

Senator Lincoln Fillmore proposes the following substitute bill:

ELECTION AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill amends provisions of the Election Code.

Highlighted Provisions:

This bill:

- ▶ modifies and makes the following deadlines, for a registered political party that is not a qualified political party, consistent with deadlines for a qualified political party:
 - the deadline for filing a declaration of candidacy;
 - the deadline for submitting signature sheets to secure a nomination; and
 - the deadline for a filing officer to verify signatures and issue certifications;
- ▶ removes an unnecessary provision of law relating to the duty of a registered political party;
- ▶ provides that a candidate who is selected at convention may not be kept from the ballot based on an action by a qualified political party to prevent an individual from seeking nomination by gathering signatures;
- ▶ shortens the period of time for filing a notice of intent to gather signatures to qualify for placement on the regular primary election ballot;
- ▶ if the Count My Vote citizen's initiative petition fails to become law, repeals



26 sections in this bill that are inconsistent with the election system in effect before passage of
27 2014 General Session, S.B. 54, Elections Amendments, and reinstates the election system in
28 effect before passage of 2014 General Session, S.B. 54, Elections Amendments, as follows:

- 29 • modifies dates and other provisions relating to a notice of election;
- 30 • repeals provisions relating to obtaining the nomination of a registered political
31 party by petition;
- 32 • repeals certain limitations relating to when a ballot or ballot sheet may indicate
33 that a candidate is associated with a particular political party;
- 34 • repeals all provisions relating to a qualified political party;
- 35 • modifies provisions and dates relating to a declaration of candidacy; and
- 36 • modifies provisions relating to the conduct of a primary election; and
- 37 ▶ makes technical and conforming changes.

38 **Money Appropriated in this Bill:**

39 None

40 **Other Special Clauses:**

41 This bill provides a special effective date.

42 This bill provides revisor instructions.

43 **Utah Code Sections Affected:**

44 AMENDS:

45 **20A-1-102**, as last amended by Laws of Utah 2017, Chapter 52

46 **20A-1-201.5**, as last amended by Laws of Utah 2015, Chapters 296 and 352

47 **20A-1-501**, as last amended by Laws of Utah 2016, Chapter 16

48 **20A-3-106**, as last amended by Laws of Utah 2015, Chapter 296

49 **20A-5-101**, as last amended by Laws of Utah 2017, Chapters 251, 267 and last

50 amended by Coordination Clause, Laws of Utah 2017, Chapter 267

51 **20A-6-301**, as last amended by Laws of Utah 2016, Chapter 66

52 **20A-6-302**, as last amended by Laws of Utah 2014, Chapter 17

53 **20A-6-303**, as last amended by Laws of Utah 2016, Chapter 66

54 **20A-6-304**, as last amended by Laws of Utah 2016, Chapter 66

55 **20A-8-103**, as last amended by Laws of Utah 2017, Chapter 91

56 **20A-9-101**, as last amended by Laws of Utah 2016, Chapter 16

- 57 **20A-9-201**, as last amended by Laws of Utah 2017, Chapter 63
- 58 **20A-9-202**, as last amended by Laws of Utah 2017, Chapter 63
- 59 **20A-9-203**, as last amended by Laws of Utah 2017, Chapter 91
- 60 **20A-9-403**, as last amended by Laws of Utah 2017, Chapter 91
- 61 **20A-9-404**, as last amended by Laws of Utah 2017, Chapter 91
- 62 **20A-9-408**, as last amended by Laws of Utah 2017, Chapter 91
- 63 **20A-9-409**, as last amended by Laws of Utah 2017, Chapters 54 and 91
- 64 **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296
- 65 **63I-2-220**, as last amended by Laws of Utah 2017, Chapters 32 and 452

66 ENACTS:

- 67 **20A-9-202.1**, Utah Code Annotated 1953
- 68 **20A-9-403.2**, Utah Code Annotated 1953
- 69 **20A-9-406.5**, Utah Code Annotated 1953

70 REPEALS:

- 71 **20A-1-103**, as last amended by Laws of Utah 2015, Chapter 258
- 72 **20A-9-405**, as enacted by Laws of Utah 2014, Chapter 17
- 73 **20A-9-406**, as last amended by Laws of Utah 2017, Chapter 91
- 74 **20A-9-407**, as last amended by Laws of Utah 2017, Chapter 91
- 75 **20A-9-408.5**, as enacted by Laws of Utah 2015, Chapter 296
- 76 **20A-9-410**, as enacted by Laws of Utah 2014, Chapter 17
- 77 **20A-9-411**, as enacted by Laws of Utah 2015, Chapter 296



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

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

81 **20A-1-102. Definitions.**

82 As used in this title:

- 83 (1) "Active voter" means a registered voter who has not been classified as an inactive
- 84 voter by the county clerk.
- 85 (2) "Automatic tabulating equipment" means apparatus that automatically examines
- 86 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.
- 87 (3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic,

88 upon which a voter records the voter's votes.

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

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

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

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

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

97 (a) an opinion question specifically authorized by the Legislature;

98 (b) a constitutional amendment;

99 (c) an initiative;

100 (d) a referendum;

101 (e) a bond proposition;

102 (f) a judicial retention question;

103 (g) an incorporation of a city or town; or

104 (h) any other ballot question specifically authorized by the Legislature.

105 (6) "Ballot sheet":

106 (a) means a ballot that:

107 (i) consists of paper or a card where the voter's votes are marked or recorded; and

108 (ii) can be counted using automatic tabulating equipment; and

109 (b) includes punch card ballots and other ballots that are machine-countable.

110 (7) "Bind," "binding," or "bound" means securing more than one piece of paper

111 together with a staple or stitch in at least three places across the top of the paper in the blank
112 space reserved for securing the paper.

113 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
114 [20A-4-306](#) to canvass election returns.

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

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

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

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

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

125 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at
126 the canvass.

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

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

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

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

135 (19) "Counting poll watcher" means a person selected as provided in Section
136 [20A-3-201](#) to witness the counting of ballots.

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

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

142 (22) "Date of the election" or "election day" or "day of the election":

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

145 (b) does not include:

146 (i) deadlines established for absentee voting; or

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

149 (23) "Elected official" means:

- 150 (a) a person elected to an office under Section [20A-1-303](#);
- 151 (b) a person who is considered to be elected to a municipal office in accordance with
- 152 Subsection [20A-1-206\(1\)\(c\)\(ii\)](#); or
- 153 (c) a person who is considered to be elected to a local district office in accordance with
- 154 Subsection [20A-1-206\(3\)\(c\)\(ii\)](#).
- 155 (24) "Election" means a regular general election, a municipal general election, a
- 156 statewide special election, a local special election, a regular primary election, a municipal
- 157 primary election, and a local district election.
- 158 (25) "Election Assistance Commission" means the commission established by the Help
- 159 America Vote Act of 2002, Pub. L. No. 107-252.
- 160 (26) "Election cycle" means the period beginning on the first day persons are eligible to
- 161 file declarations of candidacy and ending when the canvass is completed.
- 162 (27) "Election judge" means a poll worker that is assigned to:
- 163 (a) preside over other poll workers at a polling place;
- 164 (b) act as the presiding election judge; or
- 165 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 166 (28) "Election officer" means:
- 167 (a) the lieutenant governor, for all statewide ballots and elections;
- 168 (b) the county clerk for:
- 169 (i) a county ballot and election; and
- 170 (ii) a ballot and election as a provider election officer as provided in Section
- 171 [20A-5-400.1](#) or [20A-5-400.5](#);
- 172 (c) the municipal clerk for:
- 173 (i) a municipal ballot and election; and
- 174 (ii) a ballot and election as a provider election officer as provided in Section
- 175 [20A-5-400.1](#) or [20A-5-400.5](#);
- 176 (d) the local district clerk or chief executive officer for:
- 177 (i) a local district ballot and election; and
- 178 (ii) a ballot and election as a provider election officer as provided in Section
- 179 [20A-5-400.1](#) or [20A-5-400.5](#); or
- 180 (e) the business administrator or superintendent of a school district for:

- 181 (i) a school district ballot and election; and
182 (ii) a ballot and election as a provider election officer as provided in Section
183 [20A-5-400.1](#) or [20A-5-400.5](#).
- 184 (29) "Election official" means any election officer, election judge, or poll worker.
185 (30) "Election results" means:
186 (a) for an election other than a bond election, the count of votes cast in the election and
187 the election returns requested by the board of canvassers; or
188 (b) for bond elections, the count of those votes cast for and against the bond
189 proposition plus any or all of the election returns that the board of canvassers may request.
- 190 (31) "Election returns" includes the pollbook, the military and overseas absentee voter
191 registration and voting certificates, one of the tally sheets, any unprocessed absentee ballots, all
192 counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition
193 form, and the total votes cast form.
- 194 (32) "Electronic ballot" means a ballot that is recorded using a direct electronic voting
195 device or other voting device that records and stores ballot information by electronic means.
- 196 (33) "Electronic signature" means an electronic sound, symbol, or process attached to
197 or logically associated with a record and executed or adopted by a person with the intent to sign
198 the record.
- 199 (34) (a) "Electronic voting device" means a voting device that uses electronic ballots.
200 (b) "Electronic voting device" includes a direct recording electronic voting device.
- 201 (35) "Inactive voter" means a registered voter who is listed as inactive by a county
202 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).
- 203 (36) "Inspecting poll watcher" means a person selected as provided in this title to
204 witness the receipt and safe deposit of voted and counted ballots.
- 205 (37) "Judicial office" means the office filled by any judicial officer.
206 (38) "Judicial officer" means any justice or judge of a court of record or any county
207 court judge.
- 208 (39) "Local district" means a local government entity under Title 17B, Limited Purpose
209 Local Government Entities - Local Districts, and includes a special service district under Title
210 17D, Chapter 1, Special Service District Act.
- 211 (40) "Local district officers" means those local district board members that are required

212 by law to be elected.

213 (41) "Local election" means a regular county election, a regular municipal election, a
214 municipal primary election, a local special election, a local district election, and a bond
215 election.

216 (42) "Local political subdivision" means a county, a municipality, a local district, or a
217 local school district.

218 (43) "Local special election" means a special election called by the governing body of a
219 local political subdivision in which all registered voters of the local political subdivision may
220 vote.

221 (44) "Municipal executive" means:

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

223 (b) the mayor in the council-manager form of government defined in Subsection
224 10-3b-103(7); or

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

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

229 (46) "Municipal legislative body" means:

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

231 (b) the council of a metro township.

232 (47) "Municipal office" means an elective office in a municipality.

233 (48) "Municipal officers" means those municipal officers that are required by law to be
234 elected.

235 (49) "Municipal primary election" means an election held to nominate candidates for
236 municipal office.

237 (50) "Municipality" means a city, town, or metro township.

238 (51) "Official ballot" means the ballots distributed by the election officer to the poll
239 workers to be given to voters to record their votes.

240 (52) "Official endorsement" means:

241 (a) the information on the ballot that identifies:

242 (i) the ballot as an official ballot;

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

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

275 (62) "Provider election officer" means an election officer who enters into a contract or
276 interlocal agreement with a contracting election officer to conduct an election for the
277 contracting election officer's local political subdivision in accordance with Section
278 [20A-5-400.1](#).

279 (63) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

283 (64) "Provisional ballot envelope" means an envelope printed in the form required by
284 Section [20A-6-105](#) that is used to identify provisional ballots and to provide information to
285 verify a person's legal right to vote.

286 (65) "Qualify" or "qualified" means to take the oath of office and begin performing the
287 duties of the position for which the person was elected.

288 (66) "Receiving judge" means the poll worker that checks the voter's name in the
289 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
290 after the voter has voted.

291 (67) "Registration form" means a book voter registration form and a by-mail voter
292 registration form.

293 (68) "Regular ballot" means a ballot that is not a provisional ballot.

294 (69) "Regular general election" means the election held throughout the state on the first
295 Tuesday after the first Monday in November of each even-numbered year for the purposes
296 established in Section [20A-1-201](#).

297 (70) "Regular primary election" means the election on the fourth Tuesday of June of
298 each even-numbered year, to nominate candidates of political parties and [~~candidates for~~
299 ~~nonpartisan local school board positions~~] nonpolitical groups to advance to the regular general
300 election.

301 (71) "Resident" means a person who resides within a specific voting precinct in Utah.

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

304 (73) "Scratch vote" means to mark or punch the straight party ticket and then mark or

305 punch the ballot for one or more candidates who are members of different political parties [~~or~~
306 ~~who are unaffiliated~~].

307 (74) "Secrecy envelope" means the envelope given to a voter along with the ballot into
308 which the voter places the ballot after the voter has voted it in order to preserve the secrecy of
309 the voter's vote.

310 (75) "Special election" means an election held as authorized by Section [20A-1-203](#).

311 (76) "Spoiled ballot" means each ballot that:

312 (a) is spoiled by the voter;

313 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or

314 (c) lacks the official endorsement.

315 (77) "Statewide special election" means a special election called by the governor or the
316 Legislature in which all registered voters in Utah may vote.

317 (78) "Stub" means the detachable part of each ballot.

318 (79) "Substitute ballots" means replacement ballots provided by an election officer to
319 the poll workers when the official ballots are lost or stolen.

320 (80) "Ticket" means a list of:

321 (a) political parties;

322 (b) candidates for an office; or

323 (c) ballot propositions.

324 (81) "Transfer case" means the sealed box used to transport voted ballots to the
325 counting center.

326 (82) "Vacancy" means the absence of a person to serve in any position created by
327 statute, whether that absence occurs because of death, disability, disqualification, resignation,
328 or other cause.

329 (83) "Valid voter identification" means:

330 (a) a form of identification that bears the name and photograph of the voter which may
331 include:

332 (i) a currently valid Utah driver license;

333 (ii) a currently valid identification card that is issued by:

334 (A) the state; or

335 (B) a branch, department, or agency of the United States;

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

367 (85) "Voter" means a person who:

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

369 (b) meets the requirements of election registration;

370 (c) is registered to vote; and

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

372 (86) "Voter registration deadline" means the registration deadline provided in Section

373 [20A-2-102.5](#).

374 (87) "Voting area" means the area within six feet of the voting booths, voting

375 machines, and ballot box.

376 (88) "Voting booth" means:

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

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

380 (89) "Voting device" means:

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

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

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

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

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

389 (90) "Voting machine" means a machine designed for the sole purpose of recording
390 and tabulating votes cast by voters at an election.

391 (91) "Voting poll watcher" means a person appointed as provided in this title to
392 witness the distribution of ballots and the voting process.

393 (92) "Voting precinct" means the smallest voting unit established as provided by law
394 within which qualified voters vote at one polling place.

395 (93) "Watcher" means a voting poll watcher, a counting poll watcher, an inspecting
396 poll watcher, and a testing watcher.

397 (94) "Western States Presidential Primary" means the election established in Chapter 9,

398 Part 8, Western States Presidential Primary.

399 (95) "Write-in ballot" means a ballot containing any write-in votes.

400 (96) "Write-in vote" means a vote cast for a person whose name is not printed on the
401 ballot according to the procedures established in this title.

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

403 **20A-1-201.5. Primary election dates.**

404 (1) A regular primary election shall be held throughout the state on the fourth Tuesday
405 of June of each even numbered year, as provided in Section [20A-9-403](#), [~~[20A-9-407](#)~~, or
406 ~~[20A-9-408](#)~~, as applicable,] to nominate persons for:

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

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

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

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

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

416 **20A-1-501. Candidate vacancies -- Procedure for filling.**

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

423 (a) for a registered political party that will have a candidate on a ballot in a primary
424 election, after the close of the period for filing a declaration of candidacy and continuing
425 through the day before the day on which the lieutenant governor [~~provides the list~~] makes the
426 certification described in Subsection [20A-9-403](#)[(4)(a)](2)(c):

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

429 (ii) one or both:
430 (A) dies;
431 (B) resigns because of acquiring a physical or mental disability, certified by a
432 physician, that prevents the candidate from continuing the candidacy; or
433 (C) is disqualified by an election officer for improper filing or nominating procedures;
434 (b) for a registered political party that does not have a candidate on the ballot in a
435 primary, but that will have a candidate on the ballot for a general election, after the close of the
436 period for filing a declaration of candidacy and continuing through the day before the day on
437 which the lieutenant governor makes the certification described in Section 20A-5-409, the
438 party's candidate:
439 (i) dies;
440 (ii) resigns because of acquiring a physical or mental disability as certified by a
441 physician;
442 (iii) is disqualified by an election officer for improper filing or nominating procedures;
443 or
444 (iv) resigns to become a candidate for president or vice president of the United States;
445 or
446 (c) for a registered political party with a candidate certified as winning a primary
447 election, after the deadline described in Subsection (1)(a) and continuing through the day
448 before that day on which the lieutenant governor makes the certification described in Section
449 20A-5-409, the party's candidate:
450 (i) dies;
451 (ii) resigns because of acquiring a physical or mental disability as certified by a
452 physician;
453 (iii) is disqualified by an election officer for improper filing or nominating procedures;
454 or
455 (iv) resigns to become a candidate for president or vice president of the United States.
456 (2) If no more than two candidates from a political party have filed a declaration of
457 candidacy for an office elected at a regular general election and one resigns to become the party
458 candidate for another position, the state central committee of that political party, for candidates
459 for governor, lieutenant governor, attorney general, state treasurer, and state auditor, and for

460 legislative candidates whose legislative districts encompass more than one county, and the
461 county central committee of that political party, for all other party candidates, may certify the
462 name of another candidate to the appropriate election officer.

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

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

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

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

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

474 Section 4. Section **20A-3-106** is amended to read:

475 **20A-3-106. Voting straight ticket -- Splitting ballot -- Writing in names -- Effect**
476 **of unnecessary marking of cross.**

477 (1) When voting a paper ballot, any voter desiring to vote for all the candidates [~~who~~
478 ~~are listed on the ballot as being~~] from any one registered political party may:

479 (a) mark in the circle or position above that political party;

480 (b) mark in the squares or position opposite the names of all candidates for that party
481 ticket; or

482 (c) make both markings.

483 (2) (a) When voting a ballot sheet, any voter desiring to vote for all the candidates
484 [~~who are listed on the ballot as being~~] from any one registered political party may:

485 (i) mark the selected party on the straight party page or section; or

486 (ii) mark the name of each candidate from that party.

487 (b) To vote for candidates from two or more political parties, the voter may:

488 (i) mark in the squares or positions opposite the names of the candidates for whom the
489 voter wishes to vote without marking in any circle; or

490 (ii) indicate the voter's choice by:

491 (A) marking in the circle or position above one political party; and
492 (B) marking in the squares or positions opposite the names of desired candidates [~~who~~
493 ~~are members of any party, are unaffiliated, or are listed without party name~~].

494 (3) (a) When voting an electronic ballot, any voter desiring to vote for all the
495 candidates [~~who are listed on the ballot as being~~] from any one registered political party may:

496 (i) select that party on the straight party selection area; or

497 (ii) select the name of each candidate from that party.

498 (b) To vote for candidates from two or more political parties, the voter may:

499 (i) select the names of the candidates for whom the voter wishes to vote without
500 selecting a political party in the straight party selection area; or

501 (ii) (A) select a political party in the straight party selection area; and

502 (B) select the names of the candidates for whom the voter wishes to vote [~~who are~~
503 ~~members of any party, are unaffiliated, or are listed without party name~~].

504 (4) In any election other than a primary election, if a voter voting a ballot has selected
505 or placed a mark next to a party name in order to vote a straight party ticket and wishes to vote
506 for a person on another party ticket for an office, [~~or for an unaffiliated candidate,~~] the voter
507 shall select or mark the ballot next to the name of the candidate for whom the voter wishes to
508 vote.

509 (5) (a) The voter may cast a write-in vote on a paper ballot or ballot sheet:

510 (i) by entering the name of a valid write-in candidate:

511 (A) by writing the name of a valid write-in candidate in the blank write-in section of
512 the ballot; or

513 (B) by affixing a sticker with the office and name of the valid write-in name printed on
514 it in the blank write-in part of the ballot; and

515 (ii) by placing a mark opposite the name of the write-in candidate to indicate the voter's
516 vote.

517 (b) On a paper ballot or ballot sheet, a voter is considered to have voted for the person
518 whose name is written or whose sticker appears in the blank write-in part of the ballot, if a
519 mark is made opposite that name.

520 (c) On a paper ballot or ballot sheet, the unnecessary marking of a mark in a square on
521 the ticket below the marked circle does not affect the validity of the vote.

- 522 (6) The voter may cast a write-in vote on an electronic ballot by:
- 523 (a) marking the appropriate position opposite the area for entering a write-in candidate
- 524 for the office sought by the candidate for whom the voter wishes to vote; and
- 525 (b) entering the name of a valid write-in candidate in the write-in selection area.

526 Section 5. Section **20A-5-101** is amended to read:

527 **20A-5-101. Notice of election.**

528 (1) On or before [~~November 15 in the year before~~] February 1 in each regular general
529 election year, the lieutenant governor shall prepare and transmit a written notice to each county
530 clerk that:

- 531 (a) designates the offices to be filled at the [~~next year's~~] regular general election;
- 532 (b) identifies the dates for filing a declaration of candidacy[, ~~and for submitting and~~
533 ~~certifying nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407,~~
534 ~~and 20A-9-408~~] for those offices;
- 535 (c) includes the master ballot position list for the current year and the next year [~~and~~
536 ~~the year following~~] as established under Section 20A-6-305; and
- 537 (d) contains a description of any ballot propositions to be decided by the voters that
538 have qualified for the ballot as of that date.

539 (2) (a) No later than [~~seven business days after the day on which the lieutenant~~
540 ~~governor transmits the written notice described in Subsection (1)~~] February 15, each county
541 clerk shall:

- 542 (i) publish a notice:
 - 543 (A) once in a newspaper published in that county; and
 - 544 (B) as required in Section 45-1-101; or
- 545 (ii) (A) cause a copy of the notice to be posted in a conspicuous place most likely to
546 give notice of the election to the voters in each voting precinct within the county; and
- 547 (B) prepare an affidavit of that posting, showing a copy of the notice and the places
548 where the notice was posted.

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

- 550 (i) designate the offices to be voted on in that election; and
- 551 (ii) identify the dates for filing a declaration of candidacy for those offices.

552 (3) Before each election, the election officer shall give printed notice of the following

553 information, or printed notice of a website where the following information can be obtained:

554 (a) the date of election;

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

556 (c) the polling places for each voting precinct, early voting polling place, and election
557 day voting center;

558 (d) the address of the Statewide Electronic Voter Information Website and, if available,
559 the address of the election officer's website, with a statement indicating that the election officer
560 will post on the website any changes to the location of a polling place and the location of any
561 additional polling place;

562 (e) a phone number that a voter may call to obtain information regarding the location of
563 a polling place; and

564 (f) the qualifications for persons to vote in the election.

565 (4) To provide the printed notice described in Subsection (3), the election officer shall:

566 (a) publish the notice at least two days before election day:

567 (i) in a newspaper of general circulation common to the area to which the election
568 pertains; and

569 (ii) as required in Section 45-1-101; or

570 (b) mail the notice to each registered voter who resides in the area to which the election
571 pertains at least five days before election day.

572 Section 6. Section 20A-6-301 is amended to read:

573 **20A-6-301. Paper ballots -- Regular general election.**

574 (1) Each election officer shall ensure that:

575 (a) all paper ballots furnished for use at the regular general election contain~~[(i)]~~ no
576 captions or other endorsements except as provided in this section;

577 ~~[(ii) no symbols, markings, or other descriptions of a political party or group, except
578 for a registered political party that has chosen to nominate its candidates in accordance with
579 Section 20A-9-403; and]~~

580 ~~[(iii) no indication that a candidate for elective office has been nominated by, or has
581 been endorsed by, or is in any way affiliated with a political party or group, unless the
582 candidate has been nominated by a registered political party in accordance with Subsection
583 20A-9-202(4) or Subsection 20A-9-403(5).]~~

584 (b) (i) the paper ballot contains a ballot stub at least one inch wide, placed across the
585 top of the ballot, and divided from the rest of ballot by a perforated line;

586 (ii) the ballot number and the words "Poll Worker's Initial ____" are printed on the
587 stub; and

588 (iii) ballot stubs are numbered consecutively;

589 (c) immediately below the perforated ballot stub, the following endorsements are
590 printed in 18 point bold type:

591 (i) "Official Ballot for ____ County, Utah";

592 (ii) the date of the election; and

593 (iii) the words "Clerk of _____ County" or, as applicable, the name of a
594 combined office that includes the duties of a county clerk;

595 (d) the party name or title is printed in capital letters not less than one-fourth of an inch
596 high;

597 (e) unaffiliated candidates~~[;]~~ and candidates not affiliated with a registered political
598 party~~[; and all other candidates for elective office who were not nominated by a registered~~
599 ~~political party in accordance with Subsection 20A-9-202(4) or Subsection 20A-9-403(5);]~~ are
600 listed with the other candidates for the same office in accordance with Section 20A-6-305,
601 without a party name or title, and with a mark referencing the following statement at the
602 bottom of the ticket: "This candidate is not affiliated with~~[; or does not qualify to be listed on~~
603 ~~the ballot as affiliated with;]~~ a political party.";

604 (f) each ticket containing the lists of candidates, including the party name and device,
605 are separated by heavy parallel lines;

606 (g) the offices to be filled are plainly printed immediately above the names of the
607 candidates for those offices;

608 (h) the names of candidates are printed in capital letters, not less than one-eighth nor
609 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between
610 lines or rules three-eighths of an inch apart; and

611 (i) on a ticket for a race in which a voter is authorized to cast a write-in vote and in
612 which a write-in candidate is qualified under Section 20A-9-601:

613 (i) the ballot includes a space for a write-in candidate immediately following the last
614 candidate listed on that ticket; or

615 (ii) for the offices of president and vice president and governor and lieutenant
616 governor, the ballot includes two spaces for write-in candidates immediately following the last
617 candidates on that ticket, one placed above the other, to enable the entry of two valid write-in
618 candidates.

619 (2) Each election officer shall ensure that:

620 (a) each person nominated by any registered political party [~~under Subsection~~
621 ~~20A-9-202(4) or Subsection 20A-9-403(5), and no other person,]~~ or group of petitioners is
622 placed on the ballot:

623 (i) under the registered political party's name, if any; or

624 (ii) under the title of the registered political party or group as designated by them in
625 their certificates of nomination or petition, or, if none is designated, then under some suitable
626 title;

627 (b) the names of all unaffiliated candidates that qualify as required in Title 20A,
628 Chapter 9, Part 5, Candidates not Affiliated with a Party, are placed on the ballot;

629 (c) the names of the candidates for president and vice president are used on the ballot
630 instead of the names of the presidential electors; and

631 (d) the ballots contain no other names.

632 (3) When the ballot contains a nonpartisan section, the election officer shall ensure
633 that:

634 (a) the designation of the office to be filled in the election and the number of
635 candidates to be elected are printed in type not smaller than eight point;

636 (b) the words designating the office are printed flush with the left-hand margin;

637 (c) the words, "Vote for one" or "Vote for up to _____ (the number of candidates for
638 which the voter may vote)" extend to the extreme right of the column;

639 (d) the nonpartisan candidates are grouped according to the office for which they are
640 candidates;

641 (e) the names in each group are placed in the order specified under Section 20A-6-305
642 with the surnames last; and

643 (f) each group is preceded by the designation of the office for which the candidates
644 seek election, and the words, "Vote for one" or "Vote for up to _____ (the number of
645 candidates for which the voter may vote)," according to the number to be elected.

646 (4) Each election officer shall ensure that:

647 (a) proposed amendments to the Utah Constitution are listed on the ballot in
648 accordance with Section 20A-6-107;

649 (b) ballot propositions submitted to the voters are listed on the ballot in accordance
650 with Section 20A-6-107; and

651 (c) bond propositions that have qualified for the ballot are listed on the ballot under the
652 title assigned to each bond proposition under Section 11-14-206.

653 Section 7. Section 20A-6-302 is amended to read:

654 **20A-6-302. Paper ballots -- Placement of candidates' names.**

655 (1) Each election officer shall ensure, for paper ballots in regular general elections,
656 that:

657 (a) each candidate is listed by party[~~if nominated by a registered political party under~~
658 Subsection 20A-9-202(4) or Subsection 20A-9-403(5)];

659 (b) candidates' surnames are listed in alphabetical order on the ballots when two or
660 more candidates' names are required to be listed on a ticket under the title of an office; and

661 (c) the names of candidates are placed on the ballot in the order specified under Section
662 20A-6-305.

663 (2) (a) When there is only one candidate for county attorney at the regular general
664 election in counties that have three or fewer registered voters of the county who are licensed
665 active members in good standing of the Utah State Bar, the county clerk shall cause that
666 candidate's name and party affiliation, if any, to be placed on a separate section of the ballot
667 with the following question: "Shall (name of candidate) be elected to the office of county
668 attorney? Yes ____ No ____."

669 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
670 elected to the office of county attorney.

671 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
672 elected and may not take office, nor may the candidate continue in the office past the end of the
673 term resulting from any prior election or appointment.

674 (d) When the name of only one candidate for county attorney is printed on the ballot
675 under authority of this Subsection (2), the county clerk may not count any write-in votes
676 received for the office of county attorney.

677 (e) If no qualified person files for the office of county attorney or if the candidate is not
678 elected by the voters, the county legislative body shall appoint the county attorney as provided
679 in Section [20A-1-509.2](#).

680 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
681 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a) to the
682 two consecutive terms immediately preceding the term for which the candidate is seeking
683 election, Subsection (2)(a) does not apply and that candidate shall be considered to be an
684 unopposed candidate the same as any other unopposed candidate for another office, unless a
685 petition is filed with the county clerk before the date of that year's primary election that:

686 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and
687 (ii) contains the signatures of registered voters in the county representing in number at
688 least 25% of all votes cast in the county for all candidates for governor at the last election at
689 which a governor was elected.

690 (3) (a) When there is only one candidate for district attorney at the regular general
691 election in a prosecution district that has three or fewer registered voters of the district who are
692 licensed active members in good standing of the Utah State Bar, the county clerk shall cause
693 that candidate's name and party affiliation, if any, to be placed on a separate section of the
694 ballot with the following question: "Shall (name of candidate) be elected to the office of district
695 attorney? Yes ____ No ____."

696 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
697 elected to the office of district attorney.

698 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
699 elected and may not take office, nor may the candidate continue in the office past the end of the
700 term resulting from any prior election or appointment.

701 (d) When the name of only one candidate for district attorney is printed on the ballot
702 under authority of this Subsection (3), the county clerk may not count any write-in votes
703 received for the office of district attorney.

704 (e) If no qualified person files for the office of district attorney, or if the only candidate
705 is not elected by the voters under this subsection, the county legislative body shall appoint a
706 new district attorney for a four-year term as provided in Section [20A-1-509.2](#).

707 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on

708 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a) to the
709 two consecutive terms immediately preceding the term for which the candidate is seeking
710 election, Subsection (3)(a) does not apply and that candidate shall be considered to be an
711 unopposed candidate the same as any other unopposed candidate for another office, unless a
712 petition is filed with the county clerk before the date of that year's primary election that:

- 713 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and
- 714 (ii) contains the signatures of registered voters in the county representing in number at
715 least 25% of all votes cast in the county for all candidates for governor at the last election at
716 which a governor was elected.

717 Section 8. Section **20A-6-303** is amended to read:

718 **20A-6-303. Regular general election -- Ballot sheets.**

719 (1) Each election officer shall ensure that:

- 720 (a) copy on the ballot sheets or ballot labels, as applicable, are arranged in
721 approximately the same order as paper ballots;
- 722 (b) the ballot sheet or any pages used for the ballot label are of sufficient number to
723 include, after the list of candidates:
 - 724 (i) the names of candidates for judicial offices and any other nonpartisan offices; and
 - 725 (ii) any ballot propositions submitted to the voters for their approval or rejection;
 - 726 (c) the office titles are printed immediately adjacent to the names of candidates so as to
727 indicate clearly the candidates for each office and the number to be elected;
 - 728 (d) the party designation of each candidate [~~who has been nominated by a registered~~
729 ~~political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] is printed~~
730 immediately adjacent to the candidate's name; and
 - 731 (e) (i) if possible, all candidates for one office are grouped in one column or upon one
732 page;
 - 733 (ii) if all candidates for one office cannot be listed in one column or grouped on one
734 page:
 - 735 (A) the ballot sheet or ballot label shall be clearly marked to indicate that the list of
736 candidates is continued on the following column or page; and
 - 737 (B) approximately the same number of names shall be printed in each column or on
738 each page.

739 (2) Each election officer shall ensure that:

740 (a) proposed amendments to the Utah Constitution are listed in accordance with
741 Section 20A-6-107;

742 (b) ballot propositions submitted to the voters are listed in accordance with Section
743 20A-6-107; and

744 (c) bond propositions that have qualified for the ballot are listed under the title
745 assigned to each bond proposition under Section 11-14-206.

746 Section 9. Section 20A-6-304 is amended to read:

747 **20A-6-304. Regular general election -- Electronic ballots.**

748 (1) Each election officer shall ensure that:

749 (a) the format and content of the electronic ballot is arranged in approximately the
750 same order as paper ballots;

751 (b) the titles of offices and the names of candidates are displayed in vertical columns or
752 in a series of separate display screens;

753 (c) the electronic ballot is of sufficient length to include, after the list of candidates:

754 (i) the names of candidates for judicial offices and any other nonpartisan offices; and

755 (ii) any ballot propositions submitted to the voters for their approval or rejection;

756 (d) the office titles are displayed above or at the side of the names of candidates so as
757 to indicate clearly the candidates for each office and the number to be elected;

758 (e) the party designation of each candidate [~~who has been nominated by a registered~~
759 ~~political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] is displayed
760 adjacent to the candidate's name; and~~

761 (f) if possible, all candidates for one office are grouped in one column or upon one
762 display screen.

763 (2) Each election officer shall ensure that:

764 (a) proposed amendments to the Utah Constitution are displayed in accordance with
765 Section 20A-6-107;

766 (b) ballot propositions submitted to the voters are displayed in accordance with Section
767 20A-6-107; and

768 (c) bond propositions that have qualified for the ballot are displayed under the title
769 assigned to each bond proposition under Section 11-14-206.

770 Section 10. Section **20A-8-103** is amended to read:

771 **20A-8-103. Petition procedures -- Criminal penalty.**

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

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

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

782 (b) file a petition with the lieutenant governor that is signed, with a holographic
783 signature, by at least 2,000 registered voters on or before ~~[November 30]~~ February 15 of the
784 year in which a regular general election will be held; and

785 (c) file, with the petition described in Subsection (2)(b), a document certifying:

786 (i) the identity of one or more registered political parties whose members may vote for
787 the organization's candidates; and

788 (ii) whether unaffiliated voters may vote for the organization's candidates~~[- and]~~.

789 ~~[(iii) whether, for the next election, the organization intends to nominate the
790 organization's candidates in accordance with the provisions of Section [20A-9-406](#).]~~

791 (3) The petition shall:

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

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

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

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

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

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

806 (f) contain the following statement directly under the statement described in Subsection
807 (3)(e):

808 "POLITICAL PARTY REGISTRATION PETITION To the Honorable _____,
809 Lieutenant Governor:

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

812 Each signer says:

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

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

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

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

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

819 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
820 headed with "For Office Use Only," and be subdivided with a light vertical line down the
821 middle;

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

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

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

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

829 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
830 information is not required, but it may be used to verify your identity with voter registration
831 records. If you choose not to provide it, your signature may not be certified as a valid signature

832 if you change your address before petition signatures are certified or if the information you
833 provide does not match your voter registration records.";

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

836 "Verification
837 State of Utah, County of _____

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

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

840 All the names that appear on the signature sheets bound to this page were signed by
841 individuals who professed to be the individuals whose names appear on the signature sheets,
842 and each individual signed the individual's name on the signature sheets in my presence;

843 I believe that each individual has printed and signed the individual's name and written
844 the individual's street address correctly, and that each individual is registered to vote in Utah or
845 will register to vote in Utah before the petition is submitted to the lieutenant governor.

846 _____
847 (Signature) (Residence Address) (Date)"; and

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

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

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

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

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

857 (a) is at least 18 years old;

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

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

861 (5) An individual may not sign the verification if the individual signed a signature
862 sheet bound to the verification.

863 (6) The lieutenant governor shall:

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

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

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

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

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

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

879 (9) (a) It is unlawful for an individual to:

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

881 (A) with any name other than the individual's own name;

882 (B) more than once for the same political party; or

883 (C) if the individual is not registered to vote in this state and does not intend to become
884 registered to vote in this state before the petition is submitted to the lieutenant governor; or

885 (ii) sign the verification of a political party registration petition signature sheet if the
886 individual:

887 (A) does not meet the residency requirements of Section [20A-2-105](#);

888 (B) has not witnessed the signing by those individuals whose names appear on the
889 political party registration petition signature sheet; or

890 (C) knows that an individual whose signature appears on the political party registration
891 petition signature sheet is not registered to vote in this state and does not intend to become
892 registered to vote in this state.

893 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.

894 Section 11. Section 20A-9-101 is amended to read:

895 **20A-9-101. Definitions.**

896 As used in this chapter:

897 (1) (a) "Candidates for elective office" means [~~persons who file a declaration of~~
898 ~~candidacy under Section 20A-9-202~~] individuals selected by a registered political party as party
899 candidates to run in a regular general election [for a federal office, constitutional office,
900 multicounty office, or county office].

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

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

903 (ii) presidential elector;

904 (iii) any political party offices; and

905 (iv) municipal or local district offices.

906 (2) "Constitutional office" means the state offices of governor, lieutenant governor,
907 attorney general, state auditor, and state treasurer.

908 [~~(3) "Continuing political party" means the same as that term is defined in Section~~
909 ~~20A-8-101.~~]

910 [~~(4)~~] (3) (a) "County office" means an elective office where the officeholder is selected
911 by voters entirely within one county.

912 (b) "County office" does not mean:

913 (i) the office of justice or judge of any court of record or not of record;

914 (ii) the office of presidential elector;

915 (iii) any political party offices;

916 (iv) any municipal or local district offices; and

917 (v) the office of United States Senator and United States Representative.

918 [~~(5)~~] (4) "Federal office" means an elective office for United States Senator and United
919 States Representative.

920 [~~(6)~~] (5) "Filing officer" means:

921 (a) the lieutenant governor, for:

922 (i) an office representing a political division that contains territory
923 in two or more counties;

924 [~~(7)~~] (ii) the office of United States Senator and United States Representative; and

- 925 ~~[(it)]~~ (iii) all constitutional offices;
- 926 (b) the county clerk, for county offices and local school district offices~~[-and the county~~
- 927 ~~clerk in the filer's county of residence, for multicounty offices];~~
- 928 (c) the city or town clerk, for municipal offices; and
- 929 (d) the local district clerk, for local district offices.
- 930 ~~[(7)]~~ (6) "Local district office" means an elected office in a local district.
- 931 ~~[(8)]~~ (7) "Local government office" includes county offices, municipal offices, and
- 932 local district offices and other elective offices selected by the voters from a political division
- 933 entirely within one county.
- 934 ~~[(9)]~~ (8) (a) "Multicounty office" means an elective office where the officeholder is
- 935 selected by the voters from more than one county.
- 936 (b) "Multicounty office" does not mean:
- 937 (i) a county office;
- 938 (ii) a federal office;
- 939 (iii) the office of justice or judge of any court of record or not of record;
- 940 (iv) the office of presidential elector;
- 941 (v) any political party offices; and
- 942 (vi) any municipal or local district offices.
- 943 ~~[(10)]~~ (9) "Municipal office" means an elective office in a municipality.
- 944 ~~[(11)]~~ (10) (a) "Political division" means a geographic unit from which an officeholder
- 945 is elected and that an officeholder represents.
- 946 (b) "Political division" includes a county, a city, a town, a local district, a school
- 947 district, a legislative district, and a county prosecution district.
- 948 ~~[(12) "Qualified political party" means a registered political party that:]~~
- 949 ~~[(a) (i) permits a delegate for the registered political party to vote on a candidate~~
- 950 ~~nomination in the registered political party's convention remotely; or]~~
- 951 ~~[(ii) provides a procedure for designating an alternate delegate if a delegate is not~~
- 952 ~~present at the registered political party's convention;]~~
- 953 ~~[(b) does not hold the registered political party's convention before the fourth Saturday~~
- 954 ~~in March of an even-numbered year;]~~
- 955 ~~[(c) permits a member of the registered political party to seek the registered political~~

956 party's nomination for any elective office by the member choosing to seek the nomination by
957 either or both of the following methods:]

958 [~~(i) seeking the nomination through the registered political party's convention process;~~
959 ~~in accordance with the provisions of Section 20A-9-407; or]~~

960 [~~(ii) seeking the nomination by collecting signatures, in accordance with the provisions~~
961 ~~of Section 20A-9-408; and]~~

962 [~~(d) (i) if the registered political party is a continuing political party, no later than 5~~
963 ~~p.m. on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the~~
964 ~~election in the following year, the registered political party intends to nominate the registered~~
965 ~~political party's candidates in accordance with the provisions of Section 20A-9-406; or]~~

966 [~~(ii) if the registered political party is not a continuing political party, certifies at the~~
967 ~~time that the registered political party files the petition described in Section 20A-8-103 that, for~~
968 ~~the next election, the registered political party intends to nominate the registered political~~
969 ~~party's candidates in accordance with the provisions of Section 20A-9-406;]~~

970 Section 12. Section 20A-9-201 is amended to read:

971 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
972 **more than one political party prohibited with exceptions -- General filing and form**
973 **requirements -- Affidavit of impecuniosity.**

974 (1) Before filing a declaration of candidacy for election to any office, a person shall:

975 (a) be a United States citizen; and

976 (b) meet the legal requirements of that office[~~;~~ and].

977 [~~(c) if seeking a registered political party's nomination as a candidate for elective~~
978 ~~office, state:]~~

979 [~~(i) the registered political party of which the person is a member; or]~~

980 [~~(ii) that the person is not a member of a registered political party.]~~

981 (2) (a) Except as provided in Subsection (2)(b), an individual may not:

982 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
983 Utah during any election year;

984 (ii) appear on the ballot as the candidate of more than one political party; or

985 (iii) file a declaration of candidacy for a registered political party of which the

986 individual is not a member, except to the extent that the registered political party permits

987 otherwise in the registered political party's bylaws.

988 (b) (i) A person may file a declaration of candidacy for, or be a candidate for, president
989 or vice president of the United States and another office, if the person resigns the person's
990 candidacy for the other office after the person is officially nominated for president or vice
991 president of the United States.

992 (ii) A person may file a declaration of candidacy for, or be a candidate for, more than
993 one justice court judge office.

994 (iii) A person may file a declaration of candidacy for lieutenant governor even if the
995 person filed a declaration of candidacy for another office in the same election year if the person
996 withdraws as a candidate for the other office in accordance with Subsection 20A-9-202(6)
997 before filing the declaration of candidacy for lieutenant governor.

998 (3) (a) (i) Except for a candidate for president or vice president of the United States,
999 before the filing officer may accept any declaration of candidacy, the filing officer shall:

1000 (A) read to the prospective candidate the constitutional and statutory qualification
1001 requirements for the office that the candidate is seeking; and

1002 (B) require the candidate to state whether the candidate meets those requirements.

1003 (ii) Before accepting a declaration of candidacy for the office of county attorney, the
1004 county clerk shall ensure that the person filing that declaration of candidacy is:

1005 (A) a United States citizen;

1006 (B) an attorney licensed to practice law in Utah who is an active member in good
1007 standing of the Utah State Bar;

1008 (C) a registered voter in the county in which the person is seeking office; and

1009 (D) a current resident of the county in which the person is seeking office and either has
1010 been a resident of that county for at least one year or was appointed and is currently serving as
1011 county attorney and became a resident of the county within 30 days after appointment to the
1012 office.

1013 (iii) Before accepting a declaration of candidacy for the office of district attorney, the
1014 county clerk shall ensure that, as of the date of the election, the person filing that declaration of
1015 candidacy is:

1016 (A) a United States citizen;

1017 (B) an attorney licensed to practice law in Utah who is an active member in good

1018 standing of the Utah State Bar;

1019 (C) a registered voter in the prosecution district in which the person is seeking office;

1020 and

1021 (D) a current resident of the prosecution district in which the person is seeking office
1022 and either will have been a resident of that prosecution district for at least one year as of the
1023 date of the election or was appointed and is currently serving as district attorney and became a
1024 resident of the prosecution district within 30 days after receiving appointment to the office.

1025 (iv) Before accepting a declaration of candidacy for the office of county sheriff, the
1026 county clerk shall ensure that the person filing the declaration of candidacy:

1027 (A) as of the date of filing:

1028 (I) is a United States citizen;

1029 (II) is a registered voter in the county in which the person seeks office;

1030 (III) (Aa) has successfully met the standards and training requirements established for
1031 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and
1032 Certification Act; or

1033 (Bb) has met the waiver requirements in Section 53-6-206; and

1034 (IV) is qualified to be certified as a law enforcement officer, as defined in Section
1035 53-13-103; and

1036 (B) as of the date of the election, shall have been a resident of the county in which the
1037 person seeks office for at least one year.

1038 (v) Before accepting a declaration of candidacy for the office of governor, lieutenant
1039 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of
1040 Education member, the filing officer shall ensure:

1041 (A) that the person filing the declaration of candidacy also files the financial disclosure
1042 required by Section 20A-11-1603; and

1043 (B) if the filing officer is not the lieutenant governor, that the financial disclosure is
1044 provided to the lieutenant governor according to the procedures and requirements of Section
1045 20A-11-1603.

1046 (b) If the prospective candidate states that the qualification requirements for the office
1047 are not met, the filing officer may not accept the prospective candidate's declaration of
1048 candidacy.

- 1049 (c) If the candidate meets the requirements of Subsection (3)(a) and states that the
1050 requirements of candidacy are met, the filing officer shall:
- 1051 (i) inform the candidate that:
- 1052 (A) the candidate's name will appear on the ballot as the candidate's name is written on
1053 the declaration of candidacy;
- 1054 (B) the candidate may be required to comply with state or local campaign finance
1055 disclosure laws; and
- 1056 (C) the candidate is required to file a financial statement before the candidate's political
1057 convention under:
- 1058 (I) Section [20A-11-204](#) for a candidate for constitutional office;
- 1059 (II) Section [20A-11-303](#) for a candidate for the Legislature; or
- 1060 (III) local campaign finance disclosure laws, if applicable;
- 1061 (ii) except for a presidential candidate, provide the candidate with a copy of the current
1062 campaign financial disclosure laws for the office the candidate is seeking and inform the
1063 candidate that failure to comply will result in disqualification as a candidate and removal of the
1064 candidate's name from the ballot;
- 1065 (iii) provide the candidate with a copy of Section [20A-7-801](#) regarding the Statewide
1066 Electronic Voter Information Website Program and inform the candidate of the submission
1067 deadline under Subsection [20A-7-801\(4\)\(a\)](#);
- 1068 (iv) provide the candidate with a copy of the pledge of fair campaign practices
1069 described under Section [20A-9-206](#) and inform the candidate that:
- 1070 (A) signing the pledge is voluntary; and
- 1071 (B) signed pledges shall be filed with the filing officer;
- 1072 (v) accept the candidate's declaration of candidacy; and
- 1073 (vi) if the candidate has filed for a partisan office, provide a certified copy of the
1074 declaration of candidacy to the chair of the county or state political party of which the
1075 candidate is a member.
- 1076 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing
1077 officer shall:
- 1078 (i) accept the candidate's pledge; and
- 1079 (ii) if the candidate has filed for a partisan office, provide a certified copy of the

1080 candidate's pledge to the chair of the county or state political party of which the candidate is a
1081 member.

1082 (4) (a) Except for a candidate for president or vice president of the United States, the
1083 form of the declaration of candidacy shall~~[(i)]~~ be substantially as follows:

1084 "State of Utah, County of ____
1085 I, _____, declare my ~~[candidacy]~~ intention of becoming a candidate
1086 for the office of _____, ~~[seeking the nomination of]~~ as a candidate for the _____ party. I
1087 do solemnly swear that: I will meet the qualifications to hold the office, both legally and
1088 constitutionally, if selected; I reside at _____ in the City or Town of _____,
1089 Utah, Zip Code _____ Phone No. _____; I will not knowingly violate any law governing
1090 campaigns and elections; I will file all campaign financial disclosure reports as required
1091 by law; and I understand that failure to do so will result in my disqualification as a
1092 candidate for this office and removal of my name from the ballot. The mailing address
1093 that I designate for receiving official election notices is
1094 _____.

1095 _____
1096 Subscribed and sworn before me this _____(month\day\year).
1097 _____ Notary Public (or other officer qualified to administer oath)."~~[-and]~~

1098 ~~[(ii) require the candidate to state, in the sworn statement described in Subsection~~
1099 ~~(4)(a)(i):~~
1100 ~~[(A) the registered political party of which the candidate is a member; or]~~
1101 ~~[(B) that the candidate is not a member of a registered political party.]~~

1102 (b) An agent designated to file a declaration of candidacy under Section [20A-9-202](#)
1103 may not sign the form described in Subsection (4)(a).

1104 (5) (a) Except for presidential candidates, the fee for filing a declaration of candidacy
1105 is:

- 1106 (i) \$50 for candidates for the local school district board; and
- 1107 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
1108 person holding the office for all other federal, state, and county offices.

1109 (b) Except for presidential candidates, the filing officer shall refund the filing fee to
1110 any candidate:

1111 (i) who is disqualified; or
 1112 (ii) who the filing officer determines has filed improperly.
 1113 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received
 1114 from candidates.

1115 (ii) The lieutenant governor shall:
 1116 (A) apportion to and pay to the county treasurers of the various counties all fees
 1117 received for filing of nomination certificates or acceptances; and

1118 (B) ensure that each county receives that proportion of the total amount paid to the
 1119 lieutenant governor from the congressional district that the total vote of that county for all
 1120 candidates for representative in Congress bears to the total vote of all counties within the
 1121 congressional district for all candidates for representative in Congress.

1122 (d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy
 1123 without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by
 1124 an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer,
 1125 a financial statement filed at the time the affidavit is submitted.

1126 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

1127 (iii) (A) False statements made on an affidavit of impecuniosity or a financial
 1128 statement filed under this section shall be subject to the criminal penalties provided under
 1129 Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.

1130 (B) Conviction of a criminal offense under Subsection (5)(d)(iii)(A) shall be
 1131 considered an offense under this title for the purposes of assessing the penalties provided in
 1132 Subsection 20A-1-609(2).

1133 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in
 1134 substantially the following form:

1135 "Affidavit of Impecuniosity

1136 Individual Name

1137 _____ Address _____

1138 Phone Number _____

1139 I, _____ (name), do solemnly [swear] [affirm], under penalty of law
 1140 for false statements, that, owing to my poverty, I am unable to pay the filing fee required by
 1141 law.

1142 Date _____ Signature _____

1143 Affiant

1144 Subscribed and sworn to before me on _____ (month\day\year)

1145 _____

1146 (signature)

1147 Name and Title of Officer Authorized to Administer Oath _____ "

1148 (v) The filing officer shall provide to a person who requests an affidavit of
1149 impecuniosity a statement printed in substantially the following form, which may be included
1150 on the affidavit of impecuniosity:

1151 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a
1152 candidate who is found guilty of filing a false statement, in addition to being subject to criminal
1153 penalties, will be removed from the ballot."

1154 (vi) The filing officer may request that a person who makes a claim of impecuniosity
1155 under this Subsection (5)(d) file a financial statement on a form prepared by the election
1156 official.

1157 (6) (a) If there is no legislative appropriation for the Western States Presidential
1158 Primary election, as provided in Part 8, Western States Presidential Primary, a candidate for
1159 president of the United States who is affiliated with a registered political party and chooses to
1160 participate in the regular primary election shall:

1161 (i) file a declaration of candidacy, in person or via a designated agent, with the
1162 lieutenant governor:

1163 (A) on a form developed and provided by the lieutenant governor; and

1164 (B) on or after the second Friday in March and before 5 p.m. on the third Thursday in
1165 March before the next regular primary election;

1166 (ii) identify the registered political party whose nomination the candidate is seeking;

1167 (iii) provide a letter from the registered political party certifying that the candidate may
1168 participate as a candidate for that party in that party's presidential primary election; and

1169 (iv) pay the filing fee of \$500.

1170 (b) An agent designated to file a declaration of candidacy may not sign the form
1171 described in Subsection (6)(a)(i)(A).

1172 (7) Any person who fails to file a declaration of candidacy or certificate of nomination

1173 within the time provided in this chapter is ineligible for nomination to office.

1174 (8) A declaration of candidacy filed under this section may not be amended or
1175 modified after the final date established for filing a declaration of candidacy.

1176 Section 13. Section **20A-9-202** is amended to read:

1177 **20A-9-202. Declarations of candidacy for regular general elections.**

1178 (1) (a) Each person seeking to become a candidate for an elective office that is to be
1179 filled at the next regular general election shall:

1180 (i) file a declaration of candidacy in person with the filing officer;

1181 (A) on or after January 1 of the regular general election year~~[-and;]~~;

1182 (B) if applicable, before the candidate circulates nomination petitions under Section
1183 [20A-9-405](#); and

1184 (C) before 5 p.m. on the third Thursday in March before the next regular general
1185 election; and

1186 (ii) pay the filing fee.

1187 (b) Each county clerk who receives a declaration of candidacy from a candidate for
1188 multicounty office shall transmit the filing fee and a copy of the candidate's declaration of
1189 candidacy to the lieutenant governor within one working day after it is filed.

1190 (c) Each day during the filing period, each county clerk shall notify the lieutenant
1191 governor electronically or by telephone of candidates who have filed in their office.

1192 (d) Each person seeking the office of lieutenant governor, the office of district attorney,
1193 or the office of president or vice president of the United States shall comply with the specific
1194 declaration of candidacy requirements established by this section.

1195 (2) (a) Each person intending to become a candidate for the office of district attorney
1196 within a multicounty prosecution district that is to be filled at the next regular general election
1197 shall:

1198 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement
1199 creating the prosecution district on or after January 1 of the regular general election year, and
1200 before the candidate circulates nomination petitions under Section [20A-9-405](#); and

1201 (ii) pay the filing fee.

1202 (b) The designated clerk shall provide to the county clerk of each county in the
1203 prosecution district a certified copy of each declaration of candidacy filed for the office of

1204 district attorney.

1205 (3) (a) On or before 5 p.m. on the first Monday after the third Saturday in April, each
1206 lieutenant governor candidate shall:

1207 (i) file a declaration of candidacy with the lieutenant governor;

1208 (ii) pay the filing fee; and

1209 (iii) submit a letter from a candidate for governor who has received certification for the
1210 primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate
1211 as a joint-ticket running mate.

1212 (b) Any candidate for lieutenant governor who fails to timely file is disqualified. If a
1213 lieutenant governor is disqualified, another candidate shall file to replace the disqualified
1214 candidate.

1215 (4) On or before August 31, each registered political party shall:

1216 (a) certify the names of its candidates for president and vice president of the United
1217 States to the lieutenant governor; or

1218 (b) provide written authorization for the lieutenant governor to accept the certification
1219 of candidates for president and vice president of the United States from the national office of
1220 the registered political party.

1221 (5) (a) A declaration of candidacy filed under this section is valid unless a written
1222 objection is filed with the clerk or lieutenant governor within five days after the last day for
1223 filing.

1224 (b) If an objection is made, the clerk or lieutenant governor shall:

1225 (i) mail or personally deliver notice of the objection to the affected candidate
1226 immediately; and

1227 (ii) decide any objection within 48 hours after it is filed.

1228 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
1229 problem by amending the declaration or petition within three days after the objection is
1230 sustained or by filing a new declaration within three days after the objection is sustained.

1231 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

1232 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
1233 by a district court if prompt application is made to the court.

1234 (iii) The decision of the district court is final unless the Supreme Court, in the exercise

1235 of its discretion, agrees to review the lower court decision.

1236 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by
1237 filing a written affidavit with the clerk.

1238 (7) Except as provided in Subsection 20A-9-201(4)(b), notwithstanding a requirement
1239 in this section to file a declaration of candidacy in person, a person may designate an agent to
1240 file the form described in Subsection 20A-9-201(4) in person with the filing officer if:

1241 (a) the person is located outside the state during the filing period because:

1242 (i) of employment with the state or the United States; or

1243 (ii) the person is a member of:

1244 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
1245 Coast Guard of the United States who is on active duty;

1246 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
1247 commissioned corps of the National Oceanic and Atmospheric Administration of the United
1248 States; or

1249 (C) the National Guard on activated status;

1250 (b) the person communicates with the filing officer using an electronic device that
1251 allows the person and filing officer to see and hear each other; and

1252 (c) the person provides the filing officer with an email address to which the filing
1253 officer may send the copies described in Subsection 20A-9-201(3).

1254 (8) (a) Except for a candidate who is certified by a registered political party under
1255 Subsection (4), and except as provided in Section 20A-9-504, on or before August 31 of a
1256 general election year, each individual running as a candidate for vice president of the United
1257 States shall:

1258 (i) file a declaration of candidacy, in person or via designated agent, on a form
1259 developed by the lieutenant governor, that:

1260 (A) contains the individual's name, address, and telephone number;

1261 (B) states that the individual meets the qualifications for the office of vice president of
1262 the United States;

1263 (C) names the presidential candidate, who has qualified for the general election ballot,
1264 with which the individual is running as a joint-ticket running mate;

1265 (D) states that the individual agrees to be the running mate of the presidential candidate

1266 described in Subsection (8)(a)(i)(C); and

1267 (E) contains any other necessary information identified by the lieutenant governor;

1268 (ii) pay the filing fee, if applicable; and

1269 (iii) submit a letter from the presidential candidate described in Subsection (8)(a)(i)(C)

1270 that names the individual as a joint-ticket running mate as a vice presidential candidate.

1271 (b) A designated agent described in Subsection (8)(a)(i) may not sign the declaration of
1272 candidacy.

1273 (c) A vice presidential candidate who fails to meet the requirements described in this
1274 Subsection (8) may not appear on the general election ballot.

1275 Section 14. Section **20A-9-202.1** is enacted to read:

1276 **20A-9-202.1. Declarations of candidacy for regular general elections.**

1277 (1) (a) Each person seeking to become a candidate for elective office for a county
1278 office that is to be filled at the next regular general election shall:

1279 (i) file a declaration of candidacy in person with the county clerk on or after the second
1280 Friday in March and before 5 p.m. on the third Thursday in March before the next regular
1281 general election; and

1282 (ii) pay the filing fee.

1283 (b) Each person intending to become a candidate for a legislative office or multicounty
1284 office that is to be filled at the next regular general election shall:

1285 (i) file a declaration of candidacy in person with either the lieutenant governor or the
1286 county clerk in the candidate's county of residence on or after the second Friday in March and
1287 before 5 p.m. on the third Thursday in March before the next regular general election; and

1288 (ii) pay the filing fee.

1289 (c) (i) Each county clerk who receives a declaration of candidacy from a candidate for
1290 multicounty office shall transmit the filing fee and a copy of the candidate's declaration of
1291 candidacy to the lieutenant governor within one working day after it is filed.

1292 (ii) Each day during the filing period, each county clerk shall notify the lieutenant
1293 governor electronically or by telephone of legislative candidates who have filed in the county
1294 clerk's office.

1295 (d) Each person seeking to become a candidate for elective office for a federal office or
1296 constitutional office that is to be filled at the next regular general election shall:

1297 (i) file a declaration of candidacy in person with the lieutenant governor on or after the
1298 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1299 regular general election; and

1300 (ii) pay the filing fee.

1301 (e) Each person seeking the office of lieutenant governor, the office of district attorney,
1302 or the office of president or vice president of the United States shall comply with the specific
1303 declaration of candidacy requirements established by this section.

1304 (2) (a) Each person intending to become a candidate for the office of district attorney
1305 within a multicounty prosecution district that is to be filled at the next regular general election
1306 shall:

1307 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement
1308 creating the prosecution district on or after the second Friday in March and before 5 p.m. on the
1309 third Thursday in March before the next regular general election; and

1310 (ii) pay the filing fee.

1311 (b) The designated clerk shall provide to the county clerk of each county in the
1312 prosecution district a certified copy of each declaration of candidacy filed for the office of
1313 district attorney.

1314 (3) (a) Within five working days of nomination, each lieutenant governor candidate
1315 shall:

1316 (i) file a declaration of candidacy with the lieutenant governor;

1317 (ii) pay the filing fee; and

1318 (iii) submit a letter from a candidate for governor who has received certification for the
1319 primary election ballot under Section [20A-9-403](#) that names the lieutenant governor candidate
1320 as a joint-ticket running mate.

1321 (b) Any candidate for lieutenant governor who fails to within five working days is
1322 disqualified. If a lieutenant governor is disqualified, another candidate shall be nominated to
1323 replace the disqualified candidate.

1324 (4) On or before August 31, each registered political party shall:

1325 (a) certify the names of its candidates for president and vice president of the United
1326 States to the lieutenant governor; or

1327 (b) provide written authorization for the lieutenant governor to accept the certification

1328 of candidates for president and vice president of the United States from the national office of
1329 the registered political party.

1330 (5) (a) A declaration of candidacy filed under this section is valid unless a written
1331 objection is filed with the clerk or lieutenant governor within five days after the last day for
1332 filing.

1333 (b) If an objection is made, the clerk or lieutenant governor shall:

1334 (i) mail or personally deliver notice of the objection to the affected candidate
1335 immediately; and

1336 (ii) decide any objection within 48 hours after it is filed.

1337 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
1338 problem by amending the declaration or petition within three days after the objection is
1339 sustained or by filing a new declaration within three days after the objection is sustained.

1340 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

1341 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
1342 by a district court if prompt application is made to the court.

1343 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
1344 of its discretion, agrees to review the lower court decision.

1345 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by
1346 filing a written affidavit with the clerk.

1347 (7) Except as provided in Subsection 20A-9-201(4)(b), notwithstanding a requirement
1348 in this section to file a declaration of candidacy in person, a person may designate an agent to
1349 file the form described in Subsection 20A-9-201(4) in person with the filing officer if:

1350 (a) the person is located outside the state during the filing period because:

1351 (i) of employment with the state or the United States; or

1352 (ii) the person is a member of:

1353 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
1354 Coast Guard of the United States who is on active duty;

1355 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
1356 commissioned corps of the National Oceanic and Atmospheric Administration of the United
1357 States; or

1358 (C) the National Guard on activated status;

1359 (b) the person communicates with the filing officer using an electronic device that
1360 allows the person and filing officer to see and hear each other; and

1361 (c) the person provides the filing officer with an email address to which the filing
1362 officer may send the copies described in Subsection 20A-9-201(3).

1363 (8) (a) Except for a candidate who is certified by a registered political party under
1364 Subsection (4), and except as provided in Section 20A-9-504, on or before August 31 of a
1365 general election year, each individual running as a candidate for vice president of the United
1366 States shall:

1367 (i) file a declaration of candidacy, in person or via designated agent, on a form
1368 developed by the lieutenant governor, that:

1369 (A) contains the individual's name, address, and telephone number;

1370 (B) states that the individual meets the qualifications for the office of vice president of
1371 the United States;

1372 (C) names the presidential candidate, who has qualified for the general election ballot,
1373 with which the individual is running as a joint-ticket running mate;

1374 (D) states that the individual agrees to be the running mate of the presidential candidate
1375 described in Subsection (8)(a)(i)(C); and

1376 (E) contains any other necessary information identified by the lieutenant governor;

1377 (ii) pay the filing fee, if applicable; and

1378 (iii) submit a letter from the presidential candidate described in Subsection (8)(a)(i)(C)
1379 that names the individual as a joint-ticket running mate as a vice presidential candidate.

1380 (b) A designated agent described in Subsection (8)(a)(i) may not sign the declaration of
1381 candidacy.

1382 (c) A vice presidential candidate who fails to meet the requirements described in this
1383 Subsection (8) may not appear on the general election ballot.

1384 Section 15. Section 20A-9-203 is amended to read:

1385 **20A-9-203. Declarations of candidacy -- Municipal general elections.**

1386 (1) An individual may become a candidate for any municipal office if:

1387 (a) the individual is a registered voter; and

1388 (b) (i) the individual has resided within the municipality in which the individual seeks
1389 to hold elective office for the 12 consecutive months immediately before the date of the

1390 election; or

1391 (ii) the territory in which the individual resides was annexed into the municipality, the
1392 individual has resided within the annexed territory or the municipality the 12 consecutive
1393 months immediately before the date of the election.

1394 (2) (a) For purposes of determining whether an individual meets the residency
1395 requirement of Subsection (1)(b)(i) in a municipality that was incorporated less than 12 months
1396 before the election, the municipality is considered to have been incorporated 12 months before
1397 the date of the election.

1398 (b) In addition to the requirements of Subsection (1), each candidate for a municipal
1399 council position shall, if elected from a district, be a resident of the council district from which
1400 the candidate is elected.

1401 (c) In accordance with Utah Constitution, Article IV, Section 6, any mentally
1402 incompetent person, any person convicted of a felony, or any person convicted of treason or a
1403 crime against the elective franchise may not hold office in this state until the right to hold
1404 elective office is restored under Section [20A-2-101.3](#) or [20A-2-101.5](#).

1405 (3) (a) An individual seeking to become a candidate for a municipal office shall[;
1406 ~~regardless of the nomination method by which the individual is seeking to become a~~
1407 ~~candidate~~]:

1408 (i) file a declaration of candidacy, in person with the city recorder or town clerk, during
1409 the office hours described in Section [10-3-301](#) and not later than the close of those office
1410 hours, between June 1 and June 7 of any odd-numbered year; and

1411 (ii) pay the filing fee, if one is required by municipal ordinance.

1412 (b) Any resident of a municipality may nominate a candidate for a municipal office by:

1413 (i) filing a nomination petition with the city recorder or town clerk during the office
1414 hours described in Section [10-3-301](#) and not later than the close of those office hours, between
1415 June 1 and June 7 of any odd-numbered year; and

1416 (ii) paying the filing fee, if one is required by municipal ordinance.

1417 (4) (a) Before the filing officer may accept any declaration of candidacy or nomination
1418 petition, the filing officer shall:

1419 (i) read to the prospective candidate or individual filing the petition the constitutional
1420 and statutory qualification requirements for the office that the candidate is seeking; and

1421 (ii) require the candidate or individual filing the petition to state whether the candidate
1422 meets those requirements.

1423 (b) If the prospective candidate does not meet the qualification requirements for the
1424 office, the filing officer may not accept the declaration of candidacy or nomination petition.

1425 (c) If it appears that the prospective candidate meets the requirements of candidacy, the
1426 filing officer shall:

1427 (i) inform the candidate that the candidate's name will appear on the ballot as it is
1428 written on the declaration of candidacy;

1429 (ii) provide the candidate with a copy of the current campaign financial disclosure laws
1430 for the office the candidate is seeking and inform the candidate that failure to comply will
1431 result in disqualification as a candidate and removal of the candidate's name from the ballot;

1432 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide
1433 Electronic Voter Information Website Program and inform the candidate of the submission
1434 deadline under Subsection 20A-7-801(4)(a);

1435 (iv) provide the candidate with a copy of the pledge of fair campaign practices
1436 described under Section 20A-9-206 and inform the candidate that:

1437 (A) signing the pledge is voluntary; and

1438 (B) signed pledges shall be filed with the filing officer; and

1439 (v) accept the declaration of candidacy or nomination petition.

1440 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing
1441 officer shall:

1442 (i) accept the candidate's pledge; and

1443 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
1444 candidate's pledge to the chair of the county or state political party of which the candidate is a
1445 member.

1446 (5) Notwithstanding the requirement in Subsection (3)(a)(i) to file a declaration of
1447 candidacy in person, an individual may designate an agent to file the form described in
1448 Subsection (6) in person with the city recorder or town clerk if:

1449 (a) the individual is located outside the state during the filing period because:

1450 (i) of employment with the state or the United States; or

1451 (ii) the individual is a member of:

1452 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
1453 Coast Guard of the United States who is on active duty;

1454 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
1455 commissioned corps of the National Oceanic and Atmospheric Administration of the United
1456 States; or

1457 (C) the National Guard on activated status;

1458 (b) the individual makes the declaration of candidacy described in Subsection (6) to an
1459 individual qualified to administer an oath;

1460 (c) the individual communicates with the city recorder or town clerk using an
1461 electronic device that allows the individual and the city recorder or town clerk to see and hear
1462 each other; and

1463 (d) the individual provides the city recorder or town clerk with an email address to
1464 which the filing officer may send the copies described in Subsection (4).

1465 (6) (a) The declaration of candidacy shall substantially comply with the following
1466 form:

1467 "I, (print name) _____, being first sworn, say that I reside at _____ Street, City of _____,
1468 County of _____, state of Utah, Zip Code _____, Telephone Number (if any) _____; that I am a
1469 registered voter; and that I am a candidate for the office of _____ (stating the term). I will meet
1470 the legal qualifications required of candidates for this office. I will file all campaign financial
1471 disclosure reports as required by law and I understand that failure to do so will result in my
1472 disqualification as a candidate for this office and removal of my name from the ballot. I
1473 request that my name be printed upon the applicable official ballots. (Signed)

1474 _____

1475 Subscribed and sworn to (or affirmed) before me by _____ on this
1476 _____ (month\day\year).

1477 (Signed) _____ (Clerk or other officer qualified to administer oath)".

1478 (b) An agent designated to file a declaration of candidacy under Subsection (5) may not
1479 sign the form described in Subsection (6)(a).

1480 (7) (a) A registered voter may be nominated for municipal office by submitting a
1481 petition signed, with a holographic signature, by:

1482 (i) 25 residents of the municipality who are at least 18 years old; or

1483 (ii) 20% of the residents of the municipality who are at least 18 years old.

1484 (b) (i) The petition shall substantially conform to the following form:

1485 "NOMINATION PETITION

1486 The undersigned residents of (name of municipality) being 18 years old or older
1487 nominate (name of nominee) to the office of ____ for the (two or four-year term, whichever is
1488 applicable)."

1489 (ii) The remainder of the petition shall contain lines and columns for the signatures of
1490 individuals signing the petition and the individuals' addresses and telephone numbers.

1491 (8) If the declaration of candidacy or nomination petition fails to state whether the
1492 nomination is for the two-year or four-year term, the clerk shall consider the nomination to be
1493 for the four-year term.

1494 (9) (a) The clerk shall verify with the county clerk that all candidates are registered
1495 voters.

1496 (b) Any candidate who is not registered to vote is disqualified and the clerk may not
1497 print the candidate's name on the ballot.

1498 (10) Immediately after expiration of the period for filing a declaration of candidacy, the
1499 clerk shall:

1500 (a) cause the names of the candidates as they will appear on the ballot to be published:

1501 (i) in at least two successive publications of a newspaper with general circulation in the
1502 municipality; and

1503 (ii) as required in Section 45-1-101; and

1504 (b) notify the lieutenant governor of the names of the candidates as they will appear on
1505 the ballot.

1506 (11) A declaration of candidacy or nomination petition filed under this section may not
1507 be amended after the expiration of the period for filing a declaration of candidacy.

1508 (12) (a) A declaration of candidacy or nomination petition filed under this section is
1509 valid unless a written objection is filed with the clerk within five days after the last day for
1510 filing.

1511 (b) If an objection is made, the clerk shall:

1512 (i) mail or personally deliver notice of the objection to the affected candidate
1513 immediately; and

1514 (ii) decide any objection within 48 hours after the objection is filed.

1515 (c) If the clerk sustains the objection, the candidate may correct the problem by
1516 amending the declaration or petition within three days after the objection is sustained or by
1517 filing a new declaration within three days after the objection is sustained.

1518 (d) (i) The clerk's decision upon objections to form is final.

1519 (ii) The clerk's decision upon substantive matters is reviewable by a district court if
1520 prompt application is made to the district court.

1521 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
1522 of its discretion, agrees to review the lower court decision.

1523 (13) An individual who files a declaration of candidacy and is nominated, and an
1524 individual who is nominated by a nomination petition, may, any time up to 23 days before the
1525 election, withdraw the nomination by filing a written affidavit with the clerk.

1526 Section 16. Section **20A-9-403** is amended to read:

1527 **20A-9-403. Regular primary elections.**

1528 (1) (a) Candidates for elective office that are to be filled at the next regular general
1529 election shall be nominated in a regular primary election by direct vote of the people in the
1530 manner prescribed in this section. The fourth Tuesday of June of each even-numbered year is
1531 designated as regular primary election day. Nothing in this section shall affect a candidate's
1532 ability to qualify for a regular general election's ballot as an unaffiliated candidate under
1533 Section [20A-9-501](#) or to participate in a regular general election as a write-in candidate under
1534 Section [20A-9-601](#).

1535 ~~[(b) Each registered political party that chooses to have the names of the registered
1536 political party's candidates for elective office featured with party affiliation on the ballot at a
1537 regular general election shall comply with the requirements of this section and shall nominate
1538 the registered political party's candidates for elective office in the manner described in this
1539 section.]~~

1540 ~~[(c)]~~ (b) A filing officer may not permit an official ballot at a regular general election
1541 to be produced or used if the ballot denotes affiliation between a registered political party or
1542 any other political group and a candidate for elective office who is not nominated in the manner
1543 prescribed in this section or in Subsection [20A-9-202\(4\)](#).

1544 ~~[(d)]~~ (c) Unless noted otherwise, the dates in this section refer to those that occur in

1545 each even-numbered year in which a regular general election will be held.

1546 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,
1547 shall:

1548 (i) either declare the registered political party's intent to participate in the next regular
1549 primary election or declare that the registered political party chooses not to have the names of
1550 the registered political party's candidates for elective office featured on the ballot at the next
1551 regular general election; and

1552 (ii) if the registered political party participates in the upcoming regular primary
1553 election, identify one or more registered political parties whose members may vote for the
1554 registered political party's candidates and whether individuals identified as unaffiliated with a
1555 political party may vote for the registered political party's candidates.

1556 (b) (i) A registered political party that is a continuing political party shall file the
1557 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on
1558 November 30 of each odd-numbered year.

1559 (ii) An organization that is seeking to become a registered political party under Section
1560 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered
1561 political party files the petition described in Section 20A-8-103.

1562 (3) (a) Except as provided in Subsection (3)(e), an individual who submits a
1563 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective
1564 office on the regular primary ballot of the registered political party listed on the declaration of
1565 candidacy only if the individual is certified by the appropriate filing officer as having submitted
1566 a set of nomination petitions that was:

1567 (i) circulated and completed in accordance with Section 20A-9-405; and

1568 (ii) signed by at least 2% of the registered political party's members who reside in the
1569 political division of the office that the individual seeks.

1570 (b) (i) A candidate for elective office shall submit nomination petitions to the
1571 appropriate filing officer for verification and certification no later than 5 p.m. on the ~~[final day~~
1572 ~~in March]~~ second Friday in April.

1573 (ii) A candidate may supplement the candidate's submissions at any time on or before
1574 the filing deadline.

1575 (c) (i) The lieutenant governor shall determine for each elective office the total number

1576 of signatures that must be submitted under Subsection (3)(a)(ii) by counting the aggregate
1577 number of individuals residing in each elective office's political division who have designated a
1578 particular registered political party on the individuals' voter registration forms on or before
1579 November 15 of each odd-numbered year.

1580 (ii) The lieutenant governor shall publish the determination for each elective office no
1581 later than November 30 of each odd-numbered year.

1582 (d) The filing officer shall:

1583 (i) verify signatures on nomination petitions in a transparent and orderly manner;

1584 (ii) for all qualifying candidates for elective office who submit nomination petitions to
1585 the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on the
1586 [~~first Monday after the third Saturday~~] fourth Friday in April;

1587 (iii) consider active and inactive voters eligible to sign nomination petitions;

1588 (iv) consider an individual who signs a nomination petition a member of a registered
1589 political party for purposes of Subsection (3)(a)(ii) if the individual has designated that
1590 registered political party as the individual's party membership on the individual's voter
1591 registration form; and

1592 (v) utilize procedures described in Section [20A-7-206.3](#) to verify submitted nomination
1593 petition signatures, or use statistical sampling procedures to verify submitted nomination
1594 petition signatures in accordance with rules made under Subsection (3)(f).

1595 (e) Notwithstanding any other provision in this Subsection (3), a candidate for
1596 lieutenant governor may appear on the regular primary ballot of a registered political party
1597 without submitting nomination petitions if the candidate files a declaration of candidacy and
1598 complies with Subsection [20A-9-202\(3\)](#).

1599 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1600 director of elections, within the Office of the Lieutenant Governor, shall make rules that:

1601 (i) provide for the use of statistical sampling procedures that:

1602 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and

1603 (B) reflect a bona fide effort to determine the validity of a candidate's entire
1604 submission, using widely recognized statistical sampling techniques; and

1605 (ii) provide for the transparent, orderly, and timely submission, verification, and
1606 certification of nomination petition signatures.

1607 (g) The county clerk shall:

1608 (i) review the declarations of candidacy filed by candidates for local boards of
1609 education to determine if more than two candidates have filed for the same seat;

1610 (ii) place the names of all candidates who have filed a declaration of candidacy for a
1611 local board of education seat on the nonpartisan section of the ballot if more than two
1612 candidates have filed for the same seat; and

1613 (iii) determine the order of the local board of education candidates' names on the ballot
1614 in accordance with Section 20A-6-305.

1615 (4) (a) [~~By 5 p.m. on~~] On the first [~~Wednesday~~] Monday after the [~~third~~] fourth
1616 Saturday in April, the lieutenant governor shall provide to the county clerks:

1617 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
1618 county, and county offices who have received certifications under Subsection (3), along with
1619 instructions on how those names shall appear on the primary election ballot in accordance with
1620 Section 20A-6-305; and

1621 (ii) a list of unopposed candidates for elective office who have been nominated by a
1622 registered political party under Subsection (5)(c) and instruct the county clerks to exclude the
1623 unopposed candidates from the primary election ballot.

1624 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1625 joint-ticket running mates shall appear jointly on the primary election ballot.

1626 (c) After the county clerk receives the certified list from the lieutenant governor under
1627 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
1628 substantially the following form:

1629 "Notice is given that a primary election will be held Tuesday, June ____,
1630 ____ (year), to nominate party candidates for the parties and candidates for nonpartisan
1631 local school board positions listed on the primary ballot. The polling place for voting precinct
1632 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.

1633 Attest: county clerk."

1634 (5) (a) A candidate, other than a presidential candidate, who, at the regular primary
1635 election, receives the highest number of votes cast for the office sought by the candidate is:

1636 (i) nominated for that office by the candidate's registered political party; or

1637 (ii) for a nonpartisan local school board position, nominated for that office.

1638 (b) If two or more candidates, other than presidential candidates, are to be elected to
1639 the office at the regular general election, those party candidates equal in number to positions to
1640 be filled who receive the highest number of votes at the regular primary election are the
1641 nominees of the candidates' party for those positions.

1642 (c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

1643 (A) no individual other than the candidate receives a certification under Subsection (3)
1644 for the regular primary election ballot of the candidate's registered political party for a
1645 particular elective office; or

1646 (B) for an office where more than one individual is to be elected or nominated, the
1647 number of candidates who receive certification under Subsection (3) for the regular primary
1648 election of the candidate's registered political party does not exceed the total number of
1649 candidates to be elected or nominated for that office.

1650 (ii) A candidate who is unopposed for an elective office in the regular primary election
1651 of a registered political party is nominated by the party for that office without appearing on the
1652 primary election ballot.

1653 (6) (a) When a tie vote occurs in any primary election for any national, state, or other
1654 office that represents more than one county, the governor, lieutenant governor, and attorney
1655 general shall, at a public meeting called by the governor and in the presence of the candidates
1656 involved, select the nominee by lot cast in whatever manner the governor determines.

1657 (b) When a tie vote occurs in any primary election for any county office, the district
1658 court judges of the district in which the county is located shall, at a public meeting called by
1659 the judges and in the presence of the candidates involved, select the nominee by lot cast in
1660 whatever manner the judges determine.

1661 (7) The expense of providing all ballots, blanks, or other supplies to be used at any
1662 primary election provided for by this section, and all expenses necessarily incurred in the
1663 preparation for or the conduct of that primary election shall be paid out of the treasury of the
1664 county or state, in the same manner as for the regular general elections.

1665 (8) An individual may not file a declaration of candidacy for a registered political party
1666 of which the individual is not a member, except to the extent that the registered political party
1667 permits otherwise under the registered political party's bylaws.

1668 Section 17. Section **20A-9-403.2** is enacted to read:

1669 20A-9-403.2. Regular primary elections.

1670 (1) (a) The fourth Tuesday of June of each even-numbered year is designated as regular
1671 primary election day.

1672 (b) Each registered political party that chooses to use the primary election process to
1673 nominate some or all of the registered political party's candidates shall comply with the
1674 requirements of this section.

1675 (2) (a) As a condition for using the state's election system, each registered political
1676 party that wishes to participate in the primary election shall:

1677 (i) declare the registered political party's intent to participate in the primary election;

1678 (ii) identify one or more registered political parties whose members may vote for the
1679 registered political party's candidates and whether individuals identified as unaffiliated with a
1680 political party may vote for the registered political party's candidates; and

1681 (iii) certify the information described in this Subsection (2)(a) to the lieutenant
1682 governor no later than 5 p.m. on March 1 of each even-numbered year.

1683 (b) As a condition for using the state's election system, each registered political party
1684 that wishes to participate in the primary election shall:

1685 (i) certify the name and office of each of the registered political party's candidates to
1686 the lieutenant governor no later than 5 p.m. on the first Monday after the third Saturday in
1687 April of each even-numbered year and indicate which of the candidates will be on the primary
1688 ballot; and

1689 (ii) certify the name and office of each of the registered political party's county
1690 candidates to the county clerks by 5 p.m. on the first Monday after the third Saturday in April
1691 of each even-numbered year and indicate which of the candidates will be on the primary ballot.

1692 (c) By 5 p.m. on the first Wednesday after the third Saturday in April of each
1693 even-numbered year, the lieutenant governor shall send the county clerks a certified list of the
1694 names of all statewide candidates, multicounty candidates, or single county candidates that
1695 shall be printed on the primary ballot and the order the candidates are to appear on the ballot in
1696 accordance with Section [20A-6-305](#).

1697 (d) Except for presidential candidates, if a registered political party does not wish to
1698 participate in the primary election, the registered political party shall submit the names of the
1699 registered political party's county candidates to the county clerks and the names of all of the

1700 registered political party's candidates to the lieutenant governor by 5 p.m. on May 30 of each
1701 even-numbered year.

1702 (3) The county clerk shall:

1703 (a) review the declarations of candidacy filed by candidates for local boards of
1704 education to determine if more than two candidates have filed for the same seat;

1705 (b) place the names of all candidates who have filed a declaration of candidacy for a
1706 local board of education seat on the nonpartisan section of the ballot if more than two
1707 candidates have filed for the same seat; and

1708 (c) determine the order of the candidates' names on the ballot in accordance with
1709 Section [20A-6-305](#).

1710 (4) After the county clerk receives the certified list from a registered political party, the
1711 county clerk shall post or publish a primary election notice in substantially the following form:

1712 "Notice is given that a primary election will be held Tuesday, June _____,
1713 _____ (year), to nominate party candidates for the parties and nonpartisan offices listed on
1714 the primary ballot. The polling place for voting precinct _____ is _____. The polls will open at 7
1715 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk."

1716 (5) (a) A candidate, other than a presidential candidate, who, at the regular primary
1717 election, receives the highest number of votes cast for the office sought by the candidate is
1718 nominated for that office by the candidate's registered political party or nonpartisan group.

1719 (b) If two or more candidates, other than presidential candidates, are to be elected to
1720 the office at the regular general election, those party candidates equal in number to positions to
1721 be filled who receive the highest number of votes at the regular primary election are the
1722 nominees of the candidates' party for those positions.

1723 (c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

1724 (A) no individual other than the candidate receives a certification under Subsection (2)
1725 for the regular primary election ballot of the candidate's registered political party for a
1726 particular elective office; or

1727 (B) for an office where more than one individual is to be elected or nominated, the
1728 number of candidates who receive certification under Subsection (2) for the regular primary
1729 election of the candidate's registered political party does not exceed the total number of
1730 candidates to be elected or nominated for that office.

1731 (ii) A candidate who is unopposed for an elective office in the regular primary election
1732 of a registered political party is nominated by the party for that office without appearing on the
1733 primary election ballot.

1734 (6) (a) When a tie vote occurs in any primary election for any national, state, or other
1735 office that represents more than one county, the governor, lieutenant governor, and attorney
1736 general shall, at a public meeting called by the governor and in the presence of the candidates
1737 involved, select the nominee by lot cast in whatever manner the governor determines.

1738 (b) When a tie vote occurs in any primary election for any county office, the district
1739 court judges of the district in which the county is located shall, at a public meeting called by
1740 the judges and in the presence of the candidates involved, select the nominee by lot cast in
1741 whatever manner the judges determine.

1742 (7) The expense of providing all ballots, blanks, or other supplies to be used at any
1743 primary election provided for by this section, and all expenses necessarily incurred in the
1744 preparation for or the conduct of that primary election shall be paid out of the treasury of the
1745 county or state, in the same manner as for the regular general elections.

1746 (8) An individual may not file a declaration of candidacy for a registered political party
1747 of which the individual is not a member, except to the extent that the registered political party
1748 permits otherwise under the registered political party's bylaws.

1749 Section 18. Section **20A-9-404** is amended to read:

1750 **20A-9-404. Municipal primary elections.**

1751 (1) (a) Except as otherwise provided in this section, candidates for municipal office in
1752 all municipalities shall be nominated at a municipal primary election.

1753 (b) Municipal primary elections shall be held:

1754 (i) consistent with Section [20A-1-201.5](#), on the second Tuesday following the first
1755 Monday in the August before the regular municipal election; and

1756 (ii) whenever possible, at the same polling places as the regular municipal election.

1757 (2) If the number of candidates for a particular municipal office does not exceed twice
1758 the number of individuals needed to fill that office, a primary election for that office may not
1759 be held and the candidates are considered nominated.

1760 (3) (a) For purposes of this Subsection (3), "convention" means an organized assembly
1761 of voters or delegates.

1762 (b) (i) By ordinance adopted before the May 1 that falls before a regular municipal
1763 election, any third, fourth, or fifth class city or town may exempt itself from a primary election
1764 by providing that the nomination of candidates for municipal office to be voted upon at a
1765 municipal election be nominated by a political party convention or committee.

1766 (ii) Any primary election exemption ordinance adopted under the authority of this
1767 Subsection (3) remains in effect until repealed by ordinance.

1768 (c) (i) A convention or committee may not nominate[: ~~(A) an individual who has not~~
1769 ~~submitted a declaration of candidacy, or has not been nominated by a nomination petition,~~
1770 ~~under Section 20A-9-203; or (B)] more than one group of candidates, or have placed on the
1771 ballot more than one group of candidates, for the municipal offices to be voted upon at the
1772 municipal election.~~

1773 (ii) A convention or committee may nominate an individual who has been nominated
1774 by a different convention or committee.

1775 (iii) A political party may not have more than one group of candidates placed upon the
1776 ballot and may not group the same candidates on different tickets by the same party under a
1777 different name or emblem.

1778 (d) (i) The convention or committee shall prepare a certificate of nomination for each
1779 individual nominated.

1780 (ii) The certificate of nomination shall:

1781 (A) contain the name of the office for which each individual is nominated, the name,
1782 post office address, and, if in a city, the street number of residence and place of business, if
1783 any, of each individual nominated;

1784 (B) designate in not more than five words the political party that the convention or
1785 committee represents;

1786 (C) contain a copy of the resolution passed at the convention that authorized the
1787 committee to make the nomination;

1788 (D) contain a statement certifying that the name of the candidate nominated by the
1789 political party will not appear on the ballot as a candidate for any other political party;

1790 (E) be signed by the presiding officer and secretary of the convention or committee;
1791 and

1792 (F) contain a statement identifying the residence and post office address of the

1793 presiding officer and secretary and certifying that the presiding officer and secretary were
1794 officers of the convention or committee and that the certificates are true to the best of their
1795 knowledge and belief.

1796 (iii) Certificates of nomination shall be filed with the clerk not later than 80 days
1797 before the municipal general election.

1798 (e) A committee appointed at a convention, if authorized by an enabling resolution,
1799 may also make nominations or fill vacancies in nominations made at a convention.

1800 (f) The election ballot shall substantially comply with the form prescribed in Title 20A,
1801 Chapter 6, Part 4, Ballot Form Requirements for Municipal Elections, but the party name shall
1802 be included with the candidate's name.

1803 (4) (a) Any third, fourth, or fifth class city may adopt an ordinance before the May 1
1804 that falls before the regular municipal election that:

1805 (i) exempts the city from the other methods of nominating candidates to municipal
1806 office provided in this section; and

1807 (ii) provides for a partisan primary election method of nominating candidates as
1808 provided in this Subsection (4).

1809 (b) (i) Any party that was a registered political party at the last regular general election
1810 or regular municipal election is a municipal political party under this section.

1811 (ii) Any political party may qualify as a municipal political party by presenting a
1812 petition to the city recorder that:

1813 (A) is signed, with a holographic signature, by registered voters within the municipality
1814 equal to at least 20% of the number of votes cast for all candidates for mayor in the last
1815 municipal election at which a mayor was elected;

1816 (B) is filed with the city recorder by May 31 of any odd-numbered year;

1817 (C) is substantially similar to the form of the signature sheets described in Section
1818 [20A-7-303](#); and

1819 (D) contains the name of the municipal political party using not more than five words.

1820 (c) (i) If the number of candidates for a particular office does not exceed twice the
1821 number of offices to be filled at the regular municipal election, no partisan primary election for
1822 that office shall be held and the candidates are considered to be nominated.

1823 (ii) If the number of candidates for a particular office exceeds twice the number of

1824 offices to be filled at the regular municipal election, those candidates for municipal office shall
1825 be nominated at a partisan primary election.

1826 (d) The clerk shall ensure that:

1827 (i) the partisan municipal primary ballot is similar to the ballot forms required by
1828 Sections [20A-6-401](#) and [20A-6-401.1](#);

1829 (ii) the candidates for each municipal political party are listed in one or more columns
1830 under their party name and emblem;

1831 (iii) the names of candidates of all parties are printed on the same ballot, but under
1832 their party designation;

1833 (iv) every ballot is folded and perforated in a manner that separates the candidates of
1834 one party from those of the other parties and enables the voter to separate the part of the ballot
1835 containing the names of the party of the voter's choice from the remainder of the ballot; and

1836 (v) the side edges of all ballots are perforated so that the outside sections of the ballots,
1837 when detached, are similar in appearance to inside sections when detached.

1838 (e) After marking a municipal primary ballot, the voter shall:

1839 (i) detach the part of the ballot containing the names of the candidates of the party the
1840 voter has voted from the rest of the ballot;

1841 (ii) fold the detached part so that its face is concealed and deposit it in the ballot box;
1842 and

1843 (iii) fold the remainder of the ballot containing the names of the candidates of the
1844 parties for whom the elector did not vote and deposit it in the blank ballot box.

1845 (f) Immediately after the canvass, the election judges shall, without examination,
1846 destroy the tickets deposited in the blank ballot box.

1847 Section 19. Section [20A-9-406.5](#) is enacted to read:

1848 **20A-9-406.5. Candidate's right to placement on ballot.**

1849 (1) As used in this section, "valid candidate" means a candidate who lawfully files a
1850 declaration of candidacy to seek nomination to run for office as a member of a political party
1851 that certifies as a qualified political party under Subsection [20A-9-101\(12\)\(d\)](#).

1852 (2) If a political party that provides the certification described in Subsection
1853 [20A-9-101\(12\)\(d\)](#) takes any action to prevent an individual from seeking nomination by
1854 gathering signatures under Section [20A-9-408](#), the lieutenant governor may not refuse to place

1855 a nominee of the political party, who is selected at the political party's convention, or who
1856 qualifies for the ballot by collecting signatures, on the primary election ballot or the general
1857 election ballot, as applicable.

1858 (3) If a person brings a legal action claiming that a political party has taken the action
1859 described in Subsection (2), the legal action may not result in prohibiting placement of a
1860 nominee of the political party, who is selected at the political party's convention, or who
1861 qualifies for the ballot by collecting signatures, on the primary election ballot or the general
1862 election ballot, as applicable.

1863 Section 20. Section **20A-9-408** is amended to read:

1864 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
1865 **political party.**

1866 (1) This section describes the requirements for a member of a qualified political party
1867 who is seeking the nomination of the qualified political party for an elective office through the
1868 signature-gathering process described in this section.

1869 (2) Notwithstanding Subsection **20A-9-201**(4)(a), the form of the declaration of
1870 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1871 the nomination of, the qualified political party under this section shall be substantially as
1872 described in Section **20A-9-408.5**.

1873 (3) Notwithstanding Subsection **20A-9-202**(1)(a), and except as provided in Subsection
1874 **20A-9-202**(4), a member of a qualified political party who, under this section, is seeking the
1875 nomination of the qualified political party for an elective office that is to be filled at the next
1876 general election shall:

1877 (a) within the period beginning on [~~January 1 before the next regular general election~~
1878 ~~and ending on the third Thursday in March]~~ the first business day in January of an
1879 even-numbered year and ending at 5 p.m. on the fifth business day in January of the same year,
1880 and before gathering signatures under this section, file with the filing officer on a form
1881 approved by the lieutenant governor a notice of intent to gather signatures for candidacy that
1882 includes:

1883 (i) the name of the member who will attempt to become a candidate for a registered
1884 political party under this section;

1885 (ii) the name of the registered political party for which the member is seeking

1886 nomination;

1887 (iii) the office for which the member is seeking to become a candidate;

1888 (iv) the address and telephone number of the member; and

1889 (v) other information required by the lieutenant governor;

1890 (b) file a declaration of candidacy, in person, with the filing officer on or after the
1891 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1892 regular general election; and

1893 (c) pay the filing fee.

1894 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political
1895 party who, under this section, is seeking the nomination of the qualified political party for the
1896 office of district attorney within a multicounty prosecution district that is to be filled at the next
1897 general election shall:

1898 (a) ~~[on or after January 1 before the next regular general election, and before gathering~~
1899 ~~signatures under this section]~~ within the period beginning on the first business day in January
1900 of an even-numbered year and ending on the fifth business day in January of the same year, file
1901 with the filing officer on a form approved by the lieutenant governor a notice of intent to gather
1902 signatures for candidacy that includes:

1903 (i) the name of the member who will attempt to become a candidate for a registered
1904 political party under this section;

1905 (ii) the name of the registered political party for which the member is seeking
1906 nomination;

1907 (iii) the office for which the member is seeking to become a candidate;

1908 (iv) the address and telephone number of the member; and

1909 (v) other information required by the lieutenant governor;

1910 (b) file a declaration of candidacy, in person, with the filing officer on or after the
1911 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1912 regular general election; and

1913 (c) pay the filing fee.

1914 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
1915 who files as the joint-ticket running mate of an individual who is nominated by a qualified
1916 political party, under this section, for the office of governor shall, on or before 5 p.m. on the

1917 first Monday after the third Saturday in April, file a declaration of candidacy and submit a letter
1918 from the candidate for governor that names the lieutenant governor candidate as a joint-ticket
1919 running mate.

1920 (6) The lieutenant governor shall ensure that the certification described in Subsection
1921 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
1922 under this section.

1923 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1924 is nominated by a qualified political party under this section, designate the qualified political
1925 party that nominated the candidate.

1926 (8) A member of a qualified political party may seek the nomination of the qualified
1927 political party for an elective office by:

1928 (a) complying with the requirements described in this section; and

1929 (b) collecting signatures, on a form approved by the lieutenant governor, during the
1930 period beginning on [~~January 1~~] the first business day in January of an even-numbered year and
1931 ending [~~14 days before the day on which the qualified political party's convention for the office~~
1932 ~~is held~~] at 5 p.m. on the second Friday in April, in the following amounts:

1933 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
1934 permitted by the qualified political party to vote for the qualified political party's candidates in
1935 a primary election;

1936 (ii) for a congressional district race, 7,000 signatures of registered voters who are
1937 residents of the congressional district and are permitted by the qualified political party to vote
1938 for the qualified political party's candidates in a primary election;

1939 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1940 residents of the state Senate district and are permitted by the qualified political party to vote for
1941 the qualified political party's candidates in a primary election;

1942 (iv) for a state House district race, 1,000 signatures of registered voters who are
1943 residents of the state House district and are permitted by the qualified political party to vote for
1944 the qualified political party's candidates in a primary election;

1945 (v) for a State Board of Education race, the lesser of:

1946 (A) 2,000 signatures of registered voters who are residents of the State Board of
1947 Education district and are permitted by the qualified political party to vote for the qualified

1948 political party's candidates in a primary election; or

1949 (B) 3% of the registered voters of the qualified political party who are residents of the
1950 applicable State Board of Education district; and

1951 (vi) for a county office race, signatures of 3% of the registered voters who are residents
1952 of the area permitted to vote for the county office and are permitted by the qualified political
1953 party to vote for the qualified political party's candidates in a primary election.

1954 (9) (a) In order for a member of the qualified political party to qualify as a candidate
1955 for the qualified political party's nomination for an elective office under this section, the
1956 member shall:

1957 (i) collect the signatures on a form approved by the lieutenant governor, using the same
1958 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

1959 (ii) submit the signatures to the election officer no later than 14 days before the day on
1960 which the qualified political party holds its convention to select candidates, for the elective
1961 office, for the qualified political party's nomination.

1962 (b) An individual may not gather signatures under this section until after the individual
1963 files a notice of intent to gather signatures for candidacy described in this section.

1964 (c) An individual who files a notice of intent to gather signatures for candidacy,
1965 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
1966 the notice of intent to gather signatures for candidacy:

1967 (i) required to comply with the reporting requirements that a candidate for office is
1968 required to comply with; and

1969 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1970 apply to a candidate for office in relation to the reporting requirements described in Subsection
1971 (9)(c)(i).

1972 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
1973 election officer shall, no later than one day before the day on which the qualified political party
1974 holds the convention to select a nominee for the elective office to which the signature packets
1975 relate:

1976 (i) check the name of each individual who completes the verification for a signature
1977 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

1978 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a

1979 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;
1980 (iii) determine whether each signer is a registered voter who is qualified to sign the
1981 petition, using the same method, described in Section 20A-7-206.3, used to verify a signature
1982 on a petition;

1983 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1984 signature packet; and

1985 (v) notify the qualified political party and the lieutenant governor of the name of each
1986 member of the qualified political party who qualifies as a nominee of the qualified political
1987 party, under this section, for the elective office to which the convention relates.

1988 (e) Upon receipt of a notice of intent to gather signatures for candidacy described in
1989 this section, the lieutenant governor shall post the notice of intent to gather signatures for
1990 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
1991 posts a declaration of candidacy.

1992 Section 21. Section 20A-9-409 is amended to read:

1993 **20A-9-409. Primary election provisions relating to qualified political party.**

1994 (1) The fourth Tuesday of June of each even-numbered year is designated as a regular
1995 primary election day.

1996 (2) (a) A qualified political party that nominates one or more candidates for an elective
1997 office under Section 20A-9-407 and does not have a candidate qualify as a candidate for that
1998 office under Section 20A-9-408, may, but is not required to, participate in the primary election
1999 for that office.

2000 (b) A qualified political party that has only one candidate qualify as a candidate for an
2001 elective office under Section 20A-9-408 and does not nominate a candidate for that office
2002 under Section 20A-9-407, may, but is not required to, participate in the primary election for
2003 that office.

2004 (c) A qualified political party that nominates one or more candidates for an elective
2005 office under Section 20A-9-407 and has one or more candidates qualify as a candidate for that
2006 office under Section 20A-9-408 shall participate in the primary election for that office.

2007 (d) A qualified political party that has two or more candidates qualify as candidates for
2008 an elective office under Section 20A-9-408 and does not nominate a candidate for that office
2009 under Section 20A-9-407 shall participate in the primary election for that office.

2010 (3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section
2011 17-52-501 or Section 17-52-502, a qualified political party shall participate in the primary
2012 election for a county commission office if:

2013 (a) there is more than one:

2014 (i) open position as defined in Section 17-52-501; or

2015 (ii) midterm vacancy as defined in Section 17-52-501; and

2016 (b) the number of candidates nominated under Section 20A-9-407 or qualified under
2017 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number
2018 of respective open positions or midterm vacancies.

2019 (4) (a) As used in this Subsection (4), a candidate is "unopposed" if:

2020 (i) no individual other than the candidate receives a certification, from the appropriate
2021 filing officer, for the regular primary election ballot of the candidate's registered political party
2022 for a particular elective office; or

2023 (ii) for an office where more than one individual is to be elected or nominated, the
2024 number of candidates who receive certification, from the appropriate filing officer, for the
2025 regular primary election of the candidate's registered political party does not exceed the total
2026 number of candidates to be elected or nominated for that office.

2027 (b) ~~[By 5 p.m. on]~~ On the first ~~[Wednesday]~~ Monday after the ~~[third]~~ fourth Saturday
2028 in April, the lieutenant governor shall:

2029 (i) provide to the county clerks:

2030 (A) a list of the names of all candidates for federal, constitutional, multi-county, single
2031 county, and county offices who have received certifications from the appropriate filing officer,
2032 along with instructions on how those names shall appear on the primary election ballot in
2033 accordance with Section 20A-6-305; and

2034 (B) a list of unopposed candidates for elective office who have been nominated by a
2035 registered political party; and

2036 (ii) instruct the county clerks to exclude unopposed candidates from the primary
2037 election ballot.

2038 Section 22. Section 20A-9-701 is amended to read:

2039 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

2040 (1) No later than August 31 of each regular general election year, the lieutenant

2041 governor shall certify to each county clerk[, for offices to be voted upon at the regular general
 2042 election in that county clerk's county: (a)] the names of each candidate [nominated under
 2043 Subsection [20A-9-202](#)(4) or Subsection [20A-9-403](#)(5); and (b) the names of the], including
 2044 candidates for president and vice president that are certified by the registered political party as
 2045 the party's nominees, for offices to be voted upon at the regular general election in that county
 2046 clerk's county.

2047 (2) The names shall be certified by the lieutenant governor and shall be displayed on
 2048 the ballot as they are provided on the candidate's declaration of candidacy. [No other names
 2049 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
 2050 political party, political party, or other political group.]

2051 Section 23. Section **63I-2-220** is amended to read:

2052 **63I-2-220. Repeal dates, Title 20A.**

2053 (1) Subsection [20A-5-803](#)(8) is repealed July 1, 2023.

2054 (2) Section [20A-5-804](#) is repealed July 1, 2023.

2055 (3) If the Count My Vote citizen's initiative petition, entitled "Direct Primary Election,"
 2056 filed with the lieutenant governor on September 27, 2017, does not become law, Sections
 2057 [20A-9-202](#), [20A-9-403](#), [20A-9-406.5](#), [20A-9-408](#), and [20A-9-409](#) are repealed on January 1,
 2058 2019.

2059 [(3)] (4) On July 1, 2018, in Subsection [20A-11-101](#)(21), the language that states "
 2060 [10-2a-302](#)," is repealed.

2061 Section 24. **Repealer.**

2062 This bill repeals:

2063 Section [20A-1-103](#), **Severability clause.**

2064 Section [20A-9-405](#), **Nomination petitions for regular primary elections.**

2065 Section [20A-9-406](#), **Qualified political party -- Requirements and exemptions.**

2066 Section [20A-9-407](#), **Convention process to seek the nomination of a qualified**
 2067 **political party.**

2068 Section [20A-9-408.5](#), **Declaration of candidacy form for qualified political party.**

2069 Section [20A-9-410](#), **Rulemaking authority.**

2070 Section [20A-9-411](#), **Signing multiple nomination petitions.**

2071 Section 25. **Effective date.**

2072 (1) Except as provided in Subsection (2), (3), or (4), this bill takes effect on January 1,
2073 2019.

2074 (2) (a) If this bill is approved by two-thirds of all the members elected to each house,
2075 Sections [20A-9-202](#), [20A-9-403](#), [20A-9-406.5](#), [20A-9-408](#), and [20A-9-409](#) take effect upon
2076 approval by the governor, or the day following the constitutional time limit of Utah
2077 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
2078 the date of veto override.

2079 (b) If this bill is not approved by two-thirds of all the members elected to each house,
2080 Sections [20A-9-202](#), [20A-9-403](#), [20A-9-406.5](#), [20A-9-408](#), and [20A-9-409](#) take effect on May
2081 8, 2018, unless this bill is vetoed by the governor.

2082 (3) If the Count My Vote citizens' initiative petition, entitled "Direct Primary Election,"
2083 filed with the lieutenant governor on September 27, 2017, becomes law, the provisions of this
2084 bill, that did not take effect under Subsection (2)(a) or (b), do not take effect.

2085 (4) If the Count My Vote citizens' initiative petition, entitled "Direct Primary Election,"
2086 filed with the lieutenant governor on September 27, 2017, does not become law, the following
2087 occurs on January 1, 2019:

2088 (a) the provisions of this bill that did not take effect under Subsection (2)(a) or (b), take
2089 effect; and

2090 (b) Sections [20A-9-202](#), [20A-9-403](#), [20A-9-406.5](#), [20A-9-408](#), and [20A-9-409](#) are
2091 repealed.

2092 **Section 26. Revisor instructions.**

2093 The Legislature intends that the Office of Legislative Research and General Counsel, in
2094 preparing the Utah Code database for publication, make necessary changes to any cross
2095 references.