

ELECTION MODIFICATIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

Senate Sponsor: David G. Buxton

LONG TITLE

General Description:

This bill modifies provisions of the Election Code.

Highlighted Provisions:

This bill:

- ▶ authorizes a municipal clerk and the lieutenant governor to receive a voter registration form;
- ▶ for a voter that changes party affiliation or becomes unaffiliated from a political party, modifies the day the voter can vote in a regular primary or presidential primary election;
- ▶ establishes consistent deadlines for various election-related notices;
- ▶ modifies the frequency of the lieutenant governor's audit report of the voter registration database;
- ▶ modifies the requirements for a printed ballot for municipal primary elections;
- ▶ eliminates the requirement to include a ballot proposition insert with an official ballot if the information appearing on the insert is printed on the ballot;
- ▶ defines the term "filing officer" to include a state school board;
- ▶ specifies the time the filing period begins for a declaration of candidacy;
- ▶ requires an election official to notify an opposing candidate and voters when a candidate for elective office is disqualified or withdraws;
- ▶ requires a filing officer to notify a candidate if the candidate fails to make a conflict-of-interest disclosure; and

29 ▶ makes technical and conforming changes.

30 **Money Appropriated in this Bill:**

31 None

32 **Other Special Clauses:**

33 This bill includes a coordination clause.

34 **Utah Code Sections Affected:**

35 **AMENDS:**

36 **10-3-208**, as last amended by Laws of Utah 2022, Chapter 151

37 **17-16-6.5**, as last amended by Laws of Utah 2019, Chapter 74

38 **20A-2-102.5**, as last amended by Laws of Utah 2020, Chapter 31

39 **20A-2-107**, as last amended by Laws of Utah 2022, Chapter 170

40 **20A-2-107.5**, as last amended by Laws of Utah 2021, Chapter 430

41 **20A-3a-604**, as last amended by Laws of Utah 2021, First Special Session, Chapter 15

42 **20A-4-104**, as last amended by Laws of Utah 2022, Chapter 380

43 **20A-5-101**, as last amended by Laws of Utah 2021, First Special Session, Chapter 15

44 **20A-5-403.5**, as last amended by Laws of Utah 2022, Chapter 156

45 **20A-5-405**, as last amended by Laws of Utah 2022, Chapter 170

46 **20A-5-901**, as enacted by Laws of Utah 2022, Chapter 156

47 **20A-6-401**, as last amended by Laws of Utah 2020, Chapter 31

48 **20A-7-209**, as last amended by Laws of Utah 2022, Chapter 251

49 **20A-7-210**, as last amended by Laws of Utah 2019, Chapter 275

50 **20A-7-308**, as last amended by Laws of Utah 2022, Chapter 251

51 **20A-7-508**, as last amended by Laws of Utah 2022, Chapter 251

52 **20A-7-608**, as last amended by Laws of Utah 2022, Chapter 251

53 **20A-9-101**, as last amended by Laws of Utah 2022, Chapters 13, 325

54 **20A-9-201.5**, as enacted by Laws of Utah 2022, Chapter 13

55 **20A-11-206**, as last amended by Laws of Utah 2021, Chapter 20

56 **20A-11-305**, as last amended by Laws of Utah 2021, Chapter 20
 57 **20A-11-1305**, as last amended by Laws of Utah 2020, Chapters 22, 31
 58 **20A-11-1603**, as last amended by Laws of Utah 2021, Chapter 20

59 ENACTS:

60 **20A-9-207**, Utah Code Annotated 1953

61 **Utah Code Sections Affected by Coordination Clause:**

62 **20A-7-209**, as last amended by Laws of Utah 2022, Chapter 251

63 **20A-7-508**, as last amended by Laws of Utah 2022, Chapter 251



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

66 Section 1. Section **10-3-208** is amended to read:

67 **10-3-208. Campaign finance disclosure in municipal election.**

68 (1) Unless a municipality adopts by ordinance more stringent definitions, the following
 69 are defined terms for purposes of this section:

70 (a) "Agent of a candidate" means:

71 (i) a person acting on behalf of a candidate at the direction of the reporting entity;

72 (ii) a person employed by a candidate in the candidate's capacity as a candidate;

73 (iii) the personal campaign committee of a candidate;

74 (iv) a member of the personal campaign committee of a candidate in the member's
 75 capacity as a member of the personal campaign committee of the candidate; or

76 (v) a political consultant of a candidate.

77 (b) "Anonymous contribution limit" means for each calendar year:

78 (i) \$50; or

79 (ii) an amount less than \$50 that is specified in an ordinance of the municipality.

80 (c) (i) "Candidate" means a person who:

81 (A) files a declaration of candidacy for municipal office; or

82 (B) receives contributions, makes expenditures, or gives consent for any other person

83 to receive contributions or make expenditures to bring about the person's nomination or
84 election to a municipal office.

85 (ii) "Candidate" does not mean a person who files for the office of judge.

86 (d) (i) "Contribution" means any of the following when done for political purposes:

87 (A) a gift, subscription, donation, loan, advance, or deposit of money or anything of
88 value given to a candidate;

89 (B) an express, legally enforceable contract, promise, or agreement to make a gift,
90 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
91 anything of value to the candidate;

92 (C) any transfer of funds from another reporting entity to the candidate;

93 (D) compensation paid by any person or reporting entity other than the candidate for
94 personal services provided without charge to the candidate;

95 (E) a loan made by a candidate deposited to the candidate's own campaign; and

96 (F) an in-kind contribution.

97 (ii) "Contribution" does not include:

98 (A) services provided by an individual volunteering a portion or all of the individual's
99 time on behalf of the candidate if the services are provided without compensation by the
100 candidate or any other person;

101 (B) money lent to the candidate by a financial institution in the ordinary course of
102 business; or

103 (C) goods or services provided for the benefit of a candidate at less than fair market
104 value that are not authorized by or coordinated with the candidate.

105 (e) "Coordinated with" means that goods or services provided for the benefit of a
106 candidate are provided:

107 (i) with the candidate's prior knowledge, if the candidate does not object;

108 (ii) by agreement with the candidate;

109 (iii) in coordination with the candidate; or

110 (iv) using official logos, slogans, and similar elements belonging to a candidate.

111 (f) (i) "Expenditure" means any of the following made by a candidate or an agent of the
112 candidate on behalf of the candidate:

113 (A) any disbursement from contributions, receipts, or from an account described in
114 Subsection (3)(a);

115 (B) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
116 or anything of value made for political purposes;

117 (C) an express, legally enforceable contract, promise, or agreement to make any
118 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
119 value for a political purpose;

120 (D) compensation paid by a candidate for personal services rendered by a person
121 without charge to a reporting entity;

122 (E) a transfer of funds between the candidate and a candidate's personal campaign
123 committee as defined in Section 20A-11-101; or

124 (F) goods or services provided by a reporting entity to or for the benefit of the
125 candidate for political purposes at less than fair market value.

126 (ii) "Expenditure" does not include:

127 (A) services provided without compensation by an individual volunteering a portion or
128 all of the individual's time on behalf of a candidate; or

129 (B) money lent to a candidate by a financial institution in the ordinary course of
130 business.

131 (g) "In-kind contribution" means anything of value other than money, that is accepted
132 by or coordinated with a candidate.

133 (h) (i) "Political consultant" means a person who is paid by a candidate, or paid by
134 another person on behalf of and with the knowledge of the candidate, to provide political
135 advice to the candidate.

136 (ii) "Political consultant" includes a circumstance described in Subsection (1)(h)(i),

137 where the person:

138 (A) has already been paid, with money or other consideration;

139 (B) expects to be paid in the future, with money or other consideration; or

140 (C) understands that the person may, in the discretion of the candidate or another
141 person on behalf of and with the knowledge of the candidate, be paid in the future, with money
142 or other consideration.

143 (i) "Political purposes" means an act done with the intent or in a way to influence or
144 tend to influence, directly or indirectly, any person to refrain from voting or to vote for or
145 against any candidate or a person seeking a municipal office at any caucus, political
146 convention, or election.

147 (j) "Reporting entity" means:

148 (i) a candidate;

149 (ii) a committee appointed by a candidate to act for the candidate;

150 (iii) a person who holds an elected municipal office;

151 (iv) a party committee as defined in Section 20A-11-101;

152 (v) a political action committee as defined in Section 20A-11-101;

153 (vi) a political issues committee as defined in Section 20A-11-101;

154 (vii) a corporation as defined in Section 20A-11-101; or

155 (viii) a labor organization as defined in Section 20A-11-1501.

156 (2) (a) A municipality may adopt an ordinance establishing campaign finance
157 disclosure requirements for a candidate that are more stringent than the requirements provided
158 in Subsections (3) through (7).

159 (b) The municipality may adopt definitions that are more stringent than those provided
160 in Subsection (1).

161 (c) If a municipality fails to adopt a campaign finance disclosure ordinance described
162 in Subsection (2)(a), a candidate shall comply with financial reporting requirements contained
163 in Subsections (3) through (7).

164 (3) Each candidate:
165 (a) shall deposit a contribution in a separate campaign account in a financial institution;
166 and
167 (b) may not deposit or mingle any campaign contributions received into a personal or
168 business account.
169 (4) (a) In a year in which a municipal primary is held, each candidate who will
170 participate in the municipal primary shall file a campaign finance statement with the municipal
171 clerk or recorder no later than seven days before the day described in Subsection
172 [20A-1-201.5\(2\)](#).
173 (b) Each candidate who is not eliminated at a municipal primary election shall file a
174 campaign finance statement with the municipal clerk or recorder no later than:
175 (i) 28 days before the day on which the municipal general election is held;
176 (ii) seven days before the day on which the municipal general election is held; and
177 (iii) 30 days after the day on which the municipal general election is held.
178 (c) Each candidate for municipal office who is eliminated at a municipal primary
179 election shall file with the municipal clerk or recorder a campaign finance statement within 30
180 days after the day on which the municipal primary election is held.
181 (5) If a municipality does not conduct a primary election for a race, each candidate who
182 will participate in that race shall file a campaign finance statement with the municipal clerk or
183 recorder no later than:
184 (a) 28 days before the day on which the municipal general election is held;
185 (b) seven days before the day on which the municipal general election is held; and
186 (c) 30 days after the day on which the municipal general election is held.
187 (6) Each campaign finance statement described in Subsection (4) or (5) shall:
188 (a) except as provided in Subsection (6)(b):
189 (i) report all of the candidate's itemized and total:
190 (A) contributions, including in-kind and other nonmonetary contributions, received up

191 to and including five days before the campaign finance statement is due, excluding a
192 contribution previously reported; and

193 (B) expenditures made up to and including five days before the campaign finance
194 statement is due, excluding an expenditure previously reported; and

195 (ii) identify:

196 (A) for each contribution, the amount of the contribution and the name of the donor, if
197 known; and

198 (B) for each expenditure, the amount of the expenditure and the name of the recipient
199 of the expenditure; or

200 (b) report the total amount of all contributions and expenditures if the candidate
201 receives \$500 or less in contributions and spends \$500 or less on the candidate's campaign.

202 (7) Within 30 days after receiving a contribution that is cash or a negotiable
203 instrument, exceeds the anonymous contribution limit, and is from a donor whose name is
204 unknown, a candidate shall disburse the amount of the contribution to:

205 (a) the treasurer of the state or a political subdivision for deposit into the state's or
206 political subdivision's general fund; or

207 (b) an organization that is exempt from federal income taxation under Section
208 501(c)(3), Internal Revenue Code.

209 (8) (a) A municipality may, by ordinance:

210 (i) provide an anonymous contribution limit less than \$50;

211 (ii) require greater disclosure of contributions or expenditures than is required in this
212 section; and

213 (iii) impose additional penalties on candidates who fail to comply with the applicable
214 requirements beyond those imposed by this section.

215 (b) A candidate is subject to the provisions of this section and not the provisions of an
216 ordinance adopted by the municipality under Subsection (8)(a) if:

217 (i) the municipal ordinance establishes requirements or penalties that differ from those

218 established in this section; and

219 (ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the
220 ordinance as required in Subsection (9).

221 (9) Each municipal clerk or recorder shall, at the time the candidate for municipal
222 office files a declaration of candidacy, and again 35 days before each municipal general
223 election, notify the candidate in writing of:

224 (a) the provisions of statute or municipal ordinance governing the disclosure of
225 contributions and expenditures;

226 (b) the dates when the candidate's campaign finance statement is required to be filed;
227 and

228 (c) the penalties that apply for failure to file a timely campaign finance statement,
229 including the statutory provision that requires removal of the candidate's name from the ballot
230 for failure to file the required campaign finance statement when required.

231 (10) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
232 Access and Management Act, the municipal clerk or recorder shall:

233 (a) make each campaign finance statement filed by a candidate available for public
234 inspection and copying no later than one business day after the statement is filed; and

235 (b) make the campaign finance statement filed by a candidate available for public
236 inspection by:

237 (i) (A) posting an electronic copy or the contents of the statement on the municipality's
238 website no later than seven business days after the statement is filed; and

239 (B) verifying that the address of the municipality's website has been provided to the
240 lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or

241 (ii) submitting a copy of the statement to the lieutenant governor for posting on the
242 website established by the lieutenant governor under Section 20A-11-103 no later than two
243 business days after the statement is filed.

244 (11) (a) If a candidate fails to timely file a campaign finance statement required under

245 Subsection (4) or (5), the municipal clerk or recorder:

246 (i) may send an electronic notice to the candidate that states:

247 (A) that the candidate failed to timely file the campaign finance statement; and

248 (B) that, if the candidate fails to file the report within 24 hours after the deadline for
249 filing the report, the candidate will be disqualified; and

250 (ii) may impose a fine of \$50 on the candidate.

251 (b) The municipal clerk or recorder shall disqualify a candidate and inform the
252 appropriate election official that the candidate is disqualified if the candidate fails to file a
253 campaign finance statement described in Subsection (4) or (5) within 24 hours after the
254 deadline for filing the report.

255 (c) If a candidate is disqualified under Subsection (11)(b)~~[, the election official:]~~, the
256 election official:

257 [~~(i) (A) shall, if practicable, remove the candidate's name from the ballot by blacking~~
258 ~~out the candidate's name before the ballots are delivered to voters; or]~~

259 [~~(B) shall, if removing the candidate's name from the ballot is not practicable, inform~~
260 ~~the voters by any practicable method that the candidate has been disqualified and that votes~~
261 ~~cast for the candidate will not be counted; and]~~

262 [~~(ii) may not count any votes for that candidate.]~~

263 (i) shall:

264 (A) notify every opposing candidate for the municipal office that the candidate is
265 disqualified;

266 (B) send an email notification to each voter who is eligible to vote in the municipal
267 election office race for whom the election official has an email address informing the voter that
268 the candidate is disqualified and that votes cast for the candidate will not be counted;

269 (C) post notice of the disqualification on a public website; and

270 (D) if practicable, remove the candidate's name from the ballot by blacking out the
271 candidate's name before the ballots are delivered to voters; and

272 (ii) may not count any votes for that candidate.

273 (12) An election official may fulfill the requirements described in Subsection (11)(c)(i)
274 in relation to a mailed ballot, including a military overseas ballot, by including with the ballot a
275 written notice:

276 (a) informing the voter that the candidate is disqualified; or

277 (b) directing the voter to a public website to inform the voter whether a candidate on
278 the ballot is disqualified.

279 ~~[(d)]~~ (13) Notwithstanding Subsection (11)(b), a candidate who timely files each
280 campaign finance statement required under Subsection (4) or (5) is not disqualified if:

281 ~~[(i)]~~ (a) the statement details accurately and completely the information required under
282 Subsection (6), except for inadvertent omissions or insignificant errors or inaccuracies; and

283 ~~[(ii)]~~ (b) the omissions, errors, or inaccuracies are corrected in an amended report or in
284 the next scheduled report.

285 ~~[(e)]~~ (14) A candidate for municipal office who is disqualified under Subsection
286 (11)(b) shall file with the municipal clerk or recorder a complete and accurate campaign
287 finance statement within 30 days after the day on which the candidate is disqualified.

288 ~~[(12)]~~ (15) A campaign finance statement required under this section is considered
289 filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that it is
290 due.

291 ~~[(13)]~~ (16) (a) A private party in interest may bring a civil action in district court to
292 enforce the provisions of this section or an ordinance adopted under this section.

293 (b) In a civil action under Subsection ~~[(13)(a),]~~ (16)(a), the court may award costs and
294 attorney fees to the prevailing party.

295 Section 2. Section 17-16-6.5 is amended to read:

296 **17-16-6.5. Campaign financial disclosure in county elections.**

297 (1) (a) A county shall adopt an ordinance establishing campaign finance disclosure
298 requirements for:

- 299 (i) candidates for county office; and
- 300 (ii) candidates for local school board office who reside in that county.
- 301 (b) The ordinance required by Subsection (1)(a) shall include:
- 302 (i) a requirement that each candidate for county office or local school board office
- 303 report the candidate's itemized and total campaign contributions and expenditures at least once
- 304 within the two weeks before the election and at least once within two months after the election;
- 305 (ii) a definition of "contribution" and "expenditure" that requires reporting of
- 306 nonmonetary contributions such as in-kind contributions and contributions of tangible things;
- 307 (iii) a requirement that the financial reports identify:
- 308 (A) for each contribution, the name of the donor of the contribution, if known, and the
- 309 amount of the contribution; and
- 310 (B) for each expenditure, the name of the recipient and the amount of the expenditure;
- 311 (iv) a requirement that a candidate for county office or local school board office
- 312 deposit a contribution in a separate campaign account in a financial institution;
- 313 (v) a prohibition against a candidate for county office or local school board office
- 314 depositing or mingling any contributions received into a personal or business account; and
- 315 (vi) a requirement that a candidate for county office who receives a contribution that is
- 316 cash or a negotiable instrument, exceeds \$50, and is from a donor whose name is unknown,
- 317 shall, within 30 days after receiving the contribution, disburse the amount of the contribution
- 318 to:
- 319 (A) the treasurer of the state or a political subdivision for deposit into the state's or
- 320 political subdivision's general fund; or
- 321 (B) an organization that is exempt from federal income taxation under Section
- 322 501(c)(3), Internal Revenue Code.
- 323 (c) (i) As used in this Subsection (1)(c), "account" means an account in a financial
- 324 institution:
- 325 (A) that is not described in Subsection (1)(b)(iv); and

326 (B) into which or from which a person who, as a candidate for an office, other than a
327 county office for which the person files a declaration of candidacy or federal office, or as a
328 holder of an office, other than a county office for which the person files a declaration of
329 candidacy or federal office, deposits a contribution or makes an expenditure.

330 (ii) The ordinance required by Subsection (1)(a) shall include a requirement that a
331 candidate for county office or local school board office include on a financial report filed in
332 accordance with the ordinance a contribution deposited in or an expenditure made from an
333 account:

334 (A) since the last financial report was filed; or

335 (B) that has not been reported under a statute or ordinance that governs the account.

336 (2) If any county fails to adopt a campaign finance disclosure ordinance described in
337 Subsection (1), candidates for county office, other than community council office, and
338 candidates for local school board office shall comply with the financial reporting requirements
339 contained in Subsections (3) through (8).

340 (3) A candidate for elective office in a county or local school board office:

341 (a) shall deposit a contribution in a separate campaign account in a financial institution;

342 and

343 (b) may not deposit or mingle any contributions received into a personal or business
344 account.

345 (4) Each candidate for elective office in any county who is not required to submit a
346 campaign financial statement to the lieutenant governor, and each candidate for local school
347 board office, shall file a signed campaign financial statement with the county clerk:

348 (a) seven days before the date of the regular general election, reporting each
349 contribution and each expenditure as of 10 days before the date of the regular general election;
350 and

351 (b) no later than 30 days after the date of the regular general election.

352 (5) (a) The statement filed seven days before the regular general election shall include:

353 (i) a list of each contribution received by the candidate, and the name of the donor, if
354 known; and

355 (ii) a list of each expenditure for political purposes made during the campaign period,
356 and the recipient of each expenditure.

357 (b) The statement filed 30 days after the regular general election shall include:

358 (i) a list of each contribution received after the cutoff date for the statement filed seven
359 days before the election, and the name of the donor; and

360 (ii) a list of all expenditures for political purposes made by the candidate after the
361 cutoff date for the statement filed seven days before the election, and the recipient of each
362 expenditure.

363 (6) (a) As used in this Subsection (6), "account" means an account in a financial
364 institution:

365 (i) that is not described in Subsection (3)(a); and

366 (ii) into which or from which a person who, as a candidate for an office, other than a
367 county office for which the person filed a declaration of candidacy or federal office, or as a
368 holder of an office, other than a county office for which the person filed a declaration of
369 candidacy or federal office, deposits a contribution or makes an expenditure.

370 (b) A county office candidate and a local school board office candidate shall include on
371 any campaign financial statement filed in accordance with Subsection (4) or (5):

372 (i) a contribution deposited in an account:

373 (A) since the last campaign finance statement was filed; or

374 (B) that has not been reported under a statute or ordinance that governs the account; or

375 (ii) an expenditure made from an account:

376 (A) since the last campaign finance statement was filed; or

377 (B) that has not been reported under a statute or ordinance that governs the account.

378 (7) Within 30 days after receiving a contribution that is cash or a negotiable

379 instrument, exceeds \$50, and is from a donor whose name is unknown, a county office

380 candidate shall disburse the amount of the contribution to:

381 (a) the treasurer of the state or a political subdivision for deposit into the state's or
382 political subdivision's general fund; or

383 (b) an organization that is exempt from federal income taxation under Section
384 501(c)(3), Internal Revenue Code.

385 (8) Candidates for elective office in any county, and candidates for local school board
386 office, who are eliminated at a primary election shall file a signed campaign financial statement
387 containing the information required by this section not later than 30 days after the primary
388 election.

389 (9) Any person who fails to comply with this section is guilty of an infraction.

390 (10) (a) Counties may, by ordinance, enact requirements that:

391 (i) require greater disclosure of campaign contributions and expenditures; and

392 (ii) impose additional penalties.

393 (b) The requirements described in Subsection (10)(a) apply to a local school board
394 office candidate who resides in that county.

395 (11) If a candidate fails to file an interim report due before the election, the county
396 clerk:

397 (a) may send an electronic notice to the candidate and the political party of which the
398 candidate is a member, if any, that states:

399 (i) that the candidate failed to timely file the report; and

400 (ii) that, if the candidate fails to file the report within 24 hours after the deadline for
401 filing the report, the candidate will be disqualified and the political party will not be permitted
402 to replace the candidate; and

403 (b) impose a fine of \$100 on the candidate.

404 (12) (a) The county clerk shall disqualify a candidate and inform the appropriate
405 election officials that the candidate is disqualified if the candidate fails to file an interim report
406 described in Subsection (11) within 24 hours after the deadline for filing the report.

407 (b) The political party of a candidate who is disqualified under Subsection (12)(a) may
408 not replace the candidate.

409 (c) A candidate who is disqualified under Subsection (12)(a) shall file with the county
410 clerk a complete and accurate campaign finance statement within 30 days after the day on
411 which the candidate is disqualified.

412 (13) If a candidate is disqualified under Subsection (12)(a) ~~[the election official], the~~
413 election official:

414 ~~[(a) (i) shall, if practicable, remove the name of the candidate by blacking out the~~
415 ~~candidate's name before the ballots are delivered to voters; or]~~

416 ~~[(ii) shall, if removing the candidate's name from the ballot is not practicable, inform~~
417 ~~the voters by any practicable method that the candidate has been disqualified and that votes~~
418 ~~cast for the candidate will not be counted; and]~~

419 ~~[(b) may not count any votes for that candidate.]~~

420 (a) shall:

421 (i) notify every opposing candidate for the county office that the candidate is
422 disqualified;

423 (ii) send an email notification to each voter who is eligible to vote in the county
424 election office race for whom the election official has an email address informing the voter that
425 the candidate is disqualified and that votes cast for the candidate will not be counted;

426 (iii) post notice of the disqualification on the county's website; and

427 (iv) if practicable, remove the candidate's name from the ballot by blacking out the
428 candidate's name before the ballots are delivered to voters; and

429 (b) may not count any votes for that candidate.

430 (14) An election official may fulfill the requirement described in Subsection (13)(a) in
431 relation to ~~[an] [absentee voter]~~ a mailed ballot, including a military or overseas ~~[absentee~~
432 ~~voter]~~ ballot, by including with the ~~[absentee]~~ ballot a written notice directing the voter to ~~[a~~
433 ~~public]~~ the county's website ~~[that will]~~ to inform the voter whether a candidate on the ballot is

434 disqualified.

435 (15) A candidate is not disqualified if:

436 (a) the candidate files the interim reports described in Subsection (11) no later than 24
437 hours after the applicable deadlines for filing the reports;

438 (b) the reports are completed, detailing accurately and completely the information
439 required by this section except for inadvertent omissions or insignificant errors or inaccuracies;
440 and

441 (c) the omissions, errors, or inaccuracies are corrected in an amended report or in the
442 next scheduled report.

443 (16) (a) A report is considered timely filed if:

444 (i) the report is received in the county clerk's office no later than midnight, Mountain
445 Time, at the end of the day on which the report is due;

446 (ii) the report is received in the county clerk's office with a United States Postal Service
447 postmark three days or more before the date that the report was due; or

448 (iii) the candidate has proof that the report was mailed, with appropriate postage and
449 addressing, three days before the report was due.

450 (b) For a county clerk's office that is not open until midnight at the end of the day on
451 which a report is due, the county clerk shall permit a candidate to file the report via email or
452 another electronic means designated by the county clerk.

453 (17) (a) Any private party in interest may bring a civil action in district court to enforce
454 the provisions of this section or any ordinance adopted under this section.

455 (b) In a civil action filed under Subsection (17)(a), the court shall award costs and
456 attorney fees to the prevailing party.

457 (18) Notwithstanding any provision of Title 63G, Chapter 2, Government Records
458 Access and Management Act, the county clerk shall:

459 (a) make each campaign finance statement filed by a candidate available for public
460 inspection and copying no later than one business day after the statement is filed; and

461 (b) make the campaign finance statement filed by a candidate available for public
462 inspection by:

463 (i) (A) posting an electronic copy or the contents of the statement on the county's
464 website no later than seven business days after the statement is filed; and

465 (B) verifying that the address of the county's website has been provided to the
466 lieutenant governor in order to meet the requirements of Subsection 20A-11-103(5); or

467 (ii) submitting a copy of the statement to the lieutenant governor for posting on the
468 website established by the lieutenant governor under Section 20A-11-103 no later than two
469 business days after the statement is filed.

470 Section 3. Section 20A-2-102.5 is amended to read:

471 **20A-2-102.5. Voter registration deadline.**

472 (1) Except as otherwise provided in Chapter 16, Uniform Military and Overseas Voters
473 Act, an individual who fails to timely submit a correctly completed voter registration form may
474 not vote in the election.

475 (2) The voter registration deadline is as follows:

476 (a) the voter registration must be received by the county clerk, the municipal clerk, or
477 the lieutenant governor no later than 5 p.m. 11 calendar days before the date of the election, if
478 the individual registers to vote:

479 (i) at the office of the county clerk, in accordance with Section 20A-2-201;

480 (ii) by mail, in accordance with Section 20A-2-202;

481 (iii) via an application for a driver license, in accordance with Section 20A-2-204;

482 (iv) via a public assistance agency or a discretionary voter registration agency, in
483 accordance with Section 20A-2-205; or

484 (v) via electronic registration, in accordance with Section 20A-2-206;

485 (b) before the polls close on the last day of early voting, described in Section
486 20A-3a-601, if the individual registers by casting a provisional ballot at an early voting
487 location in accordance with Section 20A-2-207; or

488 (c) before polls close on the date of the election, if the individual registers to vote on
489 the date of the election by casting a provisional ballot, in accordance with Section 20A-2-207.

490 Section 4. Section 20A-2-107 is amended to read:

491 **20A-2-107. Designating or changing party affiliation -- Times permitted.**

492 (1) The county clerk shall:

493 (a) except as provided in Subsection (3) or [~~20A-2-107.5(1)(c)~~] 20A-2-107.5(1)(b),
494 record the party affiliation designated by the voter on the voter registration form as the voter's
495 party affiliation; or

496 (b) if no political party affiliation is designated by the voter on the voter registration
497 form:

498 (i) except as provided in Subsection (1)(b)(ii), record the voter's party affiliation as the
499 party that the voter designated the last time that the voter designated a party on a voter
500 registration form, unless the voter more recently registered as "unaffiliated"; or

501 (ii) record the voter's party affiliation as "unaffiliated" if the voter:

502 (A) did not previously designate a party;

503 (B) most recently designated the voter's party affiliation as "unaffiliated"; or

504 (C) did not previously register.

505 (2) (a) Any registered voter may designate or change the voter's political party
506 affiliation by complying with the procedures and requirements of this Subsection (2).

507 (b) A registered voter may designate or change the voter's political party affiliation by
508 filing a signed form with the county clerk that identifies the registered political party with
509 which the voter chooses to affiliate.

510 (c) Except as provided in Subsection (2)(d), a signed form designating or changing a
511 voter's political party affiliation takes effect when the county clerk receives the signed form.

512 (d) In an even-numbered year, a form described in Subsection (2)(c) received by the
513 county clerk after March 31 takes effect on the day after the statewide canvass for that year's
514 regular primary election if the form changes a registered voter's affiliation with one political

515 party to affiliate with another political party.

516 (e) Any part of a form described in Subsection (2)(d), other than the voter's designation
517 or change of political party affiliation, takes effect when the county clerk receives the signed
518 form.

519 (f) For purposes of Subsection (2)(d), a signed form described in Subsection (2)(c) is
520 received by the county clerk on or before March 31 if:

521 (i) the individual submits the form in person at the county clerk's office no later than 5
522 p.m. on the last business day before April 1;

523 (ii) the individual submits the form electronically through the system described in
524 Section [20A-2-206](#), at or before 11:59 p.m. on March 31; or

525 (iii) the individual's form is clearly postmarked on or before March 31.

526 (g) Subsection (2)(d) does not apply to the party affiliation designated by a voter on the
527 voter registration form if:

528 (i) the voter has not previously been registered to vote in the state; or

529 (ii) the voter's most recent party affiliation was changed to "unaffiliated" by a county
530 clerk under Subsection (3).

531 (3) If the most recent party affiliation designated by a voter is for a political party that
532 is no longer a registered political party, the county clerk shall:

533 (a) change the voter's party affiliation to "unaffiliated"; and

534 (b) notify the voter electronically or by mail:

535 (i) that the voter's affiliation has been changed to "unaffiliated" because the most recent
536 party affiliation designated by the voter is for a political party that is no longer a registered
537 political party; and

538 (ii) of the methods and deadlines for changing the voter's party affiliation.

539 Section 5. Section [20A-2-107.5](#) is amended to read:

540 **20A-2-107.5. Designating or changing party affiliation -- Regular primary**
541 **election and presidential primary election.**

542 (1) At any regular primary election or presidential primary election:
543 ~~[(a) each county clerk shall provide change of party affiliation forms to the poll~~
544 ~~workers for each voting precinct within the county;]~~
545 ~~[(b) except as provided in Subsection (1)(c), a registered voter who is classified as~~
546 ~~"unaffiliated" may affiliate with a political party by completing the form and giving it to the~~
547 ~~poll worker; and]~~
548 ~~[(c) for an unaffiliated voter who was affiliated with a political party at any time~~
549 ~~between April 1 and the date of the regular primary election, a form described in Subsection~~
550 ~~(1)(a) takes effect on the day after the regular primary election.]~~

551 (a) a registered voter who is classified as "unaffiliated" may affiliate with a political
552 party by completing a change of party affiliation form or voter registration form and submitting
553 the form to the county clerk or a poll worker; and

554 (b) the party affiliation of a voter who changes party affiliation, or who becomes
555 unaffiliated from a political party, at any time between April 1 and the date of the regular
556 primary election, takes effect on the day after the statewide canvass for the regular primary
557 election.

558 (2) An unaffiliated voter who affiliates with a political party ~~[as provided in]~~ under
559 Subsection ~~(1)(b)~~ (1)(a) may vote in that party's primary election.

560 Section 6. Section **20A-3a-604** is amended to read:

561 **20A-3a-604. Notice of time and place of early voting.**

562 (1) Except as provided in Section **20A-1-308** or Subsection **20A-3a-603(2)**, the
563 election officer shall, at least ~~[19]~~ 28 days before the date of the election, provide notice of the
564 dates, times, and locations of early voting:

565 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
566 the county;

567 (ii) by posting one notice, and at least one additional notice per 2,000 population of the
568 county, in places within the county that are most likely to give notice to the residents in the

569 county, subject to a maximum of 10 notices; or

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

571 (b) by posting notice at each early voting polling place;

572 (c) by posting notice on the Utah Public Notice Website, created in Section

573 [63A-16-601](#), for [~~19~~] 28 days before the day of the election; and

574 (d) by posting notice on the county's website for [~~19~~] 28 days before the day of the
575 election.

576 (2) Instead of specifying all dates, times, and locations of early voting, a notice
577 required under Subsection (1) may specify the following sources where a voter may view or
578 obtain a copy of all dates, times, and locations of early voting:

579 (a) the county's website;

580 (b) the physical address of the county's offices; and

581 (c) a mailing address and telephone number.

582 (3) The election officer shall include in the notice described in Subsection (1):

583 (a) the address of the Statewide Electronic Voter Information Website and, if available,
584 the address of the election officer's website, with a statement indicating that the election officer
585 will post on the website the location of each early voting polling place, including any changes
586 to the location of an early voting polling place and the location of additional early voting
587 polling places; and

588 (b) a phone number that a voter may call to obtain information regarding the location
589 of an early voting polling place.

590 Section 7. Section **20A-4-104** is amended to read:

591 **20A-4-104. Counting ballots electronically.**

592 (1) (a) Before beginning to count ballots using automatic tabulating equipment, the
593 election officer shall test the automatic tabulating equipment to ensure that it will accurately
594 count the votes cast for all offices and all measures.

595 (b) The election officer shall provide public notice of the time and place of the test:

596 (i) (A) by publishing notice at least [~~48 hours~~] 10 days before the test in a newspaper of
597 general circulation in the county, municipality, or jurisdiction where the equipment is used;

598 (B) at least 10 days before the day of the test, by posting one notice, and at least one
599 additional notice per 2,000 population of the county, municipality, or jurisdiction, in places
600 within the county, municipality, or jurisdiction that are most likely to give notice to the voters
601 in the county, municipality, or jurisdiction, subject to a maximum of 10 notices; or

602 (C) at least 10 days before the day of the test, by mailing notice to each registered voter
603 in the county, municipality, or jurisdiction where the equipment is used;

604 (ii) by posting notice on the Utah Public Notice Website, created in Section
605 [63A-16-601](#), for four weeks before the day of the test; and

606 (iii) if the county, municipality, or jurisdiction has a website, by posting notice on the
607 website for four weeks before the day of the test.

608 (c) The election officer shall conduct the test by processing a preaudited group of
609 ballots.

610 (d) The election officer shall ensure that:

611 (i) a predetermined number of valid votes for each candidate and measure are recorded
612 on the ballots;

613 (ii) for each office, one or more ballots have votes in excess of the number allowed by
614 law in order to test the ability of the automatic tabulating equipment to reject those votes; and

615 (iii) a different number of valid votes are assigned to each candidate for an office, and
616 for and against each measure.

617 (e) If any error is detected, the election officer shall determine the cause of the error
618 and correct it.

619 (f) The election officer shall ensure that:

620 (i) the automatic tabulating equipment produces an errorless count before beginning
621 the actual counting; and

622 (ii) the automatic tabulating equipment passes the same test at the end of the count

623 before the election returns are approved as official.

624 (2) (a) The election officer or the election officer's designee shall supervise and direct
625 all proceedings at the counting center.

626 (b) (i) Proceedings at the counting center are public and may be observed by interested
627 persons.

628 (ii) Only those persons authorized to participate in the count may touch any ballot or
629 return.

630 (c) The election officer shall deputize and administer an oath or affirmation to all
631 persons who are engaged in processing and counting the ballots that they will faithfully
632 perform their assigned duties.

633 (3) (a) If any ballot is damaged or defective so that it cannot properly be counted by the
634 automatic tabulating equipment, the election officer shall ensure that two counting judges
635 jointly:

636 (i) make a true replication of the ballot with an identifying serial number;

637 (ii) substitute the replicated ballot for the damaged or defective ballot;

638 (iii) label the replicated ballot "replicated"; and

639 (iv) record the replicated ballot's serial number on the damaged or defective ballot.

640 (b) The lieutenant governor shall provide to each election officer a standard form on
641 which the election officer shall maintain a log of all replicated ballots, that includes, for each
642 ballot:

643 (i) the serial number described in Subsection (3)(a);

644 (ii) the identification of the individuals who replicated the ballot;

645 (iii) the reason for the replication; and

646 (iv) any other information required by the lieutenant governor.

647 (c) An election officer shall:

648 (i) maintain the log described in Subsection (3)(b) in a complete and legible manner, as
649 ballots are replicated;

- 650 (ii) at the end of each day during which one or more ballots are replicated, make an
651 electronic copy of the log; and
- 652 (iii) keep each electronic copy made under Subsection (3)(c)(ii) for at least 22 months.
- 653 (4) The election officer may:
 - 654 (a) conduct an unofficial count before conducting the official count in order to provide
655 early unofficial returns to the public;
 - 656 (b) release unofficial returns from time to time after the polls close; and
 - 657 (c) report the progress of the count for each candidate during the actual counting of
658 ballots.
- 659 (5) Beginning on the day after the date of the election, if an election officer releases
660 early unofficial returns or reports the progress of the count for each candidate under Subsection
661 (4), the election officer shall, with each release or report, disclose an estimate of the total
662 number of voted ballots in the election officer's custody that have not yet been counted.
- 663 (6) The election officer shall review and evaluate the provisional ballot envelopes and
664 prepare any valid provisional ballots for counting as provided in Section [20A-4-107](#).
- 665 (7) (a) The election officer or the election officer's designee shall:
 - 666 (i) separate, count, and tabulate any ballots containing valid write-in votes; and
 - 667 (ii) complete the standard form provided by the clerk for recording valid write-in votes.
- 668 (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast
669 more votes for an office than that voter is entitled to vote for that office, the poll workers shall
670 count the valid write-in vote as being the obvious intent of the voter.
- 671 (8) (a) The election officer shall certify the return printed by the automatic tabulating
672 equipment, to which have been added write-in and absentee votes, as the official return of each
673 voting precinct.
- 674 (b) Upon completion of the count, the election officer shall make official returns open
675 to the public.
- 676 (9) If for any reason it becomes impracticable to count all or a part of the ballots with

677 tabulating equipment, the election officer may direct that they be counted manually according
678 to the procedures and requirements of this part.

679 (10) After the count is completed, the election officer shall seal and retain the
680 programs, test materials, and ballots as provided in Section [20A-4-202](#).

681 Section 8. Section **20A-5-101** is amended to read:

682 **20A-5-101. Notice of election.**

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

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

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

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

691 (2) (a) No later than seven business days after the day on which the lieutenant governor
692 transmits the written notice described in Subsection (1), each county clerk shall provide notice,
693 in accordance with Subsection (3):

694 (i) by posting notice in a conspicuous place most likely to give notice of the election to
695 the voters in each voting precinct within the county;

696 (ii) (A) by publishing notice in a newspaper of general circulation in the county;

697 (B) by posting one notice, and at least one additional notice per 2,000 population of the
698 county, in places within the county that are most likely to give notice of the election to the
699 voters in the county, subject to a maximum of 10 notices; or

700 (C) by mailing notice to each registered voter in the county;

701 (iii) by posting notice on the Utah Public Notice Website, created in Section
702 [63A-16-601](#), for seven days before the day of the election; and

703 (iv) by posting notice on the county's website for seven days before the day of the

704 election.

705 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a)(i),
706 showing a copy of the notice and the places where the notice was posted.

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

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

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

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

712 (a) the date of election;

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

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

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

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

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

723 (5) The election officer shall provide the notice described in Subsection (4):

724 (a) (i) by publishing the notice in a newspaper of general circulation in the jurisdiction
725 to which the election pertains, at least [~~two~~] five days before the day of the election;

726 (ii) at least [~~two~~] five days before the day of the election, by posting one notice, and at
727 least one additional notice per 2,000 population of the jurisdiction, in places within the
728 jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction,
729 subject to a maximum of 10 notices; or

730 (iii) by mailing the notice to each registered voter who resides in the jurisdiction to

731 which the election pertains at least five days before the day of the election;

732 (b) by posting notice on the Utah Public Notice Website, created in Section
733 [63A-16-601](#), for [~~two~~] five days before the day of the election; and

734 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
735 [~~two~~] five days before the day of the election.

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

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

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

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

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

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

747 (iii) a mailing address and telephone number.

748 Section 9. Section **20A-5-403.5** is amended to read:

749 **20A-5-403.5. Ballot drop boxes.**

750 (1) An election officer:

751 (a) shall designate at least one ballot drop box in each municipality and reservation
752 located in the jurisdiction to which the election relates;

753 (b) may designate additional ballot drop boxes for the election officer's jurisdiction;

754 (c) shall clearly mark each ballot drop box as an official ballot drop box for the election
755 officer's jurisdiction;

756 (d) shall provide 24-hour video surveillance of each unattended ballot drop box; and

757 (e) shall post a sign on or near each unattended ballot drop box indicating that the

758 ballot drop box is under 24-hour video surveillance.

759 (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer
760 shall, at least [~~19~~] 28 days before the date of the election, provide notice of the location of each
761 ballot drop box designated under Subsection (1):

762 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
763 the jurisdiction holding the election;

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

767 (iii) by mailing notice to each registered voter in the jurisdiction holding the election;

768 (b) by posting notice on the Utah Public Notice Website, created in Section
769 63A-16-601, for [~~19~~] 28 days before the day of the election; and

770 (c) by posting notice on the jurisdiction's website for [~~19~~] 28 days before the day of the
771 election.

772 (3) Instead of including the location of ballot drop boxes, a notice required under
773 Subsection (2) may specify the following sources where a voter may view or obtain a copy of
774 all ballot drop box locations:

775 (a) the jurisdiction's website;

776 (b) the physical address of the jurisdiction's offices; and

777 (c) a mailing address and telephone number.

778 (4) The election officer shall include in the notice described in Subsection (2):

779 (a) the address of the Statewide Electronic Voter Information Website and, if available,
780 the address of the election officer's website, with a statement indicating that the election officer
781 will post on the website the location of each ballot drop box, including any changes to the
782 location of a ballot drop box and the location of additional ballot drop boxes; and

783 (b) a phone number that a voter may call to obtain information regarding the location
784 of a ballot drop box.

785 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the
786 deadline described in Subsection (2):

787 (i) if necessary, change the location of a ballot drop box; or

788 (ii) if the election officer determines that the number of ballot drop boxes is
789 insufficient due to the number of registered voters who are voting, designate additional ballot
790 drop boxes.

791 (b) Except as provided in Section 20A-1-308, if an election officer changes the
792 location of a ballot box or designates an additional ballot drop box location, the election officer
793 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
794 the additional ballot drop box location:

795 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;

796 (ii) by posting the information on the website of the election officer, if available; and

797 (iii) by posting notice:

798 (A) for a change in the location of a ballot drop box, at the new location and, if
799 possible, the old location; and

800 (B) for an additional ballot drop box location, at the additional ballot drop box
801 location.

802 (6) An election officer may, at any time, authorize two or more poll workers to remove
803 a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.

804 (7) (a) At least two poll workers must be present when a poll worker collects ballots
805 from a ballot drop box and delivers the ballots to the location where the ballots will be opened
806 and counted.

807 (b) An election officer shall ensure that the chain of custody of ballots placed in a
808 ballot box are recorded and tracked from the time the ballots are removed from the ballot box
809 until the ballots are delivered to the location where the ballots will be opened and counted.

810 Section 10. Section 20A-5-405 is amended to read:

811 **20A-5-405. Election officer to provide ballots.**

- 812 (1) An election officer shall:
- 813 (a) provide ballots for every election of public officers in which the voters, or any of
- 814 the voters, within the election officer's jurisdiction participate;
- 815 (b) cause the name of every candidate whose nomination has been certified to or filed
- 816 with the election officer in the manner provided by law to be included on each ballot;
- 817 (c) cause any ballot proposition that has qualified for the ballot as provided by law to
- 818 be included on each ballot;
- 819 (d) ensure that the ballots are prepared and in the possession of the election officer
- 820 ~~[before commencement of voting]~~ at least seven days before the commencement of early voting
- 821 as described in Section [20A-3a-601](#);
- 822 (e) allow candidates and their agents and the sponsors of ballot propositions that have
- 823 qualified for the official ballot to inspect the ballots;
- 824 (f) no later than 45 days before the day of the election, make sample ballots available
- 825 for inspection, in the same form as official ballots and that contain the same information as
- 826 official ballots, by:
- 827 (i) posting a copy of the sample ballot in the election officer's office;
- 828 (ii) sending a copy of the sample ballot to:
- 829 (A) each candidate listed on the ballot; and
- 830 (B) the lieutenant governor;
- 831 (iii) (A) posting one copy of the sample ballot, and at least one additional copy of the
- 832 sample ballot per 2,000 population of the jurisdiction, in places within the jurisdiction that are
- 833 most likely to give notice to the voters in the jurisdiction, subject to a maximum of 10 notices;
- 834 or
- 835 (B) mailing a copy of the sample ballot to each registered voter who resides in the
- 836 jurisdiction holding the election;
- 837 (iv) posting a copy of the sample ballot on the Utah Public Notice Website, created in
- 838 Section [63A-16-601](#); and

839 (v) if the jurisdiction has a website, posting a copy of the sample ballot on the
840 jurisdiction's website;

841 (g) deliver a copy of the sample ballot to poll workers for each polling place and direct
842 the poll workers to post the sample ballot as required by Section 20A-5-102; and

843 (h) print and deliver, at the expense of the jurisdiction conducting the election, enough
844 ballots, sample ballots, and instructions to meet the voting demands of the qualified voters in
845 each voting precinct.

846 (2) Instead of posting the entire sample ballot under Subsection (1)(f)(iii)(A), the
847 election officer may post a statement that:

848 (a) is entitled, "sample ballot";

849 (b) includes the following: "A sample ballot for [indicate name of jurisdiction] for the
850 upcoming [indicate type and date of election] may be obtained from the following sources:";
851 and

852 (c) specifies the following sources where an individual may view or obtain a copy of
853 the sample ballot:

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

855 (ii) the physical address of the jurisdiction's offices; and

856 (iii) a mailing address and telephone number.

857 (3) (a) Each election officer shall, without delay, correct any error discovered in any
858 ballot, if the correction can be made without interfering with the timely distribution of the
859 ballots.

860 (b) (i) If the election officer discovers an error or omission in a manual ballot, and it is
861 not possible to correct the error or omission, the election officer shall direct the poll workers to
862 make the necessary corrections on the manual ballots before the ballots are distributed.

863 (ii) If the election officer discovers an error or omission in an electronic ballot and it is
864 not possible to correct the error or omission by revising the electronic ballot, the election
865 officer shall direct the poll workers to post notice of each error or omission with instructions on

866 how to correct each error or omission in a prominent position at each polling booth.

867 (4) (a) If the election officer refuses or fails to correct an error or omission in a ballot, a
868 candidate or a candidate's agent may file a verified petition with the district court asserting that:

869 (i) an error or omission has occurred in:

870 (A) the publication of the name or description of a candidate;

871 (B) the preparation or display of an electronic ballot; or

872 (C) the posting of sample ballots or the printing of official manual ballots; and

873 (ii) the election officer has failed to correct or provide for the correction of the error or
874 omission.

875 (b) The district court shall issue an order requiring correction of any error in a ballot or
876 an order to show cause why the error should not be corrected if it appears to the court that the
877 error or omission has occurred and the election officer has failed to correct or provide for the
878 correction of the error or omission.

879 (c) A party aggrieved by the district court's decision may appeal the matter to the Utah
880 Supreme Court within five days after the day on which the district court enters the decision.

881 Section 11. Section **20A-5-901** is amended to read:

882 **20A-5-901. Voter registration audit.**

883 (1) The lieutenant governor shall, on at least an annual basis, conduct an audit of the
884 voter registration database.

885 (2) The audit shall include:

886 (a) a random selection of at least .02% of the active registered voters statewide; and

887 (b) at least one active registered voter from each county.

888 (3) For each voter selected for the audit, the auditor shall:

889 (a) verify that the voter is eligible for registration;

890 (b) verify that the voter's registration information is accurate and supported by the

891 documentation on file;

892 (c) verify that there is a signature on file for the voter;

893 (d) check for duplicate voter registrations; and
894 (e) search available resources to determine whether the voter is deceased.
895 (4) The audit report shall identify areas of concern or training needed in response to the
896 audit findings.

897 (5) The lieutenant governor shall:
898 (a) share the audit results with the county clerks and verify that the county clerks
899 address the concerns and fulfill the training identified under Subsection (4); and
900 (b) beginning in 2023, report [~~biannually~~] biennially to the Government Operations
901 Interim Committee on the results of the audits conducted under this section.

902 Section 12. Section **20A-6-401** is amended to read:

903 **20A-6-401. Ballots for municipal primary elections.**

904 (1) Each election officer shall ensure that:
905 (a) the following endorsements are printed in 18 point bold type:
906 (i) "Official Primary Ballot for ____ (City, Town, or Metro Township), Utah";
907 (ii) the date of the election; and
908 (iii) a facsimile of the signature of the election officer and the election officer's title in
909 eight point type;
910 (b) immediately below the election officer's title, two one-point parallel horizontal
911 rules separate endorsements from the rest of the ballot;
912 (c) immediately below the horizontal rules, an "Instructions to Voters" section is
913 printed in 10 point bold type that states: "To vote for a candidate, mark the space following the
914 name(s) of the person(s) you favor as the candidate(s) for each respective office." followed by
915 two one-point parallel rules;
916 (d) after the rules, the designation of the office for which the candidates seek
917 nomination is printed [~~flush with the left-hand margin~~] and the words, "Vote for one" or "Vote
918 for up to ____ (the number of candidates for which the voter may vote)" are printed [~~to extend~~
919 ~~to the extreme right of the column~~] in 10-point bold type, followed by a hair-line rule;

920 (e) after the hair-line rule, the names of the candidates are printed in heavy face type
921 between lines or rules three-eighths inch apart, in the order specified under Section 20A-6-305
922 with surnames last and grouped according to the office that they seek;

923 (f) a square with sides not less than one-fourth inch long is printed immediately
924 adjacent to the names of the candidates; and

925 (g) the candidate groups are separated from each other by one light and one heavy line
926 or rule.

927 (2) A municipal primary ballot may not contain any space for write-in votes.

928 Section 13. Section 20A-7-209 is amended to read:

929 **20A-7-209. Short title and summary of initiative -- Duties of lieutenant governor**
930 **and Office of Legislative Research and General Counsel.**

931 (1) On or before June 5 before the regular general election, the lieutenant governor
932 shall deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of
933 Legislative Research and General Counsel.

934 (2) (a) The Office of Legislative Research and General Counsel shall:

935 (i) entitle each state initiative that has qualified for the ballot "Proposition Number ___"
936 and give it a number as assigned under Section 20A-6-107;

937 (ii) prepare for each initiative:

938 (A) an impartial short title, not exceeding 25 words, that generally describes the subject
939 of the initiative; and

940 (B) an impartial summary of the contents of the measure, not exceeding 125 words;
941 and

942 (iii) return each petition, short title, and summary to the lieutenant governor on or
943 before June 26.

944 (b) The short title and summary may be distinct from the title of the proposed law
945 attached to the initiative petition.

946 (c) If the initiative proposes a tax increase, the Office of Legislative Research and

947 General Counsel shall include the following statement, in bold, in the summary:

948 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
949 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
950 increase in the current tax rate."

951 (d) ~~[For]~~ Subject to Subsection (4), for each state initiative, the official ballot shall
952 show, in the following order:

953 (i) the number of the initiative, determined in accordance with Section 20A-6-107;

954 (ii) the short title; ~~[and]~~

955 (iii) except as provided in Subsection (2)(e):

956 (A) the summary;

957 (B) the text of the proposed law; and

958 (C) a link to a location on the lieutenant governor's website where a voter may review

959 additional information relating to each initiative, including the information described in

960 Subsection 20A-7-202(2), the fiscal impact estimate described in Section 20A-7-202.5, as

961 updated under Section 20A-7-204.1, and the arguments relating to the initiative that are

962 included in the voter information pamphlet; and

963 ~~[(iii)]~~ (iv) the initial fiscal impact estimate prepared under Section 20A-7-202.5, as
964 updated under Section 20A-7-204.1.

965 (e) ~~[For each ballot that includes an initiative or referendum]~~ Unless the information

966 described in Subsection (2)(d)(iii) is shown on the official ballot, the election officer shall

967 include with the ballot a separate ballot proposition insert that includes the short title and

968 summary for each initiative ~~[and referendum]~~ on the ballot and a link to a location on the

969 lieutenant governor's website where a voter may review the additional information ~~[relating to~~

970 ~~each initiative or referendum, including:]~~ described in Subsection (2)(d)(iii)(C).

971 ~~[(i) for an initiative, the information described in Subsection 20A-7-202(2), the fiscal~~

972 ~~impact estimate described in Section 20A-7-202.5, as updated, and the arguments relating to~~

973 ~~the initiative that are included in the voter information pamphlet; or]~~

974 ~~[(ii) for a referendum, the information described in Subsection 20A-7-302(2) and the~~
975 ~~arguments relating to the referendum that are included in the voter information pamphlet.]~~

976 (f) Unless the information described in Subsection (2)(d)(iii) for all initiatives on the
977 ballot, and the information described in Subsection 20A-7-308(2)(c)(iii) for all referenda on the
978 ballot, is printed on the ballot, the ballot shall include the following statement at the beginning
979 of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included
980 with this ballot contains an impartial summary of each initiative and referendum on this ballot,
981 unless the summary is printed directly on the ballot."

982 ~~[(f) For each ballot that includes an initiative or referendum, the ballot shall include the~~
983 ~~following statement at the beginning of the portion of the ballot that includes ballot measures,~~
984 ~~"The ballot proposition sheet included with this ballot contains an impartial summary of each~~
985 ~~initiative and referendum on this ballot."]~~

986 (3) On or before June 27, the lieutenant governor shall mail a copy of the short title and
987 summary to any sponsor of the petition.

988 (4) (a) (i) At least three of the sponsors of the petition may, on or before July 6,
989 challenge the wording of the short title and summary prepared by the Office of Legislative
990 Research and General Counsel to the appropriate court.

991 (ii) After receipt of the challenge, the court shall direct the lieutenant governor to send
992 notice of the challenge to:

993 (A) any person or group that has filed an argument for or against the measure that is the
994 subject of the challenge; or

995 (B) any political issues committee established under Section 20A-11-801 that has filed
996 written or electronic notice with the lieutenant governor that identifies the name, mailing or
997 email address, and telephone number of the individual designated to receive notice about any
998 issues relating to the initiative.

999 (b) (i) There is a presumption that the short title prepared by the Office of Legislative
1000 Research and General Counsel is an impartial description of the contents of the initiative.

1001 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the
1002 presumption by clearly and convincingly establishing that the short title is false or biased.

1003 (iii) There is a presumption that the summary prepared by the Office of Legislative
1004 Research and General Counsel is an impartial summary of the contents of the initiative.

1005 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut
1006 the presumption by clearly and convincingly establishing that the summary is false or biased.

1007 (c) The court shall:

1008 (i) examine the short title and summary;

1009 (ii) hear arguments; and

1010 (iii) enter an order consistent with the requirements of this section.

1011 (d) The lieutenant governor shall, in accordance with the court's order, certify the short
1012 title and summary to the county clerks for inclusion in the ballot [~~and~~] or ballot proposition
1013 insert, as required by this section.

1014 Section 14. Section **20A-7-210** is amended to read:

1015 **20A-7-210. Form of ballot -- Manner of voting.**

1016 (1) A county clerk shall ensure that the information described in Subsection
1017 **20A-7-209(2)(d)** is presented, [~~in the order~~] as required, upon the official ballot with,
1018 immediately adjacent to the information, the words "For" and "Against," each word presented
1019 with an adjacent square in which the voter may indicate the voter's vote.

1020 (2) A voter desiring to vote in favor of enacting the law proposed by the initiative
1021 petition shall mark the square adjacent to the word "For," and a voter desiring to vote against
1022 enacting the law proposed by the initiative petition shall mark the square adjacent to the word
1023 "Against."

1024 Section 15. Section **20A-7-308** is amended to read:

1025 **20A-7-308. Short title and summary of referendum -- Duties of lieutenant**
1026 **governor and Office of Legislative Research and General Counsel.**

1027 (1) Whenever a referendum petition is declared sufficient for submission to a vote of

1028 the people, the lieutenant governor shall deliver a copy of the petition and the proposed law to
1029 the Office of Legislative Research and General Counsel.

1030 (2) (a) The Office of Legislative Research and General Counsel shall:

1031 (i) entitle each state referendum that qualifies for the ballot "Proposition Number ___"
1032 and assign a number to the referendum in accordance with Section 20A-6-107;

1033 (ii) prepare for each referendum:

1034 (A) an impartial short title, not exceeding 25 words, that generally describes the
1035 measure; and

1036 (B) an impartial summary of the contents of the measure, not exceeding 125 words;
1037 and

1038 (iii) submit the short title and summary to the lieutenant governor within 15 days after
1039 the day on which the Office of Legislative Research and General Counsel receives the petition
1040 under Subsection (1).

1041 (b) The short title and summary may be distinct from the title of the law that is the
1042 subject of the petition.

1043 (c) ~~[For]~~ Subject to Subjection (4), for each state referendum, the official ballot shall
1044 show, in the following order:

1045 (i) the number of the referendum, determined in accordance with Section 20A-6-107;

1046 ~~[and]~~

1047 (ii) the short title ~~[described in this section.];~~ and

1048 (iii) except as provided in Subsection (2)(d):

1049 (A) the summary;

1050 (B) a copy of the law; and

1051 (C) a link to a location on the lieutenant governor's website where a voter may review
1052 additional information relating to each referendum, including the information described in

1053 Subsection 20A-7-302(2) and the arguments relating to the referendum that are included in the
1054 voter information pamphlet.

1055 (d) ~~[For each ballot that includes an initiative or referendum]~~ Unless the information
1056 described in Subsection (2)(c)(iii) is shown on the official ballot, the election officer shall
1057 include with the ballot a separate ballot proposition insert that includes the short title and
1058 summary for each ~~[initiative and]~~ referendum on the ballot and a link to a location on the
1059 lieutenant governor's website where a voter may review the additional information ~~[relating to~~
1060 ~~each initiative or referendum, including:]~~ described in Subsection (2)(c)(iii)(C).

1061 ~~[(i) for an initiative, the information described in Subsection 20A-7-202(2), the fiscal~~
1062 ~~impact estimate described in Section 20A-7-202.5, as updated, and the arguments relating to~~
1063 ~~the initiative that are included in the voter information pamphlet; or]~~

1064 ~~[(ii) for a referendum, the information described in Subsection 20A-7-302(2) and the~~
1065 ~~arguments relating to the referendum that are included in the voter information pamphlet.]~~

1066 (e) Unless the information described in Subsection 20A-7-209(2)(d)(iii) for all
1067 initiatives on the ballot, and the information described in Subsection (2)(c)(iii) for all referenda
1068 on the ballot, is printed on the ballot, the ballot shall include the following statement at the
1069 beginning of the portion of the ballot that includes ballot measures, "The ballot proposition
1070 sheet included with this ballot contains an impartial summary of each initiative and referendum
1071 on this ballot, unless the summary is printed directly on the ballot."

1072 ~~[(e) For each ballot that includes an initiative or referendum, the ballot shall include the~~
1073 ~~following statement at the beginning of the portion of the ballot that includes ballot measures,~~
1074 ~~"The ballot proposition sheet included with this ballot contains an impartial summary of each~~
1075 ~~initiative and referendum on this ballot."]~~

1076 (3) Immediately after the Office of Legislative Research and General Counsel submits
1077 the short title and summary to the lieutenant governor, the lieutenant governor shall mail or
1078 email a copy of the short title and summary to any of the sponsors of the petition.

1079 (4) (a) (i) At least three of the sponsors of the petition may, within 15 days after the day
1080 on which the lieutenant governor mails the short title and summary, challenge the wording of
1081 the short title and summary prepared by the Office of Legislative Research and General

1082 Counsel to the appropriate court.

1083 (ii) After receipt of the appeal, the court shall direct the lieutenant governor to send
1084 notice of the appeal to:

1085 (A) any person or group that has filed an argument for or against the measure that is the
1086 subject of the challenge; and

1087 (B) any political issues committee established under Section 20A-11-801 that has filed
1088 written or electronic notice with the lieutenant governor that identifies the name, mailing or
1089 email address, and telephone number of the person designated to receive notice about any
1090 issues relating to the referendum.

1091 (b) (i) There is a presumption that the short title prepared by the Office of Legislative
1092 Research and General Counsel is an impartial description of the contents of the referendum.

1093 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the
1094 presumption by clearly and convincingly establishing that the short title is false or biased.

1095 (iii) There is a presumption that the summary prepared by the Office of Legislative
1096 Research and General Counsel is an impartial summary of the contents of the measure.

1097 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut
1098 the presumption by clearly and convincingly establishing that the summary is false or biased.

1099 (c) The court shall:

1100 (i) examine the short title and summary;

1101 (ii) hear arguments; and

1102 (iii) enter an order consistent with the requirements of this section.

1103 (d) The lieutenant governor shall, in accordance with the court's order, certify the short
1104 title and summary to the county clerks for inclusion in the ballot or ballot proposition insert, as
1105 required by this section.

1106 Section 16. Section 20A-7-508 is amended to read:

1107 **20A-7-508. Short title and summary of initiative -- Duties of local clerk and local**
1108 **attorney.**

- 1109 (1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the
1110 petition and the proposed law to the local attorney.
- 1111 (2) The local attorney shall:
- 1112 (a) entitle each county or municipal initiative that has qualified for the ballot
1113 "Proposition Number ___" and give it a number as assigned under Section 20A-6-107;
- 1114 (b) prepare for the initiative:
- 1115 (i) an impartial short title, not exceeding 25 words, that generally describes the subject
1116 of the initiative; and
- 1117 (ii) an impartial summary of the contents of the measure, not exceeding 125 words;
- 1118 (c) file the proposed short title, summary, and the numbered initiative titles with the
1119 local clerk within 20 days after the day on which an eligible voter submits the initiative petition
1120 to the local clerk; and
- 1121 (d) promptly provide notice of the filing of the proposed short title and summary to:
- 1122 (i) the sponsors of the petition; and
- 1123 (ii) the local legislative body for the jurisdiction where the initiative petition was
1124 circulated.
- 1125 (3) (a) The short title and summary may be distinct from the title of the proposed law
1126 attached to the initiative petition.
- 1127 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's
1128 ability, give a true and impartial description of the subject of the initiative.
- 1129 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's
1130 ability, give a true and impartial summary of the contents of the measure.
- 1131 (d) The short title and summary may not intentionally be an argument, or likely to
1132 create prejudice, for or against the measure.
- 1133 (e) If the initiative proposes a tax increase, the local attorney shall include the
1134 following statement, in bold, in the summary:
- 1135 **"This initiative seeks to increase the current (insert name of tax) rate by (insert the tax**

1136 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
 1137 increase in the current tax rate.".

1138 (4) (a) Within five calendar days after the date the local attorney files a proposed short
 1139 title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where
 1140 the initiative petition was circulated and the sponsors of the petition may file written comments
 1141 in response to the proposed short title and summary with the local clerk.

1142 (b) Within five calendar days after the last date to submit written comments under
 1143 Subsection (4)(a), the local attorney shall:

- 1144 (i) review any written comments filed in accordance with Subsection (4)(a);
- 1145 (ii) prepare a final short title and summary that meets the requirements of Subsection
 1146 (3); and
- 1147 (iii) return the petition and file the short title and summary with the local clerk.

1148 (c) Subject to Subsection (6)[:], for each county or municipal initiative, the following
 1149 shall be printed on the official ballot:

1150 (i) ~~the short title[; as determined by the local attorney, shall be printed on the official~~
 1151 ~~ballot]; and~~

1152 (ii) except as provided in Subsection (4)(d):

1153 (A) the summary;

1154 (B) a copy of the proposed law; and

1155 (C) a link to a location on the election officer's website where a voter may review
 1156 additional information relating to each initiative, including the information described in
 1157 Subsection 20A-7-502(2), the fiscal impact estimate described in Section 20A-7-502.5, as
 1158 updated, and the arguments relating to the initiative that are included in the local voter
 1159 information pamphlet.

1160 [(ii)] (d) ~~[for each ballot that includes an initiative or referendum,] Unless the~~
 1161 information described in Subsection (4)(c)(ii) is printed on the official ballot, the election
 1162 officer shall include with the ballot a separate ballot proposition insert that includes the short

1163 title and summary for each initiative [~~and referendum~~] on the ballot and a link to a location on
1164 the election officer's website where a voter may review the additional information [~~relating to~~
1165 ~~each initiative or referendum, including:~~] described in Subsection (4)(c)(ii)(C).

1166 [~~(A) for an initiative, the information described in Subsection 20A-7-502(2), the fiscal~~
1167 ~~impact estimate described in Section 20A-7-502.5, as updated, and the arguments relating to~~
1168 ~~the initiative that are included in the local voter information pamphlet; or]~~

1169 [~~(B) for a referendum, the information described in Subsection 20A-7-602(2) and the~~
1170 ~~arguments relating to the referendum that are included in the local voter information pamphlet.]~~

1171 (e) Unless the information described in Subsection (4)(c)(ii) for all initiatives on the
1172 ballot, and the information described in Subsection 20A-7-608(4)(c)(ii) for all referenda on the
1173 ballot, is printed on the ballot, the ballot shall include the following statement at the beginning
1174 of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included
1175 with this ballot contains an impartial summary of each initiative and referendum on this ballot,
1176 unless the summary is printed directly on the ballot."

1177 [~~(d) For each ballot that includes an initiative or referendum, the ballot shall include~~
1178 ~~the following statement at the beginning of the portion of the ballot that includes ballot~~
1179 ~~measures, "The ballot proposition sheet included with this ballot contains an impartial~~
1180 ~~summary of each initiative and referendum on this ballot."]~~

1181 (5) Immediately after the local attorney files a copy of the short title and summary with
1182 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon
1183 the sponsors of the petition and the local legislative body for the jurisdiction where the
1184 initiative petition was circulated.

1185 (6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or
1186 does not comply with the requirements of this section, the decision of the local attorney may be
1187 appealed to the appropriate court by:

1188 (i) at least three sponsors of the initiative petition; or

1189 (ii) a majority of the local legislative body for the jurisdiction where the initiative

1190 petition was circulated.

1191 (b) The court:

1192 (i) shall examine the short title and summary and consider arguments; and

1193 (ii) enter an order consistent with the requirements of this section.

1194 (c) The local clerk shall include the short title and summary in the ballot or ballot
1195 proposition insert, as required by this section.

1196 Section 17. Section **20A-7-608** is amended to read:

1197 **20A-7-608. Short title and summary of referendum -- Duties of local clerk and**
1198 **local attorney.**

1199 (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the
1200 petition and the proposed law to the local attorney.

1201 (2) The local attorney shall:

1202 (a) entitle each county or municipal referendum that qualifies for the ballot
1203 "Proposition Number ___" and give the referendum a number assigned in accordance with
1204 Section [20A-6-107](#);

1205 (b) prepare for the referendum:

1206 (i) an impartial short title, not exceeding 25 words, that generally describes the subject
1207 of the measure; and

1208 (ii) an impartial summary of the contents of the measure, not exceeding 125 words;

1209 (c) file the proposed short title, summary, and the numbered referendum title with the
1210 local clerk within 20 days after the day on which an eligible voter submits the referendum
1211 petition to the local clerk; and

1212 (d) promptly provide notice of the filing of the proposed short title and summary to:

1213 (i) the sponsors of the petition; and

1214 (ii) the local legislative body for the jurisdiction where the referendum petition was
1215 circulated.

1216 (3) (a) The short title and summary may be distinct from the title of the law that is the

1217 subject of the petition.

1218 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's
1219 ability, give a true and impartial description of the subject of the measure.

1220 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's
1221 ability, give a true and impartial summary of the contents of the measure.

1222 (d) The short title and summary may not intentionally be an argument, or likely to
1223 create prejudice, for or against the measure.

1224 (4) (a) Within five calendar days after the day on which the local attorney files a
1225 proposed short title and summary under Subsection (2)(c), the local legislative body for the
1226 jurisdiction where the referendum petition was circulated and the sponsors of the petition may
1227 file written comments in response to the proposed short title and summary with the local clerk.

1228 (b) Within five calendar days after the last date to submit written comments under
1229 Subsection (4)(a), the local attorney shall:

1230 (i) review any written comments filed in accordance with Subsection (4)(a);

1231 (ii) prepare a final short title and summary that meets the requirements of Subsection
1232 (3); and

1233 (iii) return the petition and file the short title and summary with the local clerk.

1234 (c) Subject to Subsection (6)~~[:]~~, for each county or municipal referendum, the
1235 following shall be printed on the official ballot:

1236 (i) the short title~~[, as determined by the local attorney, shall be printed on the official~~
1237 ~~ballot]~~; and

1238 (ii) except as provided in Subsection (4)(d):

1239 (A) the summary;

1240 (B) a copy of the ordinance, resolution, or written description of the local law; and

1241 (C) a link to a location on the election officer's website where a voter may review

1242 additional information relating to each referendum, including the information described in

1243 Subsection [20A-7-602\(2\)](#) and the arguments relating to the referendum that are included in the

1244 local voter information pamphlet.

1245 ~~[(ii)] (d) [for each ballot that includes an initiative or referendum]~~ Unless the
1246 information described in Subsection (4)(c)(ii) is printed on the official ballot, the election
1247 officer shall include with the ballot a separate ballot proposition insert that includes the short
1248 title and summary for each ~~[initiative and]~~ referendum on the ballot and a link to a location on
1249 the election officer's website where a voter may review the additional information ~~[relating to~~
1250 ~~each initiative or referendum, including:]~~ described in Subsection (4)(c)(ii)(C).

1251 ~~[(A) for an initiative, the information described in Subsection 20A-7-502(2), the fiscal~~
1252 ~~impact estimate described in Section 20A-7-502.5, as updated, and the arguments relating to~~
1253 ~~the initiative that are included in the local voter information pamphlet; or]~~

1254 ~~[(B) for a referendum, the information described in Subsection 20A-7-602(2) and the~~
1255 ~~arguments relating to the referendum that are included in the local voter information pamphlet.]~~

1256 (e) Unless the information described in Subsection 20A-7-508(4)(c)(ii) for all
1257 initiatives on the ballot, and the information described in Subsection (4)(c)(ii) for all referenda
1258 on the ballot, is printed on the ballot, the ballot shall include the following statement at the
1259 beginning of the portion of the ballot that includes ballot measures, "The ballot proposition
1260 sheet included with this ballot contains an impartial summary of each initiative and referendum
1261 on this ballot, unless the summary is printed directly on the ballot."

1262 ~~[(d) For each ballot that includes an initiative or referendum, the ballot shall include~~
1263 ~~the following statement at the beginning of the portion of the ballot that includes ballot~~
1264 ~~measures, "The ballot proposition sheet included with this ballot contains an impartial~~
1265 ~~summary of each initiative and referendum on this ballot."]~~

1266 (5) Immediately after the local attorney files a copy of the short title and summary with
1267 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon
1268 the sponsors of the petition and the local legislative body for the jurisdiction where the
1269 referendum petition was circulated.

1270 (6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or

1271 does not comply with the requirements of this section, the decision of the local attorney may be
1272 appealed to the appropriate court by:

1273 (i) at least three sponsors of the referendum petition; or
1274 (ii) a majority of the local legislative body for the jurisdiction where the referendum
1275 petition was circulated.

1276 (b) The court:

1277 (i) shall examine the short title and summary and consider the arguments; and

1278 (ii) enter an order consistent with the requirements of this section.

1279 (c) The local clerk shall include the short title and summary in the ballot or ballot
1280 proposition insert, as required by this section.

1281 Section 18. Section **20A-9-101** is amended to read:

1282 **20A-9-101. Definitions.**

1283 As used in this chapter:

1284 (1) (a) "Candidates for elective office" means persons who file a declaration of
1285 candidacy under Section **20A-9-202** to run in a regular general election for a federal office,
1286 constitutional office, multicounty office, or county office.

1287 (b) "Candidates for elective office" does not mean candidates for:

1288 (i) justice or judge of court of record or not of record;

1289 (ii) presidential elector;

1290 (iii) any political party offices; and

1291 (iv) municipal or local district offices.

1292 (2) "Constitutional office" means the state offices of governor, lieutenant governor,
1293 attorney general, state auditor, and state treasurer.

1294 (3) "Continuing political party" means the same as that term is defined in Section
1295 **20A-8-101**.

1296 (4) (a) "County office" means an elective office where the officeholder is selected by
1297 voters entirely within one county.

- 1298 (b) "County office" does not mean:
- 1299 (i) the office of justice or judge of any court of record or not of record;
- 1300 (ii) the office of presidential elector;
- 1301 (iii) any political party offices;
- 1302 (iv) any municipal or local district offices; and
- 1303 (v) the office of United States Senator and United States Representative.
- 1304 (5) "Electronic candidate qualification process" means:
- 1305 (a) as it relates to a registered political party that is not a qualified political party, the
- 1306 process for gathering signatures electronically to seek the nomination of a registered political
- 1307 party, described in:
- 1308 (i) Section 20A-9-403;
- 1309 (ii) Section 20a-9-405, except Subsections 20A-9-405(3) and (5); and
- 1310 (iii) Section 20A-21-201; and
- 1311 (b) as it relates to a qualified political party, the process, for gathering signatures
- 1312 electronically to seek the nomination of a registered political party, described in:
- 1313 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);
- 1314 (ii) Section 20A-9-408; and
- 1315 (iii) Section 20A-21-201.
- 1316 (6) "Federal office" means an elective office for United States Senator and United
- 1317 States Representative.
- 1318 (7) "Filing officer" means:
- 1319 (a) the lieutenant governor, for:
- 1320 (i) the office of United States Senator and United States Representative; and
- 1321 (ii) all constitutional offices;
- 1322 (b) for the office of a state senator, ~~or~~ state representative, or state school board, the
- 1323 lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);
- 1324 (c) the county clerk, for county offices and local school district offices;

- 1325 (d) the county clerk in the filer's county of residence, for multicounty offices;
- 1326 (e) the city or town clerk, for municipal offices; or
- 1327 (f) the local district clerk, for local district offices.
- 1328 (8) "Local district office" means an elected office in a local district.
- 1329 (9) "Local government office" includes county offices, municipal offices, and local
- 1330 district offices and other elective offices selected by the voters from a political division entirely
- 1331 within one county.
- 1332 (10) "Manual candidate qualification process" means the process for gathering
- 1333 signatures to seek the nomination of a registered political party, using paper signature packets
- 1334 that a signer physically signs.
- 1335 (11) (a) "Multicounty office" means an elective office where the officeholder is
- 1336 selected by the voters from more than one county.
- 1337 (b) "Multicounty office" does not mean:
- 1338 (i) a county office;
- 1339 (ii) a federal office;
- 1340 (iii) the office of justice or judge of any court of record or not of record;
- 1341 (iv) the office of presidential elector;
- 1342 (v) any political party offices; or
- 1343 (vi) any municipal or local district offices.
- 1344 (12) "Municipal office" means an elective office in a municipality.
- 1345 (13) (a) "Political division" means a geographic unit from which an officeholder is
- 1346 elected and that an officeholder represents.
- 1347 (b) "Political division" includes a county, a city, a town, a local district, a school
- 1348 district, a legislative district, and a county prosecution district.
- 1349 (14) "Qualified political party" means a registered political party that:
- 1350 (a) (i) permits a delegate for the registered political party to vote on a candidate
- 1351 nomination in the registered political party's convention remotely; or

1352 (ii) provides a procedure for designating an alternate delegate if a delegate is not
1353 present at the registered political party's convention;

1354 (b) does not hold the registered political party's convention before the fourth Saturday
1355 in March of an even-numbered year;

1356 (c) permits a member of the registered political party to seek the registered political
1357 party's nomination for any elective office by the member choosing to seek the nomination by
1358 either or both of the following methods:

1359 (i) seeking the nomination through the registered political party's convention process,
1360 in accordance with the provisions of Section 20A-9-407; or

1361 (ii) seeking the nomination by collecting signatures, in accordance with the provisions
1362 of Section 20A-9-408; and

1363 (d) (i) if the registered political party is a continuing political party, no later than 5 p.m.
1364 on the first Monday of October of an odd-numbered year, certifies to the lieutenant governor
1365 that, for the election in the following year, the registered political party intends to nominate the
1366 registered political party's candidates in accordance with the provisions of Section 20A-9-406;
1367 or

1368 (ii) if the registered political party is not a continuing political party, certifies at the
1369 time that the registered political party files the petition described in Section 20A-8-103 that, for
1370 the next election, the registered political party intends to nominate the registered political
1371 party's candidates in accordance with the provisions of Section 20A-9-406.

1372 (15) "Signature," as it relates to a petition for a candidate to seek the nomination of a
1373 registered political party, means:

1374 (a) when using the manual candidate qualification process, a holographic signature
1375 collected physically on a nomination petition described in Subsection 20A-9-405(3); or

1376 (b) when using the electronic candidate qualification process:

1377 (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or

1378 (ii) a holographic signature collected electronically under Subsection

1379 20A-21-201(6)(c)(ii)(B).

1380 Section 19. Section 20A-9-201.5 is amended to read:

1381 **20A-9-201.5. Declaration of candidacy filing period for a qualified political party.**

1382 (1) In 2022, for a qualified political party, the filing period to file a declaration of
1383 candidacy for an elective office that is to be filled at the next regular general election begins at
1384 8 a.m. on February 28, 2022, and ends at 5 p.m. on March 4, 2022.

1385 (2) Beginning on January 1, 2024, for a qualified political party, the filing period to file
1386 a declaration of candidacy for an elective office that is to be filled at the next regular general
1387 election:

1388 (a) begins at 8:00 a.m. on the later of:

1389 (i) January 2 of the year in which the next regular general election is held; or

1390 (ii) if January 2 is [~~on a weekend~~] not a business day, the first business day after
1391 January 2; and

1392 (b) ends at 5 p.m. on the fourth business day after the day on which the filing period
1393 begins.

1394 Section 20. Section 20A-9-207 is enacted to read:

1395 **20A-9-207. Withdrawal of candidacy -- Notice.**

1396 As used in this section:

1397 (1) "Public office" means the offices of governor, lieutenant governor, attorney general,
1398 state auditor, state treasurer, state senator, state representative, state school board, or an elective
1399 office of a local political subdivision.

1400 (2) "Public office candidate" means a person who files a declaration of candidacy for a
1401 public office.

1402 (3) If a public office candidate withdraws as a candidate, the election officer shall:

1403 (a) notify every opposing candidate for the public office that the public office candidate
1404 has withdrawn;

1405 (b) send an email notification to each voter who is eligible to vote in the public office

1406 race for whom the election officer has an email address informing the voter that the public
1407 office candidate has withdrawn and that votes cast for the public office candidate will not be
1408 counted;

1409 (c) post notice of the withdrawal on a public website; and

1410 (d) if practicable, remove the public office candidate's name from the ballot.

1411 (4) An election officer may fulfill the requirement described in Subsection (3) in

1412 relation to a mailed ballot, including a military or overseas ballot, by including with the ballot a
1413 written notice:

1414 (a) informing the voter that the candidate has withdraw; or

1415 (b) directing the voter to a public website to inform the voter whether a candidate on
1416 the ballot has withdrawn.

1417 Section 21. Section **20A-11-206** is amended to read:

1418 **20A-11-206. State office candidate -- Failure to file reports -- Penalties.**

1419 (1) A state office candidate who fails to file a financial statement before the deadline is
1420 subject to a fine imposed in accordance with Section [20A-11-1005](#).

1421 (2) If a state office candidate fails to file an interim report described in Subsections
1422 [20A-11-204](#)(2)(b) through (d), the lieutenant governor may send an electronic notice to the
1423 state office candidate and the political party of which the state office candidate is a member, if
1424 any, that states:

1425 (a) that the state office candidate failed to timely file the report; and

1426 (b) that, if the state office candidate fails to file the report within 24 hours after the
1427 deadline for filing the report, the state office candidate will be disqualified and the political
1428 party will not be permitted to replace the candidate.

1429 (3) (a) The lieutenant governor shall disqualify a state office candidate and inform the
1430 county clerk and other appropriate election officials that the state office candidate is
1431 disqualified if the state office candidate fails to file an interim report described in Subsections
1432 [20A-11-204](#)(2)(b) through (d) within 24 hours after the deadline for filing the report.

1433 (b) The political party of a state office candidate who is disqualified under Subsection
1434 (3)(a) may not replace the state office candidate.

1435 (4) ~~(a)~~ If a state office candidate is disqualified under Subsection (3)(a), the election
1436 ~~official~~ officer shall:

1437 ~~(i)~~ (a) ~~[remove the state office candidate's name from the ballot; or]~~ notify every
1438 opposing candidate for the state office that the state office candidate is disqualified;

1439 ~~(ii)~~ (b) ~~[if removing the state office candidate's name from the ballot is not~~
1440 ~~practicable, inform the voters by any practicable method that the state office candidate has been~~
1441 ~~disqualified and that votes cast for the state office candidate will not be counted.]~~ send an email
1442 notification to each voter who is eligible to vote in the state office race for whom the lieutenant
1443 governor has an email address informing the voter that the state office candidate is disqualified
1444 and that votes cast for the state office candidate will not be counted;

1445 (c) post notice of the disqualification on the lieutenant governor's website; and

1446 (d) if practicable, remove the state office candidate's name from the ballot.

1447 ~~(b)~~ (5) An election ~~official~~ officer may fulfill the requirement described in
1448 Subsection ~~(4)(a)~~ (4) in relation to a mailed ballot, including a military or overseas ballot, by
1449 including with the ballot a written notice directing the voter to ~~[a public website that will~~
1450 ~~inform the voter]~~ the lieutenant governor's website to inform the voter whether a candidate on
1451 the ballot is disqualified.

1452 ~~(5)~~ (6) A state office candidate is not disqualified if:

1453 (a) the state office candidate timely files the reports described in Subsections
1454 [20A-11-204](#)(2)(b) through (d) no later than 24 hours after the applicable deadlines for filing the
1455 reports;

1456 (b) the reports are completed, detailing accurately and completely the information
1457 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1458 and

1459 (c) the omissions, errors, or inaccuracies described in Subsection ~~(5)(b)~~ (6)(b) are

1460 corrected in an amended report or the next scheduled report.

1461 ~~[(6)]~~ (7) (a) Within 60 days after a deadline for the filing of a summary report, the
 1462 lieutenant governor shall review each filed summary report to ensure that:

1463 (i) each state office candidate that is required to file a summary report has filed one;
 1464 and

1465 (ii) each summary report contains the information required by this part.

1466 (b) If it appears that any state office candidate has failed to file the summary report
 1467 required by law, if it appears that a filed summary report does not conform to the law, or if the
 1468 lieutenant governor has received a written complaint alleging a violation of the law or the
 1469 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
 1470 violation or receipt of a written complaint, notify the state office candidate of the violation or
 1471 written complaint and direct the state office candidate to file a summary report correcting the
 1472 problem.

1473 (c) (i) It is unlawful for a state office candidate to fail to file or amend a summary
 1474 report within seven days after receiving notice from the lieutenant governor described in this
 1475 Subsection ~~[(6)]~~ (7).

1476 (ii) Each state office candidate who violates Subsection ~~[(6)(c)(i)]~~ (7)(c)(i) is guilty of
 1477 a class B misdemeanor.

1478 (iii) The lieutenant governor shall report all violations of Subsection ~~[(6)(c)(i)]~~ (7)(c)(i)
 1479 to the attorney general.

1480 (iv) In addition to the criminal penalty described in Subsection ~~[(6)(c)(ii)]~~ (7)(c)(ii), the
 1481 lieutenant governor shall impose a civil fine of \$100 against a state office candidate who
 1482 violates Subsection ~~[(6)(c)(i)]~~ (7)(c)(i).

1483 Section 22. Section **20A-11-305** is amended to read:

1484 **20A-11-305. Legislative office candidate -- Failure to file report -- Penalties.**

1485 (1) A legislative office candidate who fails to file a financial statement before the
 1486 deadline is subject to a fine imposed in accordance with Section **20A-11-1005**.

1487 (2) If a legislative office candidate fails to file an interim report described in
1488 Subsections 20A-11-303(2)(b) through (d), the lieutenant governor may send an electronic
1489 notice to the legislative office candidate and the political party of which the legislative office
1490 candidate is a member, if any, that states:

1491 (a) that the legislative office candidate failed to timely file the report; and

1492 (b) that, if the legislative office candidate fails to file the report within 24 hours after
1493 the deadline for filing the report, the legislative office candidate will be disqualified and the
1494 political party will not be permitted to replace the candidate.

1495 (3) (a) The lieutenant governor shall disqualify a legislative office candidate and
1496 inform the county clerk and other appropriate election officials that the legislative office
1497 candidate is disqualified if the legislative office candidate fails to file an interim report
1498 described in Subsections 20A-11-303(2)(b) through (d) within 24 hours after the deadline for
1499 filing the report.

1500 (b) The political party of a legislative office candidate who is disqualified under
1501 Subsection (3)(a) may not replace the legislative office candidate.

1502 (4) ~~(a)~~ If a legislative office candidate is disqualified under Subsection (3)(a), the
1503 election officer shall:

1504 ~~(i) (a) [remove the legislative office candidate's name from the ballot; or] notify every~~
1505 ~~opposing candidate for the legislative office that the legislative office candidate is disqualified;~~

1506 ~~(ii) (b) [if removing the legislative office candidate's name from the ballot is not~~
1507 ~~practicable, inform the voters by any practicable method that the legislative office candidate~~
1508 ~~has been disqualified and that votes cast for the legislative office candidate will not be~~
1509 ~~counted.] send an email notification to each voter who is eligible to vote in the legislative~~
1510 ~~office race for whom the election officer has an email address informing the voter that the~~
1511 ~~legislative office candidate is disqualified and that votes cast for the legislative office candidate~~
1512 ~~will not be counted;~~

1513 (c) post notice of the disqualification on the election officer's website; and

1514 (d) if practicable, remove the legislative office candidate's name from the ballot.

1515 ~~[(b)]~~ (5) An election ~~[official]~~ officer may fulfill the requirement described in
1516 Subsection ~~[(4)(a)]~~ (4) in relation to a mailed ballot, including a military or overseas ballot, by
1517 including with the ballot a written notice directing the voter to ~~[a public website that will~~
1518 ~~inform the voter]~~ the election officer's website to inform the voter whether a candidate on the
1519 ballot is disqualified.

1520 ~~[(5)]~~ (6) A legislative office candidate is not disqualified if:

1521 (a) the legislative office candidate files the reports described in Subsections
1522 [20A-11-303](#)(2)(b) through (d) no later than 24 hours after the applicable deadlines for filing the
1523 reports;

1524 (b) the reports are completed, detailing accurately and completely the information
1525 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1526 and

1527 (c) the omissions, errors, or inaccuracies described in Subsection ~~[(5)(b)]~~ (6)(b) are
1528 corrected in an amended report or the next scheduled report.

1529 ~~[(6)]~~ (7) (a) Within 60 days after a deadline for the filing of a summary report, the
1530 lieutenant governor shall review each filed summary report to ensure that:

1531 (i) each legislative office candidate that is required to file a summary report has filed
1532 one; and

1533 (ii) each summary report contains the information required by this part.

1534 (b) If it appears that any legislative office candidate has failed to file the summary
1535 report required by law, if it appears that a filed summary report does not conform to the law, or
1536 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1537 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1538 violation or receipt of a written complaint, notify the legislative office candidate of the
1539 violation or written complaint and direct the legislative office candidate to file a summary
1540 report correcting the problem.

1541 (c) (i) It is unlawful for a legislative office candidate to fail to file or amend a summary
1542 report within seven days after receiving notice from the lieutenant governor described in this
1543 Subsection [~~(6)~~] (7).

1544 (ii) Each legislative office candidate who violates Subsection [~~(6)(c)(i)~~] (7)(c)(i) is
1545 guilty of a class B misdemeanor.

1546 (iii) The lieutenant governor shall report all violations of Subsection [~~(6)(c)(i)~~]
1547 (7)(c)(i) to the attorney general.

1548 (iv) In addition to the criminal penalty described in Subsection [~~(6)(c)(ii)~~] (7)(c)(ii), the
1549 lieutenant governor shall impose a civil fine of \$100 against a legislative office candidate who
1550 violates Subsection [~~(6)(c)(i)~~] (7)(c)(i).

1551 Section 23. Section **20A-11-1305** is amended to read:

1552 **20A-11-1305. School board office candidate -- Failure to file statement --**
1553 **Penalties.**

1554 (1) A school board office candidate who fails to file a financial statement by the
1555 deadline is subject to a fine imposed in accordance with Section **20A-11-1005**.

1556 (2) If a school board office candidate fails to file an interim report described in
1557 Subsections **20A-11-1303(1)(c)(i)** through (iv), the lieutenant governor may send an electronic
1558 notice to the school board office candidate and the political party of which the school board
1559 office candidate is a member, if any, that states:

1560 (a) that the school board office candidate failed to timely file the report; and

1561 (b) that, if the school board office candidate fails to file the report within 24 hours after
1562 the deadline for filing the report, the school board office candidate will be disqualified and the
1563 political party will not be permitted to replace the candidate.

1564 (3) (a) The lieutenant governor shall disqualify a school board office candidate and
1565 inform the county clerk and other appropriate election officials that the school board office
1566 candidate is disqualified if the school board office candidate fails to file an interim report
1567 described in Subsections **20A-11-1303(1)(c)(i)** through (iv) within 24 hours after the deadline

1568 for filing the report.

1569 (b) The political party of a school board office candidate who is disqualified under
1570 Subsection (3)(a) may not replace the school board office candidate.

1571 (4) ~~[(a)]~~ If a school board office candidate is disqualified under Subsection (3)(a), the
1572 election officer shall:

1573 ~~[(i)]~~ (a) ~~[remove the school board office candidate's name from the ballot; or]~~ notify
1574 every opposing candidate for the school board office that the school board office candidate is
1575 disqualified;

1576 ~~[(i)]~~ (b) ~~[if removing the school board office candidate's name from the ballot is not~~
1577 ~~practicable, inform the voters by any practicable method that the school board office candidate~~
1578 ~~has been disqualified and that votes cast for the school board office candidate will not be~~
1579 ~~counted.]~~ send an email notification to each voter who is eligible to vote in the school board
1580 office race for whom the election officer has an email address informing the voter that the
1581 school board office candidate is disqualified and that votes cast for the school board office
1582 candidate will not be counted;

1583 (c) post notice of the disqualification on the election officer's website; and

1584 (d) if practicable, remove the school board office candidate's name from the ballot.

1585 ~~[(b)]~~ (5) An election officer may fulfill the requirement described in Subsection ~~[(4)(a)]~~
1586 (4) in relation to a mailed ballot, including a military or overseas ballot, by including with the
1587 ballot a written notice directing the voter to ~~[a public website that will inform the voter]~~ the
1588 election officer's website to inform the voter whether a candidate on the ballot is disqualified.

1589 ~~[(5)]~~ (6) A school board office candidate is not disqualified if:

1590 (a) the school board office candidate files the reports described in Subsections
1591 [20A-11-1303\(1\)\(c\)\(i\)](#) through (iv) no later than 24 hours after the applicable deadlines for
1592 filing the reports;

1593 (b) the reports are completed, detailing accurately and completely the information
1594 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;

1595 and

1596 (c) the omissions, errors, or inaccuracies described in Subsection [~~(5)(b)~~] (6)(b) are
1597 corrected in an amended report or the next scheduled report.

1598 [~~(6)~~] (7) (a) Within 60 days after a deadline for the filing of a summary report, the
1599 lieutenant governor shall review each filed summary report to ensure that:

1600 (i) each school board office candidate who is required to file a summary report has
1601 filed the report; and

1602 (ii) each summary report contains the information required by this part.

1603 (b) If it appears that a school board office candidate has failed to file the summary
1604 report required by law, if it appears that a filed summary report does not conform to the law, or
1605 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1606 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1607 violation or receipt of a written complaint, notify the school board office candidate of the
1608 violation or written complaint and direct the school board office candidate to file a summary
1609 report correcting the problem.

1610 (c) (i) It is unlawful for a school board office candidate to fail to file or amend a
1611 summary report within seven days after receiving the notice described in Subsection [~~(6)(b)~~]
1612 (7)(b) from the lieutenant governor.

1613 (ii) Each school board office candidate who violates Subsection [~~(6)(c)(i)~~] (7)(c)(i) is
1614 guilty of a class B misdemeanor.

1615 (iii) The lieutenant governor shall report all violations of Subsection [~~(6)(c)(i)~~]
1616 (7)(c)(i) to the attorney general.

1617 (iv) In addition to the criminal penalty described in Subsection [~~(6)(c)(ii)~~] (7)(c)(ii), the
1618 lieutenant governor shall impose a civil fine of \$100 against a school board office candidate
1619 who violates Subsection [~~(6)(c)(i)~~] (7)(c)(i).

1620 Section 24. Section **20A-11-1603** is amended to read:

1621 **20A-11-1603. Conflict of interest disclosure -- Required when filing for candidacy**

1622 -- **Public availability.**

1623 (1) (a) Except as provided in Subsection [~~(1)(b)~~] (1)(c), candidates seeking the
1624 following offices shall make a complete conflict of interest disclosure on the website at the
1625 time of filing a declaration of candidacy:

- 1626 (i) state constitutional officer;
1627 (ii) state legislator; or
1628 (iii) State Board of Education member.

1629 (b) A candidate who fails to comply with Subsection (1)(a) shall make a complete
1630 conflict of interest disclosure on the website no later than 5:00 p.m. on January 10.

1631 [~~(b)~~] (c) A candidate is not required to comply with Subsection (1)(a) if the candidate:

- 1632 (i) currently holds the office for which the candidate is seeking reelection;
1633 (ii) already, that same year, filed the conflict of interest disclosure for the office
1634 described in Subsection [~~(1)(b)(i)~~] (1)(c)(i), in accordance Section 20A-11-1604; and
1635 (iii) at the time the candidate files the declaration of candidacy, indicates, in writing,
1636 that the conflict of interest disclosure described in Subsection [~~(1)(b)(ii)~~] (1)(c)(ii) is updated
1637 and accurate as of the date of filing the declaration of candidacy.

1638 (2) Except as provided in Subsection [~~(1)(b)~~] (1)(c), a filing officer:

1639 (a) shall provide electronic notice to a candidate who fails to comply with Subsection
1640 (1)(a) that the candidate must make a complete conflict of interest disclosure on the website no
1641 later than the deadline described in Subsection (1)(b); and

1642 (b) may not accept a declaration of candidacy for an office listed in Subsection (1)(a)
1643 until the candidate makes a complete conflict of interest disclosure on the website.

1644 (3) The conflict of interest disclosure described in Subsection (1)(a) shall contain the
1645 same requirements and shall be in the same format as the conflict of interest disclosure
1646 described in Section 20A-11-1604.

1647 (4) The lieutenant governor shall make the complete conflict of interest disclosure
1648 made by each candidate available for public inspection on the website.

1649 Section 25. **Coordinating H.B. 69 with H.B. 38 -- Substantive and technical**
1650 **amendments.**

1651 If this H.B. 69 and H.B. 38, Initiative and Referendum Modifications, both pass and
1652 become law, it is the intent of the Legislature that the Office of Legislative Research and
1653 General Counsel shall prepare the Utah Code database for publication as follows:

1654 (1) in H.B. 69 Subsection 20A-7-209(2)(d)(iii)(C), replace "the fiscal impact estimate" with
1655 "the initial fiscal impact statement"; and

1656 (2) in H.B. 69 Subsection 20A-7-508(4)(c)(ii)(C), replace "the fiscal impact estimate" with "the
1657 initial fiscal impact and legal statement".