Senator Howard A. Stephenson proposes the following substitute bill:

1 # ELECTIONS MODIFICATIONS

2 ## 2017 GENERAL SESSION

3 ## STATE OF UTAH

4 **Chief Sponsor: Howard A. Stephenson**

5 House Sponsor: Jeremy A. Peterson

6

7 **LONG TITLE**

8 **General Description:**

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

10 **Highlighted Provisions:**

11   This bill:

12   ▸ changes the date for publication of the master ballot position list to after the

13 candidate filing deadline.

14 **Money Appropriated in this Bill:**

15   None

16 **Other Special Clauses:**

17   None

18 **Utah Code Sections Affected:**

19 AMENDS:

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

21

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

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

24   **20A-6-305. Master ballot position list -- Random selection -- Procedures --**

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

26   (1) As used in this section, "master ballot position list" means an official list of the 26

27   characters in the alphabet listed in random order and numbered from one to 26 as provided

28   under Subsection (2).

29   (2) The lieutenant governor shall:

30   (a) [by November 15 in the year before each regular general election] within 30 days

31   after the candidate filing deadline in each even-numbered year, conduct a random selection to

32   [establish the] create a master ballot position list for [the next year and the year following] all

33   elections in accordance with procedures established under Subsection (2)(c);

34   (b) publish the master ballot position [lists] list on the lieutenant governor's election

35   website [on or before November 15 in the year before each regular general election] no later

36   than 15 days after creating the list; and

37   (c) establish written procedures for:

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

39   (ii) the lieutenant governor in:

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

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

42   (3) In accordance with the written procedures established under Subsection (2)(c)(i), an

43   election officer shall use the master ballot position list for the current year to determine the

44   order in which to list candidates on the ballot for an election held during the year.

45   (4) To determine the order in which to list candidates on the ballot required under

46   Subsection (3), the election officer shall apply the randomized alphabet using:

47   (a) the candidate's surname;

48   (b) for candidates with a surname that has the same spelling, the candidate's given

49   name;

50   (c) the surname of the president and the surname of the governor for an election for the

51   offices of president and vice president and governor and lieutenant governor; and

52   (d) if the ballot provides for a ticket or a straight party ticket, the registered political

53   party name.

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

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

56   (b) a judicial retention election under Section 20A-12-201.

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

88   (f) elected planning and service district council member;

89   (g) judicial retention questions; and

90   (h) ballot propositions not described in Subsection (6)(g).

91   (7) (a) A ticket for a race for a combined office shall appear on the ballot in the place

92   of the earliest ballot ticket position that is reserved for an office that is subsumed in the

93   combined office.

94   (b) Each ticket, other than a ticket described in Subsection (6)(g), shall list:

95   (i) each candidate in accordance with Subsections (1) through (4); and

96   (ii) except as otherwise provided in this title, the party name, initials, or title following

97   each candidate's name.