

28 Section 1. Section **20A-1-510.1** is enacted to read:

29 **20A-1-510.1. Candidate vacancies in local office.**

30 (1) A vacancy that occurs in a candidacy for an elected office in a local political  
 31 subdivision may be filled in accordance with the requirements of this section if:

32 (a) a nonpartisan primary election is held for the office;

33 (b) the vacancy occurs after the date of the primary election but before:

34 (i) for a county office, August 31; or

35 (ii) for all other offices, 65 days before the day of the applicable general election; and

36 (c) after the vacancy occurs, the number of remaining candidates for the office is less  
 37 than or equal to the number of open positions to be filled for that office in the applicable  
 38 general election.

39 (2) An election officer shall ~~H~~→ :

39a (a) ~~H~~ fill a candidate vacancy described in Subsection (1) by  
 40 certifying the next available candidate for the office for the general election ballot who  
 41 received the highest number of votes in the primary election without receiving a sufficient  
 42 number of votes to qualify for the general election ballot ~~H~~→ [:] ; and

42a (b) immediately notify the candidate described in Subsection (2)(a) that the candidate is  
 42b certified for the general election ballot. ~~H~~

43 Section 2. Section **20A-9-203** is amended to read:

44 **20A-9-203. Declarations of candidacy -- Municipal general elections.**

45 (1) (a) (i) [~~A person~~] An individual may become a candidate for any municipal office  
 46 if:

47 (A) the [~~person~~] individual is a registered voter; and

48 (B) (I) the [~~person~~] individual has resided within the municipality in which that  
 49 [~~person~~] individual seeks to hold elective office for the 12 consecutive months immediately  
 50 before the date of the election; or

51 (II) if the territory in which the [~~person~~] individual resides was annexed into the  
 52 municipality, the [~~person~~] individual has resided within the annexed territory or the  
 53 municipality the 12 consecutive months immediately before the date of the election.

54 (ii) For purposes of determining whether [~~a person~~] an individual meets the residency  
 55 requirement of Subsection (1)(a)(i)(B)(I) in a municipality that was incorporated less than 12  
 56 months before the election, the municipality shall be considered to have been incorporated 12  
 57 months before the date of the election.

58 (b) In addition to the requirements of Subsection (1)(a), each candidate for a municipal