

**ELECTION NOTICE AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Margaret Dayton**

House Sponsor: Jack R. Draxler

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**LONG TITLE**

**Committee Note:**

The Government Operations Interim Committee recommended this bill.

**General Description:**

This bill amends provisions related to election notice requirements.

**Highlighted Provisions:**

This bill:

- ▶ clarifies the manner in which notice of certain election information is required to be given; and
- ▶ provides an option for providing the election notice by publication in a newspaper or by mail to each registered voter who resides in the area to which the election pertains.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-5-101**, as last amended by Laws of Utah 2015, Chapter 296

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



28 Section 1. Section 20A-5-101 is amended to read:

29 **20A-5-101. Notice of election.**

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

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

33 (b) identifies the dates for filing a declaration of candidacy, and for submitting and  
34 certifying nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407,  
35 and 20A-9-408 for those offices;

36 (c) includes the master ballot position list for the next year and the year following as  
37 established under Section 20A-6-305; and

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

40 (2) (a) No later than seven business days after the day on which the lieutenant governor  
41 transmits the written notice described in Subsection (1), each county clerk shall:

42 (i) publish a notice:

43 (A) once in a newspaper published in that county; and

44 (B) as required in Section 45-1-101; or

45 (ii) (A) cause a copy of the notice to be posted in a conspicuous place most likely to  
46 give notice of the election to the voters in each voting precinct within the county; and

47 (B) prepare an affidavit of that posting, showing a copy of the notice and the places  
48 where the notice was posted.

49 (b) The notice required by Subsection (2)(a) shall:

50 (i) designate the offices to be voted on in that election; and

51 (ii) identify the dates for filing a declaration of candidacy for those offices.

52 (3) Before each election, the election officer shall give [~~written or~~] printed notice of the  
53 following information, or printed notice of a website where the following information can be  
54 obtained:

55 (a) the date and place of election;

56 (b) the hours during which the polls will be open;

57 (c) the polling places for each voting precinct;

58 (d) an election day voting center designated under Section 20A-3-703; and

59 (e) the qualifications for persons to vote in the election.  
60 (4) To provide the printed notice [~~required by~~] described in Subsection (3), the election  
61 officer shall:  
62 (a) publish the notice at least two days before [~~the~~] election day:  
63 [~~(a)~~] (i) in a newspaper of general circulation common to the area [~~or in~~] to which the  
64 election [~~is being held~~] pertains; and  
65 [~~(b)~~] (ii) as required in Section 45-1-101[~~:~~]; or  
66 (b) mail the notice to each registered voter who resides in the area to which the election  
67 pertains at least five days before election day.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**