

15 ▶ amends the definition of a "qualified political party" in the Election Code by
16 removing the requirement that the qualified political party permit voters who are
17 unaffiliated with any political party to vote for the registered political party's
18 candidates in a primary election.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **20A-9-101**, as last amended by Laws of Utah 2014, Chapter 17

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



28 Section 1. Section 20A-9-101 is amended to read:

29 **20A-9-101. Definitions.**

30 As used in this chapter:

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

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

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

36 (ii) presidential elector;

37 (iii) any political party offices; and

38 (iv) municipal or local district offices.

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

41 (3) "Continuing political party" is as defined in Section 20A-8-101.

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

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

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

46 (ii) the office of presidential elector;

47 (iii) any political party offices;

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

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

50 (5) "Federal office" means an elective office for United States Senator and United
51 States Representative.

52 (6) "Filing officer" means:

53 (a) the lieutenant governor, for:

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

55 (ii) all constitutional offices;

56 (b) the county clerk, for county offices and local school district offices, and the county
57 clerk in the filer's county of residence, for multicounty offices;

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

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

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

61 (8) "Local government office" includes county offices, municipal offices, and local
62 district offices and other elective offices selected by the voters from a political division entirely
63 within one county.

64 (9) (a) "Multicounty office" means an elective office where the office holder is selected
65 by the voters from more than one county.

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

67 (i) a county office;

68 (ii) a federal office;

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

70 (iv) the office of presidential elector;

71 (v) any political party offices; and

72 (vi) any municipal or local district offices.

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

74 (11) (a) "Political division" means a geographic unit from which an office holder is
75 elected and that an office holder represents.

76 (b) "Political division" includes a county, a city, a town, a local district, a school
77 district, a legislative district, and a county prosecution district.

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

79 ~~[(a) permits voters who are unaffiliated with any political party to vote for the
80 registered political party's candidates in a primary election;]~~

81 ~~[(b)]~~ (a) (i) permits a delegate for the registered political party to vote on a candidate
82 nomination in the registered political party's convention remotely; or

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

85 ~~[(c)]~~ (b) does not hold the registered political party's convention before April 1 of an
86 even-numbered year;

87 ~~[(d)]~~ (c) permits a member of the registered political party to seek the registered
88 political party's nomination for any elective office by the member choosing to seek the
89 nomination by either or both of the following methods:

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

92 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
93 of Section 20A-9-408; and

94 [~~e~~] (d) no later than 5 p.m. on September 30 of an odd-numbered year, certifies to the
95 lieutenant governor that, for the election in the following year, the registered political party
96 intends to nominate the registered political party's candidates in accordance with the provisions
97 of Sections 20A-9-407 and 20A-9-408.

Legislative Review Note

as of 9-4-14 11:17 AM

Office of Legislative Research and General Counsel