

1 **PRIMARY ELECTIONS MODIFICATIONS**

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karianne Lisonbee**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions of the Election Code in relation to the manner of selecting a
10 political party nominee.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ provides that, for certain primary races for offices where more than two candidates
15 are seeking the nomination of the same political party for the same office, if one
16 candidate does not receive more than a certain percentage of the votes cast in the
17 race, the party shall, in accordance with the party's bylaws, choose a nominee from
18 among the two candidates who received the highest number of votes; and
- 19 ▶ makes technical and conforming changes.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 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- 28 **20A-1-304**, as repealed and reenacted by Laws of Utah 2018, Chapter 187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-4-304**, as last amended by Laws of Utah 2021, First Special Session, Chapter 15
- 30 **20A-9-101**, as last amended by Laws of Utah 2020, Chapter 344
- 31 **20A-9-403**, as last amended by Laws of Utah 2020, Chapter 22
- 32 **20A-9-406**, as last amended by Laws of Utah 2020, Chapters 22, 31, and 49
- 33 **20A-9-407**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6
- 34 **20A-9-408**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6

35 ENACTS:

36 **20A-4-303.5**, Utah Code Annotated 1953



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

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

40 **20A-1-102. Definitions.**

41 As used in this title:

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

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

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

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

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

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

52 (b) a constitutional amendment;

53 (c) an initiative;

54 (d) a referendum;

55 (e) a bond proposition;

56 (f) a judicial retention question;

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

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

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

62 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
63 20A-4-306 to canvass election returns.

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

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

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

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

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

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

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

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

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

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

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

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

87 (b) does not include:

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

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

92 (18) "Elected official" means:

93 (a) a person elected to an office under Section 20A-1-303 or Chapter 4, Part 6,

94 Municipal Alternate Voting Methods Pilot Project;

95 (b) a person who is considered to be elected to a municipal office in accordance with

96 Subsection 20A-1-206(1)(c)(ii); or

97 (c) a person who is considered to be elected to a local district office in accordance with

98 Subsection 20A-1-206(3)(c)(ii).

99 (19) "Election" means a regular general election, a municipal general election, a

100 statewide special election, a local special election, a regular primary election, a municipal

101 primary election, and a local district election.

102 (20) "Election Assistance Commission" means the commission established by the Help

103 America Vote Act of 2002, Pub. L. No. 107-252.

104 (21) "Election cycle" means the period beginning on the first day persons are eligible to

105 file declarations of candidacy and ending when the canvass is completed.

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

107 (a) preside over other poll workers at a polling place;

108 (b) act as the presiding election judge; or

109 (c) serve as a canvassing judge, counting judge, or receiving judge.

110 (23) "Election officer" means:

111 (a) the lieutenant governor, for all statewide ballots and elections;

112 (b) the county clerk for:

113 (i) a county ballot and election; and

114 (ii) a ballot and election as a provider election officer as provided in Section

115 20A-5-400.1 or 20A-5-400.5;

116 (c) the municipal clerk for:

117 (i) a municipal ballot and election; and

118 (ii) a ballot and election as a provider election officer as provided in Section

119 20A-5-400.1 or 20A-5-400.5;

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

- 121 (i) a local district ballot and election; and
- 122 (ii) a ballot and election as a provider election officer as provided in Section
- 123 [20A-5-400.1](#) or [20A-5-400.5](#); or
- 124 (e) the business administrator or superintendent of a school district for:
- 125 (i) a school district ballot and election; and
- 126 (ii) a ballot and election as a provider election officer as provided in Section
- 127 [20A-5-400.1](#) or [20A-5-400.5](#).
- 128 (24) "Election official" means any election officer, election judge, or poll worker.
- 129 (25) "Election results" means:
- 130 (a) for an election other than a bond election, the count of votes cast in the election and
- 131 the election returns requested by the board of canvassers; or
- 132 (b) for bond elections, the count of those votes cast for and against the bond
- 133 proposition plus any or all of the election returns that the board of canvassers may request.
- 134 (26) "Election returns" includes the pollbook, the military and overseas absentee voter
- 135 registration and voting certificates, one of the tally sheets, any unprocessed ballots, all counted
- 136 ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and
- 137 the total votes cast form.
- 138 (27) "Electronic signature" means an electronic sound, symbol, or process attached to
- 139 or logically associated with a record and executed or adopted by a person with the intent to sign
- 140 the record.
- 141 (28) "Inactive voter" means a registered voter who is listed as inactive by a county
- 142 clerk under Subsection [20A-2-306\(4\)\(c\)\(i\)](#) or (ii).
- 143 (29) "Judicial office" means the office filled by any judicial officer.
- 144 (30) "Judicial officer" means any justice or judge of a court of record or any county
- 145 court judge.
- 146 (31) "Local district" means a local government entity under Title 17B, Limited Purpose
- 147 Local Government Entities - Local Districts, and includes a special service district under Title
- 148 17D, Chapter 1, Special Service District Act.
- 149 (32) "Local district officers" means those local district board members that are required
- 150 by law to be elected.
- 151 (33) "Local election" means a regular county election, a regular municipal election, a

152 municipal primary election, a local special election, a local district election, and a bond
153 election.

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

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

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

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

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

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

167 (38) "Multi-candidate primary race" means a primary race for a political party
168 nomination:

169 (a) where only one individual is to be nominated;

170 (b) in which more than two candidates qualify for placement on the primary election
171 ballot for the same political party and for the same office; and

172 (c) where the race is for one of the following offices:

173 (i) a United States congressional office;

174 (ii) a state legislative office;

175 (iii) governor;

176 (iv) attorney general;

177 (v) state treasurer;

178 (vi) state auditor; or

179 (vii) a partisan, elected county office.

180 [~~38~~] (39) "Municipal executive" means:

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

182 (b) the mayor in the council-manager form of government defined in Subsection

183 10-3b-103(7); or

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

185 [~~39~~] (40) "Municipal general election" means the election held in municipalities and,

186 as applicable, local districts on the first Tuesday after the first Monday in November of each

187 odd-numbered year for the purposes established in Section 20A-1-202.

188 [~~40~~] (41) "Municipal legislative body" means:

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

190 (b) the council of a metro township.

191 [~~41~~] (42) "Municipal office" means an elective office in a municipality.

192 [~~42~~] (43) "Municipal officers" means those municipal officers that are required by

193 law to be elected.

194 [~~43~~] (44) "Municipal primary election" means an election held to nominate

195 candidates for municipal office.

196 [~~44~~] (45) "Municipality" means a city, town, or metro township.

197 [~~45~~] (46) "Official ballot" means the ballots distributed by the election officer for

198 voters to record their votes.

199 [~~46~~] (47) "Official endorsement" means the information on the ballot that identifies:

200 (a) the ballot as an official ballot;

201 (b) the date of the election; and

202 (c) (i) for a ballot prepared by an election officer other than a county clerk, the

203 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

204 (ii) for a ballot prepared by a county clerk, the words required by Subsection

205 20A-6-301(1)(b)(iii).

206 [~~47~~] (48) "Official register" means the official record furnished to election officials

207 by the election officer that contains the information required by Section 20A-5-401.

208 [~~48~~] (49) "Political party" means an organization of registered voters that has

209 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party

210 Formation and Procedures.

211 [~~49~~] (50) (a) "Poll worker" means a person assigned by an election official to assist
212 with an election, voting, or counting votes.

213 (b) "Poll worker" includes election judges.

214 (c) "Poll worker" does not include a watcher.

215 [~~(50)~~] (51) "Pollbook" means a record of the names of voters in the order that they
216 appear to cast votes.

217 [~~(51)~~] (52) "Polling place" means a building where voting is conducted.

218 [~~(52)~~] (53) "Position" means a square, circle, rectangle, or other geometric shape on a
219 ballot in which the voter marks the voter's choice.

220 [~~(53)~~] (54) "Presidential Primary Election" means the election established in Chapter 9,
221 Part 8, Presidential Primary Election.

222 [~~(54)~~] (55) "Primary convention" means the political party conventions held during the
223 year of the regular general election.

224 [~~(55)~~] (56) "Protective counter" means a separate counter, which cannot be reset, that:

225 (a) is built into a voting machine; and

226 (b) records the total number of movements of the operating lever.

227 [~~(56)~~] (57) "Provider election officer" means an election officer who enters into a
228 contract or interlocal agreement with a contracting election officer to conduct an election for
229 the contracting election officer's local political subdivision in accordance with Section
230 [20A-5-400.1](#).

231 [~~(57)~~] (58) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

235 [~~(58)~~] (59) "Provisional ballot envelope" means an envelope printed in the form
236 required by Section [20A-6-105](#) that is used to identify provisional ballots and to provide
237 information to verify a person's legal right to vote.

238 [~~(59)~~] (60) (a) "Public figure" means an individual who, due to the individual being
239 considered for, holding, or having held a position of prominence in a public or private capacity,
240 or due to the individual's celebrity status, has an increased risk to the individual's safety.

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

242 (i) elected to public office; or

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

244 [~~(60)~~] (61) "Qualify" or "qualified" means to take the oath of office and begin

245 performing the duties of the position for which the individual was elected.

246 ~~[(61)]~~ (62) "Receiving judge" means the poll worker that checks the voter's name in the
247 official register at a polling location and provides the voter with a ballot.

248 ~~[(62)]~~ (63) "Registration form" means a form by which an individual may register to
249 vote under this title.

250 ~~[(63)]~~ (64) "Regular ballot" means a ballot that is not a provisional ballot.

251 ~~[(64)]~~ (65) "Regular general election" means the election held throughout the state on
252 the first Tuesday after the first Monday in November of each even-numbered year for the
253 purposes established in Section 20A-1-201.

254 ~~[(65)]~~ (66) "Regular primary election" means the election, held on the date specified in
255 Section 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
256 local school board positions to advance to the regular general election.

257 ~~[(66)]~~ (67) "Resident" means a person who resides within a specific voting precinct in
258 Utah.

259 ~~[(67)]~~ (68) "Return envelope" means the envelope, described in Subsection
260 20A-3a-202(4), provided to a voter with a manual ballot:

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

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

264 ~~[(68)]~~ (69) "Sample ballot" means a mock ballot similar in form to the official ballot
265 printed and distributed as provided in Section 20A-5-405.

266 ~~[(69)]~~ (70) "Special election" means an election held as authorized by Section
267 20A-1-203.

268 ~~[(70)]~~ (71) "Spoiled ballot" means each ballot that:

269 (a) is spoiled by the voter;

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

271 (c) lacks the official endorsement.

272 ~~[(71)]~~ (72) "Statewide special election" means a special election called by the governor
273 or the Legislature in which all registered voters in Utah may vote.

274 ~~[(72)]~~ (73) "Tabulation system" means a device or system designed for the sole
275 purpose of tabulating votes cast by voters at an election.

276 [~~(73)~~] (74) "Ticket" means a list of:

- 277 (a) political parties;
- 278 (b) candidates for an office; or
- 279 (c) ballot propositions.

280 [~~(74)~~] (75) "Transfer case" means the sealed box used to transport voted ballots to the
281 counting center.

282 [~~(75)~~] (76) "Vacancy" means the absence of a person to serve in any position created
283 by statute, whether that absence occurs because of death, disability, disqualification,
284 resignation, or other cause.

285 [~~(76)~~] (77) "Valid voter identification" means:

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

- 288 (i) a currently valid Utah driver license;
- 289 (ii) a currently valid identification card that is issued by:
 - 290 (A) the state; or
 - 291 (B) a branch, department, or agency of the United States;
- 292 (iii) a currently valid Utah permit to carry a concealed weapon;
- 293 (iv) a currently valid United States passport; or
- 294 (v) a currently valid United States military identification card;
- 295 (b) one of the following identification cards, whether or not the card includes a

296 photograph of the voter:

- 297 (i) a valid tribal identification card;
- 298 (ii) a Bureau of Indian Affairs card; or
- 299 (iii) a tribal treaty card; or
- 300 (c) two forms of identification not listed under Subsection [~~(76)~~] (77)(a) or (b) but that
301 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
302 which may include:

- 303 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
304 election;
- 305 (ii) a bank or other financial account statement, or a legible copy thereof;
- 306 (iii) a certified birth certificate;

- 307 (iv) a valid social security card;
- 308 (v) a check issued by the state or the federal government or a legible copy thereof;
- 309 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 310 (vii) a currently valid Utah hunting or fishing license;
- 311 (viii) certified naturalization documentation;
- 312 (ix) a currently valid license issued by an authorized agency of the United States;
- 313 (x) a certified copy of court records showing the voter's adoption or name change;
- 314 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 315 (xii) a currently valid identification card issued by:
- 316 (A) a local government within the state;
- 317 (B) an employer for an employee; or
- 318 (C) a college, university, technical school, or professional school located within the
- 319 state; or
- 320 (xiii) a current Utah vehicle registration.

321 ~~[(77)]~~ (78) "Valid write-in candidate" means a candidate who has qualified as a

322 write-in candidate by following the procedures and requirements of this title.

323 ~~[(78)]~~ (79) "Vote by mail" means to vote, using a manual ballot that is mailed to the

324 voter, by:

- 325 (a) mailing the ballot to the location designated in the mailing; or
- 326 (b) depositing the ballot in a ballot drop box designated by the election officer.

327 ~~[(79)]~~ (80) "Voter" means an individual who:

- 328 (a) meets the requirements for voting in an election;
- 329 (b) meets the requirements of election registration;
- 330 (c) is registered to vote; and
- 331 (d) is listed in the official register book.

332 ~~[(80)]~~ (81) "Voter registration deadline" means the registration deadline provided in

333 Section [20A-2-102.5](#).

334 ~~[(81)]~~ (82) "Voting area" means the area within six feet of the voting booths, voting

335 machines, and ballot box.

336 ~~[(82)]~~ (83) "Voting booth" means:

- 337 (a) the space or compartment within a polling place that is provided for the preparation

338 of ballots, including the voting enclosure or curtain; or

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

340 [~~(83)~~] (84) "Voting device" means any device provided by an election officer for a
341 voter to vote a mechanical ballot.

342 [~~(84)~~] (85) "Voting precinct" means the smallest geographical voting unit, established
343 under Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

344 [~~(85)~~] (86) "Watcher" means an individual who complies with the requirements
345 described in Section 20A-3a-801 to become a watcher for an election.

346 [~~(86)~~] (87) "Write-in ballot" means a ballot containing any write-in votes.

347 [~~(87)~~] (88) "Write-in vote" means a vote cast for an individual, whose name is not
348 printed on the ballot, in accordance with the procedures established in this title.

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

350 **20A-1-303. Determining results.**

351 (1) (a) Except as provided in [~~Title 20A,~~] Section 20A-4-303.5 or Chapter 4, Part 6,
352 Municipal Alternate Voting Methods Pilot Project, when one person is to be elected or
353 nominated, the person receiving the highest number of votes at any:

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

356 (b) Except as provided in [~~Title 20A,~~] Chapter 4, Part 6, Municipal Alternate Voting
357 Methods Pilot Project, when more than one person is to be elected or nominated, the persons
358 receiving the highest number of votes at any:

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

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

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

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

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

367 **20A-1-304. Tie votes.**

368 Except as provided in Section 20A-4-303.5, or for a race conducted by instant runoff

369 voting under [~~Title 20A,~~] Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project,
370 if two or more candidates for a position have an equal and the highest number of votes for any
371 office, the election officer shall, in a public meeting held within 30 days after the day on which
372 the canvass is completed, determine the candidate selected, by lot, in the presence of each
373 candidate subject to the tie.

374 Section 4. Section **20A-4-303.5** is enacted to read:

375 **20A-4-303.5. Determining nominee in multi-candidate primary race.**

376 (1) Except as provided in Subsection (2), in a multi-candidate primary race the
377 candidate who receives the highest number of votes is nominated.

378 (2) If the candidate who receives the highest number of votes in a multi-candidate
379 primary race does not receive more than 40% of the total votes cast in that race, the party shall,
380 within 30 days after the day on which the board of canvassers certifies the vote totals:

381 (a) in accordance with the party's bylaws, choose, as the party's nominee, one of the
382 two candidates who received the highest number of votes; and

383 (b) provide to the election officer for the next general election a certificate of
384 nomination stating the name of the candidate chosen.

385 Section 5. Section **20A-4-304** is amended to read:

386 **20A-4-304. Declaration of results -- Canvassers' report.**

387 (1) Each board of canvassers shall:

388 (a) except as provided in Section 20A-4-303.5 or Part 6, Municipal Alternate Voting
389 Methods Pilot Project, declare "elected" or "nominated" those persons who:

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

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

393 (b) declare:

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

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

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

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

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

- 400 (B) were submitted only to the voters within the board's jurisdiction;
- 401 (c) certify the vote totals for persons and for and against ballot propositions that were
- 402 submitted to voters within and beyond the board's jurisdiction and transmit those vote totals to
- 403 the lieutenant governor; and
- 404 (d) if applicable, certify the results of each local district election to the local district
- 405 clerk.
- 406 (2) As soon as the result is declared, the election officer shall prepare a report of the
- 407 result, which shall contain:
- 408 (a) the total number of votes cast in the board's jurisdiction;
- 409 (b) the names of each candidate whose name appeared on the ballot;
- 410 (c) the title of each ballot proposition that appeared on the ballot;
- 411 (d) each office that appeared on the ballot;
- 412 (e) from each voting precinct:
- 413 (i) the number of votes for each candidate;
- 414 (ii) for each race conducted by instant runoff voting under Part 6, Municipal Alternate
- 415 Voting Methods Pilot Project, the number of valid votes cast for each candidate for each
- 416 potential ballot-counting phase and the name of the candidate excluded in each canvassing
- 417 phase; and
- 418 (iii) the number of votes for and against each ballot proposition;
- 419 (f) the total number of votes given in the board's jurisdiction to each candidate, and for
- 420 and against each ballot proposition;
- 421 (g) the number of ballots that were rejected; and
- 422 (h) a statement certifying that the information contained in the report is accurate.
- 423 (3) The election officer and the board of canvassers shall:
- 424 (a) review the report to ensure that it is correct; and
- 425 (b) sign the report.
- 426 (4) The election officer shall:
- 427 (a) record or file the certified report in a book kept for that purpose;
- 428 (b) prepare and transmit a certificate of nomination or election under the officer's seal
- 429 to each nominated or elected candidate;
- 430 (c) publish a copy of the certified report in accordance with Subsection (5); and

431 (d) file a copy of the certified report with the lieutenant governor.

432 (5) Except as provided in Subsection (6), the election officer shall, no later than seven
433 days after the day on which the board of canvassers declares the election results, publicize the
434 certified report described in Subsection (2):

435 (a) (i) by publishing notice at least once in a newspaper of general circulation within
436 the jurisdiction;

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

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

441 (b) by posting notice on the Utah Public Notice Website, created in Section
442 [63A-16-601](#), for one week; and

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

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

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

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

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

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

454 (iii) a mailing address and telephone number.

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

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

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

461 (8) In each county election, municipal election, school election, local district election,

462 and local special election, the election officer shall transmit the reports to the lieutenant
463 governor within 14 days after the date of the election.

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

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

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

471 Section 6. Section **20A-9-101** is amended to read:

472 **20A-9-101. Definitions.**

473 As used in this chapter:

474 (1) (a) "Candidates for elective office" means persons who file a declaration of
475 candidacy under Section **20A-9-202** to run in a regular general election for a federal office,
476 constitutional office, multicounty office, or county office.

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

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

479 (ii) presidential elector;

480 (iii) any political party offices; and

481 (iv) municipal or local district offices.

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

484 (3) "Continuing political party" means the same as that term is defined in Section
485 **20A-8-101**.

486 (4) (a) "County office" means an elective office where the officeholder is selected by
487 voters entirely within one county.

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

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

490 (ii) the office of presidential elector;

491 (iii) any political party offices;

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

- 493 (v) the office of United States Senator and United States Representative.
- 494 (5) "Federal office" means an elective office for United States Senator and United
495 States Representative.
- 496 (6) "Filing officer" means:
- 497 (a) the lieutenant governor, for:
- 498 (i) the office of United States Senator and United States Representative; and
- 499 (ii) all constitutional offices;
- 500 (b) for the office of a state senator or state representative, the lieutenant governor or the
501 applicable clerk described in Subsection (6)(c) or (d);
- 502 (c) the county clerk, for county offices and local school district offices;
- 503 (d) the county clerk in the filer's county of residence, for multicounty offices;
- 504 (e) the city or town clerk, for municipal offices; or
- 505 (f) the local district clerk, for local district offices.
- 506 (7) "Local district office" means an elected office in a local district.
- 507 (8) "Local government office" includes county offices, municipal offices, and local
508 district offices and other elective offices selected by the voters from a political division entirely
509 within one county.
- 510 (9) (a) "Multicounty office" means an elective office where the officeholder is selected
511 by the voters from more than one county.
- 512 (b) "Multicounty office" does not mean:
- 513 (i) a county office;
- 514 (ii) a federal office;
- 515 (iii) the office of justice or judge of any court of record or not of record;
- 516 (iv) the office of presidential elector;
- 517 (v) any political party offices; or
- 518 (vi) any municipal or local district offices.
- 519 (10) "Municipal office" means an elective office in a municipality.
- 520 (11) (a) "Political division" means a geographic unit from which an officeholder is
521 elected and that an officeholder represents.
- 522 (b) "Political division" includes a county, a city, a town, a local district, a school
523 district, a legislative district, and a county prosecution district.

- 524 (12) "Qualified political party" means a registered political party that:
- 525 (a) (i) permits a delegate for the registered political party to vote on a candidate
- 526 nomination in the registered political party's convention remotely; or
- 527 (ii) provides a procedure for designating an alternate delegate if a delegate is not
- 528 present at the registered political party's convention;
- 529 (b) does not hold the registered political party's convention before the fourth Saturday
- 530 in March of an even-numbered year;
- 531 (c) permits a member of the registered political party to seek the registered political
- 532 party's nomination for any elective office by the member choosing to seek the nomination by
- 533 either or both of the following methods:
- 534 (i) seeking the nomination through the registered political party's convention process,
- 535 in accordance with the provisions of Section [20A-9-407](#), including, as applicable, Section
- 536 [20A-4-303.5](#); or
- 537 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
- 538 of Section [20A-9-408](#); and
- 539 (d) (i) if the registered political party is a continuing political party, no later than 5 p.m.
- 540 on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the
- 541 election in the following year, the registered political party intends to nominate the registered
- 542 political party's candidates in accordance with the provisions of Section [20A-9-406](#); or
- 543 (ii) if the registered political party is not a continuing political party, certifies at the
- 544 time that the registered political party files the petition described in Section [20A-8-103](#) that, for
- 545 the next election, the registered political party intends to nominate the registered political
- 546 party's candidates in accordance with the provisions of Section [20A-9-406](#).

547 Section 7. Section **20A-9-403** is amended to read:

548 **20A-9-403. Regular primary elections.**

- 549 (1) (a) [~~Candidates~~] Except as provided in Section [20A-4-303.5](#), candidates for elective
- 550 office that are to be filled at the next regular general election shall be nominated in a regular
- 551 primary election by direct vote of the people in the manner prescribed in this section. The
- 552 regular primary election is held on the date specified in Section [20A-1-201.5](#). Nothing in this
- 553 section shall affect a candidate's ability to qualify for a regular general election's ballot as an
- 554 unaffiliated candidate under Section [20A-9-501](#) or to participate in a regular general election as

555 a write-in candidate under Section 20A-9-601.

556 (b) Each registered political party that chooses to have the names of the registered
557 political party's candidates for elective office featured with party affiliation on the ballot at a
558 regular general election shall comply with the requirements of this section and shall nominate
559 the registered political party's candidates for elective office in the manner described in this
560 section.

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

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

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

569 (i) either declare the registered political party's intent to participate in the next regular
570 primary election or declare that the registered political party chooses not to have the names of
571 the registered political party's candidates for elective office featured on the ballot at the next
572 regular general election; and

573 (ii) if the registered political party participates in the upcoming regular primary
574 election, identify one or more registered political parties whose members may vote for the
575 registered political party's candidates and whether individuals identified as unaffiliated with a
576 political party may vote for the registered political party's candidates.

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

580 (ii) An organization that is seeking to become a registered political party under Section
581 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered
582 political party files the petition described in Section 20A-8-103.

583 (3) (a) Except as provided in Subsection (3)(e), an individual who submits a
584 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective
585 office on the regular primary ballot of the registered political party listed on the declaration of

586 candidacy only if the individual is certified by the appropriate filing officer as having submitted
587 a set of nomination petitions that was:

588 (i) circulated and completed in accordance with Section 20A-9-405; and
589 (ii) signed by at least 2% of the registered political party's members who reside in the
590 political division of the office that the individual seeks.

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

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

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

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

603 (d) The filing officer shall:

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

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

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

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

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

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

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

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

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

625 (B) reflect a bona fide effort to determine the validity of a candidate's entire
626 submission, using widely recognized statistical sampling techniques; and

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

629 (g) The county clerk shall:

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

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

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

637 (4) (a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant
638 governor shall provide to the county clerks:

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

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

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

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

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

656 (5) (a) [~~A~~] Except as provided in Section [20A-4-303.5](#), a candidate who, at the regular
657 primary election, receives the highest number of votes cast for the office sought by the
658 candidate is:

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

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

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

665 (c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

666 (A) no individual other than the candidate receives a certification under Subsection (3)
667 for the regular primary election ballot of the candidate's registered political party for a
668 particular elective office; or

669 (B) for an office where more than one individual is to be elected or nominated, the
670 number of candidates who receive certification under Subsection (3) for the regular primary
671 election of the candidate's registered political party does not exceed the total number of
672 candidates to be elected or nominated for that office.

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

676 (6) Except as provided in Section [20A-4-303.5](#):

677 [~~(6)~~] (a) [~~When~~] when a tie vote occurs in any primary election for any national, state,
678 or other office that represents more than one county, the governor, lieutenant governor, and

679 attorney general shall, at a public meeting called by the governor and in the presence of the
680 candidates involved, select the nominee by lot cast in whatever manner the governor
681 determines[-]; and

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

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

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

693 Section 8. Section **20A-9-406** is amended to read:

694 **20A-9-406. Qualified political party -- Requirements and exemptions.**

695 The following provisions apply to a qualified political party:

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

700 (2) the following provisions do not apply to a nomination for the qualified political
701 party:

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

703 (b) Subsection [20A-9-403](#)(5)(c); and

704 (c) Section [20A-9-405](#);

705 (3) except as provided in Section [20A-4-303.5](#), an individual may only seek the
706 nomination of the qualified political party by using a method described in Section [20A-9-407](#),
707 Section [20A-9-408](#), or both;

708 (4) the qualified political party shall comply with the provisions of Sections
709 [20A-9-407](#), [20A-9-408](#), and [20A-9-409](#);

710 (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(e), or (2)(a), each election officer
711 shall ensure that a ballot described in Section 20A-6-301 includes each individual nominated
712 by a qualified political party:

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

714 (b) under the title of the qualified registered political party as designated by the
715 qualified political party in the certification described in Subsection (1), or, if none is
716 designated, then under some suitable title;

717 (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for
718 ballots in regular general elections, that each candidate who is nominated by the qualified
719 political party is listed by party;

720 (7) notwithstanding Subsection 20A-6-304(1)(e), each election officer shall ensure that
721 the party designation of each candidate who is nominated by the qualified political party is
722 displayed adjacent to the candidate's name on a mechanical ballot;

723 (8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also
724 includes an individual who files a declaration of candidacy under Section 20A-9-407 or
725 20A-9-408 to run in a regular general election for a federal office, constitutional office,
726 multicounty office, or county office;

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

729 (10) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled
730 to have each of the qualified political party's candidates for elective office appear on the
731 primary ballot of the qualified political party with an indication that each candidate is a
732 candidate for the qualified political party;

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

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

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

740 (12) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an

741 elective office in the regular primary election of the qualified political party is nominated by
742 the party for that office without appearing on the primary ballot; and

743 (13) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
744 20A-9-405, the qualified political party is entitled to have the names of its candidates for
745 elective office featured with party affiliation on the ballot at a regular general election.

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

747 **20A-9-407. Convention process to seek the nomination of a qualified political**
748 **party.**

749 (1) This section describes the requirements for a member of a qualified political party
750 who is seeking the nomination of a qualified political party for an elective office through the
751 qualified political party's convention process.

752 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of
753 candidacy for a member of a qualified political party who is nominated by, or who is seeking
754 the nomination of, the qualified political party under this section shall be substantially as
755 described in Section 20A-9-408.5.

756 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
757 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the
758 nomination of the qualified political party for an elective office that is to be filled at the next
759 general election, shall:

760 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy in
761 person with the filing officer:

762 (i) on or after 48 days after the day on which the Legislature's general session begins,
763 as provided in Section 36-3-201; and

764 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session
765 begins, as provided in Section 36-3-201; and

766 (b) pay the filing fee.

767 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political
768 party who, under this section, is seeking the nomination of the qualified political party for the
769 office of district attorney within a multicounty prosecution district that is to be filled at the next
770 general election shall:

771 (a) file a declaration of candidacy with the county clerk designated in the interlocal

772 agreement creating the prosecution district:

773 (i) on or after 48 days after the day on which the Legislature's general session begins,
774 as provided in Section 36-3-201; and

775 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session
776 begins, as provided in Section 36-3-201; and

777 (b) pay the filing fee.

778 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
779 who files as the joint-ticket running mate of an individual who is nominated by a qualified
780 political party, under this section, for the office of governor shall, before the deadline described
781 in Subsection 20A-9-202(1)(b), file a declaration of candidacy and submit a letter from the
782 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
783 mate.

784 (6) (a) A qualified political party that nominates a candidate under this section shall
785 certify the name of the candidate to the lieutenant governor before the deadline described in
786 Subsection 20A-9-202(1)(b).

787 (b) The lieutenant governor shall include, in the primary ballot certification or, for a
788 race where a primary is not held because the candidate is unopposed, in the general election
789 ballot certification, the name of each candidate nominated by a qualified political party under
790 this section or Section 20A-4-303.5.

791 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
792 is nominated by a qualified political party under this section, designate the qualified political
793 party that nominated the candidate.

794 Section 10. Section 20A-9-408 is amended to read:

795 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
796 **political party.**

797 (1) This section describes the requirements for a member of a qualified political party
798 who is seeking the nomination of the qualified political party for an elective office through the
799 signature-gathering process described in this section.

800 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of
801 candidacy for a member of a qualified political party who is nominated by, or who is seeking
802 the nomination of, the qualified political party under this section shall be substantially as

803 described in Section 20A-9-408.5.

804 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
805 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the
806 nomination of the qualified political party for an elective office that is to be filled at the next
807 general election shall:

808 (a) within the period beginning on January 1 before the next regular general election
809 and ending at 5 p.m. 52 days after the day on which the Legislature's general session begins, as
810 provided in Section 36-3-201, and before gathering signatures under this section, file with the
811 filing officer on a form approved by the lieutenant governor a notice of intent to gather
812 signatures for candidacy that includes:

813 (i) the name of the member who will attempt to become a candidate for a registered
814 political party under this section;

815 (ii) the name of the registered political party for which the member is seeking
816 nomination;

817 (iii) the office for which the member is seeking to become a candidate;

818 (iv) the address and telephone number of the member; and

819 (v) other information required by the lieutenant governor;

820 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,
821 in person, with the filing officer:

822 (i) on or after 48 days after the day on which the Legislature's general session begins,
823 as provided in Section 36-3-201; and

824 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session
825 begins, as provided in Section 36-3-201; and

826 (c) pay the filing fee.

827 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political
828 party who, under this section, is seeking the nomination of the qualified political party for the
829 office of district attorney within a multicounty prosecution district that is to be filled at the next
830 general election shall:

831 (a) on or after January 1 before the next regular general election, and before gathering
832 signatures under this section, file with the filing officer on a form approved by the lieutenant
833 governor a notice of intent to gather signatures for candidacy that includes:

834 (i) the name of the member who will attempt to become a candidate for a registered
835 political party under this section;

836 (ii) the name of the registered political party for which the member is seeking
837 nomination;

838 (iii) the office for which the member is seeking to become a candidate;

839 (iv) the address and telephone number of the member; and

840 (v) other information required by the lieutenant governor;

841 (b) except as provided in Subsection [20A-9-202\(1\)\(c\)](#), file a declaration of candidacy,
842 in person, with the filing officer:

843 (i) on or after 48 days after the day on which the Legislature's general session begins,
844 as provided in Section [36-3-201](#); and

845 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session
846 begins, as provided in Section [36-3-201](#); and

847 (c) pay the filing fee.

848 (5) Notwithstanding Subsection [20A-9-202\(3\)\(a\)\(iii\)](#), a lieutenant governor candidate
849 who files as the joint-ticket running mate of an individual who is nominated by a qualified
850 political party, under this section, for the office of governor shall, before the deadline described
851 in Subsection [20A-9-202\(1\)\(b\)](#), file a declaration of candidacy and submit a letter from the
852 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
853 mate.

854 (6) The lieutenant governor shall ensure that the certification described in Subsection
855 [20A-9-701\(1\)](#) also includes the name of each candidate nominated by a qualified political party
856 under this section or Section [20A-4-303.5](#).

857 (7) Notwithstanding Subsection [20A-9-701\(2\)](#), the ballot shall, for each candidate who
858 is nominated by a qualified political party under this section or Section [20A-4-303.5](#), designate
859 the qualified political party that nominated the candidate.

860 (8) A member of a qualified political party may seek the nomination of the qualified
861 political party for an elective office by:

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

863 (b) collecting signatures, on a form approved by the lieutenant governor, during the
864 period beginning on January 1 of an even-numbered year and ending at 5 p.m. 14 days before

865 the day on which the qualified political party's convention for the office is held, in the
866 following amounts:

867 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
868 permitted by the qualified political party to vote for the qualified political party's candidates in
869 a primary election;

870 (ii) for a congressional district race, 7,000 signatures of registered voters who are
871 residents of the congressional district and are permitted by the qualified political party to vote
872 for the qualified political party's candidates in a primary election;

873 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
874 residents of the state Senate district and are permitted by the qualified political party to vote for
875 the qualified political party's candidates in a primary election;

876 (iv) for a state House district race, 1,000 signatures of registered voters who are
877 residents of the state House district and are permitted by the qualified political party to vote for
878 the qualified political party's candidates in a primary election;

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

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

883 (B) 3% of the registered voters of the qualified political party who are residents of the
884 applicable State Board of Education district; and

885 (vi) for a county office race, signatures of 3% of the registered voters who are residents
886 of the area permitted to vote for the county office and are permitted by the qualified political
887 party to vote for the qualified political party's candidates in a primary election.

888 (9) (a) In order for a member of the qualified political party to qualify as a candidate
889 for the qualified political party's nomination for an elective office under this section, the
890 member shall:

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

893 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days
894 before the day on which the qualified political party holds the party's convention to select
895 candidates, for the elective office, for the qualified political party's nomination.

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

898 (c) An individual who files a notice of intent to gather signatures for candidacy,
899 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
900 the notice of intent to gather signatures for candidacy:

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

903 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
904 apply to a candidate for office in relation to the reporting requirements described in Subsection
905 (9)(c)(i).

906 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
907 election officer shall, no later than the earlier of 14 days after the day on which the election
908 officer receives the signatures, or one day before the day on which the qualified political party
909 holds the convention to select a nominee for the elective office to which the signature packets
910 relate:

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

913 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a
914 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

915 (iii) determine whether each signer is a registered voter who is qualified to sign the
916 petition, using the same method, described in Section [20A-7-206.3](#), used to verify a signature
917 on a petition; and

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

920 (e) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
921 election officer shall, no later than one day before the day on which the qualified political party
922 holds the convention to select a nominee for the elective office to which the signature packets
923 relate, notify the qualified political party and the lieutenant governor of the name of each
924 member of the qualified political party who qualifies as a nominee of the qualified political
925 party, under this section, for the elective office to which the convention relates.

926 (f) Upon receipt of a notice of intent to gather signatures for candidacy described in

927 this section, the lieutenant governor shall post the notice of intent to gather signatures for
928 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
929 posts a declaration of candidacy.