

Senator Daniel McCay proposes the following substitute bill:

ELECTION PROCESS AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel McCay

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to the conduct of elections.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ establishes four types of registered political parties, as follows:
 - a class A registered political party, that chooses a nominee by convention only and agrees to send the top two nominees at convention to a primary unless one candidate receives at least 70% of the votes cast at convention;
 - a class B registered political party, that chooses a nominee by allowing a member of the registered political party to seek the nomination by the nominee choosing to gather signatures, seek nomination in the registered political party's convention, or both;
 - a class C registered political party that chooses a nominee by gathering signatures only; and
 - a class D registered political party that chooses a nominee by a method other than a method required for a class A, B, or C registered political party;
- ▶ 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 to the class
- 29 certified 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 ▶ reduces signature thresholds for a class B registered political party;
- 37 ▶ establishes other requirements for a registered political party and for particular
- 38 classes of registered political parties; and
- 39 ▶ makes technical and conforming changes.

40 **Money Appropriated in this Bill:**

41 None

42 **Other Special Clauses:**

43 None

44 **Utah Code Sections Affected:**

45 AMENDS:

- 46 **20A-1-201.5**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 47 **20A-1-501**, as last amended by Laws of Utah 2019, Chapter 349
- 48 **20A-1-503**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 49 **20A-5-101**, as last amended by Laws of Utah 2019, Chapter 255
- 50 **20A-6-301**, as last amended by Laws of Utah 2020, Chapters 31, 49, and 344
- 51 **20A-6-302**, as last amended by Laws of Utah 2020, Chapter 31
- 52 **20A-6-304**, as last amended by Laws of Utah 2020, Chapter 31
- 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 2020, Chapter 344
- 55 **20A-9-201**, as last amended by Laws of Utah 2020, Chapter 22
- 56 **20A-9-202**, as last amended by Laws of Utah 2020, Chapter 22

- 57 [20A-9-403](#), as last amended by Laws of Utah 2020, Chapter 22
- 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 2020, Chapters 22, 31, and 49
- 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 2020, Sixth Special Session, Chapter 17

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) The regular primary election shall be held throughout the state on the fourth
80 Tuesday of June of each even numbered year [~~as provided in Section [20A-9-403](#), [20A-9-407](#),~~
81 ~~or [20A-9-408](#), as applicable,~~] to nominate [~~persons~~] individuals 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 Section 2. Section **20A-1-501** is amended to read:

90 **20A-1-501. Candidate vacancies -- Procedure for filling.**

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

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

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

103 (ii) one or both:

104 (A) dies;

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

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

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

113 (i) dies;

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

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

117 or

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

119 or

120 (c) for a registered political party with a candidate certified as winning a primary
121 election, after the deadline described in Subsection (1)(a) and continuing through the day
122 before that day on which the lieutenant governor makes the certification described in Section
123 [20A-5-409](#), the party's candidate:

124 (i) dies;

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

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

128 or

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

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

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

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

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

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

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

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

- 150 **20A-1-503. Midterm vacancies in the Legislature.**
- 151 (1) As used in this section:
- 152 (a) "Filing deadline" means the final date for filing:
- 153 (i) a declaration of candidacy as provided in Section 20A-9-202; and
- 154 (ii) a certificate of nomination as provided in Section 20A-9-503.
- 155 (b) "Party liaison" means the registered political party officer designated to serve as a
- 156 liaison with the lieutenant governor on all matters relating to the registered political party's
- 157 relationship with the state as required by Section 20A-8-401.
- 158 (2) When a vacancy occurs for any reason in the office of representative in the
- 159 Legislature, the governor shall fill the vacancy by immediately appointing the [~~person~~
- 160 individual whose name was submitted by the party liaison of the same registered political party
- 161 as the prior representative.
- 162 (3) (a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
- 163 the office of senator in the Legislature, [~~it~~] the office shall be filled for the unexpired term at
- 164 the next regular general election.
- 165 (b) The governor shall fill the vacancy until the next regular general election by
- 166 immediately appointing the [~~person~~] individual whose name was submitted by the party liaison
- 167 of the same registered political party as the prior senator.
- 168 (4) (a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but
- 169 before August 31 of an even-numbered year in which the term of office does not expire, the
- 170 lieutenant governor shall:
- 171 (i) establish a date and time, which is before the date for a candidate to be certified for
- 172 the ballot under Section 20A-9-701 and no later than 21 days after the day on which the
- 173 vacancy occurred, by which [~~a person~~] an individual intending to obtain a position on the ballot
- 174 for the vacant office shall file:
- 175 (A) a declaration of candidacy; or
- 176 (B) a certificate of nomination; and
- 177 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):
- 178 (A) on the lieutenant governor's website; and
- 179 (B) to each registered political party.
- 180 (b) [~~A person~~] An individual intending to obtain a position on the ballot for the vacant

181 office shall:

182 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of
183 candidacy or certificate of nomination according to the procedures and requirements of Chapter
184 9, Candidate Qualifications and Nominating Procedures; and

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

186 (A) nominated as a party candidate; or

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

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

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

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

200 **20A-5-101. Notice of election.**

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

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

204 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
205 certifying nomination petition signatures, as applicable, ~~[under Sections 20A-9-403,~~
206 ~~20A-9-407, and 20A-9-408]~~ for those offices; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

232 (a) the date of election;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

270 (iii) a mailing address and telephone number.

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

272 **20A-6-301. Manual ballots -- Regular general election.**

273 (1) Each election officer shall ensure that:

- 274 (a) all manual ballots furnished for use at the regular general election contain:
- 275 (i) no captions or other endorsements except as provided in this section;
- 276 (ii) no symbols, markings, or other descriptions of a political party or group, except for
- 277 a registered political party that has, by timely certifying as a class A, B, or C registered political
- 278 party under Section 20A-9-102, chosen to nominate [its] the registered political party's
- 279 candidates in accordance with [Section 20A-9-403] the requirements applicable to the class
- 280 certified under Section 20A-9-102; and
- 281 (iii) no indication that a candidate for elective office has been nominated by, or has
- 282 been endorsed by, or is in any way affiliated with a political party or group, unless the
- 283 candidate has been nominated by a class A, B, or C registered political party in accordance
- 284 with [Subsection 20A-9-202(4) or Subsection 20A-9-403(5)] the requirements applicable to the
- 285 class certified under Section 20A-9-102;
- 286 (b) at the top of the ballot, the following endorsements are printed in 18 point bold type:
- 287 (i) "Official Ballot for ____ County, Utah";
- 288 (ii) the date of the election; and
- 289 (iii) the words "certified by the Clerk of _____ County" or, as applicable, the
- 290 name of a combined office that includes the duties of a county clerk;
- 291 (c) unaffiliated candidates, candidates not affiliated with a registered political party,
- 292 and all other candidates for elective office who were not nominated by a class A, B, or C
- 293 registered political party in accordance with [Subsection 20A-9-202(4) or Subsection
- 294 20A-9-403(5)] the requirements applicable to the registered political party's class, are listed
- 295 with the other candidates for the same office in accordance with Section 20A-6-305, without a
- 296 party name or title;
- 297 (d) each ticket containing the lists of candidates, including the party name and device,
- 298 are separated by heavy parallel lines;
- 299 (e) the offices to be filled are plainly printed immediately above the names of the
- 300 candidates for those offices;
- 301 (f) the names of candidates are printed in capital letters, not less than one-eighth nor
- 302 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between
- 303 lines or rules three-eighths of an inch apart; and
- 304 (g) on a ticket for a race in which a voter is authorized to cast a write-in vote and in

305 which a write-in candidate is qualified under Section 20A-9-601:

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

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

312 (2) An election officer shall ensure that:

313 (a) each individual nominated by [~~any registered political party under Subsection~~
314 ~~20A-9-202(4) or Subsection 20A-9-403(5)~~] a class A, B, or C registered political party in
315 accordance with the requirements applicable to the registered political party's class, and no
316 other individual, is placed on the ballot:

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

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

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

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

325 (d) the ballots contain no other names.

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

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

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

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

333 (d) the nonpartisan candidates are grouped according to the office for which they are
334 candidates;

335 (e) the names in each group are placed in the order specified under Section 20A-6-305

336 with the surnames last; and

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

340 (4) Each election officer shall ensure that:

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

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

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

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

348 **20A-6-302. Manual ballots -- Placement of candidates' names.**

349 (1) An election officer shall ensure, for manual ballots in regular general elections, that:

350 (a) each candidate is listed by party, if nominated by a class A, B, or C registered
351 political party [~~under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)~~] in accordance
352 with the requirements applicable to the registered political party's class;

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

355 (c) the names of candidates are placed on the ballot in the order specified under Section
356 20A-6-305.

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

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

365 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
366 elected and may not take office, nor may the candidate continue in the office past the end of the

367 term resulting from any prior election or appointment.

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

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

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

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

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

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

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

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

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

398 received for the office of district attorney.

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

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

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

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

413 Section 7. Section 20A-6-304 is amended to read:

414 **20A-6-304. Regular general election -- Mechanical ballots.**

415 (1) Each election officer shall ensure that:

416 (a) the format and content of a mechanical ballot is arranged in approximately the same
417 order as manual ballots;

418 (b) the titles of offices and the names of candidates are displayed in vertical columns or
419 in a series of separate displays;

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

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

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

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

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

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

431 (2) Each election officer shall ensure that:

432 (a) proposed amendments to the Utah Constitution are displayed in accordance with
433 Section [20A-6-107](#);

434 (b) ballot propositions submitted to the voters are displayed in accordance with Section
435 [20A-6-107](#); and

436 (c) bond propositions that have qualified for the ballot are displayed under the title
437 assigned to each bond proposition under Section [11-14-206](#).

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

439 **20A-8-103. Petition procedures -- Criminal penalty.**

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

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

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

450 (b) file a petition with the lieutenant governor that is signed, with a holographic
451 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30 of the
452 year in which a regular general election will be held; and

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

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

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

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

460 (3) The petition shall:
461 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;
462 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
463 blank for the purpose of binding;
464 (c) contain the name of the political party and the words "Political Party Registration
465 Petition" printed directly below the horizontal line;
466 (d) contain the word "Warning" printed directly under the words described in
467 Subsection (3)(c);
468 (e) contain, to the right of the word "Warning," the following statement printed in not
469 less than eight-point, single leaded type:
470 "It is a class A misdemeanor for anyone to knowingly sign a political party registration
471 petition signature sheet with any name other than the individual's own name or more than once
472 for the same party or if the individual is not registered to vote in this state and does not intend
473 to become registered to vote in this state before the petition is submitted to the lieutenant
474 governor.";
475 (f) contain the following statement directly under the statement described in Subsection
476 (3)(e):
477 "POLITICAL PARTY REGISTRATION PETITION To the Honorable _____,
478 Lieutenant Governor:
479 We, the undersigned citizens of Utah, seek registered political party status for _____
480 (name);
481 Each signer says:
482 I have personally signed this petition with a holographic signature;
483 I am registered to vote in Utah or will register to vote in Utah before the petition is
484 submitted to the lieutenant governor;
485 I am or desire to become a member of the political party; and
486 My street address is written correctly after my name.";
487 (g) be vertically divided into columns as follows:
488 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
489 headed with "For Office Use Only," and be subdivided with a light vertical line down the
490 middle;

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

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

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

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

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

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

505 "Verification
506 State of Utah, County of ____

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

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

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

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

515 _____
516 (Signature) (Residence Address) (Date)"; and

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

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

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

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

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

526 (a) is at least 18 years old;

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

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

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

532 (6) The lieutenant governor shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

563 Section 9. Section [20A-9-101](#) is amended to read:

564 **20A-9-101. Definitions.**

565 As used in this chapter:

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

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

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

571 (ii) presidential elector;

572 (iii) any political party offices; and

573 (iv) municipal or local district offices.

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

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

578 (b) that the two candidates who receive the highest number of votes for each office at
579 convention will compete for the nomination in a primary election unless one candidate receives
580 at least 70% of the votes cast at convention for that office.

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

583 (a) (i) to permit a delegate for the registered political party to vote on a candidate

584 nomination in the registered political party's convention remotely; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

615 ~~[(2)]~~ (6) "Constitutional office" means the state offices of governor, lieutenant
616 governor, attorney general, state auditor, and state treasurer.

617 ~~[(3)]~~ (7) "Continuing political party" means the same as that term is defined in Section
618 [20A-8-101](#).

619 ~~[(4)]~~ (8) (a) "County office" means an elective office where the officeholder is selected
620 by voters entirely within one county.

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

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

623 (ii) the office of presidential elector;

624 (iii) any political party offices;

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

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

627 ~~[(5)]~~ (9) "Federal office" means an elective office for United States Senator and United
628 States Representative.

629 ~~[(6)]~~ (10) "Filing officer" means:

630 (a) the lieutenant governor, for:

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

632 (ii) all constitutional offices;

633 (b) for the office of a state senator or state representative, the lieutenant governor or the
634 applicable clerk described in Subsection ~~[(6)]~~ (10)(c) or (d);

635 (c) the county clerk, for county offices and local school district offices;

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

637 (e) the city or town clerk, for municipal offices; or

638 (f) the local district clerk, for local district offices.

639 ~~[(7)]~~ (11) "Local district office" means an elected office in a local district.

640 ~~[(8)]~~ (12) "Local government office" includes county offices, municipal offices, and
641 local district offices and other elective offices selected by the voters from a political division
642 entirely within one county.

643 ~~[(9)]~~ (13) (a) "Multicounty office" means an elective office where the officeholder is
644 selected by the voters from more than one county.

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

646 (i) a county office;
647 (ii) a federal office;
648 (iii) the office of justice or judge of any court of record or not of record;
649 (iv) the office of presidential elector;
650 (v) any political party offices; or
651 (vi) any municipal or local district offices.
652 ~~[(H)]~~ (14) "Municipal office" means an elective office in a municipality.
653 ~~[(H)]~~ (15) (a) "Political division" means a geographic unit from which an officeholder
654 is elected and that an officeholder represents.
655 (b) "Political division" includes a county, a city, a town, a local district, a school
656 district, a legislative district, and a county prosecution district.
657 ~~[(12)]~~ "Qualified political party" means a registered political party that:
658 ~~[(a) (i)]~~ permits a delegate for the registered political party to vote on a candidate
659 nomination in the registered political party's convention remotely; or]
660 ~~[(ii)]~~ provides a procedure for designating an alternate delegate if a delegate is not
661 present at the registered political party's convention;]
662 ~~[(b)]~~ does not hold the registered political party's convention before the fourth Saturday
663 in March of an even-numbered year;]
664 ~~[(c)]~~ permits a member of the registered political party to seek the registered political
665 party's nomination for any elective office by the member choosing to seek the nomination by
666 either or both of the following methods:]
667 ~~[(i)]~~ seeking the nomination through the registered political party's convention process,
668 in accordance with the provisions of Section ~~20A-9-407~~; or]
669 ~~[(ii)]~~ seeking the nomination by collecting signatures, in accordance with the provisions
670 of Section ~~20A-9-408~~; and]
671 ~~[(d) (i)]~~ if the registered political party is a continuing political party, no later than 5
672 p.m. on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the
673 election in the following year, the registered political party intends to nominate the registered
674 political party's candidates in accordance with the provisions of Section ~~20A-9-406~~; or]
675 ~~[(ii)]~~ if the registered political party is not a continuing political party, certifies at the
676 time that the registered political party files the petition described in Section ~~20A-8-103~~ that, for

677 the next election, the registered political party intends to nominate the registered political
678 party's candidates in accordance with the provisions of Section [20A-9-406](#).]

679 Section 10. Section **20A-9-102** is enacted to read:

680 **20A-9-102. Certification of registered political party class -- Effect of certification**
681 **or failure to timely certify.**

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

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

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

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

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

691 (2) A registered political party that is not a continuing political party, shall, at the time
692 that the registered political party files the petition described in Section [20A-8-103](#), certify to
693 the lieutenant governor, in writing:

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

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

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

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

701 (3) A registered political party that fails to timely provide the certification described in
702 Subsection (1) or (2) is a class D registered political party during the even-numbered year
703 following the applicable deadline described in Subsection (1) or (2).

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

706 (a) the registered political party may not, after certifying, change the registered political
707 party's class for purposes of an election during the even-numbered year following the

708 applicable deadline described in Subsection (1) or (2); and

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

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

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

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

725 Section 11. Section **20A-9-201** is amended to read:

726 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
727 **more than one political party prohibited with exceptions -- General filing and form**
728 **requirements -- Affidavit of impecuniosity.**

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

731 (a) be a United States citizen;

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

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

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

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

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

738 (i) file a declaration of candidacy for, or be a candidate for, more than one office in

739 Utah during any election year;

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

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

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

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

750 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
751 the individual filed a declaration of candidacy for another office in the same election year if the
752 individual withdraws as a candidate for the other office in accordance with Subsection
753 [20A-9-202\(6\)](#) before filing the declaration of candidacy for lieutenant governor.

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

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

758 (ii) require the individual to state whether the individual meets the requirements
759 described in Subsection (3)(a)(i); ~~and~~

760 (iii) if the declaration of candidacy is for a county office, inform the individual that an
761 individual who holds a county elected office may not, at the same time, hold a municipal
762 elected office~~[-]; and~~

763 (iv) if the declaration of candidacy is for a legislative office, inform the individual that
764 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit
765 or trust, under authority of the United States or Utah, from being a member of the Legislature.

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

768 (i) a United States citizen;

769 (ii) an attorney licensed to practice law in the state who is an active member in good

770 standing of the Utah State Bar;

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

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

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

779 (i) a United States citizen;

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

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

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

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

791 (i) is a United States citizen;

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

793 (iii) (A) has successfully met the standards and training requirements established for
794 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and
795 Certification Act; or

796 (B) has met the waiver requirements in Section [53-6-206](#);

797 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
798 [53-13-103](#); and

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

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

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

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

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

814 (a) inform the individual that:

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

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

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

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

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

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

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

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

831 (d) provide the candidate with a copy of the pledge of fair campaign practices

832 described under Section 20A-9-206 and inform the candidate that:

833 (i) signing the pledge is voluntary; and

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

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

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

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

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

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

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

847 (i) be substantially as follows:

848 "State of Utah, County of _____

849 I, _____, declare my candidacy for the office of _____, seeking the
850 nomination of the _____ party. I do solemnly swear that: I will meet the qualifications to
851 hold the office, both legally and constitutionally, if selected; I reside at _____
852 in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not
853 knowingly violate any law governing campaigns and elections; if filing via a designated
854 agent, I will be out of the state of Utah during the entire candidate filing period; I will
855 file all campaign financial disclosure reports as required by law; and I understand that
856 failure to do so will result in my disqualification as a candidate for this office and
857 removal of my name from the ballot. The mailing address that I designate for receiving
858 official election notices is _____.

859 _____

860 Subscribed and sworn before me this _____(month\day\year).

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

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

863 (7)(a)(i):

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

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

866 (b) An agent designated under Subsection ~~20A-9-202~~(~~f~~)(~~e~~)(4) to file a declaration of
867 candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.

868 (8) (a) Except for a candidate for president or vice president of the United States, the
869 fee for filing a declaration of candidacy is:

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

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

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

875 (i) who is disqualified; or

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

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

879 (ii) The lieutenant governor shall:

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

882 (B) ensure that each county receives that proportion of the total amount paid to the
883 lieutenant governor from the congressional district that the total vote of that county for all
884 candidates for representative in Congress bears to the total vote of all counties within the
885 congressional district for all candidates for representative in Congress.

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

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

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

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

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

899 "Affidavit of Impecuniosity

900 Individual Name

901 _____ Address _____

902 Phone Number _____

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

906 Date _____ Signature _____

907 Affiant

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

909 _____
910 (signature)

911 Name and Title of Officer Authorized to Administer Oath _____".

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

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

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

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

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

925 Section 12. Section **20A-9-202** is amended to read:

926 **20A-9-202. Declarations of candidacy for regular general elections.**

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

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

932 ~~[(ii) pay the filing fee.]~~

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

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

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

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

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

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

946 (b) before the earlier of:

947 (i) before the individual circulates nomination petitions under Section [20A-9-403](#) or
948 [20A-9-408](#); or

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

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

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

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

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

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

959 ~~[(ii)]~~ (b) the designated agent appears in person before the filing officer;

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

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

964 ~~[(v)]~~ (5) (a) Each county clerk who receives a declaration of candidacy from a
965 candidate for multicounty office shall transmit the filing fee and a copy of the candidate's
966 declaration of candidacy to the lieutenant governor within one business day after the candidate
967 files the declaration of candidacy.

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

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

974 ~~[(2)]~~ (6) (a) Each individual intending to become a candidate for the office of district
975 attorney within a multicounty prosecution district that is to be filled at the next regular general
976 election shall:

977 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement
978 creating the prosecution district on or after January 1 of the regular general election year, and
979 before the earlier of:

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

981 ~~[and]~~ or

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

983 (ii) pay the filing fee.

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

987 ~~[(3)]~~ (7) (a) Before the applicable deadline described in Subsection ~~[(1)(b)]~~ (2) or (3),
988 each lieutenant governor candidate shall:

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

990 (ii) pay the filing fee; and

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

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

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

997 ~~[(4)]~~ (8) Before 5 p.m. no later than August 31, each registered political party shall:

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

1000 (b) provide written authorization for the lieutenant governor to accept the certification
1001 of candidates for president and vice president of the United States from the national office of
1002 the registered political party.

1003 ~~[(5)]~~ (9) (a) A declaration of candidacy filed under this section is valid unless a written
1004 objection is filed with the clerk or lieutenant governor before 5 p.m. within five days after the
1005 last day for filing.

1006 (b) If an objection is made, the clerk or lieutenant governor shall:

1007 (i) mail or personally deliver notice of the objection to the affected candidate
1008 immediately; and

1009 (ii) decide any objection within 48 hours after ~~[it]~~ the objection is filed.

1010 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
1011 problem by amending the declaration or petition before 5 p.m. within three days after the day
1012 on which the objection is sustained or by filing a new declaration before 5 p.m. within three
1013 days after the day on which the objection is sustained.

1014 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

1015 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
1016 by a district court if prompt application is made to the court.

1017 (iii) The decision of the district court is final unless the Supreme Court, in the exercise

1018 of its discretion, agrees to review the lower court decision.

1019 ~~[(6)]~~ (10) Any person who ~~[fild]~~ files a declaration of candidacy may withdraw as a
1020 candidate by filing a written affidavit with the clerk.

1021 ~~[(7)]~~ (11) (a) Except for a candidate who is certified by a registered political party
1022 under Subsection ~~[(4)]~~ (8), and except as provided in Section 20A-9-504, before 5 p.m. no later
1023 than August 31 of a general election year, each individual running as a candidate for vice
1024 president of the United States shall:

1025 (i) file a declaration of candidacy, in person or via a designated agent, on a form
1026 developed by the lieutenant governor, that:

1027 (A) contains the individual's name, address, and telephone number;

1028 (B) states that the individual meets the qualifications for the office of vice president of
1029 the United States;

1030 (C) names the presidential candidate, who has qualified for the general election ballot,
1031 with which the individual is running as a joint-ticket running mate;

1032 (D) states that the individual agrees to be the running mate of the presidential candidate
1033 described in Subsection ~~[(7)]~~ (11)(a)(i)(C); and

1034 (E) contains any other necessary information identified by the lieutenant governor;

1035 (ii) pay the filing fee; and

1036 (iii) submit a letter from the presidential candidate described in Subsection ~~[(7)]~~
1037 (11)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice presidential
1038 candidate.

1039 (b) A designated agent described in Subsection ~~[(7)]~~ (11)(a)(i) may not sign the
1040 declaration of candidacy.

1041 (c) A vice presidential candidate who fails to meet the requirements described in this
1042 Subsection ~~[(7)]~~ (11) may not appear on the general election ballot.

1043 ~~[(8)]~~ (12) An individual filing a declaration of candidacy for president or vice president
1044 of the United States shall pay a filing fee of \$500.

1045 Section 13. Section 20A-9-402.5 is enacted to read:

1046 **20A-9-402.5. Indication of affiliation on regular general election ballot.**

1047 (1) Each registered political party that chooses to have the names of the registered
1048 political party's candidates for elective office featured with party affiliation on the ballot at a

1049 regular general election shall timely certify as a class A, B, or C registered political party under
1050 Section 20A-9-102 and comply with the requirements of this chapter in relation to the class
1051 certified by the registered political party.

1052 (2) A filing officer may not permit an official ballot at a regular general election to be
1053 produced or used if the ballot denotes affiliation between a political party or any other political
1054 group and a candidate for elective office unless the candidate is:

1055 (a) a member of a class A, B, or C registered political party; and

1056 (b) nominated by the candidate's registered political party in the manner specified for
1057 the class certified by the candidate's registered political party.

1058 (3) This section does not affect a candidate's ability to qualify for a regular general
1059 election's ballot as an unaffiliated candidate under Section 20A-9-501 or to participate in a
1060 regular general election as a write-in candidate under Section 20A-9-601.

1061 Section 14. Section **20A-9-402.7** is enacted to read:

1062 **20A-9-402.7. Class D registered political party -- Requirements -- Duties of**
1063 **lieutenant governor.**

1064 The following provisions apply to a class D registered political party:

1065 (1) an individual may only seek the nomination of the registered political party using
1066 the internal process designated by the registered political party;

1067 (2) (a) by timely certifying as a class D registered political party under Section
1068 20A-9-102, the registered political party voluntarily agrees:

1069 (i) to permit a member of the registered political party to seek the registered political
1070 party's nomination for any elective office by a means other than the means required for a class
1071 A, B, or C registered political party;

1072 (ii) that the registered political party will not participate in the regular primary election;
1073 and

1074 (iii) that the registered political party's nominees will appear on the general election
1075 ballot without any indication of party affiliation or affiliation with any other political group; or

1076 (b) by failing to timely certify as a class A, B, C, or D registered political party under
1077 Section 20A-9-102, is not entitled to, and is not permitted to:

1078 (i) participate in the regular primary election; or

1079 (ii) have the registered political party's nominees appear on the general election ballot

1080 with any indication of party affiliation or affiliation with any other political group;

1081 (3) the registered political party shall, before the deadline described in Subsection
1082 20A-9-202(3)(b), certify to the lieutenant governor the registered political party's nominee for
1083 each office; and

1084 (4) the lieutenant governor shall include the registered political party's nominee for
1085 each office on the general election ballot without any indication of party affiliation or
1086 affiliation with any other political group.

1087 Section 15. Section 20A-9-403 is amended to read:

1088 **20A-9-403. Regular primary elections for class C registered political party.**

1089 ~~[(1) (a) Candidates for elective office that are to be filled at the next regular general~~
1090 ~~election shall be nominated in a regular primary election by direct vote of the people in the~~
1091 ~~manner prescribed in this section. The regular primary election is held on the date specified in~~
1092 ~~Section 20A-1-201.5. Nothing in this section shall affect a candidate's ability to qualify for a~~
1093 ~~regular general election's ballot as an unaffiliated candidate under Section 20A-9-501 or to~~
1094 ~~participate in a regular general election as a write-in candidate under Section 20A-9-601.]~~

1095 ~~[(b) Each registered political party that chooses to have the names of the registered~~
1096 ~~political party's candidates for elective office featured with party affiliation on the ballot at a~~
1097 ~~regular general election shall comply with the requirements of this section and shall nominate~~
1098 ~~the registered political party's candidates for elective office in the manner described in this~~
1099 ~~section.]~~

1100 ~~[(c) A filing officer may not permit an official ballot at a regular general election to be~~
1101 ~~produced or used if the ballot denotes affiliation between a registered political party or any~~
1102 ~~other political group and a candidate for elective office who is not nominated in the manner~~
1103 ~~prescribed in this section or in Subsection 20A-9-202(4).]~~

1104 ~~[(d) Unless noted otherwise, the dates in this section refer to those that occur in each~~
1105 ~~even-numbered year in which a regular general election will be held.]~~

1106 ~~[(2) (a) Each registered political party, in a statement filed with the lieutenant governor,~~
1107 ~~shall:]~~

1108 ~~[(i) either declare the registered political party's intent to participate in the next regular~~
1109 ~~primary election or declare that the registered political party chooses not to have the names of~~
1110 ~~the registered political party's candidates for elective office featured on the ballot at the next~~

1111 regular general election; and]

1112 ~~[(ii) if the registered political party participates in the upcoming regular primary~~
1113 ~~election, identify one or more registered political parties whose members may vote for the~~
1114 ~~registered political party's candidates and whether individuals identified as unaffiliated with a~~
1115 ~~political party may vote for the registered political party's candidates.]~~

1116 ~~[(b) (i) A registered political party that is a continuing political party shall file the~~
1117 ~~statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on~~
1118 ~~November 30 of each odd-numbered year.]~~

1119 ~~[(ii) An organization that is seeking to become a registered political party under~~
1120 ~~Section [20A-8-103](#) shall file the statement described in Subsection (2)(a) at the time that the~~
1121 ~~registered political party files the petition described in Section [20A-8-103](#).]~~

1122 ~~[(3) (a) Except]~~

1123 The following provisions apply to a class C registered political party:

1124 (1) by timely certifying as a class C registered political party under Section [20A-9-102](#),
1125 the registered political party voluntarily agrees to permit a member of the registered political
1126 party to seek the registered political party's nomination for any elective office by signature
1127 only, in accordance with this section;

1128 (2) except as provided in Subsection ~~[(3)(e)]~~ (6), an individual who submits a
1129 declaration of candidacy under Section [20A-9-202](#) for a class C registered political party shall
1130 appear as a candidate for elective office on the regular primary ballot of the registered political
1131 party listed on the declaration of candidacy only if the individual is certified by the appropriate
1132 filing officer as having submitted a set of nomination petitions that was:

1133 [(i) (a) circulated and completed in accordance with Section [20A-9-405](#); and

1134 [(ii) (b) signed by at least 2% of the registered political party's members who reside in
1135 the political division of the office that the individual seeks[-];

1136 [(b) (i) (3) [A] a candidate for elective office for a class C registered political party:

1137 (a) shall submit nomination petitions to the appropriate filing officer for verification
1138 and certification no later than 5 p.m. on the final day in March[-]; and

1139 [(ii) A candidate] (b) may supplement the candidate's submissions at any time on or
1140 before the filing deadline[-];

1141 [(e) (i) The] (4) the lieutenant governor shall:

1142 (a) determine for each elective office the total number of signatures that must be
1143 submitted under Subsection ~~[(3)(a)(ii)]~~ (2)(b) or 20A-9-408~~[(8)]~~(6) by counting the aggregate
1144 number of individuals residing in each elective office's political division who have designated a
1145 particular registered political party on the individuals' voter registration forms on or before
1146 November 15 of each odd-numbered year~~[-];~~ and

1147 ~~[(ii) The lieutenant governor shall]~~ (b) publish the determination for each elective
1148 office no later than November 30 of each odd-numbered year~~[-];~~

1149 ~~[(d) The]~~ (5) the filing officer shall:

1150 ~~[(i)]~~ (a) verify signatures on nomination petitions in a transparent and orderly manner,
1151 no later than 14 days after the day on which a candidate submits the signatures to the filing
1152 officer;

1153 ~~[(ii)]~~ (b) for all qualifying candidates for elective office who submit nomination
1154 petitions to the filing officer, issue certifications referenced in Subsection ~~[(3)(a)]~~ (2) no later
1155 than the deadline described in Subsection 20A-9-202~~[(1)(b)]~~(3);

1156 ~~[(iii)]~~ (c) consider active and inactive voters eligible to sign nomination petitions;

1157 ~~[(iv)]~~ (d) consider an individual who signs a nomination petition a member of a
1158 registered political party for purposes of Subsection ~~[(3)(a)(ii)]~~ (2)(b) if the individual has
1159 designated that registered political party as the individual's party membership on the
1160 individual's voter registration form; and

1161 ~~[(v)]~~ (e) utilize procedures described in Section 20A-7-206.3 to verify submitted
1162 nomination petition signatures~~[-, or use statistical sampling procedures to verify submitted~~
1163 ~~nomination petition signatures in accordance with rules made under Subsection (3)(f).];~~ and

1164 ~~[(e) Notwithstanding]~~ (6) notwithstanding any other provision in this ~~[Subsection (3)]~~
1165 section, a candidate for lieutenant governor may appear on the regular primary ballot of a class
1166 C registered political party without submitting nomination petitions if the candidate files a
1167 declaration of candidacy and complies with Subsection 20A-9-202~~[(3)]~~(7).

1168 ~~[(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
1169 ~~director of elections, within the Office of the Lieutenant Governor, may make rules that:]~~

1170 ~~[(i) provide for the use of statistical sampling procedures that:]~~

1171 ~~[(A) filing officers are required to use to verify signatures under Subsection (3)(d);~~

1172 and]

1173 ~~[(B) reflect a bona fide effort to determine the validity of a candidate's entire~~
1174 ~~submission, using widely recognized statistical sampling techniques; and]~~

1175 ~~[(ii) provide for the transparent, orderly, and timely submission, verification, and~~
1176 ~~certification of nomination petition signatures.]~~

1177 ~~[(g) The county clerk shall:]~~

1178 ~~[(i) review the declarations of candidacy filed by candidates for local boards of~~
1179 ~~education to determine if more than two candidates have filed for the same seat;]~~

1180 ~~[(ii) place the names of all candidates who have filed a declaration of candidacy for a~~
1181 ~~local board of education seat on the nonpartisan section of the ballot if more than two~~
1182 ~~candidates have filed for the same seat; and]~~

1183 ~~[(iii) determine the order of the local board of education candidates' names on the~~
1184 ~~ballot in accordance with Section 20A-6-305.]~~

1185 ~~[(4) (a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant~~
1186 ~~governor shall provide to the county clerks:]~~

1187 ~~[(i) a list of the names of all candidates for federal, constitutional, multi-county, single~~
1188 ~~county, and county offices who have received certifications under Subsection (3), along with~~
1189 ~~instructions on how those names shall appear on the primary election ballot in accordance with~~
1190 ~~Section 20A-6-305; and]~~

1191 ~~[(ii) a list of unopposed candidates for elective office who have been nominated by a~~
1192 ~~registered political party under Subsection (5)(c) and instruct the county clerks to exclude the~~
1193 ~~unopposed candidates from the primary election ballot.]~~

1194 ~~[(b) A candidate for lieutenant governor and a candidate for governor campaigning as~~
1195 ~~joint-ticket running mates shall appear jointly on the primary election ballot.]~~

1196 ~~[(c) After the county clerk receives the certified list from the lieutenant governor under~~
1197 ~~Subsection (4)(a), the county clerk shall post or publish a primary election notice in~~
1198 ~~substantially the following form:]~~

1199 ~~["Notice is given that a primary election will be held Tuesday, June _____,~~
1200 ~~_____ (year), to nominate party candidates for the parties and candidates for nonpartisan~~
1201 ~~local school board positions listed on the primary ballot. The polling place for voting precinct~~
1202 ~~_____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.~~
1203 ~~Attest: county clerk."]~~

1204 ~~[(5) (a) A candidate who, at the regular primary election, receives the highest number~~
1205 ~~of votes cast for the office sought by the candidate is:]~~

1206 ~~[(i) nominated for that office by the candidate's registered political party; or]~~

1207 ~~[(ii) for a nonpartisan local school board position, nominated for that office:]~~

1208 ~~[(b) If two or more candidates are to be elected to the office at the regular general~~
1209 ~~election, those party candidates equal in number to positions to be filled who receive the~~
1210 ~~highest number of votes at the regular primary election are the nominees of the candidates'~~
1211 ~~party for those positions:]~~

1212 ~~[(c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:]~~

1213 ~~[(A) no individual other than the candidate receives a certification under Subsection (3)~~
1214 ~~for the regular primary election ballot of the candidate's registered political party for a~~
1215 ~~particular elective office; or]~~

1216 ~~[(B) for an office where more than one individual is to be elected or nominated, the~~
1217 ~~number of candidates who receive certification under Subsection (3) for the regular primary~~
1218 ~~election of the candidate's registered political party does not exceed the total number of~~
1219 ~~candidates to be elected or nominated for that office.]~~

1220 ~~[(ii) A candidate who is unopposed for an elective office in the regular primary election~~
1221 ~~of a registered political party is nominated by the party for that office without appearing on the~~
1222 ~~primary election ballot:]~~

1223 ~~[(6) (a) When a tie vote occurs in any primary election for any national, state, or other~~
1224 ~~office that represents more than one county, the governor, lieutenant governor, and attorney~~
1225 ~~general shall, at a public meeting called by the governor and in the presence of the candidates~~
1226 ~~involved, select the nominee by lot cast in whatever manner the governor determines:]~~

1227 ~~[(b) When a tie vote occurs in any primary election for any county office, the district~~
1228 ~~court judges of the district in which the county is located shall, at a public meeting called by~~
1229 ~~the judges and in the presence of the candidates involved, select the nominee by lot cast in~~
1230 ~~whatever manner the judges determine:]~~

1231 ~~[(7) The expense of providing all ballots, blanks, or other supplies to be used at any~~
1232 ~~primary election provided for by this section, and all expenses necessarily incurred in the~~
1233 ~~preparation for or the conduct of that primary election shall be paid out of the treasury of the~~
1234 ~~county or state, in the same manner as for the regular general elections:]~~

1235 ~~[(8) An individual may not file a declaration of candidacy for a registered political~~
1236 ~~party of which the individual is not a member, except to the extent that the registered political~~
1237 ~~party permits otherwise under the registered political party's bylaws.]~~

1238 Section 16. Section **20A-9-403.5** is enacted to read:

1239 **20A-9-403.5. Local boards of education -- Ballot placement.**

1240 The county clerk shall:

1241 (1) review the declarations of candidacy filed by candidates for local boards of
1242 education to determine if more than two candidates have filed for the same seat;

1243 (2) place the names of all candidates who have filed a declaration of candidacy for a
1244 local board of education seat on the nonpartisan section of the ballot if more than two
1245 candidates have filed for the same seat; and

1246 (3) determine the order of the local board of education candidates' names on the ballot
1247 in accordance with Section [20A-6-305](#).

1248 Section 17. Section **20A-9-403.7** is enacted to read:

1249 **20A-9-403.7. List of qualified candidates for primary election ballot -- Notice of**
1250 **primary election -- Nominee selected at primary election -- Election expenses -- Party**
1251 **membership.**

1252 (1) (a) Before the deadline described in Subsection [20A-9-409\(4\)\(c\)](#), the lieutenant
1253 governor shall provide to the county clerks:

1254 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
1255 county, and county offices who have qualified for placement on the primary election ballot,
1256 along with instructions on how those names shall appear on the ballot in accordance with
1257 Section [20A-6-305](#); and

1258 (ii) a list of unopposed candidates for elective office who have been nominated by a
1259 registered political party under Subsection (2)(c) and instruct the county clerks to exclude the
1260 unopposed candidates from the primary election ballot.

1261 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1262 joint-ticket running mates shall appear jointly on the primary election ballot.

1263 (c) After the county clerk receives the certified list from the lieutenant governor under
1264 Subsection (1)(a), the county clerk shall post or publish a primary election notice in
1265 substantially the following form:

1266 "Notice is given that a primary election will be held Tuesday, June _____,
1267 _____ (year), to nominate party candidates for the parties and candidates for nonpartisan
1268 local school board positions listed on the primary ballot. The polling place for voting precinct
1269 is _____. The polls will open at 7 a.m. and remain open until 8 p.m. of the same day.

1270 Attest: county clerk."

1271 (2) (a) A candidate who, at the regular primary election, receives the highest number of
1272 votes cast for the office sought by the candidate is:

1273 (i) nominated for that office by the candidate's registered political party; or

1274 (ii) for a nonpartisan local school board position, nominated for that office.

1275 (b) If two or more candidates are to be elected to the office at the regular general
1276 election, those party candidates equal in number to positions to be filled who receive the
1277 highest number of votes at the regular primary election are the nominees of the candidates'
1278 party for those positions.

1279 (c) (i) As used in this Subsection (2)(c), a candidate is "unopposed" if:

1280 (A) no individual other than the candidate qualifies for placement on the regular
1281 primary election ballot for the candidate's registered political party for a particular elective
1282 office; or

1283 (B) for an office where more than one individual is to be elected or nominated, the
1284 number of candidates who qualify for the regular primary election ballot for the candidate's
1285 registered political party does not exceed the total number of candidates to be elected or
1286 nominated for that office.

1287 (ii) A candidate who is unopposed for an elective office in the regular primary election
1288 of a registered political party is nominated by the party for that office without appearing on the
1289 primary election ballot.

1290 (3) (a) When a tie vote occurs in any primary election for any national, state, or other
1291 office that represents more than one county, the governor, lieutenant governor, and attorney
1292 general shall, at a public meeting called by the governor and in the presence of the candidates
1293 involved, select the nominee by lot cast in whatever manner the governor determines.

1294 (b) When a tie vote occurs in any primary election for any county office, the district
1295 court judges of the district in which the county is located shall, at a public meeting called by
1296 the judges and in the presence of the candidates involved, select the nominee by lot cast in

1297 whatever manner the judges determine.

1298 (4) The expense of providing all ballots, blanks, or other supplies to be used at any
1299 primary election provided for by this section, and all expenses necessarily incurred in the
1300 preparation for or the conduct of that primary election shall be paid out of the treasury of the
1301 county or state, in the same manner as for the regular general elections.

1302 (5) An individual may not file a declaration of candidacy for a registered political party
1303 of which the individual is not a member, except to the extent that the registered political party
1304 permits otherwise under the registered political party's bylaws.

1305 Section 18. Section **20A-9-405** is amended to read:

1306 **20A-9-405. Nomination petitions for regular primary elections.**

1307 (1) This section [~~shall apply~~] applies to the form and circulation of nomination
1308 petitions for regular primary elections [~~described in Subsection 20A-9-403(3)(a)~~] for a class B
1309 or C registered political party.

1310 (2) A candidate for elective office, and the agents of the candidate, may not circulate
1311 nomination petitions until the candidate [~~has submitted~~] submits a declaration of candidacy in
1312 accordance with Subsection ~~20A-9-202~~[(+)](2).

1313 (3) The nomination petitions shall be in substantially the following form:

1314 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

1315 (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the
1316 space above that line blank for purposes of binding;

1317 (c) the petition shall be headed by a caption stating the purpose of the petition and the
1318 name of the proposed candidate;

1319 (d) the petition shall feature the word "Warning" followed by the following statement
1320 in no less than eight-point, single ledged type: "It is a class A misdemeanor for anyone to
1321 knowingly sign a certificate of nomination signature sheet with any name other than the
1322 person's own name or more than once for the same candidate or if the person is not registered
1323 to vote in this state and does not intend to become registered to vote in this state before
1324 signatures are certified by a filing officer.";

1325 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively
1326 numbered one through 10;

1327 (f) the signature portion of the petition shall be divided into columns headed by the

1328 following titles:

- 1329 (i) Registered Voter's Printed Name;
- 1330 (ii) Signature of Registered Voter;
- 1331 (iii) Party Affiliation of Registered Voter;
- 1332 (iv) Birth Date or Age (Optional);
- 1333 (v) Street Address, City, Zip Code; and
- 1334 (vi) Date of Signature; and
- 1335 (g) a photograph of the candidate may appear on the nomination petition.

1336 (4) If one or more nomination petitions are bound together, a page shall be bound to
1337 the nomination petition(s) that features the following printed verification statement to be signed
1338 and dated by the petition circulator:

1339 "Verification

1340 State of Utah, County of _____

1341 I, _____, of _____, hereby state that:

1342 I am a Utah resident and am at least 18 years old;

1343 All the names that appear on the signature sheets bound to this page were, to the best of
1344 my knowledge, signed by the persons who professed to be the persons whose names appear on
1345 the signature sheets, and each of them signed the person's name on the signature sheets in my
1346 presence;

1347 I believe that each has printed and signed the person's name and written the person's
1348 street address correctly, and that each signer is registered to vote in Utah or will register to vote
1349 in Utah before the county clerk certifies the signatures on the signature sheet."

1350 (5) The lieutenant governor shall prepare and make public model nomination petition
1351 forms and associated instructions.

1352 (6) A nomination petition circulator must be at least 18 years old and a resident of the
1353 state, but may affiliate with any political party.

1354 (7) It is unlawful for [~~any~~] a person to:

- 1355 (a) knowingly sign the nomination petition sheet described in Subsection (3):
 - 1356 (i) with any name other than the person's own name;
 - 1357 (ii) more than once for the same candidate; or
 - 1358 (iii) if the person is not registered to vote in this state and does not intend to become

1359 registered to vote in this state prior to 5 p.m. on the final day in March;

1360 (b) sign the verification of a certificate of nomination signature sheet described in

1361 Subsection (4) if the person:

1362 (i) does not meet the residency requirements of Section 20A-2-105;

1363 (ii) has not witnessed the signing by those persons whose names appear on the
1364 certificate of nomination signature sheet; or

1365 (iii) knows that a person whose signature appears on the certificate of nomination
1366 signature sheet is not registered to vote in this state and does not intend to become registered to
1367 vote in this state;

1368 (c) pay compensation to any person to sign a nomination petition; or

1369 (d) pay compensation to any person to circulate a nomination petition, if the
1370 compensation is based directly on the number of signatures submitted to a filing officer rather
1371 than on the number of signatures verified or on some other basis.

1372 (8) Any person violating Subsection (7) is guilty of a class A misdemeanor.

1373 [~~(9) Withdrawal of petition signatures shall not be permitted.~~]

1374 (9) An individual who signs a petition described in this section may not withdraw the
1375 individual's signature from the petition.

1376 Section 19. Section 20A-9-406 is amended to read:

1377 **20A-9-406. Class B registered political party.**

1378 The following provisions apply to a [qualified] class B registered political party:

1379 [~~(1) the qualified political party shall, no later than 5 p.m. on November 30 of each~~
1380 ~~odd-numbered year, certify to the lieutenant governor the identity of one or more registered~~
1381 ~~political parties whose members may vote for the qualified political party's candidates and~~
1382 ~~whether unaffiliated voters may vote for the qualified political party's candidates;]~~

1383 [~~(2) the following provisions do not apply to a nomination for the qualified political~~
1384 ~~party:]~~

1385 [~~(a) Subsections 20A-9-403(1) through (3)(b) and (3)(d) through (4)(a);]~~

1386 [~~(b) Subsection 20A-9-403(5)(c); and]~~

1387 [~~(c) Section 20A-9-405;]~~

1388 [~~(3)] (1) an individual may only seek the nomination of the [qualified] registered~~

1389 political party by using a method described in Section 20A-9-407, Section 20A-9-408, or both;

1390 (2) by timely certifying as a class B registered political party under Section 20A-9-102,
1391 the political party voluntarily agrees:

1392 (a) (i) to permit a delegate for the registered political party to vote on a candidate
1393 nomination in the registered political party's convention remotely; or

1394 (ii) to provide a procedure for designating an alternate delegate if a delegate is not
1395 present at the registered political party's convention;

1396 (b) to hold the registered political party's convention no earlier than the fourth Saturday
1397 in March of an even-numbered year; and

1398 (c) to permit a member of the registered political party to seek the registered political
1399 party's nomination for any elective office by the member choosing to seek the nomination by
1400 either or both of the following methods:

1401 (i) seeking the nomination through the registered political party's convention process,
1402 in accordance with the provisions of Section 20A-9-407; or

1403 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
1404 of Section 20A-9-408;

1405 ~~[(4)] (3) the [qualified] registered political party shall comply with the provisions of~~
1406 ~~Sections 20A-9-407, 20A-9-408, and 20A-9-409; and~~

1407 ~~[(5) notwithstanding Subsection 20A-6-301(1)(a), (1)(c), or (2)(a), each election officer~~
1408 ~~shall ensure that a ballot described in Section 20A-6-301 includes each individual nominated~~
1409 ~~by a qualified political party:]~~

1410 ~~[(a) under the qualified political party's name, if any; or]~~

1411 ~~[(b) under the title of the qualified registered political party as designated by the~~
1412 ~~qualified political party in the certification described in Subsection (1), or, if none is~~
1413 ~~designated, then under some suitable title;]~~

1414 ~~[(6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure,~~
1415 ~~for ballots in regular general elections, that each candidate who is nominated by the qualified~~
1416 ~~political party is listed by party;]~~

1417 ~~[(7) notwithstanding Subsection 20A-6-304(1)(c), each election officer shall ensure~~
1418 ~~that the party designation of each candidate who is nominated by the qualified political party is~~
1419 ~~displayed adjacent to the candidate's name on a mechanical ballot;]~~

1420 ~~[(8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also~~

1421 includes an individual who files a declaration of candidacy under Section ~~20A-9-407~~ or
1422 ~~20A-9-408~~ to run in a regular general election for a federal office, constitutional office,
1423 multicounty office, or county office;]

1424 [~~(9)~~ an individual who is nominated by, or seeking the nomination of, the qualified
1425 political party is not required to comply with Subsection ~~20A-9-201(1)(c)~~];]

1426 [~~(10)~~ notwithstanding Subsection ~~20A-9-403(3)~~, the qualified political party is entitled
1427 to have each of the qualified political party's candidates for elective office appear on the
1428 primary ballot of the qualified political party with an indication that each candidate is a
1429 candidate for the qualified political party;]

1430 [~~(11)~~ notwithstanding Subsection ~~20A-9-403(4)(a)~~, the lieutenant governor shall
1431 include on the list provided by the lieutenant governor to the county clerks:]

1432 [~~(a)~~ the names of all candidates of the qualified political party for federal,
1433 constitutional, multicounty, and county offices; and]

1434 [~~(b)~~ the names of unopposed candidates for elective office who have been nominated
1435 by the qualified political party and instruct the county clerks to exclude such candidates from
1436 the primary-election ballot;]

1437 [~~(12)~~ notwithstanding Subsection ~~20A-9-403(5)(c)~~];]

1438 (4) a candidate who is unopposed for an elective office in the regular primary election
1439 of the [~~qualified~~] registered political party is nominated by the registered political party for that
1440 office without appearing on the primary ballot[~~; and~~].

1441 [~~(13)~~ notwithstanding the provisions of Subsections ~~20A-9-403(1)~~ and ~~(2)~~ and Section
1442 ~~20A-9-405~~, the qualified political party is entitled to have the names of its candidates for
1443 elective office featured with party affiliation on the ballot at a regular general election.]

1444 Section 20. Section ~~20A-9-407~~ is amended to read:

1445 **20A-9-407. Convention process to seek the nomination of a class B registered**
1446 **political party.**

1447 (1) This section describes the requirements for a member of a [~~qualified~~] class B
1448 registered political party who is seeking the nomination of [~~a qualified~~] the registered political
1449 party for an elective office through the [~~qualified~~] registered political party's convention
1450 process.

1451 (2) Notwithstanding Subsection ~~20A-9-201(7)(a)~~, the form of the declaration of

1452 candidacy for a member of a [qualified] class B registered political party who is nominated by,
1453 or who is seeking the nomination of, the [qualified] registered political party under this section
1454 shall be substantially as described in Section 20A-9-408.5.

1455 ~~[(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in~~
1456 ~~Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is~~
1457 ~~seeking the nomination of the qualified political party for an elective office that is to be filled at~~
1458 ~~the next general election, shall:]~~

1459 ~~[(a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy~~
1460 ~~in-person with the filing officer on or after the second Friday in March and before 5 p.m. on the~~
1461 ~~third Thursday in March before the next regular general election; and]~~

1462 ~~[(b) pay the filing fee.]~~

1463 ~~[(4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political~~
1464 ~~party who, under this section, is seeking the nomination of the qualified political party for the~~
1465 ~~office of district attorney within a multicounty prosecution district that is to be filled at the next~~
1466 ~~general election shall:]~~

1467 ~~[(a) file a declaration of candidacy with the county clerk designated in the interlocal~~
1468 ~~agreement creating the prosecution district on or after the second Friday in March and before 5~~
1469 ~~p.m. on the third Thursday in March before the next regular general election; and]~~

1470 ~~[(b) pay the filing fee.]~~

1471 ~~[(5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate~~
1472 ~~who files as the joint-ticket running mate of an individual who is nominated by a qualified~~
1473 ~~political party, under this section, for the office of governor shall, before the deadline described~~
1474 ~~in Subsection 20A-9-202(1)(b), file a declaration of candidacy and submit a letter from the~~
1475 ~~candidate for governor that names the lieutenant governor candidate as a joint-ticket running~~
1476 ~~mate.]~~

1477 ~~[(6)] (3) (a) A [qualified] class B registered political party that nominates a candidate~~
1478 ~~under this section shall certify the name of the candidate to the lieutenant governor before the~~
1479 ~~deadline described in Subsection 20A-9-202[(1)(b)](3).~~

1480 (b) The lieutenant governor shall include, in the primary ballot certification or, for a
1481 race where a primary is not held because the candidate is unopposed, in the general election
1482 ballot certification, the name of each candidate nominated by a [qualified] class B registered

1483 political party under this section.

1484 ~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate~~
 1485 ~~who is nominated by a qualified political party under this section, designate the qualified~~
 1486 ~~political party that nominated the candidate.]~~

1487 Section 21. Section 20A-9-408 is amended to read:

1488 **20A-9-408. Signature-gathering process to seek the nomination of a class B**
 1489 **registered political party.**

1490 (1) This section describes the requirements for a member of a [qualified] class B
 1491 registered political party who is seeking the nomination of the [qualified] registered political
 1492 party for an elective office through the signature-gathering process described in this section.

1493 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of
 1494 candidacy for a member of a [qualified] class B registered political party who is nominated by,
 1495 or who is seeking the nomination of, the [qualified] registered political party under this section
 1496 shall be substantially as described in Section 20A-9-408.5.

1497 (3) ~~[Notwithstanding Subsection 20A-9-202(1)(a), and except]~~ Except as provided in
 1498 Subsection 20A-9-202~~[(4)](8)~~, a member of a [qualified] class B registered political party who,
 1499 under this section, is seeking the nomination of the [qualified] registered political party for an
 1500 elective office that is to be filled at the next general election shall~~[-(a)]~~ within the period
 1501 beginning on January 1 before the next regular general election and ending at 5 p.m. on the
 1502 third Thursday in March of the same year, and before gathering signatures under this section,
 1503 file with the filing officer on a form approved by the lieutenant governor a notice of intent to
 1504 gather signatures for candidacy that includes:

1505 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for ~~[a]~~ the
 1506 registered political party under this section;

1507 ~~[(ii)]~~ (b) the name of the registered political party for which the member is seeking
 1508 nomination;

1509 ~~[(iii)]~~ (c) the office for which the member is seeking to become a candidate;

1510 ~~[(iv)]~~ (d) the address and telephone number of the member; and

1511 ~~[(v)]~~ (e) other information required by the lieutenant governor~~[-]~~.

1512 ~~[(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,~~
 1513 ~~in person, with the filing officer on or after the second Friday in March and before 5 p.m. on~~

1514 ~~the third Thursday in March before the next regular general election; and]~~

1515 ~~[(c) pay the filing fee.]~~

1516 (4) ~~[Notwithstanding Subsection 20A-9-202(2)(a), a]~~ A member of a ~~[qualified]~~ class
1517 B registered political party who, under this section, is seeking the nomination of the ~~[qualified]~~
1518 registered political party for the office of district attorney within a multicounty prosecution
1519 district that is to be filled at the next general election shall~~[-(a)]~~ on or after January 1 before the
1520 next regular general election, and before gathering signatures under this section, file with the
1521 filing officer on a form approved by the lieutenant governor a notice of intent to gather
1522 signatures for candidacy that includes:

1523 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for ~~[a]~~ the
1524 registered political party under this section;

1525 ~~[(ii)]~~ (b) the name of the registered political party for which the member is seeking
1526 nomination;

1527 ~~[(iii)]~~ (c) the office for which the member is seeking to become a candidate;

1528 ~~[(iv)]~~ (d) the address and telephone number of the member; and

1529 ~~[(v)]~~ (e) other information required by the lieutenant governor~~[-];~~.

1530 ~~[(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,~~
1531 ~~in person, with the filing officer on or after the second Friday in March and before 5 p.m. on~~
1532 ~~the third Thursday in March before the next regular general election; and]~~

1533 ~~[(c) pay the filing fee.]~~

1534 (5) ~~[Notwithstanding Subsection 20A-9-202(3)(a)(iii), a]~~ A lieutenant governor
1535 candidate who files as the joint-ticket running mate of an individual who is nominated by a
1536 ~~[qualified]~~ class B registered political party, under this section, for the office of governor shall,
1537 before the deadline described in Subsection 20A-9-202~~[(1)(b)]~~(2), file a declaration of
1538 candidacy and submit a letter from the candidate for governor that names the lieutenant
1539 governor candidate as a joint-ticket running mate.

1540 ~~[(6) The lieutenant governor shall ensure that the certification described in Subsection~~
1541 ~~20A-9-701(1) also includes the name of each candidate nominated by a qualified political party~~
1542 ~~under this section.]~~

1543 ~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate~~
1544 ~~who is nominated by a qualified political party under this section, designate the qualified~~

1545 ~~political party that nominated the candidate.]~~

1546 ~~[(8)]~~ (6) A member of a ~~[qualified]~~ class B registered political party may seek the
1547 nomination of the ~~[qualified]~~ registered political party for an elective office by:

1548 (a) complying with the requirements described in this section; and

1549 (b) collecting signatures, on a form approved by the lieutenant governor, during the
1550 period beginning on January 1 of an even-numbered year and ending at 5 p.m. 14 days before
1551 the day on which the ~~[qualified]~~ registered political party's convention for the office is held, in
1552 the following amounts:

1553 (i) for a statewide race, ~~[28,000]~~ 2,800 signatures of registered voters in the state who
1554 are permitted by the ~~[qualified]~~ registered political party to vote for the ~~[qualified]~~ registered
1555 political party's candidates in a primary election;

1556 (ii) for a congressional district race, ~~[7,000]~~ 700 signatures of registered voters who are
1557 residents of the congressional district and are permitted by the ~~[qualified]~~ registered political
1558 party to vote for the ~~[qualified]~~ registered political party's candidates in a primary election;

1559 (iii) for a state Senate district race, ~~[2,000]~~ 200 signatures of registered voters who are
1560 residents of the state Senate district and are permitted by the ~~[qualified]~~ registered political
1561 party to vote for the ~~[qualified]~~ registered political party's candidates in a primary election;

1562 (iv) for a state House district race, ~~[1,000]~~ 100 signatures of registered voters who are
1563 residents of the state House district and are permitted by the ~~[qualified]~~ registered political
1564 party to vote for the ~~[qualified]~~ registered political party's candidates in a primary election;

1565 (v) for a State Board of Education race, the lesser of:

1566 (A) ~~[2,000]~~ 200 signatures of registered voters who are residents of the State Board of
1567 Education district and are permitted by the ~~[qualified]~~ registered political party to vote for the
1568 ~~[qualified]~~ registered political party's candidates in a primary election; or

1569 (B) the signatures of 3% of the registered voters ~~[of the qualified political party]~~ who
1570 are residents of the ~~[applicable]~~ State Board of Education district and are permitted by the
1571 registered political party to vote for the registered political party's candidates in a primary
1572 election; and

1573 (vi) for a county office race, signatures of 3% of the registered voters who are residents
1574 of the area permitted to vote for the county office and are permitted by the ~~[qualified]~~
1575 registered political party to vote for the ~~[qualified]~~ registered political party's candidates in a

1576 primary election.

1577 ~~[(9)]~~ (7) (a) In order for a member of the ~~[qualified]~~ class B registered political party to
1578 qualify as a candidate for the ~~[qualified]~~ registered political party's nomination for an elective
1579 office under this section, the member shall:

1580 (i) collect the signatures on a form approved by the lieutenant governor, using the same
1581 circulation and verification requirements described in Sections 20A-7-204 and 20A-7-205; and

1582 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days
1583 before the day on which the ~~[qualified]~~ registered political party holds the registered political
1584 party's convention to select candidates, for the elective office, for the ~~[qualified]~~ registered
1585 political party's nomination.

1586 (b) An individual may not gather signatures under this section until after the individual
1587 files a notice of intent to gather signatures for candidacy described in this section.

1588 (c) An individual who files a notice of intent to gather signatures for candidacy,
1589 described in Subsection (3)~~[(a)]~~ or (4)~~[(a)]~~, is, beginning on the day on which the individual
1590 files the notice of intent to gather signatures for candidacy:

1591 (i) required to comply with the reporting requirements that a candidate for office is
1592 required to comply with; and

1593 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1594 apply to a candidate for office in relation to the reporting requirements described in Subsection
1595 ~~[(9)]~~ (7)(c)(i).

1596 (d) Upon timely receipt of the signatures described in Subsections ~~[(8) and (9)]~~ (6) and
1597 (7)(a), the election officer shall, no later than the earlier of 14 days after the day on which the
1598 election officer receives the signatures, or one day before the day on which the ~~[qualified]~~ class
1599 B registered political party holds the convention to select a nominee for the elective office to
1600 which the signature packets relate:

1601 (i) check the name of each individual who completes the verification for a signature
1602 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

1603 (ii) submit the name of each individual described in Subsection ~~[(9)]~~ (7)(d)(i) who is
1604 not a Utah resident or who is not at least 18 years old to the attorney general and the county
1605 attorney;

1606 (iii) determine whether each signer is a registered voter who is qualified to sign the

1607 petition, using the same method, described in Section 20A-7-206.3, used to verify a signature
1608 on a petition; and

1609 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1610 signature packet.

1611 (e) Upon timely receipt of the signatures described in Subsections ~~[(8) and (9)]~~ (6) and
1612 (7)(a), the election officer shall, no later than one day before the day on which the [qualified]
1613 class B registered political party holds the convention to select a nominee for the elective office
1614 to which the signature packets relate, notify the [qualified] registered political party and the
1615 lieutenant governor of the name of each member of the [qualified] registered political party
1616 who qualifies as a nominee of the [qualified] registered political party, under this section, for
1617 the elective office to which the convention relates.

1618 (f) Upon receipt of a notice of intent to gather signatures for candidacy described in
1619 this section, the lieutenant governor shall post the notice of intent to gather signatures for
1620 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
1621 posts a declaration of candidacy.

1622 Section 22. Section 20A-9-408.5 is amended to read:

1623 **20A-9-408.5. Declaration of candidacy form for class B registered political party.**

1624 ~~[The]~~ Notwithstanding Subsection 20A-9-201(7)(a), the declaration of candidacy form
1625 ~~[described in Sections 20A-9-407 and 20A-9-408]~~ for a class B registered political party shall:

1626 (1) be substantially as follows:

1627 "State of Utah, County of ____

1628 I, _____, declare my intention of becoming a candidate for the office of
1629 ____ as a candidate for the ____ party. I do solemnly swear that: I will meet the qualifications
1630 to hold the office, both legally and constitutionally, if selected; I reside at _____ in
1631 the City or Town of ____, Utah, Zip Code ____, Phone No. ____; I will not knowingly violate
1632 any law governing campaigns and elections; I will file all campaign financial disclosure reports
1633 as required by law; and I understand that failure to do so will result in my disqualification as a
1634 candidate for this office and removal of my name from the ballot. The mailing address that I
1635 designate for receiving official election notices is

1636 _____

1637 _____.

1638 Subscribed and sworn before me this _____(month\day\year). Notary Public (or
1639 other officer qualified to administer oath).";

1640 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

1641 (a) the registered political party of which the candidate is a member; or

1642 (b) that the candidate is not a member of a registered political party; and

1643 (3) direct the candidate to indicate whether the candidate is seeking the nomination

1644 using:

1645 (a) the convention process described in Section 20A-9-407;

1646 (b) the signature-gathering process described in Section 20A-9-408; or

1647 (c) both processes described in Subsections (3)(a) and (b).

1648 Section 23. Section 20A-9-409 is amended to read:

1649 **20A-9-409. Primary election provisions relating to class B registered political**
1650 **party.**

1651 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.

1652 (2) (a) A [qualified] class B registered political party that nominates one or more
1653 candidates for an elective office under Section 20A-9-407 and does not have a candidate
1654 qualify as a candidate for that office under Section 20A-9-408, may, but is not required to,
1655 participate in the primary election for that office.

1656 (b) A [qualified] class B registered political party that has only one candidate qualify as
1657 a candidate for an elective office under Section 20A-9-408 and does not nominate a candidate
1658 for that office under Section 20A-9-407, may, but is not required to, participate in the primary
1659 election for that office.

1660 (c) A [qualified] class B registered political party that nominates one or more
1661 candidates for an elective office under Section 20A-9-407 and has one or more candidates
1662 qualify as a candidate for that office under Section 20A-9-408 shall participate in the primary
1663 election for that office.

1664 (d) A [qualified] class B registered political party that has two or more candidates
1665 qualify as candidates for an elective office under Section 20A-9-408 and does not nominate a
1666 candidate for that office under Section 20A-9-407 shall participate in the primary election for
1667 that office.

1668 (3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section

1669 17-52a-201 or 17-52a-202, a [qualified] class B registered political party shall participate in the
1670 primary election for a county commission office if:

1671 (a) there is more than one:

1672 (i) open position as defined in Section 17-52a-201; or

1673 (ii) midterm vacancy as defined in Section 17-52a-201; and

1674 (b) the number of candidates nominated under Section 20A-9-407 or qualified under
1675 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number
1676 of respective open positions or midterm vacancies.

1677 (4) (a) As used in this Subsection (4), a candidate is "unopposed" if:

1678 (i) no individual other than the candidate receives a certification, from the appropriate
1679 filing officer, for the regular primary election ballot of the candidate's registered political party
1680 for a particular elective office; or

1681 (ii) for an office where more than one individual is to be elected or nominated, the
1682 number of candidates who receive certification, from the appropriate filing officer, for the
1683 regular primary election of the candidate's registered political party does not exceed the total
1684 number of candidates to be elected or nominated for that office.

1685 (b) Before the deadline described in Subsection (4)(c), the lieutenant governor shall:

1686 (i) provide to the county clerks:

1687 (A) a list of the names of all candidates for federal, constitutional, multi-county, single
1688 county, and county offices who have received certifications from the appropriate filing officer,
1689 along with instructions on how those names shall appear on the primary election ballot in
1690 accordance with Section 20A-6-305; and

1691 (B) a list of unopposed candidates for elective office who have been nominated by a
1692 registered political party; and

1693 (ii) instruct the county clerks to exclude unopposed candidates from the primary
1694 election ballot.

1695 (c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after
1696 the third Saturday in April.

1697 Section 24. Section 20A-9-409.5 is enacted to read:

1698 **20A-9-409.5. Class A registered political party -- Requirements -- Duties of**
1699 **lieutenant governor.**

1700 The following provisions apply to a class A registered political party:

1701 (1) an individual may only seek the nomination of the registered political party using
1702 the registered political party's convention process;

1703 (2) by timely certifying as a class A registered political party under Section [20A-9-102](#),
1704 the registered political party voluntarily agrees:

1705 (a) to permit a member of the registered political party to seek the registered political
1706 party's nomination for any elective office via party convention only; and

1707 (b) that the two candidates who receive the highest number of votes for each office at
1708 convention will compete for the nomination in a primary election unless one candidate receives
1709 at least 70% of the votes cast at convention for that office;

1710 (3) the registered political party shall, before the deadline described in Subsection
1711 [20A-9-202](#)(3), certify to the lieutenant governor:

1712 (a) the two candidates who receive the highest number of votes for each office at
1713 convention to compete for the nomination in a primary election; or

1714 (b) if one candidate receives at least 70% of the votes cast at convention for that office,
1715 the name of that candidate as the nominee of the registered political party for that office; and

1716 (4) the lieutenant governor shall include:

1717 (a) on the regular primary election ballot for the registered political party, for the
1718 office, the two candidates described in Subsection (3)(a); or

1719 (b) if one candidate receives at least 70% of the votes cast at convention for the office,
1720 that candidate as the registered political party's nominee on the regular general election ballot
1721 for that office.

1722 Section 25. Section **20A-9-504** is amended to read:

1723 **20A-9-504. Unaffiliated candidates -- Governor and president of the United**
1724 **States.**

1725 (1) (a) Each unaffiliated candidate for governor shall, before 5 p.m. no later than July 1
1726 of the regular general election year, select a running mate to file as an unaffiliated candidate for
1727 the office of lieutenant governor.

1728 (b) The unaffiliated lieutenant governor candidate shall, before 5 p.m. no later than
1729 July 1 of the regular general election year, file as an unaffiliated candidate by following the
1730 procedures and requirements of this part.

1731 (2) (a) Each unaffiliated candidate for president of the United States shall, before 5
1732 p.m. no later than August 15 of a regular general election year, select a running mate to file as
1733 an unaffiliated candidate for the office of vice president of the United States.

1734 (b) Before 5 p.m. no later than August 15 of a regular general election year, the
1735 unaffiliated candidate for vice president of the United States described in Subsection (2)(a)
1736 shall comply with the requirements of Subsection ~~20A-9-202~~(11).

1737 Section 26. Section **20A-9-601** is amended to read:

1738 **20A-9-601. Qualifying as a write-in candidate.**

1739 (1) (a) Except as provided in Subsection (1)(b), an individual who wishes to become a
1740 valid write-in candidate shall file a declaration of candidacy in person, or through a designated
1741 agent for a candidate for president or vice president of the United States, with the appropriate
1742 filing officer before 5 p.m. no later than 65 days before the regular general election or a
1743 municipal general election in which the individual intends to be a write-in candidate.

1744 (b) (i) The provisions of this Subsection (1)(b) do not apply to an individual who files a
1745 declaration of candidacy for president of the United States.

1746 (ii) Subject to Subsection (2)(d), an individual may designate an agent to file a
1747 declaration of candidacy with the appropriate filing officer if:

- 1748 (A) the individual is located outside of the state during the entire filing period;
- 1749 (B) the designated agent appears in person before the filing officer; and
- 1750 (C) the individual communicates with the filing officer using an electronic device that
1751 allows the individual and filing officer to see and hear each other.

1752 (2) (a) The form of the declaration of candidacy for a write-in candidate for all offices,
1753 except president or vice president of the United States, is substantially as follows:

1754 "State of Utah, County of ____

1755 I, _____, declare my intention of becoming a candidate for the office of
1756 ____ for the ____ district (if applicable). I do solemnly swear that: I will meet the
1757 qualifications to hold the office, both legally and constitutionally, if selected; I reside at
1758 _____ in the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will
1759 not knowingly violate any law governing campaigns and elections; if filing via a designated
1760 agent, I will be out of the state of Utah during the entire candidate filing period; I will file all
1761 campaign financial disclosure reports as required by law; and I understand that failure to do so

1762 will result in my disqualification as a candidate for this office and rejection of any votes cast
1763 for me. The mailing address that I designate for receiving official election notices is
1764 _____.

1765 _____
1766 Subscribed and sworn before me this _____(month\day\year).
1767 Notary Public (or other officer qualified to administer oath)."

1768 (b) The form of the declaration of candidacy for a write-in candidate for president of
1769 the United States is substantially as follows:

1770 "State of Utah, County of ____
1771 I, _____, declare my intention of becoming a candidate for the office of the
1772 president of the United States. I do solemnly swear that: I will meet the qualifications to hold
1773 the office, both legally and constitutionally, if selected; I reside at _____ in the City
1774 or Town of _____, State _____, Zip Code _____, Phone No. _____; I will not knowingly violate
1775 any law governing campaigns and elections. The mailing address that I designate for receiving
1776 official election notices is _____. I designate _____ as
1777 my vice presidential candidate.

1778 _____
1779 Subscribed and sworn before me this _____(month\day\year).
1780 Notary Public (or other officer qualified to administer oath)."

1781 (c) A declaration of candidacy for a write-in candidate for vice president of the United
1782 States shall be in substantially the same form as a declaration of candidacy described in
1783 Subsection [20A-9-202](#)~~(7)~~(11).

1784 (d) An agent described in Subsection (1)(a) or (b) may not sign the form described in
1785 Subsection (2)(a) or (b).

1786 (3) (a) The filing officer shall:
1787 (i) read to the candidate the constitutional and statutory requirements for the office;
1788 (ii) ask the candidate whether the candidate meets the requirements; and
1789 (iii) if the declaration of candidacy is for a legislative office, inform the individual that
1790 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit
1791 or trust, under authority of the United States or Utah, from being a member of the Legislature.

1792 (b) If the candidate cannot meet the requirements of office, the filing officer may not

1793 accept the write-in candidate's declaration of candidacy.

1794 (4) (a) Except as provided in Subsection (4)(b), a write-in candidate is subject to
1795 Subsection [20A-9-201](#)(8).

1796 (b) A write-in candidate for president of the United States is subject to Subsection
1797 [20A-9-201](#)(8)(d) or [20A-9-803](#)(1)(d), as applicable.

1798 (5) By November 1 of each regular general election year, the lieutenant governor shall
1799 certify to each county clerk the names of all write-in candidates who filed their declaration of
1800 candidacy with the lieutenant governor.

1801 Section 27. Section [20A-9-701](#) is amended to read:

1802 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1803 (1) No later than August 31 of each regular general election year, the lieutenant
1804 governor shall certify to each county clerk, for offices to be voted upon at the regular general
1805 election in that county clerk's county:

1806 (a) the names of each candidate nominated [~~under Subsection [20A-9-202](#)(4) or~~
1807 ~~Subsection [20A-9-403](#)(5)] by a registered political party; and~~

1808 (b) the names of the candidates for president and vice president that are certified by the
1809 registered political party as the party's nominees.

1810 (2) The names shall be certified by the lieutenant governor and shall be displayed on
1811 the ballot as they are provided on the candidate's declaration of candidacy.

1812 (3) (a) Only candidates nominated by a class A, B, or C registered political party, in
1813 accordance with the requirements for the class of the registered political party, may appear on
1814 the ballot as affiliated with, endorsed by, or nominated by a political party or other political
1815 group.

1816 (b) No [other] names, other than the names of the candidates described in Subsection
1817 (3)(a), may appear on the ballot as affiliated with, endorsed by, or nominated by [any other
1818 registered political party,] a political party[;] or other political group.

1819 Section 28. Section [63I-2-220](#) is amended to read:

1820 **63I-2-220. Repeal dates -- Title 20A.**

1821 [~~(1) On January 1, 2021:~~]

1822 [~~(a) Subsection [20A-1-201.5](#)(1), the language that states "Except as provided in~~
1823 ~~Subsection (4)," is repealed.~~]

1824 [~~(b) Subsection 20A-1-201.5(4) is repealed.~~]

1825 [~~(c) Subsections 20A-1-204(1)(a)(i) through (iii) are repealed and replaced with the~~
1826 ~~following:~~]

1827 [~~"(i) the fourth Tuesday in June; or~~
1828 [~~(ii) the first Tuesday after the first Monday in November."~~]

1829 [~~(d) In Subsections 20A-1-503(4)(c), 20A-9-202(3)(a), 20A-9-403(3)(d)(ii),~~
1830 ~~20A-9-407(5) and (6)(a), and 20A-9-408(5), immediately following the reference to Subsection~~
1831 ~~20A-9-202(1)(b), the language that states "(i) or (ii)" is repealed.~~]

1832 [~~(e) Subsection 20A-9-202(1)(b) is repealed and replaced with the following:~~]

1833 [~~"(b) Unless expressly provided otherwise in this title, for a registered political party~~
1834 ~~that is not a qualified political party, the deadline for filing a declaration of candidacy for an~~
1835 ~~elective office that is to be filled at the next regular general election is 5 p.m. on the first~~
1836 ~~Monday after the third Saturday in April."~~]

1837 [~~(f) Subsection 20A-9-409(4)(c) is repealed and replaced with the following:~~]

1838 [~~"(c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after~~
1839 ~~the third Saturday in April."~~]

1840 (1) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is
1841 repealed January 1, 2026.

1842 [~~(2) Subsection 20A-5-803(8) is repealed July 1, 2023.~~
1843 [~~(3) Section 20A-5-804 is repealed July 1, 2023.~~
1844 [~~(4) On January 1, 2026:~~]

1845 [~~(a) In Subsection 20A-1-102(18)(a), the language that states "or Chapter 4, Part 6,~~
1846 ~~Municipal Alternate Voting Methods Pilot Project" is repealed.~~]

1847 [~~(b) In Subsections 20A-1-303(1)(a) and (b), the language that states "Except as~~
1848 ~~provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is~~
1849 ~~repealed.~~]

1850 [~~(c) In Section 20A-1-304, the language that states "Except for a race conducted by~~
1851 ~~instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods~~
1852 ~~Pilot Project," is repealed.~~]

1853 [~~(d) In Subsection 20A-3a-204(1)(a), (c), or (d), the language that states "except as~~
1854 ~~provided in Subsection (6)," is repealed.~~]

1855 [~~(e) Subsection 20A-3a-204(5)(b), the language that states "subject to Subsection (6),"~~
1856 ~~is repealed.~~]

1857 [~~(f) Subsection 20A-3a-204(6) is repealed and the remaining subsections in Section~~
1858 ~~20A-3a-204 are renumbered accordingly.~~]

1859 [~~(g) In Subsection 20A-4-101(2)(c), the language that states "Except as provided in~~
1860 ~~Subsection (2)(f)," is repealed.~~]

1861 [~~(h) Subsection 20A-4-101(2)(f) is repealed.~~]

1862 [~~(i) Subsection 20A-4-101(3) is repealed and replaced with the following:~~]

1863 [~~"(3) To resolve questions that arise during the counting of ballots, a counting judge~~
1864 ~~shall apply the standards and requirements of Section 20A-4-105."~~]

1865 [~~(j) In Subsection 20A-4-102(1)(b), the language that states "or a rule made under~~
1866 ~~Subsection 20A-4-101(2)(f)(i)" is repealed.~~]

1867 [~~(k) Subsection 20A-4-102(1)(c) is repealed and replaced with the following:~~]

1868 [~~"(b) To resolve questions that arise during the counting of ballots, a counting judge~~
1869 ~~shall apply the standards and requirements of Section 20A-4-105."~~]

1870 [~~(l) In Subsection 20A-4-102(6)(a), the language that states ", except as provided in~~
1871 ~~Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made under Subsection~~
1872 ~~20A-4-101(2)(f)(i)" is repealed.~~]

1873 [~~(m) In Subsection 20A-4-105(1)(a), the language that states ", except as otherwise~~
1874 ~~provided in Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.~~]

1875 [~~(n) In Subsection 20A-4-105(2), the language that states "Subsection 20A-3a-204(6),~~
1876 ~~or Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.~~]

1877 [~~(o) In Subsections 20A-4-105(3), (4), and (11), the language that states "Except as~~
1878 ~~otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.~~]

1879 [~~(p) In Subsection 20A-4-106(2), the language that states "or Title 20A, Chapter 4, Part~~
1880 ~~6, Municipal Alternate Voting Methods Pilot Project" is repealed.~~]

1881 [~~(q) In Subsection 20A-4-304(1)(a), the language that states "except as provided in Part~~
1882 ~~6, Municipal Alternate Voting Methods Pilot Project," is repealed.~~]

1883 [~~(r) Subsection 20A-4-304(2)(c) is repealed and replaced with the following:~~]

1884 [~~"(v) from each voting precinct:~~]

1885 [~~(A) the number of votes for each candidate; and]~~

- 1886 ~~[(B) the number of votes for and against each ballot proposition;"]~~
- 1887 ~~[(s) Subsection 20A-4-401(1)(a) is repealed, the remaining subsections in Subsection~~
- 1888 ~~(1) are renumbered accordingly, and the cross-references to those subsections are renumbered~~
- 1889 ~~accordingly.]~~
- 1890 ~~[(t) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is~~
- 1891 ~~repealed.]~~
- 1892 ~~[(u) Subsections 20A-5-400.1(1)(c) and (d), relating to contracting with a local~~
- 1893 ~~political subdivision to conduct an election, is repealed.]~~
- 1894 ~~[(v) In Section 20A-5-802, relating to the certification of voting equipment:]~~
- 1895 ~~[(i) delete "Except as provided in Subsection (2)(b)(ii)." from the beginning of~~
- 1896 ~~Subsection (2); and]~~
- 1897 ~~[(ii) Subsection (2)(b)(ii) is repealed, and the remaining subsections are renumbered~~
- 1898 ~~accordingly.]~~
- 1899 ~~[(w) Section 20A-6-203.5 is repealed.]~~
- 1900 ~~[(x) In Subsections 20A-6-402(1) and (2), the language that states "Except as otherwise~~
- 1901 ~~required for a race conducted by instant runoff voting under Title 20A, Chapter 4, Part 6,~~
- 1902 ~~Municipal Alternate Voting Methods Pilot Project," is repealed.]~~
- 1903 ~~[(y) In Subsection 20A-9-203(3)(a)(i), the language that states "or Title 20A, Chapter~~
- 1904 ~~4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.]~~
- 1905 ~~[(z) In Subsection 20A-9-203(3)(c)(i), the language that states "except as provided in~~
- 1906 ~~Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~
- 1907 ~~[(aa) In Subsection 20A-9-404(1)(a), the language that states "or Title 20A, Chapter 4,~~
- 1908 ~~Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.]~~
- 1909 ~~[(bb) In Subsection 20A-9-404(2), the language that states "Except as otherwise~~
- 1910 ~~provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is~~
- 1911 ~~repealed.]~~
- 1912 ~~[(5) Section 20A-7-407 is repealed January 1, 2021.]~~
- 1913 ~~[(6) Section 20A-1-310 is repealed January 1, 2021.]~~