

Senator Wayne A. Harper proposes the following substitute bill:

**PRIMARY ELECTION REVISIONS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jason Kyle**

Senate Sponsor: Wayne A. Harper

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**LONG TITLE**

**General Description:**

This bill addresses primary elections.

**Highlighted Provisions:**

This bill:

- ▶ provides that, for certain primary election races, if no candidate receives more than 50% of the votes in the race, the person who wins the nomination will be determined by conducting a runoff election between the two candidates who received the most votes in the initial primary election;
- ▶ describes deadlines, notice requirements, and procedures relating to a runoff election;
- ▶ modifies change of affiliation provisions to conform with the other changes in this bill; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

This bill provides a coordination clause.

**Utah Code Sections Affected:**



26 AMENDS:

27 **20A-2-107**, as last amended by Laws of Utah 2022, Chapter 170

28 **20A-2-107.5**, as last amended by Laws of Utah 2021, Chapter 430

29 **20A-3a-601**, as last amended by Laws of Utah 2020, Chapter 95 and renumbered and  
30 amended by Laws of Utah 2020, Chapter 31

31 **20A-6-203**, as last amended by Laws of Utah 2020, Chapter 31

32 **20A-9-403**, as last amended by Laws of Utah 2022, Chapter 325

33 ENACTS:

34 **20A-9-409.1**, Utah Code Annotated 1953

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

36 **20A-2-107**, as last amended by Laws of Utah 2022, Chapter 170

37 **20A-2-107.5**, as last amended by Laws of Utah 2021, Chapter 430



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

40 Section 1. Section **20A-2-107** is amended to read:

41 **20A-2-107. Designating or changing party affiliation -- Times permitted.**

42 (1) The county clerk shall:

43 (a) except as provided in Subsection (3) or **20A-2-107.5(1)(c)**, record the party  
44 affiliation designated by the voter on the voter registration form as the voter's party affiliation;  
45 or

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

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

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

52 (A) did not previously designate a party;

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

54 (C) did not previously register.

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

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

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

62 (d) In an even-numbered year, if a form described in Subsection (2)(c), that changes a  
63 registered voter's affiliation with one political party to affiliate with another political party, is  
64 received by the county clerk after March 31, the change of party affiliation takes effect on:

65 (i) except as provided in Subsection (2)(d)(ii), the day after that year's regular primary  
66 election [if the form changes a registered voter's affiliation with one political party to affiliate  
67 with another political party.]; or

68 (ii) if the registered voter resides in a jurisdiction for which a runoff election, described  
69 in Section 20A-9-409.1, is held, the day after the runoff election.

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

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

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

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

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

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

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

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

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

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

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

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

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

93 Section 2. Section **20A-2-107.5** is amended to read:

94 **20A-2-107.5. Designating or changing party affiliation -- Regular primary**  
95 **election and presidential primary election.**

96 (1) At any regular primary election or presidential primary election:

97 (a) each county clerk shall provide change of party affiliation forms to the poll workers  
98 for each voting precinct within the county;

99 (b) except as provided in Subsection (1)(c), a registered voter who is classified as  
100 "unaffiliated" may affiliate with a political party by completing the form and giving it to the  
101 poll worker; and

102 (c) ~~(c)~~ (i) except as provided in Subsection (1)(c)(ii), for an unaffiliated voter who  
103 was affiliated with a political party at any time between April 1 and the date of the regular  
104 primary election, a form described in Subsection (1)(a) takes effect on the day after the regular  
105 primary election.

106 (ii) a form described in Subsection (1)(a) takes effect the day after a runoff election  
107 described in Section [20A-9-409.1](#) if:

108 (A) the registered voter resides in a jurisdiction for which a runoff election, described  
109 in Section [20A-9-409.1](#), is held; and

110 (B) the unaffiliated voter was affiliated with a political party at any time between April  
111 1 and the date of the runoff election.

112 (2) An unaffiliated voter who affiliates with a political party as provided in Subsection  
113 (1)(b) may vote in that party's primary election.

114 Section 3. Section **20A-3a-601** is amended to read:

115 **20A-3a-601. Early voting.**

116 (1) Except as provided in Subsection [20A-9-409.1](#)(4)(b) or Section [20A-7-609.5](#):

117 (a) an individual who is registered to vote may vote at a polling place before the  
118 election date in accordance with this section; and

119 (b) except as provided in Subsection 20A-2-207(6), an individual who is not registered  
120 to vote may register to vote and vote at a polling place before the election date in accordance  
121 with this section if the individual:

- 122 (i) is otherwise legally entitled to vote the ballot; and
  - 123 (ii) casts a provisional ballot in accordance with Section 20A-2-207.
- 124 (2) Except as provided in Section 20A-1-308 or Subsection (3), the early voting period:

- 125 (a) begins on the date that is 14 days before the date of the election; and
- 126 (b) continues through the Friday before the election if the election date is a Tuesday.

127 (3) (a) An election officer may extend the end of the early voting period to the day  
128 before the election date if the election officer provides notice of the extension in accordance  
129 with Section 20A-3a-604.

130 (b) For a municipal election, the municipal clerk may reduce the early voting period  
131 described in this section if:

- 132 (i) the municipal clerk conducts early voting on at least four days;
- 133 (ii) the early voting days are within the period beginning on the date that is 14 days  
134 before the date of the election and ending on the day before the election; and
- 135 (iii) the municipal clerk provides notice of the reduced early voting period in  
136 accordance with Section 20A-3a-604.

137 (c) For a county election, the county clerk may reduce the early voting period described  
138 in this section if:

- 139 (i) the county clerk conducts early voting on at least four days;
- 140 (ii) the early voting days are within the period beginning on the date that is 14 days  
141 before the date of the election and ending on the day before the election; and
- 142 (iii) the county clerk provides notice of the reduced early voting period in accordance  
143 with Section 20A-3a-604.

144 (4) Except as provided in Section 20A-1-308, during the early voting period, the  
145 election officer:

146 (a) for a local special election, a municipal primary election, and a municipal general  
147 election:

- 148 (i) shall conduct early voting on a minimum of four days during each week of the early  
149 voting period; and

150 (ii) shall conduct early voting on the last day of the early voting period; and  
151 (b) for all other elections:  
152 (i) shall conduct early voting on each weekday; and  
153 (ii) may elect to conduct early voting on a Saturday, Sunday, or holiday.  
154 (5) Except as specifically provided in this Part 6, Early Voting, or Section 20A-1-308,  
155 early voting shall be administered in accordance with the requirements of this title.

156 Section 4. Section 20A-6-203 is amended to read:

157 **20A-6-203. Ballots for regular primary elections.**

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

- 160 (a) develop ballots to be used in Utah's regular primary election;
- 161 (b) except to the extent otherwise provided in Subsection 20A-9-409.1(6), ensure that  
162 the ballots comply generally, where applicable, with the requirements of [~~Title 20A, Chapter 6,~~  
163 ~~Part 1, General Requirements for All Ballots]~~ Part 1, General Requirements for All Ballots, and  
164 this section; and

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

167 (2) (a) Notwithstanding the requirements of Subsections (1)(b) and (c), [~~Title 20A,~~  
168 ~~Chapter 6, Part 1, General Requirements for All Ballots]~~ Part 1, General Requirements for All  
169 Ballots, and Sections 20A-5-403, 20A-6-401, and 20A-6-401.1, the lieutenant governor,  
170 together with county clerks, suppliers of election materials, and representatives of registered  
171 political parties shall ensure that the ballots, voting booths, election records and supplies, and  
172 ballot boxes:

- 173 (i) facilitate the distribution, voting, and tallying of ballots in a primary where not all  
174 voters are authorized to vote for a party's candidate;
- 175 (ii) simplify the task of poll workers, particularly in determining a voter's party  
176 affiliation;
- 177 (iii) minimize the possibility of spoiled ballots due to voter confusion; and
- 178 (iv) protect against fraud.

179 (b) To accomplish the requirements of this Subsection (2), the lieutenant governor,  
180 county clerks, suppliers of election materials, and representatives of registered political parties

181 shall:

- 182 (i) mark ballots as being for a particular registered political party; and  
 183 (ii) instruct individuals counting the ballots to count only those votes for candidates  
 184 from the registered political party whose ballot the voter received.

185 Section 5. Section **20A-9-403** is amended to read:

186 **20A-9-403. Regular primary elections -- Candidate nomination process for a**  
 187 **registered political party that is not a qualified political party -- Determining winning**  
 188 **nominee for any registered political party, including a qualified political party -- Election**  
 189 **expenses.**

190 (1) (a) The candidate nomination process described in this Subsection (1) through  
 191 Subsection (4) applies to a registered political party that is not a qualified political party.

192 [~~(a)~~] (b) Candidates for elective office that are to be filled at the next regular general  
 193 election shall be nominated in a regular primary election by direct vote of the people in the  
 194 manner [~~prescribed~~] described in this section and, as applicable, Section 20A-9-409.1. The  
 195 regular primary election is held on the date specified in Section 20A-1-201.5. Nothing in this  
 196 section shall affect a candidate's ability to qualify for a regular general election's ballot as an  
 197 unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election as  
 198 a write-in candidate under Section 20A-9-601.

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

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

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

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

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

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

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

223 (ii) An organization that is seeking to become a registered political party under Section  
224 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered  
225 political party files the petition described in Section 20A-8-103.

226 (3) (a) Except as provided in Subsection (3)(e), an individual who submits a  
227 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective  
228 office on the regular primary ballot of the registered political party listed on the declaration of  
229 candidacy only if the individual is certified by the appropriate filing officer as having submitted  
230 a nomination petition that was:

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

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

234 (b) (i) A candidate for elective office shall submit signatures for a nomination petition  
235 to the appropriate filing officer for verification and certification no later than 5 p.m. on the final  
236 day in March.

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

239 (c) (i) The lieutenant governor shall determine for each elective office the total number  
240 of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting  
241 the aggregate number of individuals residing in each elective office's political division who  
242 have designated a particular registered political party on the individuals' voter registration



243 forms on or before November 15 of each odd-numbered year.

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

246 (d) The filing officer shall:

247 (i) except as otherwise provided in Section 20A-21-201, verify signatures on  
248 nomination petitions in a transparent and orderly manner, no later than 14 days after the day on  
249 which a candidate submits the signatures to the filing officer;

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

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

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

258 (v) except as otherwise provided in Section 20A-21-201, utilize procedures described  
259 in Section 20A-7-206.3 to verify submitted nomination petition signatures, or use statistical  
260 sampling procedures to verify submitted nomination petition signatures in accordance with  
261 rules made under Subsection (3)(f).

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

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

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

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

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

271 submission, using widely recognized statistical sampling techniques; and

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

274 (g) The county clerk shall:

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

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

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

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

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

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

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

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

296 "Notice is given that a primary election will be held Tuesday, June \_\_\_\_,  
297 \_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan  
298 local school board positions listed on the primary ballot. The polling place for voting precinct  
299 \_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.  
300 Attest: county clerk."

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

303 (i) except as otherwise provided in Section 20A-9-409.1, nominated for that office by  
304 the candidate's registered political party; or

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

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

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

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

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

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

321 (6) Except as otherwise provided in Section 20A-9-409.1:

322 (a) [~~When~~] when a tie vote occurs in any primary election for any national, state, or  
323 other office that represents more than one county, the governor, lieutenant governor, and  
324 attorney general shall, at a public meeting called by the governor and in the presence of the  
325 candidates involved, select the nominee by lot cast in whatever manner the governor  
326 determines[-]; and

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

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

335 (8) An individual may not file a declaration of candidacy for a registered political party

336 of which the individual is not a member, except to the extent that the registered political party  
337 permits otherwise under the registered political party's bylaws.

338 Section 6. Section **20A-9-409.1** is enacted to read:

339 **20A-9-409.1. Determining winner of certain primary election races where a**  
340 **candidate does not receive a majority of the votes cast -- Runoff primary election for**  
341 **certain races -- Election requirements and notice.**

342 (1) In a regular primary election race for a qualified political party, the election officer  
343 shall determine the winning nominee in accordance with Subsection (2) if:

344 (a) the race is to nominate a qualified political party candidate for United States  
345 senator, United States representative, governor, attorney general, state treasurer, state auditor,  
346 state senator, or state representative; and

347 (b) the candidate who receives the most votes in the initial primary election race does  
348 not receive more than 50% of the votes in the race.

349 (2) To determine the winning nominee for a race described in Subsection (1), the  
350 election officer shall declare as the nominee for that race the candidate who wins the runoff  
351 election, described in Subsection (4), between the two candidates who received the highest  
352 number of votes in the initial primary race.

353 (3) If a tie in the number of votes received in the initial primary election race makes it  
354 impossible to determine, under Subsection (2), the two candidates who received the highest  
355 number of votes in the initial primary race, the tie shall be broken, by lot, in the presence of the  
356 tied candidates or representatives of the tied candidates, by:

357 (a) the election officer; or

358 (b) if the election officer is the lieutenant governor and the race is for governor, one of  
359 the following, as designated by the lieutenant governor:

360 (i) the attorney general;

361 (ii) the state treasurer; or

362 (iii) the state auditor.

363 (4) To conduct a runoff election described in Subsection (2), the election officer shall:

364 (a) 56 days after the day of the regular primary election, hold a runoff election between  
365 the two candidates identified under Subsection (2);

366 (b) conduct the election in accordance with Section [20A-3a-202](#), except that the

367 election officer may not provide early voting for the runoff election;

368 (c) provide notice of the runoff election by:

369 (i) (A) at least two days before the day of the election, publishing the notice in a  
370 newspaper of general circulation in the jurisdiction to which the election pertains;

371 (B) at least two days before the day of the election, posting one copy of the notice, and  
372 at least one additional copy per 2,000 population of the jurisdiction, in places within the  
373 jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction,  
374 subject to a maximum of 10 notices; or

375 (C) at least five days before the day of the election, mailing the notice to each  
376 registered voter who resides in the jurisdiction to which the election pertains;

377 (ii) for 14 days before the day of the election, posting the notice on the Utah Public  
378 Notice Website, created in Section [63A-16-601](#); and

379 (iii) for 14 days before the day of the election, posting notice on the jurisdiction's  
380 website;

381 (d) except as provided in Subsection (5), include in the notice described in Subsection  
382 (4)(c):

383 (i) at the top of the notice, the following statement:

384 "NOTICE OF RUNOFF ELECTION

385 Notice is given that a runoff election will be held at the date and times indicated below  
386 to nominate the candidate for the [name of registered political party] to run for [name of office]  
387 in the upcoming regular general election. The candidates in the runoff election are:

388 [list the names of the two candidates participating in the runoff election, in the same  
389 order as the candidates will appear on the ballot]

390 A voter who is eligible to vote in the primary election for the [insert the name of the  
391 applicable political party] may cast a vote in the runoff election";

392 (ii) the hours during which the polls will be open;

393 (iii) the polling places for each voting precinct and election day voting center;

394 (iv) the address of the Statewide Electronic Voter Information Website and the election  
395 officer's website, with a statement indicating that the election officer will post on the websites  
396 any changes to the location of a polling place and the location of any additional polling place;

397 (v) a phone number that a voter may call to obtain information regarding the location

398 of a polling place; and

399 (vi) the qualifications for an individual to vote in the election; and

400 (e) no later than 14 days after the day of the election, declaring nominated by the

401 applicable party:

402 (i) the candidate who receives the highest number of votes in the runoff election; or

403 (ii) in the case of a tie, the candidate selected by lot, in the presence of the tied

404 candidates or representatives of the tied candidates, by the individual described in Subsection

405 (3).

406 (5) Instead of including the information described in Subsection (4)(d) in the notice  
407 described in Subsection (4)(c), the election officer may include the following in the notice:

408 (a) the statement described in Subsection (4)(d)(i);

409 (b) the following statement: "The election will be held in [indicate the jurisdiction] on  
410 [indicate date of election]. Information relating to the election, including polling places, polling  
411 place hours, and qualifications of voters may be obtained from the following sources:"; and

412 (c) a list of the following sources where an individual may view or obtain the  
413 information described in Subsections (4)(d)(ii) through (vi):

414 (i) the jurisdiction's website;

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

416 (iii) a mailing address and telephone number.

417 (6) (a) In order to comply with Chapter 16, Uniform Military and Overseas Voters Act,  
418 the election officer shall, when sending or providing a ballot under that chapter, provide the  
419 ability to rank the candidates in a regular primary election race, in the order the voter prefers  
420 the candidates, if the race may result in a runoff election under this section.

421 (b) To count a vote cast in a race described in Subsection (6)(a), where the voter  
422 ranked at least two of the candidates, the election officer shall:

423 (i) initially, only count a vote for the candidate the voter ranked highest; and

424 (ii) if the race results in a runoff election under this section, count a vote in the runoff  
425 election for the remaining candidate ranked highest by the voter.

426 **Section 7. Coordinating H.B. 214 with H.B. 365 -- Substantive and technical**  
427 **amendments.**

428 If this H.B. 214 and H.B. 365, Voter Affiliation Amendments, both pass and become

429 law, it is the intent of the Legislature that the Office of Legislative Research and General  
430 Counsel shall prepare the Utah Code database for publication as follows:

431 (1) the changes to Sections 20A-2-107 and 20A-2-107.5 in H.B. 214 do not take effect;

432 (2) by amending Subsection 20A-2-107(3)(d) in H.B. 365 to read:

433 "(d) (i) Except as provided in Subsection (3)(d)(ii), the party affiliation of a voter who  
434 changes party affiliation, or who becomes unaffiliated from a political party, at any time on or  
435 after the change of affiliation deadline and on or before the date of the regular primary election,  
436 takes effect the day after the statewide canvass for the regular primary election.

437 (ii) If a voter affiliates with a political party, or changes party affiliation, the new  
438 affiliation or change of affiliation takes effect the day after the canvass for a runoff election  
439 described in Section 20A-9-409.1, if the voter:

440 (A) resides in a jurisdiction for which a runoff election described in Section  
441 20A-9-409.1 is held; and

442 (B) changes party affiliation, or becomes unaffiliated from a political party, at any time  
443 on or after the change of affiliation deadline and on or before the canvass for a runoff election  
444 described in Section 20A-9-409.1.";

445 (3) by amending Subsection 20A-2-107.5(3) in H.B. 365 to read:

446 "(3) (a) The party affiliation of a voter who changes party affiliation, or who becomes  
447 unaffiliated from a political party, at any time on or after the change of affiliation deadline and  
448 on or before the date of the regular primary election, takes effect the day after the statewide  
449 canvass for the regular primary election.

450 (b) If a voter affiliates with a political party, or changes party affiliation, the new  
451 affiliation or change of affiliation takes effect the day after the canvass for a runoff election  
452 described in Section 20A-9-409.1, if the voter:

453 (A) resides in a jurisdiction for which a runoff election described in Section  
454 20A-9-409.1 is held; and

455 (B) changes party affiliation, or becomes unaffiliated from a political party, at any time  
456 on or after the change of affiliation deadline and on or before the canvass for a runoff election  
457 described in Section 20A-9-409.1."; and

458 (4) by amending Subsection 20A-2-107.5(4) in H.B. 365 to read:

459 "(4) (a) A voter who votes in the presidential primary election of a registered political

460 party may not, for the same election, vote in the presidential primary election of another  
461 registered political party.

462 (b) A voter who votes in the regular primary election of a registered political party may  
463 not, for the same election, vote in the regular primary election of another registered political  
464 party or a runoff election of another registered political party.

465 (c) A voter who votes in a runoff election of a registered political party may  
466 not, for the same election, vote in a runoff election of another registered political party."