

119 of residence was located before incarceration.

120 (9) If a person's principal place of residence is a residential parcel of one acre in size or
 121 smaller that is divided by the boundary line between two or more counties, that person shall be
 122 considered a resident of the county in which a majority of the residential parcel lies.

123 (10) (a) If an individual seeking to become a candidate for a political office that
 124 includes a durational residency requirement has been absent from the state for a period of more
 125 than 180 consecutive days during the applicable residency period, the individual may, at the
 126 time that the candidate files a declaration of candidacy, submit evidence to the filing officer to
 127 show that the individual intended to return to the state during the time of the individual's
 128 absence from the state.

129 (b) There is a rebuttable presumption that an individual described in Subsection (10)(a)
 130 intended to return to the state during the individual's absence if:

131 (i) the individual submits evidence of the individual's intent to the filing officer at the
 132 time that the individual files a declaration of candidacy; or

133 (ii) the individual was absent from the state because the individual was:

134 (A) employed in the service of the United States or of Utah;

135 (B) a student at an institution of learning; or

136 (C) engaged solely in religious, missionary, philanthropic, or humanitarian activities.

137 (c) If a ~~H~~→ valid ←~~H~~ written objection to an individual's declaration of candidacy is filed,
 137a there is a

138 rebuttable presumption that an individual described in Subsection (10)(a) did not intend to
 139 return to the state during the individual's absence if:

140 (i) the individual did not submit evidence of the individual's intent to the filing officer
 141 at the time that the individual filed a declaration of candidacy; and

142 (ii) the individual's absence from the state was not for one of the reasons described in
 143 Subsection (10)(b)(ii).

144 (d) An individual must rebut the presumption described in this Subsection (10) by clear
 145 and convincing evidence.

146 Section 2. Section **20A-9-201** is amended to read:

147 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
 148 **more than one political party prohibited with exceptions -- General filing and form**
 149 **requirements -- Affidavit of impecuniosity.**