

ELECTION CODE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Raymond P. Ward

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions of the Election Code to provide an open, top-two political primary system in the state.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides that a regular primary election will be conducted as an open, top-two political primary, where:
 - candidates compete against all other candidates for the same office, regardless of whether the candidates are affiliated with the same political party, affiliated with different political parties, or not affiliated with a party;
 - all registered voters in the applicable jurisdiction may vote in the primary election for the candidates for each office, regardless of whether the candidates are affiliated with the same political party as the voter, a different political party than the voter, or no political party, and regardless of whether the voter is affiliated with a political party; and
 - only the candidates, equal in number to twice the number of seats to be filled for a particular office, who receive the highest number of votes at a regular primary election will advance to the regular general election for that office, regardless of whether the candidates are affiliated with the same political party, affiliated with



28 different political parties, or not affiliated with a party;

29 ▶ provides that, except for candidates for president or vice president of the United
30 States, a candidate may not participate in a regular general election unless the
31 candidate participates in the regular primary election for that office and advances to
32 the regular general election for that office in the manner described above;

33 ▶ describes the process for determining the results of a regular primary election
34 described in this bill;

35 ▶ addresses candidate and officeholder vacancies;

36 ▶ to clarify the difference between the three existing political party types, designates a
37 name for each political party type based on the procedures used by the political
38 party to qualify candidates for the regular primary election ballot, as follows:

39 • a signature-convention party, formerly called a qualified political party, where
40 candidates may seek to qualify for the regular primary election ballot, as a
41 candidate for the party, through convention, signature-gathering, or both;

42 • a signature-only party, formerly referred to as a type of registered political party
43 that is not a qualified political party, where candidates may seek to qualify for
44 the regular primary election ballot, as a candidate for the party, only through the
45 signature-gathering process; and

46 • an alternate-path party, also formerly referred to as a type of registered political
47 party that is not a qualified political party, where candidates may seek to qualify
48 for the regular primary election ballot, as a candidate for the party, by any means
49 designated by the party, but are listed on the ballot without any indication of
50 party affiliation or party endorsement;

51 ▶ amends Election Code provisions in accordance with the open primary system and
52 the designation of political party type;

53 ▶ permits a political party to decide whether voters who are affiliated with other
54 political parties or who are unaffiliated may sign a petition to qualify an individual
55 for placement on the primary election ballot as a candidate for the political party;

56 ▶ consolidates signature-gathering requirements for signature-convention parties and
57 signature-only parties and modifies those requirements in accordance with the
58 decision of the political party described in the preceding paragraph;

- 59 ▶ consolidates certain other Election Code provisions in relation to political party
- 60 types;
- 61 ▶ modifies forms and election deadlines; and
- 62 ▶ makes technical and conforming changes.

63 **Money Appropriated in this Bill:**

64 None

65 **Other Special Clauses:**

66 This bill provides a special effective date.

67 **Utah Code Sections Affected:**

68 AMENDS:

- 69 **20A-1-102**, as last amended by Laws of Utah 2023, Chapters 15, 234 and 297
- 70 **20A-1-201.5**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 71 **20A-1-303**, as last amended by Laws of Utah 2018, Chapter 187
- 72 **20A-1-304**, as repealed and reenacted by Laws of Utah 2018, Chapter 187
- 73 **20A-1-501**, as last amended by Laws of Utah 2023, Chapter 234
- 74 **20A-1-502**, as last amended by Laws of Utah 2020, Chapter 13
- 75 **20A-1-502.5**, as enacted by Laws of Utah 2020, Chapter 13
- 76 **20A-1-508**, as last amended by Laws of Utah 2022, Chapters 13, 166 and 177
- 77 **20A-1-509.1**, as last amended by Laws of Utah 2022, Chapter 13
- 78 **20A-1-1001**, as enacted by Laws of Utah 2023, Chapter 116
- 79 **20A-2-107**, as last amended by Laws of Utah 2023, Chapters 45, 89 and last amended
- 80 by Coordination Clause, Laws of Utah 2023, Chapter 89
- 81 **20A-3a-203**, as renumbered and amended by Laws of Utah 2020, Chapter 31
- 82 **20A-4-306**, as last amended by Laws of Utah 2022, Chapter 18
- 83 **20A-5-101**, as last amended by Laws of Utah 2023, Chapters 45, 56, 106, 297, and 435
- 84 **20A-5-102**, as last amended by Laws of Utah 2022, Chapters 18, 170
- 85 **20A-6-203**, as last amended by Laws of Utah 2020, Chapter 31
- 86 **20A-6-301**, as last amended by Laws of Utah 2021, Chapter 136
- 87 **20A-6-302**, as last amended by Laws of Utah 2020, Chapter 31
- 88 **20A-6-304**, as last amended by Laws of Utah 2021, Chapter 136
- 89 **20A-8-103**, as last amended by Laws of Utah 2023, Chapter 116

- 90 **20A-8-401**, as last amended by Laws of Utah 2019, Chapter 255
- 91 **20A-9-101**, as last amended by Laws of Utah 2023, Chapters 15, 45
- 92 **20A-9-201**, as last amended by Laws of Utah 2022, Chapters 13, 18
- 93 **20A-9-201.5**, as last amended by Laws of Utah 2023, Chapter 45
- 94 **20A-9-202**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6
- 95 **20A-9-401**, as enacted by Laws of Utah 1994, Chapter 1
- 96 **20A-9-403**, as last amended by Laws of Utah 2023, Chapter 116
- 97 **20A-9-405**, as last amended by Laws of Utah 2022, Chapter 325
- 98 **20A-9-408**, as last amended by Laws of Utah 2023, Chapter 116
- 99 **20A-9-409**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6
- 100 **20A-9-601**, as last amended by Laws of Utah 2019, Chapters 142, 255 and 279
- 101 **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296
- 102 **20A-11-204**, as last amended by Laws of Utah 2021, Chapter 20
- 103 **20A-21-101**, as enacted by Laws of Utah 2022, Chapter 325
- 104 **63G-2-305**, as last amended by Laws of Utah 2023, Chapters 1, 16, 205, and 329

105 ENACTS:

- 106 **20A-1-201.6**, Utah Code Annotated 1953
- 107 **20A-1-201.7**, Utah Code Annotated 1953
- 108 **20A-9-406.1**, Utah Code Annotated 1953
- 109 **20A-9-406.2**, Utah Code Annotated 1953

110 REPEALS AND REENACTS:

- 111 **20A-1-503**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 112 **20A-9-406**, as last amended by Laws of Utah 2022, Chapter 13

113 REPEALS:

- 114 **20A-1-504**, as last amended by Laws of Utah 2020, Chapter 352
- 115 **20A-9-407**, as last amended by Laws of Utah 2022, Chapter 13
- 116 **20A-9-408.5**, as last amended by Laws of Utah 2021, Chapter 183
- 117 **20A-9-411**, as enacted by Laws of Utah 2015, Chapter 296



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

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

121 **20A-1-102. Definitions.**

122 As used in this title:

123 (1) "Active voter" means a registered voter who has not been classified as an inactive
124 voter by the county clerk.125 (2) "Affiliation status" means whether the candidate or voter is registered as affiliated
126 with a political party or registered as unaffiliated.127 (3) "Alternate-path party" means a registered political party, described in Section
128 20A-9-406.2, that does not comply with the requirements to be a signature-convention party or
129 a signature-only party.130 ~~[(2)]~~ (4) "Automatic tabulating equipment" means apparatus that automatically
131 examines and counts votes recorded on ballots and tabulates the results.132 ~~[(3)]~~ (5) (a) "Ballot" means the storage medium, including a paper, mechanical, or
133 electronic storage medium, that records an individual voter's vote.

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

135 ~~[(4)]~~ (6) "Ballot proposition" means a question, issue, or proposal that is submitted to
136 voters on the ballot for their approval or rejection including:

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

138 (b) a constitutional amendment;

139 (c) an initiative;

140 (d) a referendum;

141 (e) a bond proposition;

142 (f) a judicial retention question;

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

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

145 ~~[(5)]~~ (7) "Bind," "binding," or "bound" means securing more than one piece of paper
146 together using staples or another means in at least three places across the top of the paper in the
147 blank space reserved for securing the paper.148 ~~[(6)]~~ (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#)
149 and [20A-4-306](#) to canvass election returns.150 ~~[(7)]~~ (9) "Bond election" means an election held for the purpose of approving or
151 rejecting the proposed issuance of bonds by a government entity.

152 ~~[(8)]~~ (10) "Business reply mail envelope" means an envelope that may be mailed free
153 of charge by the sender.

154 ~~[(9)]~~ (11) "Canvass" means the review of election returns and the official declaration of
155 election results by the board of canvassers.

156 ~~[(10)]~~ (12) "Canvassing judge" means a poll worker designated to assist in counting
157 ballots at the canvass.

158 ~~[(11)]~~ (13) "Contracting election officer" means an election officer who enters into a
159 contract or interlocal agreement with a provider election officer.

160 ~~[(12)]~~ (14) "Convention" means the political party convention at which party officers
161 and delegates are selected.

162 ~~[(13)]~~ (15) "Counting center" means one or more locations selected by the election
163 officer in charge of the election for the automatic counting of ballots.

164 ~~[(14)]~~ (16) "Counting judge" means a poll worker designated to count the ballots
165 during election day.

166 ~~[(15)]~~ (17) "Counting room" means a suitable and convenient private place or room for
167 use by the poll workers and counting judges to count ballots.

168 ~~[(16)]~~ (18) "County officers" means those county officers that are required by law to be
169 elected.

170 ~~[(17)]~~ (19) "Date of the election" or "election day" or "day of the election":

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

173 (b) does not include:

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

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

178 ~~[(18)]~~ (20) "Elected official" means:

179 (a) a person elected to an office under Section [20A-1-303](#) or Chapter 4, Part 6,
180 Municipal Alternate Voting Methods Pilot Project;

181 (b) a person who is considered to be elected to a municipal office in accordance with
182 Subsection ~~[[20A-1-206\(1\)\(c\)\(ii\)](#)]~~ [20A-1-206\(3\)\(b\)\(ii\)](#); or

183 (c) a person who is considered to be elected to a special district office in accordance
 184 with Subsection [~~20A-1-206(3)(b)(ii)~~] [20A-1-206\(5\)\(b\)\(ii\)](#).

185 [~~(19)~~] (21) "Election" means a regular general election, a municipal general election, a
 186 statewide special election, a local special election, a regular primary election, a municipal
 187 primary election, and a special district election.

188 [~~(20)~~] (22) "Election Assistance Commission" means the commission established by
 189 the Help America Vote Act of 2002, Pub. L. No. 107-252.

190 [~~(21)~~] (23) "Election cycle" means the period beginning on the first day persons are
 191 eligible to file declarations of candidacy and ending when the canvass is completed.

192 [~~(22)~~] (24) "Election judge" means a poll worker that is assigned to:

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

196 [~~(23)~~] (25) "Election officer" means:

- 197 (a) the lieutenant governor, for all statewide ballots and elections;
- 198 (b) the county clerk for:
 - 199 (i) a county ballot and election; and
 - 200 (ii) a ballot and election as a provider election officer as provided in Section

201 [20A-5-400.1](#) or [20A-5-400.5](#);

202 (c) the municipal clerk for:

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

205 [20A-5-400.1](#) or [20A-5-400.5](#);

206 (d) the special district clerk or chief executive officer for:

- 207 (i) a special district ballot and election; and
- 208 (ii) a ballot and election as a provider election officer as provided in Section

209 [20A-5-400.1](#) or [20A-5-400.5](#); or

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

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

213 [20A-5-400.1](#) or [20A-5-400.5](#).

214 ~~[(24)]~~ (26) "Election official" means any election officer, election judge, or poll
215 worker.

216 ~~[(25)]~~ (27) "Election results" means:

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

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

221 ~~[(26)]~~ (28) "Election returns" includes:

222 (a) the pollbook, the military and overseas absentee voter registration and voting
223 certificates, one of the tally sheets, any unprocessed ballots, all counted ballots, all excess
224 ballots, all unused ballots, all spoiled ballots, the ballot disposition form, and the total votes
225 cast form; and

226 (b) the record, described in Subsection [20A-3a-401](#)(8)(c), of voters contacted to cure a
227 ballot.

228 ~~[(27)]~~ (29) "Electronic signature" means an electronic sound, symbol, or process
229 attached to or logically associated with a record and executed or adopted by a person with the
230 intent to sign the record.

231 ~~[(28)]~~ (30) "Inactive voter" means a registered voter who is listed as inactive by a
232 county clerk under Subsection [20A-2-505](#)(4)(c)(i) or (ii).

233 ~~[(29)]~~ (31) "Judicial office" means the office filled by any judicial officer.

234 ~~[(30)]~~ (32) "Judicial officer" means any justice or judge of a court of record or any
235 county court judge.

236 ~~[(31)]~~ (33) "Local election" means a regular county election, a regular municipal
237 election, a municipal primary election, a local special election, a special district election, and a
238 bond election.

239 ~~[(32)]~~ (34) "Local political subdivision" means a county, a municipality, a special
240 district, or a local school district.

241 ~~[(33)]~~ (35) "Local special election" means a special election called by the governing
242 body of a local political subdivision in which all registered voters of the local political
243 subdivision may vote.

244 ~~[(34)]~~ (36) "Manual ballot" means a paper document produced by an election officer on

245 which an individual records an individual's vote by directly placing a mark on the paper
 246 document using a pen or other marking instrument.

247 ~~[(35)]~~ (37) "Mechanical ballot" means a record, including a paper record, electronic
 248 record, or mechanical record, that:

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

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

252 ~~[(36)]~~ (38) "Municipal executive" means:

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

254 (b) the mayor in the council-manager form of government defined in Subsection
 255 10-3b-103(7); or

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

257 ~~[(37)]~~ (39) "Municipal general election" means the election held in municipalities and,
 258 as applicable, special districts on the first Tuesday after the first Monday in November of each
 259 odd-numbered year for the purposes established in Section 20A-1-202.

260 ~~[(38)]~~ (40) "Municipal legislative body" means:

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

262 (b) the council of a metro township.

263 ~~[(39)]~~ (41) "Municipal office" means an elective office in a municipality.

264 ~~[(40)]~~ (42) "Municipal officers" means those municipal officers that are required by
 265 law to be elected.

266 ~~[(41)]~~ (43) "Municipal primary election" means an election held to nominate
 267 candidates for municipal office.

268 ~~[(42)]~~ (44) "Municipality" means a city, town, or metro township.

269 ~~[(43)]~~ (45) "Official ballot" means the ballots distributed by the election officer for
 270 voters to record their votes.

271 ~~[(44)]~~ (46) "Official endorsement" means the information on the ballot that identifies:

272 (a) the ballot as an official ballot;

273 (b) the date of the election; and

274 (c) (i) for a ballot prepared by an election officer other than a county clerk, the
 275 facsimile signature required by Subsection 20A-6-401(1)(a)(iii); or

276 (ii) for a ballot prepared by a county clerk, the words required by Subsection
277 20A-6-301(1)(b)(iii).

278 [~~(45)~~] (47) "Official register" means the official record furnished to election officials
279 by the election officer that contains the information required by Section 20A-5-401.

280 [~~(46)~~] (48) "Political party" means an organization of registered voters that has
281 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party
282 Formation and Procedures.

283 [~~(47)~~] (49) (a) "Poll worker" means a person assigned by an election official to assist
284 with an election, voting, or counting votes.

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

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

287 [~~(48)~~] (50) "Pollbook" means a record of the names of voters in the order that they
288 appear to cast votes.

289 [~~(49)~~] (51) "Polling place" means a building where voting is conducted.

290 [~~(50)~~] (52) "Position" means a square, circle, rectangle, or other geometric shape on a
291 ballot in which the voter marks the voter's choice.

292 [~~(51)~~] (53) "Presidential Primary Election" means the election established in Chapter 9,
293 Part 8, Presidential Primary Election.

294 [~~(52)~~] (54) "Primary convention" means the political party conventions held during the
295 year of the regular general election.

296 [~~(53)~~] (55) "Protective counter" means a separate counter, which cannot be reset, that:

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

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

299 [~~(54)~~] (56) "Provider election officer" means an election officer who enters into a
300 contract or interlocal agreement with a contracting election officer to conduct an election for
301 the contracting election officer's local political subdivision in accordance with Section
302 20A-5-400.1.

303 [~~(55)~~] (57) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

307 ~~[(56)]~~ (58) "Provisional ballot envelope" means an envelope printed in the form
308 required by Section 20A-6-105 that is used to identify provisional ballots and to provide
309 information to verify a person's legal right to vote.

310 ~~[(57)]~~ (59) (a) "Public figure" means an individual who, due to the individual being
311 considered for, holding, or having held a position of prominence in a public or private capacity,
312 or due to the individual's celebrity status, has an increased risk to the individual's safety.

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

314 (i) elected to public office; or

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

316 ~~[(58)]~~ (60) "Qualify" or "qualified" means to take the oath of office and begin
317 performing the duties of the position for which the individual was elected.

318 ~~[(59)]~~ (61) "Receiving judge" means the poll worker that checks the voter's name in the
319 official register at a polling place and provides the voter with a ballot.

320 ~~[(60)]~~ (62) "Registration form" means a form by which an individual may register to
321 vote under this title.

322 ~~[(61)]~~ (63) "Regular ballot" means a ballot that is not a provisional ballot.

323 ~~[(62)]~~ (64) "Regular general election" means the election held throughout the state on
324 the first Tuesday after the first Monday in November of each even-numbered year for the
325 purposes established in Section 20A-1-201.

326 (65) "Regular partisan office" means the following offices:

327 (a) United States senator;

328 (b) United States representative;

329 (c) governor;

330 (d) lieutenant governor;

331 (e) state treasurer;

332 (f) state auditor;

333 (g) state senator;

334 (h) state representative;

335 (i) State Board of Education member; and

336 (j) a county office that is required to be filled by election.

337 ~~[(63)]~~ (66) "Regular primary election" means the election, held on the date specified in

338 Section [20A-1-201.5](#), to [~~nominate candidates of political parties~~] determine the candidates for
339 partisan office and the candidates for nonpartisan office, including local school board positions
340 [to], who will advance to the regular general election.

341 [~~(64)~~] (67) "Resident" means a person who resides within a specific voting precinct in
342 Utah.

343 [~~(65)~~] (68) "Return envelope" means the envelope, described in Subsection
344 [20A-3a-202\(4\)](#), provided to a voter with a manual ballot:

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

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

348 [~~(66)~~] (69) "Sample ballot" means a mock ballot similar in form to the official ballot,
349 published as provided in Section [20A-5-405](#).

350 (70) "Signature-convention party" means a registered political party that complies with
351 the requirements described in Section [20A-9-406](#), including the requirement that the registered
352 political party permits a member of the registered political party to seek qualification for
353 placement on the regular primary election ballot, as a candidate for the registered political
354 party, by the member choosing to qualify by either or both of the following methods:

355 (a) through the registered political party's convention process, in accordance with the
356 provisions of Section [20A-9-406](#); or

357 (b) by collecting signatures, in accordance with the provisions of Section [20A-9-408](#).

358 (71) "Signature-only party" means a registered political party that complies with the
359 requirements described in Section [20A-9-406.1](#), including the requirement that the registered
360 political party permits a member of the registered political party to seek qualification for
361 placement of the regular primary election ballot, as a candidate for the registered political party,
362 using only the signature-gathering process described in Section [20A-9-408](#).

363 [~~(67)~~] (72) "Special district" means a local government entity under Title 17B, Limited
364 Purpose Local Government Entities - Special Districts, and includes a special service district
365 under Title 17D, Chapter 1, Special Service District Act.

366 [~~(68)~~] (73) "Special district officers" means those special district board members who
367 are required by law to be elected.

368 [~~(69)~~] (74) "Special election" means an election held as authorized by Section

369 20A-1-203.

370 [~~(70)~~] (75) "Spoiled ballot" means each ballot that:

371 (a) is spoiled by the voter;

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

373 (c) lacks the official endorsement.

374 [~~(71)~~] (76) "Statewide special election" means a special election called by the governor
375 or the Legislature in which all registered voters in Utah may vote.

376 [~~(72)~~] (77) "Tabulation system" means a device or system designed for the sole
377 purpose of tabulating votes cast by voters at an election.

378 [~~(73)~~] (78) "Ticket" means a list of:

379 (a) political parties;

380 (b) candidates for an office; or

381 (c) ballot propositions.

382 [~~(74)~~] (79) "Transfer case" means the sealed box used to transport voted ballots to the
383 counting center.

384 [~~(75)~~] (80) "Vacancy" means:

385 (a) except as provided in Subsection [~~(75)(b)~~] (80)(b), the absence of an individual to
386 serve in a position created by state constitution or state statute, whether that absence occurs
387 because of death, disability, disqualification, resignation, or other cause; or

388 (b) in relation to a candidate for a position created by state constitution or state statute,
389 the removal of a candidate due to the candidate's death, resignation, or disqualification.

390 [~~(76)~~] (81) "Valid voter identification" means:

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

393 (i) a currently valid Utah driver license;

394 (ii) a currently valid identification card that is issued by:

395 (A) the state; or

396 (B) a branch, department, or agency of the United States;

397 (iii) a currently valid Utah permit to carry a concealed weapon;

398 (iv) a currently valid United States passport; or

399 (v) a currently valid United States military identification card;

400 (b) one of the following identification cards, whether or not the card includes a
401 photograph of the voter:

402 (i) a valid tribal identification card;

403 (ii) a Bureau of Indian Affairs card; or

404 (iii) a tribal treaty card; or

405 (c) two forms of identification not listed under Subsection [~~(76)(a) or (b)~~] (81)(a) or (b)
406 but that bear the name of the voter and provide evidence that the voter resides in the voting
407 precinct, which may include:

408 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
409 election;

410 (ii) a bank or other financial account statement, or a legible copy thereof;

411 (iii) a certified birth certificate;

412 (iv) a valid social security card;

413 (v) a check issued by the state or the federal government or a legible copy thereof;

414 (vi) a paycheck from the voter's employer, or a legible copy thereof;

415 (vii) a currently valid Utah hunting or fishing license;

416 (viii) certified naturalization documentation;

417 (ix) a currently valid license issued by an authorized agency of the United States;

418 (x) a certified copy of court records showing the voter's adoption or name change;

419 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;

420 (xii) a currently valid identification card issued by:

421 (A) a local government within the state;

422 (B) an employer for an employee; or

423 (C) a college, university, technical school, or professional school located within the
424 state; or

425 (xiii) a current Utah vehicle registration.

426 [~~(77)~~] (82) "Valid write-in candidate" means a candidate who has qualified as a
427 write-in candidate by following the procedures and requirements of this title.

428 [~~(78)~~] (83) "Vote by mail" means to vote, using a manual ballot that is mailed to the
429 voter, by:

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

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

432 ~~[(79)]~~ (84) "Voter" means an individual who:

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

434 (b) meets the requirements of election registration;

435 (c) is registered to vote; and

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

437 ~~[(80)]~~ (85) "Voter registration deadline" means the registration deadline provided in

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

439 ~~[(81)]~~ (86) "Voting area" means the area within six feet of the voting booths, voting
440 machines, and ballot box.

441 ~~[(82)]~~ (87) "Voting booth" means:

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

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

445 ~~[(83)]~~ (88) "Voting device" means any device provided by an election officer for a
446 voter to vote a mechanical ballot.

447 ~~[(84)]~~ (89) "Voting precinct" means the smallest geographical voting unit, established
448 under Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.

449 ~~[(85)]~~ (90) "Watcher" means an individual who complies with the requirements
450 described in Section [20A-3a-801](#) to become a watcher for an election.

451 ~~[(86)]~~ (91) "Write-in ballot" means a ballot containing any write-in votes.

452 ~~[(87)]~~ (92) "Write-in vote" means a vote cast for an individual, whose name is not
453 printed on the ballot, in accordance with the procedures established in this title.

454 Section 2. Section [20A-1-201.5](#) is amended to read:

455 **[20A-1-201.5. Primary election dates.](#)**

456 ~~[(1) The regular primary election shall be held throughout the state on the fourth
457 Tuesday of June of each even-numbered year as provided in Section [20A-9-403](#), [20A-9-407](#), or
458 [20A-9-408](#), as applicable, to nominate persons for:]~~

459 ~~[(a) national, state, school board, and county offices; and]~~

460 ~~[(b) offices for a metro township, city, or town incorporated under Section [10-2a-404](#).]~~

461 (1) The regular primary election shall be held throughout the state on the fourth

462 Tuesday of June of each even-numbered year to:

463 (a) determine the regular partisan candidates and nonpartisan candidates who will
464 advance to the regular general election; and

465 (b) elect officers for a new metro township, city, or town incorporated under Section
466 10-2a-404.

467 (2) A municipal primary election shall be held, if necessary, on the second Tuesday
468 following the first Monday in August before the regular municipal election to nominate persons
469 for municipal offices.

470 (3) A presidential primary election shall be held throughout the state on the first
471 Tuesday in March in the year in which a presidential election will be held.

472 Section 3. Section **20A-1-201.6** is enacted to read:

473 **20A-1-201.6. Election system for regular partisan office -- Open, top-two primary.**

474 (1) The primary election system for a regular partisan office will be an open, top-two
475 primary where:

476 (a) a candidate for a regular partisan office must compete in the regular primary
477 election against all other candidates for the same regular partisan office, regardless of the
478 candidate's party affiliation or affiliation status;

479 (b) all registered voters in the applicable jurisdiction for the regular partisan office may
480 vote in the regular primary election for that regular partisan office, regardless of the voters'
481 party affiliation or party affiliation status;

482 (c) except for an at-large office, only the two candidates who receive the highest
483 number of votes in the regular primary election for a regular partisan office will advance to the
484 regular general election for that regular partisan office, regardless of the affiliation status of the
485 candidates and regardless of whether the candidates are affiliated with the same political party
486 or different political parties;

487 (d) for an at-large office, only the candidates, equal in number to twice the number of
488 seats to be filled for that office, who receive the highest number of votes for that office, will
489 advance to the regular general election for that office, regardless of the affiliation status of the
490 candidates and regardless of whether the candidates are affiliated with the same political party
491 or different political parties; and

492 (e) a candidate may not participate in the regular general election for a regular partisan

493 office unless the candidate:

494 (i) participates in the primary election for that regular partisan office; and

495 (ii) advances to the general election for that regular partisan office in accordance with
496 Subsection (1)(c) or (d), as applicable.

497 (2) The primary election system described in this section applies to all primary
498 elections for a regular partisan office, regardless of whether the primary election is held to fill
499 the office:

500 (a) at the start of the normal term for the office; or

501 (b) due to a vacancy in the office.

502 (3) This section does not apply to an unaffiliated candidate for president of the United
503 States.

504 Section 4. Section **20A-1-201.7** is enacted to read:

505 **20A-1-201.7. Election system for nonpartisan local school board office -- Top-two**
506 **primary.**

507 The primary election system for a local school board office will be a top-two primary
508 where:

509 (1) a candidate for a local school board office must compete in the regular primary
510 election against all other candidates for the same local school board office;

511 (2) all registered voters in the applicable jurisdiction for the local school board office
512 may vote in the primary election for that local school board office;

513 (3) only the two candidates who receive the highest number of votes in the regular
514 primary election for a local school board office will advance to the regular general election for
515 that local school board office; and

516 (4) a candidate may not participate in the regular general election for a local school
517 board office unless the candidate:

518 (a) participates in the regular primary election for that local school board office; and

519 (b) advances to the regular general election for that local school board office in
520 accordance with Subsection (3).

521 Section 5. Section **20A-1-303** is amended to read:

522 **20A-1-303. Determining results.**

523 (1) For a regular primary election for a regular partisan office, other than an at-large

524 office, or for a local school board office:

525 (a) only the two candidates who receive the highest number of votes in the regular
526 primary election for that office will advance to the regular general election for that office;

527 (b) if two, and only two, of the candidates tie as having received the highest number of
528 votes in the regular primary election for that office, only those two candidates will advance to
529 the regular general election for that office;

530 (c) if three or more of the candidates tie as having received the highest number of votes
531 in the regular primary election for that office, the election officer shall, in accordance with
532 Subsection (3), break the tie, by lot, until only two candidates remain, and only the two
533 remaining candidates will advance to the regular general election for that office; or

534 (d) if a tie does not occur for the highest number of votes received by a candidate in the
535 regular primary election for that office, but a tie occurs for the candidate who receives the
536 second-highest number of votes in the regular primary election for that office:

537 (i) the candidate who received the highest number of votes will advance to the regular
538 general election for that office; and

539 (ii) the election officer shall, in accordance with Subsection (3), break the tie among
540 the candidates who received the second-highest number of votes, by lot, to determine the
541 candidate who will advance to the regular general election for that office to run against the
542 candidate described in Subsection (1)(d)(i).

543 (2) For a regular primary election for an at-large regular partisan office:

544 (a) only the candidates, equal in number to twice the number of seats to be filled for
545 that office, who receive the highest number of votes for that office, will advance to the regular
546 general election for that office; or

547 (b) if a tie occurs that, if not broken, would make it impossible to advance the exact
548 number of candidates entitled to advance to the regular general election under Subsection
549 (2)(a), the election officer shall, in accordance with Subsection (3), break the tie, by lot, to
550 determine the candidates who will advance to the regular general election for that office.

551 (3) An election officer who breaks a tie by lot under Subsection (1) or (2) shall break
552 the tie, in a public meeting, after providing at least 24 hours notice of the public meeting:

553 (a) as a class A notice under Section [63G-30-102](#), for the election officer's jurisdiction,
554 for at least 24 hours; and

555 (b) to each candidate involved in the tie.

556 [~~(H)~~] (4) (a) Except as [~~provided in Title 20A, Chapter 4, Part 6, Municipal Alternate~~

557 ~~Voting Methods Pilot Project,~~] otherwise provided for an election under Chapter 4, Part 6,

558 Municipal Alternate Voting Methods Pilot Project, or for a regular primary election, when one

559 person is to be elected or nominated, the person receiving the highest number of votes at any:

560 (i) election for any office to be filled at that election is elected to that office; and

561 (ii) primary for nomination for any office is nominated for that office.

562 (b) Except as [~~provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting~~

563 ~~Methods Pilot Project,~~] otherwise provided for an election under Chapter 4, Part 6, Municipal

564 Alternate Voting Methods Pilot Project, or for a regular primary election, when more than one

565 person is to be elected or nominated, the persons receiving the highest number of votes at any:

566 (i) election for any office to filled at that election are elected to that office; and

567 (ii) primary for nomination for any office are nominated for that office.

568 [~~(2)~~] (5) Any ballot proposition submitted to voters for their approval or rejection:

569 (a) passes if the number of "yes" votes is greater than the number of "no" votes; and

570 (b) fails if:

571 (i) the number of "yes" votes equal the number of "no" votes; or

572 (ii) the number of "no" votes is greater than the number of "yes" votes.

573 (6) Subsections (1) through (3) do not apply to an unaffiliated candidate for president

574 of the United States.

575 Section 6. Section **20A-1-304** is amended to read:

576 **20A-1-304. Tie votes.**

577 Except for a regular primary election race for a regular partisan office, or a race

578 conducted by instant runoff voting under [~~Title 20A, Chapter 4, Part 6, Municipal Alternate~~

579 ~~Voting Methods Pilot Project]~~ Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot

580 Project, if two or more candidates for a position have an equal and the highest number of votes

581 for any office, the election officer shall, in a public meeting held within 30 days after the day

582 on which the canvass is completed, determine the candidate selected, by lot, in the presence of

583 each candidate subject to the tie.

584 Section 7. Section **20A-1-501** is amended to read:

585 **20A-1-501. Candidate vacancies -- Procedure for filling.**

586 (1) As used in this section, "central committee" means:

587 (a) the state central committee of a political party, for a candidate for:

588 (i) United States senator, United States representative, governor, lieutenant governor,

589 attorney general, state treasurer, or state auditor; or

590 (ii) state legislator if the legislative district encompasses all or a portion of more than

591 one county; or

592 (b) the county central committee of a political party, for a party candidate seeking an

593 office, other than an office described in Subsection (1)(a), elected at an election held in an

594 even-numbered year.

595 (2) Except as provided in Subsection (5), the central committee may certify the name

596 of another candidate for a regular partisan office to the appropriate election officer if:

597 (a) in relation to a regular primary election race for a regular partisan office:

598 (i) the number of candidates for a registered political party that have filed a declaration

599 of candidacy and may qualify, or have qualified, for placement on the regular primary election

600 ballot does not exceed twice the number of seats to be filled for that office;

601 (ii) after the close of the period for filing a declaration of candidacy and before the day

602 on which the lieutenant governor provides the list described in Subsection 20A-9-403(6)(a),

603 one or more of the candidates described in Subsection (2)(a)(i) dies, resigns as a candidate, or

604 is disqualified as a candidate; and

605 (iii) the central committee provides written certification of the replacement candidate

606 to the appropriate election officer before the day on which the lieutenant governor provides the

607 list described in Subsection 20A-9-403(6)(a); or

608 (b) in relation to a regular general election race for a regular partisan office:

609 (i) one or more candidates for a registered political party advanced to the regular

610 general election ballot;

611 (ii) one or more of the candidates described in Subsection (2)(b)(i) dies, resigns as a

612 candidate, or is disqualified as a candidate; and

613 (iii) the central committee provides written certification of replacement candidates, up

614 to the number vacancies that occur under Subsection (2)(b)(ii), to the appropriate election

615 officer before the day on which the lieutenant governor provides the list described in

616 Subsection 20A-9-403(6)(a).

617 ~~[(2) Except as provided in Subsection (6), the central committee may certify the name~~
618 ~~of another candidate to the appropriate election officer if:]~~

619 ~~[(a) for a registered political party that will have a candidate on a ballot in a primary~~
620 ~~election:]~~

621 ~~[(i) after the close of the period for filing a declaration of candidacy and continuing~~
622 ~~through the day before the day on which the lieutenant governor provides the list described in~~
623 ~~Subsection 20A-9-403(4)(a), only one or two candidates from that party have filed a~~
624 ~~declaration of candidacy for that office and one or both dies, resigns as a candidate, or is~~
625 ~~disqualified as a candidate; and]~~

626 ~~[(ii) the central committee provides written certification of the replacement candidate~~
627 ~~to the appropriate election officer before the day on which the lieutenant governor provides the~~
628 ~~list described in Subsection 20A-9-403(4)(a); and]~~

629 ~~[(b) for a registered political party that does not have a candidate on the ballot in a~~
630 ~~primary, but will have a candidate on the ballot for a regular general election:]~~

631 ~~[(i) after the close of the period for filing a declaration of candidacy and continuing~~
632 ~~through the day before the day on which the lieutenant governor makes the certification~~
633 ~~described in Section 20A-5-409, the party's candidate dies, resigns as a candidate, or is~~
634 ~~disqualified as a candidate; and]~~

635 ~~[(ii) the central committee provides written certification of the replacement candidate~~
636 ~~to the appropriate election officer before the day on which the lieutenant governor makes the~~
637 ~~certification described in Section 20A-5-409; or]~~

638 ~~[(c) for a registered political party with a candidate certified as winning a primary~~
639 ~~election:]~~

640 ~~[(i) after the close of the period for filing a declaration of candidacy and continuing~~
641 ~~through the day before the day on which the lieutenant governor makes the certification~~
642 ~~described in Section 20A-5-409, the party's candidate dies, resigns as a candidate, or is~~
643 ~~disqualified as a candidate; and]~~

644 ~~[(ii) the central committee provides written certification of the replacement candidate~~
645 ~~to the appropriate election officer before the day on which the lieutenant governor makes the~~
646 ~~certification described in Section 20A-5-409.]~~

647 ~~[(3) If no more than two candidates from a political party have filed a declaration of~~

648 candidacy for an office elected at a regular general election and one resigns to become the party
 649 candidate for another position, the central committee of that political party may certify the
 650 name of another candidate to the appropriate election officer.]

651 ~~[(4)]~~ (3) Each replacement candidate shall file a declaration of candidacy as required
 652 by ~~[Title 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy]~~
 653 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.

654 ~~[(5)]~~ (4) (a) The name of a candidate who is certified under Subsection (2)(a) after the
 655 deadline described in Subsection ~~[(2)(a)(ii)]~~ (2)(a)(iii) may not appear on the primary election
 656 ballot.

657 (b) The name of a candidate who is certified under Subsection (2)(b) after the deadline
 658 described in Subsection ~~[(2)(b)(ii)]~~ (2)(b)(iii) may not appear on the general election ballot.

659 ~~[(c) The name of a candidate who is certified under Subsection (2)(c) after the deadline
 660 described in Subsection (2)(c)(ii) may not appear on the general election ballot.]~~

661 ~~[(6)]~~ (5) A political party may not replace a candidate who is disqualified for failure to
 662 timely file a campaign disclosure financial report under ~~[Title 20A, Chapter 11, Campaign and
 663 Financial Reporting Requirements]~~ Chapter 11, Campaign and Financial Reporting
 664 Requirements, or Section [17-16-6.5](#).

665 ~~[(7) This section does not apply to a candidate vacancy for a nonpartisan office.]~~

666 Section 8. Section **20A-1-502** is amended to read:

667 **20A-1-502. Midterm vacancy in office of United States senator.**

668 (1) Except as provided in Subsections (2) and (3), when a vacancy occurs in the office
 669 of United States senator, the governor shall, within seven days after the day on which the
 670 vacancy occurs, issue a proclamation calling a special congressional election to fill the vacancy
 671 that:

672 (a) sets a date for a primary congressional special election, and a later date for a general
 673 congressional special election, on the same day as one of the following elections:

- 674 (i) a municipal general election;
- 675 (ii) a presidential primary election;
- 676 (iii) a regular primary election; or
- 677 (iv) a regular general election;

678 (b) sets the date of the primary congressional special election on the same day as the

679 next election described in Subsections (1)(a)(i) through (iv) that is more than 90 days after the
680 day on which the governor issues the proclamation;

681 (c) sets the date of the general special congressional election on the same day as the
682 next election described in Subsection (1)(a) that is more than 90 days after the primary special
683 congressional election described in Subsection (1)(b);

684 (d) provides each [~~registered political party that is not a qualified political~~]
685 alternate-path party at least 21 days, but no more than 28 days, to select one candidate, in a
686 manner determined by the [~~registered political~~] party, to qualify for placement on the primary
687 election ballot as a candidate for the [~~registered political~~] party;

688 (e) for each signature-only party, provides at least 21 days, but no more than 28 days,
689 for a member of the party to submit signatures to qualify for placement on the primary election
690 ballot, as a candidate for the party, using the signature-gathering process described in Section
691 20A-9-408;

692 [~~(e)~~] (f) for each [~~qualified political~~] signature-convention party, provides at least 21
693 days, but no more than 28 days:

694 (i) for the [~~qualified political~~] party to select one candidate, using the convention
695 process described in Section [~~20A-9-407;~~] 20A-9-406, for placement on the primary election
696 ballot as a candidate for the [~~qualified~~] political party; and

697 (ii) for a member of the [~~qualified political~~] party to submit signatures to qualify for
698 placement on the primary election ballot, as a candidate for the [~~qualified political~~] party, using
699 the signature-gathering process described in Section 20A-9-408;

700 [(f)] (g) consistent with the requirements of this section, establishes the deadlines, time
701 frames, and procedures for filing a declaration of candidacy, giving notice of an election, and
702 other election requirements; and

703 [(g)] (h) requires an election officer to comply with the requirements of Chapter 16,
704 Uniform Military and Overseas Voters Act.

705 (2) (a) The governor may set a date for a primary special congressional election or a
706 general special congressional election on a date other than a date described in Subsection (1)(a)
707 if:

708 (i) on the same day on which the governor issues the proclamation described in
709 Subsection (1) the governor calls a special session for the Legislature to appropriate money to

710 hold the election on a different day; or

711 (ii) if the governor issues the proclamation described in Subsection (1) on or after
712 January 1, but before the end of the general session of the Legislature, and requests in the
713 proclamation described in Subsection (1) that the Legislature appropriate money to hold the
714 election on a different day.

715 (b) If the Legislature does not, under Subsection (2)(a), appropriate money to hold the
716 election on a different day, the proclamation described in Subsection (1) is void and the
717 governor shall, within seven days after the day on which the Legislature declines to appropriate
718 money to hold the election on a different day, issue a proclamation, in accordance with
719 Subsection (1), that sets the special congressional primary and general elections on dates
720 described in Subsections (1)(a)(i) through (iv).

721 (3) A special congressional election to fill a vacancy in the office of United States
722 senator will not be held if:

723 (a) the next regular general election that occurs after the day on which the vacancy
724 occurs is the regular general election that occurs immediately before the six-year term for the
725 senate office ends; and

726 (b) the vacancy occurs after August 1 of the year before the regular general election
727 described in Subsection (3)(a).

728 (4) (a) The governor shall appoint an individual to temporarily fill a vacancy in the
729 office of United States senator from one of three individuals nominated by the Legislature,
730 each of whom is a member of the political party of which the prior officeholder was a member
731 at the time the prior officeholder was elected.

732 (b) The individual appointed under Subsection (4)(a) shall serve as United States
733 senator until the earlier of the day on which:

734 (i) the vacancy is filled by election under Subsection (1) or (2); or

735 (ii) the six-year term for the senate office ends.

736 (5) An individual elected to fill a vacancy under this section shall serve until the end of
737 the current term in which the vacancy filled by the election occurs.

738 (6) A vacancy in the office of United States senator does not occur unless the senator:

739 (a) has left the office; or

740 (b) submits an irrevocable letter of resignation to the governor or to the president of the

741 United States Senate.

742 Section 9. Section **20A-1-502.5** is amended to read:

743 **20A-1-502.5. Midterm vacancy in office of United States representative.**

744 (1) Except as provided in Subsections (2) and (4), when a vacancy occurs in the office
745 of United States representative, the governor shall, within seven days after the day on which the
746 vacancy occurs, issue a proclamation calling a special congressional election to fill the vacancy
747 that:

748 (a) sets a date for a primary congressional special election, and a later date for a general
749 congressional special election, on the same day as one of the following elections:

750 (i) a municipal general election;

751 (ii) a presidential primary election;

752 (iii) a regular primary election; or

753 (iv) a regular general election;

754 (b) sets the date of the primary congressional special election on the same day as the
755 next election described in Subsections (1)(a)(i) through (iv) that is more than 90 days after the
756 day on which the governor issues the proclamation;

757 (c) sets the date of the general special congressional election on the same day as the
758 next election described in Subsection (1)(a) that is more than 90 days after the primary special
759 congressional election described in Subsection (1)(b);

760 ~~[(d) provides each registered political party that is not a qualified political party at least
761 21 days, but no more than 28 days, to select one candidate, in a manner determined by the
762 registered political party, as a candidate for the registered political party;]~~

763 ~~[(e)]~~ (d) for each ~~[qualified]~~ signature-convention political party, provides at least 21
764 days, but no more than 28 days:

765 (i) for the ~~[qualified political]~~ party to select one candidate, using the convention
766 process described in Section ~~[20A-9-407;]~~ 20A-9-406, for a member of the party to qualify for
767 placement on the primary election ballot as a candidate for the ~~[qualified political]~~ party; and

768 (ii) for a member of the ~~[qualified political]~~ party to submit signatures to qualify for
769 placement on the primary election ballot, as a candidate for the ~~[qualified political]~~ party, using
770 the signature-gathering process described in Section 20A-9-408;

771 (e) for each signature-only party, provides at least 21 days, but no more than 28 days,

772 for a member of the party to submit signatures to qualify for placement on the primary election
773 ballot, as a candidate for the party, using the signature-gathering process described in Section
774 20A-9-408;

775 (f) provides each alternate-path party at least 21 days, but no more than 28 days, to
776 select one candidate, in a manner determined by the party, to qualify for placement on the
777 primary election ballot as a candidate for the party;

778 [~~f~~] (g) consistent with the requirements of this section, establishes the deadlines, time
779 frames, and procedures for filing a declaration of candidacy, giving notice of an election, and
780 other election requirements; and

781 [~~g~~] (h) requires an election officer to comply with the requirements of Chapter 16,
782 Uniform Military and Overseas Voters Act.

783 (2) The governor may set a date for a primary special congressional election or a
784 general special congressional election on a date other than a date described in Subsection (1)(a)
785 if:

786 (a) on the same day on which the governor issues the proclamation described in
787 Subsection (1) the governor calls a special session for the Legislature to appropriate money to
788 hold the election on a different day; or

789 (b) if the governor issues the proclamation described in Subsection (1) on or after
790 January 1, but before the end of the general session of the Legislature, and requests in the
791 proclamation described in Subsection (1) that the Legislature appropriate money to hold the
792 election on a different day.

793 (3) If the Legislature does not, under Subsection (2), appropriate money to hold the
794 election on a different day, the proclamation described in Subsection (1) is void and the
795 governor shall, within seven days after the day on which the Legislature declines to appropriate
796 money to hold the election on a different day, issue a proclamation, in accordance with
797 Subsection (1), that sets the special congressional primary and general elections on dates
798 described in Subsections (1)(a)(i) through (iv).

799 (4) A special congressional election to fill a vacancy in the office of United States
800 representative will not be held if the vacancy occurs fewer than 180 days before the next
801 regular general election.

802 (5) An individual who fills a vacancy under this section shall serve until the end of the

803 current term in which the vacancy occurs.

804 (6) A vacancy in the office of United States representative does not occur unless the
805 representative:

806 (a) has left the office; or

807 (b) submits an irrevocable letter of resignation to the governor or to the speaker of the
808 United States House of Representatives.

809 Section 10. Section **20A-1-503** is repealed and reenacted to read:

810 **20A-1-503. Midterm vacancies in the offices of legislator, attorney general, state**
811 **treasurer, State Board of Education member, or lieutenant governor.**

812 (1) As used in this section, "party liaison" means the political party officer designated
813 under Section 20A-8-402 to serve as a liaison with the lieutenant governor on all matters
814 relating to the political party's relationship with the state.

815 (2) When a vacancy occurs for any reason in the office of representative in the
816 Legislature, the governor shall fill the vacancy:

817 (a) if the prior representative was a member of a political party, by immediately
818 appointing the individual whose name is submitted by the party liaison of the same political
819 party as the prior representative; or

820 (b) if the prior representative was not a member of a political party, by appointing, with
821 the advice and consent of the Senate, an individual who meets the qualifications and residency
822 requirements for filling the vacancy.

823 (3) When a vacancy occurs for any reason in the office of senator in the Legislature:

824 (a) the governor shall fill the vacancy:

825 (i) if the prior senator was a member of a political party, by immediately appointing the
826 individual whose name is submitted by the party liaison of the same political party as the prior
827 senator; or

828 (ii) if the prior senator was not a member of a political party, by appointing, with the
829 advice and consent of the Senate, an individual who meets the qualifications and residency
830 requirements for filling the vacancy; and

831 (b) the individual appointed under Subsection (3)(a) shall serve until:

832 (i) the vacancy is filled under Subsection (6)(a) or (b); or

833 (ii) as applicable, Subsection (6)(c).

834 (4) When a vacancy occurs for any reason in the office of attorney general, state
835 treasurer, state auditor, or State Board of Education:

836 (a) the governor shall fill the vacancy:

837 (i) if the prior officeholder was a member of a political party, by immediately
838 appointing the individual whose name is submitted by the party liaison of the same political
839 party as the prior officeholder; or

840 (ii) if the prior officeholder was not a member of a political party, by appointing, with
841 the advice and consent of the Senate, an individual who meets the qualifications and residency
842 requirements for filling the vacancy; and

843 (b) the individual appointed under Subsection (4)(a) shall serve until:

844 (i) the vacancy is filled under Subsection (6)(a) or (b); or

845 (ii) as applicable, Subsection (6)(c).

846 (5) If a vacancy occurs in the office of lieutenant governor, the governor shall, with the
847 advice and consent of the Senate, appoint a person to hold the office until the next regular
848 general election at which the governor stands for election.

849 (6) When a vacancy occurs for any reason in an office described in Subsection (3) or
850 (4), the vacancy shall be filled as follows:

851 (a) if the vacancy occurs on or before December 15 of the first year of the office's term,
852 the vacancy shall be filled in the regular election cycle that is held during the second year of the
853 office's term;

854 (b) if the vacancy occurs after December 15 of the first year of the office's term, but on
855 or before the third Tuesday of the following March:

856 (i) the vacancy shall be filled in the regular election cycle that is held during the second
857 year of the office's term;

858 (ii) the lieutenant governor shall, no later than seven days after the day on which the
859 vacancy occurs, issue a written order that, for the office:

860 (A) establishes a declaration of candidacy period that is at least three business days in
861 length, but no more than five business days in length;

862 (B) provides at least 21 days, but no more than 28 days, for a candidate of a
863 signature-convention party or a signature-only party to gather signatures, via the
864 signature-gathering process described in Section [20A-9-408](#), to qualify for placement on the

865 regular primary election ballot;

866 (C) provides at least 21 days, but no more than 28 days for a signature-convention
867 party to select one or two candidates, via the convention process described in Section
868 20A-9-406, to qualify for placement on the regular primary election ballot;

869 (D) provides at least 21 days, but no more than 28 days, for an alternate-path party to
870 select one or two candidates, in a manner determined by the alternate-path party, to qualify for
871 placement on the regular primary election ballot;

872 (E) provides at least 21 days, but no more than 28 days, for an unaffiliated candidate to,
873 via the process described in Chapter 9, Part 5, Candidates not Affiliated with a Party, qualify
874 for placement on the regular primary election ballot; and

875 (F) establishes other requirements and deadlines, consistent with the provisions of this
876 title, as necessary to permit the candidate qualification process to proceed as normally as
877 possible; and

878 (iii) the lieutenant governor shall:

879 (A) give notice of the election, in accordance with Section 20A-5-101; and

880 (B) on the same day on which the lieutenant governor issues the order described in
881 Subsection (6)(b)(ii), publish notice for the applicable jurisdiction, as a class A notice under
882 Section 63G-30-102, until the day after the day of the regular primary election; or

883 (c) if the vacancy occurs after the third Tuesday of March in the second year of the
884 office's term, the individual appointed under Subsection (3)(a) or (4)(a) shall serve until the end
885 of the term during which the vacancy occurs.

886 Section 11. Section **20A-1-508** is amended to read:

887 **20A-1-508. Midterm vacancies in county elected offices -- Temporary manager --**
888 **Interim replacement.**

889 (1) As used in this section:

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

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

895 (b) "Party liaison" means the political party officer designated to serve as a liaison with

896 each county legislative body on all matters relating to the political party's relationship with a
897 county as required by Section 20A-8-401.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

933 (v) may terminate an employee only if the termination is conducted in accordance with:
934 (A) personnel rules described in Subsection 17-33-5(4) that are approved by the county
935 legislative body; and
936 (B) applicable law;

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

940 (vii) except as provided in Subsection (2)(c)(viii), may not receive a change in title or
941 compensation; and

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

944 (A) the county legislative body appoints an interim replacement under Subsection (3);
945 and
946 (B) the interim replacement is sworn into office.

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

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

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

956 (ii) That party liaison shall, before 5 p.m. within 30 days after the day on which the
957 liaison receives the notice described in Subsection (3)(b)(i), or if the party liaison does not

958 receive the notice, before 5 p.m. within 40 days after the day on which the vacancy occurs,
959 submit to the county legislative body the name of an individual the party selects in accordance
960 with the party's constitution or bylaws to serve as the interim replacement.

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

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

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

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

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

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

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

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

980 (ii) the vacancy occurs after the election at which the officeholder was elected, but
981 before the first day of the declaration of candidacy filing period described in Section
982 [20A-9-201.5](#).

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

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

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

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

991 (iii) An individual who ~~[is nominated as]~~ qualifies as a party candidate~~[-who qualifies~~
992 ~~as]~~ for the vacant office, an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
993 Candidates not Affiliated with a Party, or ~~[who qualifies as]~~ a write-in candidate for the vacant
994 office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular ~~[general]~~ primary
995 election.

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

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

999 (ii) the vacancy occurs on or after the first day of the declaration of candidacy filing
1000 period described in Section 20A-9-201.5, but more than 75 days before the regular primary
1001 election.

1002 (b) When the conditions described in Subsection (5)(a) are met, the county clerk shall
1003 as soon as practicable, but no later than 70 days before the next regular primary election, notify
1004 the public and each registered political party:

1005 (i) that the vacancy exists; and

1006 (ii) of the deadlines described in Subsection (5)(c)(i) and the deadlines established
1007 under Subsection (5)(d)(ii).

1008 (c) (i) An individual intending to become a party candidate for a vacant office shall,
1009 within five days after the day on which the notice is given, ending at the close of normal office
1010 hours on the fifth day, file a declaration of candidacy for the vacant office in accordance with:

1011 (A) Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

1012 (B) for a county commission office, Subsection 17-52a-201(6) or 17-52a-202(6), if
1013 applicable.

1014 (ii) The county central committee of each party shall:

1015 (A) select a candidate or candidates from among those qualified candidates who have
1016 filed declarations of candidacy; and

1017 (B) certify the name of the candidate or candidates to the county clerk as soon as
1018 practicable, but before 5 p.m. no later than 60 days before the day of the regular primary
1019 election.

1020 (d) (i) Except as provided in Subsection (5)(d)(ii), an individual intending to become a
1021 candidate for a vacant office who does not wish to affiliate with a registered political party
1022 shall file a verified certificate of nomination described in Section 20A-9-502 with the county
1023 clerk in accordance with Chapter 9, Part 5, Candidates not Affiliated with a Party.

1024 (ii) (A) The county clerk shall establish, in the clerk's reasonable discretion, a deadline
1025 that is before 5 p.m. no later than 65 days before the day of the next regular general election by
1026 which an individual who is not affiliated with a registered political party is required to submit a
1027 certificate of nomination under Subsection (5)(d)(i).

1028 (B) The county clerk shall establish the deadline described in Subsection (5)(d)(ii)(A)
1029 in a manner that gives an unaffiliated candidate an equal opportunity to access the regular
1030 general election ballot.

1031 (e) An individual who [~~is nominated~~] qualifies as a party candidate for the vacant
1032 office, [~~who qualifies as~~] an unaffiliated candidate for the vacant office under Chapter 9, Part 5,
1033 Candidates not Affiliated with a Party, or [~~who qualifies as~~] a write-in candidate for the vacant
1034 office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular [~~general~~] primary
1035 election.

1036 (6) (a) The requirements of this Subsection (6) apply to all county offices that become
1037 vacant:

1038 (i) if the vacant office has an unexpired term of two years or more; and

1039 (ii) when 75 days or less remain before the day of the regular primary election but more
1040 than 65 days remain before the day of the regular general election.

1041 (b) When the conditions described in Subsection (6)(a) are met, the county clerk shall,
1042 as soon as practicable, notify the public and each registered political party:

1043 (i) that the vacancy exists; and

1044 (ii) of the deadlines established under Subsection (6)(d).

1045 (c) (i) Before the deadline that the county clerk establishes under Subsection
1046 (6)(d)(i)(A), the county central committee of each registered political party that wishes to
1047 submit a candidate for the office shall certify the name of one candidate to the county clerk for
1048 placement on the regular general election ballot.

1049 (ii) Before the deadline that the county clerk establishes under Subsection (6)(d)(i)(B),
1050 a candidate who does not wish to affiliate with a registered political party shall file a verified

1051 certificate of nomination described in Section 20A-9-502 with the county clerk in accordance
1052 with Chapter 9, Part 5, Candidates not Affiliated with a Party.

1053 (iii) Before the deadline that the county clerk establishes under Subsection (6)(d)(i)(C),
1054 a write-in candidate shall submit to the county clerk a declaration of candidacy described in
1055 Section 20A-9-601.

1056 (d) (i) The county clerk shall establish, in the clerk's reasonable discretion, deadlines
1057 that are before 5 p.m. no later than 65 days before the day of the next regular general election
1058 by which:

1059 (A) a registered political party is required to certify a name under Subsection (6)(c)(i);

1060 (B) an individual who does not wish to affiliate with a registered political party is
1061 required to submit a certificate of nomination under Subsection (6)(c)(ii); and

1062 (C) a write-in candidate is required to submit a declaration of candidacy under
1063 Subsection (6)(c)(iii).

1064 (ii) The county clerk shall establish deadlines under Subsection (6)(d)(i) in a manner
1065 that gives an unaffiliated candidate or a write-in candidate an equal opportunity to access the
1066 regular general election ballot.

1067 (e) An individual who is certified under this Subsection (6) as a party candidate for the
1068 vacant office, who qualifies as an unaffiliated candidate for the vacant office under Chapter 9,
1069 Part 5, Candidates not Affiliated with a Party, or who qualifies as a write-in candidate for the
1070 vacant office under Chapter 9, Part 6, Write-in Candidates, shall run in the regular general
1071 election.

1072 (7) (a) The requirements of this Subsection (7) apply to all county offices that become
1073 vacant:

1074 (i) if the vacant office has an unexpired term of less than two years; or

1075 (ii) if the vacant office has an unexpired term of two years or more but 65 days or less
1076 remain before the day of the next regular general election.

1077 (b) (i) When the conditions described in Subsection (7)(a) are met, the county
1078 legislative body shall as soon as practicable, but no later than 10 days after the day on which
1079 the vacancy occurs, give notice of the vacancy to the party liaison of the same political party as
1080 the prior office holder and invite that party liaison to submit the name of an individual to fill
1081 the vacancy.

1082 (ii) That party liaison shall, before 5 p.m. within 30 days after the day on which the
1083 party liaison receives the notice described in Subsection (7)(b)(i), or if the party liaison does
1084 not receive the notice, before 5 p.m. no later than 40 days after the day on which the vacancy
1085 occurs, submit to the county legislative body the name of an individual to fill the vacancy.

1086 (iii) The county legislative body shall, no later than five days after the day on which a
1087 party liaison submits the name of the individual to fill the vacancy, appoint the individual to
1088 serve out the unexpired term.

1089 (c) (i) If the county legislative body fails to appoint an individual to fill the vacancy in
1090 accordance with Subsection (7)(b)(iii), the county clerk shall send to the governor a letter that:

1091 (A) informs the governor that the county legislative body has failed to appoint an
1092 individual to fill the vacancy within the statutory time period; and

1093 (B) contains the name of the individual submitted by the party liaison to fill the
1094 vacancy.

1095 (ii) The governor shall, within 10 days after the day on which the governor receives the
1096 letter described in Subsection (7)(c)(i), appoint the individual named by the party liaison to fill
1097 the vacancy.

1098 (d) An individual appointed to fill the vacancy under this Subsection (7) shall hold
1099 office until a successor is elected and has qualified.

1100 (8) Except as otherwise provided by law, the county legislative body may appoint
1101 replacements to fill all vacancies that occur in those offices filled by appointment of the county
1102 legislative body.

1103 (9) Nothing in this section prohibits a candidate that does not wish to affiliate with a
1104 political party from filing a certificate of nomination for a vacant office within the same time
1105 limits as a candidate that is affiliated with a political party.

1106 (10) (a) Each individual elected under Subsection (4), (5), or (6) to fill a vacancy in a
1107 county office shall serve for the remainder of the unexpired term of the individual who created
1108 the vacancy and until a successor is elected and qualified.

1109 (b) Nothing in this section may be construed to contradict or alter the provisions of
1110 Section [17-16-6](#).

1111 Section 12. Section **20A-1-509.1** is amended to read:

1112 **20A-1-509.1. Procedure for filling midterm vacancy in county or district with 15**

1113 **or more attorneys.**

1114 (1) When a vacancy occurs in the office of county or district attorney in a county or
1115 district having 15 or more attorneys who are licensed active members in good standing with the
1116 Utah State Bar and registered voters, the vacancy shall be filled as provided in this section.

1117 (2) (a) The requirements of this Subsection (2) apply when the office of county
1118 attorney or district attorney becomes vacant and:

1119 (i) the vacant office has an unexpired term of two years or more; and

1120 (ii) the vacancy occurs before the first day of the declaration of candidacy filing period
1121 described in Section [20A-9-201.5](#).

1122 (b) When the conditions established in Subsection (2)(a) are met, the county clerk shall
1123 notify the public and each registered political party that the vacancy exists.

1124 (c) All persons intending to become candidates for the vacant office shall:

1125 (i) file a declaration of candidacy according to the procedures and requirements of
1126 Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy;

1127 (ii) if [~~nominated~~] selected as a party candidate or qualified as an independent or
1128 write-in candidate under Chapter 9, Candidate Qualifications and Nominating Procedures, run
1129 in the regular [~~general~~] primary election; and

1130 (iii) if [~~elected~~] subsequently elected at the regular general election, complete the
1131 unexpired term of the person who created the vacancy.

1132 (d) If the vacancy occurs during the declaration of candidacy filing period described in
1133 Section [20A-9-201.5](#):

1134 (i) the time for filing a declaration of candidacy under Section [20A-9-202](#) shall be
1135 extended until 5 p.m. seven days after the last day of the filing period described in Section
1136 [20A-9-201.5](#); and

1137 (ii) the county clerk shall notify the public and each registered political party that the
1138 vacancy exists.

1139 (3) (a) The requirements of this Subsection (3) apply when the office of county
1140 attorney or district attorney becomes vacant and:

1141 (i) the vacant office has an unexpired term of two years or more; and

1142 (ii) the vacancy occurs after the third Thursday in March of the even-numbered year
1143 but more than 75 days before the regular primary election.

1144 (b) When the conditions established in Subsection (3)(a) are met, the county clerk
1145 shall:

1146 (i) notify the public and each registered political party that the vacancy exists; and

1147 (ii) identify the date and time by which a person interested in becoming a candidate
1148 shall file a declaration of candidacy.

1149 (c) All persons intending to become candidates for the vacant office shall:

1150 (i) before 5 p.m. within five days after the day on which the county clerk gives the
1151 notice described in Subsection (3)(b)(i), file a declaration of candidacy for the vacant office as
1152 required by Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy; and

1153 (ii) if elected, complete the unexpired term of the person who created the vacancy.

1154 (d) The county central committee of each party shall:

1155 (i) select a candidate or candidates from among those qualified candidates who have
1156 filed declarations of candidacy; and

1157 (ii) certify the name of the candidate or candidates to the county clerk:

1158 (A) before 5 p.m. no later than 60 days before the day of the regular primary election;

1159 or

1160 (B) electronically, before midnight no later than 60 days before the day of the regular
1161 primary election.

1162 (4) (a) The requirements of this Subsection (4) apply when the office of county
1163 attorney or district attorney becomes vacant and:

1164 (i) the vacant office has an unexpired term of two years or more; and

1165 (ii) 75 days or less remain before the regular primary election but more than 65 days
1166 remain before the regular general election.

1167 (b) When the conditions established in Subsection (4)(a) are met, the county central
1168 committees of each registered political party that wish to submit a candidate for the office
1169 shall, not later than five days after the day on which the vacancy occurs, certify the name of one
1170 candidate to the county clerk for placement on the regular general election ballot.

1171 (c) The candidate elected shall complete the unexpired term of the person who created
1172 the vacancy.

1173 (5) (a) The requirements of this Subsection (5) apply when the office of county
1174 attorney or district attorney becomes vacant and:

- 1175 (i) the vacant office has an unexpired term of less than two years; or
1176 (ii) the vacant office has an unexpired term of two years or more but 65 days or less
1177 remain before the next regular general election.
- 1178 (b) When the conditions established in Subsection (5)(a) are met, the county legislative
1179 body shall give notice of the vacancy to the county central committee of the same political
1180 party of the prior officeholder and invite that committee to submit the names of three nominees
1181 to fill the vacancy.
- 1182 (c) That county central committee shall, within 30 days after the day on which the
1183 county legislative body gives the notice described in Subsection (5)(b), submit to the county
1184 legislative body the names of three nominees to fill the vacancy.
- 1185 (d) The county legislative body shall, within 45 days after the vacancy occurs, appoint
1186 one of those nominees to serve out the unexpired term.
- 1187 (e) If the county legislative body fails to appoint a person to fill the vacancy within 45
1188 days, the county clerk shall send to the governor a letter that:
- 1189 (i) informs the governor that the county legislative body has failed to appoint a person
1190 to fill the vacancy within the statutory time period; and
1191 (ii) contains the list of nominees submitted by the party central committee.
- 1192 (f) The governor shall appoint a person to fill the vacancy from that list of nominees
1193 within 30 days after receipt of the letter.
- 1194 (g) A person appointed to fill the vacancy under this Subsection (5) shall complete the
1195 unexpired term of the person who created the vacancy.
- 1196 (6) Nothing in this section prevents or prohibits independent candidates from filing a
1197 declaration of candidacy for the office within the required time limits.

1198 Section 13. Section **20A-1-1001** is amended to read:

1199 **20A-1-1001. Definitions.**

1200 As used in this part:

- 1201 (1) (a) "Clerk" means the lieutenant governor, a county clerk, municipal clerk, town
1202 clerk, city recorder, or municipal recorder.
- 1203 (b) "Clerk" includes a board of trustees under Title 17B, Chapter 1, Provisions
1204 Applicable to All Special Districts.
- 1205 (2) "Local petition" means:

1206 (a) a manual or electronic local initiative petition described in Chapter 7, Part 5, Local
1207 Initiatives - Procedures; or

1208 (b) a manual or electronic local referendum petition described in Chapter 7, Part 6,
1209 Local Referenda - Procedures.

1210 (3) "Petition" means one of the following written requests, signed by registered voters,
1211 appealing to an authority with respect to a particular cause:

1212 (a) a local petition;

1213 (b) a petition to consolidate two or more municipalities under Section 10-2-601;

1214 (c) a petition for disincorporation of a municipality under Section 10-2-701;

1215 (d) a petition to incorporate a proposed municipality under Section 10-2a-208;

1216 (e) a petition to consolidate adjoining counties under Section 17-2-103;

1217 (f) a petition to annex a portion of a county to an adjoining county under Section
1218 17-2-203;

1219 (g) a petition for the creation of a new county under Section 17-3-1;

1220 (h) a petition for the removal of a county seat under Section 17-11-2;

1221 (i) a petition for the adoption of an optional plan under Section 17-52a-303;

1222 (j) a petition for the repeal of an optional plan under Section 17-52a-505;

1223 (k) a petition to create a special district under Section 17B-1-203;

1224 (l) a petition to withdraw an area from a special district under Section 17B-1-504;

1225 (m) a petition to dissolve a special district under Section 17B-1-1303;

1226 (n) a petition for issuance of local building authority bonds under Section 17D-2-502;

1227 (o) a petition to become a registered political party under Section 20A-8-103;

1228 (p) a nomination petition for municipal office under Section 20A-9-203;

1229 ~~[(q) a nomination petition for a regular primary election under Subsection~~
1230 ~~20A-9-403(3)(a) and Section 20A-9-405;]~~

1231 ~~[(r)]~~ (q) a petition for a political party to qualify as a municipal political party under
1232 Section 20A-9-404;

1233 ~~[(s)]~~ (r) a petition ~~[for the nomination of a qualified political]~~ to qualify for placement
1234 on a regular primary election ballot for a signature-convention party or a signature-only party
1235 under Section 20A-9-408;

1236 ~~[(t)]~~ (s) a nomination petition for a candidate not affiliated with a political party under

1237 Section [20A-9-502](#);

1238 ~~[(t)]~~ (t) a nomination petition to become a delegate to a ratification convention under

1239 Section [20A-15-103](#);

1240 ~~[(v)]~~ (u) a petition to create a new school district under Section [53G-3-301](#);

1241 ~~[(w)]~~ (v) a petition to consolidate school districts under Section [53G-3-401](#);

1242 ~~[(x)]~~ (w) a petition to transfer a portion of a school district to another district under

1243 Section [53G-3-501](#);

1244 ~~[(y)]~~ (x) a petition to determine whether a privatization project agreement should be

1245 approved under Section [73-10d-4](#); or

1246 ~~[(z)]~~ (y) a statewide petition.

1247 (4) "Statewide petition" means:

1248 (a) a manual or electronic statewide initiative petition described in Chapter 7, Part 2,

1249 Statewide Initiatives; or

1250 (b) a manual or electronic statewide referendum petition described in Chapter 7, Part 3,

1251 Statewide Referenda.

1252 (5) (a) "Substantially similar name" means:

1253 (i) the given name, the surname, or both, provided by the individual with the

1254 individual's petition signature, contain only minor spelling differences when compared to the

1255 given name and surname shown on the official register;

1256 (ii) the surname provided by the individual with the individual's petition signature

1257 exactly matches the surname shown on the official register, and the given names differ only

1258 because one of the given names shown is a commonly used abbreviation or variation of the

1259 other;

1260 (iii) the surname provided by the individual with the individual's petition signature

1261 exactly matches the surname shown on the official register, and the given names differ only

1262 because one of the given names shown is accompanied by a first or middle initial or a middle

1263 name which is not shown on the other record; or

1264 (iv) the surname provided by the individual with the individual's petition signature

1265 exactly matches the surname shown on the official register, and the given names differ only

1266 because one of the given names shown is an alphabetically corresponding initial that has been

1267 provided in the place of a given name shown on the other record.

1268 (b) "Substantially similar name" does not include a name having an initial or a middle
1269 name provided by the individual with the individual's petition signature that does not match a
1270 different initial or middle name shown on the official register.

1271 Section 14. Section **20A-2-107** is amended to read:

1272 **20A-2-107. Designating or changing party affiliation -- Times permitted.**

1273 (1) As used in this section, "change of affiliation deadline" means:

1274 (a) for an election held in an even-numbered year in which a presidential election will
1275 be held, the day after the declaration of candidacy deadline described in Subsection

1276 [~~20A-9-201.5(2)(b)~~] 20A-9-201.5(2)(a); or

1277 (b) for an election held in an even-numbered year in which a presidential election will
1278 not be held, April 1.

1279 (2) The county clerk shall:

1280 (a) except as provided in Subsection (6) or 20A-2-107.5(3), record the party affiliation
1281 designated by the voter on the voter registration form as the voter's party affiliation; or

1282 (b) if no political party affiliation is designated by the voter on the voter registration
1283 form:

1284 (i) except as provided in Subsection (2)(b)(ii), record the voter's party affiliation as the
1285 party that the voter designated the last time that the voter designated a party on a voter
1286 registration form, unless the voter more recently registered as "unaffiliated"; or

1287 (ii) record the voter's party affiliation as "unaffiliated" if the voter:

1288 (A) did not previously designate a party;

1289 (B) most recently designated the voter's party affiliation as "unaffiliated"; or

1290 (C) did not previously register.

1291 (3) (a) Any registered voter may designate or change the voter's political party
1292 affiliation by complying with the procedures and requirements of this Subsection (3).

1293 (b) A registered voter may designate or change the voter's political party affiliation by
1294 filing with the county clerk, the municipal clerk, or the lieutenant governor a voter registration
1295 form or another signed form that identifies the registered political party with which the voter
1296 chooses to affiliate.

1297 (c) Except as provided in Subsection (3)(d), a voter registration form or another signed
1298 form designating or changing a voter's political party affiliation takes effect when the county

1299 clerk receives the signed form.

1300 (d) The party affiliation of a voter who changes party affiliation, or who becomes
1301 unaffiliated from a political party, at any time on or after the change of affiliation deadline and
1302 on or before the date of the regular primary election, takes effect the day after the statewide
1303 canvass for the regular primary election.

1304 (4) For purposes of Subsection (3)(d), a form described in Subsection (3)(c) is received
1305 by the county clerk before the change of affiliation deadline if:

1306 (a) the individual submits the form in person at the county clerk's office no later than 5
1307 p.m. on the day before the change of affiliation deadline;

1308 (b) the individual submits the form electronically through the system described in
1309 Section [20A-2-206](#), at or before 11:59 p.m. before the day of the change of affiliation deadline;
1310 or

1311 (c) the individual's form is clearly postmarked before the change of affiliation deadline.

1312 (5) Subsection (3)(d) does not apply to the party affiliation designated by a voter on a
1313 voter registration form if:

1314 (a) the voter has not previously been registered to vote in the state; or

1315 (b) the voter's most recent party affiliation was changed to "unaffiliated" by a county
1316 clerk under Subsection (6).

1317 (6) If the most recent party affiliation designated by a voter is for a political party that
1318 is no longer a registered political party, the county clerk shall:

1319 (a) change the voter's party affiliation to "unaffiliated"; and

1320 (b) notify the voter electronically or by mail:

1321 (i) that the voter's affiliation has been changed to "unaffiliated" because the most recent
1322 party affiliation designated by the voter is for a political party that is no longer a registered
1323 political party; and

1324 (ii) of the methods and deadlines for changing the voter's party affiliation.

1325 Section 15. Section [20A-3a-203](#) is amended to read:

1326 **20A-3a-203. Voting at a polling place.**

1327 (1) Except as provided in Section [20A-7-609.5](#), a registered voter may vote at a polling
1328 place in an election in accordance with this section.

1329 (2) (a) The voter shall give the voter's name, and, if requested, the voter's residence, to

1330 one of the poll workers.

1331 (b) The voter shall present valid voter identification to one of the poll workers.

1332 (c) If the poll worker is not satisfied that the voter has presented valid voter
1333 identification, the poll worker shall:

1334 (i) indicate on the official register that the voter was not properly identified;

1335 (ii) issue the voter a provisional ballot;

1336 (iii) notify the voter that the voter will have until the close of normal office hours on
1337 Monday after the day of the election to present valid voter identification:

1338 (A) to the county clerk at the county clerk's office; or

1339 (B) to an election officer who is administering the election; and

1340 (iv) follow the procedures and requirements of Section 20A-3a-205.

1341 (d) If the person's right to vote is challenged as provided in Section 20A-3a-803, the
1342 poll worker shall follow the procedures and requirements of Section 20A-3a-205.

1343 (3) A poll worker shall check the official register to determine whether:

1344 (a) a voter is registered to vote; and

1345 (b) if the election is a [~~regular primary election or a~~] presidential primary election,
1346 whether a voter's party affiliation designation in the official register allows the voter to vote the
1347 ballot that the voter requests.

1348 (4) (a) Except as provided in Subsection (5), if the voter's name is not found on the
1349 official register, the poll worker shall follow the procedures and requirements of Section
1350 20A-3a-205.

1351 (b) If, in a [~~regular primary election or a~~] presidential primary election, the official
1352 register does not affirmatively identify the voter as being affiliated with a registered political
1353 party or if the official register identifies the voter as being "unaffiliated," the voter shall be
1354 considered to be "unaffiliated."

1355 (5) In a regular primary election or a presidential primary election:

1356 (a) if a voter's name is not found on the official register, and if it is not unduly
1357 disruptive to the election process, the poll worker may attempt to contact the county clerk's
1358 office to request oral verification of the voter's registration; and

1359 (b) if oral verification is received from the county clerk's office, the poll worker shall:

1360 (i) record the verification on the official register;

1361 (ii) for a presidential primary election, determine the voter's party affiliation and the
1362 ballot that the voter is qualified to vote; and

1363 (iii) except as provided in Subsection (6), comply with Subsection (3).

1364 (6) (a) Except as provided in Subsection (6)(b), if, in [~~a regular primary election or~~] a
1365 presidential primary election, the voter's political party affiliation listed in the official register
1366 does not allow the voter to vote the ballot that the voter requested, the poll worker shall inform
1367 the voter of that fact and inform the voter of the ballot or ballots that the voter's party affiliation
1368 does allow the voter to vote.

1369 (b) If, in [~~a regular primary election or~~] a presidential primary election, the voter is
1370 listed in the official register as unaffiliated, or if the official register does not affirmatively
1371 identify the voter as either unaffiliated or affiliated with a registered political party, and the
1372 voter, as an unaffiliated voter, is not authorized to vote the ballot that the voter requests, the
1373 poll worker shall:

1374 (i) ask the voter if the voter wishes to vote another registered political party ballot that
1375 the voter, as unaffiliated, is authorized to vote, or remain unaffiliated; and

1376 (ii) (A) if the voter wishes to vote another registered political party ballot that the
1377 unaffiliated voter is authorized to vote, the poll worker shall proceed as required by Subsection
1378 (3); or

1379 (B) if the voter wishes to remain unaffiliated and does not wish to vote another ballot
1380 that unaffiliated voters are authorized to vote, the poll worker shall instruct the voter that the
1381 voter may not vote.

1382 (7) Except as provided in Subsection (6)(b)(ii)(B), and subject to the other provisions
1383 of Subsection (6), if the poll worker determines that the voter is registered, a poll worker shall:

1384 (a) direct the voter to sign the voter's name in the official register;

1385 (b) provide to the voter the ballot that the voter is qualified to vote; and

1386 (c) allow the voter to enter the voting booth.

1387 Section 16. Section **20A-4-306** is amended to read:

1388 **20A-4-306. Statewide canvass.**

1389 (1) (a) The state board of canvassers shall convene:

1390 (i) on the fourth Monday of November, at noon; or

1391 (ii) at noon on the day following the receipt by the lieutenant governor of the last of the

1392 returns of a statewide special election.

1393 (b) The state auditor, the state treasurer, and the attorney general are the state board of
1394 canvassers.

1395 (c) Attendance of all members of the state board of canvassers is required to constitute
1396 a quorum for conducting the canvass.

1397 (2) (a) The state board of canvassers shall:

1398 (i) meet in the lieutenant governor's office; and

1399 (ii) compute and determine the vote for officers and for and against any ballot

1400 propositions voted upon by the voters of the entire state or of two or more counties.

1401 (b) The lieutenant governor, as secretary of the board shall file a report in the lieutenant
1402 governor's office that details:

1403 (i) for each statewide officer and ballot proposition:

1404 (A) the name of the statewide office or ballot proposition that appeared on the ballot;

1405 (B) the candidates for each statewide office whose names appeared on the ballot~~[- plus~~
1406 ~~any recorded write-in candidates]~~;

1407 (C) the number of votes from each county cast for each candidate and for and against
1408 each ballot proposition;

1409 (D) the total number of votes cast statewide for each candidate and for and against each
1410 ballot proposition; and

1411 (E) the total number of votes cast statewide; and

1412 (ii) for each officer or ballot proposition voted on in two or more counties:

1413 (A) the name of each of those offices and ballot propositions that appeared on the
1414 ballot;

1415 (B) the candidates for those offices~~[- plus any recorded write-in candidates]~~;

1416 (C) the number of votes from each county cast for each candidate and for and against
1417 each ballot proposition; and

1418 (D) the total number of votes cast for each candidate and for and against each ballot
1419 proposition.

1420 (c) The lieutenant governor shall:

1421 (i) prepare certificates of election for:

1422 (A) each successful candidate; and

- 1423 (B) each of the presidential electors of the candidate for president who received a
1424 majority of the votes;
- 1425 (ii) authenticate each certificate with the lieutenant governor's seal; and
1426 (iii) deliver a certificate of election to:
- 1427 (A) each candidate who had the highest number of votes for each office; and
1428 (B) each of the presidential electors of the candidate for president who received a
1429 majority of the votes.
- 1430 (3) If the lieutenant governor has not received election returns from all counties on the
1431 fifth day before the day designated for the meeting of the state board of canvassers, the
1432 lieutenant governor shall:
- 1433 (a) send a messenger to the clerk of the board of county canvassers of the delinquent
1434 county;
- 1435 (b) instruct the messenger to demand a certified copy of the board of canvasser's report
1436 required by Section [20A-4-304](#) from the clerk; and
1437 (c) pay the messenger the per diem provided by law as compensation.
- 1438 (4) The state board of canvassers may not withhold the declaration of the result or any
1439 certificate of election because of any defect or informality in the returns of any election if the
1440 board can determine from the returns, with reasonable certainty, what office is intended and
1441 who is elected to it.
- 1442 (5) (a) At noon on the fourth Monday after the regular primary election, the lieutenant
1443 governor shall:
- 1444 (i) canvass the returns for all multicounty candidates required to file with the office of
1445 the lieutenant governor; and
1446 (ii) publish and file the results of the canvass in the lieutenant governor's office.
- 1447 (b) Not later than the August 1 after the primary election, the lieutenant governor shall
1448 certify the results of the primary canvass to the county clerks.
- 1449 (6) (a) At noon on the fourth Tuesday in March of a year in which a presidential
1450 election will be held, the lieutenant governor shall:
- 1451 (i) canvass the returns of the presidential primary election; and
1452 (ii) publish and file the results of the canvass in the lieutenant governor's office.
1453 (b) The lieutenant governor shall certify the results of the presidential primary election

1454 canvass to each registered political party that participated in the primary not later than the April
1455 15 after the primary election.

1456 Section 17. Section **20A-5-101** is amended to read:

1457 **20A-5-101. Notice of election.**

1458 (1) On or before November 15 in the year before each regular general election year, the
1459 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

- 1460 (a) designates the offices to be filled at the next year's regular general election;
- 1461 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
1462 certifying [~~nomination~~] petition signatures, as applicable, under [~~Sections 20A-9-403;~~
1463 ~~20A-9-407, and~~] Section 20A-9-408 for those offices; and

1464 (c) contains a description of any ballot propositions to be decided by the voters that
1465 have qualified for the ballot as of that date.

1466 (2) (a) No later than seven business days after the day on which the lieutenant governor
1467 transmits the written notice described in Subsection (1), each county clerk shall provide notice
1468 for the county, as a class A notice under Section 63G-30-102, for seven days before the day of
1469 the election and in accordance with Subsection (3).

1470 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a),
1471 showing a copy of the notice and the places where the notice was posted.

1472 (3) The notice described in Subsection (2) shall:

- 1473 (a) designate the offices to be voted on in that election; and
- 1474 (b) identify the dates for filing a declaration of candidacy for those offices.

1475 (4) Except as provided in Subsection (6), before each election, the election officer shall
1476 give printed notice of the following information:

- 1477 (a) the date of election;
- 1478 (b) the hours during which the polls will be open;
- 1479 (c) the polling places for each voting precinct, early voting polling place, and election
1480 day voting center;

1481 (d) the address of the Statewide Electronic Voter Information Website and, if available,
1482 the address of the election officer's website, with a statement indicating that the election officer
1483 will post on the website any changes to the location of a polling place and the location of any
1484 additional polling place;

1485 (e) a phone number that a voter may call to obtain information regarding the location of
1486 a polling place;

1487 (f) the qualifications for persons to vote in the election: and

1488 (g) instructions regarding how an individual with a disability, who is not able to vote a
1489 manual ballot by mail, may obtain information on voting in an accessible manner.

1490 (5) The election officer shall provide the notice described in Subsection (4) for the
1491 jurisdiction, as a class A notice under Section 63G-30-102, for at least seven days before the
1492 day of the election.

1493 (6) Instead of including the information described in Subsection (4) in the notice, the
1494 election officer may give printed notice that:

1495 (a) is entitled "Notice of Election";

1496 (b) includes the following: "A [indicate election type] will be held in [indicate the
1497 jurisdiction] on [indicate date of election]. Information relating to the election, including
1498 polling places, polling place hours, and qualifications of voters may be obtained from the
1499 following sources:"; and

1500 (c) specifies the following sources where an individual may view or obtain the
1501 information described in Subsection (4):

1502 (i) if the jurisdiction has a website, the jurisdiction's website;

1503 (ii) the physical address of the jurisdiction offices; and

1504 (iii) a mailing address and telephone number.

1505 Section 18. Section 20A-5-102 is amended to read:

1506 **20A-5-102. Voting instructions.**

1507 (1) Each election officer shall:

1508 (a) print instructions for voters;

1509 (b) ensure that the instructions are printed in English, and any other language required
1510 under the Voting Rights Act of 1965, as amended, in large clear type; and

1511 (c) ensure that the instructions inform voters:

1512 (i) about how to obtain ballots for voting;

1513 (ii) for a presidential primary election, about special political party affiliation
1514 requirements for voting in [~~a regular primary election or presidential primary~~] the election;

1515 (iii) about how to prepare ballots for deposit in the ballot box;

- 1516 (iv) about how to record write-in votes;
- 1517 (v) about how to obtain a new ballot in the place of one spoiled by accident or mistake;
- 1518 (vi) about how to obtain assistance in marking ballots;
- 1519 (vii) about obtaining a new ballot if the voter's ballot is defaced;
- 1520 (viii) that identification marks or the spoiling or defacing of a ballot will make it
- 1521 invalid;
- 1522 (ix) about how to obtain and vote a provisional ballot;
- 1523 (x) about whom to contact to report election fraud;
- 1524 (xi) about applicable federal and state laws regarding:
- 1525 (A) voting rights and the appropriate official to contact if the voter alleges that the
- 1526 voter's rights have been violated; and
- 1527 (B) prohibitions on acts of fraud and misrepresentation;
- 1528 (xii) about procedures governing mail-in registrants and first-time voters; and
- 1529 (xiii) about the date of the election and the hours that the polls are open on election
- 1530 day.
- 1531 (2) Each election officer shall:
- 1532 (a) provide the election judges of each voting precinct with sufficient instruction cards
- 1533 to instruct voters in the preparation of the voters' ballots; and
- 1534 (b) direct the election judges to post:
- 1535 (i) general voting instructions in each voting booth;
- 1536 (ii) at least three instruction cards at other locations in the polling place; and
- 1537 (iii) at least one sample ballot at the polling place.
- 1538 Section 19. Section **20A-6-203** is amended to read:
- 1539 **20A-6-203. Ballots for regular primary elections.**
- 1540 (1) The lieutenant governor, together with county clerks, suppliers of election
- 1541 materials, and representatives of registered political parties, shall:
- 1542 (a) develop ballots to be used in Utah's regular primary election;
- 1543 (b) ensure that the ballots comply generally, where applicable, with the requirements of
- 1544 Title 20A, Chapter 6, Part 1, General Requirements for All Ballots, and this section; and
- 1545 (c) provide voting booths, election records and supplies, ballot boxes, and as
- 1546 applicable, voting devices, for each voting precinct as required by Section [20A-5-403](#).

1547 (2) (a) Notwithstanding the requirements of Subsections (1)(b) and (c), Title 20A,
 1548 Chapter 6, Part 1, General Requirements for All Ballots, and Sections 20A-5-403, 20A-6-401,
 1549 and 20A-6-401.1, the lieutenant governor, together with county clerks, suppliers of election
 1550 materials, and representatives of registered political parties shall ensure that the ballots, voting
 1551 booths, election records and supplies, and ballot boxes:

1552 (i) facilitate the distribution, voting, and tallying of ballots in a presidential primary
 1553 election held on the same date as the regular primary election where not all voters are
 1554 authorized to vote for a party's candidate;

1555 (ii) for a presidential primary election held on the same date as the regular primary
 1556 election, simplify the task of poll workers, particularly in determining a voter's party affiliation;

1557 (iii) minimize the possibility of spoiled ballots due to voter confusion; and

1558 (iv) protect against fraud.

1559 (b) To accomplish the requirements of this Subsection (2) in relation to a presidential
 1560 primary election held on the same date as the regular primary election, the lieutenant governor,
 1561 county clerks, suppliers of election materials, and representatives of registered political parties
 1562 shall:

1563 (i) mark ballots as being for a particular registered political party; and

1564 (ii) instruct individuals counting the ballots to count only those votes for candidates
 1565 from the registered political party whose ballot the voter received.

1566 Section 20. Section 20A-6-301 is amended to read:

1567 **20A-6-301. Manual ballots -- Regular general election.**

1568 (1) Each election officer shall ensure that:

1569 (a) ~~all~~ manual ballots furnished for use at the regular general election do not contain
 1570 any of the following in relation to a candidate for an alternate-path party:

1571 (i) ~~no~~ captions or other endorsements ~~[except as provided in this section];~~

1572 (ii) ~~no~~ symbols, markings, or other descriptions of a political party or group ~~[-except~~
 1573 ~~for a registered political party that has chosen to nominate its candidates in accordance with~~
 1574 ~~Section 20A-9-403; and]; or~~

1575 (iii) ~~[no indication that a candidate for elective office has been]~~ any indication that the
 1576 candidate was nominated by, [or has been] is endorsed by, or is in any way affiliated with, a
 1577 political party or group ~~[-unless the candidate has been nominated by a registered political party~~

1578 ~~in accordance with Subsection 20A-9-202(4) or Subsection 20A-9-403(5)];~~

1579 (b) at the top of the ballot, the following endorsements are printed in 18 point bold
1580 type:

1581 (i) "Official Ballot for ____ County, Utah";

1582 (ii) the date of the election; and

1583 (iii) the words "certified by the Clerk of _____ County" or, as applicable, the
1584 name of a combined office that includes the duties of a county clerk;

1585 (c) unaffiliated candidates~~[, candidates not affiliated with a registered political party,~~
1586 ~~and all other]~~ and candidates [for elective office who were not nominated by a registered
1587 political party in accordance with Subsection 20A-9-202(4) or Subsection 20A-9-403(5),]
1588 nominated by alternate-path parties are listed with the other candidates for the same office in
1589 accordance with Section 20A-6-305, without a party name or title;

1590 (d) each ticket containing the lists of candidates, including the party name and device,
1591 are separated by heavy parallel lines;

1592 (e) the offices to be filled are plainly printed immediately above the names of the
1593 candidates for those offices; and

1594 (f) the names of candidates are printed in capital letters, not less than one-eighth nor
1595 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between
1596 lines or rules three-eighths of an inch apart~~[-and]~~.

1597 ~~[(g) on a ticket for a race in which a voter is authorized to cast a write-in vote and in~~
1598 ~~which a write-in candidate is qualified under Section 20A-9-601:]~~

1599 ~~[(i) the ballot includes a space for a write-in candidate immediately following the last~~
1600 ~~candidate listed on that ticket; or]~~

1601 ~~[(ii) for the offices of president and vice president and governor and lieutenant~~
1602 ~~governor, the ballot includes two spaces for write-in candidates immediately following the last~~
1603 ~~candidates on that ticket, one placed above the other, to enable the entry of two valid write-in~~
1604 ~~candidates.]~~

1605 ~~[(2) An election officer shall ensure that:]~~

1606 ~~[(a) each individual nominated by any registered political party under Subsection~~
1607 ~~20A-9-202(4) or Subsection 20A-9-403(5), and no other individual, is placed on the ballot:]~~

1608 ~~[(i) under the registered political party's name, if any; or]~~

1609 ~~[(ii) under the title of the registered political party as designated by them in their~~
1610 ~~certificates of nomination or petition, or, if none is designated, then under some suitable title;]~~

1611 ~~[(b) the names of all unaffiliated candidates that qualify as required in Chapter 9, Part~~
1612 ~~5, Candidates not Affiliated with a Party, are placed on the ballot;]~~

1613 ~~[(c) the names of the candidates for president and vice president are used on the ballot~~
1614 ~~instead of the names of the presidential electors; and]~~

1615 ~~[(d) the ballots contain no other names.]~~

1616 (2) An election officer shall place on a regular general election ballot:

1617 (a) for a regular partisan office:

1618 (i) the name of each candidate for a registered political party, each unaffiliated
1619 candidate, and each write-in candidate, who qualify under Section [20A-1-303](#) to advance from
1620 the regular primary election to the regular general election; and

1621 (ii) for only a candidate for a signature-convention party or a signature-only party, and
1622 no other type of candidate, place, next to each candidate's name, the name of the registered
1623 political party for which the candidate is a candidate;

1624 (b) for the office of president or vice president of the United States, the name of the
1625 candidate, instead of the name of the electors, together with the candidate's party affiliation, if
1626 any; and

1627 (c) for a nonpartisan office, the name of each candidate who qualifies under Section
1628 [20A-1-303](#) to advance from the regular primary election to the regular general election.

1629 (3) When the ballot contains a nonpartisan section, the election officer shall ensure
1630 that:

1631 (a) the designation of the office to be filled in the election and the number of
1632 candidates to be elected are printed in type not smaller than eight point;

1633 (b) the words designating the office are printed flush with the left-hand margin;

1634 (c) the words, "Vote for one" or "Vote for up to _____ (the number of candidates for
1635 which the voter may vote)" extend to the extreme right of the column;

1636 (d) the nonpartisan candidates are grouped according to the office for which they are
1637 candidates;

1638 (e) the names in each group are placed in the order specified under Section [20A-6-305](#)
1639 with the surnames last; and

1640 (f) each group is preceded by the designation of the office for which the candidates
1641 seek election, and the words, "Vote for one" or "Vote for up to ____ (the number of
1642 candidates for which the voter may vote)," according to the number to be elected.

1643 (4) Each election officer shall ensure that:

1644 (a) proposed amendments to the Utah Constitution are listed on the ballot in
1645 accordance with Section [20A-6-107](#);

1646 (b) ballot propositions submitted to the voters are listed on the ballot in accordance
1647 with Section [20A-6-107](#);

1648 (c) bond propositions that have qualified for the ballot are listed on the ballot under the
1649 title assigned to each bond proposition under Section [11-14-206](#); and

1650 (d) the judicial retention section of the ballot includes a statement at the beginning
1651 directing voters to the Judicial Performance Evaluation Commission's website in accordance
1652 with Subsection [20A-12-201](#)(4).

1653 Section 21. Section [20A-6-302](#) is amended to read:

1654 **[20A-6-302. Manual ballots -- Placement of candidates' names.](#)**

1655 (1) An election officer shall ensure, for manual ballots in regular general elections,
1656 that:

1657 (a) each candidate is listed [~~by party, if nominated by a registered political party under~~
1658 ~~Subsection [20A-9-202](#)(4) or Subsection [20A-9-403](#)(5)] in accordance with Subsection
1659 [20A-6-301](#)(2);~~

1660 (b) candidates' surnames are listed in alphabetical order on the ballots when two or
1661 more candidates' names are required to be listed on a ticket under the title of an office; and

1662 (c) the names of candidates are placed on the ballot in the order specified under Section
1663 [20A-6-305](#).

1664 (2) (a) When there is only one candidate for county attorney at the regular general
1665 election in counties that have three or fewer registered voters of the county who are licensed
1666 active members in good standing of the Utah State Bar, the county clerk shall cause that
1667 candidate's name and party affiliation, if any, to be placed on a separate section of the ballot
1668 with the following question: "Shall (name of candidate) be elected to the office of county
1669 attorney? Yes ____ No ____."

1670 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is

1671 elected to the office of county attorney.

1672 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
1673 elected and may not take office, nor may the candidate continue in the office past the end of the
1674 term resulting from any prior election or appointment.

1675 (d) When the name of only one candidate for county attorney is printed on the ballot
1676 under authority of this Subsection (2), the county clerk may not count any write-in votes
1677 received for the office of county attorney.

1678 (e) If no qualified individual files for the office of county attorney or if the candidate is
1679 not elected by the voters, the county legislative body shall appoint the county attorney as
1680 provided in Section [20A-1-509.2](#).

1681 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
1682 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a) to the
1683 two consecutive terms immediately preceding the term for which the candidate is seeking
1684 election, Subsection (2)(a) does not apply and that candidate shall be considered to be an
1685 unopposed candidate the same as any other unopposed candidate for another office, unless a
1686 petition is filed with the county clerk before 5 p.m. no later than one day before that year's
1687 primary election that:

1688 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and

1689 (ii) contains the signatures of registered voters in the county representing in number at
1690 least 25% of all votes cast in the county for all candidates for governor at the last election at
1691 which a governor was elected.

1692 (3) (a) When there is only one candidate for district attorney at the regular general
1693 election in a prosecution district that has three or fewer registered voters of the district who are
1694 licensed active members in good standing of the Utah State Bar, the county clerk shall cause
1695 that candidate's name and party affiliation, if any, to be placed on a separate section of the
1696 ballot with the following question: "Shall (name of candidate) be elected to the office of district
1697 attorney? Yes ____ No ____."

1698 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
1699 elected to the office of district attorney.

1700 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
1701 elected and may not take office, nor may the candidate continue in the office past the end of the

1702 term resulting from any prior election or appointment.

1703 (d) When the name of only one candidate for district attorney is printed on the ballot
1704 under authority of this Subsection (3), the county clerk may not count any write-in votes
1705 received for the office of district attorney.

1706 (e) If no qualified individual files for the office of district attorney, or if the only
1707 candidate is not elected by the voters under this subsection, the county legislative body shall
1708 appoint a new district attorney for a four-year term as provided in Section [20A-1-509.2](#).

1709 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
1710 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a) to the
1711 two consecutive terms immediately preceding the term for which the candidate is seeking
1712 election, Subsection (3)(a) does not apply and that candidate shall be considered to be an
1713 unopposed candidate the same as any other unopposed candidate for another office, unless a
1714 petition is filed with the county clerk before 5 p.m. no later than one day before that year's
1715 primary election that:

1716 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and

1717 (ii) contains the signatures of registered voters in the county representing in number at
1718 least 25% of all votes cast in the county for all candidates for governor at the last election at
1719 which a governor was elected.

1720 Section 22. Section **20A-6-304** is amended to read:

1721 **20A-6-304. Regular general election -- Mechanical ballots.**

1722 (1) Each election officer shall ensure that:

1723 (a) the format and content of a mechanical ballot is arranged in approximately the same
1724 order as manual ballots;

1725 (b) the titles of offices and the names of candidates are displayed in vertical columns or
1726 in a series of separate displays;

1727 (c) the mechanical ballot is of sufficient length to include, after the list of candidates:

1728 (i) the names of candidates for judicial offices and any other nonpartisan offices; and

1729 (ii) any ballot propositions submitted to the voters for their approval or rejection;

1730 (d) the office titles are displayed above or at the side of the names of candidates so as
1731 to indicate clearly the candidates for each office and the number to be elected;

1732 (e) ~~[the party designation of each candidate who has been nominated by a registered~~

1733 ~~political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5) is displayed~~
1734 ~~adjacent to the candidate's name]~~ the candidates are listed in accordance with Subsection
1735 20A-6-301(2); and

1736 (f) if possible, all candidates for one office are grouped in one column or upon one
1737 display screen.

1738 (2) Each election officer shall ensure that:

1739 (a) proposed amendments to the Utah Constitution are displayed in accordance with
1740 Section 20A-6-107;

1741 (b) ballot propositions submitted to the voters are displayed in accordance with Section
1742 20A-6-107;

1743 (c) bond propositions that have qualified for the ballot are displayed under the title
1744 assigned to each bond proposition under Section 11-14-206; and

1745 (d) the judicial retention section of the ballot includes a statement at the beginning
1746 directing voters to the Judicial Performance Evaluation Commission's website in accordance
1747 with Subsection 20A-12-201(4).

1748 Section 23. Section 20A-8-103 is amended to read:

1749 **20A-8-103. Petition procedures -- Criminal penalty -- Removal of signature.**

1750 (1) As used in this section, the proposed name or emblem of a registered political party
1751 is "distinguishable" if a reasonable person of average intelligence will be able to perceive a
1752 difference between the proposed name or emblem and any name or emblem currently being
1753 used by another registered political party.

1754 (2) To become a registered political party, an organization of registered voters that is
1755 not a continuing political party shall:

1756 (a) circulate a petition seeking registered political party status beginning no earlier than
1757 the date of the statewide canvass held after the last regular general election and ending before 5
1758 p.m. no later than November 30 of the year before the year in which the next regular general
1759 election will be held;

1760 (b) file a petition with the lieutenant governor that is signed, with a holographic
1761 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30 of the
1762 year in which a regular general election will be held; and

1763 (c) file, with the petition described in Subsection (2)(b), a document certifying:

1764 ~~[(i) the identity of one or more registered political parties whose members may vote for~~
1765 ~~the organization's candidates;]~~

1766 ~~[(ii) whether unaffiliated voters may vote for the organization's candidates; and]~~

1767 ~~[(iii) whether, for the next election, the organization intends to nominate the~~
1768 ~~organization's candidates in accordance with the provisions of Section 20A-9-406.]~~

1769 (i) whether the organization will be a signature-convention party, a signature-only
1770 party, or an alternate-path party;

1771 (ii) if the organization will be a signature-convention party, that the organization will
1772 comply with all requirements for a signature-convention party;

1773 (iii) if the organization will be a signature-only party, that the organization will comply
1774 with all requirements for a signature-only party;

1775 (iv) the identity of one or more registered political parties whose members may sign a
1776 petition to qualify an individual for placement on the primary election ballot as a candidate for
1777 the signature-convention party or signature-only party;

1778 (v) whether unaffiliated voters may sign a petition to qualify an individual for
1779 placement on the primary election ballot as a candidate for the signature-convention party or
1780 signature-only party; and

1781 (vi) for a presidential primary:

1782 (A) the identity of one or more political parties whose members may vote for the
1783 signature-convention party's or signature-only party's candidates; and

1784 (B) whether unaffiliated voters may vote for the signature-convention party's or
1785 signature-only party's candidates.

1786 (3) The petition shall:

1787 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;

1788 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
1789 blank for the purpose of binding;

1790 (c) contain the name of the political party and the words "Political Party Registration
1791 Petition" printed directly below the horizontal line;

1792 (d) contain the word "Warning" printed directly under the words described in
1793 Subsection (3)(c);

1794 (e) contain, to the right of the word "Warning," the following statement printed in not

1795 less than eight-point, single leaded type:

1796 "It is a class A misdemeanor for anyone to knowingly sign a political party registration
1797 petition signature sheet with any name other than the individual's own name or more than once
1798 for the same party or if the individual is not registered to vote in this state and does not intend
1799 to become registered to vote in this state before the petition is submitted to the lieutenant
1800 governor.";

1801 (f) contain the following statement directly under the statement described in Subsection
1802 (3)(e):

1803 "POLITICAL PARTY REGISTRATION PETITION To the Honorable _____,
1804 Lieutenant Governor:

1805 We, the undersigned citizens of Utah, seek registered political party status for _____
1806 (name);

1807 Each signer says:

1808 I have personally signed this petition with a holographic signature;

1809 I am registered to vote in Utah or will register to vote in Utah before the petition is
1810 submitted to the lieutenant governor;

1811 I am or desire to become a member of the political party; and

1812 My street address is written correctly after my name.";

1813 (g) be vertically divided into columns as follows:

1814 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
1815 headed with "For Office Use Only," and be subdivided with a light vertical line down the
1816 middle;

1817 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
1818 Name (must be legible to be counted)";

1819 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
1820 Registered Voter";

1821 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

1822 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
1823 Code"; and

1824 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
1825 information is not required, but it may be used to verify your identity with voter registration

1826 records. If you choose not to provide it, your signature may not be certified as a valid signature
1827 if you change your address before petition signatures are certified or if the information you
1828 provide does not match your voter registration records.";

1829 (h) have a final page bound to one or more signature sheets that are bound together that
1830 contains the following printed statement:

1831 "Verification
1832 State of Utah, County of _____

1833 I, _____, of _____, hereby state that:

1834 I am a Utah resident and am at least 18 years old;

1835 All the names that appear on the signature sheets bound to this page were signed by
1836 individuals who professed to be the individuals whose names appear on the signature sheets,
1837 and each individual signed the individual's name on the signature sheets in my presence;

1838 I believe that each individual has printed and signed the individual's name and written
1839 the individual's street address correctly, and that each individual is registered to vote in Utah or
1840 will register to vote in Utah before the petition is submitted to the lieutenant governor.

1841 _____
1842 (Signature) (Residence Address) (Date)"; and

1843 (i) be bound to a cover sheet that:

1844 (i) identifies the political party's name, which may not exceed four words, and the
1845 emblem of the party;

1846 (ii) states the process that the organization will follow to organize and adopt a
1847 constitution and bylaws; and

1848 (iii) is signed by a filing officer, who agrees to receive communications on behalf of
1849 the organization.

1850 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual
1851 in whose presence each signature sheet is signed:

1852 (a) is at least 18 years old;

1853 (b) meets the residency requirements of Section 20A-2-105; and

1854 (c) verifies each signature sheet by completing the verification bound to one or more
1855 signature sheets that are bound together.

1856 (5) An individual may not sign the verification if the individual signed a signature

1857 sheet bound to the verification.

1858 (6) The lieutenant governor shall:

1859 (a) use the procedures described in Section [20A-1-1002](#) to determine whether a signer
1860 is a registered voter;

1861 (b) review the proposed name and emblem to determine if they are "distinguishable"
1862 from the names and emblems of other registered political parties; and

1863 (c) certify the lieutenant governor's findings to the filing officer described in
1864 Subsection (3)(i)(iii) within 30 days of the filing of the petition.

1865 (7) (a) If the lieutenant governor determines that the petition meets the requirements of
1866 this section, and that the proposed name and emblem are distinguishable, the lieutenant
1867 governor shall authorize the filing officer described in Subsection (3)(i)(iii) to organize the
1868 prospective political party.

1869 (b) If the lieutenant governor finds that the name, emblem, or both are not
1870 distinguishable from the names and emblems of other registered political parties, the lieutenant
1871 governor shall notify the filing officer that the filing officer has seven days to submit a new
1872 name or emblem to the lieutenant governor.

1873 (8) A registered political party may not change its name or emblem during the regular
1874 general election cycle.

1875 (9) (a) It is unlawful for an individual to:

1876 (i) knowingly sign a political party registration petition:

1877 (A) with any name other than the individual's own name;

1878 (B) more than once for the same political party; or

1879 (C) if the individual is not registered to vote in this state and does not intend to become
1880 registered to vote in this state before the petition is submitted to the lieutenant governor; or

1881 (ii) sign the verification of a political party registration petition signature sheet if the
1882 individual:

1883 (A) does not meet the residency requirements of Section [20A-2-105](#);

1884 (B) has not witnessed the signing by those individuals whose names appear on the
1885 political party registration petition signature sheet; or

1886 (C) knows that an individual whose signature appears on the political party registration
1887 petition signature sheet is not registered to vote in this state and does not intend to become

1888 registered to vote in this state.

1889 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.

1890 (10) (a) A voter who signs a petition under this section may have the voter's signature
1891 removed from the petition by, no later than three business days after the day on which the
1892 petition is filed with the lieutenant governor, submitting to the lieutenant governor a statement
1893 requesting that the voter's signature be removed.

1894 (b) A statement described in Subsection (10)(a) shall comply with the requirements
1895 described in Subsection 20A-1-1003(2).

1896 (c) The lieutenant governor shall use the procedures described in Subsection
1897 20A-1-1003(3) to determine whether to remove an individual's signature from a petition after
1898 receiving a timely, valid statement requesting removal of the signature.

1899 Section 24. Section 20A-8-401 is amended to read:

1900 **20A-8-401. Registered political parties -- Bylaws -- Report name of midterm**
1901 **vacancy candidate.**

1902 (1) (a) Each new or unregistered state political party that seeks to become a registered
1903 political party under the authority of this chapter shall file a copy of the party's proposed
1904 constitution and bylaws at the time the party files the party's registration information.

1905 (b) Each registered state political party shall file revised copies of the party's
1906 constitution or bylaws with the lieutenant governor before 5 p.m. within 15 days after the day
1907 on which the constitution or bylaws are adopted or amended.

1908 (2) Each state political party, each new political party seeking registration, and each
1909 unregistered political party seeking registration shall ensure that the party's constitution or
1910 bylaws contain:

1911 (a) provisions establishing party organization, structure, membership, and governance
1912 that include:

1913 (i) a description of the position, selection process, qualifications, duties, and terms of
1914 each party officer and committees defined by constitution and bylaws;

1915 (ii) a provision requiring a designated party officer to serve as liaison with:

1916 (A) the lieutenant governor on all matters relating to the political party's relationship
1917 with the state; and

1918 (B) each county legislative body on matters relating to the political party's relationship

1919 with a county;

1920 (iii) a description of the requirements for participation in party processes;

1921 (iv) the dates, times, and quorum of any regularly scheduled party meetings,

1922 conventions, or other conclaves; and

1923 (v) a mechanism for making the names of delegates, candidates, and elected party

1924 officers available to the public shortly after they are selected;

1925 (b) a procedure for selecting party officers that allows active participation by party

1926 members;

1927 (c) a procedure for selecting party candidates at the federal, state, and county levels that

1928 allows active participation by party members;

1929 (d) (i) a procedure for selecting electors who are pledged to cast their votes in the

1930 electoral college for the party's candidates for president and vice president of the United States;

1931 and

1932 (ii) a procedure for filling vacancies in the office of presidential elector because of

1933 death, refusal to act, failure to attend, ineligibility, or any other cause;

1934 (e) a procedure for filling vacancies in the office of representative or senator or a

1935 county office, as described in Section [20A-1-508](#), because of death, resignation, or ineligibility;

1936 (f) a provision requiring the governor and lieutenant governor to run as a joint ticket;

1937 (g) a procedure for replacing party candidates who die, acquire a disability that

1938 prevents the candidate from continuing the candidacy, or are disqualified before a primary or

1939 regular general election;

1940 (h) provisions governing the deposit and expenditure of party funds, and governing the

1941 accounting for, reporting, and audit of party financial transactions;

1942 (i) provisions governing access to party records;

1943 (j) a procedure for amending the constitution or bylaws that allows active participation

1944 by party members or their representatives;

1945 (k) a process for resolving grievances against the political party; and

1946 (l) if desired by the political party, a process for consulting with, and obtaining the

1947 opinion of, the political party's Utah Senate and Utah House members about:

1948 (i) the performance of the two United States Senators from Utah, including

1949 specifically:

1950 (A) their views and actions regarding the defense of state's rights and federalism; and

1951 (B) their performance in representing Utah's interests;

1952 (ii) the members' opinion about, or rating of, and support or opposition to the policy

1953 positions of any candidates for United States Senate from Utah, including incumbents,

1954 including specifically:

1955 (A) their views and actions regarding the defense of state's rights and federalism; and

1956 (B) their performance in representing Utah's interests; and

1957 (iii) the members' collective or individual endorsement or rating of a particular

1958 candidate for United States Senate from Utah.

1959 (3) If, in accordance with a political party's constitution or bylaws, a person files a

1960 declaration or otherwise notifies the party of the person's candidacy as a legislative office

1961 candidate or state office candidate, as defined in Section 20A-11-101, to be appointed and fill a

1962 midterm vacancy in the office of representative or senator in the Legislature or in a state office,

1963 as described in Section 20A-1-503, [~~or in a state office as described in Section 20A-1-504,~~] the

1964 party shall forward a copy of that declaration or notification to the lieutenant governor before 5

1965 p.m. no later than the day following the day on which the party receives the declaration or

1966 notification.

1967 Section 25. Section 20A-9-101 is amended to read:

1968 **20A-9-101. Definitions.**

1969 As used in this chapter:

1970 (1) (a) "Candidates for elective office" means persons who file a declaration of

1971 candidacy under Section 20A-9-202 to run in a [~~regular general election for a federal office,~~

1972 ~~constitutional office, multicounty office, or county~~ regular primary election for a regular

1973 partisan office.

1974 (b) "Candidates for elective office" does not [~~mean~~] include candidates for:

1975 (i) justice or judge of court of record or not of record;

1976 (ii) presidential elector;

1977 (iii) any political party offices; and

1978 (iv) municipal or special district offices.

1979 (2) "Constitutional office" means the state offices of governor, lieutenant governor,

1980 attorney general, state auditor, and state treasurer.

- 1981 (3) "Continuing political party" means the same as that term is defined in Section
 1982 [20A-8-101](#).
- 1983 (4) (a) "County office" means an elective office where the officeholder is selected by
 1984 voters entirely within one county.
- 1985 (b) "County office" does not ~~[mean]~~ include:
- 1986 (i) the office of justice or judge of any court of record or not of record;
 1987 (ii) the office of presidential elector;
 1988 (iii) any political party offices;
 1989 (iv) any municipal or special district offices; and
 1990 (v) the office of United States Senator and United States Representative.
- 1991 ~~[(5) "Electronic candidate qualification process" means:]~~
 1992 ~~[(a) as it relates to a registered political party that is not a qualified political party, the~~
 1993 ~~process for gathering signatures electronically to seek the nomination of a registered political~~
 1994 ~~party, described in:]~~
- 1995 ~~[(i) Section [20A-9-403](#)];~~
 1996 ~~[(ii) Section [20A-9-405](#), except Subsections [20A-9-405\(3\)](#) and (5); and]~~
 1997 ~~[(iii) Section [20A-21-201](#); and]~~
- 1998 ~~[(b) as it relates to a qualified political party, the process, for gathering signatures~~
 1999 ~~electronically to seek the nomination of a registered political party, described in:]~~
- 2000 ~~[(i) Section [20A-9-405](#), except Subsections [20A-9-405\(3\)](#) and (5);]~~
 2001 ~~[(ii) Section [20A-9-408](#); and]~~
 2002 ~~[(iii) Section [20A-21-201](#).]~~
- 2003 (5) "Electronic candidate qualification process" means the process for gathering
 2004 signatures electronically to qualify for placement on the regular primary ballot as a candidate
 2005 for a signature-convention party or a signature-only party under Section [20A-9-408](#).
- 2006 (6) "Federal office" means an elective office for United States Senator and United
 2007 States Representative.
- 2008 (7) "Filing officer" means:
- 2009 (a) the lieutenant governor, for:
- 2010 (i) the office of United States Senator and United States Representative; and
 2011 (ii) all constitutional offices;

2012 (b) for the office of a state senator, state representative, or the state school board, the
2013 lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);

2014 (c) the county clerk, for county offices and local school district offices;

2015 (d) the county clerk in the filer's county of residence, for multicounty offices;

2016 (e) the city or town clerk, for municipal offices; or

2017 (f) the special district clerk, for special district offices.

2018 (8) "Local government office" includes county offices, municipal offices, and special
2019 district offices and other elective offices selected by the voters from a political division entirely
2020 within one county.

2021 (9) "Manual candidate qualification process" means the process for gathering
2022 signatures to ~~[seek the nomination of a registered political party,]~~ qualify for placement on the
2023 regular primary election ballot as a candidate for a regular partisan office, using paper signature
2024 packets that a signer physically signs.

2025 (10) (a) "Multicounty office" means an elective office where the officeholder is
2026 selected by the voters from more than one county.

2027 (b) "Multicounty office" does not ~~[mean]~~ include:

2028 (i) a county office;

2029 (ii) a federal office;

2030 (iii) the office of justice or judge of any court of record or not of record;

2031 (iv) the office of presidential elector;

2032 (v) any political party offices; or

2033 (vi) any municipal or special district offices.

2034 (11) "Municipal office" means an elective office in a municipality.

2035 (12) (a) "Political division" means a geographic unit from which an officeholder is
2036 elected and that an officeholder represents.

2037 (b) "Political division" includes a county, a city, a town, a special district, a school
2038 district, a legislative district, and a county prosecution district.

2039 ~~[(13) "Qualified political party" means a registered political party that:]~~

2040 ~~[(a) (i) permits a delegate for the registered political party to vote on a candidate~~
2041 ~~nomination in the registered political party's convention remotely; or]~~

2042 ~~[(ii) provides a procedure for designating an alternate delegate if a delegate is not~~

2043 present at the registered political party's convention;]

2044 ~~[(b) does not hold the registered political party's convention before the fourth Saturday~~
2045 ~~in March of an even-numbered year;]~~

2046 ~~[(c) permits a member of the registered political party to seek the registered political~~
2047 ~~party's nomination for any elective office by the member choosing to seek the nomination by~~
2048 ~~either or both of the following methods:]~~

2049 ~~[(i) seeking the nomination through the registered political party's convention process,~~
2050 ~~in accordance with the provisions of Section 20A-9-407; or]~~

2051 ~~[(ii) seeking the nomination by collecting signatures, in accordance with the provisions~~
2052 ~~of Section 20A-9-408; and]~~

2053 ~~[(d) (i) if the registered political party is a continuing political party, no later than 5~~
2054 ~~p.m. on the first Monday of October of an odd-numbered year, certifies to the lieutenant~~
2055 ~~governor that, for the election in the following year, the registered political party intends to~~
2056 ~~nominate the registered political party's candidates in accordance with the provisions of Section~~
2057 ~~20A-9-406; or]~~

2058 ~~[(ii) if the registered political party is not a continuing political party, certifies at the~~
2059 ~~time that the registered political party files the petition described in Section 20A-8-103 that, for~~
2060 ~~the next election, the registered political party intends to nominate the registered political~~
2061 ~~party's candidates in accordance with the provisions of Section 20A-9-406.]~~

2062 ~~[(14)] (13) "Signature," as it relates to a petition to qualify for placement on a primary~~
2063 ~~election ballot as a candidate [to seek the nomination of] for a registered political party, means:~~

2064 ~~(a) when using the manual candidate qualification process, a holographic signature~~
2065 ~~collected physically on a [nomination] petition described in Subsection 20A-9-405(3); or~~

2066 ~~(b) when using the electronic candidate qualification process:~~

2067 ~~(i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or~~

2068 ~~(ii) a holographic signature collected electronically under Subsection~~

2069 ~~20A-21-201(6)(c)(ii)(B).~~

2070 ~~[(15)] (14) "Special district office" means an elected office in a special district.~~

2071 Section 26. Section 20A-9-201 is amended to read:

2072 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
2073 **more than one political party prohibited with exceptions -- General filing and form**

2074 **requirements -- Affidavit of impecuniosity.**

2075 (1) Before filing a declaration of candidacy for election to any office, an individual
2076 shall:

2077 (a) be a United States citizen;

2078 (b) meet the legal requirements of that office; and

2079 (c) if seeking [~~a registered political party's nomination as a candidate for elective~~
2080 ~~office;~~] to qualify for placement on the regular primary election ballot as a candidate for a
2081 registered political party, state:

2082 (i) the registered political party of which the individual is a member; or

2083 (ii) that the individual is not a member of a registered political party.

2084 (2) (a) Except as provided in Subsection (2)(b), an individual may not:

2085 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
2086 Utah during any election year;

2087 (ii) appear on the ballot as the candidate of more than one political party; or

2088 (iii) file a declaration of candidacy for a registered political party of which the
2089 individual is not a member, except to the extent that the registered political party permits
2090 otherwise in the registered political party's bylaws.

2091 (b) (i) An individual may file a declaration of candidacy for, or be a candidate for,
2092 president or vice president of the United States and another office, if the individual resigns the
2093 individual's candidacy for the other office after the individual is officially nominated for
2094 president or vice president of the United States.

2095 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more
2096 than one justice court judge office.

2097 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
2098 the individual filed a declaration of candidacy for another office in the same election year if the
2099 individual withdraws as a candidate for the other office in accordance with Subsection
2100 [20A-9-202\(6\)](#) before filing the declaration of candidacy for lieutenant governor.

2101 (3) (a) Except for a candidate for president or vice president of the United States,
2102 before the filing officer may accept any declaration of candidacy, the filing officer shall:

2103 (i) read to the individual the constitutional and statutory qualification requirements for
2104 the office that the individual is seeking;

2105 (ii) require the individual to state whether the individual meets the requirements
2106 described in Subsection (3)(a)(i);

2107 (iii) if the declaration of candidacy is for a county office, inform the individual that an
2108 individual who holds a county elected office may not, at the same time, hold a municipal
2109 elected office; and

2110 (iv) if the declaration of candidacy is for a legislative office, inform the individual that
2111 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit
2112 or trust, under authority of the United States or Utah, from being a member of the Legislature.

2113 (b) Before accepting a declaration of candidacy for the office of county attorney, the
2114 county clerk shall ensure that the individual filing that declaration of candidacy is:

2115 (i) a United States citizen;

2116 (ii) an attorney licensed to practice law in the state who is an active member in good
2117 standing of the Utah State Bar;

2118 (iii) a registered voter in the county in which the individual is seeking office; and

2119 (iv) a current resident of the county in which the individual is seeking office and either
2120 has been a resident of that county for at least one year before the date of the election or was
2121 appointed and is currently serving as county attorney and became a resident of the county
2122 within 30 days after appointment to the office.

2123 (c) Before accepting a declaration of candidacy for the office of district attorney, the
2124 county clerk shall ensure that, as of the date of the election, the individual filing that
2125 declaration of candidacy is:

2126 (i) a United States citizen;

2127 (ii) an attorney licensed to practice law in the state who is an active member in good
2128 standing of the Utah State Bar;

2129 (iii) a registered voter in the prosecution district in which the individual is seeking
2130 office; and

2131 (iv) a current resident of the prosecution district in which the individual is seeking
2132 office and either will have been a resident of that prosecution district for at least one year
2133 before the date of the election or was appointed and is currently serving as district attorney and
2134 became a resident of the prosecution district within 30 days after receiving appointment to the
2135 office.

2136 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
2137 county clerk shall ensure that the individual filing the declaration:

2138 (i) is a United States citizen;

2139 (ii) is a registered voter in the county in which the individual seeks office;

2140 (iii) (A) has successfully met the standards and training requirements established for
2141 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and
2142 Certification Act; or

2143 (B) has met the waiver requirements in Section 53-6-206;

2144 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
2145 53-13-103; and

2146 (v) before the date of the election, will have been a resident of the county in which the
2147 individual seeks office for at least one year.

2148 (e) Before accepting a declaration of candidacy for the office of governor, lieutenant
2149 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of
2150 Education member, the filing officer shall ensure that the individual filing the declaration of
2151 candidacy also makes the conflict of interest disclosure described in Section 20A-11-1603.

2152 (4) If an individual who files a declaration of candidacy does not meet the qualification
2153 requirements for the office the individual is seeking, the filing officer may not accept the
2154 individual's declaration of candidacy.

2155 (5) If an individual who files a declaration of candidacy meets the requirements
2156 described in Subsection (3), the filing officer shall:

2157 (a) inform the individual that:

2158 (i) the individual's name will appear on the ballot as the individual's name is written on
2159 the individual's declaration of candidacy;

2160 (ii) the individual may be required to comply with state or local campaign finance
2161 disclosure laws; and

2162 (iii) the individual is required to file a financial statement before the individual's
2163 political convention under:

2164 (A) Section 20A-11-204 for a candidate for constitutional office;

2165 (B) Section 20A-11-303 for a candidate for the Legislature; or

2166 (C) local campaign finance disclosure laws, if applicable;

2167 (b) except for a presidential candidate, provide the individual with a copy of the current
 2168 campaign financial disclosure laws for the office the individual is seeking and inform the
 2169 individual that failure to comply will result in disqualification as a candidate and removal of
 2170 the individual's name from the ballot;

2171 (c) provide the individual with a copy of Section 20A-7-801 regarding the Statewide
 2172 Electronic Voter Information Website Program and inform the individual of the submission
 2173 deadline under Subsection 20A-7-801(4)(a);

2174 (d) provide the candidate with a copy of the pledge of fair campaign practices
 2175 described under Section 20A-9-206 and inform the candidate that:

2176 (i) signing the pledge is voluntary; and

2177 (ii) signed pledges shall be filed with the filing officer;

2178 (e) accept the individual's declaration of candidacy; and

2179 (f) if the individual has filed for a partisan office, provide a certified copy of the
 2180 declaration of candidacy to the chair of the county or state political party of which the
 2181 individual is a member.

2182 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing
 2183 officer shall:

2184 (a) accept the candidate's pledge; and

2185 (b) if the candidate has filed for a partisan office, provide a certified copy of the
 2186 candidate's pledge to the chair of the county or state political party of which the candidate is a
 2187 member.

2188 [~~(7) (a) Except for a candidate for president or vice president of the United States, the~~
 2189 ~~form of the declaration of candidacy shall:]~~

2190 [~~(i) be substantially as follows:]~~

2191 [~~"State of Utah, County of _____]~~

2192 [I, _____, declare my candidacy for the office of _____, seeking the
 2193 nomination of the _____ party. I do solemnly swear, under penalty of perjury, that: I will meet
 2194 the qualifications to hold the office, both legally and constitutionally, if selected; I reside at
 2195 _____ in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not
 2196 knowingly violate any law governing campaigns and elections; if filing via a designated agent,
 2197 I will be out of the state of Utah during the entire candidate filing period; I will file all

2198 ~~campaign financial disclosure reports as required by law; and I understand that failure to do so~~
2199 ~~will result in my disqualification as a candidate for this office and removal of my name from~~
2200 ~~the ballot. The mailing address that I designate for receiving official election notices is~~
2201 ~~_____.~~]

2202 [_____]

2203 [Subscribed and sworn before me this _____ (month\day\year).]

2204 [_____ Notary Public (or other officer qualified to administer oath)."; and]

2205 [(ii) ~~require the candidate to state, in the sworn statement described in Subsection~~

2206 ~~(7)(a)(i):~~]

2207 [~~(A) the registered political party of which the candidate is a member; or]~~

2208 [~~(B) that the candidate is not a member of a registered political party.~~]

2209 (7) (a) The declaration of candidacy for an individual seeking to qualify for placement

2210 on the regular primary election ballot as a candidate for a registered political party shall:

2211 (i) be substantially as follows:

2212 "State of Utah, County of _____

2213 I, _____, declare my intention to seek qualification for placement on the

2214 regular primary election ballot for the office of _____ as a candidate for the _____ party. I do

2215 solemnly swear, under penalty of perjury, that: I will meet the qualifications to hold the office,

2216 both legally and constitutionally, if selected; I reside at _____ in the City or Town of

2217 _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate any law governing

2218 campaigns and elections; I will file all campaign financial disclosure reports as required by

2219 law; and I understand that failure to do so will result in my disqualification as a candidate for

2220 this office and removal of my name from the ballot. The mailing address that I designate for

2221 receiving official election notices is _____

2222 _____.

2223 Subscribed and sworn before me this _____ (month\day\year). Notary Public (or

2224 other officer qualified to administer oath).";

2225 (ii) direct the candidate to state, in the sworn statement described in Subsection (7)(a):

2226 (A) the registered political party of which the candidate is a member; or

2227 (B) that the candidate is not a member of a registered political party; and

2228 (iii) if the candidate is seeking qualification for placement on the regular primary ballot

2229 as a candidate for a signature-convention party, direct the candidate to indicate whether the
2230 candidate is seeking the placement using:

2231 (A) the convention process described in Section 20A-9-406;

2232 (B) the signature-gathering process described in Section 20A-9-408; or

2233 (C) both processes described in Subsections (7)(a)(iii)(A) and (B).

2234 (b) An agent designated under Subsection [~~20A-9-202(1)(c)~~] 20A-9-202(1)(b) to file a
2235 declaration of candidacy may not sign the form described in Subsection (7)(a) [~~or Section~~
2236 ~~20A-9-408.5~~].

2237 (8) (a) Except for a candidate for president or vice president of the United States, the
2238 fee for filing a declaration of candidacy is:

2239 (i) \$50 for candidates for the local school district board; and

2240 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
2241 person holding the office for all other federal, state, and county offices.

2242 (b) Except for presidential candidates, the filing officer shall refund the filing fee to
2243 any candidate:

2244 (i) who is disqualified; or

2245 (ii) who the filing officer determines has filed improperly.

2246 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received
2247 from candidates.

2248 (ii) The lieutenant governor shall:

2249 (A) apportion to and pay to the county treasurers of the various counties all fees
2250 received for filing of nomination certificates or acceptances; and

2251 (B) ensure that each county receives that proportion of the total amount paid to the
2252 lieutenant governor from the congressional district that the total vote of that county for all
2253 candidates for representative in Congress bears to the total vote of all counties within the
2254 congressional district for all candidates for representative in Congress.

2255 (d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy
2256 without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by
2257 an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer,
2258 a financial statement filed at the time the affidavit is submitted.

2259 (ii) A person who is able to pay the filing fee may not claim impecuniosity.

2260 (iii) (A) False statements made on an affidavit of impecuniosity or a financial
2261 statement filed under this section shall be subject to the criminal penalties provided under
2262 Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.

2263 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be
2264 considered an offense under this title for the purposes of assessing the penalties provided in
2265 Subsection 20A-1-609(2).

2266 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in
2267 substantially the following form:

2268 "Affidavit of Impecuniosity
2269 Individual Name

2270 _____ Address _____

2271 Phone Number _____

2272 I, _____ (name), do solemnly [swear] [affirm], under penalty
2273 of law for false statements, that, owing to my poverty, I am unable to pay the filing fee required
2274 by law.

2275 Date _____

2276 Signature _____ Affiant

2277 Subscribed and sworn to before me on _____ (month\day\year)

2278 _____
2279 (signature)

2280 Name and Title of Officer Authorized to Administer Oath _____".

2281 (v) The filing officer shall provide to a person who requests an affidavit of
2282 impecuniosity a statement printed in substantially the following form, which may be included
2283 on the affidavit of impecuniosity:

2284 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a
2285 candidate who is found guilty of filing a false statement, in addition to being subject to criminal
2286 penalties, will be removed from the ballot."

2287 (vi) The filing officer may request that a person who makes a claim of impecuniosity
2288 under this Subsection (8)(d) file a financial statement on a form prepared by the election
2289 official.

2290 (9) An individual who fails to file a declaration of candidacy or certificate of

2291 nomination within the time provided in this chapter is ineligible for [~~nomination to office~~]
 2292 placement on the regular primary election ballot.

2293 (10) A declaration of candidacy filed under this section may not be amended or
 2294 modified after the final date established for filing a declaration of candidacy.

2295 Section 27. Section **20A-9-201.5** is amended to read:

2296 **20A-9-201.5. Declaration of candidacy filing periods.**

2297 [~~(1) In 2022, for a qualified political party, the filing period to file a declaration of~~
 2298 ~~candidacy for an elective office that is to be filled at the next regular general election begins at~~
 2299 ~~8 a.m. on February 28, 2022, and ends at 5 p.m. on March 4, 2022. (2) Beginning on January~~
 2300 ~~1, 2024, for a qualified political party, the] The filing period to file a declaration of candidacy
 2301 for an elective office that is to be filled at the next regular general election:~~

2302 [~~(a)~~] (1) begins at 8:00 a.m. on the later of:

2303 [~~(i)~~] (a) January 2 of the year in which the next regular general election is held; or

2304 [~~(ii)~~] (b) if January 2 is not a business day, the first business day after January 2; and

2305 [~~(b)~~] (2) ends:

2306 (a) for an individual seeking to qualify for placement on the regular primary election
 2307 ballot as a candidate for a registered political party, at 5 p.m. on the fourth business day after
 2308 the day on which the filing period begins[-];

2309 (b) except for a candidate described in Subsection (2)(c), for an individual seeking to
 2310 qualify for placement on the regular primary election ballot as an unaffiliated candidate, at 5
 2311 p.m. on the first Monday after the fourth Saturday in April; or

2312 (c) for an individual seeking to qualify for placement on the regular general election
 2313 ballot as an unaffiliated candidate for president of the United States, at 5 p.m. on June 15 of the
 2314 year in which the election will be held.

2315 Section 28. Section **20A-9-202** is amended to read:

2316 **20A-9-202. Declarations of candidacy for regular primary elections and regular**
 2317 **general elections.**

2318 (1) (a) An individual seeking to become a candidate for an elective office that is to be
 2319 filled at the next regular general election shall:

2320 (i) except as provided in Subsection [~~(1)(c);~~] (1)(b) or (f), timely file a declaration of
 2321 candidacy in person with the filing officer [~~on or after January 1 of the regular general election~~

2322 year], and, if applicable, before the individual circulates [~~nomination~~] petitions to qualify for
2323 placement on a regular primary election ballot under Section 20A-9-405; and

2324 (ii) pay the filing fee.

2325 [~~(b) Unless expressly provided otherwise in this title, for a registered political party~~
2326 ~~that is not a qualified political party, the deadline for filing a declaration of candidacy for an~~
2327 ~~elective office that is to be filled at the next regular general election is 5 p.m. on the first~~
2328 ~~Monday after the fourth Saturday in April.]~~

2329 [(e)] (b) Subject to Subsection 20A-9-201(7)(b), an individual may designate an agent
2330 to file a declaration of candidacy with the filing officer if:

2331 (i) the individual is located outside of the state during the entire filing period;

2332 (ii) the designated agent appears in person before the filing officer;

2333 (iii) the individual communicates with the filing officer using an electronic device that
2334 allows the individual and filing officer to see and hear each other; and

2335 (iv) the individual provides the filing officer with an email address to which the filing
2336 officer may send the individual the copies described in Subsection 20A-9-201(5).

2337 [(d)] (c) Each county clerk who receives a declaration of candidacy from a candidate
2338 for multicounty office shall transmit the filing fee and a copy of the candidate's declaration of
2339 candidacy to the lieutenant governor within one business day after the candidate files the
2340 declaration of candidacy.

2341 [(e)] (d) Each day during the filing period, each county clerk shall notify the lieutenant
2342 governor electronically or by telephone of candidates who have filed a declaration of candidacy
2343 with the county clerk.

2344 [(f)] (e) Each individual seeking the office of lieutenant governor, the office of district
2345 attorney, or the office of president or vice president of the United States shall comply with the
2346 specific declaration of candidacy requirements established by this section.

2347 (f) An individual seeking to become an unaffiliated candidate for president of the
2348 United States:

2349 (i) is not required to participate in the regular primary election; and

2350 (ii) will qualify for placement on the regular general election ballot as an unaffiliated
2351 candidate for president of the United States if the individual complies with Part 5, Candidates
2352 not Affiliated with a Party, before 5 p.m. on June 15 of the year in which the regular general

2353 election is held.

2354 (2) (a) Each individual intending to become a candidate for the office of district
2355 attorney within a multicounty prosecution district that is to be filled at the next regular general
2356 election shall:

2357 (i) timely file a declaration of candidacy with the clerk designated in the interlocal
2358 agreement creating the prosecution district [~~on or after January 1 of the regular general election~~
2359 ~~year~~], and, if applicable, before the individual circulates [~~nomination~~] petitions to qualify for
2360 placement on a regular primary election ballot under Section [~~20A-9-405~~] 20A-9-408; and

2361 (ii) pay the filing fee.

2362 (b) The designated clerk shall provide to the county clerk of each county in the
2363 prosecution district a certified copy of each declaration of candidacy filed for the office of
2364 district attorney.

2365 (3) (a) [~~Before the deadline described in Subsection (1)(b), each~~] Each lieutenant
2366 governor candidate shall:

2367 (i) timely file a declaration of candidacy with the lieutenant governor;

2368 (ii) pay the filing fee; and

2369 (iii) submit a letter from a candidate for governor who has received certification for the
2370 primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate
2371 as a joint-ticket running mate.

2372 (b) (i) A candidate for lieutenant governor who fails to timely file is disqualified.

2373 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file to
2374 replace the disqualified candidate.

2375 (4) Before 5 p.m. no later than August 31, each registered political party shall:

2376 (a) certify the names of the political party's candidates for president and vice president
2377 of the United States to the lieutenant governor; or

2378 (b) provide written authorization for the lieutenant governor to accept the certification
2379 of candidates for president and vice president of the United States from the national office of
2380 the registered political party.

2381 (5) (a) A declaration of candidacy filed under this section is valid unless a written
2382 objection is filed with the clerk or lieutenant governor before 5 p.m. on the last business day
2383 that is at least 10 days before the deadline described in Subsection [~~20A-9-409(4)(c)~~]

2384 [20A-9-409\(2\)](#).

2385 (b) If an objection is made, the clerk or lieutenant governor shall:

2386 (i) mail or personally deliver notice of the objection to the affected candidate
2387 immediately; and

2388 (ii) decide any objection within 48 hours after it is filed.

2389 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
2390 problem by amending the declaration or petition before 5 p.m. within three days after the day
2391 on which the objection is sustained or by filing a new declaration before 5 p.m. within three
2392 days after the day on which the objection is sustained.

2393 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

2394 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
2395 by a district court if prompt application is made to the court.

2396 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
2397 of its discretion, agrees to review the lower court decision.

2398 (6) Any person who [~~filed~~] files a declaration of candidacy may withdraw as a
2399 candidate by filing a written affidavit with the clerk.

2400 (7) (a) Except for a candidate who is certified by a registered political party under
2401 Subsection (4), and except as provided in Section [20A-9-504](#), before 5 p.m. no later than
2402 August 31 of a general election year, each individual running as a candidate for vice president
2403 of the United States shall:

2404 (i) file a declaration of candidacy, in person or via a designated agent, on a form
2405 developed by the lieutenant governor, that:

2406 (A) contains the individual's name, address, and telephone number;

2407 (B) states that the individual meets the qualifications for the office of vice president of
2408 the United States;

2409 (C) names the presidential candidate, who has qualified for the general election ballot,
2410 with which the individual is running as a joint-ticket running mate;

2411 (D) states that the individual agrees to be the running mate of the presidential candidate
2412 described in Subsection (7)(a)(i)(C); and

2413 (E) contains any other necessary information identified by the lieutenant governor;

2414 (ii) pay the filing fee; and

2415 (iii) submit a letter from the presidential candidate described in Subsection (7)(a)(i)(C)
2416 that names the individual as a joint-ticket running mate as a vice presidential candidate.

2417 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of
2418 candidacy.

2419 (c) A vice presidential candidate who fails to meet the requirements described in this
2420 Subsection (7) may not appear on the general election ballot.

2421 (8) An individual filing a declaration of candidacy for president or vice president of the
2422 United States shall pay a filing fee of \$500.

2423 Section 29. Section **20A-9-401** is amended to read:

2424 **20A-9-401. Primary elections.**

2425 (1) This part shall be construed liberally so as to ensure full opportunity for persons to
2426 become candidates and for voters to express their choice.

2427 (2) This part may not be construed to unconstitutionally govern or regulate the internal
2428 procedures of a registered political party.

2429 Section 30. Section **20A-9-403** is amended to read:

2430 **20A-9-403. Regular primary elections.**

2431 (1) (a) [~~Candidates~~] Except as provided in Subsection (1)(c), candidates for elective
2432 office that are to be filled at the next regular general election shall be [~~nominated~~] selected in a
2433 regular primary election by direct vote of the people in the manner prescribed in this section. [
2434 ~~The regular primary election is held on the date specified in Section 20A-1-201.5. Nothing in~~
2435 ~~this section shall affect a candidate's ability to qualify for a regular general election's ballot as~~
2436 ~~an unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election~~
2437 ~~as a write-in candidate under Section 20A-9-601.;~~]

2438 (b) Except as provided in Subsection (1)(c), Subsection (1)(a) applies to all elective
2439 offices that are to be filled at the next regular general election, including candidates for partisan
2440 office, candidates for nonpartisan office, candidates who are unaffiliated with a political party,
2441 unaffiliated candidates, and write-in candidates.

2442 (c) Subsections (1)(a) and (b) do not apply to an unaffiliated candidate for president of
2443 the United States.

2444 [~~(b) Each registered political party that chooses to have the names of the registered~~
2445 ~~political party's candidates for elective office featured with party affiliation on the ballot at a~~

2446 regular general election shall comply with the requirements of this section and shall nominate
2447 the registered political party's candidates for elective office in the manner described in this
2448 section.]

2449 [(c) A filing officer may not permit an official ballot at a regular general election to be
2450 produced or used if the ballot denotes affiliation between a registered political party or any
2451 other political group and a candidate for elective office who is not nominated in the manner
2452 prescribed in this section or in Subsection 20A-9-202(4).]

2453 [(d) Unless noted otherwise, the dates in this section refer to those that occur in each
2454 even-numbered year in which a regular general election will be held.]

2455 [(2) (a) Each registered political party, in a statement filed with the lieutenant governor,
2456 shall:]

2457 [(i) either declare the registered political party's intent to participate in the next regular
2458 primary election or declare that the registered political party chooses not to have the names of
2459 the registered political party's candidates for elective office featured on the ballot at the next
2460 regular general election; and]

2461 [(ii) if the registered political party participates in the upcoming regular primary
2462 election, identify one or more registered political parties whose members may vote for the
2463 registered political party's candidates and whether individuals identified as unaffiliated with a
2464 political party may vote for the registered political party's candidates.]

2465 [(b) (i) A registered political party that is a continuing political party shall file the
2466 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on
2467 November 30 of each odd-numbered year.]

2468 [(ii) An organization that is seeking to become a registered political party under
2469 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the
2470 registered political party files the petition described in Section 20A-8-103.]

2471 [(3) (a) Except as provided in Subsection (3)(c), an individual who submits a
2472 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective
2473 office on the regular primary ballot of the registered political party listed on the declaration of
2474 candidacy only if the individual is certified by the appropriate filing officer as having submitted
2475 a nomination petition that was:]

2476 [(i) circulated and completed in accordance with Section 20A-9-405; and]

2477 ~~[(ii) signed by at least 2% of the registered political party's members who reside in the~~
2478 ~~political division of the office that the individual seeks.]~~

2479 ~~[(b) (i) A candidate for elective office shall submit signatures for a nomination petition~~
2480 ~~to the appropriate filing officer for verification and certification no later than 5 p.m. on the final~~
2481 ~~day in March.]~~

2482 ~~[(ii) A candidate may supplement the candidate's submissions at any time on or before~~
2483 ~~the filing deadline.]~~

2484 ~~[(c) (i) The lieutenant governor shall determine for each elective office the total~~
2485 ~~number of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by~~
2486 ~~counting the aggregate number of individuals residing in each elective office's political division~~
2487 ~~who have designated a particular registered political party on the individuals' voter registration~~
2488 ~~forms on or before November 15 of each odd-numbered year.]~~

2489 ~~[(ii) The lieutenant governor shall publish the determination for each elective office no~~
2490 ~~later than November 30 of each odd-numbered year.]~~

2491 ~~[(d) The filing officer shall:]~~

2492 ~~[(i) except as otherwise provided in Section 20A-21-201, verify signatures on~~
2493 ~~nomination petitions in a transparent and orderly manner, no later than 14 days after the day on~~
2494 ~~which a candidate submits the signatures to the filing officer;]~~

2495 ~~[(ii) for all qualifying candidates for elective office who submit nomination petitions to~~
2496 ~~the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline~~
2497 ~~described in Subsection 20A-9-202(1)(b);]~~

2498 ~~[(iii) consider active and inactive voters eligible to sign nomination petitions;]~~

2499 ~~[(iv) consider an individual who signs a nomination petition a member of a registered~~
2500 ~~political party for purposes of Subsection (3)(a)(ii) if the individual has designated that~~
2501 ~~registered political party as the individual's party membership on the individual's voter~~
2502 ~~registration form; and]~~

2503 ~~[(v) except as otherwise provided in Section 20A-21-201 and with the assistance of the~~
2504 ~~county clerk as applicable, use the procedures described in Section 20A-1-1002 to verify~~
2505 ~~submitted nomination petition signatures, or use statistical sampling procedures to verify~~
2506 ~~submitted nomination petition signatures in accordance with rules made under Subsection~~
2507 ~~(3)(f).]~~

2508 ~~[(e) Notwithstanding any other provision in this Subsection (3), a candidate for~~
2509 ~~lieutenant governor may appear on the regular primary ballot of a registered political party~~
2510 ~~without submitting nomination petitions if the candidate files a declaration of candidacy and~~
2511 ~~complies with Subsection [20A-9-202\(3\)](#).]~~

2512 ~~[(f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the~~
2513 ~~director of elections, within the Office of the Lieutenant Governor, may make rules that:]~~

2514 ~~[(i) provide for the use of statistical sampling procedures that:]~~

2515 ~~[(A) filing officers are required to use to verify signatures under Subsection (3)(d);~~
2516 ~~and]~~

2517 ~~[(B) reflect a bona fide effort to determine the validity of a candidate's entire~~
2518 ~~submission, using widely recognized statistical sampling techniques; and]~~

2519 ~~[(ii) provide for the transparent, orderly, and timely submission, verification, and~~
2520 ~~certification of nomination petition signatures.]~~

2521 (2) Each registered political party that chooses to have the names of the registered
2522 political party's candidates for elective office featured with party affiliation on a regular
2523 primary election ballot or a regular general election ballot shall:

2524 (a) comply with the requirements of this section; and

2525 (b) (i) if the registered political party is a signature-convention party, permit a member
2526 of the registered political party to seek qualification for placement on the regular primary
2527 election ballot for any regular partisan office, as a candidate for the registered political party, by
2528 the member choosing to seek qualification by either or both of the following methods:

2529 (A) seeking qualification through the registered political party's convention process, in
2530 accordance with the provisions of Section [20A-9-406](#); or

2531 (B) seeking qualification by collecting signatures, in accordance with the provisions of
2532 Section [20A-9-408](#); or

2533 (ii) if the registered political party is a signature-only political party, permit a member
2534 of the registered political party to seek qualification for placement on the regular primary
2535 election ballot for any regular partisan office, as a candidate for the registered political party,
2536 only via the signature-gathering process described in Section [20A-9-408](#).

2537 (3) If a registered political party does not choose to permit a member of the registered
2538 political party to seek qualification for placement on the regular primary election ballot for any

2539 regular partisan office, as a candidate for the registered political party, in accordance with
 2540 Subsection (2)(b)(i) or (ii):

2541 (a) the registered political party is an alternate-path party;

2542 (b) the registered political party shall, before the deadline described in Subsection
 2543 20A-9-201.5(2)(b), for each regular partisan office for which the registered political party
 2544 desires to place a candidate on the regular primary election ballot, submit no more than two
 2545 candidates for inclusion on the ballot; and

2546 (c) except as provided in Subsection (4), the filing officer may not include, on the
 2547 regular primary election ballot or the regular general election ballot, any indication that denotes
 2548 affiliation between the registered political party and any of the registered political party's
 2549 candidates for a regular partisan office.

2550 (4) Subsection (3)(c) does not apply to an alternate-path party's candidates for president
 2551 and vice president of the United States.

2552 ~~[(g)]~~ (5) The county clerk shall:

2553 ~~[(i) review the declarations of candidacy filed by candidates for local boards of~~
 2554 ~~education to determine if more than two candidates have filed for the same seat;]~~

2555 ~~[(ii)]~~ (a) place the names of all candidates who have filed a declaration of candidacy for
 2556 a local board of education seat on the nonpartisan section of the ballot if more than two
 2557 candidates have filed for the same seat; and

2558 ~~[(iii)]~~ (b) determine the order of the local board of education candidates' names on the
 2559 ballot in accordance with Section 20A-6-305.

2560 ~~[(4)]~~ (6) (a) Before the deadline described in Subsection ~~[20A-9-409(4)(c)]~~
 2561 20A-9-409(2), the lieutenant governor shall provide to the county clerks[;]

2562 ~~[(i)]~~ a list of the names of all candidates for federal, constitutional, multi-county, single
 2563 county, and county offices ~~[who have received certifications under Subsection (3)]~~, along with
 2564 instructions on how those names shall appear on the primary election ballot in accordance with
 2565 Section 20A-6-305~~[; and]~~.

2566 ~~[(ii) a list of unopposed candidates for elective office who have been nominated by a~~
 2567 ~~registered political party under Subsection (5)(c) and instruct the county clerks to exclude the~~
 2568 ~~unopposed candidates from the primary election ballot.]~~

2569 (b) A candidate for lieutenant governor and a candidate for governor campaigning as

2570 joint-ticket running mates shall appear jointly on the primary election ballot.

2571 (c) After the county clerk receives the certified list from the lieutenant governor under
2572 Subsection ~~[(4)(a)]~~ (6)(a), the county clerk shall post or publish a primary election notice in
2573 substantially the following form:

2574 "Notice is given that a primary election will be held Tuesday, June ____,
2575 ____ (year), to ~~[nominate party candidates for the parties and candidates for nonpartisan~~
2576 ~~local school board positions listed on the primary ballot.]~~ determine the candidates who will
2577 advance to the general election. The polling place for voting precinct ____ is _____. The polls
2578 will open at 7 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk."

2579 ~~[(5) (a) A candidate who, at the regular primary election, receives the highest number~~
2580 ~~of votes cast for the office sought by the candidate is:]~~

2581 ~~[(i) nominated for that office by the candidate's registered political party; or]~~

2582 ~~[(ii) for a nonpartisan local school board position, nominated for that office.]~~

2583 ~~[(b) If two or more candidates are to be elected to the office at the regular general~~
2584 ~~election, those party candidates equal in number to positions to be filled who receive the~~
2585 ~~highest number of votes at the regular primary election are the nominees of the candidates'~~
2586 ~~party for those positions.]~~

2587 ~~[(c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:]~~

2588 ~~[(A) no individual other than the candidate receives a certification under Subsection (3)~~
2589 ~~for the regular primary election ballot of the candidate's registered political party for a~~
2590 ~~particular elective office; or]~~

2591 ~~[(B) for an office where more than one individual is to be elected or nominated, the~~
2592 ~~number of candidates who receive certification under Subsection (3) for the regular primary~~
2593 ~~election of the candidate's registered political party does not exceed the total number of~~
2594 ~~candidates to be elected or nominated for that office.]~~

2595 ~~[(ii) A candidate who is unopposed for an elective office in the regular primary election~~
2596 ~~of a registered political party is nominated by the party for that office without appearing on the~~
2597 ~~primary election ballot.]~~

2598 ~~[(6) (a) When a tie vote occurs in any primary election for any national, state, or other~~
2599 ~~office that represents more than one county, the governor, lieutenant governor, and attorney~~
2600 ~~general shall, at a public meeting called by the governor and in the presence of the candidates~~

2601 involved, select the nominee by lot cast in whatever manner the governor determines.]

2602 [~~(b) When a tie vote occurs in any primary election for any county office, the district~~
2603 ~~court judges of the district in which the county is located shall, at a public meeting called by~~
2604 ~~the judges and in the presence of the candidates involved, select the nominee by lot cast in~~
2605 ~~whatever manner the judges determine.~~]

2606 (7) The expense of providing all ballots, blanks, or other supplies to be used at any
2607 primary election provided for by this section, and all expenses necessarily incurred in the
2608 preparation for or the conduct of that primary election shall be paid out of the treasury of the
2609 county or state, in the same manner as for the regular general elections.

2610 (8) An individual may not file a declaration of candidacy for a registered political party
2611 of which the individual is not a member, except to the extent that the registered political party
2612 permits otherwise under the registered political party's bylaws.

2613 Section 31. Section **20A-9-405** is amended to read:

2614 **20A-9-405. Petition to qualify for placement on a regular primary election ballot**
2615 **for a signature-convention party or a signature-only party.**

2616 (1) This section applies to the form and circulation of nomination petitions [~~for regular~~
2617 ~~primary elections described in Subsection 20A-9-403(3)(a)] to qualify for placement on a
2618 regular primary election ballot under the signature-gathering process described in Section
2619 20A-9-408.~~

2620 (2) A candidate for elective office, and the agents of the candidate, may not circulate
2621 [~~nomination petitions~~] a petition described in Subsection (1) until the candidate has submitted a
2622 declaration of candidacy in accordance with Subsection 20A-9-202(1).

2623 (3) For the manual candidate qualification process, the [~~nomination~~] petitions
2624 described in Subsection (1) shall be in substantially the following form:

2625 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

2626 (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the
2627 space above that line blank for purposes of binding;

2628 (c) the petition shall be headed by a caption stating the purpose of the petition and the
2629 name of the proposed candidate;

2630 (d) the petition shall feature the word "Warning" followed by the following statement
2631 in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to

2632 knowingly sign [~~a nomination~~] this petition with any name other than the person's own name,
2633 or more than once for the same candidate, or if the person is not registered to vote in this
2634 state.";

2635 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively
2636 numbered one through 10;

2637 (f) the signature portion of the petition shall be divided into columns headed by the
2638 following titles:

- 2639 (i) Registered Voter's Printed Name;
- 2640 (ii) Signature of Registered Voter;
- 2641 (iii) Party Affiliation of Registered Voter;
- 2642 (iv) Birth Date or Age (Optional);
- 2643 (v) Street Address, City, Zip Code; and
- 2644 (vi) Date of Signature; and
- 2645 (g) a photograph of the candidate may appear on the [~~nomination~~] petition.

2646 (4) For the electronic candidate qualification process, the lieutenant governor shall
2647 design an electronic [~~form~~] petition, using progressive screens, that includes:

2648 (a) the following warning:

2649 "Warning: It is a class A misdemeanor for anyone to knowingly sign [~~a nomination~~]
2650 this petition with any name other than the person's own name, or more than once for the same
2651 candidate, or if the person is not registered to vote in this state."; and

2652 (b) the following information for each individual who signs the petition:

- 2653 (i) name;
- 2654 (ii) party affiliation;
- 2655 (iii) date of birth or age, (optional);
- 2656 (iv) street address, city, zip code;
- 2657 (v) date of signature;
- 2658 (vi) other information required under Section 20A-21-201; and
- 2659 (vii) other information required by the lieutenant governor.

2660 (5) For the manual candidate qualification process, if one or more [~~nomination~~]
2661 petitions are bound together, a page shall be bound to the [~~nomination~~] petition(s) that features
2662 the following printed verification statement to be signed and dated by the petition circulator:

2663 "Verification
2664 State of Utah, County of ____
2665 I, ____, of ____, hereby state that:
2666 I am a Utah resident and am at least 18 years old;
2667 All the names that appear on the signature sheets bound to this page were, to the best of
2668 my knowledge, signed by the persons who professed to be the persons whose names appear on
2669 the signature sheets, and each of them signed the person's name on the signature sheets in my
2670 presence;
2671 I believe that each has printed and signed the person's name and written the person's
2672 street address correctly, and that each signer is registered to vote in Utah."
2673 (6) The lieutenant governor shall prepare and make public model [~~nomination petition~~]
2674 forms and associated instructions for a petition described in this section.
2675 (7) A [~~nomination~~] petition circulator must be at least 18 years old and a resident of the
2676 state, but may affiliate with any political party.
2677 (8) It is unlawful for any person to:
2678 (a) knowingly sign [~~the nomination~~] a petition described in this section or Section
2679 20A-9-408:
2680 (i) with any name other than the person's own name;
2681 (ii) more than once for the same candidate; or
2682 (iii) if the person is not registered to vote in this state;
2683 (b) sign the verification of a signature for a [~~nomination~~] petition described in this
2684 section if the person:
2685 (i) does not meet the residency requirements of Section 20A-2-105;
2686 (ii) has not witnessed the signing by those persons whose names appear on the
2687 [~~nomination~~] petition; or
2688 (iii) knows that a person whose signature appears on the [~~nomination~~] petition is not
2689 registered to vote in this state;
2690 (c) pay compensation to any person to sign a [~~nomination~~] petition; or
2691 (d) pay compensation to any person to circulate a [~~nomination~~] petition, if the
2692 compensation is based directly on the number of signatures submitted to a filing officer rather
2693 than on the number of signatures verified or on some other basis.

2694 (9) Any person violating Subsection (8) is guilty of a class A misdemeanor.

2695 (10) Withdrawal of petition signatures is prohibited.

2696 Section 32. Section [20A-9-406](#) is repealed and reenacted to read:

2697 **20A-9-406. Signature-convention party -- Requirements.**

2698 (1) A registered political party shall comply with the requirements of this section to be
2699 a signature-convention party.

2700 (2) A signature-convention party that is a continuing political party shall:

2701 (a) permit a member of the party to seek qualification for placement on the primary
2702 election ballot as a candidate for the party by the member choosing to qualify for the ballot by
2703 either or both of the following methods:

2704 (i) through the party's convention process, in accordance with the provisions of this
2705 section; or

2706 (ii) by collecting signatures, in accordance with the provisions of Section [20A-9-408](#);

2707 (b) (i) permit a delegate for the party to vote for a candidate in the party's convention
2708 remotely; or

2709 (ii) provide a procedure for designating an alternate delegate if a delegate is not present
2710 at the party's convention; and

2711 (c) certify to the lieutenant governor, no later than 5 p.m. on the first Monday of
2712 October of an odd-numbered year:

2713 (i) that, from the date of the certification until the first Monday of October of the
2714 following odd-numbered year, the party is a signature-convention party and will comply with
2715 all requirements for a signature-convention party;

2716 (ii) the identity of one or more registered political parties whose members may sign a
2717 petition to qualify an individual for placement on the primary election ballot as a candidate for
2718 the signature-convention party;

2719 (iii) whether unaffiliated voters may sign a petition to qualify an individual for
2720 placement on the primary election ballot as a candidate for the signature-convention party; and

2721 (iv) for a presidential primary;

2722 (A) the identity of one or more registered political parties whose members may vote for
2723 the signature-convention party's candidates; and

2724 (B) whether unaffiliated voters may vote for the signature-convention party's

2725 candidates.

2726 (3) A signature-convention party that is not a continuing political party shall:

2727 (a) comply with Subsections (2)(a) and (b); and

2728 (b) certify to the lieutenant governor, at the time the party files the petition described in

2729 Section [20A-8-103](#):

2730 (i) that, from the date of the certification until the first Monday of October of the
 2731 following odd-numbered year, the party is a signature-convention party and will comply with
 2732 all requirements for a signature-convention party;

2733 (ii) the identity of one or more registered political parties whose members may sign a
 2734 petition to qualify an individual for placement on the primary election ballot as a candidate for
 2735 the signature-convention party;

2736 (iii) whether unaffiliated voters may sign a petition to qualify an individual for
 2737 placement on the primary election ballot as a candidate for the signature-convention party; and

2738 (iv) for a presidential primary:

2739 (A) the identity of one or more registered political parties whose members may vote for
 2740 the signature-convention party's candidates; and

2741 (B) whether unaffiliated voters may vote for the signature-convention party's
 2742 candidates.

2743 (4) A signature-convention party may not:

2744 (a) hold the political party's convention before the fourth Saturday in March; or

2745 (b) attempt to place a candidate for the party on the primary election ballot by any
 2746 method other than the methods described in Subsection (2)(a).

2747 (5) A signature-convention party that, at the party's convention, selects one or two
 2748 candidates for a regular partisan office for placement on the primary election ballot shall certify
 2749 the names of the candidates to the lieutenant governor before 5 p.m. on the first Wednesday
 2750 after the fourth Saturday in April.

2751 Section 33. Section **20A-9-406.1** is enacted to read:

2752 **20A-9-406.1. Signature-only political party.**

2753 (1) A registered political party shall comply with the requirements of this section to be
 2754 a signature-only party.

2755 (2) A signature-only party that is a continuing political party shall:

2756 (a) permit a member of the party to seek qualification for placement on the primary
2757 election ballot as a candidate for the party by collecting signatures, in accordance with the
2758 provisions of Section 20A-9-408; and

2759 (b) certify to the lieutenant governor, no later than 5 p.m. on the first Monday of
2760 October of an odd-numbered year:

2761 (i) that, from the date of the certification until the first Monday of October of the
2762 following odd-numbered year, the party is a signature-only party and will comply with all
2763 requirements for a signature-only party;

2764 (ii) the identity of one or more registered political parties whose members may sign a
2765 petition to qualify an individual for placement on the primary election ballot as a candidate for
2766 the signature-only party;

2767 (iii) whether unaffiliated voters may sign a petition to qualify an individual for
2768 placement on the primary election ballot as a candidate for the signature-only party; and

2769 (iv) for a presidential primary:

2770 (A) the identity of one or more registered political parties whose members may vote for
2771 the signature-only party's candidates; and

2772 (B) whether unaffiliated voters may vote for the signature-convention party's
2773 candidates.

2774 (3) A signature-only party that is not a continuing political party shall:

2775 (a) comply with Subsection (2)(a); and

2776 (b) certify to the lieutenant governor, at the time the party files the petition described in
2777 Section 20A-8-103:

2778 (i) that, from the date of the certification until the first Monday of October of the
2779 following odd-numbered year, the party is a signature-only party and will comply with all
2780 requirements for a signature-only party;

2781 (ii) the identity of one or more registered political parties whose members may sign a
2782 petition to qualify an individual for placement on the primary election ballot as a candidate for
2783 the signature-only party;

2784 (iii) whether unaffiliated voters may sign a petition to qualify an individual for
2785 placement on the primary election ballot as a candidate for the signature-only party; and

2786 (iv) for a presidential primary:

2787 (A) the identity of one or more registered political parties whose members may vote for
2788 the signature-only party's candidates; and

2789 (B) whether unaffiliated voters may vote for the signature-only party's candidates.

2790 (4) A signature-only party may not attempt to place a candidate for the party on the
2791 primary election ballot by any method other than the method described in Subsection (2)(a).

2792 Section 34. Section **20A-9-406.2** is enacted to read:

2793 **20A-9-406.2. Alternate-path party.**

2794 (1) A registered political party is an alternate-path party if the party does not either:

2795 (a) comply with Section [20A-9-406](#) to become a signature-convention party; or

2796 (b) comply with Section [20A-9-406.1](#) to become a signature-only party.

2797 (2) An alternate-path party:

2798 (a) may select the party's candidates for placement on the regular primary election
2799 ballot by any method provided by the party;

2800 (b) may not utilize any government processes or resources to select the party's
2801 candidates; and

2802 (c) shall, on or before 5 p.m. on the first Monday after the fourth Saturday in April,
2803 submit to the election officer the names of no more than two candidates for each regular
2804 partisan office.

2805 (3) The candidates for an alternate-path political party shall:

2806 (a) appear on the regular primary election ballot without any indication of party
2807 affiliation, nomination, or endorsement; and

2808 (b) if the candidates proceed to the regular general election, appear on the regular
2809 general election ballot without any indication of party affiliation, nomination, or endorsement.

2810 Section 35. Section **20A-9-408** is amended to read:

2811 **20A-9-408. Signature-gathering process to qualify for placement on the regular**
2812 **primary election ballot as a candidate for a signature-convention party or a**
2813 **signature-only party -- Removal of signature.**

2814 (1) This section describes the requirements for a member of a ~~[qualified political party]~~
2815 ~~signature-convention party or a signature-only party~~ who is seeking ~~[the nomination of the~~
2816 ~~qualified political party for an elective office]~~ to qualify for placement on the regular primary
2817 election ballot, as a candidate for the party, through the signature-gathering process described

2818 in this section.

2819 ~~[(2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of~~
2820 ~~candidacy for a member of a qualified political party who is nominated by, or who is seeking~~
2821 ~~the nomination of, the qualified political party under this section shall be substantially as~~
2822 ~~described in Section 20A-9-408.5.]~~

2823 ~~[(3)] (2) [Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in~~
2824 ~~Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is~~
2825 ~~seeking the nomination of the qualified political party for an elective office that is to be filled at~~
2826 ~~the next general election] An individual who is seeking placement on the regular primary
2827 election ballot as a candidate for a signature-convention party or a signature-only party via the
2828 signature-gathering process shall~~[(a)]~~₂ during the declaration of candidacy filing period
2829 described in Section 20A-9-201.5, and before gathering signatures under this section, file with
2830 the filing officer on a form approved by the lieutenant governor a notice of intent to gather
2831 signatures for candidacy that includes:~~

2832 [(i)] (a) the name of the [member] individual who will attempt to become a candidate
2833 for a registered political party under this section;

2834 [(ii)] (b) the name of the registered political party for which the [member] individual is
2835 seeking [nomination] to become a candidate;

2836 [(iii)] (c) the office for which the [member] individual is seeking to become a
2837 candidate;

2838 [(iv)] (d) the address and telephone number of the [member] individual; and

2839 [(v)] (e) other information required by the lieutenant governor[;].

2840 ~~[(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,~~
2841 ~~in person, with the filing officer during the declaration of candidacy filing period described in~~
2842 ~~Section 20A-9-201.5; and]~~

2843 ~~[(c) pay the filing fee.]~~

2844 ~~[(4)] (3) [Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified~~
2845 ~~political party who, under this section, is seeking the nomination of the qualified political~~
2846 ~~party] An individual who is seeking placement on the regular primary election ballot as a
2847 candidate for a signature-convention party or a signature-only party, via the signature-gathering
2848 process, for the office of district attorney within a multicounty prosecution district that is to be~~

2849 filled at the next general election shall~~[(a)]~~, during the declaration of candidacy filing period
2850 described in Section 20A-9-201.5, and before gathering signatures under this section, file with
2851 the filing officer on a form approved by the lieutenant governor a notice of intent to gather
2852 signatures for candidacy that includes:

2853 [(i)] (a) the name of the ~~[member]~~ individual who will attempt to become a candidate
2854 for a registered political party under this section;

2855 [(ii)] (b) the name of the registered political party for which the ~~[member]~~ individual is
2856 seeking ~~[nomination]~~ to become a candidate;

2857 [(iii)] (c) the office for which the ~~[member]~~ individual is seeking to become a
2858 candidate;

2859 [(iv)] (d) the address and telephone number of the ~~[member]~~ individual; and

2860 [(v)] (e) other information required by the lieutenant governor~~[:]~~.

2861 ~~[(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,~~
2862 ~~in person, with the filing officer during the declaration of candidacy filing period described in~~
2863 ~~Section 20A-9-201.5; and]~~

2864 ~~[(c) pay the filing fee.]~~

2865 [(5)] (4) ~~[Notwithstanding Subsection 20A-9-202(3)(a)(iii), a]~~ A lieutenant governor
2866 candidate who files as the joint-ticket running mate of an individual who [is nominated by a
2867 qualified political party, under this section, for the office of governor] qualifies for placement
2868 on the regular primary election ballot as a candidate, for the office of governor, for a
2869 signature-convention party or a signature-only party under this section shall, during the
2870 declaration of candidacy filing period described in Section 20A-9-201.5, file a declaration of
2871 candidacy and submit a letter from the candidate for governor that names the lieutenant
2872 governor candidate as a joint-ticket running mate.

2873 ~~[(6) The lieutenant governor shall ensure that the certification described in Subsection~~
2874 ~~20A-9-701(1) also includes the name of each candidate nominated by a qualified political party~~
2875 ~~under this section.]~~

2876 ~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate~~
2877 ~~who is nominated by a qualified political party under this section, designate the qualified~~
2878 ~~political party that nominated the candidate.]~~

2879 [(8)] (5) ~~[A member of a qualified political party may seek the nomination of the~~

2880 ~~qualified political]~~ An individual may seek placement on the regular primary election ballot as
2881 a candidate for a signature-convention party or a signature-only party for an elective office by:

2882 (a) complying with the requirements described in this section; and

2883 (b) collecting the number of signatures described in Subsection (6), on a ~~[form]~~
2884 petition approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
2885 during the period ~~[beginning]~~ that:

2886 (i) as it relates to a signature-convention party, begins on the day on which the
2887 ~~[member]~~ individual files a notice of intent to gather signatures and [ending] ends at 5 p.m. 14
2888 days before the day on which the [qualified political] signature-convention party's convention
2889 for the office is held~~[, in the following amounts:]; or~~

2890 (ii) as it relates to a signature-only party, begins on the day on which the individual
2891 files a notice of intent to gather signatures and ends at 5 p.m. on the first Monday after the
2892 second Saturday in April.

2893 (6) The number of signatures that an individual is required to gather under this section
2894 is:

2895 [(i)] (a) for a statewide race, 28,000 signatures of registered voters in the state who are
2896 permitted by the ~~[qualified]~~ political party to ~~[vote for the qualified political party's candidates~~
2897 ~~in a primary election]~~ sign a petition to qualify an individual for placement on the primary
2898 election ballot as a candidate for the political party;

2899 [(ii)] (b) for a ~~[congressional district]~~ race for United States representative, 7,000
2900 signatures of registered voters who are residents of the applicable congressional district and are
2901 permitted by the ~~[qualified]~~ political party to ~~[vote for the qualified political party's candidates~~
2902 ~~in a primary election]~~ sign a petition to qualify an individual for placement on the primary
2903 election ballot as a candidate for the political party;

2904 [(iii)] (c) for a state Senate district race, 2,000 signatures of registered voters who are
2905 residents of the state Senate district and are permitted by the ~~[qualified]~~ political party to ~~[vote~~
2906 ~~for the qualified political party's candidates in a primary election]~~ sign a petition to qualify an
2907 individual for placement on the primary election ballot as a candidate for the political party;

2908 [(iv)] (d) for a state House district race, 1,000 signatures of registered voters who are
2909 residents of the state House district and are permitted by the ~~[qualified]~~ political party to ~~[vote~~
2910 ~~for the qualified political party's candidates in a primary election]~~ sign a petition to qualify an

2911 individual for placement on the primary election ballot as a candidate for the political party;

2912 ~~[(v)]~~ (e) for a State Board of Education race, the lesser of:

2913 ~~[(A)]~~ (i) 2,000 signatures of registered voters who are residents of the State Board of
2914 Education district and are permitted by the ~~[qualified]~~ political party to ~~[vote for the qualified~~
2915 ~~political party's candidates in a primary election]~~ sign a petition to qualify an individual for
2916 placement on the primary election ballot as a candidate for the political party; or

2917 ~~[(B)]~~ (ii) 3% of the registered voters of the ~~[qualified]~~ political party who are residents
2918 of the applicable State Board of Education district; and

2919 ~~[(vi)]~~ (f) for a county office race, signatures of 3% of the registered voters who are
2920 residents of the area permitted to vote for the county office and are permitted by the ~~[qualified]~~
2921 political party to ~~[vote for the qualified political party's candidates in a primary election]~~ sign a
2922 petition to qualify an individual for placement on the primary election ballot as a candidate for
2923 the political party.

2924 ~~[(9)]~~ (7) (a) This Subsection ~~[(9)]~~ (7) applies only to the manual candidate qualification
2925 process.

2926 (b) In order for ~~[a member of the qualified political party to qualify as a candidate for~~
2927 ~~the qualified political party's nomination]~~ an individual to qualify for placement on the regular
2928 primary election ballot as a candidate for a signature-convention party or a signature-only party
2929 for an elective office under this section, using the manual candidate qualification process, the
2930 ~~[member]~~ individual shall:

2931 (i) collect the signatures on a form approved by the lieutenant governor, using the same
2932 circulation and verification requirements described in Sections 20A-7-105 and 20A-7-204; and

2933 (ii) submit the signatures to the election officer before 5 p.m. no later than:

2934 (A) for a signature-convention party, 14 days before the day on which the ~~[qualified~~
2935 political] signature-convention party holds the party's convention to select candidates, for the
2936 elective office, ~~[for the qualified political party's nomination:]~~ under Section 20A-9-406; or

2937 (B) for a signature-only party, the first Monday after the second Saturday in April.

2938 (c) ~~[Upon]~~ After timely receipt of the signatures described in Subsections ~~[(8) and~~
2939 ~~(9)(b)]~~ (5), (6), (7)(b), (8)(b), or (8)(c), the election officer shall comply with Subsection (7)(d),
2940 no later than:

2941 (i) for a signature-convention party, the earlier of 14 days after the day on which the

2942 election officer receives the signatures, or one day before the day on which the [qualified
 2943 ~~political~~] signature-convention party holds [the] a convention to select [a ~~nominee~~] an
 2944 individual as a party candidate for the elective office to which the signature packets relate[:]; or

2945 (ii) for a signature-only party, 14 days after the day on which the election officer
 2946 receives the signatures.

2947 (d) The election officer shall:

2948 (i) check the name of each individual who completes the verification for a signature
 2949 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

2950 (ii) submit the name of each individual described in Subsection [~~(9)(c)(i)~~] (7)(d)(i) who
 2951 is not a Utah resident or who is not at least 18 years old to the attorney general and the county
 2952 attorney;

2953 (iii) with the assistance of the county clerk as applicable, determine whether each
 2954 signer is a registered voter who is qualified to sign the petition, using the same method,
 2955 described in Section [20A-1-1002](#), used to verify a signature on a petition; and

2956 (iv) certify whether each name is that of a registered voter who is qualified to sign the
 2957 signature packet.

2958 [~~(d)~~] (e) (i) A registered voter who [~~physically~~] signs a form under Subsections [~~(8) and~~
 2959 ~~(9)(b)~~] (5), (6), (7)(b), (8)(b), or (8)(c) may have the voter's signature removed from the form
 2960 by, no later than three business days after the day on which the member submits the signature
 2961 form to the election officer, submitting to the election officer a statement requesting that the
 2962 voter's signature be removed.

2963 (ii) A statement described in Subsection [~~(9)(d)(i)~~] (7)(e)(i) shall comply with the
 2964 requirements described in Subsection [20A-1-1003\(2\)](#).

2965 (iii) With the assistance of the county clerk as applicable, the election officer shall use
 2966 the procedures described in Subsection [20A-1-1003\(3\)](#) to determine whether to remove an
 2967 individual's signature after receiving a timely, valid statement requesting removal of the
 2968 signature.

2969 [~~(10)~~] (8) (a) This Subsection [~~(10)~~] (8) applies only to the electronic candidate
 2970 qualification process.

2971 (b) In order for [~~a member of the qualified political party to qualify as a candidate for~~
 2972 ~~the qualified political party's nomination for an elective office~~] an individual to seek

2973 qualification for placement on the regular primary election ballot, for a regular partisan office,
 2974 as a candidate for a signature-convention party under this section, the [member] individual
 2975 shall, before 5 p.m. no later than 14 days before the day on which the [qualified political]
 2976 signature-convention party holds the party's convention to select candidates, for the elective
 2977 office, [for the qualified political party's nomination,] collect signatures electronically:

2978 (i) in accordance with Section [20A-21-201](#); and

2979 (ii) using progressive screens, in a format approved by the lieutenant governor, that
 2980 complies with Subsection [20A-9-405\(4\)](#).

2981 (c) In order for an individual to seek qualification for placement on the regular primary
 2982 election ballot, for a regular partisan office, as a candidate for a signature-only party under this
 2983 section, the individual shall, before 5 p.m. on the deadline described in Subsection
 2984 (7)(b)(ii)(B), collect signatures electronically:

2985 (i) in accordance with Section [20A-21-201](#); and

2986 (ii) using progressive screens, in a format approved by the lieutenant governor, that
 2987 complies with Subsection [20A-9-405\(4\)](#).

2988 ~~[(e)]~~ (d) Upon timely receipt of the signatures described in Subsections ~~[(8) and (9)(b)]~~
 2989 ~~(5), (6), (7)(b), (8)(b), or (8)(c)~~, the election officer shall comply with Subsection (7)(d):

2990 (i) for a signature-convention party, no later than the earlier of 14 days after the day on
 2991 which the election officer receives the signatures, or one day before the day on which the
 2992 [qualified political] signature-convention party holds the convention to select a [nominee]
 2993 candidate for the elective office to which the signature packets relate[:]; or

2994 (ii) for a signature-only party, no later than 14 days after the day on which the election
 2995 officer receives the signatures.

2996 (e) The election officer shall:

2997 (i) check the name of each individual who completes the verification for a signature to
 2998 determine whether each individual is a resident of Utah and is at least 18 years old; and

2999 (ii) submit the name of each individual described in Subsection ~~[(10)(e)(i)]~~ (8)(e)(i)
 3000 who is not a Utah resident or who is not at least 18 years old to the attorney general and the
 3001 county attorney.

3002 ~~[(11)]~~ (9) (a) An individual may not gather signatures under this section until after the
 3003 individual files a notice of intent to gather signatures for candidacy described in this section.

3004 (b) An individual who files a notice of intent to gather signatures for candidacy,
3005 described in Subsection ~~[(3)(a) or (4)(a)]~~ (2) or (3), is, beginning on the day on which the
3006 individual files the notice of intent to gather signatures for candidacy:

3007 (i) required to comply with the reporting requirements that a candidate for office is
3008 required to comply with; and

3009 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
3010 apply to a candidate for office in relation to the reporting requirements described in Subsection
3011 ~~[(11)(b)(i)]~~ (9)(b)(i).

3012 (c) Upon timely receipt of the signatures described in Subsections ~~[(8) and (9)(b), or~~
3013 ~~Subsections (8) and (10)(b)]~~ (5), (6), (7)(b), (8)(b), or (9)(b), the election officer shall, no later
3014 than one day before the day on which ~~[the qualified political]~~ a signature-convention party
3015 holds the convention to select a ~~[nominee]~~ candidate for the elective office to which the
3016 signature packets relate, notify the ~~[qualified political]~~ signature-convention party and the
3017 lieutenant governor of the name of each ~~[member of the qualified political party who qualifies~~
3018 ~~as a nominee of the qualified political]~~ individual who qualifies for placement on the primary
3019 election ballot as a candidate for the signature-convention party, under this section, for the
3020 elective office to which the convention relates.

3021 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in
3022 this section, the lieutenant governor shall post the notice of intent to gather signatures for
3023 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
3024 posts a declaration of candidacy.

3025 Section 36. Section **20A-9-409** is amended to read:

3026 **20A-9-409. Primary election-- List of candidates provided to registered political**
3027 **party.**

3028 (1) The regular primary election is held on the date specified in Section **20A-1-201.5**.

3029 ~~[(2) (a) A qualified political party that nominates one or more candidates for an~~
3030 ~~elective office under Section **20A-9-407** and does not have a candidate qualify as a candidate~~
3031 ~~for that office under Section **20A-9-408**, may, but is not required to, participate in the primary~~
3032 ~~election for that office.]~~

3033 ~~[(b) A qualified political party that has only one candidate qualify as a candidate for an~~
3034 ~~elective office under Section **20A-9-408** and does not nominate a candidate for that office~~

3035 under Section ~~20A-9-407~~, may, but is not required to, participate in the primary election for
3036 that office.]

3037 ~~[(c) A qualified political party that nominates one or more candidates for an elective
3038 office under Section 20A-9-407 and has one or more candidates qualify as a candidate for that
3039 office under Section 20A-9-408 shall participate in the primary election for that office.]~~

3040 ~~[(d) A qualified political party that has two or more candidates qualify as candidates
3041 for an elective office under Section 20A-9-408 and does not nominate a candidate for that
3042 office under Section 20A-9-407 shall participate in the primary election for that office.]~~

3043 ~~[(3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section
3044 17-52a-201 or 17-52a-202, a qualified political party shall participate in the primary election
3045 for a county commission office if:]~~

3046 ~~[(a) there is more than one:]~~

3047 ~~[(i) open position as defined in Section 17-52a-201; or]~~

3048 ~~[(ii) midterm vacancy as defined in Section 17-52a-201; and]~~

3049 ~~[(b) the number of candidates nominated under Section 20A-9-407 or qualified under
3050 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number
3051 of respective open positions or midterm vacancies.]~~

3052 ~~[(4) (a) As used in this Subsection (4), a candidate is "unopposed" if:]~~

3053 ~~[(i) no individual other than the candidate receives a certification, from the appropriate
3054 filing officer, for the regular primary election ballot of the candidate's registered political party
3055 for a particular elective office; or]~~

3056 ~~[(ii) for an office where more than one individual is to be elected or nominated, the
3057 number of candidates who receive certification, from the appropriate filing officer, for the
3058 regular primary election of the candidate's registered political party does not exceed the total
3059 number of candidates to be elected or nominated for that office.]~~

3060 ~~[(b) Before the deadline described in Subsection (4)(c), the lieutenant governor shall:]~~

3061 ~~[(i) provide to the county clerks:]~~

3062 ~~[(A) a list of the names of all candidates for federal, constitutional, multi-county, single
3063 county, and county offices who have received certifications from the appropriate filing officer,
3064 along with instructions on how those names shall appear on the primary election ballot in
3065 accordance with Section 20A-6-305; and]~~

3066 ~~[(B) a list of unopposed candidates for elective office who have been nominated by a~~
3067 ~~registered political party; and]~~

3068 ~~[(ii) instruct the county clerks to exclude unopposed candidates from the primary~~
3069 ~~election ballot.]~~

3070 ~~[(c)]~~ (2) ~~[The deadline described in Subsection (4)(b) is]~~ Before 5 p.m. on the first
3071 Wednesday after the fourth Saturday in April[-], the lieutenant governor shall provide to the
3072 county clerks a list of the names of all candidates for federal, constitutional, multi-county,
3073 single county, county, and school district offices who have received certifications from the
3074 appropriate filing officer, along with instructions on how those names shall appear on the
3075 regular primary election ballot in accordance with Section [20A-6-305](#).

3076 Section 37. Section **20A-9-601** is amended to read:

3077 **20A-9-601. Qualifying as a write-in candidate.**

3078 ~~[(1) (a) Except as provided in Subsection (1)(b), an individual who wishes to become a~~
3079 ~~valid write-in candidate shall file a declaration of candidacy in person, or through a designated~~
3080 ~~agent for a candidate for president or vice president of the United States, with the appropriate~~
3081 ~~filing officer before 5 p.m. no later than 65 days before the regular general election or a~~
3082 ~~municipal general election in which the individual intends to be a write-in candidate.]~~

3083 (1) (a) An individual who desires to become a valid write-in candidate for an office,
3084 other than the office of president or vice president of the United States, to be filled at a regular
3085 general election:

3086 (i) shall file a declaration of candidacy before 5 p.m. on the first Monday after the
3087 fourth Saturday in April;

3088 (ii) shall participate in the regular primary election; and

3089 (iii) may advance to the regular general election only if the individual qualifies for
3090 advancement under Section [20A-1-303](#).

3091 (b) An individual who desires to become a valid write-in candidate for an office to be
3092 filled at a municipal general election shall file a declaration of candidacy with the appropriate
3093 filing officer before 5 p.m. no later than 65 days before the municipal general election.

3094 (c) An individual who desires to become a valid write-in candidate for president or
3095 vice president of the United States shall file a declaration of candidacy with the appropriate
3096 filing officer before 5 p.m. no later than 65 days before the regular general election.

3097 [~~(b)~~] (d) (i) The provisions of this Subsection [~~(1)~~]~~(b)~~ (1)(d) do not apply to an
3098 individual who files a declaration of candidacy for president of the United States.

3099 (ii) Subject to Subsection (2)(d), an individual may designate an agent to file a
3100 declaration of candidacy with the appropriate filing officer if:

- 3101 (A) the individual is located outside of the state during the entire filing period;
- 3102 (B) the designated agent appears in person before the filing officer; and
- 3103 (C) the individual communicates with the filing officer using an electronic device that
3104 allows the individual and filing officer to see and hear each other.

3105 (2) (a) The form of the declaration of candidacy for a write-in candidate for all offices,
3106 except president or vice president of the United States, is substantially as follows:

3107 "State of Utah, County of ____
3108 I, _____, declare my intention of becoming a candidate for the office of
3109 ____ for the ____ district (if applicable). I do solemnly swear that: I will meet the
3110 qualifications to hold the office, both legally and constitutionally, if selected; I reside at
3111 _____ in the City or Town of ____, Utah, Zip Code ____, Phone No. ____; I will
3112 not knowingly violate any law governing campaigns and elections; if filing via a designated
3113 agent, I will be out of the state of Utah during the entire candidate filing period; I will file all
3114 campaign financial disclosure reports as required by law; and I understand that failure to do so
3115 will result in my disqualification as a candidate for this office and rejection of any votes cast
3116 for me. The mailing address that I designate for receiving official election notices is
3117 _____.

3118 _____
3119 Subscribed and sworn before me this _____(month\day\year).
3120 Notary Public (or other officer qualified to administer oath)."

3121 (b) The form of the declaration of candidacy for a write-in candidate for president of
3122 the United States is substantially as follows:

3123 "State of Utah, County of ____
3124 I, _____, declare my intention of becoming a candidate for the office of the
3125 president of the United States. I do solemnly swear that: I will meet the qualifications to hold
3126 the office, both legally and constitutionally, if selected; I reside at _____ in the City
3127 or Town of ____, State ____, Zip Code ____, Phone No. ____; I will not knowingly violate

3128 any law governing campaigns and elections. The mailing address that I designate for receiving
3129 official election notices is _____. I designate _____ as
3130 my vice presidential candidate.

3131 _____

3132 Subscribed and sworn before me this _____ (month\day\year).

3133 Notary Public (or other officer qualified to administer oath.)"

3134 (c) A declaration of candidacy for a write-in candidate for vice president of the United
3135 States shall be in substantially the same form as a declaration of candidacy described in
3136 Subsection 20A-9-202(7).

3137 (d) An agent [~~described in Subsection (1)(a) or (b)~~] may not sign the form described in
3138 Subsection (2)(a) or (b) on behalf of a candidate described in Subsection (2)(a) or (b).

3139 (3) (a) The filing officer shall:

3140 (i) read to the candidate the constitutional and statutory requirements for the office;

3141 (ii) ask the candidate whether the candidate meets the requirements; and

3142 (iii) if the declaration of candidacy is for a legislative office, inform the individual that
3143 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit
3144 or trust, under authority of the United States or Utah, from being a member of the Legislature.

3145 (b) If the candidate cannot meet the requirements of office, the filing officer may not
3146 accept the write-in candidate's declaration of candidacy.

3147 (4) (a) Except as provided in Subsection (4)(b), a write-in candidate is subject to
3148 Subsection 20A-9-201(8).

3149 (b) A write-in candidate for president of the United States is subject to Subsection
3150 20A-9-201(8)(d) or 20A-9-803(1)(d), as applicable.

3151 (5) [~~By~~] On or before November 1 of each regular general election year, the lieutenant
3152 governor shall certify to each county clerk the names of all write-in candidates who filed their
3153 declaration of candidacy with the lieutenant governor.

3154 Section 38. Section 20A-9-701 is amended to read:

3155 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

3156 (1) No later than August 31 of each regular general election year, the lieutenant
3157 governor shall certify to each county clerk, for offices to be voted upon at the regular general
3158 election in that county clerk's county:

3159 ~~[(a) the names of each candidate nominated under Subsection 20A-9-202(4) or~~
3160 ~~Subsection 20A-9-403(5); and]~~

3161 (a) the names of each candidate listed on the primary election ballot who will proceed
3162 to the regular general election; and

3163 (b) the names of the candidates for president and vice president that are certified by the
3164 registered political party as the party's nominees.

3165 (2) The names shall be certified by the lieutenant governor and shall be displayed on
3166 the ballot as they are provided on the candidate's declaration of candidacy.

3167 (3) (a) [No other names] Except as provided in Subsection (3)(b), no names, other than
3168 the names of candidates for a signature-convention party or a signature-only party, may appear
3169 on the ballot as affiliated with, endorsed by, or nominated by any other registered political
3170 party, political party, or other political group.

3171 (b) The prohibition described in Subsection (3)(a) does not apply to candidates for
3172 president or vice president of the United States.

3173 Section 39. Section 20A-11-204 is amended to read:

3174 **20A-11-204. State office candidate and state officeholder -- Financial reporting**
3175 **requirements -- Interim reports.**

3176 (1) As used in this section:

3177 (a) "Campaign account" means a separate campaign account required under Subsection
3178 20A-11-201(1)(a) or (c).

3179 (b) "Received" means:

3180 (i) for a cash contribution, that the cash is given to a state office candidate or a member
3181 of the state office candidate's personal campaign committee;

3182 (ii) for a contribution that is a negotiable instrument or check, that the negotiable
3183 instrument or check is negotiated;

3184 (iii) for a direct deposit made into a campaign account by a person not associated with
3185 the campaign, the earlier of:

3186 (A) the day on which the state office candidate or a member of the state office
3187 candidate's personal campaign committee becomes aware of the deposit and the source of the
3188 deposit;

3189 (B) the day on which the state office candidate or a member of the state office

3190 candidate's personal campaign committee receives notice of the deposit and the source of the
3191 deposit by mail, email, text, or similar means; or

3192 (C) 31 days after the day on which the direct deposit occurs; or

3193 (iv) for any other type of contribution, that any portion of the contribution's benefit
3194 inures to the state office candidate.

3195 (2) Except as provided in Subsection (3), each state office candidate shall file an
3196 interim report at the following times in any year in which the candidate has filed a declaration
3197 of candidacy for a public office:

3198 (a) (i) seven days before the candidate's political convention; or

3199 (ii) for an unaffiliated candidate, the fourth Saturday in March;

3200 (b) seven days before the regular primary election date;

3201 (c) September 30; and

3202 (d) seven days before the regular general election date.

3203 (3) If a state office candidate is a state office candidate seeking appointment for a
3204 midterm vacancy, the state office candidate:

3205 (a) shall file an interim report:

3206 (i) (A) no later than seven days before the day on which the political party [~~of the~~
3207 ~~party~~] for which the state office candidate seeks nomination meets to declare a nominee for the
3208 governor to appoint in accordance with Section [~~20A-1-504~~] 20A-1-503; and

3209 (B) two days before the day on which the political party [~~of the party~~] for which the
3210 state office candidate seeks nomination meets to declare a nominee for the governor to appoint
3211 in accordance with [~~Subsection 20A-1-504(1)(b)(i)~~] Section 20A-1-503; or

3212 (ii) if a state office candidate decides to seek the appointment with less than seven days
3213 before the party meets, or the political party schedules the meeting to declare a nominee less
3214 than seven days before the day of the meeting, no later than 5 p.m. on the last day of business
3215 before the day on which the party meets; and

3216 (b) is not required to file an interim report at the times described in Subsection (1).

3217 (4) Each interim report shall include the following information:

3218 (a) the net balance of the last summary report, if any;

3219 (b) a single figure equal to the total amount of receipts reported on all prior interim
3220 reports, if any, during the calendar year in which the interim report is due;

- 3221 (c) a single figure equal to the total amount of expenditures reported on all prior
3222 interim reports, if any, filed during the calendar year in which the interim report is due;
- 3223 (d) a detailed listing of:
- 3224 (i) for a state office candidate, each contribution received since the last summary report
3225 that has not been reported in detail on a prior interim report; or
- 3226 (ii) for a state officeholder, each contribution and public service assistance received
3227 since the last summary report that has not been reported in detail on a prior interim report;
- 3228 (e) for each nonmonetary contribution:
- 3229 (i) the fair market value of the contribution with that information provided by the
3230 contributor; and
- 3231 (ii) a specific description of the contribution;
- 3232 (f) a detailed listing of each expenditure made since the last summary report that has
3233 not been reported in detail on a prior interim report;
- 3234 (g) for each nonmonetary expenditure, the fair market value of the expenditure;
- 3235 (h) a net balance for the year consisting of the net balance from the last summary
3236 report, if any, plus all receipts since the last summary report minus all expenditures since the
3237 last summary report;
- 3238 (i) a summary page in the form required by the lieutenant governor that identifies:
- 3239 (i) beginning balance;
- 3240 (ii) total contributions and public service assistance received during the period since
3241 the last statement;
- 3242 (iii) total contributions and public service assistance received to date;
- 3243 (iv) total expenditures during the period since the last statement; and
- 3244 (v) total expenditures to date; and
- 3245 (j) the name of a political action committee for which the state office candidate or state
3246 officeholder is designated as an officer who has primary decision-making authority under
3247 Section [20A-11-601](#).
- 3248 (5) (a) In preparing each interim report, all receipts and expenditures shall be reported
3249 as of five days before the required filing date of the report.
- 3250 (b) Any negotiable instrument or check received by a state office candidate or state
3251 officeholder more than five days before the required filing date of a report required by this

3252 section shall be included in the interim report.

3253 Section 40. Section **20A-21-101** is amended to read:

3254 **20A-21-101. Definitions.**

3255 As used in this chapter:

3256 (1) "Approved device" means a device described in Subsection [20A-21-201\(4\)](#).

3257 (2) "Candidate qualification process" means the process, described in Section
3258 [~~20A-9-403~~ or] [20A-9-408](#), of gathering signatures to seek ~~[the nomination of]~~ qualification for
3259 placement on the regular primary election ballot for any regular partisan office as a candidate
3260 for a registered political party.

3261 (3) "Electronic candidate qualification process" means the same as that term is defined
3262 in Section [20A-9-101](#).

3263 (4) "Electronic initiative process" means the same as that term is defined in Section
3264 [20A-7-101](#).

3265 (5) "Electronic referendum process" means the same as that term is defined in Section
3266 [20A-7-101](#).

3267 (6) "Manual candidate qualification process" means the same as that term is defined in
3268 Section [20A-9-101](#).

3269 (7) "Petition" means:

3270 (a) as it relates to the electronic initiative process or the electronic referendum process,
3271 the electronic record that an individual signs to indicate the individual is in favor of placing the
3272 initiative or referendum on the ballot; or

3273 (b) as it relates to electronic candidate qualification process, the electronic record that
3274 an individual signs to indicate the individual is in favor of placing an individual's name on the
3275 ballot to run for a particular elective office.

3276 (8) "Signature" means:

3277 (a) as it relates to a signature gathered for an initiative or referendum, the same as that
3278 term is defined in Section [20A-7-101](#); or

3279 (b) as it relates to a signature gathered for the candidate qualification process, the same
3280 as that term is defined in Section [20A-9-101](#).

3281 (9) "Website" means:

3282 (a) as it relates to the electronic initiative process or the electronic referendum process,

3283 the website designated by the lieutenant governor for collecting the signatures and other
3284 information relating to the electronic initiative process or the electronic referendum process; or

3285 (b) as it relates to the electronic candidate qualification process, a website designated
3286 by the lieutenant governor for collecting the signatures and other information relating to the
3287 electronic candidate qualification process.

3288 Section 41. Section **63G-2-305** is amended to read:

3289 **63G-2-305. Protected records.**

3290 The following records are protected if properly classified by a governmental entity:

3291 (1) trade secrets as defined in Section [13-24-2](#) if the person submitting the trade secret
3292 has provided the governmental entity with the information specified in Section [63G-2-309](#);

3293 (2) commercial information or nonindividual financial information obtained from a
3294 person if:

3295 (a) disclosure of the information could reasonably be expected to result in unfair
3296 competitive injury to the person submitting the information or would impair the ability of the
3297 governmental entity to obtain necessary information in the future;

3298 (b) the person submitting the information has a greater interest in prohibiting access
3299 than the public in obtaining access; and

3300 (c) the person submitting the information has provided the governmental entity with
3301 the information specified in Section [63G-2-309](#);

3302 (3) commercial or financial information acquired or prepared by a governmental entity
3303 to the extent that disclosure would lead to financial speculations in currencies, securities, or
3304 commodities that will interfere with a planned transaction by the governmental entity or cause
3305 substantial financial injury to the governmental entity or state economy;

3306 (4) records, the disclosure of which could cause commercial injury to, or confer a
3307 competitive advantage upon a potential or actual competitor of, a commercial project entity as
3308 defined in Subsection [11-13-103\(4\)](#);

3309 (5) test questions and answers to be used in future license, certification, registration,
3310 employment, or academic examinations;

3311 (6) records, the disclosure of which would impair governmental procurement
3312 proceedings or give an unfair advantage to any person proposing to enter into a contract or
3313 agreement with a governmental entity, except, subject to Subsections (1) and (2), that this

3314 Subsection (6) does not restrict the right of a person to have access to, after the contract or
3315 grant has been awarded and signed by all parties:

3316 (a) a bid, proposal, application, or other information submitted to or by a governmental
3317 entity in response to:

3318 (i) an invitation for bids;

3319 (ii) a request for proposals;

3320 (iii) a request for quotes;

3321 (iv) a grant; or

3322 (v) other similar document; or

3323 (b) an unsolicited proposal, as defined in Section [63G-6a-712](#);

3324 (7) information submitted to or by a governmental entity in response to a request for
3325 information, except, subject to Subsections (1) and (2), that this Subsection (7) does not restrict
3326 the right of a person to have access to the information, after:

3327 (a) a contract directly relating to the subject of the request for information has been
3328 awarded and signed by all parties; or

3329 (b) (i) a final determination is made not to enter into a contract that relates to the
3330 subject of the request for information; and

3331 (ii) at least two years have passed after the day on which the request for information is
3332 issued;

3333 (8) records that would identify real property or the appraisal or estimated value of real
3334 or personal property, including intellectual property, under consideration for public acquisition
3335 before any rights to the property are acquired unless:

3336 (a) public interest in obtaining access to the information is greater than or equal to the
3337 governmental entity's need to acquire the property on the best terms possible;

3338 (b) the information has already been disclosed to persons not employed by or under a
3339 duty of confidentiality to the entity;

3340 (c) in the case of records that would identify property, potential sellers of the described
3341 property have already learned of the governmental entity's plans to acquire the property;

3342 (d) in the case of records that would identify the appraisal or estimated value of
3343 property, the potential sellers have already learned of the governmental entity's estimated value
3344 of the property; or

3345 (e) the property under consideration for public acquisition is a single family residence
3346 and the governmental entity seeking to acquire the property has initiated negotiations to acquire
3347 the property as required under Section 78B-6-505;

3348 (9) records prepared in contemplation of sale, exchange, lease, rental, or other
3349 compensated transaction of real or personal property including intellectual property, which, if
3350 disclosed prior to completion of the transaction, would reveal the appraisal or estimated value
3351 of the subject property, unless:

3352 (a) the public interest in access is greater than or equal to the interests in restricting
3353 access, including the governmental entity's interest in maximizing the financial benefit of the
3354 transaction; or

3355 (b) when prepared by or on behalf of a governmental entity, appraisals or estimates of
3356 the value of the subject property have already been disclosed to persons not employed by or
3357 under a duty of confidentiality to the entity;

3358 (10) records created or maintained for civil, criminal, or administrative enforcement
3359 purposes or audit purposes, or for discipline, licensing, certification, or registration purposes, if
3360 release of the records:

3361 (a) reasonably could be expected to interfere with investigations undertaken for
3362 enforcement, discipline, licensing, certification, or registration purposes;

3363 (b) reasonably could be expected to interfere with audits, disciplinary, or enforcement
3364 proceedings;

3365 (c) would create a danger of depriving a person of a right to a fair trial or impartial
3366 hearing;

3367 (d) reasonably could be expected to disclose the identity of a source who is not
3368 generally known outside of government and, in the case of a record compiled in the course of
3369 an investigation, disclose information furnished by a source not generally known outside of
3370 government if disclosure would compromise the source; or

3371 (e) reasonably could be expected to disclose investigative or audit techniques,
3372 procedures, policies, or orders not generally known outside of government if disclosure would
3373 interfere with enforcement or audit efforts;

3374 (11) records the disclosure of which would jeopardize the life or safety of an
3375 individual;

3376 (12) records the disclosure of which would jeopardize the security of governmental
3377 property, governmental programs, or governmental recordkeeping systems from damage, theft,
3378 or other appropriation or use contrary to law or public policy;

3379 (13) records that, if disclosed, would jeopardize the security or safety of a correctional
3380 facility, or records relating to incarceration, treatment, probation, or parole, that would interfere
3381 with the control and supervision of an offender's incarceration, treatment, probation, or parole;

3382 (14) records that, if disclosed, would reveal recommendations made to the Board of
3383 Pardons and Parole by an employee of or contractor for the Department of Corrections, the
3384 Board of Pardons and Parole, or the Department of Health and Human Services that are based
3385 on the employee's or contractor's supervision, diagnosis, or treatment of any person within the
3386 board's jurisdiction;

3387 (15) records and audit workpapers that identify audit, collection, and operational
3388 procedures and methods used by the State Tax Commission, if disclosure would interfere with
3389 audits or collections;

3390 (16) records of a governmental audit agency relating to an ongoing or planned audit
3391 until the final audit is released;

3392 (17) records that are subject to the attorney client privilege;

3393 (18) records prepared for or by an attorney, consultant, surety, indemnitor, insurer,
3394 employee, or agent of a governmental entity for, or in anticipation of, litigation or a judicial,
3395 quasi-judicial, or administrative proceeding;

3396 (19) (a) (i) personal files of a state legislator, including personal correspondence to or
3397 from a member of the Legislature; and

3398 (ii) notwithstanding Subsection (19)(a)(i), correspondence that gives notice of
3399 legislative action or policy may not be classified as protected under this section; and

3400 (b) (i) an internal communication that is part of the deliberative process in connection
3401 with the preparation of legislation between:

3402 (A) members of a legislative body;

3403 (B) a member of a legislative body and a member of the legislative body's staff; or

3404 (C) members of a legislative body's staff; and

3405 (ii) notwithstanding Subsection (19)(b)(i), a communication that gives notice of
3406 legislative action or policy may not be classified as protected under this section;

3407 (20) (a) records in the custody or control of the Office of Legislative Research and
3408 General Counsel, that, if disclosed, would reveal a particular legislator's contemplated
3409 legislation or contemplated course of action before the legislator has elected to support the
3410 legislation or course of action, or made the legislation or course of action public; and
3411 (b) notwithstanding Subsection (20)(a), the form to request legislation submitted to the
3412 Office of Legislative Research and General Counsel is a public document unless a legislator
3413 asks that the records requesting the legislation be maintained as protected records until such
3414 time as the legislator elects to make the legislation or course of action public;

3415 (21) research requests from legislators to the Office of Legislative Research and
3416 General Counsel or the Office of the Legislative Fiscal Analyst and research findings prepared
3417 in response to these requests;

3418 (22) drafts, unless otherwise classified as public;

3419 (23) records concerning a governmental entity's strategy about:

3420 (a) collective bargaining; or
3421 (b) imminent or pending litigation;

3422 (24) records of investigations of loss occurrences and analyses of loss occurrences that
3423 may be covered by the Risk Management Fund, the Employers' Reinsurance Fund, the
3424 Uninsured Employers' Fund, or similar divisions in other governmental entities;

3425 (25) records, other than personnel evaluations, that contain a personal recommendation
3426 concerning an individual if disclosure would constitute a clearly unwarranted invasion of
3427 personal privacy, or disclosure is not in the public interest;

3428 (26) records that reveal the location of historic, prehistoric, paleontological, or
3429 biological resources that if known would jeopardize the security of those resources or of
3430 valuable historic, scientific, educational, or cultural information;

3431 (27) records of independent state agencies if the disclosure of the records would
3432 conflict with the fiduciary obligations of the agency;

3433 (28) records of an institution within the state system of higher education defined in
3434 Section 53B-1-102 regarding tenure evaluations, appointments, applications for admissions,
3435 retention decisions, and promotions, which could be properly discussed in a meeting closed in
3436 accordance with Title 52, Chapter 4, Open and Public Meetings Act, provided that records of
3437 the final decisions about tenure, appointments, retention, promotions, or those students

3438 admitted, may not be classified as protected under this section;

3439 (29) records of the governor's office, including budget recommendations, legislative
3440 proposals, and policy statements, that if disclosed would reveal the governor's contemplated
3441 policies or contemplated courses of action before the governor has implemented or rejected
3442 those policies or courses of action or made them public;

3443 (30) records of the Office of the Legislative Fiscal Analyst relating to budget analysis,
3444 revenue estimates, and fiscal notes of proposed legislation before issuance of the final
3445 recommendations in these areas;

3446 (31) records provided by the United States or by a government entity outside the state
3447 that are given to the governmental entity with a requirement that they be managed as protected
3448 records if the providing entity certifies that the record would not be subject to public disclosure
3449 if retained by it;

3450 (32) transcripts, minutes, recordings, or reports of the closed portion of a meeting of a
3451 public body except as provided in Section [52-4-206](#);

3452 (33) records that would reveal the contents of settlement negotiations but not including
3453 final settlements or empirical data to the extent that they are not otherwise exempt from
3454 disclosure;

3455 (34) memoranda prepared by staff and used in the decision-making process by an
3456 administrative law judge, a member of the Board of Pardons and Parole, or a member of any
3457 other body charged by law with performing a quasi-judicial function;

3458 (35) records that would reveal negotiations regarding assistance or incentives offered
3459 by or requested from a governmental entity for the purpose of encouraging a person to expand
3460 or locate a business in Utah, but only if disclosure would result in actual economic harm to the
3461 person or place the governmental entity at a competitive disadvantage, but this section may not
3462 be used to restrict access to a record evidencing a final contract;

3463 (36) materials to which access must be limited for purposes of securing or maintaining
3464 the governmental entity's proprietary protection of intellectual property rights including patents,
3465 copyrights, and trade secrets;

3466 (37) the name of a donor or a prospective donor to a governmental entity, including an
3467 institution within the state system of higher education defined in Section [53B-1-102](#), and other
3468 information concerning the donation that could reasonably be expected to reveal the identity of

3469 the donor, provided that:

3470 (a) the donor requests anonymity in writing;

3471 (b) any terms, conditions, restrictions, or privileges relating to the donation may not be
3472 classified protected by the governmental entity under this Subsection (37); and

3473 (c) except for an institution within the state system of higher education defined in
3474 Section 53B-1-102, the governmental unit to which the donation is made is primarily engaged
3475 in educational, charitable, or artistic endeavors, and has no regulatory or legislative authority
3476 over the donor, a member of the donor's immediate family, or any entity owned or controlled
3477 by the donor or the donor's immediate family;

3478 (38) accident reports, except as provided in Sections 41-6a-404, 41-12a-202, and
3479 73-18-13;

3480 (39) a notification of workers' compensation insurance coverage described in Section
3481 34A-2-205;

3482 (40) (a) the following records of an institution within the state system of higher
3483 education defined in Section 53B-1-102, which have been developed, discovered, disclosed to,
3484 or received by or on behalf of faculty, staff, employees, or students of the institution:

3485 (i) unpublished lecture notes;

3486 (ii) unpublished notes, data, and information:

3487 (A) relating to research; and

3488 (B) of:

3489 (I) the institution within the state system of higher education defined in Section
3490 53B-1-102; or

3491 (II) a sponsor of sponsored research;

3492 (iii) unpublished manuscripts;

3493 (iv) creative works in process;

3494 (v) scholarly correspondence; and

3495 (vi) confidential information contained in research proposals;

3496 (b) Subsection (40)(a) may not be construed to prohibit disclosure of public
3497 information required pursuant to Subsection 53B-16-302(2)(a) or (b); and

3498 (c) Subsection (40)(a) may not be construed to affect the ownership of a record;

3499 (41) (a) records in the custody or control of the Office of the Legislative Auditor

3500 General that would reveal the name of a particular legislator who requests a legislative audit
3501 prior to the date that audit is completed and made public; and

3502 (b) notwithstanding Subsection (41)(a), a request for a legislative audit submitted to the
3503 Office of the Legislative Auditor General is a public document unless the legislator asks that
3504 the records in the custody or control of the Office of the Legislative Auditor General that would
3505 reveal the name of a particular legislator who requests a legislative audit be maintained as
3506 protected records until the audit is completed and made public;

3507 (42) records that provide detail as to the location of an explosive, including a map or
3508 other document that indicates the location of:

3509 (a) a production facility; or

3510 (b) a magazine;

3511 (43) information contained in the statewide database of the Division of Aging and
3512 Adult Services created by Section [26B-6-210](#);

3513 (44) information contained in the Licensing Information System described in Title 80,
3514 Chapter 2, Child Welfare Services;

3515 (45) information regarding National Guard operations or activities in support of the
3516 National Guard's federal mission;

3517 (46) records provided by any pawn or secondhand business to a law enforcement
3518 agency or to the central database in compliance with Title 13, Chapter 32a, Pawnshop,
3519 Secondhand Merchandise, and Catalytic Converter Transaction Information Act;

3520 (47) information regarding food security, risk, and vulnerability assessments performed
3521 by the Department of Agriculture and Food;

3522 (48) except to the extent that the record is exempt from this chapter pursuant to Section
3523 [63G-2-106](#), records related to an emergency plan or program, a copy of which is provided to or
3524 prepared or maintained by the Division of Emergency Management, and the disclosure of
3525 which would jeopardize:

3526 (a) the safety of the general public; or

3527 (b) the security of:

3528 (i) governmental property;

3529 (ii) governmental programs; or

3530 (iii) the property of a private person who provides the Division of Emergency

3531 Management information;

3532 (49) records of the Department of Agriculture and Food that provides for the
3533 identification, tracing, or control of livestock diseases, including any program established under
3534 Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, or Title 4, Chapter 31, Control
3535 of Animal Disease;

3536 (50) as provided in Section 26B-2-408:

3537 (a) information or records held by the Department of Health and Human Services
3538 related to a complaint regarding a child care program or residential child care which the
3539 department is unable to substantiate; and

3540 (b) information or records related to a complaint received by the Department of Health
3541 and Human Services from an anonymous complainant regarding a child care program or
3542 residential child care;

3543 (51) unless otherwise classified as public under Section 63G-2-301 and except as
3544 provided under Section 41-1a-116, an individual's home address, home telephone number, or
3545 personal mobile phone number, if:

3546 (a) the individual is required to provide the information in order to comply with a law,
3547 ordinance, rule, or order of a government entity; and

3548 (b) the subject of the record has a reasonable expectation that this information will be
3549 kept confidential due to:

3550 (i) the nature of the law, ordinance, rule, or order; and

3551 (ii) the individual complying with the law, ordinance, rule, or order;

3552 (52) the portion of the following documents that contains a candidate's residential or
3553 mailing address, if the candidate provides to the filing officer another address or phone number
3554 where the candidate may be contacted:

3555 (a) a declaration of candidacy, a nomination petition, or a certificate of nomination,
3556 described in Section 20A-9-201, 20A-9-202, 20A-9-203, 20A-9-404, 20A-9-405, 20A-9-408,
3557 [~~20A-9-408.5~~], 20A-9-502, or 20A-9-601;

3558 (b) an affidavit of impecuniosity, described in Section 20A-9-201; or

3559 (c) a notice of intent to gather signatures for candidacy, described in Section
3560 20A-9-408;

3561 (53) the name, home address, work addresses, and telephone numbers of an individual

3562 that is engaged in, or that provides goods or services for, medical or scientific research that is:

3563 (a) conducted within the state system of higher education, as defined in Section

3564 53B-1-102; and

3565 (b) conducted using animals;

3566 (54) in accordance with Section 78A-12-203, any record of the Judicial Performance

3567 Evaluation Commission concerning an individual commissioner's vote, in relation to whether a

3568 judge meets or exceeds minimum performance standards under Subsection 78A-12-203(4), and

3569 information disclosed under Subsection 78A-12-203(5)(e);

3570 (55) information collected and a report prepared by the Judicial Performance

3571 Evaluation Commission concerning a judge, unless Section 20A-7-702 or Title 78A, Chapter

3572 12, Judicial Performance Evaluation Commission Act, requires disclosure of, or makes public,

3573 the information or report;

3574 (56) records provided or received by the Public Lands Policy Coordinating Office in

3575 furtherance of any contract or other agreement made in accordance with Section 63L-11-202;

3576 (57) information requested by and provided to the 911 Division under Section

3577 63H-7a-302;

3578 (58) in accordance with Section 73-10-33:

3579 (a) a management plan for a water conveyance facility in the possession of the Division

3580 of Water Resources or the Board of Water Resources; or

3581 (b) an outline of an emergency response plan in possession of the state or a county or

3582 municipality;

3583 (59) the following records in the custody or control of the Office of Inspector General

3584 of Medicaid Services, created in Section 63A-13-201:

3585 (a) records that would disclose information relating to allegations of personal

3586 misconduct, gross mismanagement, or illegal activity of a person if the information or

3587 allegation cannot be corroborated by the Office of Inspector General of Medicaid Services

3588 through other documents or evidence, and the records relating to the allegation are not relied

3589 upon by the Office of Inspector General of Medicaid Services in preparing a final investigation

3590 report or final audit report;

3591 (b) records and audit workpapers to the extent they would disclose the identity of a

3592 person who, during the course of an investigation or audit, communicated the existence of any

3593 Medicaid fraud, waste, or abuse, or a violation or suspected violation of a law, rule, or
3594 regulation adopted under the laws of this state, a political subdivision of the state, or any
3595 recognized entity of the United States, if the information was disclosed on the condition that
3596 the identity of the person be protected;

3597 (c) before the time that an investigation or audit is completed and the final
3598 investigation or final audit report is released, records or drafts circulated to a person who is not
3599 an employee or head of a governmental entity for the person's response or information;

3600 (d) records that would disclose an outline or part of any investigation, audit survey
3601 plan, or audit program; or

3602 (e) requests for an investigation or audit, if disclosure would risk circumvention of an
3603 investigation or audit;

3604 (60) records that reveal methods used by the Office of Inspector General of Medicaid
3605 Services, the fraud unit, or the Department of Health and Human Services, to discover
3606 Medicaid fraud, waste, or abuse;

3607 (61) information provided to the Department of Health and Human Services or the
3608 Division of Professional Licensing under Subsections 58-67-304(3) and (4) and Subsections
3609 58-68-304(3) and (4);

3610 (62) a record described in Section 63G-12-210;

3611 (63) captured plate data that is obtained through an automatic license plate reader
3612 system used by a governmental entity as authorized in Section 41-6a-2003;

3613 (64) any record in the custody of the Utah Office for Victims of Crime relating to a
3614 victim, including:

3615 (a) a victim's application or request for benefits;

3616 (b) a victim's receipt or denial of benefits; and

3617 (c) any administrative notes or records made or created for the purpose of, or used to,
3618 evaluate or communicate a victim's eligibility for or denial of benefits from the Crime Victim
3619 Reparations Fund;

3620 (65) an audio or video recording created by a body-worn camera, as that term is
3621 defined in Section 77-7a-103, that records sound or images inside a hospital or health care
3622 facility as those terms are defined in Section 78B-3-403, inside a clinic of a health care
3623 provider, as that term is defined in Section 78B-3-403, or inside a human service program as

3624 that term is defined in Section 26B-2-101, except for recordings that:

3625 (a) depict the commission of an alleged crime;

3626 (b) record any encounter between a law enforcement officer and a person that results in
3627 death or bodily injury, or includes an instance when an officer fires a weapon;

3628 (c) record any encounter that is the subject of a complaint or a legal proceeding against
3629 a law enforcement officer or law enforcement agency;

3630 (d) contain an officer involved critical incident as defined in Subsection
3631 76-2-408(1)(f); or

3632 (e) have been requested for reclassification as a public record by a subject or
3633 authorized agent of a subject featured in the recording;

3634 (66) a record pertaining to the search process for a president of an institution of higher
3635 education described in Section 53B-2-102, except for application materials for a publicly
3636 announced finalist;

3637 (67) an audio recording that is:

3638 (a) produced by an audio recording device that is used in conjunction with a device or
3639 piece of equipment designed or intended for resuscitating an individual or for treating an
3640 individual with a life-threatening condition;

3641 (b) produced during an emergency event when an individual employed to provide law
3642 enforcement, fire protection, paramedic, emergency medical, or other first responder service:

3643 (i) is responding to an individual needing resuscitation or with a life-threatening
3644 condition; and

3645 (ii) uses a device or piece of equipment designed or intended for resuscitating an
3646 individual or for treating an individual with a life-threatening condition; and

3647 (c) intended and used for purposes of training emergency responders how to improve
3648 their response to an emergency situation;

3649 (68) records submitted by or prepared in relation to an applicant seeking a
3650 recommendation by the Research and General Counsel Subcommittee, the Budget
3651 Subcommittee, or the Audit Subcommittee, established under Section 36-12-8, for an
3652 employment position with the Legislature;

3653 (69) work papers as defined in Section 31A-2-204;

3654 (70) a record made available to Adult Protective Services or a law enforcement agency

3655 under Section 61-1-206;

3656 (71) a record submitted to the Insurance Department in accordance with Section
3657 31A-37-201;

3658 (72) a record described in Section 31A-37-503;

3659 (73) any record created by the Division of Professional Licensing as a result of
3660 Subsection 58-37f-304(5) or 58-37f-702(2)(a)(ii);

3661 (74) a record described in Section 72-16-306 that relates to the reporting of an injury
3662 involving an amusement ride;

3663 (75) except as provided in Subsection 63G-2-305.5(1), the signature of an individual
3664 on a political petition, or on a request to withdraw a signature from a political petition,
3665 including a petition or request described in the following titles:

3666 (a) Title 10, Utah Municipal Code;

3667 (b) Title 17, Counties;

3668 (c) Title 17B, Limited Purpose Local Government Entities - Special Districts;

3669 (d) Title 17D, Limited Purpose Local Government Entities - Other Entities; and

3670 (e) Title 20A, Election Code;

3671 (76) except as provided in Subsection 63G-2-305.5(2), the signature of an individual in
3672 a voter registration record;

3673 (77) except as provided in Subsection 63G-2-305.5(3), any signature, other than a
3674 signature described in Subsection (75) or (76), in the custody of the lieutenant governor or a
3675 local political subdivision collected or held under, or in relation to, Title 20A, Election Code;

3676 (78) a Form I-918 Supplement B certification as described in Title 77, Chapter 38, Part
3677 5, Victims Guidelines for Prosecutors Act;

3678 (79) a record submitted to the Insurance Department under Section 31A-48-103;

3679 (80) personal information, as defined in Section 63G-26-102, to the extent disclosure is
3680 prohibited under Section 63G-26-103;

3681 (81) an image taken of an individual during the process of booking the individual into
3682 jail, unless:

3683 (a) the individual is convicted of a criminal offense based upon the conduct for which
3684 the individual was incarcerated at the time the image was taken;

3685 (b) a law enforcement agency releases or disseminates the image;

3686 (i) after determining that the individual is a fugitive or an imminent threat to an
3687 individual or to public safety and releasing or disseminating the image will assist in
3688 apprehending the individual or reducing or eliminating the threat; or

3689 (ii) to a potential witness or other individual with direct knowledge of events relevant
3690 to a criminal investigation or criminal proceeding for the purpose of identifying or locating an
3691 individual in connection with the criminal investigation or criminal proceeding; or

3692 (c) a judge orders the release or dissemination of the image based on a finding that the
3693 release or dissemination is in furtherance of a legitimate law enforcement interest;

3694 (82) a record:

3695 (a) concerning an interstate claim to the use of waters in the Colorado River system;

3696 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
3697 representative from another state or the federal government as provided in Section

3698 [63M-14-205](#); and

3699 (c) the disclosure of which would:

3700 (i) reveal a legal strategy relating to the state's claim to the use of the water in the
3701 Colorado River system;

3702 (ii) harm the ability of the Colorado River Authority of Utah or river commissioner to
3703 negotiate the best terms and conditions regarding the use of water in the Colorado River
3704 system; or

3705 (iii) give an advantage to another state or to the federal government in negotiations
3706 regarding the use of water in the Colorado River system;

3707 (83) any part of an application described in Section [63N-16-201](#) that the Governor's
3708 Office of Economic Opportunity determines is nonpublic, confidential information that if
3709 disclosed would result in actual economic harm to the applicant, but this Subsection (83) may
3710 not be used to restrict access to a record evidencing a final contract or approval decision;

3711 (84) the following records of a drinking water or wastewater facility:

3712 (a) an engineering or architectural drawing of the drinking water or wastewater facility;

3713 and

3714 (b) except as provided in Section [63G-2-106](#), a record detailing tools or processes the
3715 drinking water or wastewater facility uses to secure, or prohibit access to, the records described
3716 in Subsection (84)(a);

- 3717 (85) a statement that an employee of a governmental entity provides to the
3718 governmental entity as part of the governmental entity's personnel or administrative
3719 investigation into potential misconduct involving the employee if the governmental entity:
3720 (a) requires the statement under threat of employment disciplinary action, including
3721 possible termination of employment, for the employee's refusal to provide the statement; and
3722 (b) provides the employee assurance that the statement cannot be used against the
3723 employee in any criminal proceeding;
- 3724 (86) any part of an application for a Utah Fits All Scholarship account described in
3725 Section 53F-6-402 or other information identifying a scholarship student as defined in Section
3726 53F-6-401; and
- 3727 (87) a record:
- 3728 (a) concerning a claim to the use of waters in the Great Salt Lake;
- 3729 (b) relating to a judicial proceeding, administrative proceeding, or negotiation with a
3730 person concerning the claim, including a representative from another state or the federal
3731 government; and
- 3732 (c) the disclosure of which would:
- 3733 (i) reveal a legal strategy relating to the state's claim to the use of the water in the Great
3734 Salt Lake;
- 3735 (ii) harm the ability of the Great Salt Lake commissioner to negotiate the best terms
3736 and conditions regarding the use of water in the Great Salt Lake; or
- 3737 (iii) give an advantage to another person including another state or to the federal
3738 government in negotiations regarding the use of water in the Great Salt Lake.
- 3739 **Section 42. Repealer.**
- 3740 This bill repeals:
- 3741 Section 20A-1-504, **Midterm vacancies in the offices of attorney general, state**
3742 **treasurer, state auditor, State Board of Education member, and lieutenant governor.**
- 3743 Section 20A-9-407, **Convention process to seek the nomination of a qualified**
3744 **political party.**
- 3745 Section 20A-9-408.5, **Declaration of candidacy form for qualified political party.**
- 3746 Section 20A-9-411, **Signing multiple nomination petitions.**
- 3747 Section 43. **Effective date.**

3748

This bill takes effect on January 1, 2025.