

1 **PARTY AFFILIATION DISCLOSURE AMENDMENTS**

2 2024 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Cheryl K. Acton**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill permits party affiliation to appear on the ballot next to the name of certain
10 nonpartisan candidates.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ permits a candidate for a nonpartisan municipal office or a nonpartisan local board
14 of education office to choose to have the candidate's party affiliation appear on the
15 ballot adjacent to the candidate's name;

16 ▶ requires an election officer to, when posting or printing voter information on a
17 candidate described in the preceding paragraph, include the candidate's party
18 affiliation adjacent to the candidate's name; and

19 ▶ describes the effect of a candidate's party affiliation appearing on a ballot under the
20 preceding paragraph.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 This bill provides a special effective date.

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **20A-6-203**, as last amended by Laws of Utah 2020, Chapter 31



- 28 [20A-6-301](#), as last amended by Laws of Utah 2021, Chapter 136
- 29 [20A-6-401](#), as last amended by Laws of Utah 2023, Chapter 45
- 30 [20A-6-402](#), as last amended by Laws of Utah 2020, Chapter 31
- 31 [20A-7-801](#), as last amended by Laws of Utah 2021, Chapter 100
- 32 [20A-9-203](#), as last amended by Laws of Utah 2023, Chapters 116, 435
- 33 [20A-9-203.5](#), as enacted by Laws of Utah 2016, Chapter 48
- 34 [20A-9-701](#), as last amended by Laws of Utah 2015, Chapter 296
- 35 [20A-14-203](#), as last amended by Laws of Utah 2022, Chapters 13, 265

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

38 Section 1. Section [20A-6-203](#) is amended to read:

39 **[20A-6-203](#). Ballots for regular primary elections.**

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

42 (a) develop ballots to be used in Utah's regular primary election;

43 (b) ensure that the ballots comply generally, where applicable, with the requirements of
44 Title 20A, Chapter 6, Part 1, General Requirements for All Ballots, and this section; ~~and~~

45 (c) ensure that, for a local school board candidate who, in accordance with Subsections
46 [20A-14-203](#)(3) and (4), chooses to have the candidate's party affiliation included on the ballot,
47 the candidate's party affiliation appears adjacent to the candidate's name on the ballot; and

48 ~~(c)~~ (d) provide voting booths, election records and supplies, ballot boxes, and as
49 applicable, voting devices, for each voting precinct as required by Section [20A-5-403](#).

50 (2) (a) Notwithstanding the requirements of Subsections (1)(b) ~~and (c)~~ through (d),
51 Title 20A, Chapter 6, Part 1, General Requirements for All Ballots, and Sections [20A-5-403](#),
52 [20A-6-401](#), and [20A-6-401.1](#), the lieutenant governor, together with county clerks, suppliers of
53 election materials, and representatives of registered political parties shall ensure that the
54 ballots, voting booths, election records and supplies, and ballot boxes:

55 (i) facilitate the distribution, voting, and tallying of ballots in a primary where not all
56 voters are authorized to vote for a party's candidate;

57 (ii) simplify the task of poll workers, particularly in determining a voter's party
58 affiliation;

- 59 (iii) minimize the possibility of spoiled ballots due to voter confusion; and
60 (iv) protect against fraud.
- 61 (b) To accomplish the requirements of this Subsection (2), the lieutenant governor,
62 county clerks, suppliers of election materials, and representatives of registered political parties
63 shall:
- 64 (i) mark ballots as being for a particular registered political party; and
65 (ii) instruct individuals counting the ballots to count only those votes for candidates
66 from the registered political party whose ballot the voter received.
- 67 Section 2. Section **20A-6-301** is amended to read:
- 68 **20A-6-301. Manual ballots -- Regular general election.**
- 69 (1) ~~[Each]~~ Except as provided in Subsection (3)(f), an election officer shall ensure that:
- 70 (a) all manual ballots furnished for use at the regular general election contain:
- 71 (i) no captions or other endorsements except as provided in this section;
72 (ii) no symbols, markings, or other descriptions of a political party or group, except for
73 a registered political party that has chosen to nominate its candidates in accordance with
74 Section [20A-9-403](#); and
- 75 (iii) no indication that a candidate for elective office has been nominated by, or has
76 been endorsed by, or is in any way affiliated with a political party or group, unless the
77 candidate has been nominated by a registered political party in accordance with Subsection
78 [20A-9-202\(4\)](#) or Subsection [20A-9-403\(5\)](#);
- 79 (b) at the top of the ballot, the following endorsements are printed in 18 point bold
80 type:
- 81 (i) "Official Ballot for ____ County, Utah";
82 (ii) the date of the election; and
83 (iii) the words "certified by the Clerk of _____ County" or, as applicable, the
84 name of a combined office that includes the duties of a county clerk;
- 85 (c) unaffiliated candidates, candidates not affiliated with a registered political party,
86 and all other candidates for elective office who were not nominated by a registered political
87 party in accordance with Subsection [20A-9-202\(4\)](#) or Subsection [20A-9-403\(5\)](#), are listed with
88 the other candidates for the same office in accordance with Section [20A-6-305](#), without a party
89 name or title;

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

92 (e) the offices to be filled are plainly printed immediately above the names of the
93 candidates for those offices;

94 (f) the names of candidates are printed in capital letters, not less than one-eighth nor
95 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between
96 lines or rules three-eighths of an inch apart; and

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

99 (i) the ballot includes a space for a write-in candidate immediately following the last
100 candidate listed on that ticket; or

101 (ii) for the offices of president and vice president and governor and lieutenant
102 governor, the ballot includes two spaces for write-in candidates immediately following the last
103 candidates on that ticket, one placed above the other, to enable the entry of two valid write-in
104 candidates.

105 (2) ~~[An]~~ Except as provided in Subsection (3)(f), an election officer shall ensure that:

106 (a) each individual nominated by any registered political party under Subsection
107 20A-9-202(4) or Subsection 20A-9-403(5), and no other individual, is placed on the ballot:

108 (i) under the registered political party's name, if any; or

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

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

113 (c) the names of the candidates for president and vice president are used on the ballot
114 instead of the names of the presidential electors; and

115 (d) the ballots contain no other names.

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

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

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

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

123 (d) the nonpartisan candidates are grouped according to the office for which they are
124 candidates;

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

127 (f) for a local school board candidate who, in accordance with Subsections
128 [20A-14-203](#)(3) and (4), chooses to have the candidate's party affiliation included on the ballot,
129 the candidate's party affiliation appears adjacent to the candidate's name on the ballot; and

130 [~~(f)~~] (g) each group is preceded by the designation of the office for which the
131 candidates seek election, and the words, "Vote for one" or "Vote for up to ____ (the number
132 of candidates for which the voter may vote)," according to the number to be elected.

133 (4) Each election officer shall ensure that:

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

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

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

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

143 Section 3. Section [20A-6-401](#) is amended to read:

144 **20A-6-401. Ballots for municipal primary elections.**

145 (1) Each election officer shall ensure that:

146 (a) the following endorsements are printed in 18 point bold type:

147 (i) "Official Primary Ballot for ____ (City, Town, or Metro Township), Utah";

148 (ii) the date of the election; and

149 (iii) a facsimile of the signature of the election officer and the election officer's title in
150 eight point type;

151 (b) immediately below the election officer's title, two one-point parallel horizontal

152 rules separate endorsements from the rest of the ballot;

153 (c) immediately below the horizontal rules, an "Instructions to Voters" section is
154 printed in 10 point bold type that states: "To vote for a candidate, mark the space following the
155 name(s) of the person(s) you favor as the candidate(s) for each respective office." followed by
156 two one-point parallel rules;

157 (d) after the rules, the designation of the office for which the candidates seek
158 nomination is printed and the words, "Vote for one" or "Vote for up to _____ (the number of
159 candidates for which the voter may vote)" are printed in 10-point bold type, followed by a
160 hair-line rule;

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

164 (f) for a municipal office candidate who, in accordance with Subsection
165 [20A-9-203\(13\)](#), chooses to have the candidate's party affiliation included on the ballot, the
166 candidate's party affiliation appears adjacent to the candidate's name on the ballot;

167 [(f)] (g) a square with sides not less than one-fourth inch long is printed immediately
168 adjacent to the names of the candidates; and

169 [(g)] (h) the candidate groups are separated from each other by one light and one heavy
170 line or rule.

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

172 Section 4. Section **20A-6-402** is amended to read:

173 **20A-6-402. Ballots for municipal general elections.**

174 (1) Except as otherwise required for a race conducted by instant runoff voting under
175 [~~Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project~~] Chapter 4,
176 Part 6, Municipal Alternate Voting Methods Pilot Project, for a manual ballot at a municipal
177 general election, an election officer shall ensure that:

178 (a) the names of the two candidates who received the highest number of votes for
179 mayor in the municipal primary are placed upon the ballot;

180 (b) if no municipal primary election was held, the names of the candidates who filed
181 declarations of candidacy for municipal offices are placed upon the ballot;

182 (c) for other offices:

183 (i) twice the number of candidates as there are positions to be filled are certified as
184 eligible for election in the municipal general election from those candidates who received the
185 greater number of votes in the primary election; and

186 (ii) the names of those candidates are placed upon the municipal general election
187 ballot;

188 (d) the names of the candidates are placed on the ballot in the order specified under
189 Section [20A-6-305](#);

190 (e) for a municipal office candidate who, in accordance with Subsection
191 [20A-9-203](#)(13), chooses to have the candidate's party affiliation included on the ballot, the
192 candidate's party affiliation appears adjacent to the candidate's name on the ballot;

193 [(e)] (f) in an election in which a voter is authorized to cast a write-in vote and where a
194 write-in candidate is qualified under Section [20A-9-601](#), a write-in area is placed upon the
195 ballot that contains, for each office in which there is a qualified write-in candidate:

196 (i) a blank, horizontal line to enable a voter to submit a valid write-in candidate; and

197 (ii) a square or other conforming area that is adjacent to or opposite the blank
198 horizontal line to enable the voter to indicate the voter's vote;

199 [(f)] (g) ballot propositions that have qualified for the ballot, including propositions
200 submitted to the voters by the municipality, municipal initiatives, and municipal referenda, are
201 listed on the ballot in accordance with Section [20A-6-107](#); and

202 [(g)] (h) bond propositions that have qualified for the ballot are listed on the ballot
203 under the title assigned to each bond proposition under Section [11-14-206](#).

204 (2) Except as otherwise required for a race conducted by instant runoff voting under
205 [~~Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project~~] Chapter 4,
206 Part 6, Municipal Alternate Voting Methods Pilot Project, when using a mechanical ballot at
207 municipal general elections, each election officer shall ensure that:

208 (a) the following endorsements are displayed on the first portion of the ballot:

209 (i) "Official Ballot for ____ (City, Town, or Metro Township), Utah";

210 (ii) the date of the election; and

211 (iii) a facsimile of the signature of the election officer and the election officer's title;

212 (b) immediately below the election officer's title, a distinct border or line separates the
213 endorsements from the rest of the ballot;

214 (c) immediately below the border or line, an "Instructions to Voters" section is
215 displayed that states: "To vote for a candidate, select the name(s) of the person(s) you favor as
216 the candidate(s) for each respective office." followed by another border or line;

217 (d) after the border or line, the designation of the office for which the candidates seek
218 election is displayed, and the words, "Vote for one" or "Vote for up to ____ (the number of
219 candidates for which the voter may vote)" are displayed, followed by a line or border;

220 (e) after the line or border, the names of the candidates are displayed in the order
221 specified under Section 20A-6-305 with surnames last and grouped according to the office that
222 they seek;

223 (f) a voting square or position is located adjacent to the name of each candidate;

224 (g) following the name of the last candidate for each office in which a write-in
225 candidate is qualified under Section 20A-9-601, the ballot contains a write-in space where the
226 voter may enter the name of and vote for a valid write-in candidate for the office; and

227 (h) the candidate groups are separated from each other by a line or border.

228 (3) When a municipality has chosen to nominate candidates by convention or
229 committee, the election officer shall ensure that the party name is included with the candidate's
230 name on the ballot.

231 Section 5. Section 20A-7-801 is amended to read:

232 **20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of**
233 **the lieutenant governor -- Content -- Duties of local election officials -- Deadlines --**
234 **Frequently asked voter questions -- Other elections.**

235 (1) There is established the Statewide Electronic Voter Information Website Program
236 administered by the lieutenant governor in cooperation with the county clerks for general
237 elections and municipal authorities for municipal elections.

238 (2) In accordance with this section, and as resources become available, the lieutenant
239 governor, in cooperation with county clerks, shall develop, establish, and maintain a
240 state-provided Internet website designed to help inform the voters of the state of:

241 (a) the offices and candidates up for election;

242 (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments
243 of ballot propositions submitted to the voters; and

244 (c) the status of a voter's trackable ballot, in accordance with Section 20A-3a-401.5,

245 accessible only by the voter.

246 (3) Except as provided under Subsection (6), the website shall include:

247 (a) all information currently provided in the Utah voter information pamphlet under
248 Chapter 7, Part 7, Voter Information Pamphlet, including a section prepared, analyzed, and
249 submitted by the Judicial Performance Evaluation Commission describing the judicial selection
250 and retention process;

251 (b) on the homepage of the website, a link to the Judicial Performance Evaluation
252 Commission's website, judges.utah.gov;

253 (c) a link to the retention recommendation made by the Judicial Performance
254 Evaluation Commission in accordance with Title 78A, Chapter 12, Part 2, Judicial
255 Performance Evaluation, for each judicial appointee to a court that is subject to a retention
256 election, in accordance with Section [20A-12-201](#), for the upcoming general election;

257 (d) all information submitted by election officers under Subsection (4) on local office
258 races, local office candidates, and local ballot propositions;

259 (e) a list that contains the name of a political subdivision that operates an election day
260 voting center under Section [20A-3a-703](#) and the location of the election day voting center;

261 (f) other information determined appropriate by the lieutenant governor that is
262 currently being provided by law, rule, or ordinance in relation to candidates and ballot
263 questions;

264 (g) any differences in voting method, time, or location designated by the lieutenant
265 governor under Subsection [20A-1-308\(2\)](#); and

266 (h) an online ballot tracking system by which a voter can view the status of the voter's
267 trackable ballot, in accordance with Section [20A-3a-401.5](#), including:

268 (i) when a ballot has been mailed to the voter;

269 (ii) when an election official has received the voter's ballot; and

270 (iii) when the voter's ballot has been counted.

271 (4) (a) An election official shall submit the following information for each ballot under
272 the election official's direct responsibility under this title:

273 (i) a list of all candidates for each office;

274 (ii) if submitted by the candidate to the election official's office before 5 p.m. no later
275 than 45 days before the primary election or before 5 p.m. no later than 60 days before the

276 general election:

277 (A) a statement of qualifications, not exceeding 200 words in length, for each
278 candidate;

279 (B) the following current biographical information if desired by the candidate, current:

280 (I) age;

281 (II) occupation;

282 (III) city of residence;

283 (IV) years of residence in current city; and

284 (V) email address; [~~and~~]

285 (C) for a municipal office candidate who, in accordance with Subsection

286 20A-9-203(13), chooses to have the candidate's party affiliation included on the ballot, the
287 candidate's party affiliation;

288 (D) for a local school board candidate who, in accordance with Subsections

289 20A-14-203(3) and (4), chooses to have the candidate's party affiliation included on the ballot,
290 the candidate's party affiliation; and

291 [~~(E)~~] (E) a single web address where voters may access more information about the
292 candidate and the candidate's views; and

293 (iii) factual information pertaining to all ballot propositions submitted to the voters,
294 including:

295 (A) a copy of the number and ballot title of each ballot proposition;

296 (B) the final vote cast for each ballot proposition, if any, by a legislative body if the
297 vote was required to place the ballot proposition on the ballot;

298 (C) a complete copy of the text of each ballot proposition, with all new language
299 underlined and all deleted language placed within brackets; and

300 (D) other factual information determined helpful by the election official.

301 (b) The information under Subsection (4)(a) shall be submitted to the lieutenant
302 governor no later than one business day after the deadline under Subsection (4)(a) for each
303 general election year and each municipal election year.

304 (c) The lieutenant governor shall:

305 (i) review the information submitted under this section, to determine compliance under
306 this section, prior to placing it on the website;

307 (ii) refuse to post information submitted under this section on the website if it is not in
308 compliance with the provisions of this section; and

309 (iii) organize, format, and arrange the information submitted under this section for the
310 website.

311 (d) The lieutenant governor may refuse to include information the lieutenant governor
312 determines is not in keeping with:

313 (i) Utah voter needs;

314 (ii) public decency; or

315 (iii) the purposes, organization, or uniformity of the website.

316 (e) A refusal under Subsection (4)(d) is subject to appeal in accordance with
317 Subsection (5).

318 (5) (a) A person whose information is refused under Subsection (4), and who is
319 aggrieved by the determination, may appeal by submitting a written notice of appeal to the
320 lieutenant governor before 5 p.m. within 10 business days after the date of the determination.

321 A notice of appeal submitted under this Subsection (5)(a) shall contain:

322 (i) a listing of each objection to the lieutenant governor's determination; and

323 (ii) the basis for each objection.

324 (b) The lieutenant governor shall review the notice of appeal and shall issue a written
325 response within 10 business days after the day on which the notice of appeal is submitted.

326 (c) An appeal of the response of the lieutenant governor shall be made to the district
327 court, which shall review the matter de novo.

328 (6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently
329 enter the voter's address information on the website to retrieve information on which offices,
330 candidates, and ballot propositions will be on the voter's ballot at the next general election or
331 municipal election.

332 (b) The information on the website will anticipate and answer frequent voter questions
333 including the following:

334 (i) what offices are up in the current year for which the voter may cast a vote;

335 (ii) who is running for what office and who is the incumbent, if any;

336 (iii) what address each candidate may be reached at and how the candidate may be
337 contacted;

338 (iv) for partisan races only, what, if any, is each candidate's party affiliation;
339 (v) what qualifications have been submitted by each candidate;
340 (vi) where additional information on each candidate may be obtained;
341 (vii) what ballot propositions will be on the ballot; and
342 (viii) what judges are up for retention election.

343 (7) The lieutenant governor shall ensure that each voter may conveniently enter the
344 voter's name, date of birth, and address information on the website to retrieve information on
345 the status of the voter's ballot if the voter's ballot is trackable under Section [20A-3a-401.5](#).

346 (8) As resources are made available and in cooperation with the county clerks, the
347 lieutenant governor may expand the electronic voter information website program to include
348 the same information as provided under this section for special elections and primary elections.

349 Section 6. Section **20A-9-203** is amended to read:

350 **20A-9-203. Declarations of candidacy -- Municipal general elections --**
351 **Nomination petition -- Removal of signature.**

352 (1) An individual may become a candidate for any municipal office if:
353 (a) the individual is a registered voter; and
354 (b) (i) the individual has resided within the municipality in which the individual seeks
355 to hold elective office for the 12 consecutive months immediately before the date of the
356 election; or
357 (ii) the territory in which the individual resides was annexed into the municipality, the
358 individual has resided within the annexed territory or the municipality the 12 consecutive
359 months immediately before the date of the election.

360 (2) (a) For purposes of determining whether an individual meets the residency
361 requirement of Subsection (1)(b)(i) in a municipality that was incorporated less than 12 months
362 before the election, the municipality is considered to have been incorporated 12 months before
363 the date of the election.

364 (b) In addition to the requirements of Subsection (1), each candidate for a municipal
365 council position shall, if elected from a district, be a resident of the council district from which
366 the candidate is elected.

367 (c) In accordance with Utah Constitution, Article IV, Section 6, a mentally incompetent
368 individual, an individual convicted of a felony, or an individual convicted of treason or a crime

369 against the elective franchise may not hold office in this state until the right to hold elective
370 office is restored under Section 20A-2-101.3 or 20A-2-101.5.

371 (3) (a) An individual seeking to become a candidate for a municipal office shall,
372 regardless of the nomination method by which the individual is seeking to become a candidate:

373 (i) except as provided in Subsection (3)(b) or Chapter 4, Part 6, Municipal Alternate
374 Voting Methods Pilot Project, and subject to Subsection 20A-9-404(3)(e), file a declaration of
375 candidacy, in person with the city recorder or town clerk, during the office hours described in
376 Section 10-3-301 and not later than the close of those office hours, between June 1 and June 7
377 of any odd-numbered year; and

378 (ii) pay the filing fee, if one is required by municipal ordinance.

379 (b) Subject to Subsection (5)(b), an individual may designate an agent to file a
380 declaration of candidacy with the city recorder or town clerk if:

381 (i) the individual is located outside of the state during the entire filing period;

382 (ii) the designated agent appears in person before the city recorder or town clerk;

383 (iii) the individual communicates with the city recorder or town clerk using an
384 electronic device that allows the individual and city recorder or town clerk to see and hear each
385 other; and

386 (iv) the individual provides the city recorder or town clerk with an email address to
387 which the city recorder or town clerk may send the individual the copies described in
388 Subsection (4).

389 (c) Any resident of a municipality may nominate a candidate for a municipal office by:

390 (i) except as provided in Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
391 Project, filing a nomination petition with the city recorder or town clerk during the office hours
392 described in Section 10-3-301 and not later than the close of those office hours, between June 1
393 and June 7 of any odd-numbered year that includes signatures in support of the nomination
394 petition of the lesser of at least:

395 (A) 25 registered voters who reside in the municipality; or

396 (B) 20% of the registered voters who reside in the municipality; and

397 (ii) paying the filing fee, if one is required by municipal ordinance.

398 (4) (a) Before the filing officer may accept any declaration of candidacy or nomination
399 petition, the filing officer shall:

400 (i) read to the prospective candidate or individual filing the petition the constitutional
401 and statutory qualification requirements for the office that the candidate is seeking;

402 (ii) require the candidate or individual filing the petition to state whether the candidate
403 meets the requirements described in Subsection (4)(a)(i); and

404 (iii) inform the candidate or the individual filing the petition that an individual who
405 holds a municipal elected office may not, at the same time, hold a county elected office.

406 (b) If the prospective candidate does not meet the qualification requirements for the
407 office, the filing officer may not accept the declaration of candidacy or nomination petition.

408 (c) If it appears that the prospective candidate meets the requirements of candidacy, the
409 filing officer shall:

410 (i) inform the candidate that the candidate's name will appear on the ballot as it is
411 written on the declaration of candidacy;

412 (ii) provide the candidate with a copy of the current campaign financial disclosure laws
413 for the office the candidate is seeking and inform the candidate that failure to comply will
414 result in disqualification as a candidate and removal of the candidate's name from the ballot;

415 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide
416 Electronic Voter Information Website Program and inform the candidate of the submission
417 deadline under Subsection 20A-7-801(4)(a);

418 (iv) provide the candidate with a copy of the pledge of fair campaign practices
419 described under Section 20A-9-206 and inform the candidate that:

420 (A) signing the pledge is voluntary; and

421 (B) signed pledges shall be filed with the filing officer; and

422 (v) accept the declaration of candidacy or nomination petition.

423 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing
424 officer shall:

425 (i) accept the candidate's pledge; and

426 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
427 candidate's pledge to the chair of the county or state political party of which the candidate is a
428 member.

429 (5) (a) The declaration of candidacy shall be in substantially the following form:

430 "I, (print name) _____, being first sworn and under penalty of perjury, say that I reside at

431 ____ Street, City of ____, County of ____, state of Utah, Zip Code ____, Telephone Number
 432 (if any) ____; that I am a registered voter; and that I am a candidate for the office of ____
 433 (stating the term). I will meet the legal qualifications required of candidates for this office. If
 434 filing via a designated agent, I attest that I will be out of the state of Utah during the entire
 435 candidate filing period. I will file all campaign financial disclosure reports as required by law
 436 and I understand that failure to do so will result in my disqualification as a candidate for this
 437 office and removal of my name from the ballot. I request that my name be printed upon the
 438 applicable official ballots. (Signed) _____

439 Subscribed and sworn to (or affirmed) before me by ____ on this
 440 _____(month\day\year).

441 (Signed) _____ (Clerk or other officer qualified to administer oath)."

442 (b) An agent designated under Subsection (3)(b) to file a declaration of candidacy may
 443 not sign the form described in Subsection (5)(a).

444 (c) (i) A nomination petition shall be in substantially the following form:

445 "NOMINATION PETITION

446 The undersigned residents of (name of municipality), being registered voters, nominate
 447 (name of nominee) for the office of (name of office) for the (length of term of office)."

448 (ii) The remainder of the petition shall contain lines and columns for the signatures of
 449 individuals signing the petition and each individual's address and phone number.

450 (6) If the declaration of candidacy or nomination petition fails to state whether the
 451 nomination is for the two-year or four-year term, the clerk shall consider the nomination to be
 452 for the four-year term.

453 (7) (a) (i) The clerk shall verify with the county clerk that all candidates are registered
 454 voters.

455 (b) With the assistance of the county clerk, and using the procedures described in
 456 Section [20A-1-1002](#), the municipal clerk shall determine whether the required number of
 457 signatures of registered voters appears on a nomination petition.

458 (8) Immediately after expiration of the period for filing a declaration of candidacy, the
 459 clerk shall:

460 (a) publicize a list of the names of the candidates as they will appear on the ballot by
 461 publishing the list for the municipality, as a class A notice under Section [63G-30-102](#), for

462 seven days; and

463 (b) notify the lieutenant governor of the names of the candidates as they will appear on
464 the ballot.

465 (9) Except as provided in Subsection (10)(c), an individual may not amend a
466 declaration of candidacy or nomination petition filed under this section after the candidate
467 filing period ends.

468 (10) (a) A declaration of candidacy or nomination petition that an individual files under
469 this section is valid unless a person files a written objection with the clerk before 5 p.m. within
470 10 days after the last day for filing.

471 (b) If a person files an objection, the clerk shall:

472 (i) mail or personally deliver notice of the objection to the affected candidate
473 immediately; and

474 (ii) decide any objection within 48 hours after the objection is filed.

475 (c) If the clerk sustains the objection, the candidate may, before 5 p.m. within three
476 days after the day on which the clerk sustains the objection, correct the problem for which the
477 objection is sustained by amending the candidate's declaration of candidacy or nomination
478 petition, or by filing a new declaration of candidacy.

479 (d) (i) The clerk's decision upon objections to form is final.

480 (ii) The clerk's decision upon substantive matters is reviewable by a district court if
481 prompt application is made to the district court.

482 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
483 of its discretion, agrees to review the lower court decision.

484 (11) A candidate who qualifies for the ballot under this section may withdraw as a
485 candidate by filing a written affidavit with the municipal clerk.

486 (12) (a) A voter who signs a nomination petition under this section may have the
487 voter's signature removed from the petition by, no later than three business days after the day
488 on which the petition is filed with the city recorder or municipal clerk, submitting to the
489 municipal clerk a statement requesting that the voter's signature be removed.

490 (b) A statement described in Subsection (12)(a) shall comply with the requirements
491 described in Subsection [20A-1-1003\(2\)](#).

492 (c) With the assistance of the county clerk and using the procedures described in

493 Subsection [20A-1-1003\(3\)](#), the municipal clerk shall determine whether to remove an
494 individual's signature from a petition after receiving a timely, valid statement requesting
495 removal of the signature.

496 (13) (a) Except as provided in Subsection (13)(c), a candidate for a municipal office in
497 a nonpartisan election may, when the candidate files a declaration of candidacy, choose to have
498 the candidate's party affiliation appear adjacent to the candidate's name on the ballot for the
499 municipal primary election and the ballot for the municipal general election.

500 (b) If a candidate chooses to have the candidate's party affiliation appear on a
501 municipal ballot under Subsection (13)(a), the candidate:

502 (i) must be a member of the political party that appears adjacent to the candidate's
503 name on the ballot; and

504 (ii) remains a nonpartisan candidate and is not candidate for the political party that
505 appears adjacent to the candidate's name on the ballot.

506 (c) Subsection (13)(a) does not apply to a candidate selected by convention under
507 Subsections [20A-9-404\(3\)](#) and (4).

508 Section 7. Section **20A-9-203.5** is amended to read:

509 **20A-9-203.5. Requirement to post candidate information on website -- Other**
510 **posting or printing requirements.**

511 (1) The clerk of a county or a municipality shall, within three business days after the
512 day on which the clerk accepts a declaration of candidacy, post the following information on
513 the website of the county or municipality:

514 [~~(1)~~] (a) the name and campaign contact information of the candidate; [~~and~~]

515 [~~(2)~~] (b) the office that the candidate is seeking[.];

516 (c) for a municipal office candidate who, in accordance with Subsection
517 [20A-9-203\(13\)](#), chooses to have the candidate's party affiliation included on the ballot, the
518 candidate's party affiliation; and

519 (d) for a local school board candidate who, in accordance with Subsections
520 [20A-14-203\(3\)](#) and (4), chooses to have the candidate's party affiliation included on the ballot,
521 the candidate's party affiliation.

522 (2) An election officer who posts online, or who prints in a publication, voter
523 information on a municipal office candidate described in Subsection (1)(c) or a local school

524 board candidate described in Subsection (1)(d) shall include the candidate's party affiliation
525 adjacent to the candidate's name.

526 Section 8. Section **20A-9-701** is amended to read:

527 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

528 (1) No later than August 31 of each regular general election year, the lieutenant
529 governor shall certify to each county clerk, for offices to be voted upon at the regular general
530 election in that county clerk's county:

531 (a) the names of each candidate nominated under Subsection [20A-9-202\(4\)](#) or
532 Subsection [20A-9-403\(5\)](#); and

533 (b) the names of the candidates for president and vice president that are certified by the
534 registered political party as the party's nominees.

535 (2) (a) The names shall be certified by the lieutenant governor and shall be displayed
536 on the ballot as they are provided on the candidate's declaration of candidacy.

537 (b) ~~[No]~~ Except as provided in Subsections [20A-14-203\(3\)](#) and (4), no other names
538 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
539 political party, political party, or other political group.

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

541 **20A-14-203. Becoming a member of a local board of education -- Declaration of**
542 **candidacy -- Election.**

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

544 (a) filing a declaration of candidacy with the county clerk during the declaration of
545 candidacy filing period described in Section [20A-9-201.5](#); and

546 (b) paying the fee described in Section [20A-9-202](#).

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

549 (b) A member of a local board of education shall serve until a successor is:

550 (i) elected; or

551 (ii) appointed and takes or signs the constitutional oath of office.

552 (3) A candidate for a local school board may, when the candidate files a declaration of
553 candidacy, choose to have the candidate's party affiliation appear adjacent to the candidate's
554 name on the ballot for the regular primary election and the ballot for the regular general

555 election.

556 (4) If a candidate chooses to have the candidate's party affiliation appear on a regular
557 election ballot under Subsection (3), the candidate:

558 (a) must be a member of the political party that appears adjacent to the candidate's
559 name on the ballot; and

560 (b) remains a nonpartisan candidate and is not candidate for the political party that
561 appears adjacent to the candidate's name on the ballot.

562 Section 10. **Effective date.**

563 This bill takes effect on January 1, 2025.