

1 **ELECTION PROCESS AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Daniel McCay**

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

---

---

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions relating to the conduct of elections.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ defines terms;

13 ▶ establishes four types of registered political parties, as follows:

14 • a class A registered political party, that chooses a nominee by convention only  
15 and agrees to send the top two nominees at convention to a primary unless one  
16 candidate receives at least two-thirds of the votes cast at convention;

17 • a class B registered political party, that chooses a nominee by allowing a  
18 member of the registered political party to seek the nomination by the nominee  
19 choosing to gather signatures, seek nomination in the registered political party's  
20 convention, or both;

21 • a class C registered political party that chooses a nominee by gathering  
22 signatures only; and

23 • a class D registered political party that chooses a nominee by a method other  
24 than a method required for a class A, B, or C registered political party;

25 ▶ requires a registered political party to:

26 • certify to the lieutenant governor the class that the registered political party will  
27 be for the upcoming regular general election; and



- 28           • comply with the candidate nomination requirements relating the class certified
- 29 by the registered political party;
- 30           ▶ provides that a registered political party that fails to timely certify a class is a class
- 31 D registered political party;
- 32           ▶ provides that only a class A, B, or C registered political party:
- 33           • may participate in a regular primary election; or
- 34           • have the registered political party's nominees appear on the general election
- 35 ballot with an indication of party affiliation;
- 36           ▶ establishes other requirements for a registered political party and for particular
- 37 classes of registered political parties; and
- 38           ▶ makes technical and conforming changes.

39 **Money Appropriated in this Bill:**

40           None

41 **Other Special Clauses:**

42           None

43 **Utah Code Sections Affected:**

44 **AMENDS:**

- 45           **20A-1-201.5**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 46           **20A-1-501**, as last amended by Laws of Utah 2019, Chapter 349
- 47           **20A-1-503**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 48           **20A-5-101**, as last amended by Laws of Utah 2019, Chapter 255
- 49           **20A-6-301**, as last amended by Laws of Utah 2018, Chapter 274
- 50           **20A-6-302**, as last amended by Laws of Utah 2019, Chapter 255
- 51           **20A-6-303**, as last amended by Laws of Utah 2016, Chapter 66
- 52           **20A-6-304**, as last amended by Laws of Utah 2016, Chapter 66
- 53           **20A-8-103**, as last amended by Laws of Utah 2019, Chapter 255
- 54           **20A-9-101**, as last amended by Laws of Utah 2018, Chapter 19
- 55           **20A-9-201**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 56           **20A-9-202**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 57           **20A-9-403**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 58           **20A-9-405**, as last amended by Laws of Utah 2018, Chapter 281

- 59            **20A-9-406**, as last amended by Laws of Utah 2018, Chapter 274
- 60            **20A-9-407**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 61            **20A-9-408**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 62            **20A-9-408.5**, as enacted by Laws of Utah 2015, Chapter 296
- 63            **20A-9-409**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 64            **20A-9-504**, as last amended by Laws of Utah 2019, Chapter 255
- 65            **20A-9-601**, as last amended by Laws of Utah 2019, Chapters 142, 255, and 279
- 66            **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296
- 67            **63I-2-220**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4

68 ENACTS:

- 69            **20A-9-102**, Utah Code Annotated 1953
- 70            **20A-9-402.5**, Utah Code Annotated 1953
- 71            **20A-9-402.7**, Utah Code Annotated 1953
- 72            **20A-9-403.5**, Utah Code Annotated 1953
- 73            **20A-9-403.7**, Utah Code Annotated 1953
- 74            **20A-9-409.5**, Utah Code Annotated 1953

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

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

78            **20A-1-201.5. Primary election dates.**

79            (1) Except as provided in Subsection (4), the regular primary election shall be held  
80 throughout the state on the fourth Tuesday of June of each even numbered year [~~as provided in~~  
81 ~~Section 20A-9-403, 20A-9-407, or 20A-9-408, as applicable,~~] to nominate persons for:

- 82            (a) national, state, school board, and county offices; and
- 83            (b) offices for a metro township, city, or town incorporated under Section **10-2a-404**.

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

87            (3) A presidential primary election shall be held throughout the state on the first  
88 Tuesday in March in the year in which a presidential election will be held.

89            (4) In 2020, the regular primary election shall be held throughout the state on June 30,

90 [as provided in Section ~~20A-9-403, 20A-9-407, or 20A-9-408~~, as applicable,] to nominate  
91 persons for:

- 92 (a) national, state, school board, and county offices; and
- 93 (b) offices for a metro township, city, or town incorporated under Section ~~10-2a-404~~.

94 Section 2. Section **20A-1-501** is amended to read:

95 **20A-1-501. Candidate vacancies -- Procedure for filling.**

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

102 (a) for a registered political party that will have a candidate on a ballot in a primary  
103 election, after the close of the period for filing a declaration of candidacy and continuing  
104 through the day before the day on which the lieutenant governor provides the list described in  
105 Subsection [~~20A-9-403(4)(a)~~] 20A-9-403.7(1)(a):

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

108 (ii) one or both:

109 (A) dies;

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

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

113 (b) for a registered political party that does not have a candidate on the ballot in a  
114 primary, but that will have a candidate on the ballot for a general election, after the close of the  
115 period for filing a declaration of candidacy and continuing through the day before the day on  
116 which the lieutenant governor makes the certification described in Section ~~20A-5-409~~, the  
117 party's candidate:

118 (i) dies;

119 (ii) resigns because of acquiring a physical or mental disability as certified by a  
120 physician or physician assistant;

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

122 or

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

124 or

125 (c) for a registered political party with a candidate certified as winning a primary  
126 election, after the deadline described in Subsection (1)(a) and continuing through the day  
127 before that day on which the lieutenant governor makes the certification described in Section  
128 [20A-5-409](#), the party's candidate:

129 (i) dies;

130 (ii) resigns because of acquiring a physical or mental disability as certified by a  
131 physician or physician assistant;

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

133 or

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

135 (2) If no more than two candidates from a registered political party have filed a  
136 declaration of candidacy for an office elected at a regular general election and one resigns to  
137 become the party candidate for another position, the state central committee of that registered  
138 political party, for candidates for governor, lieutenant governor, attorney general, state  
139 treasurer, and state auditor, and for legislative candidates whose legislative districts encompass  
140 more than one county, and the county central committee of that registered political party, for all  
141 other party candidates, may certify the name of another candidate to the appropriate election  
142 officer.

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

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

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

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

151 (5) A registered political party may not replace a candidate who is disqualified for

152 failure to timely file a campaign disclosure financial report under Title 20A, Chapter 11,  
153 Campaign and Financial Reporting Requirements, or Section 17-16-6.5.

154 Section 3. Section **20A-1-503** is amended to read:

155 **20A-1-503. Midterm vacancies in the Legislature.**

156 (1) As used in this section:

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

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

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

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

163 (2) When a vacancy occurs for any reason in the office of representative in the  
164 Legislature, the governor shall fill the vacancy by immediately appointing the [~~person~~]  
165 individual whose name was submitted by the party liaison of the same registered political party  
166 as the prior representative.

167 (3) (a) Except as provided by Subsection (5), when a vacancy occurs for any reason in  
168 the office of senator in the Legislature, [~~it~~] the office shall be filled for the unexpired term at  
169 the next regular general election.

170 (b) The governor shall fill the vacancy until the next regular general election by  
171 immediately appointing the [~~person~~] individual whose name was submitted by the party liaison  
172 of the same registered political party as the prior senator.

173 (4) (a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but  
174 before August 31 of an even-numbered year in which the term of office does not expire, the  
175 lieutenant governor shall:

176 (i) establish a date and time, which is before the date for a candidate to be certified for  
177 the ballot under Section 20A-9-701 and no later than 21 days after the day on which the  
178 vacancy occurred, by which [~~a person~~] an individual intending to obtain a position on the ballot  
179 for the vacant office shall file:

180 (A) a declaration of candidacy; or

181 (B) a certificate of nomination; and

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

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

184 (B) to each registered political party.

185 (b) [~~A person~~] An individual intending to obtain a position on the ballot for the vacant  
186 office shall:

187 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of  
188 candidacy or certificate of nomination according to the procedures and requirements of Chapter  
189 9, Candidate Qualifications and Nominating Procedures; and

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

191 (A) nominated as a party candidate; or

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

194 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in  
195 Subsection [~~20A-9-202(1)(b)(i) or (ii)~~] 20A-9-202(2)(b)(ii) or (3)(b) and before August 31, of  
196 an even-numbered year in which the term of office does not expire, a party liaison from each  
197 registered political party may submit a name of [~~a person~~] an individual described in  
198 Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than August 30 for  
199 placement on the regular general election ballot.

200 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an  
201 even-numbered year in which a term does not expire, the governor shall fill the vacancy for the  
202 unexpired term by immediately appointing the [~~person~~] individual whose name was submitted  
203 by the party liaison of the same registered political party as the prior senator.

204 Section 4. Section **20A-5-101** is amended to read:

205 **20A-5-101. Notice of election.**

206 (1) On or before November 15 in the year before each regular general election year, the  
207 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

208 (a) designates the offices to be filled at the next year's regular general election;

209 (b) identifies the dates for filing a declaration of candidacy, and for submitting and  
210 certifying nomination petition signatures, as applicable, [~~under Sections 20A-9-403,~~  
211 20A-9-407, and 20A-9-408] for those offices; and

212 (c) contains a description of any ballot propositions to be decided by the voters that  
213 have qualified for the ballot as of that date.

214 (2) No later than seven business days after the day on which the lieutenant governor  
215 transmits the written notice described in Subsection (1), each county clerk shall publish notice,  
216 in accordance with Subsection (3):

217 (a) (i) in a conspicuous place most likely to give notice of the election to the voters in  
218 each voting precinct within the county; and

219 (ii) prepare an affidavit of the posting, showing a copy of the notice and the places  
220 where the notice was posted;

221 (b) (i) in a newspaper of general circulation in the county;

222 (ii) if there is no newspaper of general circulation within the county, in addition to the  
223 notice described in Subsection (2)(a), by posting one notice, and at least one additional notice  
224 per 2,000 population of the county, in places within the county that are most likely to give  
225 notice of the election to the voters in the county; or

226 (iii) by mailing notice to each registered voter in the county;

227 (c) on the Utah Public Notice Website created in Section [63F-1-701](#), for seven days  
228 before the day of the election;

229 (d) in accordance with Section [45-1-101](#), for seven days before the day of the election;

230 and

231 (e) on the county's website for seven days before the day of the election.

232 (3) The notice described in Subsection (2) shall:

233 (a) designate the offices to be voted on in that election; and

234 (b) identify the dates for filing a declaration of candidacy for those offices.

235 (4) Except as provided in Subsection (6), before each election, the election officer shall  
236 give printed notice of the following information:

237 (a) the date of election;

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

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

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



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

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

248 (5) To provide the printed notice described in Subsection (4), the election officer shall  
249 publish the notice:

250 (a) (i) in a newspaper of general circulation in the jurisdiction to which the election  
251 pertains at least two days before the day of the election;

252 (ii) if there is no newspaper of general circulation in the jurisdiction to which the  
253 election pertains, at least two days before the day of the election, by posting one notice, and at  
254 least one additional notice per 2,000 population of the jurisdiction, in places within the  
255 jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction; or

256 (iii) by mailing the notice to each registered voter who resides in the jurisdiction to  
257 which the election pertains at least five days before the day of the election;

258 (b) on the Utah Public Notice Website created in Section 63F-1-701, for two days  
259 before the day of the election;

260 (c) in accordance with Section 45-1-101, for two days before the day of the election;  
261 and

262 (d) if the jurisdiction has a website, on the jurisdiction's website for two days before  
263 the day of the election.

264 (6) Instead of including the information described in Subsection (4) in the notice, the  
265 election officer may give printed notice that:

266 (a) is entitled "Notice of Election";

267 (b) includes the following: "A [indicate election type] will be held in [indicate the  
268 jurisdiction] on [indicate date of election]. Information relating to the election, including  
269 polling places, polling place hours, and qualifications of voters may be obtained from the  
270 following sources:"; and

271 (c) specifies the following sources where an individual may view or obtain the  
272 information described in Subsection (4):

273 (i) if the jurisdiction has a website, the jurisdiction's website;

274 (ii) the physical address of the jurisdiction offices; and

275 (iii) a mailing address and telephone number.

276 Section 5. Section **20A-6-301** is amended to read:

277 **20A-6-301. Paper ballots -- Regular general election.**

278 (1) Each election officer shall ensure that:

279 (a) all paper ballots furnished for use at the regular general election contain:

280 (i) no captions or other endorsements except as provided in this section;

281 (ii) no symbols, markings, or other descriptions of a political party or group, except for

282 a registered political party that has, by timely certifying as a class A, B, or C registered political

283 party under Section 20A-9-102, chosen to nominate [its] the registered political party's

284 candidates in accordance with [~~Section 20A-9-403~~] the requirements applicable to the class

285 certified under Section 20A-9-102; and

286 (iii) no indication that a candidate for elective office has been nominated by, or has

287 been endorsed by, or is in any way affiliated with a political party or group, unless the

288 candidate has been nominated by a class A, B, or C registered political party in accordance

289 with [~~Subsection 20A-9-202(4) or Subsection 20A-9-403(5)~~] the requirements applicable to

290 the class certified under Section 20A-9-102;

291 (b) immediately below the perforated ballot stub, the following endorsements are

292 printed in 18 point bold type:

293 (i) "Official Ballot for \_\_\_\_ County, Utah";

294 (ii) the date of the election; and

295 (iii) the words "Clerk of \_\_\_\_\_ County" or, as applicable, the name of a

296 combined office that includes the duties of a county clerk;

297 (c) the party name or title is printed in capital letters not less than one-fourth of an inch

298 high;

299 (d) unaffiliated candidates, candidates not affiliated with a registered political party,

300 and all other candidates for elective office who were not nominated by a class A, B, or C

301 registered political party in accordance with [~~Subsection 20A-9-202(4) or Subsection~~

302 ~~20A-9-403(5)~~] the requirements applicable to the registered political party's class, are listed

303 with the other candidates for the same office in accordance with Section 20A-6-305, without a

304 party name or title, and with a mark referencing the following statement at the bottom of the

305 ticket: "This candidate is not affiliated with, or does not qualify to be listed on the ballot as

306 affiliated with, a political party.";

307 (e) each ticket containing the lists of candidates, including the party name and device,  
308 are separated by heavy parallel lines;

309 (f) the offices to be filled are plainly printed immediately above the names of the  
310 candidates for those offices;

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

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

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

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

322 (2) Each election officer shall ensure that:

323 (a) each ~~[person]~~ individual nominated by ~~[any registered political party under~~  
324 ~~Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~ a class A, B, or C registered political  
325 party in accordance with the requirements applicable to the registered political party's class,  
326 and no other ~~[person]~~ individual, is placed on the ballot:

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

328 (ii) under the title of the registered political party ~~[as]~~ designated by ~~[them in their~~  
329 ~~certificates]~~ the individual in the individual's certificate of nomination or petition, or, if none is  
330 designated, then under some suitable title;

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

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

335 (d) the ballots contain no other names.

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

- 338 (a) the designation of the office to be filled in the election and the number of  
339 candidates to be elected are printed in type not smaller than eight point;
- 340 (b) the words designating the office are printed flush with the left-hand margin;
- 341 (c) the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of candidates for  
342 which the voter may vote)" extend to the extreme right of the column;
- 343 (d) the nonpartisan candidates are grouped according to the office for which they are  
344 candidates;
- 345 (e) the names in each group are placed in the order specified under Section 20A-6-305  
346 with the surnames last; and
- 347 (f) each group is preceded by the designation of the office for which the candidates  
348 seek election, and the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of  
349 candidates for which the voter may vote)," according to the number to be elected.
- 350 (4) Each election officer shall ensure that:
- 351 (a) proposed amendments to the Utah Constitution are listed on the ballot in  
352 accordance with Section 20A-6-107;
- 353 (b) ballot propositions submitted to the voters are listed on the ballot in accordance  
354 with Section 20A-6-107; and
- 355 (c) bond propositions that have qualified for the ballot are listed on the ballot under the  
356 title assigned to each bond proposition under Section 11-14-206.
- 357 Section 6. Section 20A-6-302 is amended to read:
- 358 **20A-6-302. Paper ballots -- Placement of candidates' names.**
- 359 (1) Each election officer shall ensure, for paper ballots in regular general elections,  
360 that:
- 361 (a) each candidate is listed by party, if nominated by a class A, B, or C registered  
362 political party [~~under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)~~] in accordance  
363 with the requirements applicable to the registered political party's class;
- 364 (b) candidates' surnames are listed in alphabetical order on the ballots when two or  
365 more candidates' names are required to be listed on a ticket under the title of an office; and
- 366 (c) the names of candidates are placed on the ballot in the order specified under Section  
367 20A-6-305.
- 368 (2) (a) When there is only one candidate for county attorney at the regular general

369 election in counties that have three or fewer registered voters of the county who are licensed  
370 active members in good standing of the Utah State Bar, the county clerk shall cause that  
371 candidate's name and party affiliation, if any, to be placed on a separate section of the ballot  
372 with the following question: "Shall (name of candidate) be elected to the office of county  
373 attorney? Yes \_\_\_\_ No \_\_\_\_."

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

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

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

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

385 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on  
386 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a) to the  
387 two consecutive terms immediately preceding the term for which the candidate is seeking  
388 election, Subsection (2)(a) does not apply and that candidate shall be considered to be an  
389 unopposed candidate the same as any other unopposed candidate for another office, unless a  
390 petition is filed with the county clerk before 5 p.m. no later than one day before that year's  
391 primary election that:

392 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and

393 (ii) contains the signatures of registered voters in the county representing in number at  
394 least 25% of all votes cast in the county for all candidates for governor at the last election at  
395 which a governor was elected.

396 (3) (a) When there is only one candidate for district attorney at the regular general  
397 election in a prosecution district that has three or fewer registered voters of the district who are  
398 licensed active members in good standing of the Utah State Bar, the county clerk shall cause  
399 that candidate's name and party affiliation, if any, to be placed on a separate section of the

400 ballot with the following question: "Shall (name of candidate) be elected to the office of district  
401 attorney? Yes \_\_\_\_ No \_\_\_\_."

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

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

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

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

413 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on  
414 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a) to the  
415 two consecutive terms immediately preceding the term for which the candidate is seeking  
416 election, Subsection (3)(a) does not apply and that candidate shall be considered to be an  
417 unopposed candidate the same as any other unopposed candidate for another office, unless a  
418 petition is filed with the county clerk before 5 p.m. no later than one day before that year's  
419 primary election that:

420 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and

421 (ii) contains the signatures of registered voters in the county representing in number at  
422 least 25% of all votes cast in the county for all candidates for governor at the last election at  
423 which a governor was elected.

424 Section 7. Section **20A-6-303** is amended to read:

425 **20A-6-303. Regular general election -- Ballot sheets.**

426 (1) Each election officer shall ensure that:

427 (a) copy on the ballot sheets or ballot labels, as applicable, are arranged in  
428 approximately the same order as paper ballots;

429 (b) the ballot sheet or any pages used for the ballot label are of sufficient number to  
430 include, after the list of candidates:

- 431 (i) the names of candidates for judicial offices and any other nonpartisan offices; and  
432 (ii) any ballot propositions submitted to the voters for their approval or rejection;  
433 (c) the office titles are printed immediately adjacent to the names of candidates so as to  
434 indicate clearly the candidates for each office and the number to be elected;  
435 (d) the party designation of each candidate who has been nominated by a class A, B, or  
436 C registered political party [~~under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)~~] in  
437 accordance with the requirements applicable to the registered political party's class is printed  
438 immediately adjacent to the candidate's name; and  
439 (e) (i) if possible, all candidates for one office are grouped in one column or upon one  
440 page;  
441 (ii) if all candidates for one office cannot be listed in one column or grouped on one  
442 page:  
443 (A) the ballot sheet or ballot label shall be clearly marked to indicate that the list of  
444 candidates is continued on the following column or page; and  
445 (B) approximately the same number of names shall be printed in each column or on  
446 each page.  
447 (2) Each election officer shall ensure that:  
448 (a) proposed amendments to the Utah Constitution are listed in accordance with  
449 Section 20A-6-107;  
450 (b) ballot propositions submitted to the voters are listed in accordance with Section  
451 20A-6-107; and  
452 (c) bond propositions that have qualified for the ballot are listed under the title  
453 assigned to each bond proposition under Section 11-14-206.  
454 Section 8. Section 20A-6-304 is amended to read:  
455 **20A-6-304. Regular general election -- Electronic ballots.**  
456 (1) Each election officer shall ensure that:  
457 (a) the format and content of the electronic ballot is arranged in approximately the  
458 same order as paper ballots;  
459 (b) the titles of offices and the names of candidates are displayed in vertical columns or  
460 in a series of separate display screens;  
461 (c) the electronic ballot is of sufficient length to include, after the list of candidates:

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

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

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

466 (e) the party designation of each candidate who has been nominated by a class A, B, or  
467 C registered political party [~~under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)~~] in  
468 accordance with the requirements applicable to the registered political party's class is displayed  
469 adjacent to the candidate's name; and

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

472 (2) Each election officer shall ensure that:

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

475 (b) ballot propositions submitted to the voters are displayed in accordance with Section  
476 20A-6-107; and

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

479 Section 9. Section 20A-8-103 is amended to read:

480 **20A-8-103. Petition procedures -- Criminal penalty.**

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

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

487 (a) circulate a petition seeking registered political party status beginning no earlier than  
488 the date of the statewide canvass held after the last regular general election and ending before 5  
489 p.m. no later than November 30 of the year before the year in which the next regular general  
490 election will be held;

491 (b) file a petition with the lieutenant governor that is signed, with a holographic  
492 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30 of the



493 year in which a regular general election will be held; and

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

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

497 (ii) whether unaffiliated voters may vote for the organization's candidates; and

498 (iii) whether, for the next election, the organization [~~intends to nominate the~~  
499 ~~organization's candidates in accordance with the provisions of Section 20A-9-406~~] will be a  
500 class A, B, C, or D registered political party.

501 (3) The petition shall:

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

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

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

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

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

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

516 (f) contain the following statement directly under the statement described in Subsection  
517 (3)(e):

518 "POLITICAL PARTY REGISTRATION PETITION To the Honorable \_\_\_\_\_,  
519 Lieutenant Governor:

520 We, the undersigned citizens of Utah, seek registered political party status for \_\_\_\_\_  
521 (name);

522 Each signer says:

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

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

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

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

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

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

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

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

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

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

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

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

546 "Verification

547 State of Utah, County of \_\_\_\_\_

548 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

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

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

553 I believe that each individual has printed and signed the individual's name and written  
554 the individual's street address correctly, and that each individual is registered to vote in Utah or

555 will register to vote in Utah before the petition is submitted to the lieutenant governor.

556 \_\_\_\_\_  
557 (Signature) (Residence Address) (Date)"; and

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

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

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

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

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

567 (a) is at least 18 years old;

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

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

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

573 (6) The lieutenant governor shall:

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

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

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

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

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

586 name or emblem to the lieutenant governor.

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

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

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

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

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

593 (C) if the individual is not registered to vote in this state and does not intend to become

594 registered to vote in this state before the petition is submitted to the lieutenant governor; or

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

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

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

600 (C) knows that an individual whose signature appears on the political party registration

601 petition signature sheet is not registered to vote in this state and does not intend to become

602 registered to vote in this state.

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

604 Section 10. Section **20A-9-101** is amended to read:

605 **20A-9-101. Definitions.**

606 As used in this chapter:

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

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

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

612 (ii) presidential elector;

613 (iii) any political party offices; and

614 (iv) municipal or local district offices.

615 (2) "Class A registered political party" means a registered political party that, by timely

616 certifying as a class A registered political party under Section [20A-9-102](#), voluntarily agrees:

617 (a) to permit a member of the registered political party to seek the registered political  
618 party's nomination for any elective office via party convention only; and

619 (b) that the two candidates who receive the highest number of votes for each office at  
620 convention will compete for the nomination in a primary election unless one candidate receives  
621 at least two-thirds of the votes cast at convention for that office.

622 (3) "Class B registered political party" means a registered political party that, by timely  
623 certifying as a class B registered political party under Section [20A-9-102](#), voluntarily agrees:

624 (a) (i) to permit a delegate for the registered political party to vote on a candidate  
625 nomination in the registered political party's convention remotely; or

626 (ii) to provide a procedure for designating an alternate delegate if a delegate is not  
627 present at the registered political party's convention;

628 (b) to hold the registered political party's convention no earlier than the fourth Saturday  
629 in March of an even-numbered year; and

630 (c) to permit a member of the registered political party to seek the registered political  
631 party's nomination for any elective office by the member choosing to seek the nomination by  
632 either or both of the following methods:

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

635 (ii) seeking the nomination by collecting signatures, in accordance with the provisions  
636 of Section [20A-9-408](#).

637 (4) "Class C registered political party" means a registered political party that, by timely  
638 certifying as a class C registered political party under Section [20A-9-102](#), voluntarily agrees to  
639 permit a member of the registered political party to seek the registered political party's  
640 nomination for any elective office by signature only, in accordance with Section [20A-9-403](#).

641 (5) "Class D registered political party" means a registered political party that:

642 (a) by timely certifying as a class D registered political party under Section [20A-9-102](#),  
643 voluntarily agrees:

644 (i) to permit a member of the registered political party to seek the registered political  
645 party's nomination for any elective office by a means other than the means required for a class  
646 A, B, or C registered political party;

647 (ii) that the registered political party will not participate in the regular primary election;

648 and

649 (iii) that the registered political party's nominees will appear on the general election  
650 ballot without any indication of party affiliation or affiliation with any other political group; or

651 (b) by failing to timely certify as a class A, B, C, or D registered political party under  
652 Section 20A-9-102, is not entitled to, and is not permitted to:

653 (i) participate in the regular primary election; or

654 (ii) have the registered political party's nominees appear on the general election ballot  
655 with any indication of party affiliation or affiliation with any other political group.

656 [~~2~~] (6) "Constitutional office" means the state offices of governor, lieutenant  
657 governor, attorney general, state auditor, and state treasurer.

658 [~~3~~] (7) "Continuing political party" means the same as that term is defined in Section  
659 20A-8-101.

660 [~~4~~] (8) (a) "County office" means an elective office where the officeholder is selected  
661 by voters entirely within one county.

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

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

664 (ii) the office of presidential elector;

665 (iii) any political party offices;

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

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

668 [~~5~~] (9) "Federal office" means an elective office for United States Senator and United  
669 States Representative.

670 [~~6~~] (10) "Filing officer" means:

671 (a) the lieutenant governor, for:

672 (i) the office of United States Senator and United States Representative; and

673 (ii) all constitutional offices;

674 (b) the county clerk, for county offices and local school district offices;

675 (c) the county clerk in the filer's county of residence, for multicounty offices;

676 (d) the city or town clerk, for municipal offices; and

677 (e) the local district clerk, for local district offices.

678 [~~7~~] (11) "Local district office" means an elected office in a local district.

679           ~~[(8)]~~ (12) "Local government office" includes county offices, municipal offices, and  
680 local district offices and other elective offices selected by the voters from a political division  
681 entirely within one county.

682           ~~[(9)]~~ (13) (a) "Multicounty office" means an elective office where the officeholder is  
683 selected by the voters from more than one county.

684           (b) "Multicounty office" does not mean:

685           (i) a county office;

686           (ii) a federal office;

687           (iii) the office of justice or judge of any court of record or not of record;

688           (iv) the office of presidential elector;

689           (v) any political party offices; and

690           (vi) any municipal or local district offices.

691           ~~[(10)]~~ (14) "Municipal office" means an elective office in a municipality.

692           ~~[(11)]~~ (15) (a) "Political division" means a geographic unit from which an officeholder  
693 is elected and that an officeholder represents.

694           (b) "Political division" includes a county, a city, a town, a local district, a school  
695 district, a legislative district, and a county prosecution district.

696           ~~[(12) "Qualified political party" means a registered political party that:]~~

697           ~~[(a) (i) permits a delegate for the registered political party to vote on a candidate~~  
698 ~~nomination in the registered political party's convention remotely; or]~~

699           ~~[(ii) provides a procedure for designating an alternate delegate if a delegate is not~~  
700 ~~present at the registered political party's convention;]~~

701           ~~[(b) does not hold the registered political party's convention before the fourth Saturday~~  
702 ~~in March of an even-numbered year;]~~

703           ~~[(c) permits a member of the registered political party to seek the registered political~~  
704 ~~party's nomination for any elective office by the member choosing to seek the nomination by~~  
705 ~~either or both of the following methods:]~~

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

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

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

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

718 Section 11. Section 20A-9-102 is enacted to read:

719 **20A-9-102. Certification of registered political party class -- Effect of certification**  
720 **or failure to timely certify.**

721 (1) A registered political party that is a continuing political party shall, no later than 5  
722 p.m. on September 30 of an odd-numbered year, certify to the lieutenant governor, in writing:

723 (a) whether the registered political party will be a class A, class B, class C, or class D  
724 registered political party during the following even-numbered year; and

725 (b) for a class A, class B, or class C registered political party:

726 (i) the name of one or more registered political parties whose members may vote for  
727 the registered political party's candidates in the regular primary election; and

728 (ii) whether individuals identified as unaffiliated with a registered political party may  
729 vote for the registered political party's candidates in the regular primary election.

730 (2) A registered political party that is not a continuing political party, shall, at the time  
731 that the registered political party files the petition described in Section 20A-8-103, certify to  
732 the lieutenant governor, in writing:

733 (a) whether the registered political party will be a class A, class B, class C, or class D  
734 registered political party during the following even-numbered year; and

735 (b) for a class A, class B, or class C registered political party:

736 (i) the name of one or more registered political parties whose members may vote for  
737 the registered political party's candidates in the regular primary election; and

738 (ii) whether individuals identified as unaffiliated with a registered political party may  
739 vote for the registered political party's candidates in the regular primary election.

740 (3) A registered political party that fails to timely provide the certification described in



741 Subsection (1) or (2) is a class D registered political party during the even-numbered year  
742 following the applicable deadline described in Subsection (1) or (2).

743 (4) If a registered political party certifies as a class A, class B, class C, or class D  
744 registered political party:

745 (a) the registered political party may not, after certifying, change the registered political  
746 party's class for purposes of an election during the even-numbered year following the  
747 applicable deadline described in Subsection (1) or (2); and

748 (b) any action taken by the registered political party that is intended to, or may have the  
749 effect of, changing the class of the registered political party or interfering with the election  
750 process provided by law for the class of the registered political party will not be given legal  
751 effect by the state for an election in the even-numbered year following the deadline described  
752 in Subsection (1) or (2).

753 (5) If a registered political party becomes a class D registered political party by failing  
754 to timely provide the certification described in Subsection (1) or (2):

755 (a) the registered political party may not, after the applicable deadline described in  
756 Subsection (1) or (2), change the registered political party's class for purposes of an election  
757 during the even-numbered year following the applicable deadline described in Subsection (1)  
758 or (2); and

759 (b) any action taken by the registered political party that is intended to change, or that  
760 may have the effect of changing, the class of the registered political party or interfering with  
761 the election process provided by law for a class D registered political party will not be given  
762 legal effect by the state for an election in the even-numbered year following the applicable  
763 deadline described in Subsection (1) or (2).

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

765 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**  
766 **more than one political party prohibited with exceptions -- General filing and form**  
767 **requirements -- Affidavit of impecuniosity.**

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

770 (a) be a United States citizen;

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

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

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

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

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

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

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

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

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

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

789 (iii) An individual may file a declaration of candidacy for lieutenant governor even if  
790 the individual filed a declaration of candidacy for another office in the same election year if the  
791 individual withdraws as a candidate for the other office in accordance with Subsection  
792 [20A-9-202\(6\)](#) before filing the declaration of candidacy for lieutenant governor.

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

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

797 (ii) require the individual to state whether the individual meets the requirements  
798 described in Subsection (3)(a)(i); and

799 (iii) if the declaration of candidacy is for a county office, inform the individual that an  
800 individual who holds a county elected office may not, at the same time, hold a municipal  
801 elected office.

802 (iv) if the declaration of candidacy is for a legislative office, inform the individual that

803 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit  
804 or trust, under authority of the United States or Utah, from being a member of the Legislature.

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

807 (i) a United States citizen;

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

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

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

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

818 (i) a United States citizen;

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

821 (iii) a registered voter in the prosecution district in which the individual is seeking  
822 office; and

823 (iv) a current resident of the prosecution district in which the individual is seeking  
824 office and either will have been a resident of that prosecution district for at least one year as of  
825 the date of the election or was appointed and is currently serving as district attorney and  
826 became a resident of the prosecution district within 30 days after receiving appointment to the  
827 office.

828 (d) Before accepting a declaration of candidacy for the office of county sheriff, the  
829 county clerk shall ensure that the individual filing the declaration:

830 (i) is a United States citizen;

831 (ii) is a registered voter in the county in which the individual seeks office;

832 (iii) (A) has successfully met the standards and training requirements established for  
833 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and

834 Certification Act; or

835 (B) has met the waiver requirements in Section 53-6-206;

836 (iv) is qualified to be certified as a law enforcement officer, as defined in Section  
837 53-13-103; and

838 (v) as of the date of the election, will have been a resident of the county in which the  
839 individual seeks office for at least one year.

840 (e) Before accepting a declaration of candidacy for the office of governor, lieutenant  
841 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of  
842 Education member, the filing officer shall ensure~~[(t)]~~ that the individual filing the declaration  
843 of candidacy also makes the conflict of interest disclosure required by Section 20A-11-1603~~;~~  
844 and].

845 ~~[(ii) until January 1, 2020, if the filing officer is not the lieutenant governor, that the~~  
846 ~~individual provides the conflict of interest disclosure form to the lieutenant governor in~~  
847 ~~accordance with Section 20A-11-1603.]~~

848 (4) If an individual who files a declaration of candidacy does not meet the qualification  
849 requirements for the office the individual is seeking, the filing officer may not accept the  
850 individual's declaration of candidacy.

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

853 (a) inform the individual that:

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

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

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

860 (A) Section 20A-11-204 for a candidate for constitutional office;

861 (B) Section 20A-11-303 for a candidate for the Legislature; or

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

863 (b) except for a presidential candidate, provide the individual with a copy of the current  
864 campaign financial disclosure laws for the office the individual is seeking and inform the

865 individual that failure to comply will result in disqualification as a candidate and removal of  
866 the individual's name from the ballot;

867 (c) provide the individual with a copy of Section 20A-7-801 regarding the Statewide  
868 Electronic Voter Information Website Program and inform the individual of the submission  
869 deadline under Subsection 20A-7-801(4)(a);

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

872 (i) signing the pledge is voluntary; and

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

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

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

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

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

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

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

886 (i) be substantially as follows:

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

888 I, \_\_\_\_\_, declare my candidacy for the office of \_\_\_\_\_, seeking the  
889 nomination of the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications to  
890 hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_  
891 in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_ Phone No. \_\_\_\_\_; I will not  
892 knowingly violate any law governing campaigns and elections; if filing via a designated  
893 agent, I will be out of the state of Utah during the entire candidate filing period; I will  
894 file all campaign financial disclosure reports as required by law; and I understand that  
895 failure to do so will result in my disqualification as a candidate for this office and

896 removal of my name from the ballot. The mailing address that I designate for receiving official  
897 election notices is \_\_\_\_\_.

898 \_\_\_\_\_

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

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

901 (ii) require the candidate to state, in the sworn statement described in Subsection

902 (7)(a)(i):

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

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

905 (b) An agent designated under Subsection 20A-9-202[~~(+)~~(c)](4) to file a declaration of  
906 candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.

907 (8) (a) Except for presidential candidates, the fee for filing a declaration of candidacy  
908 is:

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

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

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

914 (i) who is disqualified; or

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

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

918 (ii) The lieutenant governor shall:

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

921 (B) ensure that each county receives that proportion of the total amount paid to the  
922 lieutenant governor from the congressional district that the total vote of that county for all  
923 candidates for representative in Congress bears to the total vote of all counties within the  
924 congressional district for all candidates for representative in Congress.

925 (d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy  
926 without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by

927 an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer,  
928 a financial statement filed at the time the affidavit is submitted.

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

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

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

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

938 "Affidavit of Impecuniosity

939 Individual Name

940 \_\_\_\_\_ Address \_\_\_\_\_

941 Phone Number \_\_\_\_\_

942 I, \_\_\_\_\_ (name), do solemnly [swear] [affirm], under penalty of law  
943 for false statements, that, owing to my poverty, I am unable to pay the filing fee required by  
944 law.

945 Date \_\_\_\_\_ Signature \_\_\_\_\_

946 Affiant

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

948 \_\_\_\_\_  
949 (signature)

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

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

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

957 (vi) The filing officer may request that a person who makes a claim of impecuniosity

958 under this Subsection (8)(d) file a financial statement on a form prepared by the election  
959 official.

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

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

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

965 **20A-9-202. Declarations of candidacy for regular general elections.**

966 ~~[(1)(a) An individual seeking to become a candidate for an elective office that is to be  
967 filled at the next regular general election shall:]~~

968 ~~[(i) except as provided in Subsection (1)(c), file a declaration of candidacy in person  
969 with the filing officer on or after January 1 of the regular general election year, and, if  
970 applicable, before the individual circulates nomination petitions under Section 20A-9-405; and]~~

971 ~~[(ii) pay the filing fee:]~~

972 ~~[(b) Unless expressly provided otherwise in this title, for a registered political party  
973 that is not a qualified political party, the deadline for filing a declaration of candidacy for an  
974 elective office that is to be filled at the next regular general election is:]~~

975 ~~[(i) in a year other than 2020, 5 p.m. on the first Monday after the third Saturday in  
976 April; or]~~

977 ~~[(ii) in 2020, before 5 p.m. April 27:]~~

978 (1) An individual seeking to become a candidate for an elective office that is to be  
979 filled at the next regular general election shall:

980 (a) file a declaration of candidacy in accordance with Subsection (2) or (3), as  
981 applicable; and

982 (b) pay the filing fee at the time of filing.

983 (2) If an individual described in Subsection (1) will seek to become a candidate by  
984 gathering signatures under Section 20A-9-403 or 20A-9-408, the individual shall, except as  
985 provided in Subsection (4), file a declaration of candidacy in person with the filing officer:

986 (a) on or after January 1 of the regular general election year; and

987 (b) before the earlier of:

988 (i) before the individual circulates nomination petitions under Section 20A-9-403 or



989 [20A-9-408](#); or

990 (ii) 5 p.m. on the third Thursday in March before the next regular general election.

991 (3) If an individual described in Subsection (1) will not seek to become a candidate by  
992 gathering signatures under Section [20A-9-403](#) or [20A-9-408](#), the individual shall, except as  
993 provided in Subsection (4), file a declaration of candidacy in person with the filing officer:

994 (a) on or after the second Friday in March before the next regular general election; and

995 (b) before 5 p.m. on the third Thursday in March before the next regular general  
996 election.

997 ~~(c)~~ (4) Subject to Subsection [20A-9-201\(7\)\(b\)](#), an individual may designate an agent  
998 to file a declaration of candidacy with the filing officer if:

999 ~~(i)~~ (a) the individual is located outside of the state during the entire filing period;

1000 ~~(ii)~~ (b) the designated agent appears in person before the filing officer;

1001 ~~(iii)~~ (c) the individual communicates with the filing officer using an electronic device  
1002 that allows the individual and filing officer to see and hear each other; and

1003 ~~(iv)~~ (d) the individual provides the filing officer with an email address to which the  
1004 filing officer may send the individual the copies described in Subsection [20A-9-201\(5\)](#).

1005 ~~(d)~~ (5) (a) Each county clerk who receives a declaration of candidacy from a  
1006 candidate for multicounty office shall transmit the filing fee and a copy of the candidate's  
1007 declaration of candidacy to the lieutenant governor within one business day after the candidate  
1008 files the declaration of candidacy.

1009 ~~(e)~~ (b) Each day during the filing period, each county clerk shall notify the lieutenant  
1010 governor electronically or by telephone of candidates who have filed a declaration of candidacy  
1011 with the county clerk.

1012 ~~(f)~~ (c) Each individual seeking the office of lieutenant governor, the office of district  
1013 attorney, or the office of president or vice president of the United States shall comply with the  
1014 specific declaration of candidacy requirements established by this section.

1015 ~~(2)~~ (6) (a) Each individual intending to become a candidate for the office of district  
1016 attorney within a multicounty prosecution district that is to be filled at the next regular general  
1017 election shall:

1018 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement  
1019 creating the prosecution district on or after January 1 of the regular general election year, and

1020 before the earlier of:

1021 (A) before the individual circulates nomination petitions under Section 20A-9-405;

1022 [~~and~~] or

1023 (B) 5 p.m. on the third Thursday in March before the next regular general election; and

1024 (ii) pay the filing fee.

1025 (b) The designated clerk shall provide to the county clerk of each county in the  
1026 prosecution district a certified copy of each declaration of candidacy filed for the office of  
1027 district attorney.

1028 [~~(3)~~] (7) (a) Before the applicable deadline described in Subsection [~~(1)(b)(i) or (ii)~~] (2)  
1029 or (3), each lieutenant governor candidate shall:

1030 (i) file a declaration of candidacy with the lieutenant governor;

1031 (ii) pay the filing fee; and

1032 (iii) submit a letter from a candidate for governor who has received certification for the  
1033 primary-election ballot under Section 20A-9-403, 20A-9-407, 20A-9-408, or 20A-9-409.5 that  
1034 names the lieutenant governor candidate as a joint-ticket running mate.

1035 (b) (i) A candidate for lieutenant governor who fails to timely file is disqualified.

1036 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file to  
1037 replace the disqualified candidate.

1038 [~~(4)~~] (8) Before 5 p.m. no later than August 31, each registered political party shall:

1039 (a) certify the names of the political party's candidates for president and vice president  
1040 of the United States to the lieutenant governor; or

1041 (b) provide written authorization for the lieutenant governor to accept the certification  
1042 of candidates for president and vice president of the United States from the national office of  
1043 the registered political party.

1044 [~~(5)~~] (9) (a) A declaration of candidacy filed under this section is valid unless a written  
1045 objection is filed with the clerk or lieutenant governor before 5 p.m. within five days after the  
1046 last day for filing.

1047 (b) If an objection is made, the clerk or lieutenant governor shall:

1048 (i) mail or personally deliver notice of the objection to the affected candidate  
1049 immediately; and

1050 (ii) decide any objection within 48 hours after [~~it~~] the objection is filed.

1051 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the  
1052 problem by amending the declaration or petition before 5 p.m. within three days after the day  
1053 on which the objection is sustained or by filing a new declaration before 5 p.m. within three  
1054 days after the day on which the objection is sustained.

1055 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

1056 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable  
1057 by a district court if prompt application is made to the court.

1058 (iii) The decision of the district court is final unless the Supreme Court, in the exercise  
1059 of its discretion, agrees to review the lower court decision.

1060 ~~[(6)]~~ (10) Any person who ~~[filed]~~ files a declaration of candidacy may withdraw as a  
1061 candidate by filing a written affidavit with the clerk.

1062 ~~[(7)]~~ (11) (a) Except for a candidate who is certified by a registered political party  
1063 under Subsection ~~[(4)]~~ (8), and except as provided in Section 20A-9-504, before 5 p.m. no later  
1064 than August 31 of a general election year, each individual running as a candidate for vice  
1065 president of the United States shall:

1066 (i) file a declaration of candidacy, in person or via a designated agent, on a form  
1067 developed by the lieutenant governor, that:

1068 (A) contains the individual's name, address, and telephone number;

1069 (B) states that the individual meets the qualifications for the office of vice president of  
1070 the United States;

1071 (C) names the presidential candidate, who has qualified for the general election ballot,  
1072 with which the individual is running as a joint-ticket running mate;

1073 (D) states that the individual agrees to be the running mate of the presidential candidate  
1074 described in Subsection ~~[(7)]~~ (11)(a)(i)(C); and

1075 (E) contains any other necessary information identified by the lieutenant governor;

1076 (ii) pay the filing fee, if applicable; and

1077 (iii) submit a letter from the presidential candidate described in Subsection ~~[(7)]~~  
1078 (11)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice presidential  
1079 candidate.

1080 (b) A designated agent described in Subsection ~~[(7)]~~ (11)(a)(i) may not sign the  
1081 declaration of candidacy.

1082 (c) A vice presidential candidate who fails to meet the requirements described in this  
1083 Subsection [~~(7)~~] (11) may not appear on the general election ballot.

1084 Section 14. Section **20A-9-402.5** is enacted to read:

1085 **20A-9-402.5. Indication of affiliation on regular general election ballot.**

1086 (1) Each registered political party that chooses to have the names of the registered  
1087 political party's candidates for elective office featured with party affiliation on the ballot at a  
1088 regular general election shall timely certify as a class A, B, or C registered political party under  
1089 Section [20A-9-102](#) and comply with the requirements of this chapter in relation to the class  
1090 certified by the registered political party.

1091 (2) A filing officer may not permit an official ballot at a regular general election to be  
1092 produced or used if the ballot denotes affiliation between a political party or any other political  
1093 group and a candidate for elective office unless the candidate is:

1094 (a) a member of a class A, B, or C registered political party; and

1095 (b) nominated by the candidate's registered political party in the manner specified for  
1096 the class certified by the candidate's registered political party.

1097 (3) This section does not affect a candidate's ability to qualify for a regular general  
1098 election's ballot as an unaffiliated candidate under Section [20A-9-501](#) or to participate in a  
1099 regular general election as a write-in candidate under Section [20A-9-601](#).

1100 Section 15. Section **20A-9-402.7** is enacted to read:

1101 **20A-9-402.7. Class D registered political party -- Requirements -- Duties of**  
1102 **lieutenant governor.**

1103 The following provisions apply to a class D registered political party:

1104 (1) an individual may only seek the nomination of the registered political party using  
1105 the internal process designated by the registered political party;

1106 (2) (a) by timely certifying as a class D registered political party under Section  
1107 [20A-9-102](#), the registered political party voluntarily agrees:

1108 (i) to permit a member of the registered political party to seek the registered political  
1109 party's nomination for any elective office by a means other than the means required for a class  
1110 A, B, or C registered political party;

1111 (ii) that the registered political party will not participate in the regular primary election;  
1112 and

1113 (iii) that the registered political party's nominees will appear on the general election  
 1114 ballot without any indication of party affiliation or affiliation with any other political group; or

1115 (b) by failing to timely certify as a class A, B, C, or D registered political party under  
 1116 Section 20A-9-102, is not entitled to, and is not permitted to:

1117 (i) participate in the regular primary election; or

1118 (ii) have the registered political party's nominees appear on the general election ballot  
 1119 with any indication of party affiliation or affiliation with any other political group;

1120 (3) the registered political party shall, before the deadline described in Subsection  
 1121 20A-9-202(3)(b), certify to the lieutenant governor the registered political party's nominee for  
 1122 each office; and

1123 (4) the lieutenant governor shall include the registered political party's nominee for  
 1124 each office on the general election ballot without any indication of party affiliation or  
 1125 affiliation with any other political group.

1126 Section 16. Section 20A-9-403 is amended to read:

1127 **20A-9-403. Regular primary elections for class C registered political party.**

1128 ~~[(1)(a) Candidates for elective office that are to be filled at the next regular general~~  
 1129 ~~election shall be nominated in a regular primary election by direct vote of the people in the~~  
 1130 ~~manner prescribed in this section. The regular primary election is held on the date specified in~~  
 1131 ~~Section 20A-1-201.5. Nothing in this section shall affect a candidate's ability to qualify for a~~  
 1132 ~~regular general election's ballot as an unaffiliated candidate under Section 20A-9-501 or to~~  
 1133 ~~participate in a regular general election as a write-in candidate under Section 20A-9-601.]~~

1134 ~~[(b) Each registered political party that chooses to have the names of the registered~~  
 1135 ~~political party's candidates for elective office featured with party affiliation on the ballot at a~~  
 1136 ~~regular general election shall comply with the requirements of this section and shall nominate~~  
 1137 ~~the registered political party's candidates for elective office in the manner described in this~~  
 1138 ~~section.]~~

1139 ~~[(c) A filing officer may not permit an official ballot at a regular general election to be~~  
 1140 ~~produced or used if the ballot denotes affiliation between a registered political party or any~~  
 1141 ~~other political group and a candidate for elective office who is not nominated in the manner~~  
 1142 ~~prescribed in this section or in Subsection 20A-9-202(4).]~~

1143 ~~[(d) Unless noted otherwise, the dates in this section refer to those that occur in each~~

1144 ~~even-numbered year in which a regular general election will be held.]~~

1145 ~~[(2)(a) Each registered political party, in a statement filed with the lieutenant governor,~~  
1146 ~~shall:]~~

1147 ~~[(i) either declare the registered political party's intent to participate in the next regular~~  
1148 ~~primary election or declare that the registered political party chooses not to have the names of~~  
1149 ~~the registered political party's candidates for elective office featured on the ballot at the next~~  
1150 ~~regular general election; and]~~

1151 ~~[(ii) if the registered political party participates in the upcoming regular primary~~  
1152 ~~election, identify one or more registered political parties whose members may vote for the~~  
1153 ~~registered political party's candidates and whether individuals identified as unaffiliated with a~~  
1154 ~~political party may vote for the registered political party's candidates.]~~

1155 ~~[(b)(i) A registered political party that is a continuing political party shall file the~~  
1156 ~~statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on~~  
1157 ~~November 30 of each odd-numbered year.]~~

1158 ~~[(ii) An organization that is seeking to become a registered political party under~~  
1159 ~~Section [20A-8-103](#) shall file the statement described in Subsection (2)(a) at the time that the~~  
1160 ~~registered political party files the petition described in Section [20A-8-103](#).]~~

1161 The following provisions apply to a class C registered political party:

1162 (1) by timely certifying as a class C registered political party under Section [20A-9-102](#),  
1163 the registered political party voluntarily agrees to permit a member of the registered political  
1164 party to seek the registered political party's nomination for any elective office by signature  
1165 only, in accordance with Section [20A-9-403](#);

1166 ~~[(3)(a)]~~ (2) [Except] except as provided in Subsection ~~[(3)(e)]~~ (6), an individual who  
1167 submits a declaration of candidacy under Section [20A-9-202](#) for a class C political party shall  
1168 appear as a candidate for elective office on the regular primary ballot of the registered political  
1169 party listed on the declaration of candidacy only if the individual is certified by the appropriate  
1170 filing officer as having submitted a set of nomination petitions that was:

1171 ~~[(i)]~~ (a) circulated and completed in accordance with Section [20A-9-405](#); and

1172 ~~[(ii)]~~ (b) signed by at least 2% of the registered political party's members who reside in  
1173 the political division of the office that the individual seeks[-];

1174 ~~[(b)(i)]~~ (3) [A] a candidate for elective office for a class C registered political party:

1175           (a) shall submit nomination petitions to the appropriate filing officer for verification  
 1176 and certification no later than 5 p.m. on the final day in March[-]; and

1177           [(ii)] (b) [~~A candidate~~] may supplement the candidate's submissions at any time on or  
 1178 before the filing deadline[-];

1179           [(e)-(i)] (4) [~~The~~] the lieutenant governor shall:

1180           (a) determine for each elective office the total number of signatures that must be  
 1181 submitted under Subsection [(3)(a)(ii)] (2)(b) by counting the aggregate number of individuals  
 1182 residing in each elective office's political division who have designated a particular registered  
 1183 political party on the individuals' voter registration forms on or before November 15 of each  
 1184 odd-numbered year[-]; and

1185           [(ii)] (b) [~~The lieutenant governor shall~~] publish the determination for each elective  
 1186 office no later than November 30 of each odd-numbered year[-];

1187           [(d)] (5) [~~The~~] the filing officer shall:

1188           [(i)] (a) verify signatures on nomination petitions in a transparent and orderly manner,  
 1189 no later than 14 days after the day on which a candidate submits the signatures to the filing  
 1190 officer;

1191           [(ii)] (b) for all qualifying candidates for elective office who submit nomination  
 1192 petitions to the filing officer, issue certifications referenced in Subsection [(3)(a)] (2) no later  
 1193 than the deadline described in Subsection 20A-9-202[(1)(b)(i) or (ii)] (2) or (3);

1194           [(iii)] (c) consider active and inactive voters eligible to sign nomination petitions;

1195           [(iv)] (d) consider an individual who signs a nomination petition a member of a  
 1196 registered political party for purposes of Subsection [(3)(a)(ii)] (2)(b) if the individual has  
 1197 designated that registered political party as the individual's party membership on the  
 1198 individual's voter registration form; and

1199           [(v)] (e) utilize procedures described in Section 20A-7-206.3 to verify submitted  
 1200 nomination petition signatures[-; ~~or use statistical sampling procedures to verify submitted~~  
 1201 ~~nomination petition signatures in accordance with rules made under Subsection (3)(f).~~; and

1202           [(e)] (6) [~~Notwithstanding~~] notwithstanding any other provision in this [~~Subsection (3)]~~  
 1203 section, a candidate for lieutenant governor may appear on the regular primary ballot of a class  
 1204 C registered political party without submitting nomination petitions if the candidate files a  
 1205 declaration of candidacy and complies with Subsection 20A-9-202[(3)] (7).

1206 ~~[(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~  
1207 ~~director of elections, within the Office of the Lieutenant Governor, may make rules that:]~~  
1208 ~~[(i) provide for the use of statistical sampling procedures that:]~~  
1209 ~~[(A) filing officers are required to use to verify signatures under Subsection (3)(d);~~  
1210 ~~and]~~  
1211 ~~[(B) reflect a bona fide effort to determine the validity of a candidate's entire~~  
1212 ~~submission, using widely recognized statistical sampling techniques; and]~~  
1213 ~~[(ii) provide for the transparent, orderly, and timely submission, verification, and~~  
1214 ~~certification of nomination petition signatures.]~~  
1215 ~~[(g) The county clerk shall:]~~  
1216 ~~[(i) review the declarations of candidacy filed by candidates for local boards of~~  
1217 ~~education to determine if more than two candidates have filed for the same seat;]~~  
1218 ~~[(ii) place the names of all candidates who have filed a declaration of candidacy for a~~  
1219 ~~local board of education seat on the nonpartisan section of the ballot if more than two~~  
1220 ~~candidates have filed for the same seat; and]~~  
1221 ~~[(iii) determine the order of the local board of education candidates' names on the~~  
1222 ~~ballot in accordance with Section 20A-6-305;]~~  
1223 ~~[(4) (a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant~~  
1224 ~~governor shall provide to the county clerks:]~~  
1225 ~~[(i) a list of the names of all candidates for federal, constitutional, multi-county, single~~  
1226 ~~county, and county offices who have received certifications under Subsection (3), along with~~  
1227 ~~instructions on how those names shall appear on the primary election ballot in accordance with~~  
1228 ~~Section 20A-6-305; and]~~  
1229 ~~[(ii) a list of unopposed candidates for elective office who have been nominated by a~~  
1230 ~~registered political party under Subsection (5)(c) and instruct the county clerks to exclude the~~  
1231 ~~unopposed candidates from the primary election ballot.]~~  
1232 ~~[(b) A candidate for lieutenant governor and a candidate for governor campaigning as~~  
1233 ~~joint-ticket running mates shall appear jointly on the primary election ballot.]~~  
1234 ~~[(c) After the county clerk receives the certified list from the lieutenant governor under~~  
1235 ~~Subsection (4)(a), the county clerk shall post or publish a primary election notice in~~  
1236 ~~substantially the following form:]~~



1237 ~~["Notice is given that a primary election will be held Tuesday, June \_\_\_\_\_,~~  
 1238 ~~\_\_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan~~  
 1239 ~~local school board positions listed on the primary ballot. The polling place for voting precinct~~  
 1240 ~~\_\_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.~~  
 1241 ~~Attest: county clerk."]~~

1242 ~~[(5) (a) A candidate who, at the regular primary election, receives the highest number~~  
 1243 ~~of votes cast for the office sought by the candidate is:]~~

1244 ~~[(i) nominated for that office by the candidate's registered political party; or]~~

1245 ~~[(ii) for a nonpartisan local school board position, nominated for that office.]~~

1246 ~~[(b) If two or more candidates are to be elected to the office at the regular general~~  
 1247 ~~election, those party candidates equal in number to positions to be filled who receive the~~  
 1248 ~~highest number of votes at the regular primary election are the nominees of the candidates'~~  
 1249 ~~party for those positions.]~~

1250 ~~[(c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:]~~

1251 ~~[(A) no individual other than the candidate receives a certification under Subsection (3)~~  
 1252 ~~for the regular primary election ballot of the candidate's registered political party for a~~  
 1253 ~~particular elective office; or]~~

1254 ~~[(B) for an office where more than one individual is to be elected or nominated, the~~  
 1255 ~~number of candidates who receive certification under Subsection (3) for the regular primary~~  
 1256 ~~election of the candidate's registered political party does not exceed the total number of~~  
 1257 ~~candidates to be elected or nominated for that office.]~~

1258 ~~[(ii) A candidate who is unopposed for an elective office in the regular primary election~~  
 1259 ~~of a registered political party is nominated by the party for that office without appearing on the~~  
 1260 ~~primary election ballot.]~~

1261 ~~[(6) (a) When a tie vote occurs in any primary election for any national, state, or other~~  
 1262 ~~office that represents more than one county, the governor, lieutenant governor, and attorney~~  
 1263 ~~general shall, at a public meeting called by the governor and in the presence of the candidates~~  
 1264 ~~involved, select the nominee by lot cast in whatever manner the governor determines.]~~

1265 ~~[(b) When a tie vote occurs in any primary election for any county office, the district~~  
 1266 ~~court judges of the district in which the county is located shall, at a public meeting called by~~  
 1267 ~~the judges and in the presence of the candidates involved, select the nominee by lot cast in~~

1268 whatever manner the judges determine.]

1269 ~~[(7) The expense of providing all ballots, blanks, or other supplies to be used at any~~  
1270 ~~primary election provided for by this section, and all expenses necessarily incurred in the~~  
1271 ~~preparation for or the conduct of that primary election shall be paid out of the treasury of the~~  
1272 ~~county or state, in the same manner as for the regular general elections.]~~

1273 ~~[(8) An individual may not file a declaration of candidacy for a registered political~~  
1274 ~~party of which the individual is not a member, except to the extent that the registered political~~  
1275 ~~party permits otherwise under the registered political party's bylaws.]~~

1276 Section 17. Section **20A-9-403.5** is enacted to read:

1277 **20A-9-403.5. Local boards of education -- Ballot placement.**

1278 The county clerk shall:

1279 (1) review the declarations of candidacy filed by candidates for local boards of  
1280 education to determine if more than two candidates have filed for the same seat;

1281 (2) place the names of all candidates who have filed a declaration of candidacy for a  
1282 local board of education seat on the nonpartisan section of the ballot if more than two  
1283 candidates have filed for the same seat; and

1284 (3) determine the order of the local board of education candidates' names on the ballot  
1285 in accordance with Section [20A-6-305](#).

1286 Section 18. Section **20A-9-403.7** is enacted to read:

1287 **20A-9-403.7. List of qualified candidates for primary election ballot -- Notice of**  
1288 **primary election -- Nominee selected at primary election -- Election expenses -- Party**  
1289 **membership.**

1290 (1) (a) Before the deadline described in Subsection [20A-9-409\(4\)\(c\)](#), the lieutenant  
1291 governor shall provide to the county clerks:

1292 (i) a list of the names of all candidates for federal, constitutional, multi-county, single  
1293 county, and county offices who have qualified for placement on the primary election ballot,  
1294 along with instructions on how those names shall appear on the ballot in accordance with  
1295 Section [20A-6-305](#); and

1296 (ii) a list of unopposed candidates for elective office who have been nominated by a  
1297 registered political party under Subsection (2)(c) and instruct the county clerks to exclude the  
1298 unopposed candidates from the primary election ballot.

1299 (b) A candidate for lieutenant governor and a candidate for governor campaigning as  
1300 joint-ticket running mates shall appear jointly on the primary election ballot.

1301 (c) After the county clerk receives the certified list from the lieutenant governor under  
1302 Subsection (1)(a), the county clerk shall post or publish a primary election notice in  
1303 substantially the following form:

1304 "Notice is given that a primary election will be held Tuesday, June \_\_\_\_\_,  
1305 \_\_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan  
1306 local school board positions listed on the primary ballot. The polling place for voting precinct  
1307 \_\_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.  
1308 Attest: county clerk."

1309 (2) (a) A candidate who, at the regular primary election, receives the highest number of  
1310 votes cast for the office sought by the candidate is:

1311 (i) nominated for that office by the candidate's registered political party; or  
1312 (ii) for a nonpartisan local school board position, nominated for that office.

1313 (b) If two or more candidates are to be elected to the office at the regular general  
1314 election, those party candidates equal in number to positions to be filled who receive the  
1315 highest number of votes at the regular primary election are the nominees of the candidates'  
1316 party for those positions.

1317 (c) (i) As used in this Subsection (2)(c), a candidate is "unopposed" if:

1318 (A) no individual other than the candidate qualifies for placement on the regular  
1319 primary election ballot for the candidate's registered political party for a particular elective  
1320 office; or

1321 (B) for an office where more than one individual is to be elected or nominated, the  
1322 number of candidates who qualify for the regular primary election ballot for the candidate's  
1323 registered political party does not exceed the total number of candidates to be elected or  
1324 nominated for that office.

1325 (ii) A candidate who is unopposed for an elective office in the regular primary election  
1326 of a registered political party is nominated by the party for that office without appearing on the  
1327 primary election ballot.

1328 (3) (a) When a tie vote occurs in any primary election for any national, state, or other  
1329 office that represents more than one county, the governor, lieutenant governor, and attorney

1330 general shall, at a public meeting called by the governor and in the presence of the candidates  
1331 involved, select the nominee by lot cast in whatever manner the governor determines.

1332 (b) When a tie vote occurs in any primary election for any county office, the district  
1333 court judges of the district in which the county is located shall, at a public meeting called by  
1334 the judges and in the presence of the candidates involved, select the nominee by lot cast in  
1335 whatever manner the judges determine.

1336 (4) The expense of providing all ballots, blanks, or other supplies to be used at any  
1337 primary election provided for by this section, and all expenses necessarily incurred in the  
1338 preparation for or the conduct of that primary election shall be paid out of the treasury of the  
1339 county or state, in the same manner as for the regular general elections.

1340 (5) An individual may not file a declaration of candidacy for a registered political party  
1341 of which the individual is not a member, except to the extent that the registered political party  
1342 permits otherwise under the registered political party's bylaws.

1343 Section 19. Section **20A-9-405** is amended to read:

1344 **20A-9-405. Nomination petitions for regular primary elections.**

1345 (1) This section [~~shall apply~~] applies to the form and circulation of nomination  
1346 petitions for regular primary [~~elections described in Subsection 20A-9-403(3)(a)~~] elections for  
1347 a class B or C registered political party.

1348 (2) A candidate for elective office, and the agents of the candidate, may not circulate  
1349 nomination petitions until the candidate [~~has submitted~~] submits a declaration of candidacy in  
1350 accordance with Subsection **20A-9-202**[~~(1)~~](2).

1351 (3) The nomination petitions shall be in substantially the following form:

1352 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

1353 (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the  
1354 space above that line blank for purposes of binding;

1355 (c) the petition shall be headed by a caption stating the purpose of the petition and the  
1356 name of the proposed candidate;

1357 (d) the petition shall feature the word "Warning" followed by the following statement  
1358 in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to  
1359 knowingly sign a certificate of nomination signature sheet with any name other than the  
1360 person's own name or more than once for the same candidate or if the person is not registered

1361 to vote in this state and does not intend to become registered to vote in this state before  
1362 signatures are certified by a filing officer.";

1363 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively  
1364 numbered one through 10;

1365 (f) the signature portion of the petition shall be divided into columns headed by the  
1366 following titles:

1367 (i) Registered Voter's Printed Name;

1368 (ii) Signature of Registered Voter;

1369 (iii) Party Affiliation of Registered Voter;

1370 (iv) Birth Date or Age (Optional);

1371 (v) Street Address, City, Zip Code; and

1372 (vi) Date of Signature; and

1373 (g) a photograph of the candidate may appear on the nomination petition.

1374 (4) If one or more nomination petitions are bound together, a page shall be bound to  
1375 the nomination petition(s) that features the following printed verification statement to be signed  
1376 and dated by the petition circulator:

1377 "Verification

1378 State of Utah, County of \_\_\_\_

1379 I, \_\_\_\_, of \_\_\_\_, hereby state that:

1380 I am a Utah resident and am at least 18 years old;

1381 All the names that appear on the signature sheets bound to this page were, to the best of  
1382 my knowledge, signed by the persons who professed to be the persons whose names appear on  
1383 the signature sheets, and each of them signed the person's name on the signature sheets in my  
1384 presence;

1385 I believe that each has printed and signed the person's name and written the person's  
1386 street address correctly, and that each signer is registered to vote in Utah or will register to vote  
1387 in Utah before the county clerk certifies the signatures on the signature sheet."

1388 (5) The lieutenant governor shall prepare and make public model nomination petition  
1389 forms and associated instructions.

1390 (6) A nomination petition circulator must be at least 18 years old and a resident of the  
1391 state, but may affiliate with any political party.

- 1392 (7) It is unlawful for ~~[any]~~ a person to:
- 1393 (a) knowingly sign the nomination petition sheet described in Subsection (3):
- 1394 (i) with any name other than the person's own name;
- 1395 (ii) more than once for the same candidate; or
- 1396 (iii) if the person is not registered to vote in this state and does not intend to become
- 1397 registered to vote in this state prior to 5 p.m. on the final day in March;
- 1398 (b) sign the verification of a certificate of nomination signature sheet described in
- 1399 Subsection (4) if the person:
- 1400 (i) does not meet the residency requirements of Section [20A-2-105](#);
- 1401 (ii) has not witnessed the signing by those persons whose names appear on the
- 1402 certificate of nomination signature sheet; or
- 1403 (iii) knows that a person whose signature appears on the certificate of nomination
- 1404 signature sheet is not registered to vote in this state and does not intend to become registered to
- 1405 vote in this state;
- 1406 (c) pay compensation to any person to sign a nomination petition; or
- 1407 (d) pay compensation to any person to circulate a nomination petition, if the
- 1408 compensation is based directly on the number of signatures submitted to a filing officer rather
- 1409 than on the number of signatures verified or on some other basis.
- 1410 (8) Any person violating Subsection (7) is guilty of a class A misdemeanor.
- 1411 ~~[(9) Withdrawal of petition signatures shall not be permitted.]~~
- 1412 (9) An individual who signs a petition described in this section may not withdraw the
- 1413 individual's signature from the petition.
- 1414 Section 20. Section **20A-9-406** is amended to read:
- 1415 **20A-9-406. Class B registered political party.**
- 1416 The following provisions apply to a ~~[qualified]~~ class B registered political party:
- 1417 ~~[(1) the qualified political party shall, no later than 5 p.m. on November 30 of each~~
- 1418 ~~odd-numbered year, certify to the lieutenant governor the identity of one or more registered~~
- 1419 ~~political parties whose members may vote for the qualified political party's candidates and~~
- 1420 ~~whether unaffiliated voters may vote for the qualified political party's candidates;]~~
- 1421 ~~[(2) the provisions of Subsections [20A-9-403](#)(1) through (4)(a), Subsection~~
- 1422 ~~[20A-9-403](#)(5)(c), and Section [20A-9-405](#) do not apply to a nomination for the qualified~~

1423 ~~political party;]~~

1424 ~~[(3)]~~ (1) an individual may only seek the nomination of the ~~[qualified]~~ registered  
1425 political party by using a method described in Section ~~20A-9-407~~, Section ~~20A-9-408~~, or both;

1426 ~~(2) by timely certifying as a class B registered political party under Section 20A-9-102,~~  
1427 ~~the political party voluntarily agrees:~~

1428 ~~(a) (i) to permit a delegate for the registered political party to vote on a candidate~~  
1429 ~~nomination in the registered political party's convention remotely; or~~

1430 ~~(ii) to provide a procedure for designating an alternate delegate if a delegate is not~~  
1431 ~~present at the registered political party's convention;~~

1432 ~~(b) to hold the registered political party's convention no earlier than the fourth Saturday~~  
1433 ~~in March of an even-numbered year; and~~

1434 ~~(c) to permit a member of the registered political party to seek the registered political~~  
1435 ~~party's nomination for any elective office by the member choosing to seek the nomination by~~  
1436 ~~either or both of the following methods:~~

1437 ~~(i) seeking the nomination through the registered political party's convention process,~~  
1438 ~~in accordance with the provisions of Section 20A-9-407; or~~

1439 ~~(ii) seeking the nomination by collecting signatures, in accordance with the provisions~~  
1440 ~~of Section 20A-9-408;~~

1441 ~~[(4)]~~ (3) the ~~[qualified]~~ registered political party shall comply with the provisions of  
1442 Sections ~~20A-9-407~~, ~~20A-9-408~~, and ~~20A-9-409~~; and

1443 ~~[(5) notwithstanding Subsection 20A-6-301(1)(a), (1)(f), or (2)(a), each election officer~~  
1444 ~~shall ensure that a ballot described in Section 20A-6-301 includes each individual nominated~~  
1445 ~~by a qualified political party:]~~

1446 ~~[(a) under the qualified political party's name, if any; or]~~

1447 ~~[(b) under the title of the qualified registered political party as designated by the~~  
1448 ~~qualified political party in the certification described in Subsection (1), or, if none is~~  
1449 ~~designated, then under some suitable title;]~~

1450 ~~[(6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure,~~  
1451 ~~for paper ballots in regular general elections, that each candidate who is nominated by the~~  
1452 ~~qualified political party is listed by party;]~~

1453 ~~[(7) notwithstanding Subsection 20A-6-303(1)(d), each election officer shall ensure~~

1454 that the party designation of each candidate who is nominated by the qualified political party is  
1455 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;]

1456 [(8) notwithstanding Subsection 20A-6-304(1)(c), each election officer shall ensure  
1457 that the party designation of each candidate who is nominated by the qualified political party is  
1458 displayed adjacent to the candidate's name on an electronic ballot;]

1459 [(9) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also  
1460 includes an individual who files a declaration of candidacy under Section 20A-9-407 or  
1461 20A-9-408 to run in a regular general election for a federal office, constitutional office,  
1462 multicounty office, or county office;]

1463 [(10) an individual who is nominated by, or seeking the nomination of, the qualified  
1464 political party is not required to comply with Subsection 20A-9-201(1)(c);]

1465 [(11) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled  
1466 to have each of the qualified political party's candidates for elective office appear on the  
1467 primary ballot of the qualified political party with an indication that each candidate is a  
1468 candidate for the qualified political party;]

1469 [(12) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall  
1470 include on the list provided by the lieutenant governor to the county clerks:]

1471 [(a) the names of all candidates of the qualified political party for federal,  
1472 constitutional, multicounty, and county offices; and]

1473 [(b) the names of unopposed candidates for elective office who have been nominated  
1474 by the qualified political party and instruct the county clerks to exclude such candidates from  
1475 the primary-election ballot;]

1476 [(13)] (4) [notwithstanding Subsection 20A-9-403(5)(c),] a candidate who is  
1477 unopposed for an elective office in the regular primary election of the [qualified] registered  
1478 political party is nominated by the registered political party for that office without appearing on  
1479 the primary ballot[; and].

1480 [(14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section  
1481 20A-9-405, the qualified political party is entitled to have the names of its candidates for  
1482 elective office featured with party affiliation on the ballot at a regular general election.]

1483 Section 21. Section 20A-9-407 is amended to read:

1484 **20A-9-407. Convention process to seek the nomination of a class B registered**



1485 **political party.**

1486 (1) This section describes the requirements for a member of a [qualified] class B  
1487 registered political party who is seeking the nomination of [~~a~~ qualified] the registered political  
1488 party for an elective office through the [qualified] registered political party's convention  
1489 process.

1490 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of  
1491 candidacy for a member of a [qualified] class B registered political party who is nominated by,  
1492 or who is seeking the nomination of, the [qualified] registered political party under this section  
1493 shall be substantially as described in Section 20A-9-408.5.

1494 [~~(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in~~  
1495 ~~Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is~~  
1496 ~~seeking the nomination of the qualified political party for an elective office that is to be filled at~~  
1497 ~~the next general election, shall:]~~

1498 [~~(a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy~~  
1499 ~~in person with the filing officer on or after the second Friday in March and before 5 p.m. on the~~  
1500 ~~third Thursday in March before the next regular general election; and]~~

1501 [~~(b) pay the filing fee.]~~

1502 [~~(4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political~~  
1503 ~~party who, under this section, is seeking the nomination of the qualified political party for the~~  
1504 ~~office of district attorney within a multicounty prosecution district that is to be filled at the next~~  
1505 ~~general election shall:]~~

1506 [~~(a) file a declaration of candidacy with the county clerk designated in the interlocal~~  
1507 ~~agreement creating the prosecution district on or after the second Friday in March and before 5~~  
1508 ~~p.m. on the third Thursday in March before the next regular general election; and]~~

1509 [~~(b) pay the filing fee.]~~

1510 [~~(5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate~~  
1511 ~~who files as the joint-ticket running mate of an individual who is nominated by a qualified~~  
1512 ~~political party, under this section, for the office of governor shall, before the deadline described~~  
1513 ~~in Subsection 20A-9-202(1)(b)(i) or (ii), file a declaration of candidacy and submit a letter~~  
1514 ~~from the candidate for governor that names the lieutenant governor candidate as a joint-ticket~~  
1515 ~~running mate:]~~

1516 ~~[(6)]~~ (3) (a) A ~~[qualified]~~ class B registered political party that nominates a candidate  
 1517 under this section shall certify the name of the candidate to the lieutenant governor before the  
 1518 deadline described in Subsection ~~20A-9-202[(1)(b)(i) or (ii)]~~(3).

1519 (b) The lieutenant governor shall include, in the primary ballot certification or, for a  
 1520 race where a primary is not held because the candidate is unopposed, in the general election  
 1521 ballot certification, the name of each candidate nominated by a ~~[qualified]~~ class B registered  
 1522 political party under this section.

1523 ~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate~~  
 1524 ~~who is nominated by a qualified political party under this section, designate the qualified~~  
 1525 ~~political party that nominated the candidate.]~~

1526 Section 22. Section **20A-9-408** is amended to read:

1527 **20A-9-408. Signature-gathering process to seek the nomination of a class B**  
 1528 **registered political party.**

1529 (1) This section describes the requirements for a member of a ~~[qualified]~~ class B  
 1530 registered political party who is seeking the nomination of the ~~[qualified]~~ registered political  
 1531 party for an elective office through the signature-gathering process described in this section.

1532 (2) Notwithstanding Subsection ~~20A-9-201(7)(a)~~, the form of the declaration of  
 1533 candidacy for a member of a ~~[qualified]~~ class B registered political party who is nominated by,  
 1534 or who is seeking the nomination of, the ~~[qualified]~~ registered political party under this section  
 1535 shall be substantially as described in Section ~~20A-9-408.5~~.

1536 (3) ~~[Notwithstanding Subsection 20A-9-202(1)(a), and except]~~ Except as provided in  
 1537 Subsection ~~20A-9-202[(4)]~~(8), a member of a ~~[qualified]~~ class B registered political party who,  
 1538 under this section, is seeking the nomination of the ~~[qualified]~~ registered political party for an  
 1539 elective office that is to be filled at the next general election shall ~~[(a)]~~ within the period  
 1540 beginning on January 1 before the next regular general election and ending at 5 p.m. on the  
 1541 third Thursday in March of the same year, and before gathering signatures under this section,  
 1542 file with the filing officer on a form approved by the lieutenant governor a notice of intent to  
 1543 gather signatures for candidacy that includes:

1544 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for ~~[a]~~ the  
 1545 registered political party under this section;

1546 ~~[(i)]~~ (b) the name of the registered political party for which the member is seeking

1547 nomination;

1548       [(iii)] (c) the office for which the member is seeking to become a candidate;

1549       [(iv)] (d) the address and telephone number of the member; and

1550       [(v)] (e) other information required by the lieutenant governor[;].

1551       [(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy;  
1552 in person, with the filing officer on or after the second Friday in March and before 5 p.m. on  
1553 the third Thursday in March before the next regular general election; and]

1554       [(c) pay the filing fee.]

1555       (4) [Notwithstanding Subsection 20A-9-202(2)(a), a] A member of a [qualified] class  
1556 B registered political party who, under this section, is seeking the nomination of the [qualified]  
1557 registered political party for the office of district attorney within a multicounty prosecution  
1558 district that is to be filled at the next general election shall[;(a)] on or after January 1 before the  
1559 next regular general election, and before gathering signatures under this section, file with the  
1560 filing officer on a form approved by the lieutenant governor a notice of intent to gather  
1561 signatures for candidacy that includes:

1562       [(i)] (a) the name of the member who will attempt to become a candidate for [a] the  
1563 registered political party under this section;

1564       [(ii)] (b) the name of the registered political party for which the member is seeking  
1565 nomination;

1566       [(iii)] (c) the office for which the member is seeking to become a candidate;

1567       [(iv)] (d) the address and telephone number of the member; and

1568       [(v)] (e) other information required by the lieutenant governor[;].

1569       [(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy;  
1570 in person, with the filing officer on or after the second Friday in March and before 5 p.m. on  
1571 the third Thursday in March before the next regular general election; and]

1572       [(c) pay the filing fee.]

1573       (5) [Notwithstanding Subsection 20A-9-202(3)(a)(iii), a] A lieutenant governor  
1574 candidate who files as the joint-ticket running mate of an individual who is nominated by a  
1575 [qualified] class B registered political party, under this section, for the office of governor shall,  
1576 before the deadline described in Subsection 20A-9-202[(1)(b)(i) or (ii)](2), file a declaration of  
1577 candidacy and submit a letter from the candidate for governor that names the lieutenant

1578 governor candidate as a joint-ticket running mate.

1579 ~~[(6) The lieutenant governor shall ensure that the certification described in Subsection~~  
1580 ~~20A-9-701(1) also includes the name of each candidate nominated by a qualified political party~~  
1581 ~~under this section.]~~

1582 ~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate~~  
1583 ~~who is nominated by a qualified political party under this section, designate the qualified~~  
1584 ~~political party that nominated the candidate.]~~

1585 ~~[(8)]~~ (6) A member of a ~~[qualified]~~ class B registered political party may seek the  
1586 nomination of the ~~[qualified]~~ registered political party for an elective office by:

1587 (a) complying with the requirements described in this section; and

1588 (b) collecting signatures, on a form approved by the lieutenant governor, during the  
1589 period beginning on January 1 of an even-numbered year and ending at 5 p.m. 14 days before  
1590 the day on which the ~~[qualified]~~ registered political party's convention for the office is held, in  
1591 the following amounts:

1592 (i) for a statewide race, 28,000 signatures of registered voters in the state who are  
1593 permitted by the ~~[qualified]~~ registered political party to vote for the ~~[qualified]~~ registered  
1594 political party's candidates in a primary election;

1595 (ii) for a congressional district race, 7,000 signatures of registered voters who are  
1596 residents of the congressional district and are permitted by the ~~[qualified]~~ registered political  
1597 party to vote for the ~~[qualified]~~ registered political party's candidates in a primary election;

1598 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
1599 residents of the state Senate district and are permitted by the ~~[qualified]~~ registered political  
1600 party to vote for the ~~[qualified]~~ registered political party's candidates in a primary election;

1601 (iv) for a state House district race, 1,000 signatures of registered voters who are  
1602 residents of the state House district and are permitted by the ~~[qualified]~~ registered political  
1603 party to vote for the ~~[qualified]~~ registered political party's candidates in a primary election;

1604 (v) for a State Board of Education race, the lesser of:

1605 (A) 2,000 signatures of registered voters who are residents of the State Board of  
1606 Education district and are permitted by the ~~[qualified]~~ registered political party to vote for the  
1607 ~~[qualified]~~ registered political party's candidates in a primary election; or

1608 (B) 3% of the registered voters of the ~~[qualified]~~ registered political party who are

1609 residents of the applicable State Board of Education district; and

1610 (vi) for a county office race, signatures of 3% of the registered voters who are residents  
1611 of the area permitted to vote for the county office and are permitted by the [qualified]  
1612 registered political party to vote for the [qualified] registered political party's candidates in a  
1613 primary election.

1614 [~~9~~] (7) (a) In order for a member of the [qualified] class B registered political party to  
1615 qualify as a candidate for the [qualified] registered political party's nomination for an elective  
1616 office under this section, the member shall:

1617 (i) collect the signatures on a form approved by the lieutenant governor, using the same  
1618 circulation and verification requirements described in Sections 20A-7-204 and 20A-7-205; and

1619 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days  
1620 before the day on which the [qualified] registered political party holds the registered political  
1621 party's convention to select candidates, for the elective office, for the [qualified] registered  
1622 political party's nomination.

1623 (b) An individual may not gather signatures under this section until after the individual  
1624 files a notice of intent to gather signatures for candidacy described in this section.

1625 (c) An individual who files a notice of intent to gather signatures for candidacy,  
1626 described in Subsection (3)[~~a~~] or (4)[~~a~~], is, beginning on the day on which the individual  
1627 files the notice of intent to gather signatures for candidacy:

1628 (i) required to comply with the reporting requirements that a candidate for office is  
1629 required to comply with; and

1630 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
1631 apply to a candidate for office in relation to the reporting requirements described in Subsection  
1632 [~~9~~] (7)(c)(i).

1633 (d) Upon timely receipt of the signatures described in Subsections [~~8~~] (6) and [~~9~~]  
1634 (7)(a), the election officer shall, no later than the earlier of 14 days after the day on which the  
1635 election officer receives the signatures, or one day before the day on which the [qualified] class  
1636 B registered political party holds the convention to select a nominee for the elective office to  
1637 which the signature packets relate:

1638 (i) check the name of each individual who completes the verification for a signature  
1639 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

1640 (ii) submit the name of each individual described in Subsection ~~[(9)]~~ (7)(d)(i) who is  
 1641 not a Utah resident or who is not at least 18 years old to the attorney general and the county  
 1642 attorney;

1643 (iii) determine whether each signer is a registered voter who is qualified to sign the  
 1644 petition, using the same method, described in Section 20A-7-206.3, used to verify a signature  
 1645 on a petition; and

1646 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
 1647 signature packet.

1648 (e) Upon timely receipt of the signatures described in Subsections ~~[(8)]~~ (6) and ~~[(9)]~~  
 1649 (7)(a), the election officer shall, no later than one day before the day on which the ~~[qualified]~~  
 1650 class B registered political party holds the convention to select a nominee for the elective office  
 1651 to which the signature packets relate, notify the ~~[qualified]~~ registered political party and the  
 1652 lieutenant governor of the name of each member of the ~~[qualified]~~ registered political party  
 1653 who qualifies as a nominee of the ~~[qualified]~~ registered political party, under this section, for  
 1654 the elective office to which the convention relates.

1655 (f) Upon receipt of a notice of intent to gather signatures for candidacy described in  
 1656 this section, the lieutenant governor shall post the notice of intent to gather signatures for  
 1657 candidacy on the lieutenant governor's website in the same location that the lieutenant governor  
 1658 posts a declaration of candidacy.

1659 Section 23. Section 20A-9-408.5 is amended to read:

1660 **20A-9-408.5. Declaration of candidacy form for class B registered political party.**

1661 ~~[The]~~ Notwithstanding Subsection 20A-9-201(7)(a), the declaration of candidacy form  
 1662 ~~[described in Sections 20A-9-407 and 20A-9-408]~~ for a class B registered political party shall:

1663 (1) be substantially as follows:

1664 "State of Utah, County of \_\_\_\_

1665 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of  
 1666 \_\_\_\_ as a candidate for the \_\_\_\_ party. I do solemnly swear that: I will meet the qualifications  
 1667 to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in  
 1668 the City or Town of \_\_\_\_, Utah, Zip Code \_\_\_\_, Phone No. \_\_\_\_; I will not knowingly violate  
 1669 any law governing campaigns and elections; I will file all campaign financial disclosure reports  
 1670 as required by law; and I understand that failure to do so will result in my disqualification as a

1671 candidate for this office and removal of my name from the ballot. The mailing address that I  
1672 designate for receiving official election notices is

1673 \_\_\_\_\_  
1674 \_\_\_\_\_.

1675 Subscribed and sworn before me this \_\_\_\_\_ (month\day\year). Notary Public (or  
1676 other officer qualified to administer oath).";

1677 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

1678 (a) the registered political party of which the candidate is a member; or

1679 (b) that the candidate is not a member of a registered political party; and

1680 (3) direct the candidate to indicate whether the candidate is seeking the nomination

1681 using:

1682 (a) the convention process described in Section 20A-9-407;

1683 (b) the signature-gathering process described in Section 20A-9-408; or

1684 (c) both processes described in Subsections (3)(a) and (b).

1685 Section 24. Section 20A-9-409 is amended to read:

1686 **20A-9-409. Primary election provisions relating to class B registered political**  
1687 **party.**

1688 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.

1689 (2) (a) A [qualified] class B registered political party that nominates one or more  
1690 candidates for an elective office under Section 20A-9-407 and does not have a candidate  
1691 qualify as a candidate for that office under Section 20A-9-408, may, but is not required to,  
1692 participate in the primary election for that office.

1693 (b) A [qualified] class B registered political party that has only one candidate qualify as  
1694 a candidate for an elective office under Section 20A-9-408 and does not nominate a candidate  
1695 for that office under Section 20A-9-407, may, but is not required to, participate in the primary  
1696 election for that office.

1697 (c) A [qualified] class B registered political party that nominates one or more  
1698 candidates for an elective office under Section 20A-9-407 and has one or more candidates  
1699 qualify as a candidate for that office under Section 20A-9-408 shall participate in the primary  
1700 election for that office.

1701 (d) A [qualified] class B registered political party that has two or more candidates



1702 qualify as candidates for an elective office under Section 20A-9-408 and does not nominate a  
1703 candidate for that office under Section 20A-9-407 shall participate in the primary election for  
1704 that office.

1705 (3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section  
1706 17-52a-201 or 17-52a-202, a [qualified] class B registered political party shall participate in the  
1707 primary election for a county commission office if:

1708 (a) there is more than one:

1709 (i) open position as defined in Section 17-52a-201; or

1710 (ii) midterm vacancy as defined in Section 17-52a-201; and

1711 (b) the number of candidates nominated under Section 20A-9-407 or qualified under  
1712 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number  
1713 of respective open positions or midterm vacancies.

1714 (4) (a) As used in this Subsection (4), a candidate is "unopposed" if:

1715 (i) no individual other than the candidate receives a certification, from the appropriate  
1716 filing officer, for the regular primary election ballot of the candidate's registered political party  
1717 for a particular elective office; or

1718 (ii) for an office where more than one individual is to be elected or nominated, the  
1719 number of candidates who receive certification, from the appropriate filing officer, for the  
1720 regular primary election of the candidate's registered political party does not exceed the total  
1721 number of candidates to be elected or nominated for that office.

1722 (b) Before the deadline described in Subsection (4)(c), the lieutenant governor shall:

1723 (i) provide to the county clerks:

1724 (A) a list of the names of all candidates for federal, constitutional, multi-county, single  
1725 county, and county offices who have received certifications from the appropriate filing officer,  
1726 along with instructions on how those names shall appear on the primary election ballot in  
1727 accordance with Section 20A-6-305; and

1728 (B) a list of unopposed candidates for elective office who have been nominated by a  
1729 registered political party; and

1730 (ii) instruct the county clerks to exclude unopposed candidates from the primary  
1731 election ballot.

1732 (c) The deadline described in Subsection (4)(b) is:



1733 (i) in a year other than 2020, 5 p.m. on the first Wednesday after the third Saturday in  
1734 April; or

1735 (ii) in 2020, 5 p.m. April 29.

1736 Section 25. Section **20A-9-409.5** is enacted to read:

1737 **20A-9-409.5. Class A registered political party -- Requirements -- Duties of**  
1738 **lieutenant governor.**

1739 The following provisions apply to a class A registered political party:

1740 (1) an individual may only seek the nomination of the registered political party using  
1741 the registered political party's convention process;

1742 (2) by timely certifying as a class A registered political party under Section [20A-9-102](#),  
1743 the registered political party voluntarily agrees:

1744 (a) to permit a member of the registered political party to seek the registered political  
1745 party's nomination for any elective office via party convention only; and

1746 (b) that the two candidates who receive the highest number of votes for each office at  
1747 convention will compete for the nomination in a primary election unless one candidate receives  
1748 at least two-thirds of the votes cast at convention for that office;

1749 (3) the registered political party shall, before the deadline described in Subsection  
1750 [20A-9-202](#)(3), certify to the lieutenant governor:

1751 (a) the two candidates who receive the highest number of votes for each office at  
1752 convention to compete for the nomination in a primary election; or

1753 (b) if one candidate receives at least two-thirds of the votes cast at convention for that  
1754 office, the name of that candidate as the nominee of the registered political party for that office;  
1755 and

1756 (4) the lieutenant governor shall include:

1757 (a) on the regular primary election ballot for the registered political party, for the  
1758 office, the two candidates described in Subsection (3)(a); or

1759 (b) if one candidate receives at least two-thirds of the votes cast at convention for the  
1760 office, that candidate as the registered political party's nominee on the regular general election  
1761 ballot for that office.

1762 Section 26. Section **20A-9-504** is amended to read:

1763 **20A-9-504. Unaffiliated candidates -- Governor and president of the United**

1764 States.

1765 (1) (a) Each unaffiliated candidate for governor shall, before 5 p.m. no later than July 1  
1766 of the regular general election year, select a running mate to file as an unaffiliated candidate for  
1767 the office of lieutenant governor.

1768 (b) The unaffiliated lieutenant governor candidate shall, before 5 p.m. no later than  
1769 July 1 of the regular general election year, file as an unaffiliated candidate by following the  
1770 procedures and requirements of this part.

1771 (2) (a) Each unaffiliated candidate for president of the United States shall, before 5  
1772 p.m. no later than August 15 of a regular general election year, select a running mate to file as  
1773 an unaffiliated candidate for the office of vice president of the United States.

1774 (b) Before 5 p.m. no later than August 15 of a regular general election year, the  
1775 unaffiliated candidate for vice president of the United States described in Subsection (2)(a)  
1776 shall comply with the requirements of Subsection 20A-9-202[(7)](11).

1777 Section 27. Section 20A-9-601 is amended to read:

1778 **20A-9-601. Qualifying as a write-in candidate.**

1779 (1) (a) Except as provided in Subsection (1)(b), an individual who wishes to become a  
1780 valid write-in candidate shall file a declaration of candidacy in person, or through a designated  
1781 agent for a candidate for president or vice president of the United States, with the appropriate  
1782 filing officer before 5 p.m. no later than 65 days before the regular general election or a  
1783 municipal general election in which the individual intends to be a write-in candidate.

1784 (b) (i) The provisions of this Subsection (1)(b) do not apply to an individual who files a  
1785 declaration of candidacy for president of the United States.

1786 (ii) Subject to Subsection (2)(d), an individual may designate an agent to file a  
1787 declaration of candidacy with the appropriate filing officer if:

- 1788 (A) the individual is located outside of the state during the entire filing period;
- 1789 (B) the designated agent appears in person before the filing officer; and
- 1790 (C) the individual communicates with the filing officer using an electronic device that  
1791 allows the individual and filing officer to see and hear each other.

1792 (2) (a) The form of the declaration of candidacy for a write-in candidate for all offices,  
1793 except president or vice president of the United States, is substantially as follows:

1794 "State of Utah, County of \_\_\_\_\_

1795 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of  
 1796 \_\_\_\_ for the \_\_\_\_ district (if applicable). I do solemnly swear that: I will meet the  
 1797 qualifications to hold the office, both legally and constitutionally, if selected; I reside at  
 1798 \_\_\_\_\_ in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will  
 1799 not knowingly violate any law governing campaigns and elections; if filing via a designated  
 1800 agent, I will be out of the state of Utah during the entire candidate filing period; I will file all  
 1801 campaign financial disclosure reports as required by law; and I understand that failure to do so  
 1802 will result in my disqualification as a candidate for this office and rejection of any votes cast  
 1803 for me. The mailing address that I designate for receiving official election notices is  
 1804 \_\_\_\_\_.

1805 \_\_\_\_\_  
 1806 Subscribed and sworn before me this \_\_\_\_\_ (month\day\year).

1807 Notary Public (or other officer qualified to administer oath)."

1808 (b) The form of the declaration of candidacy for a write-in candidate for president of  
 1809 the United States is substantially as follows:

1810 "State of Utah, County of \_\_\_\_\_

1811 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of the  
 1812 president of the United States. I do solemnly swear that: I will meet the qualifications to hold  
 1813 the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the City  
 1814 or Town of \_\_\_\_\_, State \_\_\_\_\_, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate  
 1815 any law governing campaigns and elections. The mailing address that I designate for receiving  
 1816 official election notices is \_\_\_\_\_. I designate \_\_\_\_\_ as  
 1817 my vice presidential candidate.

1818 \_\_\_\_\_  
 1819 Subscribed and sworn before me this \_\_\_\_\_ (month\day\year).

1820 Notary Public (or other officer qualified to administer oath)."

1821 (c) A declaration of candidacy for a write-in candidate for vice president of the United  
 1822 States shall be in substantially the same form as a declaration of candidacy described in  
 1823 Subsection [20A-9-202\[\(7\)\]\(11\)](#).

1824 (d) An agent described in Subsection (1)(a) or (b) may not sign the form described in  
 1825 Subsection (2)(a) or (b).

1826 (3) (a) The filing officer shall:  
1827 (i) read to the candidate the constitutional and statutory requirements for the office;  
1828 (ii) ask the candidate whether the candidate meets the requirements; and  
1829 (iii) if the declaration of candidacy is for a legislative office, inform the individual that  
1830 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit  
1831 or trust, under authority of the United States or Utah, from being a member of the Legislature.

1832 (b) If the candidate cannot meet the requirements of office, the filing officer may not  
1833 accept the write-in candidate's declaration of candidacy.

1834 (4) (a) Except as provided in Subsection (4)(b), a write-in candidate is subject to  
1835 Subsection 20A-9-201(8).

1836 (b) A write-in candidate for president of the United States is subject to Subsection  
1837 20A-9-201(8)(d) or 20A-9-803(1)(d), as applicable.

1838 (5) By November 1 of each regular general election year, the lieutenant governor shall  
1839 certify to each county clerk the names of all write-in candidates who filed their declaration of  
1840 candidacy with the lieutenant governor.

1841 Section 28. Section 20A-9-701 is amended to read:

1842 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1843 (1) No later than August 31 of each regular general election year, the lieutenant  
1844 governor shall certify to each county clerk, for offices to be voted upon at the regular general  
1845 election in that county clerk's county:

1846 (a) the names of each candidate nominated [~~under Subsection 20A-9-202(4) or~~  
1847 ~~Subsection 20A-9-403(5)] by a registered political party; and~~

1848 (b) the names of the candidates for president and vice president that are certified by the  
1849 registered political party as the party's nominees.

1850 (2) The names shall be certified by the lieutenant governor and shall be displayed on  
1851 the ballot as they are provided on the candidate's declaration of candidacy.

1852 (3) (a) Only candidates nominated by a class A, B, or C registered political party, in  
1853 accordance with the requirements for the class of the registered political party, may appear on  
1854 the ballot as affiliated with, endorsed by, or nominated by a political party or other political  
1855 group.

1856 (b) No ~~other~~ names, other than the names of the candidates described in Subsection

1857 (3)(a), may appear on the ballot as affiliated with, endorsed by, or nominated by [~~any other~~  
 1858 ~~registered political party;~~] a political party[;] or other political group.

1859 Section 29. Section **63I-2-220** is amended to read:

1860 **63I-2-220. Repeal dates -- Title 20A.**

1861 (1) On January 1, 2021:

1862 (a) Subsection 20A-1-201.5(1), the language that states "Except as provided in  
 1863 Subsection (4)," is repealed.

1864 (b) Subsection 20A-1-201.5(4) is repealed.

1865 (c) Subsections 20A-1-204(1)(a)(i) through (iii) are repealed and replaced with the  
 1866 following:

1867 "(i) the fourth Tuesday in June; or

1868 (ii) the first Tuesday after the first Monday in November."

1869 [~~(d) In Subsections 20A-1-503(4)(c), 20A-9-202(3)(a), 20A-9-403(3)(d)(ii),~~

1870 20A-9-407(5) and (6)(a), and 20A-9-408(5), immediately following the reference to Subsection

1871 20A-9-202(1)(b), the language that states "(i) or (ii)" is repealed.]

1872 [~~(e) Subsection 20A-9-202(1)(b) is repealed and replaced with the following:]~~

1873 [~~"(b) Unless expressly provided otherwise in this title, for a registered political party  
 1874 that is not a qualified political party, the deadline for filing a declaration of candidacy for an  
 1875 elective office that is to be filled at the next regular general election is 5 p.m. on the first  
 1876 Monday after the third Saturday in April.";~~

1877 [~~(f)~~] (d) Subsection 20A-9-409(4)(c) is repealed and replaced with the following:

1878 "(c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after  
 1879 the third Saturday in April."

1880 (2) Subsection 20A-5-803(8) is repealed July 1, 2023.

1881 (3) Section 20A-5-804 is repealed July 1, 2023.

1882 (4) On January 1, 2026:

1883 (a) In Subsection 20A-1-102(22)(a), the language that states "or Title 20A, Chapter 4,  
 1884 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

1885 (b) In Subsections 20A-1-303(1)(a) and (b), the language that states "Except as  
 1886 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
 1887 repealed.

1888 (c) In Section 20A-1-304, the language that states "Except for a race conducted by  
1889 instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods  
1890 Pilot Project," is repealed.

1891 (d) In Subsection 20A-3-105(1)(a), the language that states "Except as provided in  
1892 Subsection (5)," is repealed.

1893 (e) In Subsections 20A-3-105(1)(b), (3)(b), and (4)(b), the language that states "Except  
1894 as provided in Subsections (5) and (6)," is repealed.

1895 (f) In Subsections 20A-3-105(2)(a)(i), (3)(a), and (4)(a), the language that states  
1896 "Subject to Subsection (5)," is repealed.

1897 (g) Subsection 20A-3-105(5) is repealed and the remaining subsections in Section  
1898 20A-3-105 are renumbered accordingly.

1899 (h) In Subsection 20A-4-101(2)(c), the language that states "Except as provided in  
1900 Subsection (2)(f)," is repealed.

1901 (i) Subsection 20A-4-101(2)(f) is repealed.

1902 (j) Subsection 20A-4-101(3) is repealed and replaced with the following:

1903 "(3) To resolve questions that arise during the counting of ballots, a counting judge  
1904 shall apply the standards and requirements of Section 20A-4-105."

1905 (k) In Subsection 20A-4-102(1)(a), the language that states "or a rule made under  
1906 Subsection 20A-4-101(2)(f)(i)" is repealed.

1907 (l) Subsection 20A-4-102(1)(b) is repealed and replaced with the following:

1908 "(b) To resolve questions that arise during the counting of ballots, a counting judge  
1909 shall apply the standards and requirements of Section 20A-4-105."

1910 (m) In Subsection 20A-4-102(6)(a), the language that states ", except as provided in  
1911 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made  
1912 under Subsection 20A-4-101(2)(f)(i)" is repealed.

1913 (n) In Subsection 20A-4-105(1)(a), the language that states ", except as otherwise  
1914 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
1915 repealed.

1916 (o) In Subsection 20A-4-105(2), the language that states "Subsection 20A-3-105(5), or  
1917 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

1918 (p) In Subsections 20A-4-105(3), (5), and (12), the language that states "Except as

1919 otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot  
1920 Project," is repealed.

1921 (q) In Subsection 20A-4-106(1)(a)(ii), the language that states "or Title 20A, Chapter  
1922 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

1923 (r) In Subsection 20A-4-304(1)(a), the language that states "except as provided in Title  
1924 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

1925 (s) Subsection 20A-4-304(2)(e) is repealed and replaced with the following:

1926 "(v) from each voting precinct:

1927 (A) the number of votes for each candidate; and

1928 (B) the number of votes for and against each ballot proposition;".

1929 (t) Subsection 20A-4-401(1)(a) is repealed, the remaining subsections in Subsection (1)  
1930 are renumbered accordingly, and the cross-references to those subsections are renumbered  
1931 accordingly.

1932 (u) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is  
1933 repealed.

1934 (v) Subsections 20A-5-400.1(1)(c) and (d), relating to contracting with a local political  
1935 subdivision to conduct an election, is repealed.

1936 (w) Subsection 20A-5-404(3)(b) is repealed and the remaining subsections in  
1937 Subsection (3) are renumbered accordingly.

1938 (x) Subsection 20A-5-404(4)(b) is repealed and the remaining subsections in  
1939 Subsection (4) are renumbered accordingly.

1940 (y) In Section 20A-5-802, relating to the certification of voting equipment:

1941 (i) delete "Except as provided in Subsection (2)(b)(ii):" from the beginning of  
1942 Subsection (2); and

1943 (ii) Subsection (2)(b)(ii) is repealed, and the remaining subsections are renumbered  
1944 accordingly.

1945 (z) Section 20A-6-203.5 is repealed.

1946 (aa) In Subsections 20A-6-402(1), (2), (3), and (4), the language that states "Except as  
1947 otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter 4,  
1948 Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

1949 (bb) In Subsection 20A-9-203(3)(a)(i), the language that states "or Title 20A, Chapter

1950 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

1951 (cc) In Subsection [20A-9-203\(3\)\(c\)\(i\)](#), the language that states "except as provided in  
1952 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

1953 (dd) In Subsection [20A-9-404\(1\)\(a\)](#), the language that states "or Title 20A, Chapter 4,  
1954 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

1955 (ee) In Subsection [20A-9-404\(2\)](#), the language that states "Except as otherwise  
1956 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
1957 repealed.

1958 (5) Section [20A-7-407](#) is repealed January 1, 2021.