

Representative Mike Winder proposes the following substitute bill:

RANKED-CHOICE VOTING AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Winder

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This bill requires ranked-choice voting to be used in certain multi-candidate races in primary elections.

Highlighted Provisions:

This bill:

- ▶ defines terms;
 - ▶ requires ranked-choice voting to be used for certain multi-candidate races in primary elections;
 - ▶ describes requirements for ranked-choice voting relating to the form of ballots, casting ballots, counting ballots, determining the nominees, and recording results;
- and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:



- 26 **20A-1-102**, as last amended by Laws of Utah 2020, Chapters 31, 49, 255, and 354
- 27 **20A-1-303**, as last amended by Laws of Utah 2018, Chapter 187
- 28 **20A-1-304**, as repealed and reenacted by Laws of Utah 2018, Chapter 187
- 29 **20A-3a-204**, as enacted by Laws of Utah 2020, Chapter 31
- 30 **20A-4-101**, as last amended by Laws of Utah 2020, Chapter 31
- 31 **20A-4-102**, as last amended by Laws of Utah 2020, Chapters 31 and 49
- 32 **20A-4-105**, as last amended by Laws of Utah 2020, Chapters 31 and 49
- 33 **20A-4-106**, as last amended by Laws of Utah 2020, Chapter 31
- 34 **20A-4-303**, as last amended by Laws of Utah 2020, Chapter 31
- 35 **20A-4-304**, as last amended by Laws of Utah 2021, First Special Session, Chapter 15
- 36 **20A-4-306**, as last amended by Laws of Utah 2019, Chapter 433
- 37 **20A-4-401**, as last amended by Laws of Utah 2020, Chapter 31
- 38 **20A-5-802**, as last amended by Laws of Utah 2019, Chapter 305
- 39 **20A-9-101**, as last amended by Laws of Utah 2020, Chapter 344
- 40 **20A-9-202**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6
- 41 **20A-9-402**, as last amended by Laws of Utah 1996, Second Special Session, Chapter 3
- 42 **20A-9-403**, as last amended by Laws of Utah 2020, Chapter 22
- 43 **20A-9-406**, as last amended by Laws of Utah 2020, Chapters 22, 31, and 49
- 44 **20A-9-409**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 45 **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296
- 46 **20A-9-806**, as last amended by Laws of Utah 2020, Chapter 31
- 47 **20A-9-809**, as last amended by Laws of Utah 2019, Chapter 433

48 ENACTS:

- 49 **20A-1-1001**, Utah Code Annotated 1953
- 50 **20A-1-1002**, Utah Code Annotated 1953
- 51 **20A-1-1003**, Utah Code Annotated 1953
- 52 **20A-1-1004**, Utah Code Annotated 1953
- 53 **20A-1-1005**, Utah Code Annotated 1953
- 54 **20A-1-1006**, Utah Code Annotated 1953
- 55 **20A-1-1007**, Utah Code Annotated 1953
- 56 **20A-1-1008**, Utah Code Annotated 1953

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

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

20A-1-102. Definitions.

As used in this title:

(1) "Active voter" means a registered voter who has not been classified as an inactive voter by the county clerk.

(2) "Automatic tabulating equipment" means apparatus that automatically examines and counts votes recorded on ballots and tabulates the results.

(3) (a) "Ballot" means the storage medium, including a paper, mechanical, or electronic storage medium, that records an individual voter's vote.

(b) "Ballot" does not include a record to tally multiple votes.

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

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

(b) a constitutional amendment;

(c) an initiative;

(d) a referendum;

(e) a bond proposition;

(f) a judicial retention question;

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

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

(5) "Bind," "binding," or "bound" means securing more than one piece of paper together using staples or another means in at least three places across the top of the paper in the blank space reserved for securing the paper.

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

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

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

88 (9) "Canvass" means the review of election returns and the official declaration of
89 election results by the board of canvassers.

90 (10) "Canvassing judge" means a poll worker designated to assist in counting ballots at
91 the canvass.

92 (11) "Contracting election officer" means an election officer who enters into a contract
93 or interlocal agreement with a provider election officer.

94 (12) "Convention" means the political party convention at which party officers and
95 delegates are selected.

96 (13) "Counting center" means one or more locations selected by the election officer in
97 charge of the election for the automatic counting of ballots.

98 (14) "Counting judge" means a poll worker designated to count the ballots during
99 election day.

100 (15) "Counting room" means a suitable and convenient private place or room for use
101 by the poll workers and counting judges to count ballots.

102 (16) "County officers" means those county officers that are required by law to be
103 elected.

104 (17) "Date of the election" or "election day" or "day of the election":

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

107 (b) does not include:

108 (i) deadlines established for voting by mail, military-overseas voting, or emergency
109 voting; or

110 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6, Early
111 Voting.

112 (18) "Elected official" means:

113 (a) ~~[a person]~~ an individual elected to an office under Section [20A-1-303](#), Chapter 1,
114 Part 10, Ranked-choice Voting or Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
115 Project;

116 (b) ~~[a person]~~ an individual who is considered to be elected to a municipal office in
117 accordance with Subsection [20A-1-206\(1\)\(c\)\(ii\)](#); or

118 (c) ~~[a person]~~ an individual who is considered to be elected to a local district office in

119 accordance with Subsection [20A-1-206\(3\)\(c\)\(ii\)](#).

120 (19) "Election" means a regular general election, a municipal general election, a
121 statewide special election, a local special election, a regular primary election, a municipal
122 primary election, and a local district election.

123 (20) "Election Assistance Commission" means the commission established by the Help
124 America Vote Act of 2002, Pub. L. No. 107-252.

125 (21) "Election cycle" means the period beginning on the first day ~~[persons are]~~ an
126 individual is eligible to file ~~[declarations]~~ a declaration of candidacy and ending when the
127 canvass is completed.

128 (22) "Election judge" means a poll worker that is assigned to:

- 129 (a) preside over other poll workers at a polling place;
130 (b) act as the presiding election judge; or
131 (c) serve as a canvassing judge, counting judge, or receiving judge.

132 (23) "Election officer" means:

- 133 (a) the lieutenant governor, for all statewide ballots and elections;
134 (b) the county clerk for:
135 (i) a county ballot and election; and
136 (ii) a ballot and election as a provider election officer as provided in Section

137 [20A-5-400.1](#) or [20A-5-400.5](#);

138 (c) the municipal clerk for:

- 139 (i) a municipal ballot and election; and
140 (ii) a ballot and election as a provider election officer as provided in Section

141 [20A-5-400.1](#) or [20A-5-400.5](#);

142 (d) the local district clerk or chief executive officer for:

- 143 (i) a local district ballot and election; and
144 (ii) a ballot and election as a provider election officer as provided in Section

145 [20A-5-400.1](#) or [20A-5-400.5](#); or

146 (e) the business administrator or superintendent of a school district for:

- 147 (i) a school district ballot and election; and
148 (ii) a ballot and election as a provider election officer as provided in Section

149 [20A-5-400.1](#) or [20A-5-400.5](#).

150 (24) "Election official" means any election officer, election judge, or poll worker.

151 (25) "Election results" means:

152 (a) for an election other than a bond election, the count of votes cast in the election and
153 the election returns requested by the board of canvassers; or

154 (b) for bond elections, the count of those votes cast for and against the bond
155 proposition plus any or all of the election returns that the board of canvassers may request.

156 (26) "Election returns" includes the pollbook, the military and overseas absentee voter
157 registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted
158 ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
159 the total votes cast form.

160 (27) "Electronic signature" means an electronic sound, symbol, or process attached to
161 or logically associated with a record and executed or adopted by [~~a person~~] an individual with
162 the intent to sign the record.

163 (28) "Inactive voter" means a registered voter who is listed as inactive by a county
164 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).

165 (29) "Judicial office" means the office filled by any judicial officer.

166 (30) "Judicial officer" means any justice or judge of a court of record or any county
167 court judge.

168 (31) "Local district" means a local government entity under Title 17B, Limited Purpose
169 Local Government Entities - Local Districts, and includes a special service district under Title
170 17D, Chapter 1, Special Service District Act.

171 (32) "Local district officers" means those local district board members that are required
172 by law to be elected.

173 (33) "Local election" means a regular county election, a regular municipal election, a
174 municipal primary election, a local special election, a local district election, and a bond
175 election.

176 (34) "Local political subdivision" means a county, a municipality, a local district, or a
177 local school district.

178 (35) "Local special election" means a special election called by the governing body of a
179 local political subdivision in which all registered voters of the local political subdivision may
180 vote.

181 (36) "Manual ballot" means a paper document produced by an election officer on
182 which an individual records an individual's vote by directly placing a mark on the paper
183 document using a pen or other marking instrument.

184 (37) "Mechanical ballot" means a record, including a paper record, electronic record, or
185 mechanical record, that:

186 (a) is created via electronic or mechanical means; and

187 (b) records an individual voter's vote cast via a method other than an individual directly
188 placing a mark, using a pen or other marking instrument, to record an individual voter's vote.

189 (38) "Multi-candidate race" means a race in a partisan regular primary election or a
190 presidential primary election, where the number of candidates who qualify for the race exceeds
191 two.

192 [~~38~~] (39) "Municipal executive" means:

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

194 (b) the mayor in the council-manager form of government defined in Subsection
195 10-3b-103(7); or

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

197 [~~39~~] (40) "Municipal general election" means the election held in municipalities and,
198 as applicable, local districts on the first Tuesday after the first Monday in November of each
199 odd-numbered year for the purposes established in Section 20A-1-202.

200 [~~40~~] (41) "Municipal legislative body" means:

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

202 (b) the council of a metro township.

203 [~~41~~] (42) "Municipal office" means an elective office in a municipality.

204 [~~42~~] (43) "Municipal officers" means those municipal officers that are required by
205 law to be elected.

206 [~~43~~] (44) "Municipal primary election" means an election held to nominate
207 candidates for municipal office.

208 [~~44~~] (45) "Municipality" means a city, town, or metro township.

209 [~~45~~] (46) "Official ballot" means the ballots distributed by the election officer for
210 voters to record their votes.

211 [~~46~~] (47) "Official endorsement" means the information on the ballot that identifies:

212 (a) the ballot as an official ballot;
213 (b) the date of the election; and
214 (c) (i) for a ballot prepared by an election officer other than a county clerk, the
215 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or
216 (ii) for a ballot prepared by a county clerk, the words required by Subsection
217 20A-6-301(1)(b)(iii).

218 ~~[(47)]~~ (48) "Official register" means the official record furnished to election officials
219 by the election officer that contains the information required by Section 20A-5-401.

220 ~~[(48)]~~ (49) "Political party" means an organization of registered voters that has
221 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party
222 Formation and Procedures.

223 ~~[(49)]~~ (50) (a) "Poll worker" means ~~[a person]~~ an individual assigned by an election
224 official to assist with an election, voting, or counting votes.

225 (b) "Poll worker" includes election judges.
226 (c) "Poll worker" does not include a watcher.

227 ~~[(50)]~~ (51) "Pollbook" means a record of the names of voters in the order that they
228 appear to cast votes.

229 ~~[(51)]~~ (52) "Polling place" means a building where voting is conducted.

230 ~~[(52)]~~ (53) "Position" means a square, circle, rectangle, or other geometric shape on a
231 ballot in which the voter marks the voter's choice.

232 ~~[(53)]~~ (54) "Presidential ~~[Primary Election]~~ primary election" means the election
233 established in Chapter 9, Part 8, Presidential Primary Election.

234 ~~[(54)]~~ (55) "Primary convention" means the political party conventions held during the
235 year of the regular general election.

236 ~~[(55)]~~ (56) "Protective counter" means a separate counter, which cannot be reset, that:
237 (a) is built into a voting machine; and
238 (b) records the total number of movements of the operating lever.

239 ~~[(56)]~~ (57) "Provider election officer" means an election officer who enters into a
240 contract or interlocal agreement with a contracting election officer to conduct an election for
241 the contracting election officer's local political subdivision in accordance with Section
242 20A-5-400.1.

243 ~~[(57)]~~ (58) "Provisional ballot" means a ballot voted provisionally by ~~[a person]~~ an
244 individual:

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

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

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

248 ~~[(58)]~~ (59) "Provisional ballot envelope" means an envelope printed in the form
249 required by Section 20A-6-105 that is used to identify provisional ballots and to provide
250 information to verify ~~[a person's]~~ an individual's legal right to vote.

251 ~~[(59)]~~ (60) (a) "Public figure" means an individual who, due to the individual being
252 considered for, holding, or having held a position of prominence in a public or private capacity,
253 or due to the individual's celebrity status, has an increased risk to the individual's safety.

254 (b) "Public figure" does not include an individual:

255 (i) elected to public office; or

256 (ii) appointed to fill a vacancy in an elected public office.

257 ~~[(60)]~~ (61) "Qualify" or "qualified" means to take the oath of office and begin
258 performing the duties of the position for which the individual was elected.

259 (62) "Ranked-choice voting" means an election method in which a voter may rank
260 candidates in order of the voter's preference and the candidate to be nominated or elected is
261 determined in accordance with the procedures described in Chapter 1, Part 10, Ranked-choice
262 Voting, or Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project.

263 ~~[(61)]~~ (63) "Receiving judge" means the poll worker that checks the voter's name in the
264 official register at a polling location and provides the voter with a ballot.

265 ~~[(62)]~~ (64) "Registration form" means a form by which an individual may register to
266 vote under this title.

267 ~~[(63)]~~ (65) "Regular ballot" means a ballot that is not a provisional ballot.

268 ~~[(64)]~~ (66) "Regular general election" means the election held throughout the state on
269 the first Tuesday after the first Monday in November of each even-numbered year for the
270 purposes established in Section 20A-1-201.

271 ~~[(65)]~~ (67) "Regular primary election" means the election, held on the date specified in
272 Section 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
273 local school board positions to advance to the regular general election.

274 [(66)] (68) "Resident" means [~~a person~~] an individual who resides within a specific
275 voting precinct in Utah.

276 [(67)] (69) "Return envelope" means the envelope, described in Subsection
277 20A-3a-202(4), provided to a voter with a manual ballot:

278 (a) into which the voter places the manual ballot after the voter has voted the manual
279 ballot in order to preserve the secrecy of the voter's vote; and

280 (b) that includes the voter affidavit and a place for the voter's signature.

281 [(68)] (70) "Sample ballot" means a mock ballot similar in form to the official ballot
282 printed and distributed as provided in Section 20A-5-405.

283 [(69)] (71) "Special election" means an election held as authorized by Section
284 20A-1-203.

285 [(70)] (72) "Spoiled ballot" means each ballot that:

286 (a) is spoiled by the voter;

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

288 (c) lacks the official endorsement.

289 [(71)] (73) "Statewide special election" means a special election called by the governor
290 or the Legislature in which all registered voters in Utah may vote.

291 [(72)] (74) "Tabulation system" means a device or system designed for the sole
292 purpose of tabulating votes cast by voters at an election.

293 [(73)] (75) "Ticket" means a list of:

294 (a) political parties;

295 (b) candidates for an office; or

296 (c) ballot propositions.

297 [(74)] (76) "Transfer case" means the sealed box used to transport voted ballots to the
298 counting center.

299 [(75)] (77) "Vacancy" means the absence of [~~a person~~] an individual to serve in any
300 position created by statute, whether that absence occurs because of death, disability,
301 disqualification, resignation, or other cause.

302 [(76)] (78) "Valid voter identification" means:

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

- 305 (i) a currently valid Utah driver license;
- 306 (ii) a currently valid identification card that is issued by:
 - 307 (A) the state; or
 - 308 (B) a branch, department, or agency of the United States;
- 309 (iii) a currently valid Utah permit to carry a concealed weapon;
- 310 (iv) a currently valid United States passport; or
- 311 (v) a currently valid United States military identification card;
- 312 (b) one of the following identification cards, whether or not the card includes a
313 photograph of the voter:
 - 314 (i) a valid tribal identification card;
 - 315 (ii) a Bureau of Indian Affairs card; or
 - 316 (iii) a tribal treaty card; or
 - 317 (c) two forms of identification not listed under Subsection [~~(76)~~] (78)(a) or (b) but that
318 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
319 which may include:
 - 320 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
321 election;
 - 322 (ii) a bank or other financial account statement, or a legible copy thereof;
 - 323 (iii) a certified birth certificate;
 - 324 (iv) a valid social security card;
 - 325 (v) a check issued by the state or the federal government or a legible copy thereof;
 - 326 (vi) a paycheck from the voter's employer, or a legible copy thereof;
 - 327 (vii) a currently valid Utah hunting or fishing license;
 - 328 (viii) certified naturalization documentation;
 - 329 (ix) a currently valid license issued by an authorized agency of the United States;
 - 330 (x) a certified copy of court records showing the voter's adoption or name change;
 - 331 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
 - 332 (xii) a currently valid identification card issued by:
 - 333 (A) a local government within the state;
 - 334 (B) an employer for an employee; or
 - 335 (C) a college, university, technical school, or professional school located within the

336 state; or

337 (xiii) a current Utah vehicle registration.

338 [~~(77)~~] (79) "Valid write-in candidate" means a candidate who has qualified as a
339 write-in candidate by following the procedures and requirements of this title.

340 [~~(78)~~] (80) "Vote by mail" means to vote, using a manual ballot that is mailed to the
341 voter, by:

342 (a) mailing the ballot to the location designated in the mailing; or

343 (b) depositing the ballot in a ballot drop box designated by the election officer.

344 [~~(79)~~] (81) "Voter" means an individual who:

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

346 (b) meets the requirements of election registration;

347 (c) is registered to vote; and

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

349 [~~(80)~~] (82) "Voter registration deadline" means the registration deadline provided in
350 Section [20A-2-102.5](#).

351 [~~(81)~~] (83) "Voting area" means the area within six feet of the voting booths, voting
352 machines, and ballot box.

353 [~~(82)~~] (84) "Voting booth" means:

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

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

357 [~~(83)~~] (85) "Voting device" means any device provided by an election officer for a
358 voter to vote a mechanical ballot.

359 [~~(84)~~] (86) "Voting precinct" means the smallest geographical voting unit, established
360 under Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

361 [~~(85)~~] (87) "Watcher" means an individual who complies with the requirements
362 described in Section [20A-3a-801](#) to become a watcher for an election.

363 [~~(86)~~] (88) "Write-in ballot" means a ballot containing any write-in votes.

364 [~~(87)~~] (89) "Write-in vote" means a vote cast for an individual, whose name is not
365 printed on the ballot, in accordance with the procedures established in this title.

366 Section 2. Section **20A-1-303** is amended to read:

367 **20A-1-303. Determining results.**

368 (1) (a) Except as provided in [~~Title 20A,~~] Chapter 1, Part 10, Ranked-choice Voting, or
369 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when one [~~person~~]
370 individual is to be elected or nominated, the [~~person~~] individual receiving the highest number
371 of votes at any:

- 372 (i) election for any office to be filled at that election is elected to that office; and
- 373 (ii) primary for nomination for any office is nominated for that office.

374 (b) Except as provided in [~~Title 20A,~~] Chapter 1, Part 10, Ranked-choice Voting, or
375 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when more than one
376 [~~person~~] individual is to be elected or nominated, the [~~persons~~] individuals receiving the
377 highest number of votes at any:

- 378 (i) election for any office to be filled at that election are elected to that office; and
- 379 (ii) primary for nomination for any office are nominated for that office.

380 (2) Any ballot proposition submitted to voters for their approval or rejection:

- 381 (a) passes if the number of "yes" votes is greater than the number of "no" votes; and
- 382 (b) fails if:

- 383 (i) the number of "yes" votes equal the number of "no" votes; or
- 384 (ii) the number of "no" votes is greater than the number of "yes" votes.

385 Section 3. Section **20A-1-304** is amended to read:

386 **20A-1-304. Tie votes.**

387 Except for a [~~race conducted by instant runoff voting under Title 20A,~~] multi-candidate
388 race conducted by ranked-choice voting under Chapter 1, Part 10, Ranked-choice Voting, or
389 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, if two or more candidates
390 for a position have an equal and the highest number of votes for any office, the election officer
391 shall, in a public meeting held within 30 days after the day on which the canvass is completed,
392 determine the candidate selected, by lot, in the presence of each candidate subject to the tie.

393 Section 4. Section **20A-1-1001** is enacted to read:

394 **Part 10. Ranked-choice Voting**

395 **20A-1-1001. Definitions.**

396 As used in this part:

- 397 (1) "Candidate amplifier" means the product of:

398 (a) two less than the total number of candidates in a given canvassing phase of a
399 multi-candidate race; and

400 (b) .02%.

401 (2) "Recount threshold" means the sum of the candidate amplifier and the following:

402 (a) for a canvassing phase in which fewer than 100 valid votes are counted, 0.21%;

403 (b) for a canvassing phase in which at least 100, but fewer than 500, valid votes are
404 counted, 0.19%;

405 (c) for a canvassing phase in which at least 500, but fewer than 1,000, valid votes are
406 counted, 0.17%;

407 (d) for a canvassing phase in which at least 1,000, but fewer than 5,000, valid votes are
408 counted, 0.15%;

409 (e) for a canvassing phase in which at least 5,000, but fewer than 10,000, valid votes
410 are counted, 0.13%; and

411 (f) for a canvassing phase in which 10,000 or more valid votes are counted, 0.11%.

412 (3) "Valid" means that the ballot is marked in a manner that permits the vote to be
413 counted during the applicable ballot-counting phase.

414 Section 5. Section **20A-1-1002** is enacted to read:

415 **20A-1-1002. Ranked-choice voting.**

416 An election official shall conduct a multi-candidate race held during a presidential
417 primary election or a partisan regular primary election by ranked-choice voting in accordance
418 with the requirements of this part.

419 Section 6. Section **20A-1-1003** is enacted to read:

420 **20A-1-1003. Determining ranked-choice voting results -- Presidential and**
421 **partisan regular primary elections.**

422 (1) This section applies to a multi-candidate race held during a presidential primary
423 election or a partisan regular primary election.

424 (2) For a race described in Subsection (1), the election officer shall:

425 (a) (i) conduct the first ballot-counting phase by counting the first valid preference
426 votes for each candidate; and

427 (ii) if, after complying with Section [20A-1-1004](#), one of the candidates receives more
428 than 50% of the first valid preference votes counted, declare that candidate nominated;

429 (b) if, after counting the first valid preference votes for each candidate, and complying
430 with Section 20A-1-1004, no candidate receives more than 50% of the first valid preference
431 votes counted, conduct the second ballot-counting phase by:

432 (i) excluding from the multi-candidate race:

433 (A) the candidate who receives the fewest first valid preference votes counted; or

434 (B) in the event of a tie for the fewest first valid preference votes counted, one of the
435 tied candidates, determined by the election officer, by lot, in accordance with Section
436 20A-1-1005;

437 (ii) adding, to the first valid preference votes counted for the remaining candidates, the
438 second valid preference votes cast for the remaining candidates by the voters who cast a first
439 valid preference vote for the excluded candidate; and

440 (iii) if, after adding the votes in accordance with Subsection (2)(b)(ii) and complying
441 with Section 20A-1-1004, one candidate receives more than 50% of the valid votes counted,
442 declaring that candidate nominated; and

443 (c) if, after adding the second valid preference votes in accordance with Subsection
444 (2)(b)(ii) and complying with Section 20A-1-1004, no candidate receives more than 50% of the
445 valid votes counted, conduct subsequent ballot-counting phases by continuing the process
446 described in Subsection (2)(b) until a candidate receives more than 50% of the valid votes
447 counted, as follows:

448 (i) after complying with Section 20A-1-1004, excluding from consideration the
449 candidate who receives the fewest valid votes counted or, in the event of a tie for the fewest
450 valid votes counted, excluding one of the tied candidates, by lot, in accordance with Section
451 20A-1-1005;

452 (ii) adding the next valid preference vote cast by each voter whose vote was counted
453 for the last excluded candidate to one of the remaining candidates, in the order of the next
454 preference indicated by the voter; and

455 (iii) after complying with Section 20A-1-1004:

456 (A) declaring the first candidate who receives more than 50% of the valid votes
457 counted under the process described in Subsections (2)(c)(i) and (ii) nominated; or

458 (B) if the last two remaining candidates tie, breaking the tie, by lot, in accordance with
459 Section 20A-1-1005, and declaring the winner of the tie break nominated.

460 Section 7. Section **20A-1-1004** is enacted to read:

461 **20A-1-1004. Recount for ranked-choice voting.**

462 Except as provided in Subsection [20A-1-1006\(2\)](#), a recount is required before
463 excluding a candidate from a race under Section [20A-1-1003](#) if the difference between the
464 number of votes counted for the candidate who receives the fewest valid votes in the applicable
465 ballot-counting phase of the race and the number of votes counted for any other candidate in
466 the same ballot-counting phase is equal to or less than the product of the following, rounded up
467 to the nearest whole number:

468 (1) the total number of voters who cast a valid vote counted in that ballot-counting
469 phase; and

470 (2) the recount threshold.

471 Section 8. Section **20A-1-1005** is enacted to read:

472 **20A-1-1005. Breaking a tie vote for ranked-choice voting.**

473 (1) For a race conducted under this part, the election officer shall break a tie, by lot, in
474 the manner determined by the election officer, in accordance with Subsection (2).

475 (2) The election officer shall:

476 (a) cast or draw the lot in the presence of at least two election officials and any
477 counting poll watchers who are present and desire to witness the casting or drawing of the lot;
478 and

479 (b) sign a public document that identifies:

480 (i) the tied individuals for whom the lots are cast or drawn;

481 (ii) the time, date, and place of the casting or drawing of the lot;

482 (iii) the race and, if applicable, the ballot-counting phase of the election for which the
483 tie is broken;

484 (iv) the method used for casting or drawing the lot;

485 (v) the result of the lot; and

486 (vi) the name of the election officer, election officials, and counting poll watchers who
487 witnessed the casting or drawing of the lot.

488 Section 9. Section **20A-1-1006** is enacted to read:

489 **20A-1-1006. Batch elimination.**

490 (1) In a ballot count conducted under Section [20A-1-1003](#), the election officer may

491 exclude candidates through batch elimination by, instead of excluding only one candidate in a
492 ballot-counting phase, excluding each candidate:

493 (a) for which the number of remaining candidates with more valid votes than that
494 candidate is greater than or equal to the number of candidates to be nominated or elected; and

495 (b) (i) for which the number of valid votes counted for the candidate in the phase plus
496 the number of votes counted for all candidates with fewer valid votes in the phase is less than
497 the number of valid votes for the candidate with the next highest amount of valid votes in the
498 phase; or

499 (ii) who has fewer valid votes in the phase than a candidate who is excluded under
500 Subsection (1)(b)(i).

501 (2) The requirement for a recount before excluding a candidate under Section
502 20A-1-1003 does not apply to a candidate who is excluded through batch elimination.

503 Section 10. Section **20A-1-1007** is enacted to read:

504 **20A-1-1007. Validity of vote.**

505 (1) As used in this section, "withdrawn candidate" means:

506 (a) except as provided in Subsection (1)(b), a candidate in a multi-candidate race who
507 complies with the requirements of Subsection 20A-9-202(6) before the date of the election; or

508 (b) for a multi-candidate race in a presidential primary election, a candidate who,
509 before the date of the presidential primary election, files with the lieutenant governor, in person
510 or via a designated agent, a confirmation of the candidate's withdrawal signed by the candidate
511 and the national and state chairs of the candidate's registered political party.

512 (2) A vote is not valid for a particular phase of a race conducted by ranked-choice
513 voting under Section 20A-1-1003, and for all subsequent phases, if the voter indicates the same
514 rank for more than one candidate for that phase.

515 (3) In a race conducted by ranked-choice voting under Section 20A-1-1003:

516 (a) a preference vote cast for a fifth or greater preference is not valid, but the previous
517 preference votes are valid if the ballot is otherwise marked in accordance with the requirements
518 of this part; and

519 (b) a preference vote cast for a withdrawn candidate is not valid, but previous and
520 subsequent preference votes are valid if the ballot is otherwise marked in accordance with the
521 requirements of this part.

522 Section 11. Section **20A-1-1008** is enacted to read:

523 **20A-1-1008. Ranked-choice voting ballot.**

524 If, in an election, at least one of the races is conducted by ranked-choice voting under
525 this part, the portion of the ballot relating to that race shall:

526 (1) include:

527 (a) instructions to voters that clearly indicate how to rank candidates in order of the
528 voter's preference; and

529 (b) the words "Vote for up to _____ (the number of candidates for which the voter may
530 vote) in order of preference";

531 (2) list each candidate who qualifies to be placed on the election ballot for that race;

532 (3) opposite each candidate's name, include a place where a voter may indicate the
533 voter's vote in order of preference for each candidate, as described in Sections [20A-1-1003](#) and
534 [20A-3a-204](#);

535 (a) for each candidate, if there are four or fewer candidates for the nomination or
536 office; or

537 (b) for up to four candidates, if there are five or more candidates for the nomination or
538 office; and

539 (4) provide the ability for a voter to enter a write-in candidate's name and indicate the
540 voter's ordered preference for the write-in candidate.

541 Section 12. Section **20A-3a-204** is amended to read:

542 **20A-3a-204. Marking and depositing ballots.**

543 (1) To vote by mail:

544 (a) except as provided in Subsection (6), the voter shall prepare the voter's manual
545 ballot by marking the appropriate space with a mark opposite the name of each candidate of the
546 voter's choice for each office to be filled;

547 (b) if a ballot proposition is submitted to a vote of the people, the voter shall mark the
548 appropriate space with a mark opposite the answer the voter intends to make;

549 (c) except as provided in Subsection (6), the voter shall record a write-in vote in
550 accordance with Subsection [20A-3a-206](#)(1);

551 (d) except as provided in Subsection (6), a mark is not required opposite the name of a
552 write-in candidate; and

- 553 (e) the voter shall:
- 554 (i) complete and sign the affidavit on the return envelope;
- 555 (ii) place the voted ballot in the return envelope;
- 556 (iii) securely seal the return envelope; and
- 557 (iv) (A) attach postage, if necessary, and deposit the return envelope in the mail; or
- 558 (B) place the return envelope in a ballot drop box, designated by the election officer,
- 559 for the precinct where the voter resides.
- 560 (2) (a) Except as otherwise provided in Section [20A-16-404](#), to be valid, a ballot that is
- 561 mailed must be:
- 562 (i) clearly postmarked before election day, or otherwise clearly marked by the post
- 563 office as received by the post office before election day; and
- 564 (ii) received in the office of the election officer before noon on the day of the official
- 565 canvass following the election.
- 566 (b) Except as provided in Subsection (2)(c), to be valid, a ballot shall, before the polls
- 567 close on election day, be deposited in:
- 568 (i) a ballot box at a polling place; or
- 569 (ii) a ballot drop box designated by an election officer for the jurisdiction to which the
- 570 ballot relates.
- 571 (c) An election officer may, but is not required to, forward a ballot deposited in a ballot
- 572 drop box in the wrong jurisdiction to the correct jurisdiction.
- 573 (d) An election officer shall ensure that a voter who is, at or before 8 p.m., in line at a
- 574 ballot drop box, with a sealed return envelope containing a ballot in the voter's possession, to
- 575 deposit the ballot in the ballot drop box.
- 576 (3) Except as provided in Subsection (4), to vote at a polling place the voter shall, after
- 577 complying with Subsections (1)(a) through (d):
- 578 (a) sign the official register or pollbook; and
- 579 (b) (i) place the ballot in the ballot box; or
- 580 (ii) if the ballot is a provisional ballot, place the ballot in the provisional ballot
- 581 envelope, complete the information printed on the provisional ballot envelope, and deposit the
- 582 provisional ballot envelope in the provisional ballot box.
- 583 (4) (a) An individual with a disability may vote a mechanical ballot at a polling place.

584 (b) An individual other than an individual with a disability may vote a mechanical
585 ballot at a polling place if permitted by the election officer.

586 (5) To vote a mechanical ballot, the voter shall:

587 (a) make the selections according to the instructions provided for the voting device;
588 and

589 (b) subject to Subsection (6), record a write-in vote by:

590 (i) selecting the appropriate position for entering a write-in candidate; and

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

593 (6) (a) To vote in a race conducted by ranked-choice voting under Chapter 1, Part 10,
594 Ranked-choice Voting, a voter:

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

597 (ii) may indicate, as directed on the ballot:

598 (A) if there are four or fewer candidates for the nomination, the names of the remaining
599 candidates in order of the voter's preference; or

600 (B) if there are five or more candidates for the nomination, the names of up to three of
601 the remaining candidates in order of the voter's preference.

602 ~~[(6)]~~ (b) To vote in an instant runoff voting race under ~~[Title 20A,]~~ Chapter 4, Part 6,
603 Municipal Alternate Voting Methods Pilot Project, a voter:

604 ~~[(a)]~~ (i) shall indicate, as directed on the ballot, the name of the candidate who is the
605 voter's first preference for the office; and

606 ~~[(b)]~~ (ii) may indicate, as directed on the ballot, the names of the remaining candidates
607 in order of the voter's preference.

608 (7) A voter who votes at a polling place:

609 (a) shall mark and cast or deposit the ballot without delay and shall leave the voting
610 area after voting; and

611 (b) may not:

612 (i) occupy a voting booth occupied by another, except as provided in Section
613 [20A-3a-208](#);

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

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

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

619 (9) A poll worker may not, at a polling place, allow more than four voters more than
620 the number of voting booths into the voting area at one time unless those excess voters are:

- 621 (a) election officials;
- 622 (b) watchers; or
- 623 (c) assisting voters with a disability.

624 Section 13. Section **20A-4-101** is amended to read:

625 **20A-4-101. Manual ballots cast at a polling place -- Counting manual ballots at**
626 **polling place on day of election before polls close.**

627 (1) Each county legislative body, municipal legislative body, and each poll worker
628 shall comply with the requirements of this section when counting manual ballots on the day of
629 an election, if:

- 630 (a) the ballots are cast at a polling place; and
- 631 (b) the ballots are counted at the polling place before the polls close.

632 (2) (a) Each county legislative body or municipal legislative body shall provide:

- 633 (i) two sets of ballot boxes for all voting precincts where both receiving and counting
634 judges have been appointed; and
- 635 (ii) a counting room for the use of the poll workers counting the ballots during the day.
- 636 (b) At any election in any voting precinct in which both receiving and counting judges
637 have been appointed, when at least 20 votes have been cast, the receiving judges shall:
 - 638 (i) close the first ballot box and deliver it to the counting judges; and
 - 639 (ii) prepare and use another ballot box to receive voted ballots.

640 (c) Except as provided in Subsection (2)(f), upon receipt of the ballot box, the counting
641 judges shall:

- 642 (i) take the ballot box to the counting room;
- 643 (ii) count the votes on the regular ballots in the ballot box;
- 644 (iii) place the provisional ballot envelopes in the envelope or container provided for
645 them for return to the election officer; and

646 (iv) when they have finished counting the votes in the ballot box, return the emptied
647 box to the receiving judges.

648 (d) (i) During the course of election day, whenever there are at least 20 ballots
649 contained in a ballot box, the receiving judges shall deliver that ballot box to the counting
650 judges for counting; and

651 (ii) the counting judges shall immediately count the regular ballots and segregate the
652 provisional ballots contained in that box.

653 (e) The counting judges shall continue to exchange the ballot boxes and count ballots
654 until the polls close.

655 (f) (i) The director of elections within the Office of the Lieutenant Governor shall make
656 rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
657 describing the procedures that a counting judge is required to follow for counting ballots in a
658 race conducted by ranked-choice voting under Chapter 1, Part 10, Ranked-choice Voting, or an
659 instant runoff voting race under [Title 20A,] Chapter 4, Part 6, Municipal Alternate Voting
660 Methods Pilot Project.

661 (ii) When counting ballots in a race conducted by ranked-choice voting under Chapter
662 1, Part 10, Ranked-choice Voting, a counting judge shall comply with the procedures
663 established under Subsection (2)(f)(i) and Chapter 1, Part 10, Ranked-choice Voting.

664 [(ii)] (iii) When counting ballots in an instant runoff voting race described in [Title
665 20A,] Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, a counting judge
666 shall comply with the procedures established under Subsection (2)(f)(i) and [Title 20A,]
667 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project.

668 (3) To resolve questions that arise during the counting of ballots, a counting judge shall
669 apply the standards and requirements of:

670 (a) to the extent applicable, Section 20A-4-105; and

671 (b) as applicable[;];

672 (i) for a race conducted by ranked-choice voting under Chapter 1, Part 10,
673 Ranked-choice Voting, Section 20A-1-1007; or

674 (ii) for an instant runoff voting race under [Title 20A,] Chapter 4, Part 6, Municipal
675 Alternate Voting Methods Pilot Project, Subsection 20A-4-603(3).

676 Section 14. Section 20A-4-102 is amended to read:

677 **20A-4-102. Manual ballots cast at a polling place -- Counting manual ballots at**
678 **polling place on day of election after polls close.**

679 (1) (a) This section governs counting manual ballots on the day of an election, if:

680 (i) the ballots are cast at a polling place; and

681 (ii) the ballots are counted at the polling place after the polls close.

682 (b) Except as provided in Subsection (2) or a rule made under Subsection

683 [20A-4-101](#)(2)(f)(i), as soon as the polls have been closed and the last qualified voter has voted,

684 the election judges shall count the ballots by performing the tasks specified in this section in

685 the order that they are specified.

686 (c) To resolve questions that arise during the counting of ballots, a counting judge shall
687 apply the standards and requirements of:

688 (i) to the extent applicable, Section [20A-4-105](#); and

689 (ii) as applicable[;];

690 (A) for a race conducted by ranked-choice voting under Chapter 1, Part 10,

691 Ranked-choice Voting, Section [20A-1-1007](#); or

692 (B) for an instant runoff voting race under Part 6, Municipal Alternate Voting Methods

693 Pilot Project, Subsection [20A-4-603](#)(3).

694 (2) (a) First, the election judges shall count the number of ballots in the ballot box.

695 (b) (i) If there are more ballots in the ballot box than there are names entered in the
696 pollbook, the judges shall examine the official endorsements on the ballots.

697 (ii) If, in the unanimous opinion of the judges, any of the ballots do not bear the proper
698 official endorsement, the judges shall put those ballots in an excess ballot file and not count
699 them.

700 (c) (i) If, after examining the official endorsements, there are still more ballots in the
701 ballot box than there are names entered in the pollbook, the judges shall place the remaining
702 ballots back in the ballot box.

703 (ii) One of the judges, without looking, shall draw a number of ballots equal to the
704 excess from the ballot box.

705 (iii) The judges shall put those excess ballots into the excess ballot envelope and not
706 count them.

707 (d) When the ballots in the ballot box equal the number of names entered in the

708 pollbook, the judges shall count the votes.

709 (3) The judges shall:

710 (a) place all unused ballots in the envelope or container provided for return to the
711 county clerk or city recorder; and

712 (b) seal that envelope or container.

713 (4) The judges shall:

714 (a) place all of the provisional ballot envelopes in the envelope provided for them for
715 return to the election officer; and

716 (b) seal that envelope or container.

717 (5) (a) In counting the votes, the election judges shall read and count each ballot
718 separately.

719 (b) In regular primary elections the judges shall:

720 (i) count the number of ballots cast for each party;

721 (ii) place the ballots cast for each party in separate piles; and

722 (iii) count all the ballots for one party before beginning to count the ballots cast for
723 other parties.

724 (6) (a) In all elections, the counting judges shall, except as provided in Chapter 1, Part
725 10, Ranked-choice Voting, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule
726 made under Subsection [20A-4-101\(2\)\(f\)\(i\)](#):

727 (i) count one vote for each candidate designated by the marks in the squares next to the
728 candidate's name;

729 (ii) count each vote for each write-in candidate who has qualified by filing a
730 declaration of candidacy under Section [20A-9-601](#);

731 (iii) read every name marked on the ballot and mark every name upon the tally sheets
732 before another ballot is counted;

733 (iv) evaluate each ballot and each vote based on the standards and requirements of
734 Section [20A-4-105](#);

735 (v) write the word "spoiled" on the back of each ballot that lacks the official
736 endorsement and deposit it in the spoiled ballot envelope; and

737 (vi) read, count, and record upon the tally sheets the votes that each candidate and
738 ballot proposition received from all ballots, except excess or spoiled ballots.

739 (b) Election judges need not tally write-in votes for fictitious persons, nonpersons, or
740 persons clearly not eligible to qualify for office.

741 (c) The judges shall certify to the accuracy and completeness of the tally list in the
742 space provided on the tally list.

743 (d) When the judges have counted all of the voted ballots, they shall record the results
744 on the total votes cast form.

745 (7) Only an election judge and a watcher may be present at the place where counting is
746 conducted until the count is completed.

747 Section 15. Section **20A-4-105** is amended to read:

748 **20A-4-105. Standards and requirements for evaluating voter's ballot choice.**

749 (1) (a) An election officer shall ensure that when a question arises regarding a vote
750 recorded on a manual ballot, two counting judges jointly adjudicate the ballot, except as
751 otherwise provided in Chapter 1, Part 10, Ranked-choice Voting, or Part 6, Municipal
752 Alternate Voting Methods Pilot Project, in accordance with the requirements of this section.

753 (b) If the counting judges disagree on the disposition of a vote recorded on a ballot that
754 is adjudicated under this section, the counting judges may not count the vote.

755 (2) Except as provided in Subsection (10), Chapter 1, Part 10, Ranked-choice Voting,
756 Subsection 20A-3a-204(6), or Part 6, Municipal Alternate Voting Methods Pilot Project, if a
757 voter marks more names than there are individuals to be elected to an office, or if the counting
758 judges cannot determine a voter's choice for an office, the counting judges may not count the
759 voter's vote for that office.

760 (3) Except as otherwise provided in Chapter 1, Part 10, Ranked-choice Voting, or Part
761 6, Municipal Alternate Voting Methods Pilot Project, the counting judges shall count a
762 defective or incomplete mark on a manual ballot if:

763 (a) the defective or incomplete mark is in the proper place; and

764 (b) there is no other mark or cross on the ballot indicating the voter's intent to vote
765 other than as indicated by the incomplete or defective mark.

766 (4) Except as otherwise provided in Chapter 1, Part 10, Ranked-choice Voting, or Part
767 6, Municipal Alternate Voting Methods Pilot Project, the counting judges may not reject a
768 ballot marked by the voter because of marks on the ballot other than those marks allowed by
769 this section unless the extraneous marks on a ballot show an intent by an individual to mark the

770 individual's ballot so that the individual's ballot can be identified.

771 (5) (a) In counting the ballots, the counting judges shall give full consideration to the
772 intent of the voter.

773 (b) The counting judges may not invalidate a ballot because of mechanical or technical
774 defects in voting or failure on the part of the voter to follow strictly the rules for balloting
775 required by Chapter 3a, Voting.

776 (6) The counting judges may not reject a ballot because of an error in:

777 (a) stamping or writing an official endorsement; or

778 (b) delivering the wrong ballots to a polling place.

779 (7) The counting judges may not count a manual ballot that does not have the official
780 endorsement by an election officer.

781 (8) The counting judges may not count a ballot proposition vote or candidate vote for
782 which the voter is not legally entitled to vote, as defined in Section [20A-4-107](#).

783 (9) If the counting judges discover that the name of a candidate is misspelled on a
784 ballot, or that the initial letters of a candidate's given name are transposed or omitted in whole
785 or in part on a ballot, the counting judges shall count a voter's vote for the candidate if it is
786 apparent that the voter intended to vote for the candidate.

787 (10) The counting judges shall count a vote for the president and the vice president of
788 any political party as a vote for the presidential electors selected by the political party.

789 (11) Except as otherwise provided in Chapter 1, Part 10, Ranked-choice Voting, or Part
790 6, Municipal Alternate Voting Methods Pilot Project, in counting the valid write-in votes, if, by
791 casting a valid write-in vote, a voter has cast more votes for an office than that voter is entitled
792 to vote for that office, the counting judges shall count the valid write-in vote as being the
793 obvious intent of the voter.

794 Section 16. Section **20A-4-106** is amended to read:

795 **20A-4-106. Manual ballots -- Sealing.**

796 (1) After the official canvas of an election, the election officer shall store all election
797 returns in containers that identify the containers' contents.

798 (2) After the ballots are stored under Subsection (1), the ballots may not be examined
799 by anyone, except when examined during a recount conducted under the authority of Section

800 [~~20A-4-401~~ or Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project]

801 [20A-1-1004](#), [20A-4-401](#), or [20A-4-603](#).

802 Section 17. Section **20A-4-303** is amended to read:

803 **20A-4-303. Duties of the board of canvassers -- Canvassing the returns.**

804 (1) (a) Before the board of canvassers convenes, the election officer shall:

805 (i) count the ballots;

806 (ii) prepare a certified summary of:

807 (A) all ballots counted; and

808 (B) all ballots not counted, with an explanation regarding the reason the ballots were

809 not counted; and

810 (iii) make available to the board of canvassers for inspection, all ballots, registers,

811 books, and forms related to the election.

812 (b) The board of canvassers shall canvass the election returns by publicly:

813 (i) reviewing the summary reports prepared by the election officer and any ballots,

814 registers, books, or forms requested by the board of canvassers; and

815 (ii) certifying the votes cast:

816 (A) each ~~person~~ individual voted for; and

817 (B) for and against each ballot proposition voted upon at the election.

818 (c) The board of canvassers shall, once having begun the canvass, continue until it is

819 completed.

820 (2) In canvassing returns, the board of canvassers may not:

821 (a) reject any election returns if the board can determine the number of votes cast for

822 each ~~person~~ individual from it;

823 (b) reject any election returns if the election returns:

824 (i) do not show who administered the oath to the judges of election;

825 (ii) show that the election judges failed to fill out all the certificates in the pollbooks; or

826 (iii) show that the election judges failed to do or perform any other act in preparing the

827 returns that is not essential to determine for whom the votes were cast; or

828 (c) reject any returns from any voting precinct that do not conform with the

829 requirements for making, certifying, and returning the returns if those returns are sufficiently

830 explicit to enable the board of canvassers to determine the number of votes cast for each

831 ~~person~~ individual and for and against each ballot proposition.

832 (3) (a) If it clearly appears to the election officer and board of canvassers that certain
833 matters are omitted or that clerical mistakes exist in election returns received, the election
834 officer shall correct the omissions and mistakes.

835 (b) The clerk and the board of canvassers may adjourn from day to day to await receipt
836 of corrected election material.

837 (4) If a recount is conducted as authorized by Section [~~20A-4-401~~] [20A-1-1004](#),
838 [20A-4-401](#), or [20A-4-603](#), the board of canvassers shall canvass the results of that recount as
839 provided in this section and [~~Section 20A-4-401~~], as applicable, Section [20A-1-1004](#),
840 [20A-4-401](#), or [20A-4-603](#).

841 Section 18. Section **20A-4-304** is amended to read:

842 **20A-4-304. Declaration of results -- Canvassers' report.**

843 (1) Each board of canvassers shall:

844 (a) except as provided in Chapter 1, Part 10, Ranked-choice Voting, or Part 6,
845 Municipal Alternate Voting Methods Pilot Project, declare "elected" or "nominated" those
846 [~~persons~~] individuals who:

847 (i) had the highest number of votes; and

848 (ii) sought election or nomination to an office completely within the board's
849 jurisdiction;

850 (b) declare:

851 (i) "approved" those ballot propositions that:

852 (A) had more "yes" votes than "no" votes; and

853 (B) were submitted only to the voters within the board's jurisdiction;

854 (ii) "rejected" those ballot propositions that:

855 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes"
856 votes; and

857 (B) were submitted only to the voters within the board's jurisdiction;

858 (c) certify the vote totals for [~~persons~~] individuals and for and against ballot
859 propositions that were submitted to voters within and beyond the board's jurisdiction and
860 transmit those vote totals to the lieutenant governor; and

861 (d) if applicable, certify the results of each local district election to the local district
862 clerk.

- 863 (2) As soon as the result is declared, the election officer shall prepare a report of the
864 result, which shall contain:
- 865 (a) the total number of votes cast in the board's jurisdiction;
 - 866 (b) the names of each candidate whose name appeared on the ballot;
 - 867 (c) the title of each ballot proposition that appeared on the ballot;
 - 868 (d) each office that appeared on the ballot;
 - 869 (e) from each voting precinct:
 - 870 (i) the number of votes for each candidate;
 - 871 (ii) for each race conducted by ranked-choice voting under Chapter 1, Part 10,
872 Ranked-choice Voting, or instant runoff voting under Part 6, Municipal Alternate Voting
873 Methods Pilot Project, the number of valid votes cast for each candidate for each potential
874 ballot-counting phase and the name of the candidate excluded in each canvassing phase; and
 - 875 (iii) the number of votes for and against each ballot proposition;
 - 876 (f) the total number of votes given in the board's jurisdiction to each candidate, and for
877 and against each ballot proposition;
 - 878 (g) the number of ballots that were rejected; and
 - 879 (h) a statement certifying that the information contained in the report is accurate.
- 880 (3) The election officer and the board of canvassers shall:
- 881 (a) review the report to ensure that it is correct; and
 - 882 (b) sign the report.
- 883 (4) The election officer shall:
- 884 (a) record or file the certified report in a book kept for that purpose;
 - 885 (b) prepare and transmit a certificate of nomination or election under the officer's seal
886 to each nominated or elected candidate;
 - 887 (c) publish a copy of the certified report in accordance with Subsection (5); and
 - 888 (d) file a copy of the certified report with the lieutenant governor.
- 889 (5) Except as provided in Subsection (6), the election officer shall, no later than seven
890 days after the day on which the board of canvassers declares the election results, publicize the
891 certified report described in Subsection (2):
- 892 (a) (i) by publishing notice at least once in a newspaper of general circulation within
893 the jurisdiction;

894 (ii) by posting one notice, and at least one additional notice per 2,000 population of the
895 jurisdiction, in places within the jurisdiction that are most likely to give notice to the residents
896 of the jurisdiction, subject to a maximum of 10 notices; or

897 (iii) by mailing notice to each residence within the jurisdiction;

898 (b) by posting notice on the Utah Public Notice Website, created in Section
899 63A-16-601, for one week; and

900 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
901 one week.

902 (6) Instead of including a copy of the entire certified report, a notice required under
903 Subsection (5) may contain a statement that:

904 (a) includes the following: "The Board of Canvassers for [indicate name of
905 jurisdiction] has prepared a report of the election results for the [indicate type and date of
906 election]."; and

907 (b) specifies the following sources where an individual may view or obtain a copy of
908 the entire certified report:

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

910 (ii) the physical address for the jurisdiction; and

911 (iii) a mailing address and telephone number.

912 (7) When there has been a regular general or a statewide special election for statewide
913 officers, for officers that appear on the ballot in more than one county, or for a statewide or two
914 or more county ballot proposition, each board of canvassers shall:

915 (a) prepare a separate report detailing the number of votes for each candidate and the
916 number of votes for and against each ballot proposition; and

917 (b) transmit the separate report by registered mail to the lieutenant governor.

918 (8) In each county election, municipal election, school election, local district election,
919 and local special election, the election officer shall transmit the reports to the lieutenant
920 governor within 14 days after the date of the election.

921 (9) In a regular primary election and in a presidential primary election, the board shall
922 transmit to the lieutenant governor:

923 (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant
924 governor not later than the second Tuesday after the election; and

925 (b) a complete tabulation showing voting totals for all primary races, precinct by
926 precinct, to be mailed to the lieutenant governor on or before the third Friday following the
927 primary election.

928 Section 19. Section **20A-4-306** is amended to read:

929 **20A-4-306. Statewide canvass.**

930 (1) (a) The state board of canvassers shall convene:

931 (i) on the fourth Monday of November, at noon; or

932 (ii) at noon on the day following the receipt by the lieutenant governor of the last of the
933 returns of a statewide special election.

934 (b) The state auditor, the state treasurer, and the attorney general are the state board of
935 canvassers.

936 (c) Attendance of all members of the state board of canvassers shall be required to
937 constitute a quorum for conducting the canvass.

938 (2) (a) The state board of canvassers shall:

939 (i) meet in the lieutenant governor's office; and

940 (ii) compute and determine the vote for officers and for and against any ballot
941 propositions voted upon by the voters of the entire state or of two or more counties.

942 (b) The lieutenant governor, as secretary of the board shall file a report in [his] the
943 lieutenant governor's office that details:

944 (i) except as provided in Subsection (2)(b)(iii), for each statewide officer and ballot
945 proposition:

946 (A) the name of the statewide office or ballot proposition that appeared on the ballot;

947 (B) the candidates for each statewide office whose names appeared on the ballot, plus
948 any recorded write-in candidates;

949 (C) the number of votes from each county cast for each candidate and for and against
950 each ballot proposition;

951 (D) the total number of votes cast statewide for each candidate and for and against each
952 ballot proposition; and

953 (E) the total number of votes cast statewide; [and]

954 (ii) except as provided in Subsection (2)(b)(iii), for each officer or ballot proposition
955 voted on in two or more counties:

956 (A) the name of each of those offices and ballot propositions that appeared on the
957 ballot;

958 (B) the candidates for those offices, plus any recorded write-in candidates;

959 (C) the number of votes from each county cast for each candidate and for and against
960 each ballot proposition; and

961 (D) the total number of votes cast for each candidate and for and against each ballot
962 proposition[~~;~~]; and

963 (iii) for each race conducted by ranked-choice voting under Chapter 1, Part 10,
964 Ranked-choice Voting, or instant runoff voting under Part 6, Municipal Alternate Voting
965 Methods Pilot Project, the number of valid votes cast for each candidate for each potential
966 ballot-counting phase and the name of the candidate excluded in each canvassing phase.

967 (c) The lieutenant governor shall:

968 (i) prepare certificates of election for:

969 (A) each successful candidate; and

970 (B) each of the presidential electors of the candidate for president who received a
971 majority of the votes;

972 (ii) authenticate each certificate with ~~his~~ the lieutenant governor's seal; and

973 (iii) deliver a certificate of election to:

974 (A) each candidate who had the highest number of votes for each office; and

975 (B) each of the presidential electors of the candidate for president who received a
976 majority of the votes.

977 (3) If the lieutenant governor has not received election returns from all counties on the
978 fifth day before the day designated for the meeting of the state board of canvassers, the
979 lieutenant governor shall:

980 (a) send a messenger to the clerk of the board of county canvassers of the delinquent
981 county;

982 (b) instruct the messenger to demand a certified copy of the board of canvasser's report
983 required by Section [20A-4-304](#) from the clerk; and

984 (c) pay the messenger the per diem provided by law as compensation.

985 (4) The state board of canvassers may not withhold the declaration of the result or any
986 certificate of election because of any defect or informality in the returns of any election if the

987 board can determine from the returns, with reasonable certainty, what office is intended and
988 who is elected to it.

989 (5) (a) At noon on the fourth Monday after the regular primary election, the lieutenant
990 governor shall:

991 (i) canvass the returns for all multicounty candidates required to file with the office of
992 the lieutenant governor; and

993 (ii) publish and file the results of the canvass in the lieutenant governor's office.

994 (b) Not later than the August 1 after the primary election, the lieutenant governor shall
995 certify the results of the primary canvass to the county clerks.

996 (6) (a) At noon on the fourth Tuesday in March of a year in which a presidential
997 election will be held, the lieutenant governor shall:

998 (i) canvass the returns of the presidential primary election; and

999 (ii) publish and file the results of the canvass in the lieutenant governor's office.

1000 (b) The lieutenant governor shall certify the results of the presidential primary election
1001 canvass to each registered political party that participated in the primary not later than the April
1002 15 after the primary election.

1003 Section 20. Section **20A-4-401** is amended to read:

1004 **20A-4-401. Recounts -- Procedure.**

1005 (1) (a) This section does not apply to a race conducted by ranked-choice voting under
1006 Chapter 1, Part 10, Ranked-choice Voting, or instant runoff voting under Chapter 4, Part 6,
1007 Municipal Alternate Voting Methods Pilot Project.

1008 (b) Except as provided in Subsection (1)(c), for a race between candidates, if the
1009 difference between the number of votes cast for a winning candidate in the race and a losing
1010 candidate in the race is equal to or less than .25% of the total number of votes cast for all
1011 candidates in the race, that losing candidate may file a request for a recount in accordance with
1012 Subsection (1)(d).

1013 (c) For a race between candidates where the total of all votes cast in the race is 400 or
1014 less, if the difference between the number of votes cast for a winning candidate in the race and
1015 a losing candidate in the race is one vote, that losing candidate may file a request for a recount
1016 in accordance with Subsection (1)(d).

1017 (d) A candidate who files a request for a recount under Subsection (1) (b) or (c) shall

1018 file the request:

1019 (i) for a municipal primary election, with the municipal clerk, before 5 p.m. within
1020 three days after the canvass; or

1021 (ii) for all other elections, before 5 p.m. within seven days after the canvass with:

1022 (A) the municipal clerk, if the election is a municipal general election;

1023 (B) the local district clerk, if the election is a local district election;

1024 (C) the county clerk, for races voted on entirely within a single county; or

1025 (D) the lieutenant governor, for statewide races and multicounty races.

1026 (e) The election officer shall:

1027 (i) supervise the recount;

1028 (ii) recount all ballots cast for that race;

1029 (iii) reexamine all uncounted ballots to ensure compliance with Chapter 3a, Part 4,

1030 Disposition of Ballots;

1031 (iv) for a race where only one candidate may win, declare elected the candidate who
1032 receives the highest number of votes on the recount; and

1033 (v) for a race where multiple candidates may win, declare elected the applicable
1034 number of candidates who receive the highest number of votes on the recount.

1035 (2) (a) Except as provided in Subsection (2)(b), for a ballot proposition or a bond
1036 proposition, if the proposition passes or fails by a margin that is equal to or less than .25% of
1037 the total votes cast for or against the proposition, any 10 voters who voted in the election where
1038 the proposition was on the ballot may file a request for a recount before 5 p.m. within seven
1039 days after the day of the canvass with the ~~[person]~~ individual described in Subsection (2)(c).

1040 (b) For a ballot proposition or a bond proposition where the total of all votes cast for or
1041 against the proposition is 400 or less, if the difference between the number of votes cast for the
1042 proposition and the number of votes cast against the proposition is one vote, any 10 voters who
1043 voted in the election where the proposition was on the ballot may file a request for a recount
1044 before 5 p.m. within seven days after the day of the canvass with the ~~[person]~~ individual
1045 described in Subsection (2)(c).

1046 (c) The 10 voters who file a request for a recount under Subsection (2)(a) or (b) shall
1047 file the request with:

1048 (i) the municipal clerk, if the election is a municipal election;

- 1049 (ii) the local district clerk, if the election is a local district election;
- 1050 (iii) the county clerk, for propositions voted on entirely within a single county; or
- 1051 (iv) the lieutenant governor, for statewide propositions and multicounty propositions.
- 1052 (d) The election officer shall:
- 1053 (i) supervise the recount;
- 1054 (ii) recount all ballots cast for that ballot proposition or bond proposition;
- 1055 (iii) reexamine all uncounted ballots to ensure compliance with Chapter 3a, Part 4,
- 1056 Disposition of Ballots; and
- 1057 (iv) declare the ballot proposition or bond proposition to have "passed" or "failed"
- 1058 based upon the results of the recount.
- 1059 (e) Proponents and opponents of the ballot proposition or bond proposition may
- 1060 designate representatives to witness the recount.
- 1061 (f) The voters requesting the recount shall pay the costs of the recount.
- 1062 (3) Costs incurred by recount under Subsection (1) may not be assessed against the
- 1063 ~~person~~ individual requesting the recount.
- 1064 (4) (a) Upon completion of the recount, the election officer shall immediately convene
- 1065 the board of canvassers.
- 1066 (b) The board of canvassers shall:
- 1067 (i) canvass the election returns for the race or proposition that was the subject of the
- 1068 recount; and
- 1069 (ii) with the assistance of the election officer, prepare and sign the report required by
- 1070 Section 20A-4-304 or 20A-4-306.
- 1071 (c) If the recount is for a statewide or multicounty race or for a statewide proposition,
- 1072 the board of county canvassers shall prepare and transmit a separate report to the lieutenant
- 1073 governor as required by Subsection 20A-4-304 (7).
- 1074 (d) The canvassers' report prepared as provided in this Subsection (4) is the official
- 1075 result of the race or proposition that is the subject of the recount.
- 1076 Section 21. Section 20A-5-802 is amended to read:
- 1077 **20A-5-802. Certification of voting equipment.**
- 1078 (1) For the voting equipment used in the jurisdiction over which an election officer has
- 1079 authority, the election officer shall:

1080 (a) before each election, use logic and accuracy tests to ensure that the voting
1081 equipment performs the voting equipment's functions accurately;

1082 (b) develop and implement a procedure to protect the physical security of the voting
1083 equipment; and

1084 (c) ensure that the voting equipment is certified by the lieutenant governor under
1085 Subsection (2) as having met the requirements of this section.

1086 (2) (a) Except as provided in Subsection (2)(b)(ii):

1087 (i) the lieutenant governor shall ensure that all voting equipment used in the state is
1088 independently tested using security testing protocols and standards that:

1089 (A) are generally accepted in the industry at the time the lieutenant governor reviews
1090 the voting equipment for certification; and

1091 (B) meet the requirements of Subsection (2)(a)(ii);

1092 (ii) the testing protocols and standards described in Subsection (2)(a)(i) shall require
1093 that a voting system:

1094 (A) is accurate and reliable;

1095 (B) possesses established and maintained access controls;

1096 (C) has not been fraudulently manipulated or tampered with;

1097 (D) is able to identify fraudulent or erroneous changes to the voting equipment; and

1098 (E) protects the secrecy of a voter's ballot; and

1099 (iii) The lieutenant governor may comply with the requirements of Subsection (2)(a) by
1100 certifying voting equipment that has been certified by:

1101 (A) the United States Election Assistance Commission; or

1102 (B) a laboratory that has been accredited by the United States Election Assistance
1103 Commission to test voting equipment.

1104 (b) (i) Voting equipment used in the state ~~[may]~~ shall include technology that allows
1105 for ranked-choice voting.

1106 (ii) The lieutenant governor may, for voting equipment used for ranked-choice voting
1107 under ~~[Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project]~~
1108 Chapter 1, Part 10, Ranked-choice Voting, or Chapter 4, Part 6, Municipal Alternate Voting
1109 Methods Pilot Project, certify voting equipment that has been successfully used within the
1110 United States or a territory of the United States for ranked-choice voting for a race for federal

1111 office.

1112 Section 22. Section **20A-9-101** is amended to read:

1113 **20A-9-101. Definitions.**

1114 As used in this chapter:

1115 (1) (a) "Candidates for [~~elective~~] office" means [~~persons~~] individuals who file a
1116 declaration of candidacy under Section **20A-9-202** to run in a regular general election for a
1117 federal office, constitutional office, multicounty office, or county office.

1118 (b) "Candidates for [~~elective~~] office" does not mean candidates for:

1119 (i) justice or judge of court of record or not of record;

1120 (ii) presidential elector;

1121 (iii) any political party offices; and

1122 (iv) municipal or local district offices.

1123 (2) "Constitutional office" means the state offices of governor, lieutenant governor,
1124 attorney general, state auditor, and state treasurer.

1125 (3) "Continuing political party" means the same as that term is defined in Section
1126 **20A-8-101**.

1127 (4) (a) "County office" means an [~~elective~~] office where the officeholder is selected by
1128 voters entirely within one county.

1129 (b) "County office" does not mean:

1130 (i) the office of justice or judge of any court of record or not of record;

1131 (ii) the office of presidential elector;

1132 (iii) any political party offices;

1133 (iv) any municipal or local district offices; and

1134 (v) the office of United States Senator and United States Representative.

1135 (5) "Federal office" means an elective office for United States Senator and United
1136 States Representative.

1137 (6) "Filing officer" means:

1138 (a) the lieutenant governor, for:

1139 (i) the office of United States Senator and United States Representative; and

1140 (ii) all constitutional offices;

1141 (b) for the office of a state senator or state representative, the lieutenant governor or the

1142 applicable clerk described in Subsection (6)(c) or (d);

1143 (c) the county clerk, for county offices and local school district offices;

1144 (d) the county clerk in the filer's county of residence, for multicounty offices;

1145 (e) the city or town clerk, for municipal offices; or

1146 (f) the local district clerk, for local district offices.

1147 (7) "Local district office" means an elected office in a local district.

1148 (8) "Local government office" includes county offices, municipal offices, and local

1149 district offices and other elective offices selected by the voters from a political division entirely

1150 within one county.

1151 (9) (a) "Multicounty office" means an [~~elective~~] office where the officeholder is

1152 selected by the voters from more than one county.

1153 (b) "Multicounty office" does not mean:

1154 (i) a county office;

1155 (ii) a federal office;

1156 (iii) the office of justice or judge of any court of record or not of record;

1157 (iv) the office of presidential elector;

1158 (v) any political party offices; or

1159 (vi) any municipal or local district offices.

1160 (10) "Municipal office" means an elective office in a municipality.

1161 (11) (a) "Political division" means a geographic unit from which an officeholder is

1162 elected and that an officeholder represents.

1163 (b) "Political division" includes a county, a city, a town, a local district, a school

1164 district, a legislative district, and a county prosecution district.

1165 (12) "Qualified political party" means a registered political party that:

1166 (a) (i) permits a delegate for the registered political party to vote on a candidate

1167 nomination in the registered political party's convention remotely; or

1168 (ii) provides a procedure for designating an alternate delegate if a delegate is not

1169 present at the registered political party's convention;

1170 (b) does not hold the registered political party's convention before the fourth Saturday

1171 in March of an even-numbered year;

1172 (c) permits a member of the registered political party to seek the registered political

1173 party's nomination for any ~~[elective]~~ office by the member choosing to seek the nomination by
1174 either or both of the following methods:

1175 (i) seeking the nomination through the registered political party's convention process,
1176 in accordance with the provisions of Section 20A-9-407; or

1177 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
1178 of Section 20A-9-408; and

1179 (d) (i) if the registered political party is a continuing political party, no later than 5 p.m.
1180 on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the
1181 election in the following year, the registered political party intends to nominate the registered
1182 political party's candidates in accordance with the provisions of Section 20A-9-406; or

1183 (ii) if the registered political party is not a continuing political party, certifies at the
1184 time that the registered political party files the petition described in Section 20A-8-103 that, for
1185 the next election, the registered political party intends to nominate the registered political
1186 party's candidates in accordance with the provisions of Section 20A-9-406.

1187 (13) "Unopposed" means that, for a particular race:

1188 (a) no individual other than the candidate receives a certification from the applicable
1189 filing officer for the regular primary election ballot of the candidate's registered political party
1190 for that race; or

1191 (b) if more than one position is open, the number of candidates who receive a
1192 certification from the applicable filing officer for the regular primary election of the candidate's
1193 registered political party does not exceed the total number of open positions.

1194 Section 23. Section 20A-9-202 is amended to read:

1195 **20A-9-202. Declarations of candidacy for regular general elections.**

1196 (1) (a) An individual seeking to become a candidate for an elective office that is to be
1197 filled at the next regular general election shall:

1198 (i) except as provided in Subsection (1)(c), file a declaration of candidacy in person
1199 with the filing officer on or after January 1 of the regular general election year, and, if
1200 applicable, before the individual circulates nomination petitions under Section 20A-9-405; and

1201 (ii) pay the filing fee.

1202 (b) Unless expressly provided otherwise in this title, for a registered political party that
1203 is not a qualified political party, the deadline for filing a declaration of candidacy for an

1204 elective office that is to be filled at the next regular general election is 5 p.m. on the first
1205 Monday after the fourth Saturday in April.

1206 (c) Subject to Subsection 20A-9-201(7)(b), an individual may designate an agent to file
1207 a declaration of candidacy with the filing officer if:

1208 (i) the individual is located outside of the state during the entire filing period;

1209 (ii) the designated agent appears in person before the filing officer;

1210 (iii) the individual communicates with the filing officer using an electronic device that
1211 allows the individual and filing officer to see and hear each other; and

1212 (iv) the individual provides the filing officer with an email address to which the filing
1213 officer may send the individual the copies described in Subsection 20A-9-201(5).

1214 (d) Each county clerk who receives a declaration of candidacy from a candidate for
1215 multicounty office shall transmit the filing fee and a copy of the candidate's declaration of
1216 candidacy to the lieutenant governor within one business day after the candidate files the
1217 declaration of candidacy.

1218 (e) Each day during the filing period, each county clerk shall notify the lieutenant
1219 governor electronically or by telephone of candidates who have filed a declaration of candidacy
1220 with the county clerk.

1221 (f) Each individual seeking the office of lieutenant governor, the office of district
1222 attorney, or the office of president or vice president of the United States shall comply with the
1223 specific declaration of candidacy requirements established by this section.

1224 (2) (a) Each individual intending to become a candidate for the office of district
1225 attorney within a multicounty prosecution district that is to be filled at the next regular general
1226 election shall:

1227 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement
1228 creating the prosecution district on or after January 1 of the regular general election year, and
1229 before the individual circulates nomination petitions under Section 20A-9-405; and

1230 (ii) pay the filing fee.

1231 (b) The designated clerk shall provide to the county clerk of each county in the
1232 prosecution district a certified copy of each declaration of candidacy filed for the office of
1233 district attorney.

1234 (3) (a) Before the deadline described in Subsection (1)(b), each lieutenant governor

1235 candidate shall:

1236 (i) file a declaration of candidacy with the lieutenant governor;

1237 (ii) pay the filing fee; and

1238 (iii) submit a letter from a candidate for governor who has received certification for the
1239 primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate
1240 as a joint-ticket running mate.

1241 (b) (i) A candidate for lieutenant governor who fails to timely file is disqualified.

1242 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file to
1243 replace the disqualified candidate.

1244 (4) Before 5 p.m. no later than August 31, each registered political party shall:

1245 (a) certify the names of the political party's candidates for president and vice president
1246 of the United States to the lieutenant governor; or

1247 (b) provide written authorization for the lieutenant governor to accept the certification
1248 of candidates for president and vice president of the United States from the national office of
1249 the registered political party.

1250 (5) (a) A declaration of candidacy filed under this section is valid unless a written
1251 objection is filed with the clerk or lieutenant governor before 5 p.m. on the last business day
1252 that is at least 10 days before the deadline described in Subsection 20A-9-409(4)(~~e~~)(b).

1253 (b) If an objection is made, the clerk or lieutenant governor shall:

1254 (i) mail or personally deliver notice of the objection to the affected candidate
1255 immediately; and

1256 (ii) decide any objection within 48 hours after it is filed.

1257 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
1258 problem by amending the declaration or petition before 5 p.m. within three days after the day
1259 on which the objection is sustained or by filing a new declaration before 5 p.m. within three
1260 days after the day on which the objection is sustained.

1261 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

1262 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
1263 by a district court if prompt application is made to the court.

1264 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
1265 of its discretion, agrees to review the lower court decision.

1266 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by
1267 filing a written affidavit with the clerk.

1268 (7) (a) Except for a candidate who is certified by a registered political party under
1269 Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later than
1270 August 31 of a general election year, each individual running as a candidate for vice president
1271 of the United States shall:

1272 (i) file a declaration of candidacy, in person or via a designated agent, on a form
1273 developed by the lieutenant governor, that:

1274 (A) contains the individual's name, address, and telephone number;

1275 (B) states that the individual meets the qualifications for the office of vice president of
1276 the United States;

1277 (C) names the presidential candidate, who has qualified for the general election ballot,
1278 with which the individual is running as a joint-ticket running mate;

1279 (D) states that the individual agrees to be the running mate of the presidential candidate
1280 described in Subsection (7)(a)(i)(C); and

1281 (E) contains any other necessary information identified by the lieutenant governor;

1282 (ii) pay the filing fee; and

1283 (iii) submit a letter from the presidential candidate described in Subsection (7)(a)(i)(C)
1284 that names the individual as a joint-ticket running mate as a vice presidential candidate.

1285 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of
1286 candidacy.

1287 (c) A vice presidential candidate who fails to meet the requirements described in this
1288 Subsection (7) may not appear on the general election ballot.

1289 (8) An individual filing a declaration of candidacy for president or vice president of the
1290 United States shall pay a filing fee of \$500.

1291 Section 24. Section 20A-9-402 is amended to read:

1292 **20A-9-402. General requirements for all primary elections.**

1293 (1) Except as provided in Subsection [~~(2)~~] (3), the lieutenant governor, county clerks,
1294 and election judges shall follow the procedures and requirements of this title in administering
1295 primary elections.

1296 (2) An election official shall administer a multi-candidate race during a partisan regular

1297 primary election in accordance with Chapter 1, Part 10, Ranked-choice Voting.

1298 [~~2~~] (3) [H] Except for Chapter 1, Part 10, Ranked-choice Voting, if there is any
1299 conflict between any provision of this part and any other sections in [Title 20A, Election Code]
1300 this title, this part takes precedence.

1301 Section 25. Section **20A-9-403** is amended to read:

1302 **20A-9-403. Regular primary elections.**

1303 (1) (a) Candidates for [~~elective~~] office that are to be filled at the next regular general
1304 election shall be nominated in a regular primary election by direct vote of the people in the
1305 manner prescribed in this section. The regular primary election is held on the date specified in
1306 Section **20A-1-201.5**. Nothing in this section shall affect a candidate's ability to qualify for a
1307 regular general election's ballot as an unaffiliated candidate under Section **20A-9-501** or to
1308 participate in a regular general election as a write-in candidate under Section **20A-9-601**.

1309 (b) Each registered political party that chooses to have the names of the registered
1310 political party's candidates for [~~elective~~] office featured with party affiliation on the ballot at a
1311 regular general election shall comply with the requirements of this section and shall nominate
1312 the registered political party's candidates for [~~elective~~] office in the manner described in this
1313 section.

1314 (c) A filing officer may not permit an official ballot at a regular general election to be
1315 produced or used if the ballot denotes affiliation between a registered political party or any
1316 other political group and a candidate for [~~elective~~] office who is not nominated in the manner
1317 prescribed in this section or in Subsection **20A-9-202(4)**.

1318 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
1319 even-numbered year in which a regular general election will be held.

1320 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,
1321 shall:

1322 (i) either declare the registered political party's intent to participate in the next regular
1323 primary election or declare that the registered political party chooses not to have the names of
1324 the registered political party's candidates for [~~elective~~] office featured on the ballot at the next
1325 regular general election; and

1326 (ii) if the registered political party participates in the upcoming regular primary
1327 election, identify one or more registered political parties whose members may vote for the

1328 registered political party's candidates and whether individuals identified as unaffiliated with a
1329 political party may vote for the registered political party's candidates.

1330 (b) (i) A registered political party that is a continuing political party shall file the
1331 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on
1332 November 30 of each odd-numbered year.

1333 (ii) An organization that is seeking to become a registered political party under Section
1334 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered
1335 political party files the petition described in Section 20A-8-103.

1336 (3) (a) Except as provided in Subsection (3)(e), an individual who submits a
1337 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for [elective]
1338 office on the regular primary ballot of the registered political party listed on the declaration of
1339 candidacy only if the individual is certified by the appropriate filing officer as having submitted
1340 a set of nomination petitions that was:

1341 (i) circulated and completed in accordance with Section 20A-9-405; and

1342 (ii) signed by at least 2% of the registered political party's members who reside in the
1343 political division of the office that the individual seeks.

1344 (b) (i) A candidate for [elective] office shall submit nomination petitions to the
1345 appropriate filing officer for verification and certification no later than 5 p.m. on the final day
1346 in March.

1347 (ii) A candidate may supplement the candidate's submissions at any time on or before
1348 the filing deadline.

1349 (c) (i) The lieutenant governor shall determine for each elective office the total number
1350 of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting
1351 the aggregate number of individuals residing in each elective office's political division who
1352 have designated a particular registered political party on the individuals' voter registration
1353 forms on or before November 15 of each odd-numbered year.

1354 (ii) The lieutenant governor shall publish the determination for each elective office no
1355 later than November 30 of each odd-numbered year.

1356 (d) The filing officer shall:

1357 (i) verify signatures on nomination petitions in a transparent and orderly manner, no
1358 later than 14 days after the day on which a candidate submits the signatures to the filing officer;

1359 (ii) for all qualifying candidates for [elective] office who submit nomination petitions
1360 to the filing officer, issue certifications referenced in Subsection (3)(a) no later than the
1361 deadline described in Subsection 20A-9-202(1)(b);

1362 (iii) consider active and inactive voters eligible to sign nomination petitions;

1363 (iv) consider an individual who signs a nomination petition a member of a registered
1364 political party for purposes of Subsection (3)(a)(ii) if the individual has designated that
1365 registered political party as the individual's party membership on the individual's voter
1366 registration form; and

1367 (v) utilize procedures described in Section 20A-7-206.3 to verify submitted nomination
1368 petition signatures, or use statistical sampling procedures to verify submitted nomination
1369 petition signatures in accordance with rules made under Subsection (3)(f).

1370 (e) Notwithstanding any other provision in this Subsection (3), a candidate for
1371 lieutenant governor may appear on the regular primary ballot of a registered political party
1372 without submitting nomination petitions if the candidate files a declaration of candidacy and
1373 complies with Subsection 20A-9-202(3).

1374 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1375 director of elections, within the Office of the Lieutenant Governor, may make rules that:

1376 (i) provide for the use of statistical sampling procedures that:

1377 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and

1378 (B) reflect a bona fide effort to determine the validity of a candidate's entire

1379 submission, using widely recognized statistical sampling techniques; and

1380 (ii) provide for the transparent, orderly, and timely submission, verification, and
1381 certification of nomination petition signatures.

1382 (g) The county clerk shall:

1383 (i) review the declarations of candidacy filed by candidates for local boards of
1384 education to determine if more than two candidates have filed for the same seat;

1385 (ii) place the names of all candidates who have filed a declaration of candidacy for a
1386 local board of education seat on the nonpartisan section of the ballot if more than two
1387 candidates have filed for the same seat; and

1388 (iii) determine the order of the local board of education candidates' names on the ballot
1389 in accordance with Section 20A-6-305.

1390 (4) (a) Before the deadline described in Subsection [20A-9-409\(4\)\(e\)\(b\)](#), the lieutenant
1391 governor shall provide to the county clerks:

1392 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
1393 county, and county offices who have received certifications under Subsection (3), along with
1394 instructions on how those names shall appear on the primary election ballot in accordance with
1395 Section [20A-6-305](#); and

1396 (ii) a list of unopposed candidates for ~~elective~~ office who have been nominated by a
1397 registered political party under Subsection (5)(c) and instruct the county clerks to exclude the
1398 unopposed candidates from the primary election ballot.

1399 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1400 joint-ticket running mates shall appear jointly on the primary election ballot.

1401 (c) After the county clerk receives the certified list from the lieutenant governor under
1402 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
1403 substantially the following form:

1404 "Notice is given that a primary election will be held Tuesday, June ____,
1405 ____ (year), to nominate party candidates for the parties and candidates for nonpartisan
1406 local school board positions listed on the primary ballot. The polling place for voting precinct
1407 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
1408 Attest: county clerk."

1409 (5) For a regular primary race other than a multi-candidate race described in Subsection
1410 [20A-9-402\(2\)](#):

1411 ~~[(5)]~~ (a) ~~[A]~~ a candidate who, at the regular primary election, receives the highest
1412 number of votes cast for the office sought by the candidate is:

1413 (i) nominated for that office by the candidate's registered political party; or

1414 (ii) for a nonpartisan local school board position, nominated for that office~~[-];~~

1415 (b) ~~[H]~~ if two or more candidates are to be elected to the office at the regular general
1416 election, those party candidates equal in number to positions to be filled who receive the
1417 highest number of votes at the regular primary election are the nominees of the candidates'
1418 party for those positions~~[-];~~

1419 ~~[(c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:]~~

1420 ~~[(A) no individual other than the candidate receives a certification under Subsection (3)]~~

1421 for the regular primary election ballot of the candidate's registered political party for a
 1422 particular elective office; or]

1423 [~~(B)~~ for an office where more than one individual is to be elected or nominated, the
 1424 number of candidates who receive certification under Subsection (3) for the regular primary
 1425 election of the candidate's registered political party does not exceed the total number of
 1426 candidates to be elected or nominated for that office.]

1427 [~~(ii)~~ A] (c) for a partisan race, a candidate who is unopposed for an elective office in
 1428 the regular primary election of a registered political party is nominated by the party for that
 1429 office without appearing on the primary election ballot[-];

1430 (d) for a nonpartisan race, a candidate who is unopposed for office in the regular
 1431 primary election is nominated to appear on the regular general election ballot;

1432 [~~(6)(a)~~ (e) ~~[When]~~ except as provided in Subsection (6), when a tie vote occurs [~~in~~
 1433 ~~any primary election for any]~~ for a national, state, or other office that represents more than one
 1434 county, the governor, lieutenant governor, and attorney general shall, at a public meeting called
 1435 by the governor and in the presence of the candidates involved, select the nominee by lot cast
 1436 in whatever manner the governor determines[-]; and

1437 [~~(b)~~ (f) ~~[When]~~ except as provided in Subsection (6), when a tie vote occurs [~~in any~~
 1438 ~~primary election for any]~~ for a county office, the district court judges of the district in which
 1439 the county is located shall, at a public meeting called by the judges and in the presence of the
 1440 candidates involved, select the nominee by lot cast in whatever manner the judges determine.

1441 (6) In a regular primary, for a multi-candidate race described in Subsection
 1442 20A-9-402(2), a candidate's nomination is determined, and any tie broken, in accordance with
 1443 Chapter 1, Part 10, Ranked-choice Voting.

1444 (7) The expense of providing all ballots, blanks, or other supplies to be used at [~~any~~] a
 1445 regular primary election [~~provided for by this section~~], and all expenses necessarily incurred in
 1446 the preparation for or the conduct of that regular primary election shall be paid out of the
 1447 treasury of the county or state, in the same manner as for the regular general elections.

1448 (8) An individual may not file a declaration of candidacy for a registered political party
 1449 of which the individual is not a member, except to the extent that the registered political party
 1450 permits otherwise under the registered political party's bylaws.

1451 Section 26. Section **20A-9-406** is amended to read:

1452 **20A-9-406. Qualified political party -- Requirements and exemptions.**

1453 The following provisions apply to a qualified political party:

1454 (1) the qualified political party shall, no later than 5 p.m. on November 30 of each
1455 odd-numbered year, certify to the lieutenant governor the identity of one or more registered
1456 political parties whose members may vote for the qualified political party's candidates and
1457 whether unaffiliated voters may vote for the qualified political party's candidates;1458 (2) the following provisions do not apply to a nomination for the qualified political
1459 party:1460 (a) Subsections [20A-9-403](#)(1) through (3)(b) and (3)(d) through (4)(a); and1461 [~~(b) Subsection [20A-9-403](#)(5)(c); and]~~1462 [~~(c)~~] (b) Section [20A-9-405](#);1463 (3) an individual may only seek the nomination of the qualified political party by using
1464 a method described in Section [20A-9-407](#), Section [20A-9-408](#), or both;

1465 (4) the qualified political party shall comply with the provisions of Sections

1466 [20A-9-407](#), [20A-9-408](#), and [20A-9-409](#);1467 (5) notwithstanding Subsection [20A-6-301](#)(1)(a), (1)(e), or (2)(a), each election officer
1468 shall ensure that a ballot described in Section [20A-6-301](#) includes each individual nominated
1469 by a qualified political party:

1470 (a) under the qualified political party's name, if any; or

1471 (b) under the title of the qualified registered political party as designated by the
1472 qualified political party in the certification described in Subsection (1), or, if none is
1473 designated, then under some suitable title;1474 (6) notwithstanding Subsection [20A-6-302](#)(1)(a), each election officer shall ensure, for
1475 ballots in regular general elections, that each candidate who is nominated by the qualified
1476 political party is listed by party;1477 (7) notwithstanding Subsection [20A-6-304](#)(1)(e), each election officer shall ensure that
1478 the party designation of each candidate who is nominated by the qualified political party is
1479 displayed adjacent to the candidate's name on a mechanical ballot;1480 (8) "candidates for [~~elective~~] office," defined in Subsection [20A-9-101](#)(1)(a), also
1481 includes an individual who files a declaration of candidacy under Section [20A-9-407](#) or
1482 [20A-9-408](#) to run in a regular general election for a federal office, constitutional office,

1483 multicounty office, or county office;

1484 (9) an individual who is nominated by, or seeking the nomination of, the qualified
1485 political party is not required to comply with Subsection 20A-9-201(1)(c);

1486 (10) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled
1487 to have each of the qualified political party's candidates for [elective] office appear on the
1488 primary ballot of the qualified political party with an indication that each candidate is a
1489 candidate for the qualified political party;

1490 (11) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include
1491 on the list provided by the lieutenant governor to the county clerks:

1492 (a) the names of all candidates of the qualified political party for federal, constitutional,
1493 multicounty, and county offices; and

1494 (b) the names of unopposed candidates for [elective] office who have been nominated
1495 by the qualified political party and instruct the county clerks to exclude such candidates from
1496 the primary-election ballot;

1497 (12) [~~notwithstanding Subsection 20A-9-403(5)(c),~~] a candidate who is unopposed for
1498 an [elective] office in the regular primary election of the qualified political party is nominated
1499 by the party for that office without appearing on the primary ballot; and

1500 (13) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
1501 20A-9-405, the qualified political party is entitled to have the names of its candidates for
1502 [elective] office featured with party affiliation on the ballot at a regular general election.

1503 Section 27. Section 20A-9-409 is amended to read:

1504 **20A-9-409. Primary election provisions relating to qualified political party.**

1505 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.

1506 (2) (a) A qualified political party that nominates [~~one or more candidates~~] more than
1507 one candidate for an [elective] office under Section 20A-9-407 and does not have a candidate
1508 qualify as a candidate for that office under Section 20A-9-408, may, but is not required to,
1509 participate in the primary election for that office.

1510 [~~(b) A qualified political party that has only one candidate qualify as a candidate for an~~
1511 ~~elective office under Section 20A-9-408 and does not nominate a candidate for that office~~
1512 ~~under Section 20A-9-407, may, but is not required to, participate in the primary election for~~
1513 ~~that office.~~]

1514 ~~[(e)]~~ (b) A qualified political party that nominates one or more candidates for an
1515 ~~[elective]~~ office under Section 20A-9-407 and has one or more candidates qualify as a
1516 candidate for that office under Section 20A-9-408 shall participate in the primary election for
1517 that office.

1518 ~~[(d)]~~ (c) A qualified political party that has two or more candidates qualify as
1519 candidates for an ~~[elective]~~ office under Section 20A-9-408 and does not nominate a candidate
1520 for that office under Section 20A-9-407 shall participate in the primary election for that office.

1521 (3) ~~[Notwithstanding Subsection (2), in]~~ In an opt-in county, as defined in Section
1522 17-52a-201 or 17-52a-202, a qualified political party shall participate in the primary election
1523 for a county commission office if:

1524 (a) there is more than one:

1525 (i) open position as defined in Section 17-52a-201; or

1526 (ii) midterm vacancy as defined in Section 17-52a-201; and

1527 (b) the number of candidates nominated under Section 20A-9-407 or qualified under
1528 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number
1529 of respective open positions or midterm vacancies.

1530 ~~[(4) (a) As used in this Subsection (4), a candidate is "unopposed" if:]~~

1531 ~~[(i) no individual other than the candidate receives a certification, from the appropriate
1532 filing officer, for the regular primary election ballot of the candidate's registered political party
1533 for a particular elective office; or]~~

1534 ~~[(ii) for an office where more than one individual is to be elected or nominated, the
1535 number of candidates who receive certification, from the appropriate filing officer, for the
1536 regular primary election of the candidate's registered political party does not exceed the total
1537 number of candidates to be elected or nominated for that office.]~~

1538 ~~[(b)]~~ (4) (a) Before the deadline described in Subsection (4)~~[(e)]~~(b), the lieutenant
1539 governor shall:

1540 (i) provide to the county clerks:

1541 (A) a list of the names of all candidates for federal, constitutional, multi-county, single
1542 county, and county offices who have received certifications from the appropriate filing officer,
1543 along with instructions on how those names shall appear on the primary election ballot in
1544 accordance with Section 20A-6-305; ~~[and]~~

1545 (B) a list of unopposed candidates for [~~elective~~] office who have been nominated by a
1546 registered political party; and

1547 (C) a list of unopposed candidates for nonpartisan office; and

1548 (ii) instruct the county clerks to exclude unopposed candidates from the primary
1549 election ballot.

1550 [~~(e)~~] (b) The deadline described in Subsection (4)[~~(b)~~](a) is 5 p.m. on the first
1551 Wednesday after the [~~fourth~~] third Saturday in April.

1552 Section 28. Section **20A-9-701** is amended to read:

1553 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1554 (1) No later than August 31 of each regular general election year, the lieutenant
1555 governor shall certify to each county clerk, for offices to be voted upon at the regular general
1556 election in that county clerk's county:

1557 (a) the names of each candidate nominated under Chapter 1, Part 10, Ranked-choice
1558 Voting, Subsection 20A-9-202(4)₂ or Subsection 20A-9-403(5); and

1559 (b) the names of the candidates for president and vice president that are certified by the
1560 registered political party as the party's nominees.

1561 (2) The names shall be certified by the lieutenant governor and shall be displayed on
1562 the ballot as they are provided on the candidate's declaration of candidacy. No other names
1563 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
1564 political party, political party, or other political group.

1565 Section 29. Section **20A-9-806** is amended to read:

1566 **20A-9-806. Ballots.**

1567 (1) The lieutenant governor, together with county clerks, suppliers of election
1568 materials, and representatives of registered political parties, shall:

1569 (a) develop manual ballots, mechanical ballots, return envelopes and provisional ballot
1570 envelopes to be used in a presidential primary election;

1571 (b) ensure that the ballots, return envelopes, and provisional ballot envelopes comply
1572 generally with the requirements of Chapter 6, Part 1, General Requirements for All Ballots and
1573 as applicable, Section 20A-1-1008; and

1574 (c) provide voting booths, election records and supplies, and ballot boxes for each
1575 voting precinct as required by Section 20A-5-403.

1576 (2) (a) Notwithstanding the requirements of Subsections (1)(b) and (c), Chapter 6, Part
1577 1, General Requirements for All Ballots, and Section 20A-5-403, the lieutenant governor,
1578 together with county clerks, suppliers of election materials, and representatives of registered
1579 political parties shall ensure that the ballots, return envelopes, provisional ballot envelopes,
1580 voting booths, election records and supplies, and ballot boxes:

1581 (i) facilitate the distribution, voting, and tallying of ballots in a closed primary;

1582 (ii) simplify the task of poll workers, particularly in determining a voter's party
1583 affiliation;

1584 (iii) minimize the possibility of spoiled ballots due to voter confusion; and

1585 (iv) protect against fraud.

1586 (b) To accomplish the requirements of this Subsection (2), the lieutenant governor,
1587 county clerks, suppliers of election materials, and representatives of registered political parties
1588 shall:

1589 (i) mark ballots as being for a particular registered political party; and

1590 (ii) instruct ~~persons~~ individuals counting the ballots to count only those votes for
1591 candidates from the registered political party whose ballot the voter received.

1592 (c) To accomplish the requirements of this Subsection (2), the lieutenant governor,
1593 county clerks, suppliers of election materials, and representatives of registered political parties
1594 may:

1595 (i) notwithstanding the requirements of Sections 20A-6-101 and 20A-6-102, use
1596 different colored ballots for each registered political party;

1597 (ii) place ballots for each registered political party in different voting booths and direct
1598 voters to the particular voting booth for the political party whose ballot they are voting; or

1599 (iii) consider other means of accomplishing the objectives described in Subsection
1600 (2)(a).

1601 Section 30. Section 20A-9-809 is amended to read:

1602 **20A-9-809. Counting votes -- Canvass -- Certification of results to parties.**

1603 (1) Votes shall be counted, results tabulated, returns transmitted, ballots reviewed and
1604 retained, returns canvassed, and recounts and election contests conducted as provided in
1605 Chapter 4, Election Returns and Election Contests, or as applicable, Chapter 1, Part 10,
1606 Ranked-choice Voting.

1607 (2) After the canvass is complete and the report is prepared, the lieutenant governor
1608 shall transmit a copy of the report to each registered political party that participated in the
1609 presidential primary election.

1610 Section 31. **Effective date.**

1611 This bill takes effect on January 1, 2023.