

ELECTION SCHEDULE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to the election schedule.

Highlighted Provisions:

This bill:

- ▶ modifies the period for filing a declaration of candidacy and a notice of intent to gather signatures;
- ▶ clarifies provisions relating to the residency requirement of a candidate; 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:

20A-1-508, as last amended by Laws of Utah 2019, Chapters 212, 255 and last amended by Coordination Clause, Laws of Utah 2019, Chapter 212

20A-1-509.1, as last amended by Laws of Utah 2019, Chapter 255

20A-9-201, as last amended by Laws of Utah 2021, Chapters 20 and 183

20A-9-407, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6

20A-9-408, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6



28 **20A-9-502**, as last amended by Laws of Utah 2018, Chapter 11
 29 **20A-9-503**, as last amended by Laws of Utah 2020, Chapter 22
 30 **20A-14-203**, as last amended by Laws of Utah 2016, Chapter 16

31 ENACTS:

32 **20A-9-201.5**, Utah Code Annotated 1953



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

35 Section 1. Section **20A-1-508** is amended to read:

36 **20A-1-508. Midterm vacancies in county elected offices -- Temporary manager --**
 37 **Interim replacement.**

38 (1) As used in this section:

39 (a) (i) "County offices" includes the county executive, members of the county
 40 legislative body, the county treasurer, the county sheriff, the county clerk, the county auditor,
 41 the county recorder, the county surveyor, and the county assessor.

42 (ii) "County offices" does not include the office of county attorney, district attorney, or
 43 judge.

44 (b) "Party liaison" means the political party officer designated to serve as a liaison with
 45 each county legislative body on all matters relating to the political party's relationship with a
 46 county as required by Section **20A-8-401**.

47 (2) (a) Except as provided in Subsection (2)(d), until a county legislative body appoints
 48 an interim replacement to fill a vacant county office under Subsection (3), the following shall
 49 temporarily discharge the duties of the county office as a temporary manager:

50 (i) for a county office with one chief deputy, the chief deputy;

51 (ii) for a county office with more than one chief deputy:

52 (A) the chief deputy with the most cumulative time served as a chief deputy for the
 53 county office; or

54 (B) notwithstanding Subsection (2)(a)(ii)(A), if, before the vacating county officer
 55 vacates the office, the county officer files with the county clerk a written statement designating
 56 one of the county officer's chief deputies to discharge the duties of the county office in the
 57 event the county officer vacates the office, the designated chief deputy; or

58 (iii) for a county office without a chief deputy:

59 (A) if one management-level employee serving under the county office has a
60 higher-seniority management level than any other employee serving under the county office,
61 that management-level employee;

62 (B) if two or more management-level employees serving under the county office have
63 the same and highest-seniority management level, the highest-seniority management-level
64 employee with the most cumulative time served in the employee's current position; or

65 (C) notwithstanding Subsection (2)(a)(iii)(A) or (B), if, before the vacating county
66 officer vacates the office, the county officer files with the county clerk a written statement
67 designating one of the county officer's employees to discharge the county officer's duties in the
68 event the county officer vacates the office, the designated employee.

69 (b) Except as provided in Subsection (2)(c), a temporary manager described in
70 Subsection (2)(a) who temporarily discharges the duties of a county office holds the powers
71 and duties of the county office until the county legislative body appoints an interim
72 replacement under Subsection (3).

73 (c) The temporary manager described in Subsection (2)(a) who temporarily discharges
74 the duties of a county office:

75 (i) may not take an oath of office for the county office as a temporary manager;

76 (ii) shall comply with Title 17, Chapter 36, Uniform Fiscal Procedures Act for
77 Counties, and the county's budget ordinances and policies;

78 (iii) unless approved by the county legislative body, may not change the compensation
79 of an employee;

80 (iv) unless approved by the county legislative body, may not promote or demote an
81 employee or change an employee's job title;

82 (v) may terminate an employee only if the termination is conducted in accordance with:

83 (A) personnel rules described in Subsection 17-33-5(3) that are approved by the county
84 legislative body; and

85 (B) applicable law;

86 (vi) unless approved by the county legislative body, may not exceed by more than 5%
87 an expenditure that was planned before the county office for which the temporary manager
88 discharges duties was vacated;

89 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or

90 compensation; and

91 (viii) if approved by the county legislative body, may receive a performance award
92 after:

93 (A) the county legislative body appoints an interim replacement under Subsection (3);
94 and

95 (B) the interim replacement is sworn into office.

96 (d) This Subsection (2) does not apply to a vacancy in the office of county legislative
97 body member.

98 (3) (a) Until a replacement is selected as provided in this section and has qualified, the
99 county legislative body shall appoint an interim replacement to fill the vacant office by
100 following the procedures and requirements of this Subsection (3).

101 (b) (i) To appoint an interim replacement, the county legislative body shall, within 10
102 days after the day on which the vacancy occurs, give notice of the vacancy to the party liaison
103 of the same political party of the prior office holder and invite that party liaison to submit the
104 name of an individual to fill the vacancy.

105 (ii) That party liaison shall, before 5 p.m. within 30 days after the day on which the
106 liaison receives the notice described in Subsection (3)(b)(i), or if the party liaison does not
107 receive the notice, before 5 p.m. within 40 days after the day on which the vacancy occurs,
108 submit to the county legislative body the name of an individual the party selects in accordance
109 with the party's constitution or bylaws to serve as the interim replacement.

110 (iii) The county legislative body shall, no later than five days after the day on which a
111 party liaison submits the name of the individual to serve as the interim replacement, appoint the
112 individual to serve out the unexpired term.

113 (c) (i) If the county legislative body fails to appoint an interim replacement to fill the
114 vacancy in accordance with Subsection (3)(b)(iii), the county clerk shall, no later than five days
115 after the day of the deadline described in Subsection (3)(b)(iii), send to the governor a letter
116 that:

117 (A) informs the governor that the county legislative body has failed to appoint a
118 replacement within the statutory time period; and

119 (B) contains the name of the individual submitted by the party liaison to fill the
120 vacancy.

121 (ii) The governor shall, within 10 days after the day on which the governor receives the
122 letter described in Subsection (3)(c)(i), appoint the individual named by the party liaison as an
123 interim replacement to fill the vacancy.

124 (d) An individual appointed as interim replacement under this Subsection (3) shall hold
125 office until a successor is elected and has qualified.

126 (4) (a) The requirements of this Subsection (4) apply to all county offices that become
127 vacant if:

128 (i) the vacant office has an unexpired term of two years or more; and

129 (ii) the vacancy occurs after the election at which the officeholder was elected, but
130 before the [~~second Friday in March of the next even-numbered year~~] first day of the declaration
131 of candidacy filing period described in Section 20A-9-201.5.

132 (b) (i) When the conditions described in Subsection (4)(a) are met, the county clerk
133 shall as soon as practicable, but no later than 180 days before the next regular general election,
134 notify the public and each registered political party that the vacancy exists.

135 (ii) An individual intending to become a party candidate for the vacant office shall file
136 a declaration of candidacy in accordance with:

137 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

138 (B) for a county commission office, Subsection 17-52a-201(6) or 17-52a-202(6), if
139 applicable.

140 (iii) An individual who is nominated as a party candidate, who qualifies as an
141 unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates not Affiliated
142 with a Party, or who qualifies as a write-in candidate for the vacant office under Chapter 9, Part
143 6, Write-in Candidates, shall run in the regular general election.

144 (5) (a) The requirements of this Subsection (5) apply to all county offices that become
145 vacant if:

146 (i) the vacant office has an unexpired term of two years or more; and

147 (ii) the vacancy occurs on or after the [~~second Friday in March of the next~~
148 ~~even-numbered year~~] first day of the declaration of candidacy filing period described in Section
149 20A-9-201.5, but more than 75 days before the regular primary election.

150 (b) When the conditions described in Subsection (5)(a) are met, the county clerk shall
151 as soon as practicable, but no later than 70 days before the next regular primary election, notify

152 the public and each registered political party:

153 (i) that the vacancy exists; and

154 (ii) of the deadlines described in Subsection (5)(c)(i) and the deadlines established
155 under Subsection (5)(d)(ii).

156 (c) (i) An individual intending to become a party candidate for a vacant office shall,
157 within five days after the day on which the notice is given, ending at the close of normal office
158 hours on the fifth day, file a declaration of candidacy for the vacant office in accordance with:

159 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

160 (B) for a county commission office, Subsection 17-52a-201(6) or 17-52a-202(6), if
161 applicable.

162 (ii) The county central committee of each party shall:

163 (A) select a candidate or candidates from among those qualified candidates who have
164 filed declarations of candidacy; and

165 (B) certify the name of the candidate or candidates to the county clerk as soon as
166 practicable, but before 5 p.m. no later than 60 days before the day of the regular primary
167 election.

168 (d) (i) Except as provided in Subsection (5)(d)(ii), an individual intending to become a
169 candidate for a vacant office who does not wish to affiliate with a registered political party
170 shall file a verified certificate of nomination described in Section 20A-9-502 with the county
171 clerk in accordance with Chapter 9, Part 5, Candidates not Affiliated with a Party.

172 (ii) (A) The county clerk shall establish, in the clerk's reasonable discretion, a deadline
173 that is before 5 p.m. no later than 65 days before the day of the next regular general election by
174 which an individual who is not affiliated with a registered political party is required to submit a
175 certificate of nomination under Subsection (5)(d)(i).

176 (B) The county clerk shall establish the deadline described in Subsection (5)(d)(ii)(A)
177 in a manner that gives an unaffiliated candidate an equal opportunity to access the regular
178 general election ballot.

179 (e) An individual who is nominated as a party candidate for the vacant office, who
180 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates
181 not Affiliated with a Party, or who qualifies as a write-in candidate for the vacant office under
182 Chapter 9, Part 6, Write-in Candidates, shall run in the regular general election.

183 (6) (a) The requirements of this Subsection (6) apply to all county offices that become
184 vacant:

185 (i) if the vacant office has an unexpired term of two years or more; and

186 (ii) when 75 days or less remain before the day of the regular primary election but more
187 than 65 days remain before the day of the regular general election.

188 (b) When the conditions described in Subsection (6)(a) are met, the county clerk shall,
189 as soon as practicable, notify the public and each registered political party:

190 (i) that the vacancy exists; and

191 (ii) of the deadlines established under Subsection (6)(d).

192 (c) (i) Before the deadline that the county clerk establishes under Subsection
193 (6)(d)(i)(A), the county central committee of each registered political party that wishes to
194 submit a candidate for the office shall certify the name of one candidate to the county clerk for
195 placement on the regular general election ballot.

196 (ii) Before the deadline that the county clerk establishes under Subsection (6)(d)(i)(B),
197 a candidate who does not wish to affiliate with a registered political party shall file a verified
198 certificate of nomination described in Section [20A-9-502](#) with the county clerk in accordance
199 with Chapter 9, Part 5, Candidates not Affiliated with a Party.

200 (iii) Before the deadline that the county clerk establishes under Subsection (6)(d)(i)(C),
201 a write-in candidate shall submit to the county clerk a declaration of candidacy described in
202 Section [20A-9-601](#).

203 (d) (i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines
204 that are before 5 p.m. no later than 65 days before the day of the next regular general election
205 by which:

206 (A) a registered political party is required to certify a name under Subsection (6)(c)(i);

207 (B) an individual who does not wish to affiliate with a registered political party is
208 required to submit a certificate of nomination under Subsection (6)(c)(ii); and

209 (C) a write-in candidate is required to submit a declaration of candidacy under
210 Subsection (6)(c)(iii).

211 (ii) The county clerk shall establish deadlines under Subsection (6)(d)(i) in a manner
212 that gives an unaffiliated candidate or a write-in candidate an equal opportunity to access the
213 regular general election ballot.

214 (e) An individual who is certified as a party candidate for the vacant office, who
215 qualifies as an unaffiliated candidate for the vacant office under Chapter 9, Part 5, Candidates
216 not Affiliated with a Party, or who qualifies as a write-in candidate for the vacant office under
217 Chapter 9, Part 6, Write-in Candidates, shall run in the regular general election.

218 (7) (a) The requirements of this Subsection (7) apply to all county offices that become
219 vacant:

220 (i) if the vacant office has an unexpired term of less than two years; or

221 (ii) if the vacant office has an unexpired term of two years or more but 65 days or less
222 remain before the day of the next regular general election.

223 (b) (i) When the conditions described in Subsection (7)(a) are met, the county
224 legislative body shall as soon as practicable, but no later than 10 days after the day on which
225 the vacancy occurs, give notice of the vacancy to the party liaison of the same political party as
226 the prior office holder and invite that party liaison to submit the name of an individual to fill
227 the vacancy.

228 (ii) That party liaison shall, before 5 p.m. within 30 days after the day on which the
229 party liaison receives the notice described in Subsection (7)(b)(i), or if the party liaison does
230 not receive the notice, before 5 p.m. no later than 40 days after the day on which the vacancy
231 occurs, submit to the county legislative body the name of an individual to fill the vacancy.

232 (iii) The county legislative body shall, no later than five days after the day on which a
233 party liaison submits the name of the individual to fill the vacancy, appoint the individual to
234 serve out the unexpired term.

235 (c) (i) If the county legislative body fails to appoint an individual to fill the vacancy in
236 accordance with Subsection (7)(b)(iii), the county clerk shall send to the governor a letter that:

237 (A) informs the governor that the county legislative body has failed to appoint an
238 individual to fill the vacancy within the statutory time period; and

239 (B) contains the name of the individual submitted by the party liaison to fill the
240 vacancy.

241 (ii) The governor shall, within 10 days after the day on which the governor receives the
242 letter described in Subsection (7)(c)(i), appoint the individual named by the party liaison to fill
243 the vacancy.

244 (d) An individual appointed to fill the vacancy under this Subsection (7) shall hold

245 office until a successor is elected and has qualified.

246 (8) Except as otherwise provided by law, the county legislative body may appoint
247 replacements to fill all vacancies that occur in those offices filled by appointment of the county
248 legislative body.

249 (9) Nothing in this section prohibits a candidate that does not wish to affiliate with a
250 political party from filing a certificate of nomination for a vacant office within the same time
251 limits as a candidate that is affiliated with a political party.

252 (10) (a) Each individual elected under Subsection (4), (5), or (6) to fill a vacancy in a
253 county office shall serve for the remainder of the unexpired term of the individual who created
254 the vacancy and until a successor is elected and qualified.

255 (b) Nothing in this section may be construed to contradict or alter the provisions of
256 Section [17-16-6](#).

257 Section 2. Section **20A-1-509.1** is amended to read:

258 **20A-1-509.1. Procedure for filling midterm vacancy in county or district with 15**
259 **or more attorneys.**

260 (1) When a vacancy occurs in the office of county or district attorney in a county or
261 district having 15 or more attorneys who are licensed active members in good standing with the
262 Utah State Bar and registered voters, the vacancy shall be filled as provided in this section.

263 (2) (a) The requirements of this Subsection (2) apply when the office of county
264 attorney or district attorney becomes vacant and:

265 (i) the vacant office has an unexpired term of two years or more; and

266 (ii) the vacancy occurs before the [~~third Thursday in March of the even-numbered year~~]
267 first day of the declaration of candidacy filing period described in Section [20A-9-201.5](#).

268 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall
269 notify the public and each registered political party that the vacancy exists.

270 (c) All persons intending to become candidates for the vacant office shall:

271 (i) file a declaration of candidacy according to the procedures and requirements of
272 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;

273 (ii) if nominated as a party candidate or qualified as an independent or write-in
274 candidate under Chapter 9, Candidate Qualifications and Nominating Procedures, run in the
275 regular general election; and

276 (iii) if elected, complete the unexpired term of the person who created the vacancy.

277 (d) If the vacancy occurs [~~after the second Friday in March and before the third~~
278 ~~Thursday in March,~~] during the declaration of candidacy filing period described in Section
279 20A-9-201.5;

280 (i) the time for filing a declaration of candidacy under Section 20A-9-202 shall be
281 extended until 5 p.m. seven days after the [~~county clerk gives notice under Subsection (2)(b);~~
282 ~~but no later than 5 p.m. the fourth Thursday in March.~~] last day of the filing period described in
283 Section 20A-9-201.5; and

284 (ii) the county clerk shall notify the public and each registered political party that the
285 vacancy exists.

286 (3) (a) The requirements of this Subsection (3) apply when the office of county
287 attorney or district attorney becomes vacant and:

288 (i) the vacant office has an unexpired term of two years or more; and

289 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year
290 but more than 75 days before the regular primary election.

291 (b) When the conditions established in Subsection (3)(a) are met, the county clerk
292 shall:

293 (i) notify the public and each registered political party that the vacancy exists; and

294 (ii) identify the date and time by which a person interested in becoming a candidate
295 shall file a declaration of candidacy.

296 (c) All persons intending to become candidates for the vacant office shall:

297 (i) before 5 p.m. within five days after the day on which the county clerk gives the
298 notice described in Subsection (3)(b)(i), file a declaration of candidacy for the vacant office as
299 required by Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

300 (ii) if elected, complete the unexpired term of the person who created the vacancy.

301 (d) The county central committee of each party shall:

302 (i) select a candidate or candidates from among those qualified candidates who have
303 filed declarations of candidacy; and

304 (ii) certify the name of the candidate or candidates to the county clerk:

305 (A) before 5 p.m. no later than 60 days before the day of the regular primary election;

306 or

307 (B) electronically, before midnight no later than 60 days before the day of the regular
308 primary election.

309 (4) (a) The requirements of this Subsection (4) apply when the office of county
310 attorney or district attorney becomes vacant and:

311 (i) the vacant office has an unexpired term of two years or more; and

312 (ii) 75 days or less remain before the regular primary election but more than 65 days
313 remain before the regular general election.

314 (b) When the conditions established in Subsection (4)(a) are met, the county central
315 committees of each registered political party that wish to submit a candidate for the office
316 shall, not later than five days after the day on which the vacancy occurs, certify the name of one
317 candidate to the county clerk for placement on the regular general election ballot.

318 (c) The candidate elected shall complete the unexpired term of the person who created
319 the vacancy.

320 (5) (a) The requirements of this Subsection (5) apply when the office of county
321 attorney or district attorney becomes vacant and:

322 (i) the vacant office has an unexpired term of less than two years; or

323 (ii) the vacant office has an unexpired term of two years or more but 65 days or less
324 remain before the next regular general election.

325 (b) When the conditions established in Subsection (5)(a) are met, the county legislative
326 body shall give notice of the vacancy to the county central committee of the same political
327 party of the prior officeholder and invite that committee to submit the names of three nominees
328 to fill the vacancy.

329 (c) That county central committee shall, within 30 days after the day on which the
330 county legislative body gives the notice described in Subsection (5)(b), submit to the county
331 legislative body the names of three nominees to fill the vacancy.

332 (d) The county legislative body shall, within 45 days after the vacancy occurs, appoint
333 one of those nominees to serve out the unexpired term.

334 (e) If the county legislative body fails to appoint a person to fill the vacancy within 45
335 days, the county clerk shall send to the governor a letter that:

336 (i) informs the governor that the county legislative body has failed to appoint a person
337 to fill the vacancy within the statutory time period; and

338 (ii) contains the list of nominees submitted by the party central committee.

339 (f) The governor shall appoint a person to fill the vacancy from that list of nominees
340 within 30 days after receipt of the letter.

341 (g) A person appointed to fill the vacancy under this Subsection (5) shall complete the
342 unexpired term of the person who created the vacancy.

343 (6) Nothing in this section prevents or prohibits independent candidates from filing a
344 declaration of candidacy for the office within the required time limits.

345 Section 3. Section **20A-9-201** is amended to read:

346 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
347 **more than one political party prohibited with exceptions -- General filing and form**
348 **requirements -- Affidavit of impecuniosity.**

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

351 (a) be a United States citizen;

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

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

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

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

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

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

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

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

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

368 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more

369 than one justice court judge office.

370 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
371 the individual filed a declaration of candidacy for another office in the same election year if the
372 individual withdraws as a candidate for the other office in accordance with Subsection
373 20A-9-202(6) before filing the declaration of candidacy for lieutenant governor.

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

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

378 (ii) require the individual to state whether the individual meets the requirements
379 described in Subsection (3)(a)(i);

380 (iii) if the declaration of candidacy is for a county office, inform the individual that an
381 individual who holds a county elected office may not, at the same time, hold a municipal
382 elected office; and

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

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

388 (i) a United States citizen;

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

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

392 (iv) a current resident of the county in which the individual is seeking office and either
393 has been a resident of that county for at least one year before the date of the election or was
394 appointed and is currently serving as county attorney and became a resident of the county
395 within 30 days after appointment to the office.

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

399 (i) a United States citizen;

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

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

404 (iv) a current resident of the prosecution district in which the individual is seeking
405 office and either will have been a resident of that prosecution district for at least one year [~~as~~
406 ~~of~~] before the date of the election or was appointed and is currently serving as district attorney
407 and became a resident of the prosecution district within 30 days after receiving appointment to
408 the office.

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

411 (i) is a United States citizen;

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

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

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

417 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
418 [53-13-103](#); and

419 (v) [~~as of~~] before the date of the election, will have been a resident of the county in
420 which the individual seeks office for at least one year.

421 (e) Before accepting a declaration of candidacy for the office of governor, lieutenant
422 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of
423 Education member, the filing officer shall ensure that the individual filing the declaration of
424 candidacy also makes the conflict of interest disclosure described in Section [20A-11-1603](#).

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

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

430 (a) inform the individual that:

- 431 (i) the individual's name will appear on the ballot as the individual's name is written on
432 the individual's declaration of candidacy;
- 433 (ii) the individual may be required to comply with state or local campaign finance
434 disclosure laws; and
- 435 (iii) the individual is required to file a financial statement before the individual's
436 political convention under:
- 437 (A) Section 20A-11-204 for a candidate for constitutional office;
- 438 (B) Section 20A-11-303 for a candidate for the Legislature; or
- 439 (C) local campaign finance disclosure laws, if applicable;
- 440 (b) except for a presidential candidate, provide the individual with a copy of the current
441 campaign financial disclosure laws for the office the individual is seeking and inform the
442 individual that failure to comply will result in disqualification as a candidate and removal of
443 the individual's name from the ballot;
- 444 (c) provide the individual with a copy of Section 20A-7-801 regarding the Statewide
445 Electronic Voter Information Website Program and inform the individual of the submission
446 deadline under Subsection 20A-7-801(4)(a);
- 447 (d) provide the candidate with a copy of the pledge of fair campaign practices
448 described under Section 20A-9-206 and inform the candidate that:
- 449 (i) signing the pledge is voluntary; and
- 450 (ii) signed pledges shall be filed with the filing officer;
- 451 (e) accept the individual's declaration of candidacy; and
- 452 (f) if the individual has filed for a partisan office, provide a certified copy of the
453 declaration of candidacy to the chair of the county or state political party of which the
454 individual is a member.
- 455 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing
456 officer shall:
- 457 (a) accept the candidate's pledge; and
- 458 (b) if the candidate has filed for a partisan office, provide a certified copy of the
459 candidate's pledge to the chair of the county or state political party of which the candidate is a
460 member.
- 461 (7) (a) Except for a candidate for president or vice president of the United States, the

462 form of the declaration of candidacy shall:

463 (i) be substantially as follows:

464 "State of Utah, County of _____

465 I, _____, declare my candidacy for the office of _____, seeking the
466 nomination of the _____ party. I do solemnly swear, under penalty of perjury, that: I will
467 meet the qualifications to hold the office, both legally and constitutionally, if selected; I
468 reside at _____ in the City or Town of _____, Utah, Zip Code _____ Phone No.
469 _____; I will not knowingly violate any law governing campaigns and elections; if filing
470 via a designated agent, I will be out of the state of Utah during the entire candidate
471 filing period; I will file all campaign financial disclosure reports as required by law; and
472 I understand that failure to do so will result in my disqualification as a candidate for this
473 office and removal of my name from the ballot. The mailing address that I designate
474 for receiving official election notices is _____.

475 _____

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

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

478 (ii) require the candidate to state, in the sworn statement described in Subsection
479 (7)(a)(i):

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

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

482 (b) An agent designated under Subsection 20A-9-202(1)(c) to file a declaration of
483 candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.

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

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

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

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

491 (i) who is disqualified; or

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

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

495 (ii) The lieutenant governor shall:

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

498 (B) ensure that each county receives that proportion of the total amount paid to the
499 lieutenant governor from the congressional district that the total vote of that county for all
500 candidates for representative in Congress bears to the total vote of all counties within the
501 congressional district for all candidates for representative in Congress.

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

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

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

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

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

515 "Affidavit of Impecuniosity

516 Individual Name

517 _____ Address _____

518 Phone Number _____

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

522 Date _____ Signature _____

523 Affiant

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

525 _____
526 (signature)

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

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

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

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

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

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

541 Section 4. Section 20A-9-201.5 is enacted to read:

542 **20A-9-201.5. Declaration of candidacy filing period for a qualified political party.**

543 (1) In 2022, for a qualified political party, the filing period to file a declaration of
544 candidacy for an elective office that is to be filled at the next regular general election begins at
545 8 a.m. on February 28, 2022, and ends at 5 p.m. on March 4, 2022.

546 (2) Beginning on January 1, 2024, for a qualified political party, the filing period to file
547 a declaration of candidacy for an elective office that is to be filled at the next regular general
548 election:

549 (a) begins the later of:

550 (i) January 2 of the year in which the next regular general election is held; or

551 (ii) if January 2 is on a weekend, the first business day after January 2; and

552 (b) ends at 5 p.m. on the fourth business day after the day on which the filing period
553 begins.

554 Section 5. Section 20A-9-407 is amended to read:

555 **20A-9-407. Convention process to seek the nomination of a qualified political**
556 **party.**

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

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

564 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
565 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the
566 nomination of the qualified political party for an elective office that is to be filled at the next
567 general election, shall:

568 (a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy in
569 person with the filing officer[+] during the declaration of candidacy filing period described in
570 Section 20A-9-201.5; and

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

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

575 (b) pay the filing fee.

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

580 (a) file a declaration of candidacy with the county clerk designated in the interlocal
581 agreement creating the prosecution district[+] during the declaration of candidacy filing period
582 described in Section 20A-9-201.5; and

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

585 ~~[(ii) before 5 p.m. 52 days after the day on which the Legislature's general session~~

586 begins, as provided in Section ~~36-3-201~~; and]

587 (b) pay the filing fee.

588 (5) Notwithstanding Subsection ~~20A-9-202(3)(a)(iii)~~, a lieutenant governor candidate
589 who files as the joint-ticket running mate of an individual who is nominated by a qualified
590 political party, under this section, for the office of governor shall, [~~before the deadline~~
591 ~~described in Subsection 20A-9-202(1)(b)~~] during the declaration of candidacy filing period
592 described in Section 20A-9-201.5, file a declaration of candidacy and submit a letter from the
593 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
594 mate.

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

598 (b) The lieutenant governor shall include, in the primary ballot certification or, for a
599 race where a primary is not held because the candidate is unopposed, in the general election
600 ballot certification, the name of each candidate nominated by a qualified political party under
601 this section.

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

605 Section 6. Section ~~20A-9-408~~ is amended to read:

606 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
607 **political party.**

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

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

615 (3) Notwithstanding Subsection ~~20A-9-202(1)(a)~~, and except as provided in Subsection
616 ~~20A-9-202(4)~~, a member of a qualified political party who, under this section, is seeking the

617 nomination of the qualified political party for an elective office that is to be filled at the next
618 general election shall:

619 ~~[(a) within the period beginning on January 1 before the next regular general election~~
620 ~~and ending at 5 p.m. 52 days after the day on which the Legislature's general session begins, as~~
621 ~~provided in Section 36-3-201]~~

622 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,
623 and before gathering signatures under this section, file with the filing officer on a form
624 approved by the lieutenant governor a notice of intent to gather signatures for candidacy that
625 includes:

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

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

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

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

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

633 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,
634 in person, with the filing officer[:] during the declaration of candidacy filing period described
635 in Section 20A-9-201.5; and

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

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

640 (c) pay the filing fee.

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

645 ~~[(a) on or after January 1 before the next regular general election]~~

646 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,
647 and before gathering signatures under this section, file with the filing officer on a form

648 approved by the lieutenant governor a notice of intent to gather signatures for candidacy that
649 includes:

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

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

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

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

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

657 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,
658 in person, with the filing officer[:] during the declaration of candidacy filing period described
659 in Section 20A-9-201.5; and

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

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

664 (c) pay the filing fee.

665 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
666 who files as the joint-ticket running mate of an individual who is nominated by a qualified
667 political party, under this section, for the office of governor shall, [~~before the deadline~~
668 ~~described in Subsection 20A-9-202(1)(b)] during the declaration of candidacy filing period
669 described in Section 20A-9-201.5, file a declaration of candidacy and submit a letter from the
670 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
671 mate.~~

672 (6) The lieutenant governor shall ensure that the certification described in Subsection
673 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
674 under this section.

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

678 (8) A member of a qualified political party may seek the nomination of the qualified

679 political party for an elective office by:

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

681 (b) collecting signatures, on a form approved by the lieutenant governor, during the
682 period beginning on [~~January 1 of an even-numbered year~~] the day on which the member files a
683 notice of intent to gather signatures and ending at 5 p.m. 14 days before the day on which the
684 qualified political party's convention for the office is held, in the following amounts:

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

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

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

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

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

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

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

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

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

709 (i) collect the signatures on a form approved by the lieutenant governor, using the same

710 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

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

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

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

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

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

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

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

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

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

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

738 (e) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
739 election officer shall, no later than one day before the day on which the qualified political party
740 holds the convention to select a nominee for the elective office to which the signature packets

741 relate, notify the qualified political party and the lieutenant governor of the name of each
742 member of the qualified political party who qualifies as a nominee of the qualified political
743 party, under this section, for the elective office to which the convention relates.

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

748 Section 7. Section 20A-9-502 is amended to read:

749 **20A-9-502. Certificate of nomination -- Contents -- Circulation -- Verification --**
750 **Criminal penalty.**

751 (1) The candidate shall:

752 (a) prepare a certificate of nomination in substantially the following form:

753 "State of Utah, County of _____

754 I, _____, declare my intention of becoming an unaffiliated candidate for the
755 political group designated as ____ for the office of _____. I do solemnly swear that I can
756 qualify to hold that office both legally and constitutionally if selected, and that I reside at ____
757 Street, in the city of _____, county of _____, state of _____, zip code _____, phone _____, and
758 that I am providing, or have provided, the required number of holographic signatures of
759 registered voters required by law; that as a candidate at the next election I will not knowingly
760 violate any election or campaign law; that, if filing via a designated agent for an office other
761 than president of the United States, I will be out of the state of Utah during the entire candidate
762 filing period; I will file all campaign financial disclosure reports as required by law; and I
763 understand that failure to do so will result in my disqualification as a candidate for this office
764 and removal of my name from the ballot.

765 _____
766 Subscribed and sworn to before me this _____(month\day\year).

767 _____
768 Notary Public (or other officer
769 qualified to administer oaths)";

770 (b) bind signature sheets to the certificate that:

771 (i) are printed on sheets of paper 8-1/2 inches long and 11 inches wide;

772 (ii) are ruled with a horizontal line 3/4 inch from the top, with the space above that line
773 blank for the purpose of binding;

774 (iii) contain the name of the proposed candidate and the words "Unaffiliated Candidate
775 Certificate of Nomination Petition" printed directly below the horizontal line;

776 (iv) contain the word "Warning" printed directly under the words described in
777 Subsection (1)(b)(iii);

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

780 "It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination
781 signature sheet with any name other than the person's own name or more than once for the
782 same candidate or if the person is not registered to vote in this state and does not intend to
783 become registered to vote in this state before the county clerk certifies the signatures.";

784 (vi) contain the following statement directly under the statement described in
785 Subsection (1)(b)(v):

786 "Each signer says:

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

788 I am registered to vote in Utah or intend to become registered to vote in Utah before the
789 county clerk certifies my signature; and

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

791 (vii) contain horizontally ruled lines, 3/8 inch apart under the statement described in
792 Subsection (1)(b)(vi); and

793 (viii) be vertically divided into columns as follows:

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

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

799 (C) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
800 Registered Voter";

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

802 (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip

803 Code"; and

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

809 (c) bind a final page to one or more signature sheets that are bound together that
810 contains, except as provided by Subsection (3), the following printed statement:

811 "Verification
812 State of Utah, County of _____

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

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

815 All the names that appear on the signature sheets bound to this page were signed by
816 persons who professed to be the persons whose names appear on the signature sheets, and each
817 of them signed the person's name on the signature sheets in my presence;

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

821 _____
822 (Signature) (Residence Address) (Date)".

823 (2) An agent designated to file a certificate of nomination under Subsection
824 20A-9-503[~~(1)~~](2)(b) may not sign the form described in Subsection (1)(a).

825 (3) (a) The candidate shall circulate the nomination petition and ensure that the person
826 in whose presence each signature sheet is signed:

827 (i) is at least 18 years old;

828 (ii) except as provided by Subsection (3)(b), meets the residency requirements of
829 Section 20A-2-105; and

830 (iii) verifies each signature sheet by completing the verification bound to one or more
831 signature sheets that are bound together.

832 (b) A person who is not a resident may sign the verification on a petition for an
833 unaffiliated candidate for the office of president of the United States.

834 (c) A person may not sign the verification if the person signed a signature sheet bound
835 to the verification.

836 (4) (a) It is unlawful for any person to:

837 (i) knowingly sign a certificate of nomination signature sheet:

838 (A) with any name other than the person's own name;

839 (B) more than once for the same candidate; or

840 (C) if the person is not registered to vote in this state and does not intend to become
841 registered to vote in this state before the county clerk certifies the signatures; or

842 (ii) sign the verification of a certificate of nomination signature sheet if the person:

843 (A) except as provided by Subsection (3)(b), does not meet the residency requirements
844 of Section [20A-2-105](#);

845 (B) has not witnessed the signing by those persons whose names appear on the
846 certificate of nomination signature sheet; or

847 (C) knows that a person whose signature appears on the certificate of nomination
848 signature sheet is not registered to vote in this state and does not intend to become registered to
849 vote in this state.

850 (b) Any person violating this Subsection (4) is guilty of a class A misdemeanor.

851 (5) (a) The candidate shall submit the petition and signature sheets to the county clerk
852 for certification when the petition has been completed by:

853 (i) at least 1,000 registered voters residing within the state when the nomination is for
854 an office to be filled by the voters of the entire state; or

855 (ii) at least 300 registered voters residing within a political division or at least 5% of
856 the registered voters residing within a political division, whichever is less, when the
857 nomination is for an office to be filled by the voters of any political division smaller than the
858 state.

859 (b) In reviewing the petition, the county clerk shall count and certify only those persons
860 who signed the petition with a holographic signature who:

861 (i) are registered voters within the political division that the candidate seeks to
862 represent; and

863 (ii) did not sign any other certificate of nomination for that office.

864 (c) The candidate may supplement or amend the certificate of nomination at any time

865 on or before the filing deadline.

866 Section 8. Section **20A-9-503** is amended to read:

867 **20A-9-503. Certificate of nomination -- Filing -- Fees.**

868 (1) ~~[(a)]~~ Except as provided in Subsection (1)(b), after the certificate of nomination has
869 been certified, executed, and acknowledged by the county clerk, the candidate shall:

870 ~~[(i) between the second Friday in March and the close of normal office hours on the
871 third Thursday in March of the year in which the regular general election will be held.]~~

872 ~~[(A)]~~ (a) (i) file the petition in person with the lieutenant governor, if the office the
873 candidate seeks is a constitutional office or a federal office, or the county clerk, if the office the
874 candidate seeks is a county office, during the declaration of candidacy filing period described
875 in Section [20A-9-201.5](#); and

876 ~~[(B)]~~ (ii) pay the filing fee; or

877 ~~[(ii)]~~ (b) not later than the close of normal office hours on June 15 of any
878 odd-numbered year:

879 ~~[(A)]~~ (i) file the petition in person with the municipal clerk, if the candidate seeks an
880 office in a city or town, or the local district clerk, if the candidate seeks an office in a local
881 district; and

882 ~~[(B)]~~ (ii) pay the filing fee.

883 ~~[(b)-(i)]~~ (2) (a) The provisions of this Subsection ~~[(1)(b)]~~ (2) do not apply to an
884 individual who files a declaration of candidacy for president of the United States.

885 ~~[(ii)]~~ (b) Subject to Subsections ~~[(3)]~~ (4)(c) and [20A-9-502\(2\)](#), an individual may
886 designate an agent to file a declaration of candidacy with the appropriate filing officer if:

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

888 ~~[(B)]~~ (ii) the designated agent appears in person before the filing officer; and

889 ~~[(C)]~~ (iii) the individual communicates with the filing officer using an electronic
890 device that allows the individual and filing officer to see and hear each other.

891 ~~[(2)]~~ (3) (a) At the time of filing, and before accepting the petition, the filing officer
892 shall read the constitutional and statutory requirements for candidacy to the candidate.

893 (b) If the candidate states that he does not meet the requirements, the filing officer may
894 not accept the petition.

895 ~~[(3)]~~ (4) (a) An individual filing a certificate of nomination for president or vice

896 president of the United States under this section shall pay a filing fee of \$500.

897 (b) Notwithstanding Subsection (1), ~~[a person]~~ an individual filing a certificate of
898 nomination for president or vice president of the United States:

899 (i) may file the certificate of nomination ~~[between the second Friday in March and the~~
900 ~~close of normal office hours on August 15 of the year in which the regular general election will~~
901 ~~be held]~~ during the declaration of candidacy filing period described in Section 20A-9-201.5;
902 and

903 (ii) may use a designated agent to file the certificate of nomination.

904 (c) An agent designated under Subsection ~~[(1)(b)(ii)]~~ (2) or described in Subsection
905 ~~[(3)]~~ (4)(b)(ii) may not sign the certificate of nomination form.

906 Section 9. Section 20A-14-203 is amended to read:

907 **20A-14-203. Becoming a member of a local board of education -- Declaration of**
908 **candidacy -- Election.**

909 (1) An individual may become a candidate for a local school board by:

910 ~~[(a) (i) in the 2016 general election, by filing a declaration of candidacy with the~~
911 ~~county clerk, in accordance with Section 20A-9-202, before 5 p.m. on March 17, 2016; or]~~

912 ~~[(ii) in a general election held after 2016, by filing a declaration of candidacy with the~~
913 ~~county clerk on or after the second Friday in March, and before 5 p.m. on the third Thursday in~~
914 ~~March, before the next regular general election; and]~~

915 (a) filing a declaration of candidacy with the county clerk the declaration of candidacy
916 filing period described in Section 20A-9-201.5; and

917 (b) ~~[by]~~ paying the fee described in Section 20A-9-202.

918 (2) (a) The term of office for an individual elected to a local board of education is four
919 years, beginning on the first Monday in January after the election.

920 (b) A member of a local board of education shall serve until a successor is elected or
921 appointed and qualified.

922 (c) A member of a local board of education is "qualified" when the member takes or
923 signs the constitutional oath of office.

924 Section 10. **Effective date.**

925 If approved by two-thirds of all the members elected to each house, this bill takes effect
926 upon approval by the governor, or the day following the constitutional time limit of Utah

927 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
928 the date of veto override.