

Senator Curtis S. Bramble proposes the following substitute bill:

ELECTION LAW AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill modifies provisions of the Election Code.

Highlighted Provisions:

This bill:

- ▶ modifies dates, deadlines, and other requirements in the Election Code to allow for a runoff election for primary races in certain circumstances;
- ▶ changes the date of a regular primary election;
- ▶ changes the dates during which an individual may file a declaration of candidacy or a notice of intent to gather signatures;
- ▶ changes the deadline for filing a petition and submitting signatures to form a political party;
- ▶ provides for a runoff election, by absentee ballot, in a primary election race where more than three candidates appear on the ballot for the same office, and from the same party, and where one candidate does not receive a certain percentage of the votes;
- ▶ modifies deadlines for requesting a recount or contesting an election;
- ▶ amends campaign finance reporting requirements in relation to a runoff election;
- ▶ establishes requirements, and addresses payment, for a runoff election; and



26 ▶ makes technical and conforming amendments.

27 **Money Appropriated in this Bill:**

28 None

29 **Other Special Clauses:**

30 This bill provides a coordination clause.

31 **Utah Code Sections Affected:**

32 **AMENDS:**

33 **20A-1-102**, as last amended by Laws of Utah 2016, Chapters 28, 66, and 176

34 **20A-1-201.5**, as last amended by Laws of Utah 2015, Chapters 296 and 352

35 **20A-1-501**, as last amended by Laws of Utah 2016, Chapter 16

36 **20A-1-503**, as last amended by Laws of Utah 2011, Chapters 327 and 340

37 **20A-1-508**, as last amended by Laws of Utah 2011, Chapters 35, 297, and 327

38 **20A-1-509.1**, as last amended by Laws of Utah 2011, Chapters 297 and 327

39 **20A-4-301**, as last amended by Laws of Utah 2014, Chapter 377

40 **20A-4-304**, as last amended by Laws of Utah 2012, Chapter 309

41 **20A-4-306**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 2

42 **20A-4-401**, as last amended by Laws of Utah 2013, Chapter 92

43 **20A-4-403**, as last amended by Laws of Utah 2007, Chapter 238

44 **20A-5-303**, as last amended by Laws of Utah 2011, Chapter 335

45 **20A-5-409**, as last amended by Laws of Utah 2011, Chapter 327

46 **20A-7-702**, as last amended by Laws of Utah 2016, Chapter 348

47 **20A-7-801**, as last amended by Laws of Utah 2013, Chapters 182, 219 and last
48 amended by Coordination Clause, Laws of Utah 2013, Chapter 182

49 **20A-8-103**, as last amended by Laws of Utah 2013, Chapter 253

50 **20A-9-101**, as last amended by Laws of Utah 2016, Chapter 16

51 **20A-9-202**, as last amended by Laws of Utah 2015, Chapter 296

52 **20A-9-403**, as last amended by Laws of Utah 2016, Chapter 28

53 **20A-9-406**, as last amended by Laws of Utah 2016, Chapters 16 and 66

54 **20A-9-407**, as last amended by Laws of Utah 2015, Chapter 296

55 **20A-9-408**, as last amended by Laws of Utah 2016, Chapter 28

56 **20A-9-409**, as enacted by Laws of Utah 2014, Chapter 17

- 57 **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296
- 58 **20A-11-204**, as last amended by Laws of Utah 2016, Chapters 16 and 409
- 59 **20A-11-206**, as last amended by Laws of Utah 2016, Chapter 16
- 60 **20A-11-303**, as last amended by Laws of Utah 2016, Chapters 16 and 409
- 61 **20A-11-305**, as last amended by Laws of Utah 2016, Chapter 16
- 62 **20A-11-1303**, as last amended by Laws of Utah 2016, Chapters 28 and 409
- 63 **20A-11-1305**, as last amended by Laws of Utah 2016, Chapter 28
- 64 **20A-14-203**, as last amended by Laws of Utah 2016, Chapter 16
- 65 **20A-16-502**, as last amended by Laws of Utah 2012, Chapter 369

66 ENACTS:

- 67 **20A-8-402.5**, Utah Code Annotated 1953
- 68 **20A-9-409.5**, Utah Code Annotated 1953

69 **Utah Code Sections Affected by Coordination Clause:**

- 70 **20A-9-403**, as last amended by Laws of Utah 2016, Chapter 28



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

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

74 **20A-1-102. Definitions.**

75 As used in this title:

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

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

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

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

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

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

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

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

- 90 (a) an opinion question specifically authorized by the Legislature;
- 91 (b) a constitutional amendment;
- 92 (c) an initiative;
- 93 (d) a referendum;
- 94 (e) a bond proposition;
- 95 (f) a judicial retention question;
- 96 (g) an incorporation of a city or town; or
- 97 (h) any other ballot question specifically authorized by the Legislature.

98 (6) "Ballot sheet":

- 99 (a) means a ballot that:
 - 100 (i) consists of paper or a card where the voter's votes are marked or recorded; and
 - 101 (ii) can be counted using automatic tabulating equipment; and
- 102 (b) includes punch card ballots and other ballots that are machine-countable.

103 (7) "Bind," "binding," or "bound" means securing more than one piece of paper
104 together with a staple or stitch in at least three places across the top of the paper in the blank
105 space reserved for securing the paper.

106 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
107 [20A-4-306](#) to canvass election returns.

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

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

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

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

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

118 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at

119 the canvass.

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

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

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

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

128 (19) "Counting poll watcher" means a person selected as provided in Section
129 [20A-3-201](#) to witness the counting of ballots.

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

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

135 (22) "Covered voter" means:

136 (a) a uniformed-service voter or an overseas voter who is registered to vote in the state;

137 or

138 (b) a uniformed-service voter whose voting residence is in the state and who otherwise
139 satisfies the state's voter eligibility requirements.

140 [~~(22)~~] (23) "Date of the election" or "election day" or "day of the election":

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

143 (b) does not include:

144 (i) deadlines established for absentee voting; or

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

147 [~~(23)~~] (24) "Elected official" means:

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

149 (b) a person who is considered to be elected to a municipal office in accordance with

150 Subsection [20A-1-206\(1\)\(c\)\(ii\)](#); or

151 (c) a person who is considered to be elected to a local district office in accordance with

152 Subsection [20A-1-206\(3\)\(c\)\(ii\)](#).

153 [~~24~~] [\(25\)](#) "Election" means a regular general election, a municipal general election, a
154 statewide special election, a local special election, a regular primary election, a municipal
155 primary election, [~~and~~] a local district election, or a runoff election.

156 [~~25~~] [\(26\)](#) "Election Assistance Commission" means the commission established by
157 the Help America Vote Act of 2002, Pub. L. No. 107-252.

158 [~~26~~] [\(27\)](#) "Election cycle" means the period beginning on the first day persons are
159 eligible to file declarations of candidacy and ending when the canvass is completed.

160 [~~27~~] [\(28\)](#) "Election judge" means a poll worker that is assigned to:

- 161 (a) preside over other poll workers at a polling place;
- 162 (b) act as the presiding election judge; or
- 163 (c) serve as a canvassing judge, counting judge, or receiving judge.

164 [~~28~~] [\(29\)](#) "Election officer" means:

- 165 (a) the lieutenant governor, for all statewide ballots and elections;
- 166 (b) the county clerk for:
 - 167 (i) a county ballot and election; and
 - 168 (ii) a ballot and election as a provider election officer as provided in Section

169 [20A-5-400.1](#) or [20A-5-400.5](#);

170 (c) the municipal clerk for:

- 171 (i) a municipal ballot and election; and
- 172 (ii) a ballot and election as a provider election officer as provided in Section

173 [20A-5-400.1](#) or [20A-5-400.5](#);

174 (d) the local district clerk or chief executive officer for:

- 175 (i) a local district ballot and election; and
- 176 (ii) a ballot and election as a provider election officer as provided in Section

177 [20A-5-400.1](#) or [20A-5-400.5](#); or

178 (e) the business administrator or superintendent of a school district for:

- 179 (i) a school district ballot and election; and
- 180 (ii) a ballot and election as a provider election officer as provided in Section

181 [20A-5-400.1](#) or [20A-5-400.5](#).

182 ~~[(29)]~~ (30) "Election official" means any election officer, election judge, or poll
183 worker.

184 ~~[(30)]~~ (31) "Election results" means:

185 (a) for an election other than a bond election, the count of votes cast in the election and
186 the election returns requested by the board of canvassers; or

187 (b) for bond elections, the count of those votes cast for and against the bond
188 proposition plus any or all of the election returns that the board of canvassers may request.

189 ~~[(31)]~~ (32) "Election returns" includes the pollbook, the military and overseas absentee
190 voter registration and voting certificates, one of the tally sheets, any unprocessed absentee
191 ballots, all counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot
192 disposition form, and the total votes cast form.

193 ~~[(32)]~~ (33) "Electronic ballot" means a ballot that is recorded using a direct electronic
194 voting device or other voting device that records and stores ballot information by electronic
195 means.

196 ~~[(33)]~~ (34) "Electronic signature" means an electronic sound, symbol, or process
197 attached to or logically associated with a record and executed or adopted by a person with the
198 intent to sign the record.

199 ~~[(34)]~~ (35) (a) "Electronic voting device" means a voting device that uses electronic
200 ballots.

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

202 ~~[(35)]~~ (36) "Inactive voter" means a registered voter who has:

203 (a) been sent the notice required by Section [20A-2-306](#); and

204 (b) failed to respond to that notice.

205 ~~[(36)]~~ (37) "Inspecting poll watcher" means a person selected as provided in this title to
206 witness the receipt and safe deposit of voted and counted ballots.

207 ~~[(37)]~~ (38) "Judicial office" means the office filled by any judicial officer.

208 ~~[(38)]~~ (39) "Judicial officer" means any justice or judge of a court of record or any
209 county court judge.

210 ~~[(39)]~~ (40) "Local district" means a local government entity under Title 17B, Limited
211 Purpose Local Government Entities - Local Districts, and includes a special service district

212 under Title 17D, Chapter 1, Special Service District Act.

213 ~~[(40)]~~ (41) "Local district officers" means those local district board members that are
214 required by law to be elected.

215 ~~[(41)]~~ (42) "Local election" means a regular county election, a regular municipal
216 election, a municipal primary election, a local special election, a local district election, and a
217 bond election.

218 ~~[(42)]~~ (43) "Local political subdivision" means a county, a municipality, a local
219 district, or a local school district.

220 ~~[(43)]~~ (44) "Local special election" means a special election called by the governing
221 body of a local political subdivision in which all registered voters of the local political
222 subdivision may vote.

223 ~~[(44)]~~ (45) "Municipal executive" means:

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

225 (b) the mayor in the council-manager form of government defined in Subsection
226 10-3b-103(7); or

227 (c) the chair of a metro township form of government defined in Section 10-3b-102.

228 ~~[(45)]~~ (46) "Municipal general election" means the election held in municipalities and,
229 as applicable, local districts on the first Tuesday after the first Monday in November of each
230 odd-numbered year for the purposes established in Section 20A-1-202.

231 ~~[(46)]~~ (47) "Municipal legislative body" means:

232 (a) the council of the city or town in any form of municipal government; or

233 (b) the council of a metro township.

234 ~~[(47)]~~ (48) "Municipal office" means an elective office in a municipality.

235 ~~[(48)]~~ (49) "Municipal officers" means those municipal officers that are required by
236 law to be elected.

237 ~~[(49)]~~ (50) "Municipal primary election" means an election held to nominate
238 candidates for municipal office.

239 ~~[(50)]~~ (51) "Municipality" means a city, town, or metro township.

240 ~~[(51)]~~ (52) "Official ballot" means the ballots distributed by the election officer to the
241 poll workers to be given to voters to record their votes.

242 ~~[(52)]~~ (53) "Official endorsement" means:

243 (a) the information on the ballot that identifies:
244 (i) the ballot as an official ballot;
245 (ii) the date of the election; and
246 (iii) (A) for a ballot prepared by an election officer other than a county clerk, the
247 facsimile signature required by Subsection 20A-6-401(1)(b)(iii); or
248 (B) for a ballot prepared by a county clerk, the words required by Subsection
249 20A-6-301(1)(c)(iii); and
250 (b) the information on the ballot stub that identifies:
251 (i) the poll worker's initials; and
252 (ii) the ballot number.
253 [~~53~~] (54) "Official register" means the official record furnished to election officials
254 by the election officer that contains the information required by Section 20A-5-401.
255 [~~54~~] (55) "Paper ballot" means a paper that contains:
256 (a) the names of offices and candidates and statements of ballot propositions to be
257 voted on; and
258 (b) spaces for the voter to record the voter's vote for each office and for or against each
259 ballot proposition.
260 [~~55~~] (56) "Political party" means an organization of registered voters that has
261 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party
262 Formation and Procedures.
263 [~~56~~] (57) "Pollbook" means a record of the names of voters in the order that they
264 appear to cast votes.
265 [~~57~~] (58) "Polling place" means the building where voting is conducted.
266 [~~58~~] (59) (a) "Poll worker" means a person assigned by an election official to assist
267 with an election, voting, or counting votes.
268 (b) "Poll worker" includes election judges.
269 (c) "Poll worker" does not include a watcher.
270 [~~59~~] (60) "Position" means a square, circle, rectangle, or other geometric shape on a
271 ballot in which the voter marks the voter's choice.
272 [~~60~~] (61) "Primary convention" means the political party conventions held during the
273 year of the regular general election.

274 [~~(61)~~] (62) "Protective counter" means a separate counter, which cannot be reset, that:

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

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

277 [~~(62)~~] (63) "Provider election officer" means an election officer who enters into a

278 contract or interlocal agreement with a contracting election officer to conduct an election for

279 the contracting election officer's local political subdivision in accordance with Section

280 [20A-5-400.1](#).

281 [~~(63)~~] (64) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

285 [~~(64)~~] (65) "Provisional ballot envelope" means an envelope printed in the form

286 required by Section [20A-6-105](#) that is used to identify provisional ballots and to provide

287 information to verify a person's legal right to vote.

288 [~~(65)~~] (66) "Qualify" or "qualified" means to take the oath of office and begin

289 performing the duties of the position for which the person was elected.

290 [~~(66)~~] (67) "Receiving judge" means the poll worker that checks the voter's name in the

291 official register, provides the voter with a ballot, and removes the ballot stub from the ballot

292 after the voter has voted.

293 [~~(67)~~] (68) "Registration form" means a book voter registration form and a by-mail

294 voter registration form.

295 [~~(68)~~] (69) "Regular ballot" means a ballot that is not a provisional ballot.

296 [~~(69)~~] (70) "Regular general election" means the election held throughout the state on

297 the first Tuesday after the first Monday in November of each even-numbered year for the

298 purposes established in Section [20A-1-201](#).

299 [~~(70)~~] (71) "Regular primary election" means the election on the [~~fourth~~] second

300 Tuesday of June of each even-numbered year, to nominate candidates of political parties and

301 candidates for nonpartisan local school board positions to advance to the regular general

302 election.

303 [~~(71)~~] (72) "Resident" means a person who resides within a specific voting precinct in

304 Utah.

305 ~~[(72)]~~ (73) "Sample ballot" means a mock ballot similar in form to the official ballot
306 printed and distributed as provided in Section 20A-5-405.

307 ~~[(73)]~~ (74) "Scratch vote" means to mark or punch the straight party ticket and then
308 mark or punch the ballot for one or more candidates who are members of different political
309 parties or who are unaffiliated.

310 ~~[(74)]~~ (75) "Secrecy envelope" means the envelope given to a voter along with the
311 ballot into which the voter places the ballot after the voter has voted it in order to preserve the
312 secrecy of the voter's vote.

313 ~~[(75)]~~ (76) "Special election" means an election held as authorized by Section
314 20A-1-203.

315 ~~[(76)]~~ (77) "Spoiled ballot" means each ballot that:

- 316 (a) is spoiled by the voter;
317 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
318 (c) lacks the official endorsement.

319 ~~[(77)]~~ (78) "Statewide special election" means a special election called by the governor
320 or the Legislature in which all registered voters in Utah may vote.

321 ~~[(78)]~~ (79) "Stub" means the detachable part of each ballot.

322 ~~[(79)]~~ (80) "Substitute ballots" means replacement ballots provided by an election
323 officer to the poll workers when the official ballots are lost or stolen.

324 ~~[(80)]~~ (81) "Ticket" means a list of:

- 325 (a) political parties;
326 (b) candidates for an office; or
327 (c) ballot propositions.

328 ~~[(81)]~~ (82) "Transfer case" means the sealed box used to transport voted ballots to the
329 counting center.

330 ~~[(82)]~~ (83) "Vacancy" means the absence of a person to serve in any position created
331 by statute, whether that absence occurs because of death, disability, disqualification,
332 resignation, or other cause.

333 ~~[(83)]~~ (84) "Valid voter identification" means:

- 334 (a) a form of identification that bears the name and photograph of the voter which may
335 include:

- 336 (i) a currently valid Utah driver license;
- 337 (ii) a currently valid identification card that is issued by:
- 338 (A) the state; or
- 339 (B) a branch, department, or agency of the United States;
- 340 (iii) a currently valid Utah permit to carry a concealed weapon;
- 341 (iv) a currently valid United States passport; or
- 342 (v) a currently valid United States military identification card;
- 343 (b) one of the following identification cards, whether or not the card includes a
- 344 photograph of the voter:
- 345 (i) a valid tribal identification card;
- 346 (ii) a Bureau of Indian Affairs card; or
- 347 (iii) a tribal treaty card; or
- 348 (c) two forms of identification not listed under Subsection [~~(83)~~] (84)(a) or (b) but that
- 349 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
- 350 which may include:
- 351 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
- 352 election;
- 353 (ii) a bank or other financial account statement, or a legible copy thereof;
- 354 (iii) a certified birth certificate;
- 355 (iv) a valid social security card;
- 356 (v) a check issued by the state or the federal government or a legible copy thereof;
- 357 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 358 (vii) a currently valid Utah hunting or fishing license;
- 359 (viii) certified naturalization documentation;
- 360 (ix) a currently valid license issued by an authorized agency of the United States;
- 361 (x) a certified copy of court records showing the voter's adoption or name change;
- 362 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 363 (xii) a currently valid identification card issued by:
- 364 (A) a local government within the state;
- 365 (B) an employer for an employee; or
- 366 (C) a college, university, technical school, or professional school located within the

367 state; or

368 (xiii) a current Utah vehicle registration.

369 ~~[(84)]~~ (85) "Valid write-in candidate" means a candidate who has qualified as a
370 write-in candidate by following the procedures and requirements of this title.

371 ~~[(85)]~~ (86) "Voter" means a person who:

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

373 (b) meets the requirements of election registration;

374 (c) is registered to vote; and

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

376 ~~[(86)]~~ (87) "Voter registration deadline" means the registration deadline provided in
377 Section [20A-2-102.5](#).

378 ~~[(87)]~~ (88) "Voting area" means the area within six feet of the voting booths, voting
379 machines, and ballot box.

380 ~~[(88)]~~ (89) "Voting booth" means:

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

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

384 ~~[(89)]~~ (90) "Voting device" means:

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

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

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

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

391 (e) any other method for recording votes on ballots so that the ballot may be tabulated
392 by means of automatic tabulating equipment.

393 ~~[(90)]~~ (91) "Voting machine" means a machine designed for the sole purpose of
394 recording and tabulating votes cast by voters at an election.

395 ~~[(91)]~~ (92) "Voting poll watcher" means a person appointed as provided in this title to
396 witness the distribution of ballots and the voting process.

397 ~~[(92)]~~ (93) "Voting precinct" means the smallest voting unit established as provided by

398 law within which qualified voters vote at one polling place.

399 ~~[(93)]~~ (94) "Watcher" means a voting poll watcher, a counting poll watcher, an
400 inspecting poll watcher, and a testing watcher.

401 ~~[(94)]~~ (95) "Western States Presidential Primary" means the election established in
402 Chapter 9, Part 8, Western States Presidential Primary.

403 ~~[(95)]~~ (96) "Write-in ballot" means a ballot containing any write-in votes.

404 ~~[(96)]~~ (97) "Write-in vote" means a vote cast for a person whose name is not printed on
405 the ballot according to the procedures established in this title.

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

407 **20A-1-201.5. Primary election dates.**

408 (1) A regular primary election shall be held throughout the state on the ~~[fourth]~~ second
409 Tuesday of June of each even-numbered year as provided in Section [20A-9-403](#), [20A-9-407](#), or
410 [20A-9-408](#), as applicable, to nominate persons for:

411 (a) national, state, school board, and county offices; and

412 (b) offices for a metro township, city, or town incorporated under Section [10-2a-404](#).

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

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

419 Section 3. Section **20A-1-501** is amended to read:

420 **20A-1-501. Candidate vacancies -- Procedure for filling.**

421 (1) The state central committee of a political party, for candidates for United States
422 senator, United States representative, governor, lieutenant governor, attorney general, state
423 treasurer, and state auditor, and for legislative candidates whose legislative districts encompass
424 more than one county, and the county central committee of a political party, for all other party
425 candidates seeking an office elected at a regular general election, may certify the name of
426 another candidate to the appropriate election officer if:

427 (a) for a registered political party that will have a candidate on a ballot in a primary
428 election, after the close of the period for filing a declaration of candidacy and continuing

429 through the day before the day on which the lieutenant governor provides the list described in
430 Subsection [20A-9-403\(4\)\(a\)](#):

431 (i) only one or two candidates from that party have filed a declaration of candidacy for
432 that office; and

433 (ii) one or both:

434 (A) dies;

435 (B) resigns because of acquiring a physical or mental disability, certified by a
436 physician, that prevents the candidate from continuing the candidacy; or

437 (C) is disqualified by an election officer for improper filing or nominating procedures;

438 (b) for a registered political party that does not have a candidate on the ballot in a
439 primary, but that will have a candidate on the ballot for a general election, after the close of the
440 period for filing a declaration of candidacy and continuing through the day before the day on
441 which the lieutenant governor makes the certification described in Section [[20A-5-409](#)]
442 [20A-9-701](#), the party's candidate:

443 (i) dies;

444 (ii) resigns because of acquiring a physical or mental disability as certified by a
445 physician;

446 (iii) is disqualified by an election officer for improper filing or nominating procedures;

447 or

448 (iv) resigns to become a candidate for president or vice president of the United States;

449 or

450 (c) for a registered political party with a candidate certified as winning a primary
451 election, after the deadline described in Subsection (1)(a) and continuing through the day
452 before that day on which the lieutenant governor makes the certification described in Section
453 [[20A-5-409](#)] [20A-9-701](#), the party's candidate:

454 (i) dies;

455 (ii) resigns because of acquiring a physical or mental disability as certified by a
456 physician;

457 (iii) is disqualified by an election officer for improper filing or nominating procedures;

458 or

459 (iv) resigns to become a candidate for president or vice president of the United States.

460 (2) If no more than two candidates from a political party have filed a declaration of
461 candidacy for an office elected at a regular general election and one resigns to become the party
462 candidate for another position, the state central committee of that political party, for candidates
463 for governor, lieutenant governor, attorney general, state treasurer, and state auditor, and for
464 legislative candidates whose legislative districts encompass more than one county, and the
465 county central committee of that political party, for all other party candidates, may certify the
466 name of another candidate to the appropriate election officer.

467 (3) Each replacement candidate shall file a declaration of candidacy as required by
468 Title 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.

469 (4) (a) The name of a candidate who is certified under Subsection (1)(a) after the
470 deadline described in Subsection (1)(a) may not appear on the primary election ballot.

471 (b) The name of a candidate who is certified under Subsection (1)(b) after the deadline
472 described in Subsection (1)(b) may not appear on the general election ballot.

473 (c) The name of a candidate who is certified under Subsection (1)(c) after the deadline
474 described in Subsection (1)(c) may not appear on the general election ballot.

475 (5) A political party may not replace a candidate who is disqualified for failure to
476 timely file a campaign disclosure financial report under Title 20A, Chapter 11, Campaign and
477 Financial Reporting Requirements, or Section 17-16-6.5.

478 Section 4. Section 20A-1-503 is amended to read:

479 **20A-1-503. Midterm vacancies in the Legislature.**

480 (1) As used in this section:

481 (a) "Filing deadline" means the final date for filing:

482 (i) a declaration of candidacy as provided in Section 20A-9-202; and

483 (ii) a certificate of nomination as provided in Section 20A-9-503.

484 (b) "Party liaison" means the political party officer designated to serve as a liaison with
485 the lieutenant governor on all matters relating to the political party's relationship with the state
486 as required by Section 20A-8-401.

487 (2) When a vacancy occurs for any reason in the office of representative in the
488 Legislature, the governor shall fill the vacancy by immediately appointing the person whose
489 name was submitted by the party liaison of the same political party as the prior representative.

490 (3) (a) Except as provided by Subsection (5), when a vacancy occurs for any reason in

491 the office of senator in the Legislature, [it] the vacancy shall be filled for the unexpired term at
492 the next regular general election.

493 (b) The governor shall fill the vacancy until the next regular general election by
494 immediately appointing the person whose name was submitted by the party liaison of the same
495 political party as the prior senator.

496 (4) (a) [H] For an even-numbered year in which the term of office does not expire, if a
497 vacancy described in Subsection (3)(a) occurs after [the filing deadline but before August 31 of
498 an even-numbered year in which the term of office does not expire] January 1, and at least two
499 days before the day on which the lieutenant governor certifies candidates for the regular general
500 election ballot under Section 20A-9-701, the lieutenant governor shall:

501 (i) establish a date, which is before the date for a candidate to be certified for the ballot
502 under Section 20A-9-701 and no later than 21 days after the day on which the vacancy
503 occurred, by which a person intending to obtain a position on the ballot for the vacant office
504 shall file:

505 (A) a declaration of candidacy; or

506 (B) a certificate of nomination; and

507 (ii) give notice of the vacancy and the date described in Subsection (4)(a)(i):

508 (A) on the lieutenant governor's website; and

509 (B) to each registered political party.

510 (b) A person intending to obtain a position on the ballot for the vacant office shall:

511 (i) by the date specified in Subsection (4)(a)(i), file a declaration of candidacy or
512 certificate of nomination according to the procedures and requirements of Chapter 9, Candidate
513 Qualifications and Nominating Procedures; and

514 (ii) run in the regular general election if:

515 (A) nominated as a party candidate; or

516 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
517 Qualifications and Nominating Procedures.

518 (c) If a vacancy described in Subsection (3)(a) occurs on or after the first Monday after
519 the [third] second Saturday in April and before August 31 of an even-numbered year in which
520 the term of office does not expire, a party liaison from each registered political party may
521 submit a name of a person described in Subsection (4)(b) to the lieutenant governor by August

522 30 for placement on the regular general election ballot.

523 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
524 even-numbered year in which a term does not expire, the governor shall fill the vacancy for the
525 unexpired term by immediately appointing the person whose name was submitted by the party
526 liaison of the same political party as the prior senator.

527 Section 5. Section **20A-1-508** is amended to read:

528 **20A-1-508. Midterm vacancies in county elected offices.**

529 (1) As used in this section:

530 (a) (i) "County offices" includes the county executive, members of the county
531 legislative body, the county treasurer, the county sheriff, the county clerk, the county auditor,
532 the county recorder, the county surveyor, and the county assessor.

533 (ii) "County offices" does not mean the offices of president and vice president of the
534 United States, United States senators and representatives, members of the Utah Legislature,
535 state constitutional officers, county attorneys, district attorneys, and judges.

536 (b) "Party liaison" means the political party officer designated to serve as a liaison with
537 each county legislative body on all matters relating to the political party's relationship with a
538 county as required by Section [20A-8-401](#).

539 (2) (a) Until a replacement is selected as provided in this section and has qualified, the
540 county legislative body shall appoint an interim replacement to fill the vacant office by
541 following the procedures and requirements of this Subsection (2).

542 (b) (i) To appoint an interim replacement, the county legislative body shall give notice
543 of the vacancy to the party liaison of the same political party of the prior office holder and
544 invite that party liaison to submit the name of a person to fill the vacancy.

545 (ii) That party liaison shall, within 30 days, submit the name of the person selected in
546 accordance with the party constitution or bylaws as described in Section [20A-8-401](#) for the
547 interim replacement to the county legislative body.

548 (iii) The county legislative body shall no later than five days after the day on which a
549 party liaison submits the name of the person for the interim replacement appoint the person to
550 serve out the unexpired term.

551 (c) (i) If the county legislative body fails to appoint an interim replacement to fill the
552 vacancy in accordance with Subsection (2)(b)(iii), the county clerk shall send to the governor a

553 letter that:

554 (A) informs the governor that the county legislative body has failed to appoint a
555 replacement within the statutory time period; and

556 (B) contains the name of the person to fill the vacancy submitted by the party liaison.

557 (ii) The governor shall appoint the person named by the party liaison as an interim
558 replacement to fill the vacancy within 30 days after receipt of the letter.

559 (d) A person appointed as interim replacement under this Subsection (2) shall hold
560 office until their successor is elected and has qualified.

561 (3) (a) The requirements of this Subsection (3) apply to all county offices that become
562 vacant if:

563 (i) the vacant office has an unexpired term of two years or more; and

564 (ii) the vacancy occurs after the election at which the person was elected but before
565 ~~[April 10]~~ January 1 of the next even-numbered year.

566 (b) (i) When the conditions established in Subsection (3)(a) are met, the county clerk
567 shall notify the public and each registered political party that the vacancy exists.

568 (ii) All persons intending to become candidates for the vacant office shall:

569 (A) file a declaration of candidacy according to the procedures and requirements of
570 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

571 (B) if nominated as a party candidate or qualified as an independent or write-in
572 candidate under Chapter 8, Political Party Formation and Procedures, run in the regular general
573 election.

574 (4) (a) The requirements of this Subsection (4) apply to all county offices that become
575 vacant if ~~[(i) the vacant office has an unexpired term of two years or more; and(ii)]~~ the
576 vacancy occurs ~~[after April 9]~~ on or after January 1 of the next even-numbered year but more
577 than 75 days before the regular primary election.

578 (b) (i) When the conditions established in Subsection (4)(a) are met, the county clerk
579 shall notify the public and each registered political party that:

580 (A) the vacancy exists; and

581 (B) identifies the date and time by which a person interested in becoming a candidate
582 shall file a declaration of candidacy.

583 (ii) All persons intending to become candidates for the vacant offices shall, within five

584 days after the date that the notice is made, ending at the close of normal office hours on the
585 fifth day, file a declaration of candidacy for the vacant office as required by Chapter 9, Part 2,
586 Candidate Qualifications and Declarations of Candidacy.

587 (iii) The county central committee of each party shall:

588 (A) select a candidate or candidates from among those qualified candidates who have
589 filed declarations of candidacy; and

590 (B) certify the name of the candidate or candidates to the county clerk at least 60 days
591 before the regular primary election.

592 (5) (a) The requirements of this Subsection (5) apply to all county offices that become
593 vacant:

594 (i) if the vacant office has an unexpired term of two years or more; and

595 (ii) when 75 days or less remain before the regular primary election but more than 65
596 days remain before the regular general election.

597 (b) When the conditions established in Subsection (5)(a) are met, the county central
598 committees of each political party registered under this title that wishes to submit a candidate
599 for the office shall summarily certify the name of one candidate to the county clerk for
600 placement on the regular general election ballot.

601 (6) (a) The requirements of this Subsection (6) apply to all county offices that become
602 vacant:

603 (i) if the vacant office has an unexpired term of less than two years; or

604 (ii) if the vacant office has an unexpired term of two years or more but 65 days or less
605 remain before the next regular general election.

606 (b) (i) When the conditions established in Subsection (6)(a) are met, the county
607 legislative body shall give notice of the vacancy to the party liaison of the same political party
608 as the prior office holder and invite that party liaison to submit the name of a person to fill the
609 vacancy.

610 (ii) That party liaison shall, within 30 days, submit the name of the person to fill the
611 vacancy to the county legislative body.

612 (iii) The county legislative body shall no later than five days after the day on which a
613 party liaison submits the name of the person to fill the vacancy appoint the person to serve out
614 the unexpired term.

615 (c) (i) If the county legislative body fails to appoint a person to fill the vacancy in
616 accordance with Subsection (6)(b)(iii), the county clerk shall send to the governor a letter that:

617 (A) informs the governor that the county legislative body has failed to appoint a person
618 to fill the vacancy within the statutory time period; and

619 (B) contains the name of the person to fill the vacancy submitted by the party liaison.

620 (ii) The governor shall appoint the person named by the party liaison to fill the vacancy
621 within 30 days after receipt of the letter.

622 (d) A person appointed to fill the vacancy under this Subsection (6) shall hold office
623 until their successor is elected and has qualified.

624 (7) Except as otherwise provided by law, the county legislative body may appoint
625 replacements to fill all vacancies that occur in those offices filled by appointment of the county
626 legislative body.

627 (8) Nothing in this section prevents or prohibits independent candidates from filing a
628 declaration of candidacy for the office within the same time limits.

629 (9) (a) Each person elected under Subsection (3), (4), or (5) to fill a vacancy in a
630 county office shall serve for the remainder of the unexpired term of the person who created the
631 vacancy and until a successor is elected and qualified.

632 (b) Nothing in this section may be construed to contradict or alter the provisions of
633 Section 17-16-6.

634 Section 6. Section 20A-1-509.1 is amended to read:

635 **20A-1-509.1. Procedure for filling midterm vacancy in county or district with 15**
636 **or more attorneys.**

637 (1) When a vacancy occurs in the office of county or district attorney in a county or
638 district having 15 or more attorneys who are licensed active members in good standing with the
639 Utah State Bar and registered voters, the vacancy shall be filled as provided in this section.

640 (2) (a) The requirements of this Subsection (2) apply when:

641 (i) the office of county attorney or district attorney becomes vacant ~~[and:]~~;

642 ~~[(+)]~~ (ii) the vacant office has an unexpired term of two years or more; and

643 ~~[(+)]~~ (iii) the vacancy occurs before ~~[the third Thursday in March of the]~~ January 1 of
644 an even-numbered year.

645 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall

646 notify the public and each registered political party that the vacancy exists.

647 (c) All persons intending to become candidates for the vacant office shall:

648 (i) file a declaration of candidacy according to the procedures and requirements of
649 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;

650 (ii) if nominated as a party candidate or qualified as an independent or write-in
651 candidate under Chapter 9, Candidate Qualifications and Nominating Procedures, run in the
652 regular general election; and

653 (iii) if elected, complete the unexpired term of the person who created the vacancy.

654 ~~[(d) If the vacancy occurs after the second Friday in March and before the third~~
655 ~~Thursday in March, the time for filing a declaration of candidacy under Section 20A-9-202~~
656 ~~shall be extended until seven days after the county clerk gives notice under Subsection (2)(b),~~
657 ~~but no later than the fourth Thursday in March.]~~

658 (3) (a) The requirements of this Subsection (3) apply when:

659 (i) the office of county attorney or district attorney becomes vacant ~~[and];~~

660 ~~[(+)]~~ (ii) the vacant office has an unexpired term of two years or more; and

661 ~~[(+)]~~ (iii) the vacancy occurs after ~~[the third Thursday in March of the]~~ January 1 of an
662 even-numbered year but more than 75 days before the regular primary election.

663 (b) When the conditions established in Subsection (3)(a) are met, the county clerk
664 shall:

665 (i) notify the public and each registered political party that the vacancy exists; and

666 (ii) identify the date and time by which a person interested in becoming a candidate
667 shall file a declaration of candidacy.

668 (c) All persons intending to become candidates for the vacant office shall:

669 (i) within five days after the date that the notice is made, ending at the close of normal
670 office hours on the fifth day, file a declaration of candidacy for the vacant office as required by
671 Chapter 9, Part 2, Candidate Qualifications and Declaration of Candidacy; and

672 (ii) if elected, complete the unexpired term of the person who created the vacancy.

673 (d) The county central committee of each party shall:

674 (i) select a candidate or candidates from among those qualified candidates who have
675 filed declarations of candidacy; and

676 (ii) certify the name of the candidate or candidates to the county clerk at least 60 days

677 before the regular primary election.

678 (4) (a) The requirements of this Subsection (4) apply when:

679 (i) the office of county attorney or district attorney becomes vacant ~~and~~;

680 ~~(i)~~ (ii) the vacant office has an unexpired term of two years or more; and

681 ~~(ii)~~ (iii) 75 days or less remain before the regular primary election but more than 65
682 days remain before the regular general election.

683 (b) When the conditions established in Subsection (4)(a) are met, the county central
684 committees of each registered political party that wish to submit a candidate for the office shall
685 summarily certify the name of one candidate to the county clerk for placement on the regular
686 general election ballot.

687 (c) The candidate elected shall complete the unexpired term of the person who created
688 the vacancy.

689 (5) (a) The requirements of this Subsection (5) apply when:

690 (i) the office of county attorney or district attorney becomes vacant; and~~:~~

691 ~~(i)~~ (ii) (A) the vacant office has an unexpired term of less than two years; or

692 ~~(ii)~~ (B) the vacant office has an unexpired term of two years or more but 65 days or
693 less remain before the next regular general election.

694 (b) When the conditions established in Subsection (5)(a) are met, the county legislative
695 body shall give notice of the vacancy to the county central committee of the same political
696 party of the prior officeholder and invite that committee to submit the names of three nominees
697 to fill the vacancy.

698 (c) That county central committee shall, within 30 days of receiving notice from the
699 county legislative body, submit to the county legislative body the names of three nominees to
700 fill the vacancy.

701 (d) The county legislative body shall, within 45 days after the vacancy occurs, appoint
702 one of those nominees to serve out the unexpired term.

703 (e) If the county legislative body fails to appoint a person to fill the vacancy within 45
704 days, the county clerk shall send to the governor a letter that:

705 (i) informs the governor that the county legislative body has failed to appoint a person
706 to fill the vacancy within the statutory time period; and

707 (ii) contains the list of nominees submitted by the party central committee.

708 (f) The governor shall appoint a person to fill the vacancy from that list of nominees
709 within 30 days after receipt of the letter.

710 (g) A person appointed to fill the vacancy under Subsection (5) shall complete the
711 unexpired term of the person who created the vacancy.

712 (6) Nothing in this section prevents or prohibits independent candidates from filing a
713 declaration of candidacy for the office within the required time limits.

714 Section 7. Section **20A-4-301** is amended to read:

715 **20A-4-301. Board of canvassers.**

716 (1) (a) Each county legislative body is the board of county canvassers for:

717 (i) the county; and

718 (ii) each local district whose election is conducted by the county if:

719 (A) the election relates to the creation of the local district;

720 (B) the county legislative body serves as the governing body of the local district; or

721 (C) there is no duly constituted governing body of the local district.

722 (b) The board of county canvassers shall meet to canvass the returns at the usual place
723 of meeting of the county legislative body[;]:

724 (i) for a runoff election, no later than seven days after the runoff election; or

725 (ii) for an election other than a runoff election, at a date and time determined by the
726 county clerk that is no sooner than seven days after the election and no later than 14 days after
727 the election.

728 (c) If one or more of the county legislative body fails to attend the meeting of the board
729 of county canvassers, the remaining members shall replace the absent member by appointing in
730 the order named:

731 (i) the county treasurer;

732 (ii) the county assessor; or

733 (iii) the county sheriff.

734 (d) Attendance of the number of persons equal to a simple majority of the county
735 legislative body, but not less than three persons, shall constitute a quorum for conducting the
736 canvass.

737 (e) The county clerk is the clerk of the board of county canvassers.

738 (2) (a) The mayor and the municipal legislative body are the board of municipal

739 canvassers for the municipality.

740 (b) The board of municipal canvassers shall meet to canvass the returns at the usual
741 place of meeting of the municipal legislative body:

742 (i) for canvassing of returns from a municipal general election, no sooner than seven
743 days after the election and no later than 14 days after the election; or

744 (ii) for canvassing of returns from a municipal primary election, no sooner than seven
745 days after the election and no later than 14 days after the election.

746 (c) Attendance of a simple majority of the municipal legislative body shall constitute a
747 quorum for conducting the canvass.

748 (3) (a) The legislative body of the entity authorizing a bond election is the board of
749 canvassers for each bond election.

750 (b) The board of canvassers for the bond election shall comply with the canvassing
751 procedures and requirements of Section 11-14-207.

752 (c) Attendance of a simple majority of the legislative body of the entity authorizing a
753 bond election shall constitute a quorum for conducting the canvass.

754 Section 8. Section 20A-4-304 is amended to read:

755 **20A-4-304. Declaration of results -- Canvassers' report.**

756 (1) Each board of canvassers shall:

757 (a) except as provided in Subsection (1)(b), declare "elected" or "nominated" those
758 persons who:

759 (i) had the highest number of votes; and

760 (ii) sought election or nomination to an office completely within the board's
761 jurisdiction;

762 (b) for a regular primary election race where a runoff election is required, determine
763 the number of votes received by each candidate for the purpose of determining the candidates
764 who will participate in a runoff election;

765 [~~(b)~~] (c) declare:

766 (i) "approved" those ballot propositions that:

767 (A) had more "yes" votes than "no" votes; and

768 (B) were submitted only to the voters within the board's jurisdiction;

769 (ii) "rejected" those ballot propositions that:

770 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes"
771 votes; and

772 (B) were submitted only to the voters within the board's jurisdiction;

773 ~~[(c)]~~ (d) certify the vote totals for persons and for and against ballot propositions that
774 were submitted to voters within and beyond the board's jurisdiction and transmit those vote
775 totals to the lieutenant governor; and

776 ~~[(d)]~~ (e) if applicable, certify the results of each local district election to the local
777 district clerk.

778 (2) (a) As soon as the result is declared, the election officer shall prepare a report of the
779 result, which shall contain:

780 (i) the total number of votes cast in the board's jurisdiction;

781 (ii) the names of each candidate whose name appeared on the ballot;

782 (iii) the title of each ballot proposition that appeared on the ballot;

783 (iv) each office that appeared on the ballot;

784 (v) from each voting precinct:

785 (A) the number of votes for each candidate; and

786 (B) the number of votes for and against each ballot proposition;

787 (vi) the total number of votes given in the board's jurisdiction to each candidate, and
788 for and against each ballot proposition;

789 (vii) the number of ballots that were rejected; and

790 (viii) a statement certifying that the information contained in the report is accurate.

791 (b) The election officer and the board of canvassers shall:

792 (i) review the report to ensure that it is correct; and

793 (ii) sign the report.

794 (c) The election officer shall:

795 (i) record or file the certified report in a book kept for that purpose;

796 (ii) prepare and transmit a certificate of nomination or election under the officer's seal
797 to each nominated or elected candidate;

798 (iii) publish a copy of the certified report:

799 (A) in one or more conspicuous places within the jurisdiction;

800 (B) in a conspicuous place on the county's website; and

- 801 (C) in a newspaper with general circulation in the board's jurisdiction; and
802 (iv) file a copy of the certified report with the lieutenant governor.
- 803 (3) When there has been a regular general or a statewide special election for statewide
804 officers, for officers that appear on the ballot in more than one county, or for a statewide or two
805 or more county ballot proposition, each board of canvassers shall:
- 806 (a) prepare a separate report detailing the number of votes for each candidate and the
807 number of votes for and against each ballot proposition; and
808 (b) transmit it by registered mail to the lieutenant governor.
- 809 (4) In each county election, municipal election, school election, local district election,
810 and local special election, the election officer shall transmit the reports to the lieutenant
811 governor within 14 days after the date of the election.
- 812 (5) In regular primary elections and in the Western States Presidential Primary, the
813 board shall transmit to the lieutenant governor:
- 814 (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant
815 governor:
- 816 (i) not later than the second Tuesday after the primary election for the regular primary
817 election; and
818 (ii) not later than the Tuesday following the election for the Western States Presidential
819 Primary; and
820 (b) a complete tabulation showing voting totals for all primary races, precinct by
821 precinct, [~~to be mailed to the lieutenant governor on or before the third Friday following~~] no
822 more than 14 days after the primary election.
- 823 Section 9. Section **20A-4-306** is amended to read:
824 **20A-4-306. Statewide canvass.**
- 825 (1) (a) The state board of canvassers shall convene:
826 (i) on the fourth Monday of November, at noon; or
827 (ii) at noon on the day following the receipt by the lieutenant governor of the last of the
828 returns of a statewide special election.
- 829 (b) The state auditor, the state treasurer, and the attorney general are the state board of
830 canvassers.
- 831 (c) Attendance of all members of the state board of canvassers shall be required to

832 constitute a quorum for conducting the canvass.

833 (2) (a) The state board of canvassers shall:

834 (i) meet in the lieutenant governor's office; and

835 (ii) compute and determine the vote for officers and for and against any ballot

836 propositions voted upon by the voters of the entire state or of two or more counties.

837 (b) The lieutenant governor, as secretary of the board shall file a report in his office

838 that details:

839 (i) for each statewide officer and ballot proposition:

840 (A) the name of the statewide office or ballot proposition that appeared on the ballot;

841 (B) the candidates for each statewide office whose names appeared on the ballot, plus

842 any recorded write-in candidates;

843 (C) the number of votes from each county cast for each candidate and for and against

844 each ballot proposition;

845 (D) the total number of votes cast statewide for each candidate and for and against each

846 ballot proposition; and

847 (E) the total number of votes cast statewide; and

848 (ii) for each officer or ballot proposition voted on in two or more counties:

849 (A) the name of each of those offices and ballot propositions that appeared on the

850 ballot;

851 (B) the candidates for those offices, plus any recorded write-in candidates;

852 (C) the number of votes from each county cast for each candidate and for and against

853 each ballot proposition; and

854 (D) the total number of votes cast for each candidate and for and against each ballot

855 proposition.

856 (c) The lieutenant governor shall:

857 (i) prepare certificates of election for:

858 (A) each successful candidate; and

859 (B) each of the presidential electors of the candidate for president who received a

860 majority of the votes;

861 (ii) authenticate each certificate with his seal; and

862 (iii) deliver a certificate of election to:

- 863 (A) each candidate who had the highest number of votes for each office; and
- 864 (B) each of the presidential electors of the candidate for president who received a
865 majority of the votes.
- 866 (3) If the lieutenant governor has not received election returns from all counties on the
867 fifth day before the day designated for the meeting of the state board of canvassers, the
868 lieutenant governor shall:
- 869 (a) send a messenger to the clerk of the board of county canvassers of the delinquent
870 county;
- 871 (b) instruct the messenger to demand a certified copy of the board of canvasser's report
872 required by Section 20A-4-304 from the clerk; and
- 873 (c) pay the messenger the per diem provided by law as compensation.
- 874 (4) The state board of canvassers may not withhold the declaration of the result or any
875 certificate of election because of any defect or informality in the returns of any election if the
876 board can determine from the returns, with reasonable certainty, what office is intended and
877 who is elected to it.
- 878 (5) (a) At noon ~~[on the fourth Monday after]~~ 16 days after the day of the regular
879 primary election, the lieutenant governor shall:
- 880 (i) canvass the returns for all statewide and multicounty candidates required to file with
881 the office of the lieutenant governor; ~~[and]~~
- 882 (ii) publish and file the results of the canvass in the lieutenant governor's office~~[-]; and~~
- 883 (iii) certify the name of each candidate for a statewide or multicounty office that will
884 participate in a runoff election.
- 885 ~~[(b) Not later than the August 1 after the primary election, the lieutenant governor shall~~
886 ~~certify the results of:]~~
- 887 ~~[(i) the primary canvass, except for the office of President of the United States, to the~~
888 ~~county clerks; and]~~
- 889 ~~[(ii) the primary canvass for the office of President of the United States to each~~
890 ~~registered political party that participated in the primary:]~~
- 891 (b) For a regular primary election in which a runoff election is held, no later than nine
892 days after the day of the runoff election, the lieutenant governor shall certify the results of the
893 runoff election canvass to the county clerks, in accordance with the procedures for canvassing a

894 regular primary election.

895 (6) (a) At noon on the day that falls seven days after the last day on which a county
896 canvass may occur under Section 20A-4-301 for the Western States Presidential Primary
897 election, the lieutenant governor shall:

898 (i) canvass the returns; and

899 (ii) publish and file the results of the canvass in the lieutenant governor's office.

900 (b) The lieutenant governor shall certify the results of the Western States Presidential
901 Primary canvass to each registered political party that participated in the primary not later than
902 the April 15 after the primary election.

903 Section 10. Section 20A-4-401 is amended to read:

904 **20A-4-401. Recounts -- Procedure.**

905 (1) (a) Except as provided in Subsection (1)(b), for a race between candidates, if the
906 difference between the number of votes cast for a winning candidate in the race and a losing
907 candidate in the race is equal to or less than .25% of the total number of votes cast for all
908 candidates in the race, that losing candidate may file a request for a recount in accordance with
909 Subsection (1)(c).

910 (b) For a race between candidates where the total of all votes cast in the race is 400 or
911 less, if the difference between the number of votes cast for a winning candidate in the race and
912 a losing candidate in the race is one vote, that losing candidate may file a request for a recount
913 in accordance with Subsection (1)(c).

914 (c) A candidate who files a request for a recount under Subsection (1)(a) or (b) shall
915 file the request:

916 (i) for a municipal primary election, with the municipal clerk, within [~~three days after~~]
917 one business day after the day of the canvass; or

918 (ii) for all other elections, within [~~seven days after~~] one business day after the day of
919 the canvass with:

920 (A) the municipal clerk, if the election is a municipal general election;

921 (B) the local district clerk, if the election is a local district election;

922 (C) the county clerk, for races voted on entirely within a single county; or

923 (D) the lieutenant governor, for statewide races and multicounty races.

924 (d) The election officer shall:

925 (i) supervise the recount;
926 (ii) recount all ballots cast for that race;
927 (iii) reexamine all unopened absentee ballots to ensure compliance with Chapter 3, Part
928 3, Absentee Voting;

929 (iv) except as provided in Subsection (1)(e), for a race where only one candidate may
930 win, declare elected the candidate who receives the highest number of votes on the recount;
931 and

932 (v) except as provided in Subsection (1)(e), for a race where multiple candidates may
933 win, declare elected the applicable number of candidates who receive the highest number of
934 votes on the recount.

935 (e) For a regular primary election race where a runoff election is required, the election
936 officer shall determine the number of votes received by each candidate for the purpose of
937 determining the candidates who will participate in the runoff election.

938 (2) (a) Except as provided in Subsection (2)(b), for a ballot proposition or a bond
939 proposition, if the proposition passes or fails by a margin that is equal to or less than .25% of
940 the total votes cast for or against the proposition, any 10 voters who voted in the election where
941 the proposition was on the ballot may file a request for a recount within [~~seven days~~] one
942 business day after the day of the canvass with the person described in Subsection (2)(c).

943 (b) For a ballot proposition or a bond proposition where the total of all votes cast for or
944 against the proposition is 400 or less, if the difference between the number of votes cast for the
945 proposition and the number of votes cast against the proposition is one vote, any 10 voters who
946 voted in the election where the proposition was on the ballot may file a request for a recount
947 within [~~seven days~~] one business day after the day of the canvass with the person described in
948 Subsection (2)(c).

949 (c) The 10 voters who file a request for a recount under Subsection (2)(a) or (b) shall
950 file the request with:

951 (i) the municipal clerk, if the election is a municipal election;
952 (ii) the local district clerk, if the election is a local district election;
953 (iii) the county clerk, for propositions voted on entirely within a single county; or
954 (iv) the lieutenant governor, for statewide propositions and multicounty propositions.
955 (d) The election officer shall:

- 956 (i) supervise the recount;
- 957 (ii) recount all ballots cast for that ballot proposition or bond proposition;
- 958 (iii) reexamine all unopened absentee ballots to ensure compliance with Chapter 3, Part
959 3, Absentee Voting; and
- 960 (iv) declare the ballot proposition or bond proposition to have "passed" or "failed"
961 based upon the results of the recount.
- 962 (e) Proponents and opponents of the ballot proposition or bond proposition may
963 designate representatives to witness the recount.
- 964 (f) The voters requesting the recount shall pay the costs of the recount.
- 965 (3) Costs incurred by recount under Subsection (1) may not be assessed against the
966 person requesting the recount.
- 967 (4) (a) Upon completion of the recount, the election officer shall immediately convene
968 the board of canvassers.
- 969 (b) The board of canvassers shall:
- 970 (i) canvass the election returns for the race or proposition that was the subject of the
971 recount; and
- 972 (ii) with the assistance of the election officer, prepare and sign the report required by
973 Section 20A-4-304 or Section 20A-4-306.
- 974 (c) If the recount is for a statewide or multicounty race or for a statewide proposition,
975 the board of county canvassers shall prepare and transmit a separate report to the lieutenant
976 governor as required by Subsection 20A-4-304(3).
- 977 (d) The canvassers' report prepared as provided in this Subsection (4) is the official
978 result of the race or proposition that is the subject of the recount.
- 979 Section 11. Section 20A-4-403 is amended to read:
- 980 **20A-4-403. Election contest -- Petition and response.**
- 981 (1) (a) In contesting the results of all elections, except for primary elections [~~and~~],
982 runoff elections, or bond elections, a registered voter shall contest the right of any person
983 declared elected to any office by filing a verified written complaint with the district court of the
984 county in which [~~he~~] the registered voter resides within [~~40~~] seven days after the day of the
985 canvass.
- 986 (b) The complaint shall include:

- 987 (i) the name of the party contesting the election;
- 988 (ii) a statement that the party is a registered voter in the jurisdiction in which the
989 election was held;
- 990 (iii) the name of the person whose right to the office is contested;
- 991 (iv) the office to which that person was ostensibly elected;
- 992 (v) one or more of the grounds for an election contest specified in Section 20A-4-402;
- 993 (vi) the person who was purportedly elected to the office as respondent; and
- 994 (vii) if the reception of illegal votes or the rejection of legal votes is alleged as a
995 ground for the contest, the name and address of all persons who allegedly cast illegal votes or
996 whose legal vote was rejected.

997 (c) When the reception of illegal votes or the rejection of legal votes is alleged as a
998 cause of contest, it is sufficient to state generally that:

999 (i) illegal votes were given in one or more specified voting precincts to a person whose
1000 election is contested, which, if taken from him, would reduce the number of his legal votes
1001 below the number of legal votes given to some other person for the same office; or

1002 (ii) that legal votes for another person were rejected, which, if counted, would raise the
1003 number of legal votes for that person above the number of legal votes cast for the person whose
1004 election is contested.

1005 (d) (i) The court may not take or receive evidence of any of the votes described in
1006 Subsection (1)(c) unless the party contesting the election delivers to the opposite party, at least
1007 three days before the trial, a written list of the number of contested votes and by whom the
1008 contested votes were given or offered, which he intends to prove at trial.

1009 (ii) The court may not take or receive any evidence of contested votes except those that
1010 are specified in that list.

1011 (2) (a) In contesting the results of a primary election, in contesting the results of a
1012 runoff election, when contesting the petition nominating an independent candidate, or when
1013 challenging any person, election officer, election official, board, or convention for failing to
1014 nominate a person, a registered voter shall contest the right of any person declared nominated
1015 to any office by filing a verified written complaint within [10] eight days after the [date] day of
1016 the [~~canvass for the~~] primary election or the runoff election, after the date of filing of the
1017 petition, or after the [date] day of the convention, respectively, with:

1018 (i) the district court of the county in which [~~he~~] the registered voter resides if [~~he~~] the
1019 registered voter is contesting a nomination made only by voters from that county; or

1020 (ii) the Utah Supreme Court, if [~~he~~] the registered voter is contesting a nomination
1021 made by voters in more than one county.

1022 (b) The complaint shall include:

1023 (i) the name of the party contesting the nomination;

1024 (ii) a statement that the contesting party is a registered voter in the jurisdiction in which
1025 the election was held;

1026 (iii) the name of the person whose right to nomination is contested or the name of the
1027 person who failed to have their name placed in nomination;

1028 (iv) the office to which that person was nominated or should have been nominated;

1029 (v) one or more of the grounds for an election contest specified in Subsection (1);

1030 (vi) the person who was purportedly nominated to the office as respondent; and

1031 (vii) if the reception of illegal votes or the rejection of legal votes is alleged as a
1032 ground for the contest, the name and address of all persons who allegedly cast illegal votes or
1033 whose legal vote was rejected.

1034 (c) When the reception of illegal votes or the rejection of legal votes is alleged as a
1035 cause of contest, it is sufficient to state generally that:

1036 (i) illegal votes were given to a person whose election is contested, which, if taken
1037 from [~~him~~] the person, would reduce the number of [~~his~~] the person's legal votes below the
1038 number of legal votes given to some other person for the same office; or

1039 (ii) legal votes for another person were rejected, which, if counted, would raise the
1040 number of legal votes for that person above the number of legal votes cast for the person whose
1041 election is contested.

1042 (d) (i) The court may not take or receive evidence of any of the votes described in
1043 Subsection (2)(c), unless the party contesting the election delivers to the opposite party, at least
1044 three days before the trial, a written list of the number of contested votes and by whom the
1045 contested votes were given or offered, which [~~he~~] the party contesting the election intends to
1046 prove at trial.

1047 (ii) The court may not take or receive any evidence of contested votes except those that
1048 are specified in that list.

1049 (3) (a) In contesting the results of a bond election, a registered voter shall contest the
1050 validity of the declared results by filing a verified written complaint with the district court of
1051 the county in which ~~he~~ the registered voter resides within ~~40~~ seven days after the ~~date~~ day
1052 of the official finding entered under Section 11-14-207.

1053 (b) The complaint shall include:

1054 (i) the name of the party contesting the election;

1055 (ii) a statement that the party is a registered voter in the jurisdiction in which the
1056 election was held;

1057 (iii) the bond proposition that is the subject of the contest;

1058 (iv) one or more of the grounds for an election contest specified in Section 20A-4-402;

1059 and

1060 (v) if the reception of illegal votes or the rejection of legal votes is alleged as a ground
1061 for the contest, the name and address of all persons who allegedly cast illegal votes or whose
1062 legal vote was rejected.

1063 (c) When the reception of illegal votes or the rejection of legal votes is alleged as a
1064 cause of contest, it is sufficient to state generally that:

1065 (i) illegal votes were counted in one or more specified voting precincts which, if taken
1066 out of the count, would change the declared result of the vote on the proposition; or

1067 (ii) legal votes were rejected in one or more specified voting precincts, which, if
1068 counted, would change the declared result of the vote on the proposition.

1069 (d) (i) The court may not take or receive evidence of any of the votes described in
1070 Subsection (3)(c) unless the party contesting the election delivers to the opposite party, at least
1071 three days before the trial, a written list of the number of contested votes and by whom the
1072 contested votes were given or offered, which ~~he~~ the party contesting the election intends to
1073 prove at trial.

1074 (ii) The court may not take or receive any evidence of contested votes except those that
1075 are specified in that list.

1076 (4) The court may not reject any statement of the grounds of contest or dismiss the
1077 proceedings because of lack of form, if the grounds of the contest are alleged with such
1078 certainty as will advise the defendant of the particular proceeding or cause for which the
1079 election is contested.

- 1080 (5) (a) The petitioner shall serve a copy of the petition on the respondent.
- 1081 (b) (i) If the petitioner cannot obtain personal service of the petition on the respondent,
1082 the petitioner may serve the respondent by leaving a copy of the petition with the clerk of the
1083 court with which the petition was filed.
- 1084 (ii) The clerk shall make diligent inquiry and attempt to inform the respondent that he
1085 has five days to answer the complaint.
- 1086 (c) The respondent shall answer the petition within five days after the service.
- 1087 (d) If the reception of illegal votes or the rejection of legal votes is alleged as a ground
1088 for the contest, the defendant shall set forth in the answer the name and address of all persons
1089 whom the defendant believes were properly or improperly admitted or denied the vote.
- 1090 (e) If the answer contains a counterclaim, the petitioner shall file a reply within [10]
1091 seven days after service of the counterclaim.
- 1092 (6) (a) The provisions of this Subsection (6) provide additional requirements that apply
1093 to municipal election contests that are in addition to the other requirements of this section
1094 governing election contest.
- 1095 (b) Municipal election contests shall be filed, tried, and determined in the district court
1096 of the county in which the municipality is located.
- 1097 (c) (i) [~~As a condition precedent to~~] When filing a municipal election contest petition,
1098 the petitioner shall file a written affidavit [~~of intention to contest the election~~] with the clerk of
1099 the court within seven days after the votes are canvassed.
- 1100 (ii) The affidavit shall include:
- 1101 (A) the petitioner's name;
- 1102 (B) the fact that the petitioner is a qualified voter of the municipality;
- 1103 (C) the respondent's name;
- 1104 (D) the elective office contested;
- 1105 (E) the time of election; and
- 1106 (F) the grounds for the contest.
- 1107 (d) (i) Before the district court takes jurisdiction of a municipal election contest, the
1108 petitioner shall file a bond with the clerk of the court with the sureties required by the court.
- 1109 (ii) The bond shall name the respondent as obligee and be conditioned for the payment
1110 of all costs incurred by the respondent if the respondent prevails.

1111 Section 12. Section **20A-5-303** is amended to read:

1112 **20A-5-303. Establishing, dividing, abolishing, and changing voting precincts --**
1113 **Common polling places -- Combined voting precincts.**

1114 (1) (a) After receiving recommendations from the county clerk, the county legislative
1115 body may establish, divide, abolish, and change voting precincts.

1116 (b) Within 30 days after the establishment, division, abolition, or change of a voting
1117 precinct under this section, the county legislative body shall file with the Automated
1118 Geographic Reference Center, created under Section **63F-1-506**, a notice describing the action
1119 taken and specifying the resulting boundaries of each voting precinct affected by the action.

1120 (2) (a) The county legislative body shall alter or divide voting precincts so that each
1121 voting precinct contains not more than 1,250 active voters.

1122 (b) The county legislative body shall:

1123 (i) identify those precincts that may reach the limit of active voters in a precinct under
1124 Subsection (2)(a) or that becomes too large to facilitate the election process; and

1125 (ii) except as provided by Subsection (3), divide those precincts on or before January 1
1126 of a general election year.

1127 (3) A county legislative body shall divide a precinct identified under Subsection
1128 (2)(b)(i) on or before January 31 of a regular general election year that immediately follows the
1129 calendar year in which the Legislature divides the state into districts in accordance with Utah
1130 Constitution, Article IX, Section 1.

1131 (4) Notwithstanding Subsection (2)(a) and except as provided by Subsection (5), the
1132 county legislative body may not:

1133 (a) establish or abolish any voting precinct after January 1 of a regular general election
1134 year;

1135 (b) alter or change the boundaries of any voting precinct after January 1 of a regular
1136 general election year; or

1137 (c) establish, divide, abolish, alter, or change a voting precinct between January 1 of a
1138 year immediately preceding the year in which an enumeration is required by the United States
1139 Constitution and the day on which the Legislature divides the state into districts in accordance
1140 with Utah Constitution, Article IX, Section 1.

1141 (5) A county legislative body may establish, divide, abolish, alter, or change a voting

1142 precinct on or before January 31 of a regular general election year that immediately follows the
1143 calendar year in which the Legislature divides the state into districts in accordance with Utah
1144 Constitution, Article IX, Section 1.

1145 (6) (a) For the purpose of voting in an election, the county legislative body may
1146 establish a common polling place for two or more whole voting precincts.

1147 (b) ~~[At least 90 days before the election]~~ In accordance with deadlines established by
1148 rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, by
1149 the director of elections within the Office of the Lieutenant Governor, the county legislative
1150 body shall designate:

1151 (i) the voting precincts that will vote at the common polling place; and

1152 (ii) the location of the common polling place.

1153 (c) A county may use one set of election judges for the common polling place under
1154 this Subsection (6).

1155 (7) Each county shall have at least two polling places open for voting on the date of the
1156 election.

1157 (8) Each common polling place shall have at least one voting device that is accessible
1158 for individuals with disabilities in accordance with Public Law 107-252, the Help America
1159 Vote Act of 2002.

1160 Section 13. Section **20A-5-409** is amended to read:

1161 **20A-5-409. Certification of candidates to county clerks.**

1162 ~~[No later than August 31 of each regular general election year]~~ In a regular general
1163 election year, no later than 10 days after the day of the runoff election, or, if a runoff election is
1164 not held, no later than August 31, the lieutenant governor shall certify to each county clerk the
1165 name of each candidate qualified to be printed on the regular general election ballot for that
1166 county clerk's county.

1167 Section 14. Section **20A-7-702** is amended to read:

1168 **20A-7-702. Voter information pamphlet -- Form -- Contents -- Distribution.**

1169 (1) The lieutenant governor shall ensure that all information submitted for publication
1170 in the voter information pamphlet is:

1171 (a) printed and bound in a single pamphlet;

1172 (b) printed in clear readable type, no less than 10 point, except that the text of any

1173 measure may be set forth in eight-point type; and

1174 (c) printed on a quality and weight of paper that best serves the voters.

1175 (2) ~~[The]~~ Subject to Subsection (5), the voter information pamphlet shall contain the

1176 following items in this order:

1177 (a) a cover title page;

1178 (b) an introduction to the pamphlet by the lieutenant governor;

1179 (c) a table of contents;

1180 (d) a list of all candidates for constitutional offices;

1181 (e) a list of candidates for each legislative district;

1182 (f) a 100-word statement of qualifications for each candidate for the office of governor,

1183 lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by the

1184 candidate to the lieutenant governor's office before 5 p.m. on ~~[the date that falls 105 days~~

1185 ~~before the date of the election]~~ the first business day in August;

1186 (g) information pertaining to all measures to be submitted to the voters, beginning a

1187 new page for each measure and containing, in the following order for each measure:

1188 (i) a copy of the number and ballot title of the measure;

1189 (ii) the final vote cast by the Legislature on the measure if it is a measure submitted by

1190 the Legislature or by referendum;

1191 (iii) the impartial analysis of the measure prepared by the Office of Legislative

1192 Research and General Counsel;

1193 (iv) the arguments in favor of the measure, the rebuttal to the arguments in favor of the

1194 measure, the arguments against the measure, and the rebuttal to the arguments against the

1195 measure, with the name and title of the authors at the end of each argument or rebuttal;

1196 (v) for each constitutional amendment, a complete copy of the text of the constitutional

1197 amendment, with all new language underlined, and all deleted language placed within brackets;

1198 (vi) for each initiative qualified for the ballot, a copy of the measure as certified by the

1199 lieutenant governor and a copy of the fiscal impact estimate prepared according to Section

1200 [20A-7-202.5](#); and

1201 (vii) for each referendum qualified for the ballot, a complete copy of the text of the law

1202 being submitted to the voters for their approval or rejection, with all new language underlined

1203 and all deleted language placed within brackets, as applicable;

- 1204 (h) a description provided by the Judicial Performance Evaluation Commission of the
1205 selection and retention process for judges, including, in the following order:
- 1206 (i) a description of the judicial selection process;
 - 1207 (ii) a description of the judicial performance evaluation process;
 - 1208 (iii) a description of the judicial retention election process;
 - 1209 (iv) a list of the criteria of the judicial performance evaluation and the minimum
1210 performance standards;
 - 1211 (v) the names of the judges standing for retention election; and
 - 1212 (vi) for each judge:
 - 1213 (A) a list of the counties in which the judge is subject to retention election;
 - 1214 (B) a short biography of professional qualifications and a recent photograph;
 - 1215 (C) a narrative concerning the judge's performance;
 - 1216 (D) for each standard of performance, a statement identifying whether or not the judge
1217 met the standard and, if not, the manner in which the judge failed to meet the standard;
 - 1218 (E) a statement identifying whether or not the Judicial Performance Evaluation
1219 Commission recommends the judge be retained or declines to make a recommendation and the
1220 number of votes for and against the commission's recommendation;
 - 1221 (F) any statement provided by a judge who is not recommended for retention by the
1222 Judicial Performance Evaluation Commission under Section [78A-12-203](#);
 - 1223 (G) in a bar graph, the average of responses to each survey category, displayed with an
1224 identification of the minimum acceptable score as set by Section [78A-12-205](#) and the average
1225 score of all judges of the same court level; and
 - 1226 (H) a website address that contains the Judicial Performance Evaluation Commission's
1227 report on the judge's performance evaluation;
 - 1228 (i) for each judge, a statement provided by the Utah Supreme Court identifying the
1229 cumulative number of informal reprimands, when consented to by the judge in accordance with
1230 Title 78A, Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of
1231 censure and suspension issued by the Utah Supreme Court under Utah Constitution, Article
1232 VIII, Section 13, during the judge's current term and the immediately preceding term, and a
1233 detailed summary of the supporting reasons for each violation of the Code of Judicial Conduct
1234 that the judge has received;

1235 (j) an explanation of ballot marking procedures prepared by the lieutenant governor,
1236 indicating the ballot marking procedure used by each county and explaining how to mark the
1237 ballot for each procedure;

1238 (k) voter registration information, including information on how to obtain an absentee
1239 ballot;

1240 (l) a list of all county clerks' offices and phone numbers; and

1241 (m) on the back cover page, a printed copy of the following statement signed by the
1242 lieutenant governor:

1243 "I, _____ (print name), Lieutenant Governor of Utah, certify that the
1244 measures contained in this pamphlet will be submitted to the voters of Utah at the election to
1245 be held throughout the state on ____ (date of election), and that this pamphlet is complete and
1246 correct according to law.

1247 SEAL

1248 Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this ____ day
1249 of ____ (month), ____ (year)

1250 (signed) _____
1251 Lieutenant Governor"

1252 (3) No earlier than 75 days, and no later than 15 days, before the day on which voting
1253 commences, the lieutenant governor shall:

1254 (a) (i) distribute one copy of the voter information pamphlet to each household within
1255 the state;

1256 (ii) distribute to each household within the state a notice:

1257 (A) printed on a postage prepaid, preaddressed return form that a person may use to
1258 request delivery of a voter information pamphlet by mail;

1259 (B) that states the address of the Statewide Electronic Voter Information Website
1260 authorized by Section 20A-7-801; and

1261 (C) that states the phone number a voter may call to request delivery of a voter
1262 information pamphlet by mail; or

1263 (iii) ensure that one copy of the voter information pamphlet is placed in one issue of
1264 every newspaper of general circulation in the state;

1265 (b) ensure that a sufficient number of printed voter information pamphlets are available

1266 for distribution as required by this section;

1267 (c) provide voter information pamphlets to each county clerk for free distribution upon
1268 request and for placement at polling places; and

1269 (d) ensure that the distribution of the voter information pamphlets is completed 15 days
1270 before the election.

1271 (4) The lieutenant governor may distribute a voter information pamphlet at a location
1272 frequented by a person who cannot easily access the Statewide Electronic Voter Information
1273 Website authorized by Section 20A-7-801.

1274 (5) If, when the lieutenant governor submits the voter information pamphlet for
1275 printing, the candidates who will appear on the ballot for a particular race are not known, the
1276 lieutenant governor may include in the voter information pamphlet the name and qualification
1277 statement of each candidate who may appear on the ballot together with a statement indicating:

1278 (a) that, at the time of printing, the names of the candidates who would appear on the
1279 ballot for that race were not known; and

1280 (b) the website where a voter may view the list of candidates who will appear on the
1281 ballot for that race.

1282 Section 15. Section 20A-7-801 is amended to read:

1283 **20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of**
1284 **the lieutenant governor -- Content -- Duties of local election officials -- Deadlines --**
1285 **Frequently asked voter questions -- Other elections.**

1286 (1) There is established the Statewide Electronic Voter Information Website Program
1287 administered by the lieutenant governor in cooperation with the county clerks for general
1288 elections and municipal authorities for municipal elections.

1289 (2) In accordance with this section, and as resources become available, the lieutenant
1290 governor, in cooperation with county clerks, shall develop, establish, and maintain a
1291 state-provided Internet website designed to help inform the voters of the state of:

1292 (a) the offices and candidates up for election; and

1293 (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments
1294 of ballot propositions submitted to the voters.

1295 (3) Except as provided under Subsection (6), the website shall include:

1296 (a) all information currently provided in the Utah voter information pamphlet under

1297 Title 20A, Chapter 7, Part 7, Voter Information Pamphlet, including a section prepared,
1298 analyzed, and submitted by the Judicial Council describing the judicial selection and retention
1299 process;

1300 (b) all information submitted by election officers under Subsection (4) on local office
1301 races, local office candidates, and local ballot propositions;

1302 (c) a list that contains the name of a political subdivision that operates an election day
1303 voting center under Section 20A-3-703 and the location of the election day voting center;

1304 (d) other information determined appropriate by the lieutenant governor that is
1305 currently being provided by law, rule, or ordinance in relation to candidates and ballot
1306 questions; and

1307 (e) any differences in voting method, time, or location designated by the lieutenant
1308 governor under Subsection 20A-1-308(2).

1309 (4) (a) An election official shall submit the following information for each ballot label
1310 under the election official's direct responsibility under this title:

1311 (i) a list of all candidates for each office;

1312 (ii) if submitted by the candidate to the election official's office at 5 p.m. at least [45]
1313 28 days before [~~the primary election and 60 days before the general~~] an election:

1314 (A) a statement of qualifications, not exceeding 200 words in length, for each
1315 candidate;

1316 (B) the following current biographical information if desired by the candidate, current:

1317 (I) age;

1318 (II) occupation;

1319 (III) city of residence;

1320 (IV) years of residence in current city; and

1321 (V) email address; and

1322 (C) a single web address where voters may access more information about the
1323 candidate and the candidate's views; and

1324 (iii) factual information pertaining to all ballot propositions submitted to the voters,
1325 including:

1326 (A) a copy of the number and ballot title of each ballot proposition;

1327 (B) the final vote cast for each ballot proposition, if any, by a legislative body if the

1328 vote was required to place the ballot proposition on the ballot;

1329 (C) a complete copy of the text of each ballot proposition, with all new language
1330 underlined and all deleted language placed within brackets; and

1331 (D) other factual information determined helpful by the election official.

1332 (b) The information under Subsection (4)(a) shall be submitted to the lieutenant
1333 governor no later than one business day after the deadline under Subsection (4)(a) for each
1334 general election year and each municipal election year.

1335 (c) The lieutenant governor shall:

1336 (i) review the information submitted under this section, to determine compliance under
1337 this section, prior to placing it on the website;

1338 (ii) refuse to post information submitted under this section on the website if it is not in
1339 compliance with the provisions of this section; and

1340 (iii) organize, format, and arrange the information submitted under this section for the
1341 website.

1342 (d) The lieutenant governor may refuse to include information the lieutenant governor
1343 determines is not in keeping with:

1344 (i) Utah voter needs;

1345 (ii) public decency; or

1346 (iii) the purposes, organization, or uniformity of the website.

1347 (e) A refusal under Subsection (4)(d) is subject to appeal in accordance with
1348 Subsection (5).

1349 (5) (a) A person whose information is refused under Subsection (4), and who is
1350 aggrieved by the determination, may appeal by submitting a written notice of appeal to the
1351 lieutenant governor within 10 business days after the date of the determination. A notice of
1352 appeal submitted under this Subsection (5)(a) shall contain:

1353 (i) a listing of each objection to the lieutenant governor's determination; and

1354 (ii) the basis for each objection.

1355 (b) The lieutenant governor shall review the notice of appeal and shall issue a written
1356 response within 10 business days after the notice of appeal is submitted.

1357 (c) An appeal of the response of the lieutenant governor shall be made to the district
1358 court, which shall review the matter de novo.

1359 (6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently
1360 enter the voter's address information on the website to retrieve information on which offices,
1361 candidates, and ballot propositions will be on the voter's ballot at the next general election or
1362 municipal election.

1363 (b) The information on the website will anticipate and answer frequent voter questions
1364 including the following:

1365 (i) what offices are up in the current year for which the voter may cast a vote;

1366 (ii) who is running for what office and who is the incumbent, if any;

1367 (iii) what address each candidate may be reached at and how the candidate may be
1368 contacted;

1369 (iv) for partisan races only, what, if any, is each candidate's party affiliation;

1370 (v) what qualifications have been submitted by each candidate;

1371 (vi) where additional information on each candidate may be obtained;

1372 (vii) what ballot propositions will be on the ballot; and

1373 (viii) what judges are up for retention election.

1374 (7) As resources are made available and in cooperation with the county clerks, the
1375 lieutenant governor may expand the electronic voter information website program to include
1376 the same information as provided under this section for special elections and primary elections.

1377 Section 16. Section **20A-8-103** is amended to read:

1378 **20A-8-103. Petition procedures -- Criminal penalty.**

1379 (1) As used in this section, the proposed name or emblem of a registered political party
1380 is "distinguishable" if a reasonable person of average intelligence will be able to perceive a
1381 difference between the proposed name or emblem and any name or emblem currently being
1382 used by another registered political party.

1383 (2) To become a registered political party, an organization of registered voters that is
1384 not a continuing political party shall:

1385 (a) circulate a petition seeking registered political party status beginning no earlier than
1386 the date of the statewide canvass held after the last regular general election and ending no later
1387 than [~~the February 15~~] November 30 of the year before the year in which the next regular
1388 general election will be held; and

1389 (b) file a petition with the lieutenant governor that is signed, with a holographic

1390 signature, by at least 2,000 registered voters on or before [~~February 15~~] November 30 of the
1391 year before the year in which a regular general election will be held.

1392 (3) The petition shall:

1393 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;

1394 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
1395 blank for the purpose of binding;

1396 (c) contain the name of the political party and the words "Political Party Registration
1397 Petition" printed directly below the horizontal line;

1398 (d) contain the word "Warning" printed directly under the words described in
1399 Subsection (3)(c);

1400 (e) contain, to the right of the word "Warning," the following statement printed in not
1401 less than eight-point, single leaded type:

1402 "It is a class A misdemeanor for anyone to knowingly sign a political party registration
1403 petition signature sheet with any name other than the person's own name or more than once for
1404 the same party or if the person is not registered to vote in this state and does not intend to
1405 become registered to vote in this state before the petition is submitted to the lieutenant
1406 governor.";

1407 (f) contain the following statement directly under the statement described in Subsection
1408 (3)(e):

1409 "POLITICAL PARTY REGISTRATION PETITION To the Honorable _____,
1410 Lieutenant Governor:

1411 We, the undersigned citizens of Utah, seek registered political party status for _____
1412 (name);

1413 Each signer says:

1414 I have personally signed this petition with a holographic signature;

1415 I am registered to vote in Utah or will register to vote in Utah before the petition is
1416 submitted to the lieutenant governor;

1417 I am or desire to become a member of the political party; and

1418 My street address is written correctly after my name."; and

1419 (g) be vertically divided into columns as follows:

1420 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be

1421 headed with "For Office Use Only," and be subdivided with a light vertical line down the
1422 middle;

1423 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
1424 Name (must be legible to be counted)";

1425 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
1426 Registered Voter";

1427 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

1428 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
1429 Code"; and

1430 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
1431 information is not required, but it may be used to verify your identity with voter registration
1432 records. If you choose not to provide it, your signature may not be certified as a valid signature
1433 if you change your address before petition signatures are certified or if the information you
1434 provide does not match your voter registration records.";

1435 (h) have a final page bound to one or more signature sheets that are bound together that
1436 contains the following printed statement:

1437 "Verification

1438 State of Utah, County of ____

1439 I, _____, of _____, hereby state that:

1440 I am a Utah resident and am at least 18 years old;

1441 All the names that appear on the signature sheets bound to this page were signed by
1442 persons who professed to be the persons whose names appear on the signature sheets, and each
1443 of them signed the person's name on the signature sheets in my presence;

1444 I believe that each has printed and signed the person's name and written the person's
1445 street address correctly, and that each signer is registered to vote in Utah or will register to vote
1446 in Utah before the petition is submitted to the lieutenant governor.

1447 _____
1448 (Signature)

(Residence Address)

(Date)"; and

1449 (i) be bound to a cover sheet that:

1450 (i) identifies the political party's name, which may not exceed four words, and the
1451 emblem of the party;

1452 (ii) states the process that the organization will follow to organize and adopt a
1453 constitution and bylaws; and

1454 (iii) is signed by a filing officer, who agrees to receive communications on behalf of
1455 the organization.

1456 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the person in
1457 whose presence each signature sheet is signed:

1458 (a) is at least 18 years old;

1459 (b) meets the residency requirements of Section 20A-2-105; and

1460 (c) verifies each signature sheet by completing the verification bound to one or more
1461 signature sheets that are bound together.

1462 (5) A person may not sign the verification if the person signed a signature sheet bound
1463 to the verification.

1464 (6) The lieutenant governor shall:

1465 (a) determine whether the required number of voters appears on the petition;

1466 (b) review the proposed name and emblem to determine if they are "distinguishable"
1467 from the names and emblems of other registered political parties; and

1468 (c) certify the lieutenant governor's findings to the filing officer described in
1469 Subsection (3)(i)(iii) within 30 days of the filing of the petition.

1470 (7) (a) If the lieutenant governor determines that the petition meets the requirements of
1471 this section, and that the proposed name and emblem are distinguishable, the lieutenant
1472 governor shall authorize the filing officer described in Subsection (3)(i)(iii) to organize the
1473 prospective political party.

1474 (b) If the lieutenant governor finds that the name, emblem, or both are not
1475 distinguishable from the names and emblems of other registered political parties, the lieutenant
1476 governor shall notify the filing officer that the filing officer has seven days to submit a new
1477 name or emblem to the lieutenant governor.

1478 (8) A registered political party may not change its name or emblem during the regular
1479 general election cycle.

1480 (9) (a) It is unlawful for any person to:

1481 (i) knowingly sign a political party registration petition:

1482 (A) with any name other than the person's own name;

- 1483 (B) more than once for the same political party; or
1484 (C) if the person is not registered to vote in this state and does not intend to become
1485 registered to vote in this state before the petition is submitted to the lieutenant governor; or
1486 (ii) sign the verification of a political party registration petition signature sheet if the
1487 person:
1488 (A) does not meet the residency requirements of Section 20A-2-105;
1489 (B) has not witnessed the signing by those persons whose names appear on the political
1490 party registration petition signature sheet; or
1491 (C) knows that a person whose signature appears on the political party registration
1492 petition signature sheet is not registered to vote in this state and does not intend to become
1493 registered to vote in this state.

1494 (b) Any person violating this Subsection (9) is guilty of a class A misdemeanor.

1495 Section 17. Section 20A-8-402.5 is enacted to read:

1496 **20A-8-402.5. Notification of political convention dates.**

1497 (1) On or before February 15 of each even-numbered year, a registered political party
1498 shall notify the lieutenant governor of the dates of each political convention that will be held by
1499 the registered political party that year.

1500 (2) If, after providing the notice described in Subsection (1), a registered political party
1501 changes the date of a political convention, the registered political party shall notify the
1502 lieutenant governor of the change within one business day after the day on which the registered
1503 political party makes the change.

1504 Section 18. Section 20A-9-101 is amended to read:

1505 **20A-9-101. Definitions.**

1506 As used in this chapter:

1507 (1) (a) "Candidates for elective office" means persons who file a declaration of
1508 candidacy under Section 20A-9-202 to run in a regular general election for a federal office,
1509 constitutional office, multicounty office, or county office.

1510 (b) "Candidates for elective office" does not mean candidates for:

1511 (i) justice or judge of court of record or not of record;

1512 (ii) presidential elector;

1513 (iii) any political party offices; and

- 1514 (iv) municipal or local district offices.
- 1515 (2) "Constitutional office" means the state offices of governor, lieutenant governor,
1516 attorney general, state auditor, and state treasurer.
- 1517 (3) "Continuing political party" means the same as that term is defined in Section
1518 [20A-8-101](#).
- 1519 (4) (a) "County office" means an elective office where the officeholder is selected by
1520 voters entirely within one county.
- 1521 (b) "County office" does not mean:
- 1522 (i) the office of justice or judge of any court of record or not of record;
1523 (ii) the office of presidential elector;
1524 (iii) any political party offices;
1525 (iv) any municipal or local district offices; and
1526 (v) the office of United States Senator and United States Representative.
- 1527 (5) "Federal office" means an elective office for United States Senator and United
1528 States Representative.
- 1529 (6) "Filing officer" means:
- 1530 (a) the lieutenant governor, for:
- 1531 (i) the office of United States Senator and United States Representative; and
1532 (ii) all constitutional offices;
1533 (b) the county clerk, for county offices and local school district offices, and the county
1534 clerk in the filer's county of residence, for multicounty offices;
- 1535 (c) the city or town clerk, for municipal offices; and
1536 (d) the local district clerk, for local district offices.
- 1537 (7) "Local district office" means an elected office in a local district.
- 1538 (8) "Local government office" includes county offices, municipal offices, and local
1539 district offices and other elective offices selected by the voters from a political division entirely
1540 within one county.
- 1541 (9) (a) "Multicounty office" means an elective office where the officeholder is selected
1542 by the voters from more than one county.
- 1543 (b) "Multicounty office" does not mean:
- 1544 (i) a county office;

- 1545 (ii) a federal office;
- 1546 (iii) the office of justice or judge of any court of record or not of record;
- 1547 (iv) the office of presidential elector;
- 1548 (v) any political party offices; and
- 1549 (vi) any municipal or local district offices.
- 1550 (10) "Municipal office" means an elective office in a municipality.
- 1551 (11) (a) "Political division" means a geographic unit from which an officeholder is
- 1552 elected and that an officeholder represents.
- 1553 (b) "Political division" includes a county, a city, a town, a local district, a school
- 1554 district, a legislative district, and a county prosecution district.
- 1555 (12) "Qualified political party" means a registered political party that:
- 1556 (a) (i) permits a delegate for the registered political party to vote on a candidate
- 1557 nomination in the registered political party's convention remotely; or
- 1558 (ii) provides a procedure for designating an alternate delegate if a delegate is not
- 1559 present at the registered political party's convention;
- 1560 (b) does not hold the registered political party's convention before the later of:
- 1561 (i) the [fourth] second Saturday in March of an even-numbered year; or
- 1562 (ii) the day after the last day of the Legislature's general session of an even-numbered
- 1563 year;
- 1564 (c) permits a member of the registered political party to seek the registered political
- 1565 party's nomination for any elective office by the member choosing to seek the nomination by
- 1566 either or both of the following methods:
- 1567 (i) seeking the nomination through the registered political party's convention process,
- 1568 in accordance with the provisions of Section 20A-9-407; or
- 1569 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
- 1570 of Section 20A-9-408; and
- 1571 (d) (i) if the registered political party is a continuing political party, no later than 5 p.m.
- 1572 on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the
- 1573 election in the following year, the registered political party intends to nominate the registered
- 1574 political party's candidates in accordance with the provisions of Section 20A-9-406; or
- 1575 (ii) if the registered political party is not a continuing political party, certifies at the

1576 time that the registered political party files the petition described in Section 20A-8-103 that, for
1577 the next election, the registered political party intends to nominate the registered political
1578 party's candidates in accordance with the provisions of Section 20A-9-406.

1579 Section 19. Section 20A-9-202 is amended to read:

1580 **20A-9-202. Declarations of candidacy for regular general elections.**

1581 (1) (a) Each person seeking to become a candidate for an elective office that is to be
1582 filled at the next regular general election shall:

1583 (i) file a declaration of candidacy in person with the filing officer;

1584 (A) on or after the first business day following January 1 of the regular general election
1585 year~~[, and];~~;

1586 (B) on or before the fifth business day following January 1 of the regular general
1587 election year; and

1588 (C) if applicable, before the candidate circulates nomination petitions under Section
1589 20A-9-405; and

1590 (ii) pay the filing fee.

1591 (b) Each county clerk who receives a declaration of candidacy from a candidate for
1592 multicounty office shall transmit ~~[the filing fee and]~~ a copy of the candidate's declaration of
1593 candidacy to the lieutenant governor ~~[within one working]~~ at the end of each business day after
1594 [it is filed] the day on which the county clerk receives the declaration of candidacy.

1595 ~~[(c) Each day during the filing period, each county clerk shall notify the lieutenant~~
1596 ~~governor electronically or by telephone of candidates who have filed in their office.]~~

1597 ~~[(d)]~~ (c) Each person seeking the office of lieutenant governor, the office of district
1598 attorney, or the office of president or vice president of the United States shall comply with the
1599 specific declaration of candidacy requirements established by this section.

1600 (2) (a) Each person intending to become a candidate for the office of district attorney
1601 within a multicounty prosecution district that is to be filled at the next regular general election
1602 shall:

1603 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement
1604 creating the prosecution district;

1605 (A) on or after the first business day following January 1 of the regular general election
1606 year~~[, and];~~;

1607 (B) on or before the fifth business day following January 1 of the regular general
1608 election year; and

1609 (C) if applicable, before the candidate circulates nomination petitions under Section
1610 20A-9-405; and

1611 (ii) pay the filing fee.

1612 (b) The designated clerk shall provide to the county clerk of each county in the
1613 prosecution district a certified copy of each declaration of candidacy filed for the office of
1614 district attorney.

1615 (3) (a) On or before 5 p.m. on the first Monday after the [~~third~~] second Saturday in
1616 April, each lieutenant governor candidate shall:

1617 (i) file a declaration of candidacy with the lieutenant governor;

1618 (ii) pay the filing fee; and

1619 (iii) submit a letter from a candidate for governor who has received certification for the
1620 primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate
1621 as a joint-ticket running mate.

1622 (b) Any candidate for lieutenant governor who fails to timely file is disqualified. If a
1623 lieutenant governor is disqualified, another candidate shall file to replace the disqualified
1624 candidate.

1625 (4) Each registered political party shall:

1626 (a) certify the names of [~~its~~] the registered political party's candidates for president and
1627 vice president of the United States to the lieutenant governor no later than August 31; or

1628 (b) provide written authorization for the lieutenant governor to accept the certification
1629 of candidates for president and vice president of the United States from the national office of
1630 the registered political party.

1631 (5) (a) A declaration of candidacy filed under this section is valid unless a written
1632 objection is filed with the clerk or lieutenant governor within five days after the last day for
1633 filing.

1634 (b) If an objection is made, the clerk or lieutenant governor shall:

1635 (i) mail or personally deliver notice of the objection to the affected candidate
1636 immediately; and

1637 (ii) decide any objection within 48 hours after it is filed.

1638 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
1639 problem by amending the declaration or petition within three days after the objection is
1640 sustained or by filing a new declaration within three days after the objection is sustained.

1641 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

1642 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
1643 by a district court if prompt application is made to the court.

1644 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
1645 of its discretion, agrees to review the lower court decision.

1646 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by
1647 filing a written affidavit with the clerk.

1648 (7) Except as provided in Subsection 20A-9-201(4)(b), notwithstanding a requirement
1649 in this section to file a declaration of candidacy in person, a person may designate an agent to
1650 file the form described in Subsection 20A-9-201(4) in person with the filing officer if:

1651 (a) the person is located outside the state during the filing period because:

1652 (i) of employment with the state or the United States; or

1653 (ii) the person is a member of:

1654 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
1655 Coast Guard of the United States who is on active duty;

1656 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
1657 commissioned corps of the National Oceanic and Atmospheric Administration of the United
1658 States; or

1659 (C) the National Guard on activated status;

1660 (b) the person communicates with the filing officer using an electronic device that
1661 allows the person and filing officer to see and hear each other; and

1662 (c) the person provides the filing officer with an email address to which the filing
1663 officer may send the copies described in Subsection 20A-9-201(3).

1664 Section 20. Section 20A-9-403 is amended to read:

1665 **20A-9-403. Regular primary elections.**

1666 (1) (a) Candidates for elective office that are to be filled at the next regular general
1667 election shall be nominated in a regular primary election, and a runoff election as applicable, by
1668 direct vote of the people in the manner prescribed in this section. The ~~fourth~~ second Tuesday

1669 of June of each even-numbered year is designated as regular primary election day. Nothing in
1670 this section shall affect a candidate's ability to qualify for a regular general election's ballot as
1671 an unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election
1672 as a write-in candidate under Section 20A-9-601.

1673 (b) Each registered political party that chooses to have the names of its candidates for
1674 elective office featured with party affiliation on the ballot at a regular general election shall
1675 comply with the requirements of this section and shall nominate its candidates for elective
1676 office in the manner prescribed in this section.

1677 (c) A filing officer may not permit an official ballot at a regular general election to be
1678 produced or used if the ballot denotes affiliation between a registered political party or any
1679 other political group and a candidate for elective office who was not nominated in the manner
1680 prescribed in this section or in Subsection 20A-9-202(4).

1681 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
1682 even-numbered year in which a regular general election will be held.

1683 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,
1684 shall:

1685 (i) either declare their intent to participate in the next regular primary election or
1686 declare that the registered political party chooses not to have the names of its candidates for
1687 elective office featured on the ballot at the next regular general election; and

1688 (ii) if the registered political party participates in the upcoming regular primary
1689 election, identify one or more registered political parties whose members may vote for the
1690 registered political party's candidates and whether or not persons identified as unaffiliated with
1691 a political party may vote for the registered political party's candidates.

1692 (b) (i) A registered political party that is a continuing political party must file the
1693 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on
1694 November [15] 30 of each odd-numbered year.

1695 (ii) An organization that is seeking to become a registered political party under Section
1696 20A-8-103 must file the statement described in Subsection (2)(a) at the time that the registered
1697 political party files the petition described in Section 20A-8-103.

1698 (3) (a) Except as provided in Subsection (3)(e), a person who has submitted a
1699 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective

1700 office on the regular primary ballot of the registered political party listed on the declaration of
1701 candidacy only if the person is certified by the appropriate filing officer as having submitted a
1702 set of nomination petitions that was:

1703 (i) circulated and completed in accordance with Section 20A-9-405; and

1704 (ii) signed by at least two percent of the registered political party's members who reside
1705 in the political division of the office that the person seeks.

1706 (b) A candidate for elective office shall submit nomination petitions to the appropriate
1707 filing officer for verification and certification no later than 5 p.m. on the final day in March.

1708 Candidates may supplement their submissions at any time on or before the filing deadline.

1709 (c) The lieutenant governor shall determine for each elective office the total number of
1710 signatures that must be submitted under Subsection (3)(a)(ii) by counting the aggregate number
1711 of persons residing in each elective office's political division who have designated a particular
1712 registered political party on their voter registration forms as of November [†] 15 of each
1713 odd-numbered year. The lieutenant governor shall publish this determination for each elective
1714 office no later than November [†5] 30 of each odd-numbered year.

1715 (d) The filing officer shall:

1716 (i) verify signatures on nomination petitions in a transparent and orderly manner;

1717 (ii) for all qualifying candidates for elective office who submitted nomination petitions
1718 to the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on
1719 the first Monday after the [third] first Saturday in April;

1720 (iii) consider active and inactive voters eligible to sign nomination petitions;

1721 (iv) consider a person who signs a nomination petition a member of a registered
1722 political party for purposes of Subsection (3)(a)(ii) if the person has designated that registered
1723 political party as the person's party membership on the person's voter registration form; and

1724 (v) utilize procedures described in Section 20A-7-206.3 to verify submitted nomination
1725 petition signatures, or use statistical sampling procedures to verify submitted nomination
1726 petition signatures pursuant to rules made under Subsection (3)(f).

1727 (e) Notwithstanding any other provision in this Subsection (3), a candidate for
1728 lieutenant governor may appear on the regular primary ballot of a registered political party
1729 without submitting nomination petitions if the candidate files a declaration of candidacy and
1730 complies with Subsection 20A-9-202(3).

1731 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1732 director of elections, within the Office of the Lieutenant Governor, [~~shall~~] may make rules that:

1733 (i) provide for the use of statistical sampling procedures that:

1734 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and

1735 (B) reflect a bona fide effort to determine the validity of a candidate's entire
1736 submission, using widely recognized statistical sampling techniques; and

1737 (ii) provide for the transparent, orderly, and timely submission, verification, and
1738 certification of nomination petition signatures.

1739 (g) The county clerk shall:

1740 (i) review the declarations of candidacy filed by candidates for local boards of
1741 education to determine if more than two candidates have filed for the same seat;

1742 (ii) place the names of all candidates who have filed a declaration of candidacy for a
1743 local board of education seat on the nonpartisan section of the ballot if more than two
1744 candidates have filed for the same seat; and

1745 (iii) determine the order of the local board of education candidates' names on the ballot
1746 in accordance with Section [20A-6-305](#).

1747 (4) (a) By 5 p.m. on the first Wednesday after the [~~third~~] second Saturday in April, the
1748 lieutenant governor shall provide to the county clerks:

1749 (i) a list of the names of all candidates for federal, constitutional, multi-county, and
1750 county offices who have received certifications under Subsection (3), along with instructions
1751 on how those names shall appear on the primary-election ballot in accordance with Section
1752 [20A-6-305](#); and

1753 (ii) a list of unopposed candidates for elective office who have been nominated by a
1754 registered political party under Subsection (5)(c) and instruct the county clerks to exclude such
1755 candidates from the primary-election ballot.

1756 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1757 joint-ticket running mates shall appear jointly on the primary-election ballot.

1758 (c) After the county clerk receives the certified list from the lieutenant governor under
1759 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
1760 substantially the following form:

1761 "Notice is given that a primary election will be held Tuesday, June ____,

1762 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
1763 local school board positions listed on the primary ballot. The polling place for voting precinct
1764 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
1765 Attest: county clerk."

1766 (5) (a) [~~Candidates~~] Except as otherwise provided in Section 20A-9-409.5, candidates,
1767 other than presidential candidates, receiving the highest number of votes cast for each office at
1768 the regular primary election are nominated by their registered political party for that office or
1769 are nominated as a candidate for a nonpartisan local school board position.

1770 (b) [~~If~~] Except as otherwise provided in Section 20A-9-409.5, if two or more
1771 candidates, other than presidential candidates, are to be elected to the office at the regular
1772 general election, those party candidates equal in number to positions to be filled who receive
1773 the highest number of votes at the regular primary election are the nominees of their party for
1774 those positions.

1775 (c) A candidate who is unopposed for an elective office in the regular primary election
1776 of a registered political party is nominated by the party for that office without appearing on the
1777 primary ballot. A candidate is "unopposed" if no person other than the candidate has received a
1778 certification under Subsection (3) for the regular primary election ballot of the candidate's
1779 registered political party for a particular elective office.

1780 (6) Except as otherwise provided in Section 20A-9-409.5:

1781 (a) [~~When~~] when a tie vote occurs in any primary election for any national, state, or
1782 other office that represents more than one county, the governor, lieutenant governor, and
1783 attorney general shall, at a public meeting called by the governor and in the presence of the
1784 candidates involved, select the nominee by lot cast in whatever manner the governor
1785 determines[-]; and

1786 (b) [~~When~~] when a tie vote occurs in any primary election for any county office, the
1787 district court judges of the district in which the county is located shall, at a public meeting
1788 called by the judges and in the presence of the candidates involved, select the nominee by lot
1789 cast in whatever manner the judges determine.

1790 (7) [~~The~~] Except as otherwise provided in Section 20A-9-409.5, the expense of
1791 providing all ballots, blanks, or other supplies to be used at any primary election provided for
1792 by this section, and all expenses necessarily incurred in the preparation for or the conduct of

1793 that primary election shall be paid out of the treasury of the county or state, in the same manner
1794 as for the regular general elections.

1795 (8) An individual may not file a declaration of candidacy for a registered political party
1796 of which the individual is not a member, except to the extent that the registered political party
1797 permits otherwise under the registered political party's bylaws.

1798 Section 21. Section **20A-9-406** is amended to read:

1799 **20A-9-406. Qualified political party -- Requirements and exemptions.**

1800 The following provisions apply to a qualified political party:

1801 (1) the qualified political party shall, no later than 5 p.m. on [~~March 1 of each~~
1802 ~~even-numbered~~] November 30 of each odd-numbered year, certify to the lieutenant governor
1803 the identity of one or more registered political parties whose members may vote for the
1804 qualified political party's candidates and whether unaffiliated voters may vote for the qualified
1805 political party's candidates;

1806 (2) the provisions of Subsections **20A-9-403**(1) through (4)(a), Subsection
1807 **20A-9-403**(5)(c), and Section **20A-9-405** do not apply to a nomination for the qualified
1808 political party;

1809 (3) an individual may only seek the nomination of the qualified political party by using
1810 a method described in Section **20A-9-407**, Section **20A-9-408**, or both;

1811 (4) the qualified political party shall comply with the provisions of Sections
1812 **20A-9-407**, **20A-9-408**, and **20A-9-409**;

1813 (5) notwithstanding Subsection **20A-6-301**(1)(a), (1)(g), or (2)(a), each election officer
1814 shall ensure that a ballot described in Section **20A-6-301** includes each [~~person~~] individual
1815 nominated by a qualified political party:

1816 (a) under the qualified political party's name, if any; or

1817 (b) under the title of the qualified registered political party as designated by the
1818 qualified political party in the certification described in Subsection (1), or, if none is
1819 designated, then under some suitable title;

1820 (6) notwithstanding Subsection **20A-6-302**(1)(a), each election officer shall ensure, for
1821 paper ballots in regular general elections, that each candidate who is nominated by the qualified
1822 political party is listed by party;

1823 (7) notwithstanding Subsection **20A-6-303**(1)(d), each election officer shall ensure that

1824 the party designation of each candidate who is nominated by the qualified political party is
1825 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;

1826 (8) notwithstanding Subsection 20A-6-304(1)(e), each election officer shall ensure that
1827 the party designation of each candidate who is nominated by the qualified political party is
1828 displayed adjacent to the candidate's name on an electronic ballot;

1829 (9) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also
1830 includes an individual who files a declaration of candidacy under Section 20A-9-407 or
1831 20A-9-408 to run in a regular general election for a federal office, constitutional office,
1832 multicounty office, or county office;

1833 (10) an individual who is nominated by, or seeking the nomination of, the qualified
1834 political party is not required to comply with Subsection 20A-9-201(1)(c);

1835 (11) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled
1836 to have each of the qualified political party's candidates for elective office appear on the
1837 primary ballot of the qualified political party with an indication that each candidate is a
1838 candidate for the qualified political party;

1839 (12) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include
1840 on the list provided by the lieutenant governor to the county clerks:

1841 (a) the names of all candidates of the qualified political party for federal, constitutional,
1842 multicounty, and county offices; and

1843 (b) the names of unopposed candidates for elective office who have been nominated by
1844 the qualified political party and instruct the county clerks to exclude such candidates from the
1845 primary-election ballot;

1846 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an
1847 elective office in the regular primary election of the qualified political party is nominated by
1848 the party for that office without appearing on the primary ballot; and

1849 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
1850 20A-9-405, the qualified political party is entitled to have the names of its candidates for
1851 elective office featured with party affiliation on the ballot at a regular general election.

1852 Section 22. Section 20A-9-407 is amended to read:

1853 **20A-9-407. Convention process to seek the nomination of a qualified political**
1854 **party.**

1855 (1) This section describes the requirements for a member of a qualified political party
1856 who is seeking the nomination of a qualified political party for an elective office through the
1857 qualified political party's convention process.

1858 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
1859 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1860 the nomination of, the qualified political party under this section shall be substantially as
1861 described in Section 20A-9-408.5.

1862 [~~(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in~~
1863 ~~Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is~~
1864 ~~seeking the nomination of the qualified political party for an elective office that is to be filled at~~
1865 ~~the next general election, shall:]~~

1866 [~~(a) file a declaration of candidacy in person with the filing officer on or after the~~
1867 ~~second Friday in March and before 5 p.m. on the third Thursday in March before the next~~
1868 ~~regular general election; and]~~

1869 [~~(b) pay the filing fee.]~~

1870 [~~(4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political~~
1871 ~~party who, under this section, is seeking the nomination of the qualified political party for the~~
1872 ~~office of district attorney within a multicounty prosecution district that is to be filled at the next~~
1873 ~~general election shall:]~~

1874 [~~(a) file a declaration of candidacy with the county clerk designated in the interlocal~~
1875 ~~agreement creating the prosecution district on or after the second Friday in March and before 5~~
1876 ~~p.m. on the third Thursday in March before the next regular general election; and]~~

1877 [~~(b) pay the filing fee.]~~

1878 [(5)] (3) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor
1879 candidate who files as the joint-ticket running mate of an individual who is nominated by a
1880 qualified political party, under this section, for the office of governor shall submit a letter from
1881 the candidate for governor that names the lieutenant governor candidate as a joint-ticket
1882 running mate.

1883 [(6)] (4) (a) A qualified political party that nominates a candidate under this section
1884 shall certify the name of the candidate to the lieutenant governor before 5 p.m. on the first
1885 Monday after the [fourth] second Saturday in April.

1886 (b) The lieutenant governor shall ensure that the certification described in Subsection
1887 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
1888 under this section.

1889 [(7)] (5) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate
1890 who is nominated by a qualified political party under this section, designate the qualified
1891 political party that nominated the candidate.

1892 Section 23. Section 20A-9-408 is amended to read:

1893 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
1894 **political party.**

1895 (1) This section describes the requirements for a member of a qualified political party
1896 who is seeking the nomination of the qualified political party for an elective office through the
1897 signature-gathering process described in this section.

1898 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
1899 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1900 the nomination of, the qualified political party under this section shall be substantially as
1901 described in Section 20A-9-408.5.

1902 (3) [~~Notwithstanding Subsection 20A-9-202(1)(a), and except~~] Except as provided in
1903 Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is
1904 seeking the nomination of the qualified political party for an elective office that is to be filled at
1905 the next regular general election shall ~~[(a) within the period beginning on January 1 before the~~
1906 ~~next regular general election and ending on the third Thursday in March of the same year],~~ on
1907 or after the first business day and on or before the fifth business day in January of the regular
1908 general election year, and before gathering signatures under this section, file with the filing
1909 officer on a form approved by the lieutenant governor a notice of intent to gather signatures for
1910 candidacy that includes:

1911 [(i)] (a) the name of the member who will attempt to become a candidate for a
1912 registered political party under this section;

1913 [(ii)] (b) the name of the registered political party for which the member is seeking
1914 nomination;

1915 [(iii)] (c) the office for which the member is seeking to become a candidate;

1916 [(iv)] (d) the address and telephone number of the member; and

1917 ~~[(v)] (e) other information required by the lieutenant governor[;].~~

1918 ~~[(b) file a declaration of candidacy, in person, with the filing officer on or after the~~

1919 ~~second Friday in March and before 5 p.m. on the third Thursday in March before the next~~

1920 ~~regular general election; and]~~

1921 ~~[(c) pay the filing fee.]~~

1922 (4) ~~[Notwithstanding Subsection 20A-9-202(2)(a), a]~~ A member of a qualified political

1923 party who, under this section, is seeking the nomination of the qualified political party for the

1924 office of district attorney within a multicounty prosecution district that is to be filled at the next

1925 regular general election shall~~[-(a) on or after January 1 before the next regular general~~

1926 election], on or after the first business day and on or before the fifth business day in January of

1927 the regular general election year, and before gathering signatures under this section, file with

1928 the filing officer on a form approved by the lieutenant governor a notice of intent to gather

1929 signatures for candidacy that includes:

1930 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for a

1931 registered political party under this section;

1932 ~~[(ii)]~~ (b) the name of the registered political party for which the member is seeking

1933 nomination;

1934 ~~[(iii)]~~ (c) the office for which the member is seeking to become a candidate;

1935 ~~[(iv)]~~ (d) the address and telephone number of the member; and

1936 ~~[(v)]~~ (e) other information required by the lieutenant governor[;].

1937 ~~[(b) file a declaration of candidacy, in person, with the filing officer on or after the~~

1938 ~~second Friday in March and before 5 p.m. on the third Thursday in March before the next~~

1939 ~~regular general election; and]~~

1940 ~~[(c) pay the filing fee.]~~

1941 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate

1942 who files as the joint-ticket running mate of an individual who is nominated by a qualified

1943 political party, under this section, for the office of governor shall submit a letter from the

1944 candidate for governor that names the lieutenant governor candidate as a joint-ticket running

1945 mate.

1946 (6) The lieutenant governor shall ensure that the certification described in Subsection

1947 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party

1948 under this section.

1949 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1950 is nominated by a qualified political party under this section, designate the qualified political
1951 party that nominated the candidate.

1952 (8) A member of a qualified political party may seek the nomination of the qualified
1953 political party for an elective office by:

1954 (a) complying with the requirements described in this section; and

1955 (b) collecting signatures, on a form approved by the lieutenant governor, during the
1956 period beginning on the first business day in January [†] of an even-numbered year and ending
1957 14 days before the day on which the qualified political party's convention for the office is held,
1958 in the following amounts:

1959 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
1960 permitted by the qualified political party to vote for the qualified political party's candidates in
1961 a primary election;

1962 (ii) for a congressional district race, 7,000 signatures of registered voters who are
1963 residents of the congressional district and are permitted by the qualified political party to vote
1964 for the qualified political party's candidates in a primary election;

1965 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1966 residents of the state Senate district and are permitted by the qualified political party to vote for
1967 the qualified political party's candidates in a primary election;

1968 (iv) for a state House district race, 1,000 signatures of registered voters who are
1969 residents of the state House district and are permitted by the qualified political party to vote for
1970 the qualified political party's candidates in a primary election;

1971 (v) for a State Board of Education race, the lesser of:

1972 (A) 2,000 signatures of registered voters who are residents of the State Board of
1973 Education district and are permitted by the qualified political party to vote for the qualified
1974 political party's candidates in a primary election; or

1975 (B) 3% of the registered voters of the qualified political party who are residents of the
1976 applicable State Board of Education district; and

1977 (vi) for a county office race, signatures of 3% of the registered voters who are residents
1978 of the area permitted to vote for the county office and are permitted by the qualified political

1979 party to vote for the qualified political party's candidates in a primary election.

1980 (9) (a) In order for a member of the qualified political party to qualify as a candidate
1981 for the qualified political party's nomination for an elective office under this section, the
1982 member shall:

1983 (i) collect the signatures on a form approved by the lieutenant governor, using the same
1984 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

1985 (ii) submit the signatures to the election officer no later than 14 days before the day on
1986 which the qualified political party holds its convention to select candidates, for the elective
1987 office, for the qualified political party's nomination.

1988 (b) An individual may not gather signatures under this section until after the individual
1989 files a notice of intent to gather signatures for candidacy described in this section.

1990 (c) An individual who files a notice of intent to gather signatures for candidacy,
1991 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
1992 the notice of intent to gather signatures for candidacy:

1993 (i) required to comply with the reporting requirements that a candidate for office is
1994 required to comply with; and

1995 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1996 apply to a candidate for office in relation to the reporting requirements described in Subsection
1997 (9)(c)(i).

1998 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
1999 election officer shall, no later than one day before the day on which the qualified political party
2000 holds the convention to select a nominee for the elective office to which the signature packets
2001 relate:

2002 (i) check the name of each individual who completes the verification for a signature
2003 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

2004 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a
2005 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

2006 (iii) determine whether each signer is a registered voter who is qualified to sign the
2007 petition, using the same method, described in Section [20A-7-206.3](#), used to verify a signature
2008 on a petition;

2009 (iv) certify whether each name is that of a registered voter who is qualified to sign the

2010 signature packet; and

2011 (v) notify the qualified political party and the lieutenant governor of the name of each
2012 member of the qualified political party who qualifies as a nominee of the qualified political
2013 party, under this section, for the elective office to which the convention relates.

2014 (e) Upon receipt of a notice of intent to gather signatures for candidacy described in
2015 this section, the lieutenant governor shall post the notice of intent to gather signatures for
2016 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
2017 posts a declaration of candidacy.

2018 Section 24. Section **20A-9-409** is amended to read:

2019 **20A-9-409. Primary election provisions relating to qualified political party.**

2020 (1) The [~~fourth~~] second Tuesday of June of each even-numbered year is designated as a
2021 regular primary election day.

2022 (2) A qualified political party that nominates one or more candidates for an elective
2023 office under Section [20A-9-407](#) and does not have a candidate qualify as a candidate for that
2024 office under Section [20A-9-408](#), may, but is not required to, participate in the primary election
2025 for that office.

2026 (3) A qualified political party that has only one candidate qualify as a candidate for an
2027 elective office under Section [20A-9-408](#) and does not nominate a candidate for that office
2028 under Section [20A-9-407](#), may, but is not required to, participate in the primary election for
2029 that office.

2030 (4) A qualified political party that nominates one or more candidates for an elective
2031 office under Section [20A-9-407](#) and has one or more candidates qualify as a candidate for that
2032 office under Section [20A-9-408](#) shall participate in the primary election for that office.

2033 (5) A qualified political party that has two or more candidates qualify as candidates for
2034 an elective office under Section [20A-9-408](#) and does not nominate a candidate for that office
2035 under Section [20A-9-407](#) shall participate in the primary election for that office.

2036 Section 25. Section **20A-9-409.5** is enacted to read:

2037 **20A-9-409.5. Regular primary runoff elections.**

2038 (1) An election officer shall conduct a runoff election for any race where:

2039 (a) only one candidate may win;

2040 (b) more than three candidates appeared on the regular primary election ballot for the

2041 same qualified political party and the same office; and

2042 (c) none of the candidates described in Subsection (1)(a) received more than 35% of
2043 the votes cast for that party for that office in the regular primary election.

2044 (2) (a) The runoff election described in Subsection (1) is between the two candidates in
2045 the same qualified political party who received the highest number of votes in the race.

2046 (b) If a tie makes it impossible to identify two candidates who received the highest
2047 number of votes for purposes of holding a runoff election, the election officer shall resolve the
2048 tie, and eliminate the excess number of candidates, by lot cast in the presence of the candidates
2049 who tied or in the presence of the candidates appointed representatives.

2050 (3) For a runoff election described in this section:

2051 (a) the election officer shall:

2052 (i) give notice of the runoff election in accordance with rules made in accordance with
2053 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, by the director of elections within
2054 the Office of the Lieutenant Governor;

2055 (ii) hold the runoff election on the third Tuesday in August; and

2056 (iii) conduct the election entirely by absentee ballot, in accordance with Section
2057 [20A-3-302](#);

2058 (b) the county canvass is no later than seven days after the day of the runoff election;
2059 and

2060 (c) the lieutenant governor's canvass of statewide and multicounty elections is nine
2061 days after the day of the runoff election.

2062 (4) Within funds appropriated by the Legislature for this purpose, the lieutenant
2063 governor shall reimburse each county for the expense, as determined by the lieutenant
2064 governor, of conducting a runoff election under this section.

2065 Section 26. Section **20A-9-701** is amended to read:

2066 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

2067 (1) [~~No later than August 31 of each regular general election year~~] In a regular general
2068 election year, no later than 10 days after the day of the runoff election, or, if a runoff election is
2069 not held, no later than August 31, the lieutenant governor shall certify to each county clerk, for
2070 offices to be voted upon at the regular general election in that county clerk's county:

2071 (a) the names of each candidate nominated under Subsection [20A-9-202\(4\)](#) or

2072 Subsection 20A-9-403(5); ~~and~~

2073 (b) the names of the candidates for president and vice president that are certified by the
2074 registered political party as the party's nominees~~[-]; and~~

2075 (c) the name of each unaffiliated candidate who will appear on the general election
2076 ballot.

2077 (2) The ~~[names shall be certified by the]~~ lieutenant governor ~~[and shall be displayed]~~
2078 shall certify and display each name on the ballot as ~~[they are]~~ the name is provided on the
2079 candidate's declaration of candidacy. No other names may appear on the ballot as affiliated
2080 with, endorsed by, or nominated by any other registered political party, political party, or other
2081 political group.

2082 Section 27. Section 20A-11-204 is amended to read:

2083 **20A-11-204. State office candidate and state officeholder -- Financial reporting**
2084 **requirements -- Interim reports.**

2085 (1) (a) As used in this Subsection (1), "campaign account" means a separate campaign
2086 account required under Subsection 20A-11-201(1)(a).

2087 (b) Except as provided in Subsection (1)(c), each state office candidate shall file an
2088 interim report at the following times in any year in which the candidate has filed a declaration
2089 of candidacy for a public office:

2090 (i) (A) seven days before the candidate's political convention; or

2091 (B) for an unaffiliated candidate, the fourth Saturday in March;

2092 (ii) seven days before the regular primary election date;

2093 (iii) if the candidate is in a runoff election, seven days before the day on which the
2094 runoff election is held;

2095 ~~[(iii)]~~ (iv) September 30; and

2096 ~~[(iv)]~~ (v) seven days before the regular general election date.

2097 (c) If a state office candidate is a state office candidate seeking appointment for a
2098 midterm vacancy, the state office candidate:

2099 (i) shall file an interim report:

2100 (A) no later than seven days before the day on which the political party of the party for
2101 which the state office candidate seeks nomination meets to declare a nominee for the governor

2102 to appoint in accordance with Section 20A-1-504; or

2103 (B) if a state office candidate decides to seek the appointment with less than seven days
2104 before the party meets, or the political party schedules the meeting to declare a nominee less
2105 than seven days before the day of the meeting, no later than 5 p.m. on the last day of business
2106 before the day on which the party meets; and

2107 (ii) is not required to file an interim report at the times described in Subsection (1)(b).

2108 (d) Each state officeholder who has a campaign account that has not been dissolved
2109 under Section 20A-11-205 shall, in an even year, file an interim report at the following times,
2110 regardless of whether an election for the state officeholder's office is held that year:

2111 (i) (A) seven days before the political convention for the political party of the state
2112 officeholder; or

2113 (B) for an unaffiliated state officeholder, the fourth Saturday in March;

2114 (ii) seven days before the regular primary election date;

2115 (iii) September 30; and

2116 (iv) seven days before the regular general election date.

2117 (2) Each interim report shall include the following information:

2118 (a) the net balance of the last summary report, if any;

2119 (b) a single figure equal to the total amount of receipts reported on all prior interim
2120 reports, if any, during the calendar year in which the interim report is due;

2121 (c) a single figure equal to the total amount of expenditures reported on all prior
2122 interim reports, if any, filed during the calendar year in which the interim report is due;

2123 (d) a detailed listing of each contribution and public service assistance received since
2124 the last summary report that has not been reported in detail on a prior interim report;

2125 (e) for each nonmonetary contribution:

2126 (i) the fair market value of the contribution with that information provided by the
2127 contributor; and

2128 (ii) a specific description of the contribution;

2129 (f) a detailed listing of each expenditure made since the last summary report that has
2130 not been reported in detail on a prior interim report;

2131 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

2132 (h) a net balance for the year consisting of the net balance from the last summary
2133 report, if any, plus all receipts since the last summary report minus all expenditures since the

2134 last summary report;

2135 (i) a summary page in the form required by the lieutenant governor that identifies:

2136 (i) beginning balance;

2137 (ii) total contributions during the period since the last statement;

2138 (iii) total contributions to date;

2139 (iv) total expenditures during the period since the last statement; and

2140 (v) total expenditures to date; and

2141 (j) the name of a political action committee for which the state office candidate or state

2142 officeholder is designated as an officer who has primary decision-making authority under

2143 Section [20A-11-601](#).

2144 (3) (a) In preparing each interim report, all receipts and expenditures shall be reported

2145 as of five days before the required filing date of the report.

2146 (b) Any negotiable instrument or check received by a state office candidate or state

2147 officeholder more than five days before the required filing date of a report required by this

2148 section shall be included in the interim report.

2149 Section 28. Section **20A-11-206** is amended to read:

2150 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

2151 (1) A state office candidate who fails to file a financial statement before the deadline is

2152 subject to a fine imposed in accordance with Section [20A-11-1005](#).

2153 (2) If a state office candidate fails to file an interim report described in Subsections

2154 [20A-11-204](#)(1)(b)(ii) through [~~(iv)~~] (v), the lieutenant governor may send an electronic notice

2155 to the state office candidate and the political party of which the state office candidate is a

2156 member, if any, that states:

2157 (a) that the state office candidate failed to timely file the report; and

2158 (b) that, if the state office candidate fails to file the report within 24 hours after the

2159 deadline for filing the report, the state office candidate will be disqualified and the political

2160 party will not be permitted to replace the candidate.

2161 (3) (a) The lieutenant governor shall disqualify a state office candidate and inform the

2162 county clerk and other appropriate election officials that the state office candidate is

2163 disqualified if the state office candidate fails to file an interim report described in Subsections

2164 [20A-11-204](#)(1)(b)(ii) through [~~(iv)~~] (v) within 24 hours after the deadline for filing the report.

2165 (b) The political party of a state office candidate who is disqualified under Subsection
2166 (3)(a) may not replace the state office candidate.

2167 (4) (a) If a state office candidate is disqualified under Subsection (3)(a), the election
2168 official shall:

2169 (i) remove the state office candidate's name from the ballot; or

2170 (ii) if removing the state office candidate's name from the ballot is not practicable,
2171 inform the voters by any practicable method that the state office candidate has been
2172 disqualified and that votes cast for the state office candidate will not be counted.

2173 (b) An election official may fulfill the requirement described in Subsection (4)(a) in
2174 relation to an absentee voter, including a military or overseas absentee voter, by including with
2175 the absentee ballot a written notice directing the voter to a public website that will inform the
2176 voter whether a candidate on the ballot is disqualified.

2177 (5) A state office candidate is not disqualified if:

2178 (a) the state office candidate timely files the reports described in Subsections
2179 [20A-11-204\(1\)\(b\)\(ii\)](#) through [~~(iv)~~] (v) no later than 24 hours after the applicable deadlines for
2180 filing the reports;

2181 (b) the reports are completed, detailing accurately and completely the information
2182 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
2183 and

2184 (c) the omissions, errors, or inaccuracies described in Subsection (5)(b) are corrected in
2185 an amended report or the next scheduled report.

2186 (6) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
2187 governor shall review each filed summary report to ensure that:

2188 (i) each state office candidate that is required to file a summary report has filed one;
2189 and

2190 (ii) each summary report contains the information required by this part.

2191 (b) If it appears that any state office candidate has failed to file the summary report
2192 required by law, if it appears that a filed summary report does not conform to the law, or if the
2193 lieutenant governor has received a written complaint alleging a violation of the law or the
2194 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
2195 violation or receipt of a written complaint, notify the state office candidate of the violation or

2196 written complaint and direct the state office candidate to file a summary report correcting the
2197 problem.

2198 (c) (i) It is unlawful for a state office candidate to fail to file or amend a summary
2199 report within seven days after receiving notice from the lieutenant governor described in this
2200 Subsection (6).

2201 (ii) Each state office candidate who violates Subsection (6)(c)(i) is guilty of a class B
2202 misdemeanor.

2203 (iii) The lieutenant governor shall report all violations of Subsection (6)(c)(i) to the
2204 attorney general.

2205 (iv) In addition to the criminal penalty described in Subsection (6)(c)(ii), the lieutenant
2206 governor shall impose a civil fine of \$100 against a state office candidate who violates
2207 Subsection (6)(c)(i).

2208 Section 29. Section **20A-11-303** is amended to read:

2209 **20A-11-303. Legislative office candidate and legislative officeholder -- Financial**
2210 **reporting requirements -- Interim reports.**

2211 (1) (a) As used in this Subsection (1), "campaign account" means a separate campaign
2212 account required under Subsection **20A-11-301**(1)(a)(i).

2213 (b) Except as provided in Subsection (1)(d), each legislative office candidate shall file
2214 an interim report at the following times in any year in which the candidate has filed a
2215 declaration of candidacy for a public office:

2216 (i) (A) seven days before the candidate's political convention; or

2217 (B) for an unaffiliated candidate, the fourth Saturday in March;

2218 (ii) seven days before the regular primary election date;

2219 (iii) if the candidate is in a runoff election, seven days before the day on which the
2220 runoff election is held;

2221 [~~(iii)~~] (iv) September 30; and

2222 [~~(iv)~~] (v) seven days before the regular general election date.

2223 (c) Each legislative officeholder who has a campaign account that has not been
2224 dissolved under Section **20A-11-304** shall, in an even year, file an interim report at the
2225 following times, regardless of whether an election for the legislative officeholder's office is
2226 held that year:

- 2227 (i) (A) seven days before the political convention for the political party of the
2228 legislative officeholder; or
- 2229 (B) for an unaffiliated legislative officeholder, the fourth Saturday in March;
- 2230 (ii) seven days before the regular primary election date for that year;
- 2231 (iii) September 30; and
- 2232 (iv) seven days before the regular general election date.
- 2233 (d) If a legislative office candidate is a legislative office candidate seeking appointment
2234 for a midterm vacancy, the legislative office candidate:
- 2235 (i) shall file an interim report:
- 2236 (A) no later than seven days before the day on which the political party of the party for
2237 which the legislative office candidate seeks nomination meets to declare a nominee for the
2238 governor to appoint in accordance with Section [20A-1-503](#); or
- 2239 (B) if a legislative office candidate decides to seek the appointment with less than
2240 seven days before the party meets, or the political party schedules the meeting to declare a
2241 nominee less than seven days before the day of the meeting, no later than 5 p.m. on the last day
2242 of business before the day on which the party meets; and
- 2243 (ii) is not required to file an interim report at the times described in Subsection (1)(b).
- 2244 (2) Each interim report shall include the following information:
- 2245 (a) the net balance of the last summary report, if any;
- 2246 (b) a single figure equal to the total amount of receipts reported on all prior interim
2247 reports, if any, during the calendar year in which the interim report is due;
- 2248 (c) a single figure equal to the total amount of expenditures reported on all prior
2249 interim reports, if any, filed during the calendar year in which the interim report is due;
- 2250 (d) a detailed listing of each contribution and public service assistance received since
2251 the last summary report that has not been reported in detail on a prior interim report;
- 2252 (e) for each nonmonetary contribution:
- 2253 (i) the fair market value of the contribution with that information provided by the
2254 contributor; and
- 2255 (ii) a specific description of the contribution;
- 2256 (f) a detailed listing of each expenditure made since the last summary report that has
2257 not been reported in detail on a prior interim report;

- 2258 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 2259 (h) a net balance for the year consisting of the net balance from the last summary
- 2260 report, if any, plus all receipts since the last summary report minus all expenditures since the
- 2261 last summary report;
- 2262 (i) a summary page in the form required by the lieutenant governor that identifies:
- 2263 (i) beginning balance;
- 2264 (ii) total contributions during the period since the last statement;
- 2265 (iii) total contributions to date;
- 2266 (iv) total expenditures during the period since the last statement; and
- 2267 (v) total expenditures to date; and
- 2268 (j) the name of a political action committee for which the legislative office candidate or
- 2269 legislative officeholder is designated as an officer who has primary decision-making authority
- 2270 under Section [20A-11-601](#).

2271 (3) (a) In preparing each interim report, all receipts and expenditures shall be reported

2272 as of five days before the required filing date of the report.

2273 (b) Any negotiable instrument or check received by a legislative office candidate or

2274 legislative officeholder more than five days before the required filing date of a report required

2275 by this section shall be included in the interim report.

2276 Section 30. Section **20A-11-305** is amended to read:

2277 **20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.**

2278 (1) A legislative office candidate who fails to file a financial statement before the

2279 deadline is subject to a fine imposed in accordance with Section [20A-11-1005](#).

2280 (2) If a legislative office candidate fails to file an interim report described in

2281 Subsections [20A-11-303](#)(1)(b)(ii) through [~~(iv)~~] (v), the lieutenant governor may send an

2282 electronic notice to the legislative office candidate and the political party of which the

2283 legislative office candidate is a member, if any, that states:

2284 (a) that the legislative office candidate failed to timely file the report; and

2285 (b) that, if the legislative office candidate fails to file the report within 24 hours after

2286 the deadline for filing the report, the legislative office candidate will be disqualified and the

2287 political party will not be permitted to replace the candidate.

2288 (3) (a) The lieutenant governor shall disqualify a legislative office candidate and

2289 inform the county clerk and other appropriate election officials that the legislative office
2290 candidate is disqualified if the legislative office candidate fails to file an interim report
2291 described in Subsections 20A-11-303(1)(b)(ii) through [~~(iv)~~] (v) within 24 hours after the
2292 deadline for filing the report.

2293 (b) The political party of a legislative office candidate who is disqualified under
2294 Subsection (3)(a) may not replace the legislative office candidate.

2295 (4) (a) If a legislative office candidate is disqualified under Subsection (3)(a), the
2296 election officer shall:

2297 (i) remove the legislative office candidate's name from the ballot; or

2298 (ii) if removing the legislative office candidate's name from the ballot is not
2299 practicable, inform the voters by any practicable method that the legislative office candidate
2300 has been disqualified and that votes cast for the legislative office candidate will not be counted.

2301 (b) An election official may fulfill the requirement described in Subsection (4)(a) in
2302 relation to an absentee voter, including a military or overseas absentee voter, by including with
2303 the absentee ballot a written notice directing the voter to a public website that will inform the
2304 voter whether a candidate on the ballot is disqualified.

2305 (5) A legislative office candidate is not disqualified if:

2306 (a) the legislative office candidate files the reports described in Subsections
2307 20A-11-303(1)(b)(ii) through [~~(iv)~~] (v) no later than 24 hours after the applicable deadlines for
2308 filing the reports;

2309 (b) the reports are completed, detailing accurately and completely the information
2310 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
2311 and

2312 (c) the omissions, errors, or inaccuracies described in Subsection (5)(b) are corrected in
2313 an amended report or the next scheduled report.

2314 (6) (a) Within 30 days after a deadline for the filing of a summary report, the lieutenant
2315 governor shall review each filed summary report to ensure that:

2316 (i) each legislative office candidate that is required to file a summary report has filed
2317 one; and

2318 (ii) each summary report contains the information required by this part.

2319 (b) If it appears that any legislative office candidate has failed to file the summary

2320 report required by law, if it appears that a filed summary report does not conform to the law, or
2321 if the lieutenant governor has received a written complaint alleging a violation of the law or the
2322 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
2323 violation or receipt of a written complaint, notify the legislative office candidate of the
2324 violation or written complaint and direct the legislative office candidate to file a summary
2325 report correcting the problem.

2326 (c) (i) It is unlawful for a legislative office candidate to fail to file or amend a summary
2327 report within seven days after receiving notice from the lieutenant governor described in this
2328 Subsection (6).

2329 (ii) Each legislative office candidate who violates Subsection (6)(c)(i) is guilty of a
2330 class B misdemeanor.

2331 (iii) The lieutenant governor shall report all violations of Subsection (6)(c)(i) to the
2332 attorney general.

2333 (iv) In addition to the criminal penalty described in Subsection (6)(c)(ii), the lieutenant
2334 governor shall impose a civil fine of \$100 against a legislative office candidate who violates
2335 Subsection (6)(c)(i).

2336 Section 31. Section **20A-11-1303** is amended to read:

2337 **20A-11-1303. School board office candidate and school board officeholder --**
2338 **Financial reporting requirements -- Interim reports.**

2339 (1) (a) As used in this section, "received" means:

2340 (i) for a cash contribution, that the cash is given to a school board office candidate or a
2341 member of the school board office candidate's personal campaign committee;

2342 (ii) for a contribution that is a check or other negotiable instrument, that the check or
2343 other negotiable instrument is negotiated; or

2344 (iii) for any other type of contribution, that any portion of the contribution's benefit
2345 inures to the school board office candidate.

2346 (b) As used in this Subsection (1), "campaign account" means a separate campaign
2347 account required under Subsection [20A-11-1301\(1\)\(a\)\(i\)](#).

2348 (c) Each school board office candidate shall file an interim report at the following
2349 times in any year in which the candidate has filed a declaration of candidacy for a public office:

2350 (i) (A) seven days before the political convention for the political party of the school

2351 board office candidate; or
2352 (B) May 15, if the school board office candidate does not affiliate with a political
2353 party;
2354 (ii) seven days before the regular primary election date;
2355 (iii) if the school board office candidate is in a runoff election, seven days before the
2356 day on which the runoff election is held;
2357 [~~(iii)~~] (iv) September 30; and
2358 [~~(iv)~~] (v) seven days before the regular general election date.
2359 (d) Each school board officeholder who has a campaign account that has not been
2360 dissolved under Section 20A-11-1304 shall, in an even year, file an interim report at the
2361 following times, regardless of whether an election for the school board officeholder's office is
2362 held that year:
2363 (i) (A) seven days before the political convention for the political party of the school
2364 board officeholder; or
2365 (B) May 15, if the school board officeholder does not affiliate with a political party;
2366 (ii) seven days before the regular primary election date for that year;
2367 (iii) September 30; and
2368 (iv) seven days before the regular general election date.
2369 (2) Each interim report shall include the following information:
2370 (a) the net balance of the last summary report, if any;
2371 (b) a single figure equal to the total amount of receipts reported on all prior interim
2372 reports, if any, during the calendar year in which the interim report is due;
2373 (c) a single figure equal to the total amount of expenditures reported on all prior
2374 interim reports, if any, filed during the calendar year in which the interim report is due;
2375 (d) a detailed listing of each contribution and public service assistance received since
2376 the last summary report that has not been reported in detail on a prior interim report;
2377 (e) for each nonmonetary contribution:
2378 (i) the fair market value of the contribution with that information provided by the
2379 contributor; and
2380 (ii) a specific description of the contribution;
2381 (f) a detailed listing of each expenditure made since the last summary report that has

2382 not been reported in detail on a prior interim report;

2383 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

2384 (h) a net balance for the year consisting of the net balance from the last summary
2385 report, if any, plus all receipts since the last summary report minus all expenditures since the
2386 last summary report;

2387 (i) a summary page in the form required by the lieutenant governor that identifies:

2388 (i) beginning balance;

2389 (ii) total contributions during the period since the last statement;

2390 (iii) total contributions to date;

2391 (iv) total expenditures during the period since the last statement; and

2392 (v) total expenditures to date; and

2393 (j) the name of a political action committee for which the school board office candidate
2394 or school board officeholder is designated as an officer who has primary decision-making
2395 authority under Section [20A-11-601](#).

2396 (3) (a) In preparing each interim report, all receipts and expenditures shall be reported
2397 as of five days before the required filing date of the report.

2398 (b) Any negotiable instrument or check received by a school board office candidate or
2399 school board officeholder more than five days before the required filing date of a report
2400 required by this section shall be included in the interim report.

2401 Section 32. Section [20A-11-1305](#) is amended to read:

2402 **20A-11-1305. School board office candidate -- Failure to file statement --**
2403 **Penalties.**

2404 (1) (a) A school board office candidate who fails to file a financial statement by the
2405 deadline is subject to a fine imposed in accordance with Section [20A-11-1005](#).

2406 (b) If a school board office candidate fails to file an interim report described in
2407 Subsections [20A-11-1303](#)(1)(c)(ii) through [~~(iv)~~] (v), the chief election officer shall, after
2408 making a reasonable attempt to discover if the report was timely filed, inform the county clerk
2409 and other appropriate election officials who:

2410 (i) (A) shall, if practicable, remove the name of the candidate from the ballots before
2411 the ballots are delivered to voters; or

2412 (B) shall, if removing the candidate's name from the ballot is not practicable, inform

2413 the voters by any practicable method that the candidate has been disqualified and that votes
2414 cast for the candidate will not be counted; and

2415 (ii) may not count any votes for that candidate.

2416 (c) Any school board office candidate who fails to file timely a financial statement
2417 required by [~~Subsection~~] Subsections 20A-11-1303(1)(c)(ii)~~[-(iii), or (iv)]~~ through (v) is
2418 disqualified.

2419 (d) Notwithstanding Subsections (1)(b) and (1)(c), a school board office candidate is
2420 not disqualified and the chief election officer may not impose a fine if:

2421 (i) the candidate timely files the reports required by this section in accordance with
2422 Section 20A-11-103;

2423 (ii) those reports are completed, detailing accurately and completely the information
2424 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
2425 and

2426 (iii) those omissions, errors, or inaccuracies described in Subsection (1)(d)(ii) are
2427 corrected in:

2428 (A) an amended report; or

2429 (B) the next scheduled report.

2430 (2) (a) Within 30 days after a deadline for the filing of a summary report by a school
2431 board office candidate, the lieutenant governor shall review each filed summary report to
2432 ensure that:

2433 (i) each school board office candidate who is required to file a summary report has
2434 filed one; and

2435 (ii) each summary report contains the information required by this part.

2436 (b) If it appears that a school board office candidate has failed to file the summary
2437 report required by law, if it appears that a filed summary report does not conform to the law, or
2438 if the lieutenant governor has received a written complaint alleging a violation of the law or the
2439 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
2440 violation or receipt of a written complaint, notify the school board office candidate of the
2441 violation or written complaint and direct the school board office candidate to file a summary
2442 report correcting the problem.

2443 (c) (i) It is unlawful for a school board office candidate to fail to file or amend a

2444 summary report within seven days after receiving notice from the lieutenant governor under
2445 this section.

2446 (ii) Each school board office candidate who violates Subsection (2)(c)(i) is guilty of a
2447 class B misdemeanor.

2448 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
2449 attorney general.

2450 (iv) In addition to the criminal penalty described in Subsection (2)(c)(ii), the lieutenant
2451 governor shall impose a civil fine of \$100 against a school board office candidate who violates
2452 Subsection (2)(c)(i).

2453 Section 33. Section **20A-14-203** is amended to read:

2454 **20A-14-203. Becoming a member of a local board of education -- Declaration of**
2455 **candidacy -- Election.**

2456 (1) An individual may become a candidate for a local school board:

2457 ~~[(a) (i) in the 2016 general election, by filing a declaration of candidacy with the~~
2458 ~~county clerk, in accordance with Section [20A-9-202](#), before 5 p.m. on March 17, 2016; or]~~

2459 ~~[(ii) in a general election held after 2016;]~~

2460 (a) by filing a declaration of candidacy with the county clerk:

2461 (i) on or after the ~~[second Friday in March, and before 5 p.m. on the third Thursday in~~
2462 ~~March, before the next] first business day following January 1 of the regular general election~~
2463 ~~year; and~~

2464 (ii) on or before the fifth business day following January 1 of the regular general
2465 election year; and

2466 (b) by paying the fee described in Section [20A-9-202](#).

2467 (2) (a) The term of office for an individual elected to a local board of education is four
2468 years, beginning on the first Monday in January after the election.

2469 (b) A member of a local board of education shall serve until a successor is elected or
2470 appointed and qualified.

2471 (c) A member of a local board of education is "qualified" when the member takes or
2472 signs the constitutional oath of office.

2473 Section 34. Section **20A-16-502** is amended to read:

2474 **20A-16-502. Publication of election notice.**

2475 (1) At least 100 days before an election, other than a statewide special election [or], a
 2476 local special election, or a runoff election, and as soon as practicable before a statewide special
 2477 election [or], a local special election, or a runoff election, the election officer shall prepare an
 2478 election notice for the election officer's jurisdiction, to be used in conjunction with a federal
 2479 write-in absentee ballot.

2480 (2) The election notice must contain:

2481 (a) a list of all of the ballot propositions and federal, state, and local offices that as of
 2482 that date the election officer expects to be on the ballot on the date of the election; and

2483 (b) specific instructions for how a covered voter is to indicate on the federal write-in
 2484 absentee ballot the covered voter's choice for each office to be filled and for each ballot
 2485 proposition to be contested.

2486 (3) (a) A covered voter may request a copy of an election notice.

2487 (b) The election officer shall send the notice to the covered voter by facsimile, email,
 2488 or regular mail, as the covered voter requests.

2489 (4) As soon as the ballot is certified, and not later than the date ballots are required to
 2490 be transmitted to voters under Chapter 3, Part 3, Absentee Voting, the election officer charged
 2491 with preparing the election notice under Subsection (1) shall update the notice with the
 2492 certified candidates for each office and ballot propositions and make the updated notice
 2493 publicly available.

2494 (5) A political subdivision that maintains a website shall make the election notice
 2495 prepared under this section and updated versions of the election notice regularly available on
 2496 the website.

2497 Section 35. **Coordinating S.B. 114 with S.B. 13 -- Technical amendment.**

2498 If this S.B. 114 and S.B. 13, Amendments to Election Law, both pass and become law,
 2499 it is the intent of the Legislature that the Office of Legislative Research and General Counsel
 2500 prepare the Utah Code database for publication by amending Subsection [20A-9-403\(5\)\(a\)](#) to
 2501 read:

2502 "(5) (a) [~~Candidates~~] Except as otherwise provided in Section [20A-9-409.5](#), a
 2503 candidate, other than a presidential [~~candidates, receiving~~] candidate, who, at the regular
 2504 primary election, receives the highest number of votes cast for [~~each office at the regular~~
 2505 primary election are] the office sought by the candidate, is:

2506 (i) nominated for that office by ~~[their]~~ the candidate's registered political party ~~[for that~~
2507 ~~office or are nominated as a candidate];~~ or
2508 (ii) for a nonpartisan local school board position, nominated for that office.”.