

**WRITE-IN CANDIDATE AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Merrill F. Nelson**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions in the Election Code related to a write-in candidate.

**Highlighted Provisions:**

This bill:

- ▶ prohibits a voter from using a sticker or label to cast a vote on a paper ballot for a write-in candidate;
- ▶ changes the deadline for filing a declaration of candidacy as a write-in candidate;
- ▶ establishes a filing fee for a write-in candidate; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-3-105**, as last amended by Laws of Utah 2018, Chapter 187

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

**20A-9-201**, as last amended by Laws of Utah 2018, Chapter 11

**20A-9-601**, as last amended by Laws of Utah 2018, Chapters 11 and 80

**63I-2-220**, as last amended by Laws of Utah 2018, Chapters 187 and 458



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

Section 1. Section **20A-3-105** is amended to read:

**20A-3-105. Marking and depositing ballots.**

(1) (a) Except as provided in Subsection (5), if a paper ballot is used, the voter, upon receipt of the ballot, shall go to a voting booth and prepare the voter's ballot by marking the appropriate position with a mark opposite the name of each candidate of the voter's choice for each office to be filled.

~~[(b) Except as provided in Subsections (5) and (6), a mark is not required opposite the name of a write-in candidate.]~~

~~[(c)]~~ (b) If a ballot proposition is submitted to a vote of the people, the voter shall mark in the appropriate square with a mark opposite the answer the voter intends to make.

~~[(d)]~~ (c) Before leaving the booth, the voter shall:

- (i) fold the ballot so that its contents are concealed and the stub can be removed; and
- (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot envelope and complete the information printed on the envelope.

(2) (a) (i) Subject to Subsection (5), if a punch card ballot is used, the voter shall insert the ballot sheet into the voting device and mark the ballot sheet according to the instructions provided on the device.

(ii) If the voter is issued a ballot sheet with a long stub without a secrecy envelope, the voter shall record any write-in votes on the long stub.

(iii) If the voter is issued a ballot sheet with a secrecy envelope, the voter shall record any write-in votes on the secrecy envelope.

(b) After the voter has marked the ballot sheet, the voter shall either:

- (i) place the ballot sheet inside the secrecy envelope, if one is provided; or
- (ii) fold the long stub over the face of the ballot sheet to maintain the secrecy of the vote if the voter is issued a ballot sheet with a long stub without a secrecy envelope.

(c) If the ballot is a provisional ballot, the voter shall place the ballot sheet in the provisional ballot envelope and complete the information printed on the envelope.

(3) (a) Subject to Subsection (5), if a ballot sheet other than a punch card is used, the voter shall mark the ballot sheet according to the instructions provided on the voting device or

59 ballot sheet.

60 (b) Except as provided in Subsections (5) and (6), the voter shall record a write-in vote  
61 by:

62 (i) marking the position opposite the area for entering a write-in candidate; and

63 (ii) entering the name of the valid write-in candidate for whom the voter wishes to vote  
64 [~~for by means of: (A) writing; (B) a label; or (C)~~] by writing the name of the candidate in the  
65 blank write-in section of the ballot or entering the name using the voting device.

66 (c) If the ballot is a provisional ballot, the voter shall place the ballot sheet in the  
67 provisional ballot envelope and complete the information printed on the envelope.

68 (4) (a) Subject to Subsection (5), if an electronic ballot is used, the voter shall:

69 (i) insert the ballot access card into the voting device; and

70 (ii) make the selections according to the instructions provided on the device.

71 (b) Except as provided in Subsections (5) and (6), the voter shall record a write-in vote  
72 by:

73 (i) marking the appropriate position opposite the area for entering a write-in candidate;  
74 and

75 (ii) using the voting device to enter the name of the valid write-in candidate for whom  
76 the voter wishes to vote.

77 (5) To vote in an instant runoff voting race under Title 20A, Chapter 4, Part 6,  
78 Municipal Alternate Voting Methods Pilot Project, a voter:

79 (a) shall indicate, as directed on the ballot, the name of the candidate who is the voter's  
80 first preference for the office; and

81 (b) may indicate, as directed on the ballot, the names of the remaining candidates in  
82 order of the voter's preference.

83 (6) After preparation of the ballot:

84 (a) if a paper ballot or punch card ballot is used:

85 (i) the voter shall:

86 (A) leave the voting booth; and

87 (B) announce the voter's name to the poll worker in charge of the ballot box;

88 (ii) the poll worker in charge of the ballot box shall:

89 (A) clearly and audibly announce the name of the voter and the number on the stub of

90 the voter's ballot;

91 (B) if the stub number on the ballot corresponds with the number previously recorded  
92 in the official register, and bears the initials of the poll worker, remove the stub from the ballot;  
93 and

94 (C) return the ballot to the voter;

95 (iii) the voter shall, in full view of the poll workers, cast the voter's vote by depositing  
96 the ballot in the ballot box; and

97 (iv) if the stub has been detached from the ballot:

98 (A) the poll worker may not accept the ballot; and

99 (B) the poll worker shall:

100 (I) treat the ballot as a spoiled ballot;

101 (II) provide the voter with a new ballot; and

102 (III) dispose of the spoiled ballot as provided in Section [20A-3-107](#);

103 (b) if a ballot sheet other than a punch card is used:

104 (i) the voter shall:

105 (A) leave the voting booth; and

106 (B) announce the voter's name to the poll worker in charge of the ballot box;

107 (ii) the poll worker in charge of the ballot box shall:

108 (A) clearly and audibly announce the name of the voter and the number on the stub of  
109 the voter's ballot; and

110 (B) if the stub number on the ballot corresponds with the number previously recorded  
111 in the official register, and bears the initials of the poll worker, return the ballot to the voter;  
112 and

113 (iii) the voter shall, in full view of the poll workers, cast ~~his~~ the voter's vote by  
114 depositing the ballot in the ballot box; and

115 (c) if an electronic ballot is used, the voter shall:

116 (i) cast the voter's ballot;

117 (ii) remove the ballot access card from the voting device; and

118 (iii) return the ballot access card to a designated poll worker.

119 (7) A voter voting a paper ballot in a regular primary election shall, after marking the  
120 ballot:

121 (a) (i) if the ballot is designed so that the names of all candidates for all political parties  
122 are on the same ballot, detach the part of the paper ballot containing the names of the  
123 candidates of the party the voter has voted from the remainder of the paper ballot;

124 (ii) fold that portion of the paper ballot so that its face is concealed; and

125 (iii) deposit it in the ballot box; and

126 (b) (i) fold the remainder of the paper ballot, containing the names of the candidates of  
127 the parties that the elector did not vote; and

128 (ii) deposit it in a separate ballot box that is marked and designated as a blank ballot  
129 box.

130 (8) (a) Each voter shall mark and cast or deposit the ballot without delay and shall  
131 leave the voting area after voting.

132 (b) A voter may not:

133 (i) occupy a voting booth occupied by another, except as provided in Section  
134 [20A-3-108](#);

135 (ii) remain within the voting area more than 10 minutes; or

136 (iii) occupy a voting booth for more than five minutes if all booths are in use and other  
137 voters are waiting to occupy them.

138 (9) If the official register shows any voter as having voted, that voter may not reenter  
139 the voting area during that election unless that voter is an election official or watcher.

140 (10) The poll workers may not allow more than four voters more than the number of  
141 voting booths into the voting area at one time unless those excess voters are:

142 (a) election officials;

143 (b) watchers; or

144 (c) assisting voters with a disability.

145 Section 2. Section **20A-3-106** is amended to read:

146 **20A-3-106. Voting straight ticket -- Splitting ballot -- Writing in names -- Effect**  
147 **of unnecessary marking of cross.**

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

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

151 (b) mark in the squares or position opposite the names of all candidates for that party

152 ticket; or

153 (c) make both markings.

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

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

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

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

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

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

162 (A) marking in the circle or position above one political party; and

163 (B) marking in the squares or positions opposite the names of desired candidates who  
164 are members of any party, are unaffiliated, or are listed without party name.

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

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

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

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

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

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

173 (B) select the names of the candidates for whom the voter wishes to vote who are  
174 members of any party, are unaffiliated, or are listed without party name.

175 (4) In any election other than a primary election, if a voter voting a ballot has selected  
176 or placed a mark next to a party name in order to vote a straight party ticket and wishes to vote  
177 for a person on another party ticket for an office, or for an unaffiliated candidate, the voter shall  
178 select or mark the ballot next to the name of the candidate for whom the voter wishes to vote.

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

180 [~~(i) by entering the name of a valid write-in candidate;~~]

181 [~~(A) by~~] (i) writing the name of a valid write-in candidate in the blank write-in section  
182 of the ballot; [~~or~~] and

183 ~~[(B) by affixing a sticker with the office and name of the valid write-in name printed~~  
 184 ~~on it in the blank write-in part of the ballot; and]~~

185 (ii) [by] placing a mark opposite the name of the write-in candidate to indicate the  
 186 voter's vote.

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

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

192 (c) A voter may not cast a write-in vote on a paper ballot or ballot sheet by affixing a  
 193 sticker or label with the name of a write-in candidate in the blank write-in section of the ballot.

194 (6) The voter may cast a write-in vote on an electronic ballot by:

195 (a) marking the appropriate position opposite the area for entering a write-in candidate  
 196 for the office sought by the candidate for whom the voter wishes to vote; and

197 (b) entering the name of a valid write-in candidate in the write-in selection area.

198 Section 3. Section **20A-9-201** is amended to read:

199 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**  
 200 **more than one political party prohibited with exceptions -- General filing and form**  
 201 **requirements -- Affidavit of impecuniosity.**

202 (1) Before filing a declaration of candidacy for election to any office, an individual  
 203 shall:

204 (a) be a United States citizen;

205 (b) meet the legal requirements of that office; and

206 (c) if seeking a registered political party's nomination as a candidate for elective office,  
 207 state:

208 (i) the registered political party of which the individual is a member; or

209 (ii) that the individual is not a member of a registered political party.

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

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

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

214 (iii) file a declaration of candidacy for a registered political party of which the  
215 individual is not a member, except to the extent that the registered political party permits  
216 otherwise in the registered political party's bylaws.

217 (b) (i) An individual may file a declaration of candidacy for, or be a candidate for,  
218 president or vice president of the United States and another office, if the individual resigns the  
219 individual's candidacy for the other office after the individual is officially nominated for  
220 president or vice president of the United States.

221 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more  
222 than one justice court judge office.

223 (iii) An individual may file a declaration of candidacy for lieutenant governor even if  
224 the individual filed a declaration of candidacy for another office in the same election year if the  
225 individual withdraws as a candidate for the other office in accordance with Subsection  
226 [20A-9-202\(6\)](#) before filing the declaration of candidacy for lieutenant governor.

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

229 (i) read to the individual the constitutional and statutory qualification requirements for  
230 the office that the individual is seeking; and

231 (ii) require the individual to state whether the individual meets those requirements.

232 (b) Before accepting a declaration of candidacy for the office of county attorney, the  
233 county clerk shall ensure that the individual filing that declaration of candidacy is:

234 (i) a United States citizen;

235 (ii) an attorney licensed to practice law in the state who is an active member in good  
236 standing of the Utah State Bar;

237 (iii) a registered voter in the county in which the individual is seeking office; and

238 (iv) a current resident of the county in which the individual is seeking office and either  
239 has been a resident of that county for at least one year or was appointed and is currently serving  
240 as county attorney and became a resident of the county within 30 days after appointment to the  
241 office.

242 (c) Before accepting a declaration of candidacy for the office of district attorney, the  
243 county clerk shall ensure that, as of the date of the election, the individual filing that  
244 declaration of candidacy is:



- 245 (i) a United States citizen;
- 246 (ii) an attorney licensed to practice law in the state who is an active member in good  
247 standing of the Utah State Bar;
- 248 (iii) a registered voter in the prosecution district in which the individual is seeking  
249 office; and
- 250 (iv) a current resident of the prosecution district in which the individual is seeking  
251 office and either will have been a resident of that prosecution district for at least one year as of  
252 the date of the election or was appointed and is currently serving as district attorney and  
253 became a resident of the prosecution district within 30 days after receiving appointment to the  
254 office.
- 255 (d) Before accepting a declaration of candidacy for the office of county sheriff, the  
256 county clerk shall ensure that the individual filing the declaration:
- 257 (i) is a United States citizen;
- 258 (ii) is a registered voter in the county in which the individual seeks office;
- 259 (iii) (A) has successfully met the standards and training requirements established for  
260 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and  
261 Certification Act; or
- 262 (B) has met the waiver requirements in Section 53-6-206;
- 263 (iv) is qualified to be certified as a law enforcement officer, as defined in Section  
264 53-13-103; and
- 265 (v) as of the date of the election, will have been a resident of the county in which the  
266 individual seeks office for at least one year.
- 267 (e) Before accepting a declaration of candidacy for the office of governor, lieutenant  
268 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of  
269 Education member, the filing officer shall ensure:
- 270 (i) that the individual filing the declaration of candidacy also files the financial  
271 disclosure required by Section 20A-11-1603; and
- 272 (ii) if the filing officer is not the lieutenant governor, that the individual provides the  
273 financial disclosure to the lieutenant governor in accordance with Section 20A-11-1603.
- 274 (4) If an individual who files a declaration of candidacy does not meet the qualification  
275 requirements for the office the individual is seeking, the filing officer may not accept the

276 individual's declaration of candidacy.

277 (5) If an individual who files a declaration of candidacy meets the requirements  
278 described in Subsection (3), the filing officer shall:

279 (a) inform the individual that:

280 (i) the individual's name will appear on the ballot as the individual's name is written on  
281 the individual's declaration of candidacy;

282 (ii) the individual may be required to comply with state or local campaign finance  
283 disclosure laws; and

284 (iii) the individual is required to file a financial statement before the individual's  
285 political convention under:

286 (A) Section [20A-11-204](#) for a candidate for constitutional office;

287 (B) Section [20A-11-303](#) for a candidate for the Legislature; or

288 (C) local campaign finance disclosure laws, if applicable;

289 (b) except for a presidential candidate, provide the individual with a copy of the current  
290 campaign financial disclosure laws for the office the individual is seeking and inform the  
291 individual that failure to comply will result in disqualification as a candidate and removal of  
292 the individual's name from the ballot;

293 (c) provide the individual with a copy of Section [20A-7-801](#) regarding the Statewide  
294 Electronic Voter Information Website Program and inform the individual of the submission  
295 deadline under Subsection [20A-7-801\(4\)\(a\)](#);

296 (d) provide the candidate with a copy of the pledge of fair campaign practices  
297 described under Section [20A-9-206](#) and inform the candidate that:

298 (i) signing the pledge is voluntary; and

299 (ii) signed pledges shall be filed with the filing officer;

300 (e) accept the individual's declaration of candidacy; and

301 (f) if the individual has filed for a partisan office, provide a certified copy of the  
302 declaration of candidacy to the chair of the county or state political party of which the  
303 individual is a member.

304 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing  
305 officer shall:

306 (a) accept the candidate's pledge; and

307 (b) if the candidate has filed for a partisan office, provide a certified copy of the  
308 candidate's pledge to the chair of the county or state political party of which the candidate is a  
309 member.

310 (7) (a) Except for a candidate for president or vice president of the United States, the  
311 form of the declaration of candidacy shall:

312 (i) be substantially as follows:

313 "State of Utah, County of \_\_\_\_\_

314 I, \_\_\_\_\_, declare my candidacy for the office of \_\_\_\_\_, seeking the  
315 nomination of the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications to  
316 hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_  
317 in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_ Phone No. \_\_\_\_\_; I will not  
318 knowingly violate any law governing campaigns and elections; if filing via a designated  
319 agent, I will be out of the state of Utah during the entire candidate filing period; I will  
320 file all campaign financial disclosure reports as required by law; and I understand that  
321 failure to do so will result in my disqualification as a candidate for this office and  
322 removal of my name from the ballot. The mailing address that I designate for receiving  
323 official election notices is \_\_\_\_\_.

324 \_\_\_\_\_

325 Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

326 Notary Public (or other officer qualified to administer oath)."; and

327 (ii) require the candidate to state, in the sworn statement described in Subsection  
328 (7)(a)(i):

329 (A) the registered political party of which the candidate is a member; or

330 (B) that the candidate is not a member of a registered political party.

331 (b) An agent designated under Subsection 20A-9-202(1)(b) to file a declaration of  
332 candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.

333 (8) (a) Except as provided in Section 20A-9-601, and except for presidential  
334 candidates, the fee for filing a declaration of candidacy is:

335 (i) \$50 for candidates for the local school district board; and

336 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the  
337 person holding the office for all other federal, state, and county offices.

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

340 (i) who is disqualified; or

341 (ii) who the filing officer determines has filed improperly.

342 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received  
343 from candidates.

344 (ii) The lieutenant governor shall:

345 (A) apportion to and pay to the county treasurers of the various counties all fees  
346 received for filing of nomination certificates or acceptances; and

347 (B) ensure that each county receives that proportion of the total amount paid to the  
348 lieutenant governor from the congressional district that the total vote of that county for all  
349 candidates for representative in Congress bears to the total vote of all counties within the  
350 congressional district for all candidates for representative in Congress.

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

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

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

359 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be  
360 considered an offense under this title for the purposes of assessing the penalties provided in  
361 Subsection 20A-1-609(2).

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

364 "Affidavit of Impecuniosity

365 Individual Name

366 \_\_\_\_\_ Address \_\_\_\_\_

367 Phone Number \_\_\_\_\_

368 I, \_\_\_\_\_ (name), do solemnly [swear] [affirm], under penalty of law

369 for false statements, that, owing to my poverty, I am unable to pay the filing fee required by  
370 law.

371 Date \_\_\_\_\_ Signature \_\_\_\_\_

372 Affiant

373 Subscribed and sworn to before me on \_\_\_\_\_ (month\day\year)

374 \_\_\_\_\_  
375 (signature)

376 Name and Title of Officer Authorized to Administer Oath \_\_\_\_\_"

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

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

383 (vi) The filing officer may request that a person who makes a claim of impecuniosity  
384 under this Subsection (8)(d) file a financial statement on a form prepared by the election  
385 official.

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

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

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

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

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

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

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

399 (b) A designated agent described in Subsection (9)(a)(i) may not sign the form

400 described in Subsection (9)(a)(i)(A).

401 (10) An individual who fails to file a declaration of candidacy or certificate of  
402 nomination within the time provided in this chapter is ineligible for nomination to office.

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

405 Section 4. Section **20A-9-601** is amended to read:

406 **20A-9-601. Qualifying as a write-in candidate.**

407 (1) (a) Except as provided in Subsection (1)(b), an individual who wishes to become a  
408 valid write-in candidate shall file a declaration of candidacy in person, or through a designated  
409 agent for a candidate for president or vice president of the United States, with the appropriate  
410 filing officer not later than ~~[60]~~ 65 days before the regular general election or a municipal  
411 general election in which the individual intends to be a write-in candidate.

412 (b) (i) The provisions of this Subsection (1)(b) do not apply to an individual who files a  
413 declaration of candidacy for president of the United States.

414 (ii) Subject to Subsection (2)(d), an individual may designate an agent to file a  
415 declaration of candidacy with the appropriate filing officer if:

416 (A) the individual is located outside of the state during the entire filing period;

417 (B) the designated agent appears in person before the filing officer; and

418 (C) the individual communicates with the filing officer using an electronic device that  
419 allows the individual and filing officer to see and hear each other.

420 (2) (a) The form of the declaration of candidacy for a write-in candidate for all offices,  
421 except president or vice president of the United States, is substantially as follows:

422 "State of Utah, County of \_\_\_\_

423 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of

424 \_\_\_\_ for the \_\_\_\_ district (if applicable). I do solemnly swear that: I will meet the

425 qualifications to hold the office, both legally and constitutionally, if selected; I reside at

426 \_\_\_\_\_ in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will

427 not knowingly violate any law governing campaigns and elections; if filing via a designated

428 agent, I will be out of the state of Utah during the entire candidate filing period; I will file all

429 campaign financial disclosure reports as required by law; and I understand that failure to do so

430 will result in my disqualification as a candidate for this office and rejection of any votes cast

431 for me. The mailing address that I designate for receiving official election notices is  
432 \_\_\_\_\_.

433 \_\_\_\_\_

434 Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

435 Notary Public (or other officer qualified to administer oath)."

436 (b) The form of the declaration of candidacy for a write-in candidate for president of  
437 the United States is substantially as follows:

438 "State of Utah, County of \_\_\_\_\_

439 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of the  
440 president of the United States. I do solemnly swear that: I will meet the qualifications to hold  
441 the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the City  
442 or Town of \_\_\_\_\_, State \_\_\_\_\_, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate  
443 any law governing campaigns and elections. The mailing address that I designate for receiving  
444 official election notices is \_\_\_\_\_. I designate \_\_\_\_\_ as  
445 my vice presidential candidate.

446 \_\_\_\_\_

447 Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

448 Notary Public (or other officer qualified to administer oath.)"

449 (c) A declaration of candidacy for a write-in candidate for vice president of the United  
450 States shall be in substantially the same form as a declaration of candidacy described in  
451 Subsection [20A-9-202\(7\)](#).

452 (d) An agent described in Subsection (1)(a) or (b) may not sign the form described in  
453 Subsection (2)(a) or (b).

454 (3) (a) The filing officer shall:

- 455 (i) read to the candidate the constitutional and statutory requirements for the office; and
- 456 (ii) ask the candidate whether [~~or not~~] the candidate meets the requirements.

457 (b) If the candidate cannot meet the requirements of office, the filing officer may not  
458 accept the write-in candidate's declaration of candidacy.

459 (4) (a) Except as provided in Subsection (4)(b), a write-in candidate is subject to  
460 Subsection [20A-9-201\(8\)](#).

461 (b) A write-in candidate for president of the United States is subject to Subsection

462 [20A-9-201\(9\)\(a\)\(iv\)](#) or [20A-9-803\(1\)\(d\)](#), as applicable.

463 ~~[(4)]~~ (5) By November 1 of each regular general election year, the lieutenant governor  
464 shall certify to each county clerk the names of all write-in candidates who filed their  
465 declaration of candidacy with the lieutenant governor.

466 Section 5. Section **63I-2-220** is amended to read:

467 **63I-2-220. Repeal dates -- Title 20A.**

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

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

470 (3) On January 1, 2019, Subsections [20A-6-107\(2\)](#) and (4) are repealed and the  
471 remaining subsections, and references to those subsections, are renumbered accordingly.

472 (4) On July 1, 2018, in Subsection [20A-11-101\(21\)](#), the language that states "  
473 [10-2a-302](#)," is repealed.

474 (5) On January 1, 2026:

475 (a) In Subsection [20A-1-102\(23\)\(a\)](#), the language that states "or Title 20A, Chapter 4,  
476 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

477 (b) In Subsections [20A-1-303\(1\)\(a\)](#) and (b), the language that states "Except as  
478 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
479 repealed.

480 (c) In Section [20A-1-304](#), the language that states "Except for a race conducted by  
481 instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods  
482 Pilot Project," is repealed.

483 (d) In Subsection [20A-3-105\(1\)\(a\)](#), the language that states "Except as provided in  
484 Subsection (5)," is repealed.

485 (e) In Subsections [20A-3-105](#)~~[(1)(b),]~~(3)(b)[;] and (4)(b), the language that states  
486 "Except as provided in Subsections (5) and (6)," is repealed.

487 (f) In Subsections [20A-3-105\(2\)\(a\)\(i\)](#), (3)(a), and (4)(a), the language that states  
488 "Subject to Subsection (5)," is repealed.

489 (g) Subsection [20A-3-105\(5\)](#) is repealed and the remaining subsections in Section  
490 [20A-3-105](#) are renumbered accordingly.

491 (h) In Subsection [20A-4-101\(2\)\(c\)](#), the language that states "Except as provided in  
492 Subsection (2)(f)," is repealed.



- 493 (i) Subsection 20A-4-101(2)(f) is repealed.
- 494 (j) Subsection 20A-4-101(4) is repealed and replaced with the following:
- 495 "(4) To resolve questions that arise during the counting of ballots, a counting judge
- 496 shall apply the standards and requirements of Section 20A-4-105."
- 497 (k) In Subsection 20A-4-102(1)(a), the language that states "or a rule made under
- 498 Subsection 20A-4-101(2)(f)(i)" is repealed.
- 499 (l) Subsection 20A-4-102(1)(b) is repealed and replaced with the following:
- 500 "(b) To resolve questions that arise during the counting of ballots, a counting judge
- 501 shall apply the standards and requirements of Section 20A-4-105."
- 502 (m) In Subsection 20A-4-102(6)(a), the language that states ", except as provided in
- 503 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made
- 504 under Subsection 20A-4-101(2)(f)(i)" is repealed.
- 505 (n) In Subsection 20A-4-105(1)(a), the language that states ", except as otherwise
- 506 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
- 507 repealed.
- 508 (o) In Subsection 20A-4-105(2), the language that states "Subsection 20A-3-105(5), or
- 509 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.
- 510 (p) In Subsections 20A-4-105(3), (5), and (12), the language that states "Except as
- 511 otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
- 512 Project," is repealed.
- 513 (q) In Subsection 20A-4-106(1)(a)(ii), the language that states "or Title 20A, Chapter
- 514 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.
- 515 (r) In Subsection 20A-4-304(1)(a), the language that states "except as provided in Title
- 516 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.
- 517 (s) Subsection 20A-4-304(2)(a)(v) is repealed and replaced with the following:
- 518 "(v) from each voting precinct:
- 519 (A) the number of votes for each candidate; and
- 520 (B) the number of votes for and against each ballot proposition;"
- 521 (t) Subsection 20A-4-401(1)(a) is repealed, the remaining subsections in Subsection (1)
- 522 are renumbered accordingly, and the cross-references to those subsections are renumbered
- 523 accordingly.

524 (u) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is  
525 repealed.

526 (v) Subsection 20A-5-404(3)(b) is repealed and the remaining subsections in  
527 Subsection (3) are renumbered accordingly.

528 (w) Subsection 20A-5-404(4)(b) is repealed and the remaining subsections in  
529 Subsection (4) are renumbered accordingly.

530 (x) Section 20A-6-203.5 is repealed.

531 (y) In Subsections 20A-6-402(1), (2), (3), and (4), the language that states "Except as  
532 otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter 4,  
533 Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

534 (z) In Subsection 20A-9-404(1)(a), the language that states "or Title 20A, Chapter 4,  
535 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

536 (aa) In Subsection 20A-9-404(2), the language that states "Except as otherwise  
537 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
538 repealed.