

**ELECTIONS MODIFICATIONS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill makes changes to the Elections Code regarding the master ballot position list.

**Highlighted Provisions:**

This bill:

- ▶ changes the date for publication of the master ballot position list to after the candidate filing deadline; and
- ▶ requires the lieutenant governor to study name rotation on election ballots.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-6-305**, as last amended by Laws of Utah 2016, Chapter 66

ENACTS:

**67-1a-15**, Utah Code Annotated 1953

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

Section 1. Section **20A-6-305** is amended to read:

**20A-6-305. Master ballot position list -- Random selection -- Procedures --**



28 **Publication -- Surname -- Exemptions -- Ballot order.**

29 (1) As used in this section, "master ballot position list" means an official list of the 26  
30 characters in the alphabet listed in random order and numbered from one to 26 as provided  
31 under Subsection (2).

32 (2) The lieutenant governor shall:

33 (a) ~~[by November 15 in the year before each regular general election]~~ within 30 days  
34 after the candidate filing deadline in each even-numbered year, conduct a random selection to  
35 ~~[establish the]~~ create a master ballot position list for [the next year and the year following] all  
36 elections in accordance with procedures established under Subsection (2)(c);

37 (b) publish the master ballot position ~~[lists]~~ list on the lieutenant governor's election  
38 website ~~[on or before November 15 in the year before each regular general election]~~ no later  
39 than 15 days after creating the list; and

40 (c) establish written procedures for:

41 (i) the election official to use the master ballot position list; and

42 (ii) the lieutenant governor in:

43 (A) conducting the random selection in a fair manner; and

44 (B) providing a record of the random selection process used.

45 (3) In accordance with the written procedures established under Subsection (2)(c)(i), an  
46 election officer shall use the master ballot position list for the current year to determine the  
47 order in which to list candidates on the ballot for an election held during the year.

48 (4) To determine the order in which to list candidates on the ballot required under  
49 Subsection (3), the election officer shall apply the randomized alphabet using:

50 (a) the candidate's surname;

51 (b) for candidates with a surname that has the same spelling, the candidate's given  
52 name;

53 (c) the surname of the president and the surname of the governor for an election for the  
54 offices of president and vice president and governor and lieutenant governor; and

55 (d) if the ballot provides for a ticket or a straight party ticket, the registered political  
56 party name.

57 (5) Subsections (1) through (4) do not apply to:

58 (a) an election for an office for which only one candidate is listed on the ballot; or

- 59 (b) a judicial retention election under Section [20A-12-201](#).
- 60 (6) Subject to Subsection (7), each ticket that appears on a ballot for an election shall
- 61 appear separately, in the following order:
- 62 (a) a straight party ticket, where the voter may, with one mark, vote for all candidates
- 63 of one political party;
- 64 (b) for federal office:
- 65 (i) president and vice president of the United States;
- 66 (ii) United States Senate office; and
- 67 (iii) United States House of Representatives office;
- 68 (c) for state office:
- 69 (i) governor and lieutenant governor;
- 70 (ii) attorney general;
- 71 (iii) state auditor;
- 72 (iv) state treasurer;
- 73 (v) state Senate office;
- 74 (vi) state House of Representatives office; and
- 75 (vii) State Board of Education member;
- 76 (d) for county office:
- 77 (i) county executive office;
- 78 (ii) county legislative body member;
- 79 (iii) county assessor;
- 80 (iv) county or district attorney;
- 81 (v) county auditor;
- 82 (vi) county clerk;
- 83 (vii) county recorder;
- 84 (viii) county sheriff;
- 85 (ix) county surveyor;
- 86 (x) county treasurer; and
- 87 (xi) local school board member;
- 88 (e) for municipal office:
- 89 (i) mayor; and

- 90 (ii) city or town council member;
- 91 (f) elected planning and service district council member;
- 92 (g) judicial retention questions; and
- 93 (h) ballot propositions not described in Subsection (6)(g).

94 (7) (a) A ticket for a race for a combined office shall appear on the ballot in the place  
 95 of the earliest ballot ticket position that is reserved for an office that is subsumed in the  
 96 combined office.

- 97 (b) Each ticket, other than a ticket described in Subsection (6)(g), shall list:
  - 98 (i) each candidate in accordance with Subsections (1) through (4); and
  - 99 (ii) except as otherwise provided in this title, the party name, initials, or title following  
 100 each candidate's name.

101 Section 2. Section **67-1a-15** is enacted to read:

102 **67-1a-15. Study on ballot name rotation.**

103 (1) The lieutenant governor shall conduct a study on the rotation of names on ballots.

104 (2) The study shall include:

- 105 (a) the feasibility and cost of rotating names on paper and mail-in ballots;
- 106 (b) the availability of electronic machines capable of rotating names on ballots;
- 107 (c) the costs associated with rotating names on all types of ballots for all elections;
- 108 (d) if a system of rotating names on ballots could be implemented within the current  
 109 system;
- 110 (e) if other states have a system capable of rotating names on ballots; and
- 111 (f) any viable alternatives, up to and including the purchase of new machines or  
 112 systems.

113 (3) The lieutenant governor shall report the results of the study to the Government  
 114 Operations Interim Committee during the November 2018 interim meeting.