

Senator Curtis S. Bramble proposes the following substitute bill:

POLITICAL ACTIVITY AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Daniel McCay

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;



- 26 ▶ removes the requirements relating to lobbyist nametags; and
- 27 ▶ makes technical and conforming amendments.

28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

- 34 **20A-1-102**, as last amended by Laws of Utah 2014, Chapters 17, 31, 231, 362, and 391
- 35 **20A-1-201.5**, as last amended by Laws of Utah 2013, Chapter 320
- 36 **20A-3-106**, as last amended by Laws of Utah 2006, Chapter 326
- 37 **20A-5-101**, as last amended by Laws of Utah 2014, Chapters 17 and 362
- 38 **20A-6-303**, as last amended by Laws of Utah 2014, Chapter 17
- 39 **20A-6-304**, as last amended by Laws of Utah 2014, Chapter 17
- 40 **20A-9-101**, as last amended by Laws of Utah 2014, Chapter 17
- 41 **20A-9-201**, as last amended by Laws of Utah 2014, Chapter 17
- 42 **20A-9-202**, as last amended by Laws of Utah 2014, Chapter 17
- 43 **20A-9-403**, as last amended by Laws of Utah 2014, Chapter 17
- 44 **20A-9-406**, as enacted by Laws of Utah 2014, Chapter 17
- 45 **20A-9-407**, as enacted by Laws of Utah 2014, Chapter 17
- 46 **20A-9-408**, as enacted by Laws of Utah 2014, Chapter 17
- 47 **20A-9-701**, as last amended by Laws of Utah 2014, Chapter 17
- 48 **20A-11-101**, as last amended by Laws of Utah 2014, Chapters 18, 158, and 337
- 49 **20A-11-601**, as last amended by Laws of Utah 2011, Chapter 347
- 50 **20A-11-701**, as last amended by Laws of Utah 2013, Chapters 318 and 420
- 51 **20A-11-702**, as last amended by Laws of Utah 2013, Chapters 318 and 420
- 52 **20A-11-703**, as last amended by Laws of Utah 2013, Chapter 420
- 53 **20A-11-704**, as enacted by Laws of Utah 2006, Chapter 226
- 54 **20A-11-801**, as last amended by Laws of Utah 2008, Chapter 225
- 55 **20A-11-1004**, as enacted by Laws of Utah 1995, Chapter 1
- 56 **36-11-201**, as last amended by Laws of Utah 2010, Chapter 325

57 **36-11-305.5**, as enacted by Laws of Utah 2014, Chapter 335

58 ENACTS:

59 **20A-9-408.5**, Utah Code Annotated 1953

60 **20A-9-411**, Utah Code Annotated 1953

61 **20A-11-705**, Utah Code Annotated 1953

62

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

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

65 **20A-1-102. Definitions.**

66 As used in this title:

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

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

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

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

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

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

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

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

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

82 (b) a constitutional amendment;

83 (c) an initiative;

84 (d) a referendum;

85 (e) a bond proposition;

86 (f) a judicial retention question;

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

- 88 (h) any other ballot question specifically authorized by the Legislature.
- 89 (6) "Ballot sheet":
- 90 (a) means a ballot that:
- 91 (i) consists of paper or a card where the voter's votes are marked or recorded; and
- 92 (ii) can be counted using automatic tabulating equipment; and
- 93 (b) includes punch card ballots and other ballots that are machine-countable.
- 94 (7) "Bind," "binding," or "bound" means securing more than one piece of paper
- 95 together with a staple or stitch in at least three places across the top of the paper in the blank
- 96 space reserved for securing the paper.
- 97 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
- 98 [20A-4-306](#) to canvass election returns.
- 99 (9) "Bond election" means an election held for the purpose of approving or rejecting
- 100 the proposed issuance of bonds by a government entity.
- 101 (10) "Book voter registration form" means voter registration forms contained in a
- 102 bound book that are used by election officers and registration agents to register persons to vote.
- 103 (11) "Business reply mail envelope" means an envelope that may be mailed free of
- 104 charge by the sender.
- 105 (12) "By-mail voter registration form" means a voter registration form designed to be
- 106 completed by the voter and mailed to the election officer.
- 107 (13) "Canvass" means the review of election returns and the official declaration of
- 108 election results by the board of canvassers.
- 109 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at
- 110 the canvass.
- 111 (15) "Contracting election officer" means an election officer who enters into a contract
- 112 or interlocal agreement with a provider election officer.
- 113 (16) "Convention" means the political party convention at which party officers and
- 114 delegates are selected.
- 115 (17) "Counting center" means one or more locations selected by the election officer in
- 116 charge of the election for the automatic counting of ballots.
- 117 (18) "Counting judge" means a poll worker designated to count the ballots during
- 118 election day.

119 (19) "Counting poll watcher" means a person selected as provided in Section
120 20A-3-201 to witness the counting of ballots.

121 (20) "Counting room" means a suitable and convenient private place or room,
122 immediately adjoining the place where the election is being held, for use by the poll workers
123 and counting judges to count ballots during election day.

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

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

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

129 (b) does not include:

130 (i) deadlines established for absentee voting; or

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

133 (23) "Elected official" means:

134 (a) a person elected to an office under Section 20A-1-303;

135 (b) a person who is considered to be elected to a municipal office in accordance with
136 Subsection 20A-1-206(1)(c)(ii); or

137 (c) a person who is considered to be elected to a local district office in accordance with
138 Subsection 20A-1-206(3)(c)(ii).

139 (24) "Election" means a regular general election, a municipal general election, a
140 statewide special election, a local special election, a regular primary election, a municipal
141 primary election, and a local district election.

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

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

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

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

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

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

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

181 or logically associated with a record and executed or adopted by a person with the intent to sign
182 the record.

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

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

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

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

187 (b) failed to respond to that notice.

188 (36) "Inspecting poll watcher" means a person selected as provided in this title to

189 witness the receipt and safe deposit of voted and counted ballots.

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

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

193 (39) "Local district" means a local government entity under Title 17B, Limited Purpose
194 Local Government Entities - Local Districts, and includes a special service district under Title
195 17D, Chapter 1, Special Service District Act.

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

198 (41) "Local election" means a regular county election, a regular municipal election, a
199 municipal primary election, a local special election, a local district election, and a bond
200 election.

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

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

206 (44) "Municipal executive" means:

207 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;

208 or

209 (b) the mayor in the council-manager form of government defined in Subsection
210 10-3b-103(6).

211 (45) "Municipal general election" means the election held in municipalities and, as

212 applicable, local districts on the first Tuesday after the first Monday in November of each
213 odd-numbered year for the purposes established in Section [20A-1-202](#).

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

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

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

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

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

223 (51) "Official endorsement" means:

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

225 (i) the ballot as an official ballot;

226 (ii) the date of the election; and

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

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

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

230 (ii) the ballot number.

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

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

234 (a) the names of offices and candidates and statements of ballot propositions to be
235 voted on; and

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

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

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

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

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

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

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

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

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

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

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

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

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

257 (62) "Provider election officer" means an election officer who enters into a contract or
258 interlocal agreement with a contracting election officer to conduct an election for the
259 contracting election officer's local political subdivision in accordance with Section
260 [20A-5-400.1](#).

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

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

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

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

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

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

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

273 (67) "Registration form" means a book voter registration form and a by-mail voter

274 registration form.

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

276 (69) "Regular general election" means the election held throughout the state on the first
277 Tuesday after the first Monday in November of each even-numbered year for the purposes
278 established in Section 20A-1-201.

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

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

283 (72) "Sample ballot" means a mock ballot similar in form to the official ballot printed
284 and distributed as provided in Section 20A-5-405.

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

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

291 (75) "Special election" means an election held as authorized by Section 20A-1-203.

292 (76) "Spoiled ballot" means each ballot that:

293 (a) is spoiled by the voter;

294 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

295 (c) lacks the official endorsement.

296 (77) "Statewide special election" means a special election called by the governor or the
297 Legislature in which all registered voters in Utah may vote.

298 (78) "Stub" means the detachable part of each ballot.

299 (79) "Substitute ballots" means replacement ballots provided by an election officer to
300 the poll workers when the official ballots are lost or stolen.

301 (80) "Ticket" means each list of candidates for each political party or for each group of
302 petitioners.

303 (81) "Transfer case" means the sealed box used to transport voted ballots to the
304 counting center.

305 (82) "Vacancy" means the absence of a person to serve in any position created by
306 statute, whether that absence occurs because of death, disability, disqualification, resignation,
307 or other cause.

308 (83) "Valid voter identification" means:

309 (a) a form of identification that bears the name and photograph of the voter which may
310 include:

311 (i) a currently valid Utah driver license;

312 (ii) a currently valid identification card that is issued by:

313 (A) the state; or

314 (B) a branch, department, or agency of the United States;

315 (iii) a currently valid Utah permit to carry a concealed weapon;

316 (iv) a currently valid United States passport; or

317 (v) a currently valid United States military identification card;

318 (b) one of the following identification cards, whether or not the card includes a
319 photograph of the voter:

320 (i) a valid tribal identification card;

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

322 (iii) a tribal treaty card; or

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

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

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

329 (iii) a certified birth certificate;

330 (iv) a valid Social Security card;

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

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

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

334 (viii) certified naturalization documentation;

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

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

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

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

339 (A) a local government within the state;

340 (B) an employer for an employee; or

341 (C) a college, university, technical school, or professional school located within the

342 state; or

343 (xiii) a current Utah vehicle registration.

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

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

347 (a) meets the requirements for voting in an election;

348 (b) meets the requirements of election registration;

349 (c) is registered to vote; and

350 (d) is listed in the official register book.

351 (86) "Voter registration deadline" means the registration deadline provided in Section

352 [20A-2-102.5](#).

353 (87) "Voting area" means the area within six feet of the voting booths, voting
354 machines, and ballot box.

355 (88) "Voting booth" means:

356 (a) the space or compartment within a polling place that is provided for the preparation
357 of ballots, including the voting machine enclosure or curtain; or

358 (b) a voting device that is free standing.

359 (89) "Voting device" means:

360 (a) an apparatus in which ballot sheets are used in connection with a punch device for
361 piercing the ballots by the voter;

362 (b) a device for marking the ballots with ink or another substance;

363 (c) an electronic voting device or other device used to make selections and cast a ballot
364 electronically, or any component thereof;

365 (d) an automated voting system under Section [20A-5-302](#); or

366 (e) any other method for recording votes on ballots so that the ballot may be tabulated

367 by means of automatic tabulating equipment.

368 (90) "Voting machine" means a machine designed for the sole purpose of recording
369 and tabulating votes cast by voters at an election.

370 (91) "Voting poll watcher" means a person appointed as provided in this title to
371 witness the distribution of ballots and the voting process.

372 (92) "Voting precinct" means the smallest voting unit established as provided by law
373 within which qualified voters vote at one polling place.

374 (93) "Watcher" means a voting poll watcher, a counting poll watcher, an inspecting
375 poll watcher, and a testing watcher.

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

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

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

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

382 **20A-1-201.5. Primary election dates.**

383 (1) A regular primary election shall be held throughout the state on the fourth Tuesday
384 of June of each even numbered year as provided in Section [20A-9-403](#), [20A-9-407](#), or
385 [20A-9-408](#), as applicable, to nominate persons for national, state, school board, and county
386 offices.

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

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

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

394 **20A-3-106. Voting straight ticket -- Splitting ballot -- Writing in names -- Effect**
395 **of unnecessary marking of cross.**

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

- 398 (a) mark in the circle or position above that political party;
- 399 (b) mark in the squares or position opposite the names of all candidates for that party
- 400 ticket; or
- 401 (c) make both markings.
- 402 (2) (a) When voting a ballot sheet, any voter desiring to vote for all the candidates who
- 403 are listed on the ballot as being from any one registered political party may:
- 404 (i) mark the selected party on the straight party page or section; or
- 405 (ii) mark the name of each candidate from that party.
- 406 (b) To vote for candidates from two or more political parties, the voter may:
- 407 (i) mark in the squares or positions opposite the names of the candidates for whom the
- 408 voter wishes to vote without marking in any circle; or
- 409 (ii) indicate [~~his~~] the voter's choice by:
- 410 (A) marking in the circle or position above one political party; and
- 411 (B) marking in the squares or positions opposite the names of desired candidates who
- 412 are members of any party, are unaffiliated, or are listed without party name.
- 413 (3) (a) When voting an electronic ballot, any voter desiring to vote for all the
- 414 candidates who are listed on the ballot as being from any one registered political party may:
- 415 (i) select that party on the straight party selection area; or
- 416 (ii) select the name of each candidate from that party.
- 417 (b) To vote for candidates from two or more political parties, the voter may:
- 418 (i) select the names of the candidates for whom the voter wishes to vote without
- 419 selecting a political party in the straight party selection area; or
- 420 (ii) (A) select a political party in the straight party selection area; and
- 421 (B) select the names of the candidates for whom the voter wishes to vote who are
- 422 members of any party, are unaffiliated, or are listed without party name.
- 423 (4) In any election other than a primary election, if a voter voting a ballot has selected
- 424 or placed a mark next to a party name in order to vote a straight party ticket and wishes to vote
- 425 for a person on another party ticket for an office, or for an unaffiliated candidate, the voter shall
- 426 select or mark the ballot next to the name of the candidate for whom the voter wishes to vote.
- 427 (5) (a) The voter may cast a write-in vote on a paper ballot or ballot sheet:
- 428 (i) by entering the name of a valid write-in candidate:

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

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

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

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

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

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

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

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

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

445 **20A-5-101. Notice of election.**

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

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

449 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
450 certifying nomination petition signatures, as applicable, under [Section] Sections [20A-9-403](#),
451 [20A-9-407](#), and [20A-9-408](#) for those offices;

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

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

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

459 (i) publish a notice:

- 460 (A) once in a newspaper published in that county; and
- 461 (B) as required in Section 45-1-101; or
- 462 (ii) (A) cause a copy of the notice to be posted in a conspicuous place most likely to
- 463 give notice of the election to the voters in each voting precinct within the county; and
- 464 (B) prepare an affidavit of that posting, showing a copy of the notice and the places
- 465 where the notice was posted.

- 466 (b) The notice required by Subsection (2)(a) shall:
- 467 (i) designate the offices to be voted on in that election; and
- 468 (ii) identify the dates for filing a declaration of candidacy for those offices.

469 (3) Before each election, the election officer shall give written or printed notice of:

- 470 (a) the date and place of election;
- 471 (b) the hours during which the polls will be open;
- 472 (c) the polling places for each voting precinct;
- 473 (d) an election day voting center designated under Section 20A-3-703; and
- 474 (e) the qualifications for persons to vote in the election.

475 (4) To provide the notice required by Subsection (3), the election officer shall publish

476 the notice at least two days before the election:

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

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

481 **20A-6-303. Regular general election -- Ballot sheets.**

- 482 (1) Each election officer shall ensure that:
- 483 (a) copy on the ballot sheets or ballot labels, as applicable, are arranged in
- 484 approximately the same order as paper ballots;
- 485 (b) the titles of offices and the names of candidates are printed in vertical columns or in
- 486 a series of separate pages;
- 487 (c) the ballot sheet or any pages used for the ballot label are of sufficient number to
- 488 include, after the list of candidates:
- 489 (i) the names of candidates for judicial offices and any other nonpartisan offices; and
- 490 (ii) any ballot propositions submitted to the voters for their approval or rejection;

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

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

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

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

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

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

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

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

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

510 (2) Each election officer shall ensure that:

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

513 (b) ballot propositions submitted to the voters are listed in accordance with Section
514 20A-6-107; and

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

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

518 **20A-6-304. Regular general election -- Electronic ballots.**

519 (1) Each election officer shall ensure that:

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

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

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

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

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

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

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

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

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

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

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

540 (2) Each election officer shall ensure that:

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

543 (b) ballot propositions submitted to the voters are displayed in accordance with Section
544 20A-6-107; and

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

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

548 **20A-9-101. Definitions.**

549 As used in this chapter:

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

- 553 (b) "Candidates for elective office" does not mean candidates for:
554 (i) justice or judge of court of record or not of record;
555 (ii) presidential elector;
556 (iii) any political party offices; and
557 (iv) municipal or local district offices.
- 558 (2) "Constitutional office" means the state offices of governor, lieutenant governor,
559 attorney general, state auditor, and state treasurer.
- 560 (3) "Continuing political party" is as defined in Section [20A-8-101](#).
- 561 (4) (a) "County office" means an elective office where the office holder is selected by
562 voters entirely within one county.
- 563 (b) "County office" does not mean:
564 (i) the office of justice or judge of any court of record or not of record;
565 (ii) the office of presidential elector;
566 (iii) any political party offices;
567 (iv) any municipal or local district offices; and
568 (v) the office of United States Senator and United States Representative.
- 569 (5) "Federal office" means an elective office for United States Senator and United
570 States Representative.
- 571 (6) "Filing officer" means:
572 (a) the lieutenant governor, for:
573 (i) the office of United States Senator and United States Representative; and
574 (ii) all constitutional offices;
575 (b) the county clerk, for county offices and local school district offices, and the county
576 clerk in the filer's county of residence, for multicounty offices;
577 (c) the city or town clerk, for municipal offices; and
578 (d) the local district clerk, for local district offices.
- 579 (7) "Local district office" means an elected office in a local district.
- 580 (8) "Local government office" includes county offices, municipal offices, and local
581 district offices and other elective offices selected by the voters from a political division entirely
582 within one county.
- 583 (9) (a) "Multicounty office" means an elective office where the office holder is selected

584 by the voters from more than one county.

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

586 (i) a county office;

587 (ii) a federal office;

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

589 (iv) the office of presidential elector;

590 (v) any political party offices; and

591 (vi) any municipal or local district offices.

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

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

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

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

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

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

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

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

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

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

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

613 (e) (i) if the registered political party is a continuing political party, no later than 5 p.m.
614 on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the

615 election in the following year, the registered political party intends to nominate the registered
 616 political party's candidates in accordance with the provisions of [~~Sections 20A-9-407 and~~
 617 ~~20A-9-408.~~] Section 20A-9-406; or

618 (ii) if the registered political party is a not a continuing political party, certifies at the
 619 time that the registered political party files the petition described in Section 20A-8-103 that, for
 620 the next election, the registered political party intends to nominate the registered political
 621 party's candidates in accordance with the provisions of Section 20A-9-406.

622 Section 8. Section 20A-9-201 is amended to read:

623 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
 624 **more than one political party prohibited with exceptions -- General filing and form**
 625 **requirements -- Affidavit of impecuniosity.**

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

627 (a) be a United States citizen;

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

629 (c) if seeking a registered political party's nomination as a candidate for elective office,
 630 [~~designate that registered political party as their preferred party affiliation on their declaration~~
 631 ~~of candidacy.~~] state:

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

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

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

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

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

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

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

645 (ii) A person may file a declaration of candidacy for, or be a candidate for, more than

646 one justice court judge office.

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

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

653 (A) read to the prospective candidate the constitutional and statutory qualification
654 requirements for the office that the candidate is seeking; and

655 (B) require the candidate to state whether or not the candidate meets those
656 requirements.

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

659 (A) a United States citizen;

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

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

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

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

670 (A) a United States citizen;

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

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

675 (D) a current resident of the prosecution district in which the person is seeking office
676 and either will have been a resident of that prosecution district for at least one year as of the

677 date of the election or was appointed and is currently serving as district attorney and became a
678 resident of the prosecution district within 30 days after receiving appointment to the office.

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

681 (A) as of the date of filing:

682 (I) is a United States citizen;

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

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

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

688 (IV) is qualified to be certified as a law enforcement officer, as defined in Section
689 53-13-103; and

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

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

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

697 (B) if the filing officer is not the lieutenant governor, that the financial disclosure is
698 provided to the lieutenant governor according to the procedures and requirements of Section
699 20A-11-1603.

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

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

705 (i) inform the candidate that:

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

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

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

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

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

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

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

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

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

724 (A) signing the pledge is voluntary; and

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

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

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

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

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

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

736 (4) (a) Except for presidential candidates, the form of the declaration of candidacy
737 shall:

738 (i) be substantially as follows:

739 "State of Utah, County of ____
 740 I, _____, declare my candidacy for the office of ____, seeking the
 741 nomination of the ____ party[~~which is my preferred political party affiliation~~]. I do
 742 solemnly swear that: I will meet the qualifications to hold the office, both legally and
 743 constitutionally, if selected; I reside at _____ in the City or Town of ____,
 744 Utah, Zip Code ____ Phone No. ____; I will not knowingly violate any law governing
 745 campaigns and elections; I will file all campaign financial disclosure reports as required
 746 by law; and I understand that failure to do so will result in my disqualification as a
 747 candidate for this office and removal of my name from the ballot. The mailing address
 748 that I designate for receiving official election notices is
 749 _____.

750 _____
 751 Subscribed and sworn before me this _____(month\day\year).

752 _____ Notary Public (or other officer qualified to administer oath.); and

753 (ii) require the candidate to state, in the sworn statement described in Subsection
 754 (4)(a)(i):

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

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

757 (b) An agent designated to file a declaration of candidacy under Section [20A-9-202](#)
 758 may not sign the form described in Subsection (4)(a).

759 (5) (a) Except for presidential candidates, the fee for filing a declaration of candidacy
 760 is:

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

762 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
 763 person holding the office for all other federal, state, and county offices.

764 (b) Except for presidential candidates, the filing officer shall refund the filing fee to
 765 any candidate:

766 (i) who is disqualified; or

767 (ii) who the filing officer determines has filed improperly.

768 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received
 769 from candidates.

770 (ii) The lieutenant governor shall:

771 (A) apportion to and pay to the county treasurers of the various counties all fees
772 received for filing of nomination certificates or acceptances; and

773 (B) ensure that each county receives that proportion of the total amount paid to the
774 lieutenant governor from the congressional district that the total vote of that county for all
775 candidates for representative in Congress bears to the total vote of all counties within the
776 congressional district for all candidates for representative in Congress.

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

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

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

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

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

790 "Affidavit of Impecuniosity

791 Individual Name _____

792 _____ Address _____

793 Phone Number _____

794 I, _____ (name), do solemnly [swear] [affirm], under penalty of law
795 for false statements, that, owing to my poverty, I am unable to pay the filing fee required by
796 law.

797 Date _____ Signature _____

798 Affiant

799 Subscribed and sworn to before me on _____ (month/day/year)

800 _____

801 (signature)
802 Name and Title of Officer Authorized to Administer Oath _____"

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

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

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

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

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

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

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

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

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

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

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

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

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

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

832 **20A-9-202. Declarations of candidacy for regular general elections.**

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

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

838 (ii) pay the filing fee.

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

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

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

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

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

853 (ii) pay the filing fee.

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

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

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

860 (ii) pay the filing fee; and

861 (iii) submit a letter from a candidate for governor who has received certification for the
862 primary-election ballot under Section [20A-9-403](#) that names the lieutenant governor candidate

863 as a joint-ticket running mate.

864 (b) Any candidate for lieutenant governor who fails to timely file is disqualified. If a
865 lieutenant governor is disqualified, another candidate shall file to replace the disqualified
866 candidate.

867 (4) Each registered political party shall:

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

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

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

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

877 (i) mail or personally deliver notice of the objection to the affected candidate
878 immediately; and

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

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

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

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

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

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

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

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

- 894 (i) of employment with the state or the United States; or
- 895 (ii) the person is a member of:
 - 896 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
 - 897 Coast Guard of the United States who is on active duty;
 - 898 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
 - 899 commissioned corps of the National Oceanic and Atmospheric Administration of the United
 - 900 States; or
 - 901 (C) the National Guard on activated status;
- 902 (b) the person communicates with the filing officer using an electronic device that
- 903 allows the person and filing officer to see and hear each other; and
- 904 (c) the person provides the filing officer with an email address to which the filing
- 905 officer may send the copies described in Subsection 20A-9-201(3).

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

907 **20A-9-403. Regular primary elections.**

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

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

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

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

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

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

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

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

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

940 (ii) An organization that is seeking to become a registered political party under Section
941 [20A-8-103](#) must file the statement described in [~~Subsection (2)(b) no later than 5 p.m. on
942 February 15]~~ Subsection (2)(a) at the time that the registered political party files the petition
943 described in Section [20A-8-103](#).

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

949 (i) circulated and completed in accordance with Section [20A-9-405](#); and

950 (ii) signed by at least two percent of the registered political party's members who reside
951 in the political division of the office that the person seeks.

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

955 (c) The lieutenant governor shall determine for each elective office the total number of

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

961 (d) The filing officer shall:

962 (i) verify signatures on nomination petitions in a transparent and orderly manner;

963 (ii) for all qualifying candidates for elective office who submitted nomination petitions
964 to the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on
965 the first Monday after the third Saturday in April;

966 (iii) consider active and inactive voters eligible to sign nomination petitions;

967 (iv) consider a person who signs a nomination petition a member of a registered
968 political party for purposes of Subsection (3)(a)(ii) if the person has designated that registered
969 political party as ~~[their preferred party affiliation on their]~~ the person's party membership on the
970 person's voter registration form ~~[prior to 5 p.m. on the final day in March];~~ and

971 (v) utilize procedures described in Section [20A-7-206.3](#) to verify submitted nomination
972 petition signatures, or use statistical sampling procedures to verify submitted nomination
973 petition signatures pursuant to rules ~~[issued by the lieutenant governor]~~ made under Subsection
974 (3)(f).

975 (e) Notwithstanding any other provision in this Subsection (3), a candidate for
976 lieutenant governor may appear on the regular primary ballot of a registered political party
977 without submitting nomination petitions if the candidate files a declaration of candidacy and
978 complies with Subsection [20A-9-202\(3\)](#).

979 ~~[(f) The lieutenant governor shall issue rules that]~~

980 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
981 director of elections, within the Office of the Lieutenant Governor, shall make rules that:

982 (i) provide for the use of statistical sampling procedures [for] that:

983 (A) filing officers are required to use to verify signatures under Subsection (3)(d)[-
984 The statistical sampling procedures shall]; and

985 (B) reflect a bona fide effort to determine the validity of a candidate's entire
986 submission, using widely recognized statistical sampling techniques[- The lieutenant governor

987 ~~may also issue supplemental rules and guidance that]; and~~

988 (ii) provide for the transparent, orderly, and timely submission, verification, and
989 certification of nomination petition signatures.

990 (g) The county clerk shall:

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

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

996 (iii) determine the order of the local board of education candidates' names on the ballot
997 in accordance with Section [20A-6-305](#).

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

1000 (i) a list of the names of all candidates for federal, constitutional, multi-county, and
1001 county offices who have received certifications under Subsection (3), along with instructions
1002 on how those names shall appear on the primary-election ballot in accordance with Section
1003 [20A-6-305](#); and

1004 (ii) a list of unopposed candidates for elective office who have been nominated by a
1005 registered political party under Subsection (5)(c) and instruct the county clerks to exclude such
1006 candidates from the primary-election ballot.

1007 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1008 joint-ticket running mates shall appear jointly on the primary-election ballot.

1009 (c) After the county clerk receives the certified list from the lieutenant governor under
1010 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
1011 substantially the following form:

1012 "Notice is given that a primary election will be held Tuesday, June ____,
1013 ____ (year), to nominate party candidates for the parties and candidates for nonpartisan
1014 local school board positions listed on the primary ballot. The polling place for voting precinct
1015 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
1016 Attest: county clerk."

1017 (5) (a) Candidates, other than presidential candidates, receiving the highest number of

1018 votes cast for each office at the regular primary election are nominated by their registered
1019 political party for that office or are nominated as a candidate for a nonpartisan local school
1020 board position.

1021 (b) If two or more candidates, other than presidential candidates, are to be elected to
1022 the office at the regular general election, those party candidates equal in number to positions to
1023 be filled who receive the highest number of votes at the regular primary election are the
1024 nominees of their party for those positions.

1025 (c) A candidate who is unopposed for an elective office in the regular primary election
1026 of a registered political party is nominated by the party for that office without appearing on the
1027 primary ballot[, ~~provided that the party has chosen to nominate unopposed candidates under~~
1028 ~~Subsection (2)(a)(iii)~~]. A candidate is "unopposed" if no person other than the candidate has
1029 received a certification under Subsection (3) for the regular primary election ballot of the
1030 candidate's registered political party for a particular elective office.

1031 (6) (a) When a tie vote occurs in any primary election for any national, state, or other
1032 office that represents more than one county, the governor, lieutenant governor, and attorney
1033 general shall, at a public meeting called by the governor and in the presence of the candidates
1034 involved, select the nominee by lot cast in whatever manner the governor determines.

1035 (b) When a tie vote occurs in any primary election for any county office, the district
1036 court judges of the district in which the county is located shall, at a public meeting called by
1037 the judges and in the presence of the candidates involved, select the nominee by lot cast in
1038 whatever manner the judges determine.

1039 (7) The expense of providing all ballots, blanks, or other supplies to be used at any
1040 primary election provided for by this section, and all expenses necessarily incurred in the
1041 preparation for or the conduct of that primary election shall be paid out of the treasury of the
1042 county or state, in the same manner as for the regular general elections.

1043 (8) An individual may not file a declaration of candidacy for a registered political party
1044 of which the individual is not a member, except to the extent that the registered political party
1045 permits otherwise under the registered political party's bylaws.

1046 Section 11. Section **20A-9-406** is amended to read:

1047 **20A-9-406. Qualified political party -- Requirements and exemptions.**

1048 The following provisions apply to a qualified political party:

1049 (1) the qualified political party shall [~~certify to the lieutenant governor~~], no later than 5
1050 p.m. on March 1 of each even-numbered year[~~:(a)~~], certify to the lieutenant governor the
1051 identity of one or more registered political parties whose members may vote for the qualified
1052 political party's candidates; [~~and~~]

1053 [~~(b) whether the qualified political party chooses to nominate unopposed candidates~~
1054 ~~without the names of the candidates appearing on the ballot, as described in Subsection~~
1055 ~~20A-9-403(5)(c);~~]

1056 (2) the provisions of Subsections 20A-9-403(1) through (4)(a), Subsection
1057 20A-9-403(5)(c), and Section 20A-9-405 do not apply to a nomination for the qualified
1058 political party;

1059 (3) an individual may only [~~obtain a~~] seek the nomination [~~for~~] of the qualified
1060 political party by using a method described in Section 20A-9-407, Section 20A-9-408, or both;

1061 (4) the qualified political party shall comply with the provisions of Sections
1062 20A-9-407, 20A-9-408, and 20A-9-409;

1063 (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(g), or (2)(a), each election officer
1064 shall ensure that a ballot described in Section 20A-6-301 includes each person nominated by a
1065 qualified political party [~~under Section 20A-9-407 or 20A-9-408~~]:

1066 (a) under the qualified political party's name and emblem, if any; or

1067 (b) under the title of the qualified registered political party as designated by the
1068 qualified political party in the certification described in Subsection (1), or, if none is
1069 designated, then under some suitable title;

1070 (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for
1071 paper ballots in regular general elections, that each candidate who is nominated by the qualified
1072 political party is listed by party;

1073 (7) notwithstanding Subsection 20A-6-303(1)(g), each election officer shall ensure that
1074 the party designation of each candidate who is nominated by the qualified political party is
1075 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;

1076 (8) notwithstanding Subsection 20A-6-304(1)(g), each election officer shall ensure that
1077 the party designation of each candidate who is nominated by the qualified political party is
1078 displayed adjacent to the candidate's name on an electronic ballot;

1079 (9) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also

1080 includes an individual who files a declaration of candidacy under Section 20A-9-407 or
1081 20A-9-408 to run in a regular general election for a federal office, constitutional office,
1082 multicounty office, or county office;

1083 (10) an individual who is nominated by, or seeking the nomination of, the qualified
1084 political party is not required to comply with Subsection 20A-9-201(1)(c);

1085 (11) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled
1086 to have each of the qualified political party's candidates for elective office appear on the
1087 primary ballot of the qualified political party with an indication that each candidate is a
1088 candidate for the qualified political party;

1089 (12) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include
1090 on the list provided by the lieutenant governor to the county clerks:

1091 (a) the names of all candidates of the qualified political party for federal, constitutional,
1092 multicounty, and county offices; and

1093 (b) the names of unopposed candidates for elective office who have been nominated by
1094 the qualified political party and instruct the county clerks to exclude such candidates from the
1095 primary-election ballot;

1096 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an
1097 elective office in the regular primary election of the qualified political party is nominated by
1098 the party for that office without appearing on the primary ballot~~[-, provided that the party has~~
1099 ~~chosen to nominate unopposed candidates under Subsection 20A-9-403(2)(a)(iii)]; and~~

1100 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
1101 20A-9-405, the qualified political party is entitled to have the names of its candidates for
1102 elective office featured with party affiliation on the ballot at a regular general election.

1103 Section 12. Section 20A-9-407 is amended to read:

1104 **20A-9-407. Convention process to seek the nomination of a qualified political**
1105 **party.**

1106 (1) This section describes the requirements for a member of a qualified political party
1107 who is seeking the nomination of a qualified political party for an elective office through the
1108 qualified political party's convention [nomination] process.

1109 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
1110 candidacy for a member of a qualified political party who is nominated by, or who is seeking

1111 the nomination of, the qualified political party under this section shall be substantially as
1112 [follows:] described in Section [20A-9-408.5](#).

1113 ["State of Utah, County of _____]

1114 [I, _____, declare my intention of becoming a candidate for the office of
1115 _____ as a candidate for the _____ party. I do solemnly swear that: I will meet the qualifications
1116 to hold the office, both legally and constitutionally, if selected; I reside at _____ in
1117 the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate
1118 any law governing campaigns and elections; I will file all campaign financial disclosure reports
1119 as required by law; and I understand that failure to do so will result in my disqualification as a
1120 candidate for this office and removal of my name from the ballot. The mailing address that I
1121 designate for receiving official election notices is

1122 _____
1123 _____.

1124 _____ Subscribed and sworn before me this _____ (month\day\year). Notary Public (or
1125 other officer qualified to administer oath)."]

1126 (3) Notwithstanding Subsection [20A-9-202\(1\)\(a\)](#), and except as provided in Subsection
1127 [20A-9-202\(4\)](#), a member of a qualified political party who, under this section, is seeking the
1128 nomination of the qualified political party for an elective office that is to be filled at the next
1129 general election, shall:

1130 (a) file a declaration of candidacy in person with the filing officer on or after the
1131 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1132 regular general election; and

1133 (b) pay the filing fee.

1134 (4) Notwithstanding Subsection [20A-9-202\(2\)\(a\)](#), a member of a qualified political
1135 party who, under this section, is seeking the nomination of the qualified political party for the
1136 office of district attorney within a multicounty prosecution district that is to be filled at the next
1137 general election shall:

1138 (a) file a declaration of candidacy with the county clerk designated in the interlocal
1139 agreement creating the prosecution district on or after the second Friday in March and before 5
1140 p.m. on the third Thursday in March before the next regular general election; and

1141 (b) pay the filing fee.

1142 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
1143 who files as the joint-ticket running mate of an individual who is nominated by a qualified
1144 political party, under this section, for the office of governor shall submit a letter from the
1145 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
1146 mate.

1147 (6) (a) A qualified political party that nominates a candidate under this section shall
1148 certify the name of the candidate to the lieutenant governor before 5 p.m. on the first Monday
1149 after the fourth Saturday in April.

1150 ~~[(6)]~~ (b) The lieutenant governor shall ensure that the certification described in
1151 Subsection 20A-9-701(1) also includes the name of each candidate nominated by a qualified
1152 political party under this section.

1153 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1154 is nominated by a qualified political party under this section, designate the qualified political
1155 party that nominated the candidate.

1156 Section 13. Section 20A-9-408 is amended to read:

1157 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
1158 **political party.**

1159 (1) This section describes the requirements for a member of a qualified political party
1160 who is seeking the nomination of the qualified political party for an elective office through the
1161 signature-gathering [~~nomination~~] process described in this section.

1162 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
1163 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1164 the nomination of, the qualified political party under this section shall be substantially as
1165 [~~follows:~~] described in Section 20A-9-408.5.

1166 [~~"State of Utah, County of _____~~
1167 ~~_____ I, _____, declare my intention of becoming a candidate for the office of~~
1168 ~~_____ as a candidate for the _____ party. I do solemnly swear that: I will meet the qualifications~~
1169 ~~to hold the office, both legally and constitutionally, if selected; I reside at _____ in~~
1170 ~~the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate~~
1171 ~~any law governing campaigns and elections; I will file all campaign financial disclosure reports~~
1172 ~~as required by law; and I understand that failure to do so will result in my disqualification as a~~

1173 candidate for this office and removal of my name from the ballot. The mailing address that I
1174 designate for receiving official election notices is

1175 _____
1176 _____.

1177 _____ Subscribed and sworn before me this _____ (month\day\year). Notary Public (or
1178 other officer qualified to administer oath).^{4]}

1179 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
1180 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the
1181 nomination of the qualified political party for an elective office that is to be filled at the next
1182 general election shall:

1183 (a) within the period beginning on January 1 before the next regular general election
1184 and ending on the third Thursday in March of the same year, and before gathering signatures
1185 under this section, file with the filing officer on a form approved by the lieutenant governor a
1186 notice of intent to gather signatures for candidacy that includes:

1187 (i) the name of the member who will attempt to become a candidate for a registered
1188 political party under this section;

1189 (ii) the name of the registered political party for which the member is seeking
1190 nomination;

1191 (iii) the office for which the member is seeking to become a candidate;

1192 (iv) the address and telephone number of the member; and

1193 (v) other information required by the lieutenant governor;

1194 (b) file a declaration of candidacy, in person, with the filing officer on or after the
1195 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1196 regular general election; and

1197 (c) pay the filing fee.

1198 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political
1199 party who, under this section, is seeking the nomination of the qualified political party for the
1200 office of district attorney within a multicounty prosecution district that is to be filled at the next
1201 general election shall:

1202 (a) on or after January 1 before the next regular general election, and before gathering
1203 signatures under this section, file with the filing officer on a form approved by the lieutenant

1204 governor a notice of intent to gather signatures for candidacy that includes:

1205 (i) the name of the member who will attempt to become a candidate for a registered
1206 political party under this section;

1207 (ii) the name of the registered political party for which the member is seeking
1208 nomination;

1209 (iii) the office for which the member is seeking to become a candidate;

1210 (iv) the address and telephone number of the member; and

1211 (v) other information required by the lieutenant governor;

1212 (b) file a declaration of candidacy, in person, with the filing officer on or after the
1213 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1214 regular general election; and

1215 (c) pay the filing fee.

1216 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
1217 who files as the joint-ticket running mate of an individual who is nominated by a qualified
1218 political party, under this section, for the office of governor shall submit a letter from the
1219 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
1220 mate.

1221 (6) The lieutenant governor shall ensure that the certification described in Subsection
1222 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
1223 under this section.

1224 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1225 is nominated by a qualified political party under this section, designate the qualified political
1226 party that nominated the candidate.

1227 (8) A member of a qualified political party may seek the nomination of the qualified
1228 political party for an elective office by:

1229 (a) complying with the requirements described in this section; and

1230 (b) collecting signatures, on a form approved by the lieutenant [~~governor's office~~]

1231 governor, during the period beginning on January 1 of an even-numbered year and ending 14

1232 days before the day on which the qualified political party's convention for the office is held, in
1233 the following amounts:

1234 (i) for a statewide race, 28,000 signatures of registered voters in the state who are

1235 permitted by the qualified political party to vote for the qualified political party's candidates in
1236 a primary election;

1237 (ii) for a congressional district race, 7,000 signatures of registered voters who are
1238 residents of the congressional district and are permitted by the qualified political party to vote
1239 for the qualified political party's candidates in a primary election;

1240 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1241 residents of the state Senate district and are permitted by the qualified political party to vote for
1242 the qualified political party's candidates in a primary election;

1243 (iv) for a state House district race, 1,000 signatures of registered voters who are
1244 residents of the state House district and are permitted by the qualified political party to vote for
1245 the qualified political party's candidates in a primary election; and

1246 (v) for a county office race, signatures of 3% of the registered voters who are residents
1247 of the area permitted to vote for the county office and are permitted by the qualified political
1248 party to vote for the qualified political party's candidates in a primary election.

1249 (9) (a) In order for a member of the qualified political party to qualify as a candidate
1250 for the qualified political party's nomination for an elective office under this section, the
1251 member shall:

1252 (i) collect the signatures on a form approved by the lieutenant [~~governor's office~~]
1253 governor, using the same circulation and verification requirements described in Sections
1254 [~~20A-7-304 and 20A-7-305~~] 20A-7-204 and 20A-7-205; and

1255 (ii) submit the signatures to the election officer no later than 14 days before the day on
1256 which the qualified political party holds its convention to select candidates, for the elective
1257 office, for the qualified political party's nomination.

1258 (b) An individual may not gather signatures under this section until after the individual
1259 files a notice of intent to gather signatures for candidacy described in this section.

1260 (c) An individual who files a notice of intent to gather signatures for candidacy,
1261 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
1262 the notice of intent to gather signatures for candidacy:

1263 (i) required to comply with the reporting requirements that a candidate for office is
1264 required to comply with; and

1265 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that

1266 apply to a candidate for office in relation to the reporting requirements described in Subsection
1267 (9)(c)(i).

1268 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
1269 election officer shall, no later than one day before the day on which the qualified political party
1270 holds the convention to select a nominee for the elective office to which the signature packets
1271 relate:

1272 (i) check the name of each individual who completes the verification for a signature
1273 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

1274 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a
1275 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

1276 (iii) determine whether each signer is a registered voter who is qualified to sign the
1277 petition, using the same method, described in Section 20A-7-206.3, used to verify a signature
1278 on a petition;

1279 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1280 signature packet; and

1281 (v) notify the qualified political party and the lieutenant governor of the name of each
1282 member of the qualified political party who qualifies as a nominee of the qualified political
1283 party, under this section, for the elective office to which the convention relates.

1284 (e) Upon receipt of a notice of intent to gather signatures for candidacy described in
1285 this section, the lieutenant governor shall post the notice of intent to gather signatures for
1286 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
1287 posts a declaration of candidacy.

1288 Section 14. Section 20A-9-408.5 is enacted to read:

1289 **20A-9-408.5. Declaration of candidacy form for qualified political party.**

1290 The declaration of candidacy form described in Sections 20A-9-407 and 20A-9-408
1291 shall:

1292 (1) be substantially as follows:

1293 "State of Utah, County of _____

1294 I, _____, declare my intention of becoming a candidate for the office of

1295 _____ as a candidate for the _____ party. I do solemnly swear that: I will meet the qualifications

1296 to hold the office, both legally and constitutionally, if selected; I reside at _____ in

1297 the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate
1298 any law governing campaigns and elections; I will file all campaign financial disclosure reports
1299 as required by law; and I understand that failure to do so will result in my disqualification as a
1300 candidate for this office and removal of my name from the ballot. The mailing address that I
1301 designate for receiving official election notices is

1302 _____
1303 _____.

1304 Subscribed and sworn before me this _____ (month\day\year). Notary Public (or
1305 other officer qualified to administer oath).";

1306 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

1307 (a) the registered political party of which the candidate is a member; or

1308 (b) that the candidate is not a member of a registered political party; and

1309 (3) direct the candidate to indicate whether the candidate is seeking the nomination

1310 using:

1311 (a) the convention process described in Section [20A-9-407](#);

1312 (b) the signature-gathering process described in Section [20A-9-408](#); or

1313 (c) both processes described in Subsections (3)(a) and (b).

1314 Section 15. Section **20A-9-411** is enacted to read:

1315 **20A-9-411. Signing multiple nomination petitions.**

1316 (1) An individual who signs a petition, described in Section [20A-9-403](#) or [20A-9-408](#),
1317 to nominate a candidate may not sign a petition to nominate another candidate for the same
1318 office.

1319 (2) If an individual signs more than one petition in violation of Subsection (1), the
1320 election officer may only count the signature on the first petition that the election officer
1321 reviews for that office.

1322 Section 16. Section **20A-9-701** is amended to read:

1323 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1324 (1) No later than August 31 of each regular general election year, the lieutenant
1325 governor shall certify to each county clerk, for offices to be voted upon at the regular general
1326 election in that county clerk's county:

1327 (a) the names of each candidate nominated under Subsection [20A-9-202](#)(4) or

1328 Subsection 20A-9-403(5) [~~for offices to be voted upon at the regular general election in that~~
1329 ~~county clerk's county.~~]; and

1330 (b) the names of the candidates for president and vice president that are certified by the
1331 registered political party as the party's nominees.

1332 (2) The names shall be certified by the lieutenant governor and shall be displayed on
1333 the ballot as they are provided on the candidate's declaration of candidacy. No other names
1334 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
1335 political party, political party, or other political group.

1336 Section 17. Section **20A-11-101** is amended to read:

1337 **20A-11-101. Definitions.**

1338 As used in this chapter:

1339 (1) "Address" means the number and street where an individual resides or where a
1340 reporting entity has its principal office.

1341 (2) "Agent of a reporting entity" means:

1342 (a) a person acting on behalf of a reporting entity at the direction of the reporting
1343 entity;

1344 (b) a person employed by a reporting entity in the reporting entity's capacity as a
1345 reporting entity;

1346 (c) the personal campaign committee of a candidate or officeholder;

1347 (d) a member of the personal campaign committee of a candidate or officeholder in the
1348 member's capacity as a member of the personal campaign committee of the candidate or
1349 officeholder; or

1350 (e) a political consultant of a reporting entity.

1351 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
1352 amendments, and any other ballot propositions submitted to the voters that are authorized by
1353 the Utah Code Annotated 1953.

1354 (4) "Business expenditure" means any money paid out by a corporation, regardless of
1355 whether the money:

1356 (a) is for a normal business expense;

1357 (b) is an expenditure, as defined in this section;

1358 (c) is paid out for political purposes, as defined in this section;

- 1359 (d) is a political issues expenditure, as defined in this section; or
1360 (e) is paid out for any other purpose.
- 1361 [~~(4)~~] (5) "Candidate" means any person who:
1362 (a) files a declaration of candidacy for a public office; or
1363 (b) receives contributions, makes expenditures, or gives consent for any other person to
1364 receive contributions or make expenditures to bring about the person's nomination or election
1365 to a public office.
- 1366 [~~(5)~~] (6) "Chief election officer" means:
1367 (a) the lieutenant governor for state office candidates, legislative office candidates,
1368 officeholders, political parties, political action committees, corporations, political issues
1369 committees, state school board candidates, judges, and labor organizations, as defined in
1370 Section [20A-11-1501](#); and
1371 (b) the county clerk for local school board candidates.
- 1372 [~~(6)~~] (7) (a) "Contribution" means any of the following when done for political
1373 purposes:
1374 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
1375 value given to the filing entity;
1376 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
1377 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
1378 anything of value to the filing entity;
1379 (iii) any transfer of funds from another reporting entity to the filing entity;
1380 (iv) compensation paid by any person or reporting entity other than the filing entity for
1381 personal services provided without charge to the filing entity;
1382 (v) remuneration from:
1383 (A) any organization or its directly affiliated organization that has a registered lobbyist;
1384 or
1385 (B) any agency or subdivision of the state, including school districts;
1386 (vi) a loan made by a candidate deposited to the candidate's own campaign; and
1387 (vii) in-kind contributions.
1388 (b) "Contribution" does not include:
1389 (i) services provided by individuals volunteering a portion or all of their time on behalf

1390 of the filing entity if the services are provided without compensation by the filing entity or any
1391 other person;

1392 (ii) money lent to the filing entity by a financial institution in the ordinary course of
1393 business; or

1394 (iii) goods or services provided for the benefit of a candidate or political party at less
1395 than fair market value that are not authorized by or coordinated with the candidate or political
1396 party.

1397 ~~[(7)]~~ (8) "Coordinated with" means that goods or services provided for the benefit of a
1398 candidate or political party are provided:

1399 (a) with the candidate's or political party's prior knowledge, if the candidate or political
1400 party does not object;

1401 (b) by agreement with the candidate or political party;

1402 (c) in coordination with the candidate or political party; or

1403 (d) using official logos, slogans, and similar elements belonging to a candidate or
1404 political party.

1405 ~~[(8)]~~ (9) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
1406 organization that is registered as a corporation or is authorized to do business in a state and
1407 makes any expenditure from corporate funds for:

1408 (i) the purpose of expressly advocating for political purposes; or

1409 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
1410 proposition.

1411 (b) "Corporation" does not mean:

1412 (i) a business organization's political action committee or political issues committee; or

1413 (ii) a business entity organized as a partnership or a sole proprietorship.

1414 ~~[(9)]~~ (10) "County political party" means, for each registered political party, all of the
1415 persons within a single county who, under definitions established by the political party, are
1416 members of the registered political party.

1417 ~~[(10)]~~ (11) "County political party officer" means a person whose name is required to
1418 be submitted by a county political party to the lieutenant governor in accordance with Section
1419 [20A-8-402](#).

1420 ~~[(11)]~~ (12) "Detailed listing" means:

- 1421 (a) for each contribution or public service assistance:
- 1422 (i) the name and address of the individual or source making the contribution or public
- 1423 service assistance;
- 1424 (ii) the amount or value of the contribution or public service assistance; and
- 1425 (iii) the date the contribution or public service assistance was made; and
- 1426 (b) for each expenditure:
- 1427 (i) the amount of the expenditure;
- 1428 (ii) the person or entity to whom it was disbursed;
- 1429 (iii) the specific purpose, item, or service acquired by the expenditure; and
- 1430 (iv) the date the expenditure was made.
- 1431 ~~[(12)]~~ (13) (a) "Donor," as it relates to a political purpose corporation, means a person
- 1432 that gives money, including a fee, due, or assessment for membership in the corporation, to a
- 1433 corporation without receiving full and adequate consideration for the money.
- 1434 (b) "Donor," as it relates to a political purpose corporation, does not include a person
- 1435 that signs a statement that the corporation may not use the money for an expenditure or
- 1436 political issues expenditure.
- 1437 ~~[(13)]~~ (14) "Election" means each:
- 1438 (a) regular general election;
- 1439 (b) regular primary election; and
- 1440 (c) special election at which candidates are eliminated and selected.
- 1441 ~~[(14)]~~ (15) "Electioneering communication" means a communication that:
- 1442 (a) has at least a value of \$10,000;
- 1443 (b) clearly identifies a candidate or judge; and
- 1444 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
- 1445 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
- 1446 identified candidate's or judge's election date.
- 1447 ~~[(15)]~~ (16) (a) "Expenditure" means any of the following made by a reporting entity or
- 1448 an agent of a reporting entity on behalf of the reporting entity:
- 1449 (i) any disbursement from contributions, receipts, or from the separate bank account
- 1450 required by this chapter;
- 1451 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,

1452 or anything of value made for political purposes;

1453 (iii) an express, legally enforceable contract, promise, or agreement to make any
1454 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
1455 value for political purposes;

1456 (iv) compensation paid by a filing entity for personal services rendered by a person
1457 without charge to a reporting entity;

1458 (v) a transfer of funds between the filing entity and a candidate's personal campaign
1459 committee; or

1460 (vi) goods or services provided by the filing entity to or for the benefit of another
1461 reporting entity for political purposes at less than fair market value.

1462 (b) "Expenditure" does not include:

1463 (i) services provided without compensation by individuals volunteering a portion or all
1464 of their time on behalf of a reporting entity;

1465 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
1466 business; or

1467 (iii) anything listed in Subsection [~~(15)~~] (16)(a) that is given by a reporting entity to
1468 candidates for office or officeholders in states other than Utah.

1469 [~~(16)~~] (17) "Federal office" means the office of president of the United States, United
1470 States Senator, or United States Representative.

1471 [~~(17)~~] (18) "Filing entity" means the reporting entity that is required to file a financial
1472 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

1473 [~~(18)~~] (19) "Financial statement" includes any summary report, interim report, verified
1474 financial statement, or other statement disclosing contributions, expenditures, receipts,
1475 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial
1476 Retention Elections.

1477 [~~(19)~~] (20) "Governing board" means the individual or group of individuals that
1478 determine the candidates and committees that will receive expenditures from a political action
1479 committee, political party, or corporation.

1480 [~~(20)~~] (21) "Incorporation" means the process established by Title 10, Chapter 2, Part
1481 1, Incorporation, by which a geographical area becomes legally recognized as a city or town.

1482 [~~(21)~~] (22) "Incorporation election" means the election authorized by Section [10-2-111](#)

1483 or 10-2-127.

1484 ~~[(22)]~~ (23) "Incorporation petition" means a petition authorized by Section 10-2-109 or
1485 10-2-125.

1486 ~~[(23)]~~ (24) "Individual" means a natural person.

1487 ~~[(24)]~~ (25) "In-kind contribution" means anything of value, other than money, that is
1488 accepted by or coordinated with a filing entity.

1489 ~~[(25)]~~ (26) "Interim report" means a report identifying the contributions received and
1490 expenditures made since the last report.

1491 ~~[(26)]~~ (27) "Legislative office" means the office of state senator, state representative,
1492 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
1493 assistant whip of any party caucus in either house of the Legislature.

1494 ~~[(27)]~~ (28) "Legislative office candidate" means a person who:

1495 (a) files a declaration of candidacy for the office of state senator or state representative;

1496 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
1497 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
1498 assistant whip of any party caucus in either house of the Legislature; or

1499 (c) receives contributions, makes expenditures, or gives consent for any other person to
1500 receive contributions or make expenditures to bring about the person's nomination, election, or
1501 appointment to a legislative office.

1502 ~~[(28)]~~ (29) "Major political party" means either of the two registered political parties
1503 that have the greatest number of members elected to the two houses of the Legislature.

1504 ~~[(29)]~~ (30) "Officeholder" means a person who holds a public office.

1505 ~~[(30)]~~ (31) "Party committee" means any committee organized by or authorized by the
1506 governing board of a registered political party.

1507 ~~[(31)]~~ (32) "Person" means both natural and legal persons, including individuals,
1508 business organizations, personal campaign committees, party committees, political action
1509 committees, political issues committees, and labor organizations, as defined in Section
1510 20A-11-1501.

1511 ~~[(32)]~~ (33) "Personal campaign committee" means the committee appointed by a
1512 candidate to act for the candidate as provided in this chapter.

1513 ~~[(33)]~~ (34) "Personal use expenditure" has the same meaning as provided under Section

1514 20A-11-104.

1515 [~~34~~] (35) (a) "Political action committee" means an entity, or any group of
1516 individuals or entities within or outside this state, a major purpose of which is to:

1517 (i) solicit or receive contributions from any other person, group, or entity for political
1518 purposes; or

1519 (ii) make expenditures to expressly advocate for any person to refrain from voting or to
1520 vote for or against any candidate or person seeking election to a municipal or county office.

1521 (b) "Political action committee" includes groups affiliated with a registered political
1522 party but not authorized or organized by the governing board of the registered political party
1523 that receive contributions or makes expenditures for political purposes.

1524 (c) "Political action committee" does not mean:

1525 (i) a party committee;

1526 (ii) any entity that provides goods or services to a candidate or committee in the regular
1527 course of its business at the same price that would be provided to the general public;

1528 (iii) an individual;

1529 (iv) individuals who are related and who make contributions from a joint checking
1530 account;

1531 (v) a corporation, except a corporation a major purpose of which is to act as a political
1532 action committee; or

1533 (vi) a personal campaign committee.

1534 [~~35~~] (36) (a) "Political consultant" means a person who is paid by a reporting entity,
1535 or paid by another person on behalf of and with the knowledge of the reporting entity, to
1536 provide political advice to the reporting entity.

1537 (b) "Political consultant" includes a circumstance described in Subsection [~~35~~]
1538 (36)(a), where the person:

1539 (i) has already been paid, with money or other consideration;

1540 (ii) expects to be paid in the future, with money or other consideration; or

1541 (iii) understands that the person may, in the discretion of the reporting entity or another
1542 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with
1543 money or other consideration.

1544 [~~36~~] (37) "Political convention" means a county or state political convention held by

1545 a registered political party to select candidates.

1546 [~~(37)~~] (38) (a) "Political issues committee" means an entity, or any group of individuals
1547 or entities within or outside this state, a major purpose of which is to:

1548 (i) solicit or receive donations from any other person, group, or entity to assist in
1549 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
1550 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

1551 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
1552 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
1553 proposed ballot proposition or an incorporation in an incorporation election; or

1554 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
1555 ballot or to assist in keeping a ballot proposition off the ballot.

1556 (b) "Political issues committee" does not mean:

1557 (i) a registered political party or a party committee;

1558 (ii) any entity that provides goods or services to an individual or committee in the
1559 regular course of its business at the same price that would be provided to the general public;

1560 (iii) an individual;

1561 (iv) individuals who are related and who make contributions from a joint checking
1562 account; or

1563 (v) a corporation, except a corporation a major purpose of which is to act as a political
1564 issues committee.

1565 [~~(38)~~] (39) (a) "Political issues contribution" means any of the following:

1566 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
1567 anything of value given to a political issues committee;

1568 (ii) an express, legally enforceable contract, promise, or agreement to make a political
1569 issues donation to influence the approval or defeat of any ballot proposition;

1570 (iii) any transfer of funds received by a political issues committee from a reporting
1571 entity;

1572 (iv) compensation paid by another reporting entity for personal services rendered
1573 without charge to a political issues committee; and

1574 (v) goods or services provided to or for the benefit of a political issues committee at
1575 less than fair market value.

1576 (b) "Political issues contribution" does not include:

1577 (i) services provided without compensation by individuals volunteering a portion or all
1578 of their time on behalf of a political issues committee; or

1579 (ii) money lent to a political issues committee by a financial institution in the ordinary
1580 course of business.

1581 ~~[(39)]~~ (40) (a) "Political issues expenditure" means any of the following when made by
1582 a political issues committee or on behalf of a political issues committee by an agent of the
1583 reporting entity:

1584 (i) any payment from political issues contributions made for the purpose of influencing
1585 the approval or the defeat of:

1586 (A) a ballot proposition; or

1587 (B) an incorporation petition or incorporation election;

1588 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
1589 the express purpose of influencing the approval or the defeat of:

1590 (A) a ballot proposition; or

1591 (B) an incorporation petition or incorporation election;

1592 (iii) an express, legally enforceable contract, promise, or agreement to make any
1593 political issues expenditure;

1594 (iv) compensation paid by a reporting entity for personal services rendered by a person
1595 without charge to a political issues committee; or

1596 (v) goods or services provided to or for the benefit of another reporting entity at less
1597 than fair market value.

1598 (b) "Political issues expenditure" does not include:

1599 (i) services provided without compensation by individuals volunteering a portion or all
1600 of their time on behalf of a political issues committee; or

1601 (ii) money lent to a political issues committee by a financial institution in the ordinary
1602 course of business.

1603 (41) "Political purpose corporation" means a corporation that makes, or is organized
1604 with the intention of making, expenditures, political issues expenditures, or in-kind
1605 contributions with a combined value that exceeds 50% of the corporation's business
1606 expenditures.

1607 ~~[(40)]~~ (42) "Political purposes" means an act done with the intent or in a way to
1608 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
1609 for or against any candidate or a person seeking a municipal or county office at any caucus,
1610 political convention, or election.

1611 ~~[(41)]~~ (43) (a) "Poll" means the survey of a person regarding the person's opinion or
1612 knowledge of an individual who has filed a declaration of candidacy for public office, or of a
1613 ballot proposition that has legally qualified for placement on the ballot, which is conducted in
1614 person or by telephone, facsimile, Internet, postal mail, or email.

1615 (b) "Poll" does not include:

1616 (i) a ballot; or

1617 (ii) an interview of a focus group that is conducted, in person, by one individual, if:

1618 (A) the focus group consists of more than three, and less than thirteen, individuals; and

1619 (B) all individuals in the focus group are present during the interview.

1620 ~~[(42)]~~ (44) "Primary election" means any regular primary election held under the
1621 election laws.

1622 (45) "Publicly identified class of individuals" means a group of 50 or more individuals
1623 sharing a common occupation, interest, or association that contribute to a political action
1624 committee or political issues committee and whose names can be obtained by contacting the
1625 political action committee or political issues committee upon whose financial statement the
1626 individuals are listed.

1627 ~~[(43)]~~ (46) "Public office" means the office of governor, lieutenant governor, state
1628 auditor, state treasurer, attorney general, state school board member, state senator, state
1629 representative, speaker of the House of Representatives, president of the Senate, and the leader,
1630 whip, and assistant whip of any party caucus in either house of the Legislature.

1631 ~~[(44)]~~ (47) (a) "Public service assistance" means the following when given or provided
1632 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
1633 communicate with the officeholder's constituents:

1634 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
1635 money or anything of value to an officeholder; or

1636 (ii) goods or services provided at less than fair market value to or for the benefit of the
1637 officeholder.

- 1638 (b) "Public service assistance" does not include:
- 1639 (i) anything provided by the state;
- 1640 (ii) services provided without compensation by individuals volunteering a portion or all
- 1641 of their time on behalf of an officeholder;
- 1642 (iii) money lent to an officeholder by a financial institution in the ordinary course of
- 1643 business;
- 1644 (iv) news coverage or any publication by the news media; or
- 1645 (v) any article, story, or other coverage as part of any regular publication of any
- 1646 organization unless substantially all the publication is devoted to information about the
- 1647 officeholder.
- 1648 [~~46~~] (48) "Receipts" means contributions and public service assistance.
- 1649 [~~47~~] (49) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
- 1650 Lobbyist Disclosure and Regulation Act.
- 1651 [~~48~~] (50) "Registered political action committee" means any political action
- 1652 committee that is required by this chapter to file a statement of organization with the Office of
- 1653 the Lieutenant Governor.
- 1654 [~~49~~] (51) "Registered political issues committee" means any political issues
- 1655 committee that is required by this chapter to file a statement of organization with the Office of
- 1656 the Lieutenant Governor.
- 1657 [~~50~~] (52) "Registered political party" means an organization of voters that:
- 1658 (a) participated in the last regular general election and polled a total vote equal to 2%
- 1659 or more of the total votes cast for all candidates for the United States House of Representatives
- 1660 for any of its candidates for any office; or
- 1661 (b) has complied with the petition and organizing procedures of Chapter 8, Political
- 1662 Party Formation and Procedures.
- 1663 [~~51~~] (53) (a) "Remuneration" means a payment:
- 1664 (i) made to a legislator for the period the Legislature is in session; and
- 1665 (ii) that is approximately equivalent to an amount a legislator would have earned
- 1666 during the period the Legislature is in session in the legislator's ordinary course of business.
- 1667 (b) "Remuneration" does not mean anything of economic value given to a legislator by:
- 1668 (i) the legislator's primary employer in the ordinary course of business; or

1669 (ii) a person or entity in the ordinary course of business:

1670 (A) because of the legislator's ownership interest in the entity; or

1671 (B) for services rendered by the legislator on behalf of the person or entity.

1672 [~~52~~] (54) "Reporting entity" means a candidate, a candidate's personal campaign
1673 committee, a judge, a judge's personal campaign committee, an officeholder, a party
1674 committee, a political action committee, a political issues committee, a political purpose
1675 corporation, or a labor organization, as defined in Section 20A-11-1501.

1676 [~~53~~] (55) "School board office" means the office of state school board.

1677 [~~54~~] (56) (a) "Source" means the person or entity that is the legal owner of the
1678 tangible or intangible asset that comprises the contribution.

1679 (b) "Source" means, for political action committees and corporations, the political
1680 action committee and the corporation as entities, not the contributors to the political action
1681 committee or the owners or shareholders of the corporation.

1682 [~~55~~] (57) "State office" means the offices of governor, lieutenant governor, attorney
1683 general, state auditor, and state treasurer.

1684 [~~56~~] (58) "State office candidate" means a person who:

1685 (a) files a declaration of candidacy for a state office; or

1686 (b) receives contributions, makes expenditures, or gives consent for any other person to
1687 receive contributions or make expenditures to bring about the person's nomination, election, or
1688 appointment to a state office.

1689 [~~57~~] (59) "Summary report" means the year end report containing the summary of a
1690 reporting entity's contributions and expenditures.

1691 [~~58~~] (60) "Supervisory board" means the individual or group of individuals that
1692 allocate expenditures from a political issues committee.

1693 Section 18. Section 20A-11-601 is amended to read:

1694 **20A-11-601. Political action committees -- Registration -- Criminal penalty for**
1695 **providing false information or accepting unlawful contribution.**

1696 (1) (a) Each political action committee shall file a statement of organization with the
1697 lieutenant governor's office by January 10 of each year, unless the political action committee
1698 has filed a notice of dissolution under Subsection (4).

1699 (b) If a political action committee is organized after the January 10 filing date, the

1700 political action committee shall file an initial statement of organization no later than seven days
1701 after:

1702 (i) receiving contributions totaling at least \$750; or

1703 (ii) distributing expenditures for political purposes totaling at least \$50.

1704 (2) (a) Each political action committee shall designate two officers who have primary
1705 decision-making authority for the political action committee.

1706 (b) A person may not exercise primary decision-making authority for a political action
1707 committee who is not designated under Subsection (2)(a).

1708 (3) The statement of organization shall include:

1709 (a) the name and address of the political action committee;

1710 (b) the name, street address, phone number, occupation, and title of the two primary
1711 officers designated under Subsection (2)(a);

1712 (c) the name, street address, occupation, and title of all other officers of the political
1713 action committee;

1714 (d) the name and street address of the organization, individual corporation, association,
1715 unit of government, or union that the political action committee represents, if any;

1716 (e) the name and street address of all affiliated or connected organizations and their
1717 relationships to the political action committee;

1718 (f) the name, street address, business address, occupation, and phone number of the
1719 committee's treasurer or chief financial officer; and

1720 (g) the name, street address, and occupation of each member of the governing and
1721 advisory boards, if any.

1722 (4) (a) Any registered political action committee that intends to permanently cease
1723 operations shall file a notice of dissolution with the lieutenant governor's office.

1724 (b) Any notice of dissolution filed by a political action committee does not exempt that
1725 political action committee from complying with the financial reporting requirements of this
1726 chapter.

1727 (5) (a) Unless the political action committee has filed a notice of dissolution under
1728 Subsection (4), a political action committee shall file, with the lieutenant governor's office,
1729 notice of any change of an officer described in Subsection (2)(a).

1730 (b) Notice of a change of a primary officer described in Subsection (2)(a) shall:

- 1731 (i) be filed within 10 days of the date of the change; and
1732 (ii) contain the name and title of the officer being replaced, and the name, street
1733 address, occupation, and title of the new officer.
- 1734 (6) (a) A person is guilty of providing false information in relation to a political action
1735 committee if the person intentionally or knowingly gives false or misleading material
1736 information in the statement of organization or the notice of change of primary officer.
- 1737 (b) Each primary officer designated in Subsection (2)(a) is guilty of accepting an
1738 unlawful contribution if the political action committee knowingly or recklessly accepts a
1739 contribution from a political purpose corporation that:
- 1740 (i) was organized less than 90 days before the date of the general election; and
1741 (ii) at the time the political action committee accepts the contribution, has failed to file
1742 a statement of organization with the lieutenant governor's office as required by Section
1743 [20A-11-704](#).
- 1744 (c) A violation of this Subsection (6) is a third degree felony.
- 1745 Section 19. Section **20A-11-701** is amended to read:
- 1746 **20A-11-701. Campaign financial reporting by political purpose corporations --**
1747 **Filing requirements -- Statement contents -- Donor reporting and notification required.**
- 1748 (1) (a) Each political purpose corporation [~~that has made expenditures for political~~
1749 ~~purposes that total at least \$750 during a calendar year~~] shall file a verified financial statement
1750 with the lieutenant governor's office:
- 1751 (i) on January 10, reporting expenditures as of December 31 of the previous year;
1752 (ii) seven days before the state political convention for each major political party;
1753 (iii) seven days before the regular primary election date;
1754 (iv) on August 31; and
1755 (v) seven days before the regular general election date.
- 1756 (b) The political purpose corporation shall report:
- 1757 (i) a detailed listing of all expenditures made since the last financial statement;
1758 (ii) for financial statements filed under Subsections (1)(a)(ii) through (v), all
1759 expenditures as of five days before the required filing date of the financial statement; and
1760 (iii) whether the political purpose corporation, including an officer of the political
1761 purpose corporation, director of the political purpose corporation, or person with at least 10%

1762 ownership in the political purpose corporation:

1763 (A) has bid since the last financial statement on a contract, as defined in Section
1764 63G-6a-103, in excess of \$100,000;

1765 (B) is currently bidding on a contract, as defined in Section 63G-6a-103, in excess of
1766 \$100,000; or

1767 (C) is a party to a contract, as defined in Section 63G-6a-103, in excess of \$100,000.

1768 (c) The political purpose corporation need not file a financial statement under this
1769 section if the political purpose corporation made no expenditures during the reporting period.

1770 (2) The financial statement shall include:

1771 (a) the name and address of each reporting entity that received an expenditure from the
1772 political purpose corporation, and the amount of each expenditure;

1773 (b) the total amount of expenditures disbursed by the political purpose corporation:

1774 (i) since the last financial statement; and

1775 (ii) during the calendar year;

1776 (c) (i) a statement that the political purpose corporation did not receive any money
1777 from any donor during the calendar year or the previous calendar year that the political purpose
1778 corporation has not reported in a previous financial statement; or

1779 (ii) a report, described in Subsection (3), of the money received from donors during the
1780 calendar year or the previous calendar year that the political purpose corporation has not
1781 reported in a previous financial statement; and

1782 (d) a statement by the corporation's treasurer or chief financial officer certifying the
1783 accuracy of the financial statement.

1784 (3) (a) The report required by Subsection (2)(c)(ii) shall include:

1785 (i) the name and address of each donor;

1786 (ii) the amount of the money received by the political purpose corporation from each
1787 donor; and

1788 (iii) the date on which the political purpose corporation received the money.

1789 (b) A political purpose corporation shall report money received from donors in the
1790 following order:

1791 (i) first, beginning with the least recent date on which the political purpose corporation
1792 received money that the political purpose corporation has not reported in a previous financial

1793 statement, the money received from a donor that:

1794 (A) requests that the political purpose corporation use the money to make an
1795 expenditure;

1796 (B) gives the money to the political purpose corporation in response to a solicitation
1797 indicating the political purpose corporation's intent to make an expenditure; or

1798 (C) knows that the political purpose corporation may use the money to make an
1799 expenditure; and

1800 (ii) second, divide the difference between the total amount of expenditures made since
1801 the last financial statement and the total amount of money reported under Subsection (3)(b)(i)
1802 on a proration basis between all donors that:

1803 (A) are not described in Subsection (3)(b)(i);

1804 (B) gave at least \$50 during the calendar year or previous calendar year; and

1805 (C) have not been reported in a previous financial statement.

1806 (c) If the amount reported under Subsection (3)(b) is less than the total amount of
1807 expenditures made since the last financial statement, the financial statement shall contain a
1808 statement that the political purpose corporation has reported all donors that gave money, and all
1809 money received by donors, during the calendar year or previous calendar year that the political
1810 purpose corporation has not reported in a previous financial statement.

1811 (d) The political purpose corporation shall indicate on the financial statement that the
1812 amount attributed to each donor under Subsection (3)(b)(ii) is only an estimate.

1813 (e) (i) For all individual donations of \$50 or less, the political purpose corporation may
1814 report a single aggregate figure without separate detailed listings.

1815 (ii) The political purpose corporation:

1816 (A) may not report in the aggregate two or more donations from the same source that
1817 have an aggregate total of more than \$50; and

1818 (B) shall separately report donations described in Subsection (3)(e)(ii)(A).

1819 (4) [~~If a corporation makes expenditures that total at least \$750 during a calendar year,~~
1820 ~~the~~] A political purpose corporation shall notify a person giving money to the political purpose
1821 corporation that:

1822 (a) the political purpose corporation may use the money to make an expenditure; and

1823 (b) the person's name and address may be disclosed on the political purpose

1824 corporation's financial statement.

1825 Section 20. Section **20A-11-702** is amended to read:

1826 **20A-11-702. Campaign financial reporting of political issues expenditures by**
1827 **political purpose corporations -- Financial reporting -- Donor reporting and notification**
1828 **required.**

1829 (1) (a) Each political purpose corporation that has made political issues expenditures
1830 on current or proposed ballot issues [~~that total at least \$750~~] during a calendar year shall file a
1831 verified financial statement with the lieutenant governor's office:

1832 (i) on January 10, reporting expenditures as of December 31 of the previous year;

1833 (ii) seven days before the state political convention of each major political party;

1834 (iii) seven days before the regular primary election date;

1835 (iv) on August 31; and

1836 (v) seven days before the regular general election date.

1837 (b) The political purpose corporation shall report:

1838 (i) a detailed listing of all expenditures made since the last financial statement; and

1839 (ii) for financial statements under Subsections (1)(a)(ii) through (v), expenditures as of
1840 five days before the required filing date of the financial statement.

1841 (c) The political purpose corporation need not file a statement under this section if it
1842 made no expenditures during the reporting period.

1843 (2) That statement shall include:

1844 (a) the name and address of each individual, entity, or group of individuals or entities
1845 that received a political issues expenditure of more than \$50 from the political purpose
1846 corporation, and the amount of each political issues expenditure;

1847 (b) the total amount of political issues expenditures disbursed by the political purpose
1848 corporation:

1849 (i) since the last financial statement; and

1850 (ii) during the calendar year;

1851 (c) (i) a statement that the political purpose corporation did not receive any money
1852 from any donor during the calendar year or the previous calendar year that the corporation has
1853 not reported in a previous financial statement; or

1854 (ii) a report, described in Subsection (3), of the money received from donors during the

1855 calendar year or the previous calendar year that the political purpose corporation has not
1856 reported in a previous financial statement; and

1857 (d) a statement by the political purpose corporation's treasurer or chief financial officer
1858 certifying the accuracy of the verified financial statement.

1859 (3) (a) The report required by Subsection (2)(c)(ii) shall include:

1860 (i) the name and address of each donor;

1861 (ii) the amount of the money received by the political purpose corporation from each
1862 donor; and

1863 (iii) the date on which the political purpose corporation received the money.

1864 (b) A political purpose corporation shall report money received from donors in the
1865 following order:

1866 (i) first, beginning with the least recent date on which the political purpose corporation
1867 received money that has not been reported in a previous financial statement, the money
1868 received from a donor that:

1869 (A) requests that the political purpose corporation use the money to make a political
1870 issues expenditure;

1871 (B) gives the money to the political purpose corporation in response to a solicitation
1872 indicating the corporation's intent to make a political issues expenditure; or

1873 (C) knows that the political purpose corporation may use the money to make a political
1874 issues expenditure; and

1875 (ii) second, divide the difference between the total amount of political issues
1876 expenditures made since the last financial statement and the total amount of money reported
1877 under Subsection (3)(b)(i) on a proration basis between all donors that:

1878 (A) are not described in Subsection (3)(b)(i);

1879 (B) gave at least \$50 during the calendar year or previous calendar year; and

1880 (C) have not been reported in a previous financial statement.

1881 (c) If the amount reported under Subsection (3)(b) is less than the total amount of
1882 political issues expenditures made since the last financial statement, the financial statement
1883 shall contain a statement that the corporation has reported all donors that gave money, and all
1884 money received by donors, during the calendar year or previous calendar year that the
1885 corporation has not reported in a previous financial statement.

1886 (d) The political purpose corporation shall indicate on the financial statement that the
1887 amount attributed to each donor under Subsection (3)(b)(ii) is only an estimate.

1888 (e) (i) For all individual donations of \$50 or less, the political purpose corporation may
1889 report a single aggregate figure without separate detailed listings.

1890 (ii) The political purpose corporation:

1891 (A) may not report in the aggregate two or more donations from the same source that
1892 have an aggregate total of more than \$50; and

1893 (B) shall separately report donations described in Subsection (3)(e)(ii)(A).

1894 (4) If a political purpose corporation makes political issues expenditures [~~that total at~~
1895 ~~least \$750~~] during a calendar year, the political purpose corporation shall notify a person giving
1896 money to the corporation that:

1897 (a) the political purpose corporation may use the money to make a political issues
1898 expenditure; and

1899 (b) the person's name and address may be disclosed on the political purpose
1900 corporation's financial statement.

1901 Section 21. Section **20A-11-703** is amended to read:

1902 **20A-11-703. Criminal penalties -- Fines.**

1903 (1) Within 30 days after a deadline for the filing of any statement required by this part,
1904 the lieutenant governor shall review each filed statement to ensure that:

1905 (a) each political purpose corporation that is required to file a statement has filed one;
1906 and

1907 (b) each statement contains the information required by this part.

1908 (2) If it appears that any political purpose corporation has failed to file any statement, if
1909 it appears that a filed statement does not conform to the law, or if the lieutenant governor has
1910 received a written complaint alleging a violation of the law or the falsity of any statement, the
1911 lieutenant governor shall:

1912 (a) impose a fine against the political purpose corporation in accordance with Section
1913 [20A-11-1005](#); and

1914 (b) within five days of discovery of a violation or receipt of a written complaint, notify
1915 the political purpose corporation of the violation or written complaint and direct the political
1916 purpose corporation to file a statement correcting the problem.

1917 (3) (a) It is unlawful for any political purpose corporation to fail to file or amend a
1918 statement within seven days after receiving notice from the lieutenant governor under this
1919 section.

1920 (b) Each political purpose corporation that violates Subsection (3)(a) is guilty of a class
1921 B misdemeanor.

1922 (c) The lieutenant governor shall report all violations of Subsection (3)(a) to the
1923 attorney general.

1924 (d) In addition to the criminal penalty described in Subsection (3)(b), the lieutenant
1925 governor shall impose a civil fine of \$1,000 against a political purpose corporation that violates
1926 Subsection (3)(a).

1927 Section 22. Section **20A-11-704** is amended to read:

1928 **20A-11-704. Statement of organization required for certain new political purpose**
1929 **corporations.**

1930 (1) A political purpose corporation that is incorporated, organized, or otherwise created
1931 less than 90 days before the date of a general election shall file a statement of organization with
1932 the lieutenant governor's office before making a contribution to a political action committee or
1933 a political issues committee in association with the election.

1934 (2) The statement of organization shall include:

1935 (a) the name and street address of the political purpose corporation;

1936 (b) the name, street address, phone number, occupation, and title of one or more
1937 individuals that have primary decision-making authority for the political purpose corporation;

1938 (c) the name, street address, phone number, occupation, and title of the political
1939 purpose corporation's chief financial officer;

1940 (d) the name, street address, occupation, and title of all other officers or managers of
1941 the political purpose corporation; and

1942 (e) the name, street address, and occupation of each member of the political purpose
1943 corporation's governing and advisory boards, if any.

1944 Section 23. Section **20A-11-705** is enacted to read:

1945 **20A-11-705. Notice of in-kind contributions.**

1946 (1) A corporation that makes an in-kind contribution to a reporting entity shall, within
1947 seven days after the day on which the corporation makes the in-kind contribution, provide the

1948 reporting entity a written notice that includes:

1949 (a) the name and address of the corporation;

1950 (b) the date of the in-kind expenditure;

1951 (c) a description of the in-kind expenditure; and

1952 (d) the value, in dollars, of the in-kind expenditure.

1953 (2) A corporation that provides, and a reporting entity that receives, the written notice
1954 described in Subsection (1) shall retain a copy of the notice for five years after the day on
1955 which the written notice is provided to the reporting entity.

1956 (3) A corporation or reporting entity that fails to comply with the requirements of this
1957 section is guilty of a class B misdemeanor.

1958 (4) A person that intentionally or knowingly provides, or conspires to provide, false
1959 information on a written notice described in this section is guilty of a class B misdemeanor.

1960 Section 24. Section **20A-11-801** is amended to read:

1961 **20A-11-801. Political issues committees -- Registration -- Criminal penalty for**
1962 **providing false information or accepting unlawful contribution.**

1963 (1) (a) Each political issues committee shall file a statement of organization with the
1964 lieutenant governor's office by January 10 of each year, unless the political issues committee
1965 has filed a notice of dissolution under Subsection (4).

1966 (b) If a political issues committee is organized after the January 10 filing date, the
1967 political issues committee shall file an initial statement of organization no later than seven days
1968 after:

1969 (i) receiving political issues contributions totaling at least \$750; or

1970 (ii) disbursing political issues expenditures totaling at least \$50.

1971 (2) Each political issues committee shall designate two officers that have primary
1972 decision-making authority for the political issues committee.

1973 (3) The statement of organization shall include:

1974 (a) the name and street address of the political issues committee;

1975 (b) the name, street address, phone number, occupation, and title of the two primary
1976 officers designated under Subsection (2);

1977 (c) the name, street address, occupation, and title of all other officers of the political
1978 issues committee;

1979 (d) the name and street address of the organization, individual, corporation,
1980 association, unit of government, or union that the political issues committee represents, if any;

1981 (e) the name and street address of all affiliated or connected organizations and their
1982 relationships to the political issues committee;

1983 (f) the name, street address, business address, occupation, and phone number of the
1984 committee's treasurer or chief financial officer;

1985 (g) the name, street address, and occupation of each member of the supervisory and
1986 advisory boards, if any; and

1987 (h) the ballot proposition whose outcome they wish to affect, and whether they support
1988 or oppose it.

1989 (4) (a) Any registered political issues committee that intends to permanently cease
1990 operations during a calendar year shall file a notice of dissolution with the lieutenant governor's
1991 office.

1992 (b) Any notice of dissolution filed by a political issues committee does not exempt that
1993 political issues committee from complying with the financial reporting requirements of this
1994 chapter.

1995 (5) (a) Unless the political issues committee has filed a notice of dissolution under
1996 Subsection (4), a political issues committee shall file, with the lieutenant governor's office,
1997 notice of any change of an officer described in Subsection (2).

1998 (b) Notice of a change of a primary officer described in Subsection (2) shall:

1999 (i) be filed within 10 days of the date of the change; and

2000 (ii) contain the name and title of the officer being replaced and the name, street
2001 address, occupation, and title of the new officer.

2002 (6) (a) A person is guilty of providing false information in relation to a political issues
2003 committee if the person intentionally or knowingly gives false or misleading material
2004 information in the statement of organization or the notice of change of primary officer.

2005 (b) Each primary officer designated in Subsection (2) is guilty of accepting an unlawful
2006 contribution if the political issues committee knowingly or recklessly accepts a contribution
2007 from a political purpose corporation that:

2008 (i) was organized less than 90 days before the date of the general election; and

2009 (ii) at the time the political issues committee accepts the contribution, has failed to file

2010 a statement of organization with the lieutenant governor's office as required by Section
2011 [20A-11-704](#).

2012 (c) A violation of this Subsection (6) is a third degree felony.

2013 Section 25. Section **20A-11-1004** is amended to read:

2014 **20A-11-1004. Summary of financial reports of political action committees and**
2015 **political purpose corporations.**

2016 (1) The lieutenant governor's office shall prepare a summary of each financial report
2017 submitted by each political purpose corporation, political action committee, and political issues
2018 committee.

2019 (2) Each summary shall include the following information:

2020 (a) for each candidate:

2021 (i) the name of each political action committee and political purpose corporation that
2022 made expenditures to the candidate; and

2023 (ii) the aggregate total of expenditures made by each political action committee and
2024 political purpose corporation to the candidate;

2025 (b) for each political action committee:

2026 (i) the name of each individual or organization listed on the financial report that made
2027 contributions to the political action committee and the aggregate total of contributions made by
2028 each individual or organization listed on the financial report to the political action committee;
2029 and

2030 (ii) the name of each candidate, personal campaign committee, and political action
2031 committee that received expenditures from a political action committee and the aggregate total
2032 of expenditures made to each candidate, personal campaign committee, and political action
2033 committee;

2034 (c) for each political purpose corporation:

2035 (i) the name of each candidate, personal campaign committee, and political action
2036 committee that received expenditures from the political purpose corporation, and the aggregate
2037 total of expenditures made by the political purpose corporation to each candidate, personal
2038 campaign committee, and political action committee; and

2039 (ii) the name of each individual, entity, or group of individuals or entities that received
2040 disbursements from the political purpose corporation, and the aggregate total of disbursements

2041 made by the political purpose corporation to each individual, entity, or group of individuals or
2042 entities;

2043 (d) for each political issues committee:

2044 (i) the name of each individual or organization listed on the financial report that made
2045 political issues contributions to the political issues committee and the aggregate total of
2046 political issues contributions made by each individual or organization listed on the financial
2047 report to the political issues committee; and

2048 (ii) the name of each individual, entity, or group of individuals or entities that received
2049 political issues expenditures from a political issues committee and the aggregate total of
2050 political issues expenditures made to each individual, entity, or group of individuals or entities.

2051 Section 26. Section **36-11-201** is amended to read:

2052 **36-11-201. Lobbyist, principal, and government officer financial reporting**
2053 **requirements -- Prohibition for related person to make expenditures.**

2054 (1) (a) (i) [~~A~~] Except as provided in Subsection (1)(a)(ii), a lobbyist shall file financial
2055 reports with the lieutenant governor on or before the due dates specified in Subsection (2).

2056 (ii) [~~Ha~~] A lobbyist who has not made an expenditure during [the] a quarterly reporting
2057 period[~~, the lobbyist shall file a financial report listing the amount of expenditures as "none."~~]
2058 is not required to file a quarterly financial report for that quarterly reporting period.

2059 (iii) A lobbyist who is not required to file any quarterly reports under this section for a
2060 calendar year shall, on or before January 10 of the following year, file a financial report listing
2061 the amount of the expenditures for the entire preceding year as "none."

2062 (b) A government officer or principal that makes an expenditure during any of the
2063 quarterly reporting periods under Subsection (2)(a) shall file a financial report with the
2064 lieutenant governor on or before the date that a report for that quarter is due.

2065 (2) (a) A financial report is due quarterly on the following dates:

2066 (i) April 10, for the period of January 1 through March 31;

2067 (ii) July 10, for the period of April 1 through June 30;

2068 (iii) October 10, for the period of July 1 through September 30; and

2069 (iv) January 10, for the period of October 1 through December 31 of the previous year.

2070 (b) If the due date for a financial report falls on a Saturday, Sunday, or legal holiday,
2071 the report is due on the next succeeding business day.

2072 (c) A financial report is timely filed if it is filed electronically before the close of
2073 regular office hours on or before the due date.

2074 (3) A financial report shall contain:

2075 (a) the total amount of expenditures made to benefit any public official during the
2076 quarterly reporting period;

2077 (b) the total amount of expenditures made, by the type of public official, during the
2078 quarterly reporting period;

2079 (c) for the financial report due on January 10:

2080 (i) the total amount of expenditures made to benefit any public official during the last
2081 calendar year; and

2082 (ii) the total amount of expenditures made, by the type of public official, during the last
2083 calendar year;

2084 (d) a disclosure of each expenditure made during the quarterly reporting period to
2085 reimburse or pay for travel or lodging for a public official, including:

2086 (i) each travel destination and each lodging location;

2087 (ii) the name of each public official who benefitted from the expenditure on travel or
2088 lodging;

2089 (iii) the public official type of each public official named;

2090 (iv) for each public official named, a listing of the amount and purpose of each
2091 expenditure made for travel or lodging; and

2092 (v) the total amount of expenditures listed under Subsection (3)(d)(iv);

2093 (e) a disclosure of aggregate daily expenditures greater than \$10 made during the
2094 quarterly reporting period including:

2095 (i) the date and purpose of the expenditure;

2096 (ii) the location of the expenditure;

2097 (iii) the name of any public official benefitted by the expenditure;

2098 (iv) the type of the public official benefitted by the expenditure; and

2099 (v) the total monetary worth of the benefit that the expenditure conferred on any public
2100 official;

2101 (f) for each public official who was employed by the lobbyist, principal, or government
2102 officer, a list that provides:

- 2103 (i) the name of the public official; and
- 2104 (ii) the nature of the employment with the public official;
- 2105 (g) each bill or resolution, by number and short title, on behalf of which the lobbyist,
- 2106 principal, or government officer made an expenditure to a public official;
- 2107 (h) a description of each executive action on behalf of which the lobbyist, principal, or
- 2108 government officer made an expenditure to a public official;
- 2109 (i) the general purposes, interests, and nature of the entities that the lobbyist, principal,
- 2110 or government officer filing the report represents; and
- 2111 (j) for a lobbyist, a certification that the information provided in the report is true,
- 2112 accurate, and complete to the lobbyist's best knowledge and belief.
- 2113 (4) A related person may not, while assisting a lobbyist, principal, or government
- 2114 officer in lobbying, make an expenditure that benefits a public official under circumstances that
- 2115 would otherwise fall within the disclosure requirements of this chapter if the expenditure was
- 2116 made by the lobbyist, principal, or government officer.
- 2117 (5) The lieutenant governor shall:
- 2118 (a) (i) develop a preprinted form for a financial report required by this section; and
- 2119 (ii) make copies of the form available to a lobbyist, principal, or government officer
- 2120 who requests a form; and
- 2121 (b) provide a reporting system that allows a lobbyist, principal, or government officer
- 2122 to submit a financial report required by this chapter via the Internet.
- 2123 (6) (a) A lobbyist and a principal shall continue to file a financial report required by
- 2124 this section until the lobbyist or principal files a statement with the lieutenant governor that:
- 2125 (i) states:
- 2126 (A) for a lobbyist, that the lobbyist has ceased lobbying activities; or
- 2127 (B) for a principal, that the principal no longer employs an individual as a lobbyist;
- 2128 (ii) in the case of a lobbyist, states that the lobbyist is surrendering the lobbyist's
- 2129 license;
- 2130 (iii) contains a listing, as required by this section, of all previously unreported
- 2131 expenditures that have been made through the date of the statement; and
- 2132 (iv) states that the lobbyist or principal will not make any additional expenditure that is
- 2133 not disclosed on the statement unless the lobbyist or principal complies with the disclosure and

2134 licensing requirements of this chapter.

2135 (b) ~~[A]~~ Except as provided in Subsection (1)(a)(ii), a person that fails to renew the
2136 lobbyist's license or otherwise ceases to be licensed is required to file a financial report
2137 quarterly until the person files the statement required by Subsection (6)(a).

2138 Section 27. Section **36-11-305.5** is amended to read:

2139 **36-11-305.5. Lobbyist requirements.**

2140 ~~[(1) The lieutenant governor shall issue to each lobbyist a name tag that includes:]~~

2141 ~~[(a) the word "Lobbyist" in at least 18-point type; and]~~

2142 ~~[(b) the first and last name of the lobbyist, in at least 18-point type.]~~

2143 ~~[(2) Beginning on August 1, 2014, a lobbyist may not lobby a public official while the~~
2144 ~~lobbyist is at the capitol hill complex unless the lobbyist is wearing the name tag described in~~
2145 ~~Subsection (1) in plain view.]~~

2146 ~~[(3)]~~ A lobbyist shall, at the beginning of making a communication to a public official
2147 that constitutes lobbying, inform the public official of the identity of the principal on whose
2148 behalf the lobbyist is lobbying.