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SCHOOL BOARD ELECTION PROVISIONS

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jim Nielson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to the election of the State Board of Education and local school boards.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the direct, nonpartisan election of members of the State Board of Education;
- ▶ repeals the involvement of the governor and the nominating and recruiting committee in the nomination of candidates for the State Board of Education;
- ▶ establishes the primary election for the State Board of Education and local school boards on the second Tuesday following the first Monday in August of an odd-numbered year;
- ▶ establishes the general election for the State Board of Education and local school boards on the first Tuesday after the first Monday in November of each odd-numbered year;
- ▶ designates a county clerk as the election officer for the election of the State Board of Education and local school boards;
- ▶ requires a notice for a school board election;
- ▶ establishes a ballot form for school board elections;



- 28 ▶ establishes declaration of candidacy requirements for school board elections;
- 29 ▶ establishes requirements for a school board primary election;
- 30 ▶ changes the dates of an interim report of campaign finances;
- 31 ▶ adjusts terms of current and future board members; and
- 32 ▶ makes conforming and technical amendments.

33 **Money Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 This bill takes effect January 1, 2014.

37 **Utah Code Sections Affected:**

38 AMENDS:

- 39 **20A-1-102**, as last amended by Laws of Utah 2011, Chapters 17, 40, 310, and 335
- 40 **20A-1-201**, as last amended by Laws of Utah 2000, Chapter 241
- 41 **20A-1-201.5**, as last amended by Laws of Utah 2011, Chapter 327
- 42 **20A-1-511**, as last amended by Laws of Utah 1994, Chapter 108
- 43 **20A-4-304**, as last amended by Laws of Utah 2008, Chapter 82
- 44 **20A-5-101**, as last amended by Laws of Utah 2011, Chapters 291 and 292
- 45 **20A-5-401**, as last amended by Laws of Utah 2009, Chapter 45
- 46 **20A-5-409**, as last amended by Laws of Utah 2011, Chapter 327
- 47 **20A-5-601**, as last amended by Laws of Utah 2007, Chapter 75
- 48 **20A-6-302**, as last amended by Laws of Utah 2011, Chapters 292 and 297
- 49 **20A-9-403**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 2
- 50 **20A-11-101**, as last amended by Laws of Utah 2011, Chapter 396
- 51 **20A-11-1302**, as last amended by Laws of Utah 2011, Chapter 347
- 52 **20A-11-1303**, as last amended by Laws of Utah 2011, Chapter 347
- 53 **20A-11-1305**, as last amended by Laws of Utah 2011, Chapter 396
- 54 **20A-14-103**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 3
- 55 **20A-14-104**, as last amended by Laws of Utah 2004, Chapter 19
- 56 **20A-14-201**, as last amended by Laws of Utah 2011, Chapter 297
- 57 **20A-14-202**, as last amended by Laws of Utah 2011, Chapter 297
- 58 **20A-14-203**, as enacted by Laws of Utah 1995, Chapter 1

59 **53A-3-301**, as last amended by Laws of Utah 2011, Chapters 209 and 322

60 ENACTS:

61 **20A-1-201.1**, Utah Code Annotated 1953

62 **20A-6-301.5**, Utah Code Annotated 1953

63 **20A-9-203.5**, Utah Code Annotated 1953

64 **20A-9-405**, Utah Code Annotated 1953

65 REPEALS:

66 **20A-14-105**, as last amended by Laws of Utah 2011, Chapters 292, 327, 335 and last
67 amended by Coordination Clause, Laws of Utah 2011, Chapter 327



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

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

71 **20A-1-102. Definitions.**

72 As used in this title:

73 (1) "Active voter" means a registered voter who has not been classified as an inactive
74 voter by the county clerk.

75 (2) "Automatic tabulating equipment" means apparatus that automatically examines
76 and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

77 (3) (a) "Ballot" means the storage medium, whether paper, mechanical, or electronic,
78 upon which a voter records the voter's votes.

79 (b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy
80 envelopes.

81 (4) "Ballot sheet":

82 (a) means a ballot that:

83 (i) consists of paper or a card where the voter's votes are marked or recorded; and

84 (ii) can be counted using automatic tabulating equipment; and

85 (b) includes punch card ballots and other ballots that are machine-countable.

86 (5) "Ballot label" means the cards, papers, booklet, pages, or other materials that:

87 (a) contain the names of offices and candidates and statements of ballot propositions to
88 be voted on; and

89 (b) are used in conjunction with ballot sheets that do not display that information.

90 (6) "Ballot proposition" means a question, issue, or proposal that is submitted to voters
91 on the ballot for their approval or rejection including:

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

93 (b) a constitutional amendment;

94 (c) an initiative;

95 (d) a referendum;

96 (e) a bond proposition;

97 (f) a judicial retention question; or

98 (g) any other ballot question specifically authorized by the Legislature.

99 (7) "Board of canvassers" means the entities established by Sections 20A-4-301 and
100 20A-4-306 to canvass election returns.

101 (8) "Bond election" means an election held for the purpose of approving or rejecting
102 the proposed issuance of bonds by a government entity.

103 (9) "Book voter registration form" means voter registration forms contained in a bound
104 book that are used by election officers and registration agents to register persons to vote.

105 (10) "By-mail voter registration form" means a voter registration form designed to be
106 completed by the voter and mailed to the election officer.

107 (11) "Canvass" means the review of election returns and the official declaration of
108 election results by the board of canvassers.

109 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at
110 the canvass.

111 (13) "Contracting election officer" means an election officer who enters into a contract
112 or interlocal agreement with a provider election officer.

113 (14) "Convention" means the political party convention at which party officers and
114 delegates are selected.

115 (15) "Counting center" means one or more locations selected by the election officer in
116 charge of the election for the automatic counting of ballots.

117 (16) "Counting judge" means a poll worker designated to count the ballots during
118 election day.

119 (17) "Counting poll watcher" means a person selected as provided in Section
120 20A-3-201 to witness the counting of ballots.

121 (18) "Counting room" means a suitable and convenient private place or room,
122 immediately adjoining the place where the election is being held, for use by the poll workers
123 and counting judges to count ballots during election day.

124 (19) "County officers" means those county officers that are required by law to be
125 elected.

126 (20) "Date of the election" or "election day" or "day of the election":

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

129 (b) does not include:

130 (i) deadlines established for absentee voting; or

131 (ii) any early voting or early voting period as provided under Chapter 3, Part 6, Early
132 Voting.

133 (21) "Elected official" means:

134 (a) a person elected to an office under Section 20A-1-303;

135 (b) a person who is considered to be elected to a municipal office in accordance with
136 Subsection 20A-1-206(1)(c)(ii); or

137 (c) a person who is considered to be elected to a local district office in accordance with
138 Subsection 20A-1-206(3)(c)(ii).

139 (22) "Election" means a regular general election, a municipal general election, a school
140 board general election, a statewide special election, a local special election, a regular primary
141 election, a municipal primary election, a school board primary election, and a local district
142 election.

143 (23) "Election Assistance Commission" means the commission established by Public
144 Law 107-252, the Help America Vote Act of 2002.

145 (24) "Election cycle" means the period beginning on the first day persons are eligible to
146 file declarations of candidacy and ending when the canvass is completed.

147 (25) "Election judge" means a poll worker that is assigned to:

148 (a) preside over other poll workers at a polling place;

149 (b) act as the presiding election judge; or

150 (c) serve as a canvassing judge, counting judge, or receiving judge.

151 (26) "Election officer" means:

- 152 (a) the lieutenant governor, for all statewide ballots and elections;
- 153 (b) the county clerk for:
 - 154 (i) a county ballot and election; ~~and~~
 - 155 (ii) a ballot and election as a provider election officer as provided in Section
 - 156 20A-5-400.1 or 20A-5-400.5;
 - 157 (iii) a school board primary election; and
 - 158 (iv) a school board general election;
- 159 (c) the municipal clerk for:
 - 160 (i) a municipal ballot and election; and
 - 161 (ii) a ballot and election as a provider election officer as provided in Section
 - 162 20A-5-400.1 or 20A-5-400.5;
- 163 (d) the local district clerk or chief executive officer for:
 - 164 (i) a local district ballot and election; and
 - 165 (ii) a ballot and election as a provider election officer as provided in Section
 - 166 20A-5-400.1 or 20A-5-400.5; or
- 167 (e) the business administrator or superintendent of a school district for:
 - 168 (i) a school district ballot and election; and
 - 169 (ii) a ballot and election as a provider election officer as provided in Section
 - 170 20A-5-400.1 or 20A-5-400.5.
- 171 (27) "Election official" means~~[(a) for an election other than a bond election, the~~
 172 ~~count of votes cast in the election and the election returns requested by the board of canvassers;~~
 173 ~~or (b)]~~ any election officer, election judge, or poll worker.
- 174 (28) "Election results" means:
 - 175 (a) for an election other than a bond election, the count of votes cast in the election and
 - 176 the election returns requested by the board of canvassers; or
 - 177 (b) for bond elections, the count of those votes cast for and against the bond
 - 178 proposition plus any or all of the election returns that the board of canvassers may request.
- 179 (29) "Election returns" includes the pollbook, all affidavits of registration, the military
 180 and overseas absentee voter registration and voting certificates, one of the tally sheets, any
 181 unprocessed absentee ballots, all counted ballots, all excess ballots, all unused ballots, all
 182 spoiled ballots, the ballot disposition form, and the total votes cast form.

183 (30) "Electronic ballot" means a ballot that is recorded using a direct electronic voting
184 device or other voting device that records and stores ballot information by electronic means.

185 (31) "Electronic signature" means an electronic sound, symbol, or process attached to
186 or logically associated with a record and executed or adopted by a person with the intent to sign
187 the record.

188 (32) (a) "Electronic voting device" means a voting device that uses electronic ballots.

189 (b) "Electronic voting device" includes a direct recording electronic voting device.

190 (33) "Inactive voter" means a registered voter who has:

191 (a) been sent the notice required by Section 20A-2-306; and

192 (b) failed to respond to that notice.

193 (34) "Inspecting poll watcher" means a person selected as provided in this title to
194 witness the receipt and safe deposit of voted and counted ballots.

195 (35) "Judicial office" means the office filled by any judicial officer.

196 (36) "Judicial officer" means any justice or judge of a court of record or any county
197 court judge.

198 (37) "Local district" means a local government entity under Title 17B, Limited Purpose
199 Local Government Entities - Local Districts, and includes a special service district under Title
200 17D, Chapter 1, Special Service District Act.

201 (38) "Local district officers" means those local district officers that are required by law
202 to be elected.

203 (39) "Local election" means a regular municipal election, a local special election, a
204 local district election, and a bond election.

205 (40) "Local political subdivision" means a county, a municipality, a local district, or a
206 local school district.

207 (41) "Local special election" means a special election called by the governing body of a
208 local political subdivision in which all registered voters of the local political subdivision may
209 vote.

210 (42) "Municipal executive" means:

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

212 or

213 (b) the mayor in the council-manager form of government defined in Subsection

214 10-3b-103(6).

215 (43) "Municipal general election" means the election held in municipalities and local
216 districts on the first Tuesday after the first Monday in November of each odd-numbered year
217 for the purposes established in Section 20A-1-202.

218 (44) "Municipal legislative body" means the council of the city or town in any form of
219 municipal government.

220 (45) "Municipal office" means an elective office in a municipality.

221 (46) "Municipal officers" means those municipal officers that are required by law to be
222 elected.

223 (47) "Municipal primary election" means an election held to nominate candidates for
224 municipal office.

225 (48) "Official ballot" means the ballots distributed by the election officer to the poll
226 workers to be given to voters to record their votes.

227 (49) "Official endorsement" means:

228 (a) the information on the ballot that identifies:

229 (i) the ballot as an official ballot;

230 (ii) the date of the election; and

231 (iii) the facsimile signature of the election officer; and

232 (b) the information on the ballot stub that identifies:

233 (i) the poll worker's initials; and

234 (ii) the ballot number.

235 (50) "Official register" means the official record furnished to election officials by the
236 election officer that contains the information required by Section 20A-5-401.

237 (51) "Paper ballot" means a paper that contains:

238 (a) the names of offices and candidates and statements of ballot propositions to be
239 voted on; and

240 (b) spaces for the voter to record the voter's vote for each office and for or against each
241 ballot proposition.

242 (52) "Political party" means an organization of registered voters that has qualified to
243 participate in an election by meeting the requirements of Chapter 8, Political Party Formation
244 and Procedures.

- 245 [~~(55)~~] (53) "Polling place" means the building where voting is conducted.
- 246 [~~(53)~~] (54) (a) "Poll worker" means a person assigned by an election official to assist
247 with an election, voting, or counting votes.
- 248 (b) "Poll worker" includes election judges.
- 249 (c) "Poll worker" does not include a watcher.
- 250 [~~(54)~~] (55) "Pollbook" means a record of the names of voters in the order that they
251 appear to cast votes.
- 252 (56) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
253 in which the voter marks the voter's choice.
- 254 (57) "Provider election officer" means an election officer who enters into a contract or
255 interlocal agreement with a contracting election officer to conduct an election for the
256 contracting election officer's local political subdivision in accordance with Section
257 20A-5-400.1.
- 258 (58) "Provisional ballot" means a ballot voted provisionally by a person:
- 259 (a) whose name is not listed on the official register at the polling place;
- 260 (b) whose legal right to vote is challenged as provided in this title; or
- 261 (c) whose identity was not sufficiently established by a poll worker.
- 262 (59) "Provisional ballot envelope" means an envelope printed in the form required by
263 Section 20A-6-105 that is used to identify provisional ballots and to provide information to
264 verify a person's legal right to vote.
- 265 (60) "Primary convention" means the political party conventions at which nominees for
266 the regular primary election are selected.
- 267 (61) "Protective counter" means a separate counter, which cannot be reset, that:
- 268 (a) is built into a voting machine; and
- 269 (b) records the total number of movements of the operating lever.
- 270 (62) "Qualify" or "qualified" means to take the oath of office and begin performing the
271 duties of the position for which the person was elected.
- 272 (63) "Receiving judge" means the poll worker that checks the voter's name in the
273 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
274 after the voter has voted.
- 275 (64) "Registration form" means a book voter registration form and a by-mail voter

276 registration form.

277 (65) "Regular ballot" means a ballot that is not a provisional ballot.

278 (66) "Regular general election" means the election held throughout the state on the first
279 Tuesday after the first Monday in November of each even-numbered year for the purposes
280 established in Section 20A-1-201.

281 (67) "Regular primary election" means the election on the fourth Tuesday of June of
282 each even-numbered year, to nominate candidates of political parties and nonpolitical groups to
283 advance to the regular general election.

284 (68) "Resident" means a person who resides within a specific voting precinct in Utah.

285 (69) "Sample ballot" means a mock ballot similar in form to the official ballot printed
286 and distributed as provided in Section 20A-5-405.

287 (70) "School board general election" means the election established by Section
288 20A-1-201.1 that is held throughout the state for the office of State Board of Education
289 member and the office of local school board member.

290 (71) "School board primary election" means the election established by Sections
291 20A-1-201.5 and 20A-9-405 that is held, if necessary, to nominate candidates for the school
292 board general election.

293 [~~70~~] (72) "Scratch vote" means to mark or punch the straight party ticket and then
294 mark or punch the ballot for one or more candidates who are members of different political
295 parties.

296 [~~71~~] (73) "Secrecy envelope" means the envelope given to a voter along with the
297 ballot into which the voter places the ballot after the voter has voted it in order to preserve the
298 secrecy of the voter's vote.

299 [~~72~~] (74) "Special election" means an election held as authorized by Section
300 20A-1-204.

301 [~~73~~] (75) "Spoiled ballot" means each ballot that:

302 (a) is spoiled by the voter;

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

304 (c) lacks the official endorsement.

305 [~~74~~] (76) "Statewide special election" means a special election called by the governor
306 or the Legislature in which all registered voters in Utah may vote.

307 [~~(75)~~] (77) "Stub" means the detachable part of each ballot.

308 [~~(76)~~] (78) "Substitute ballots" means replacement ballots provided by an election
309 officer to the poll workers when the official ballots are lost or stolen.

310 [~~(77)~~] (79) "Ticket" means each list of candidates for each political party or for each
311 group of petitioners.

312 [~~(78)~~] (80) "Transfer case" means the sealed box used to transport voted ballots to the
313 counting center.

314 [~~(79)~~] (81) "Vacancy" means the absence of a person to serve in any position created
315 by statute, whether that absence occurs because of death, disability, disqualification,
316 resignation, or other cause.

317 [~~(80)~~] (82) "Valid voter identification" means:

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

320 (i) a currently valid Utah driver license;

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

322 (A) the state; or

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

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

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

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

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

329 (i) a valid tribal identification card;

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

331 (iii) a tribal treaty card; or

332 (c) two forms of identification not listed under Subsection [~~(80)~~] (82)(a) or (b) but that
333 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
334 which may include:

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

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

- 338 (iii) a certified birth certificate;
- 339 (iv) a valid Social Security card;
- 340 (v) a check issued by the state or the federal government or a legible copy thereof;
- 341 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 342 (vii) a currently valid Utah hunting or fishing license;
- 343 (viii) certified naturalization documentation;
- 344 (ix) a currently valid license issued by an authorized agency of the United States;
- 345 (x) a certified copy of court records showing the voter's adoption or name change;
- 346 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 347 (xii) a currently valid identification card issued by:
 - 348 (A) a local government within the state;
 - 349 (B) an employer for an employee; or
 - 350 (C) a college, university, technical school, or professional school located within the
 - 351 state; or
 - 352 (xiii) a current Utah vehicle registration.

353 [~~81~~] (83) "Valid write-in candidate" means a candidate who has qualified as a
 354 write-in candidate by following the procedures and requirements of this title.

355 [~~82~~] (84) "Voter" means a person who:

- 356 (a) meets the requirements for voting in an election;
- 357 (b) meets the requirements of election registration;
- 358 (c) is registered to vote; and
- 359 (d) is listed in the official register book.

360 [~~83~~] (85) "Voter registration deadline" means the registration deadline provided in
 361 Section 20A-2-102.5.

362 [~~84~~] (86) "Voting area" means the area within six feet of the voting booths, voting
 363 machines, and ballot box.

364 [~~85~~] (87) "Voting booth" means:

- 365 (a) the space or compartment within a polling place that is provided for the preparation
 366 of ballots, including the voting machine enclosure or curtain; or
- 367 (b) a voting device that is free standing.

368 [~~86~~] (88) "Voting device" means:

369 (a) an apparatus in which ballot sheets are used in connection with a punch device for
370 piercing the ballots by the voter;

371 (b) a device for marking the ballots with ink or another substance;

372 (c) an electronic voting device or other device used to make selections and cast a ballot
373 electronically, or any component thereof;

374 (d) an automated voting system under Section 20A-5-302; or

375 (e) any other method for recording votes on ballots so that the ballot may be tabulated
376 by means of automatic tabulating equipment.

377 [~~(87)~~] (89) "Voting machine" means a machine designed for the sole purpose of
378 recording and tabulating votes cast by voters at an election.

379 [~~(88)~~] (90) "Voting poll watcher" means a person appointed as provided in this title to
380 witness the distribution of ballots and the voting process.

381 [~~(89)~~] (91) "Voting precinct" means the smallest voting unit established as provided by
382 law within which qualified voters vote at one polling place.

383 [~~(90)~~] (92) "Watcher" means a voting poll watcher, a counting poll watcher, an
384 inspecting poll watcher, and a testing watcher.

385 [~~(91)~~] (93) "Western States Presidential Primary" means the election established in
386 Chapter 9, Part 8.

387 [~~(92)~~] (94) "Write-in ballot" means a ballot containing any write-in votes.

388 [~~(93)~~] (95) "Write-in vote" means a vote cast for a person whose name is not printed on
389 the ballot according to the procedures established in this title.

390 Section 2. Section **20A-1-201** is amended to read:

391 **20A-1-201. Date and purpose of regular general elections.**

392 (1) A regular general election shall be held throughout the state on the first Tuesday
393 after the first Monday in November of each even-numbered year.

394 (2) At the regular general election, the voters shall:

395 (a) choose persons to serve the terms established by law for the following offices:

396 (i) electors of President and Vice President of the United States;

397 (ii) United States Senators;

398 (iii) Representatives to the United States Congress;

399 (iv) governor, lieutenant governor, attorney general, state treasurer, and state auditor;

- 400 (v) senators and representatives to the Utah Legislature;
- 401 (vi) county officers; and
- 402 [~~(vii) State School Board members;~~]
- 403 [~~(viii) local school board members; and~~]
- 404 [~~(ix)~~] (vii) any elected judicial officers; and
- 405 (b) approve or reject:
- 406 (i) any proposed amendments to the Utah Constitution that have qualified for the ballot
- 407 under procedures established in the Utah Code;
- 408 (ii) any proposed initiatives or referenda that have qualified for the ballot under
- 409 procedures established in the Utah Code; and
- 410 (iii) any other ballot propositions submitted to the voters that are authorized by the
- 411 Utah Code.

412 Section 3. Section **20A-1-201.1** is enacted to read:

413 **20A-1-201.1. Date and purpose of school board general election.**

414 (1) A school board general election shall be held throughout the state on the first

415 Tuesday after the first Monday in November of each odd-numbered year.

416 (2) At the school board general election, the voters shall elect a person to serve as a

417 member of:

418 (a) the State Board of Education for the term established by Title 20A, Chapter 14, Part

419 1, State Board of Education; and

420 (b) a local school board for the term established by Title 20A, Chapter 14, Part 2, Local

421 School Board.

422 Section 4. Section **20A-1-201.5** is amended to read:

423 **20A-1-201.5. Primary election dates.**

424 (1) A regular primary election shall be held throughout the state on the fourth Tuesday

425 of June of each even numbered year as provided in Section 20A-9-403, to nominate persons for

426 national, state, [~~school board,~~] and county offices.

427 (2) A municipal primary election shall be held, if necessary, on the second Tuesday

428 following the first Monday in August before the regular municipal election to nominate persons

429 for municipal offices.

430 (3) The Western States Presidential Primary election shall be held throughout the state

431 on the first Tuesday in February in the year in which a presidential election will be held.

432 (4) A school board primary election shall be held on the second Tuesday following the
433 first Monday in August of an odd-numbered year as provided in Section 20A-9-405 to
434 nominate candidates for the school board general election.

435 Section 5. Section **20A-1-511** is amended to read:

436 **20A-1-511. Midterm vacancies on local school boards.**

437 (1) (a) A local school board shall fill vacancies on the board by appointment, except as
438 otherwise provided in Subsection (2).

439 (b) If the board fails to make an appointment within 30 days after a vacancy occurs, the
440 county legislative body, or municipal legislative body in a city district, shall fill the vacancy by
441 appointment.

442 (c) A member appointed and qualified under this subsection shall serve until a
443 successor is elected or appointed and qualified.

444 (2) (a) A vacancy on the board shall be filled by an interim appointment, followed by
445 an election to fill a two-year term if:

446 (i) the vacancy on the board occurs, or a letter of resignation is received by the board,
447 at least 14 days before the deadline for filing a declaration of candidacy; and

448 (ii) two years of the vacated term will remain after the first Monday of January
449 following the next school board general election.

450 (b) Members elected under this subsection shall serve for the remaining [~~two years of~~
451 ~~the~~] vacated term and until a successor is elected and qualified.

452 (3) Before appointing a person to fill a vacancy under this section, the local school
453 board shall:

454 (a) give public notice of the vacancy at least two weeks before the local school board
455 meets to fill the vacancy;

456 (b) identify, in the notice:

457 (i) the date, time, and place of the meeting where the vacancy will be filled; and

458 (ii) the person to whom a person interested in being appointed to fill the vacancy may
459 submit [~~his~~] the person's name for consideration and any deadline for submitting it.

460 Section 6. Section **20A-4-304** is amended to read:

461 **20A-4-304. Declaration of results -- Canvassers' report.**

- 462 (1) Each board of canvassers shall:
- 463 (a) declare "elected" or "nominated" those persons who:
- 464 (i) had the highest number of votes; and
- 465 (ii) sought election or nomination to an office completely within the board's
- 466 jurisdiction;
- 467 (b) declare:
- 468 (i) "approved" those ballot propositions that:
- 469 (A) had more "yes" votes than "no" votes; and
- 470 (B) were submitted only to the voters within the board's jurisdiction;
- 471 (ii) "rejected" those ballot propositions that:
- 472 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes"
- 473 votes; and
- 474 (B) were submitted only to the voters within the board's jurisdiction;
- 475 (c) certify the vote totals for persons and for and against ballot propositions that were
- 476 submitted to voters within and beyond the board's jurisdiction and transmit those vote totals to
- 477 the lieutenant governor; and
- 478 (d) if applicable, certify the results of each local district election to the local district
- 479 clerk.
- 480 (2) (a) As soon as the result is declared, the election officer shall prepare a report of the
- 481 result, which shall contain:
- 482 (i) the total number of votes cast in the board's jurisdiction;
- 483 (ii) the names of each candidate whose name appeared on the ballot;
- 484 (iii) the title of each ballot proposition that appeared on the ballot;
- 485 (iv) each office that appeared on the ballot;
- 486 (v) from each voting precinct:
- 487 (A) the number of votes for each candidate; and
- 488 (B) the number of votes for and against each ballot proposition;
- 489 (vi) the total number of votes given in the board's jurisdiction to each candidate, and
- 490 for and against each ballot proposition; and
- 491 (vii) a statement certifying that the information contained in the report is accurate.
- 492 (b) The election officer and the board of canvassers shall:

- 493 (i) review the report to ensure that it is correct; and
494 (ii) sign the report.
- 495 (c) The election officer shall:
- 496 (i) record or file the certified report in a book kept for that purpose;
497 (ii) prepare and transmit a certificate of nomination or election under the officer's seal
498 to each nominated or elected candidate;
- 499 (iii) publish a copy of the certified report:
- 500 (A) in one or more conspicuous places within the jurisdiction;
501 (B) in a conspicuous place on the county's website; and
502 (C) in a newspaper with general circulation in the board's jurisdiction; and
503 (iv) file a copy of the certified report with the lieutenant governor.
- 504 (3) When there has been a regular general election, a school board general election, or
505 a statewide special election for statewide officers, for officers that appear on the ballot in more
506 than one county, or for a statewide or two or more county ballot proposition, each board of
507 canvassers shall:
- 508 (a) prepare a separate report detailing the number of votes for each candidate and the
509 number of votes for and against each ballot proposition; and
510 (b) transmit it by registered mail to the lieutenant governor.
- 511 (4) In each county election, municipal election, school election, school board general
512 election to elect a local school board member, local district election, and local special election,
513 the election officer shall transmit the reports to the lieutenant governor within 14 days after the
514 date of the election.
- 515 (5) In regular primary elections, a school board primary election, and in the Western
516 States Presidential Primary, the board shall transmit to the lieutenant governor:
- 517 (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant
518 governor:
- 519 (i) not later than the second Tuesday after the primary election for:
520 (A) the regular primary election; and
521 (B) the school board primary election; and
522 (ii) not later than the Tuesday following the election for the Western States Presidential
523 Primary; and

524 (b) a complete tabulation showing voting totals for all primary races, precinct by
525 precinct, to be mailed to the lieutenant governor on or before the third Friday following the
526 primary election.

527 Section 7. Section **20A-5-101** is amended to read:

528 **20A-5-101. Notice of election.**

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

531 [~~(a)~~] (i) designates the offices to be filled at the regular general election;

532 [~~(b)~~] (ii) identifies the dates for filing a declaration of candidacy for those offices;

533 [~~(c)~~] (iii) includes the master ballot position list for the current year and the next year
534 as established under Section 20A-6-305; and

535 [~~(d)~~] (iv) contains a description of any ballot propositions to be decided by the voters
536 that have qualified for the ballot as of that date.

537 (b) On or before February 1 in each school board general election year, the lieutenant
538 governor shall prepare and transmit a written notice to each county clerk that:

539 (i) designates the offices to be filled at the school board general election;

540 (ii) identifies the dates for filing a declaration of candidacy for those offices; and

541 (iii) includes the master ballot position list as established under Section 20A-6-305.

542 (2) (a) No later than February 15, each county clerk shall:

543 (i) publish a notice:

544 (A) once in a newspaper published in that county; and

545 (B) as required in Section 45-1-101; or

546 (ii) (A) cause a copy of the notice to be posted in a conspicuous place most likely to
547 give notice of the election to the voters in each voting precinct within the county; and

548 (B) prepare an affidavit of that posting, showing a copy of the notice and the places
549 where the notice was posted.

550 (b) The notice required by Subsection (2)(a) shall:

551 (i) designate the offices to be voted on in that election in that county, other than local
552 district offices; and

553 (ii) identify the dates for filing a declaration of candidacy for those offices.

554 (3) Before each election, the election officer shall give written or printed notice of:

- 555 (a) the date and place of election;
- 556 (b) the hours during which the polls will be open;
- 557 (c) the polling places for each voting precinct;
- 558 (d) an election day voting center designated under Section 20A-3-703; and
- 559 (e) the qualifications for persons to vote in the election.

560 (4) To provide the notice required by Subsection (3), the election officer shall publish
561 the notice at least two days before the election:

- 562 (a) in a newspaper of general circulation common to the area or in which the election is
563 being held; and
- 564 (b) as required in Section 45-1-101.

565 Section 8. Section **20A-5-401** is amended to read:

566 **20A-5-401. Official register -- Preparation -- Contents.**

567 (1) (a) Before the registration days for each regular general, school board general,
568 municipal general, regular primary, school board primary, municipal primary, or Western
569 States Presidential Primary election, each county clerk shall prepare an official register of
570 voters for each voting precinct that will participate in the election.

571 (b) The county clerk shall ensure that the official register is prepared for the
572 alphabetical entry of names and contains entry fields to provide for the following information:

- 573 (i) registered voter's name;
- 574 (ii) party affiliation;
- 575 (iii) grounds for challenge;
- 576 (iv) name of person challenging a voter;
- 577 (v) primary, November, special;
- 578 (vi) date of birth;
- 579 (vii) place of birth;
- 580 (viii) place of current residence;
- 581 (ix) street address;
- 582 (x) zip code;
- 583 (xi) identification and provisional ballot information as required under Subsection
584 (1)(d); and
- 585 (xii) space for the voter to sign [~~his~~] the voter's name for each election.

586 (c) When preparing the official register for the Western States Presidential Primary, the
587 county clerk shall include:

588 (i) an entry field to record the name of the political party whose ballot the voter voted;
589 and

590 (ii) an entry field for the poll worker to record changes in the voter's party affiliation.

591 (d) When preparing the official register for any regular general election, school board
592 general election, municipal general election, statewide special election, local special election,
593 regular primary election, school board primary election, municipal primary election, local
594 district election, or election for federal office, the county clerk shall include:

595 (i) an entry field for the poll worker to record the type of identification provided by the
596 voter;

597 (ii) a column for the poll worker to record the provisional envelope ballot number for
598 voters who receive a provisional ballot; and

599 (iii) a space for the poll worker to record the type of identification that was provided by
600 voters who receive a provisional ballot.

601 (2) (a) (i) For regular and municipal elections, primary elections, regular municipal
602 elections, local district elections, and bond elections, the county clerk shall make an official
603 register only for voting precincts affected by the primary, municipal, local district, or bond
604 election.

605 (ii) If a polling place to be used in a bond election serves both voters residing in the
606 local political subdivision calling the bond election and voters residing outside of that local
607 political subdivision, the official register shall designate whether each voter resides in or
608 outside of the local political subdivision.

609 (iii) Each county clerk, with the assistance of the clerk of each affected local district,
610 shall provide a detailed map or an indication on the registration list or other means to enable a
611 poll worker to determine the voters entitled to vote at an election of local district officers.

612 (b) Municipalities shall pay the costs of making the official register for municipal
613 elections.

614 Section 9. Section **20A-5-409** is amended to read:

615 **20A-5-409. Certification of candidates to county clerks.**

616 (1) No later than August 31 of each regular general election year, the lieutenant

617 governor shall certify to each county clerk the name of each candidate qualified to be printed
618 on the regular general election ballot for that county clerk's county.

619 (2) No later than August 31 of each school board general election year, the lieutenant
620 governor shall certify to each county clerk the name of each candidate qualified to be printed
621 on the school board general election ballot for that county clerk's county.

622 Section 10. Section **20A-5-601** is amended to read:

623 **20A-5-601. Poll workers -- Appointment for regular general elections, school**
624 **board general elections, and primary elections.**

625 (1) (a) By March 1 of each even-numbered year, each county clerk shall provide to the
626 county chair of each registered political party a list of the number of poll workers that the party
627 must nominate for each voting precinct.

628 (b) (i) By April 1 of each even-numbered year, the county chair and secretary of each
629 registered political party shall file a list with the county clerk containing, for each voting
630 precinct, the names of registered voters in the county who are willing to be poll workers and
631 who are competent and trustworthy.

632 (ii) The county chair and secretary shall submit, for each voting precinct, names equal
633 in number to the number required by the county clerk plus one.

634 (2) Each county legislative body shall provide for the appointment of persons to serve
635 as poll workers at the regular primary election, the school board primary election, the regular
636 general election, the school board general election, and the Western States Presidential
637 Primary.

638 (3) For regular general elections, each county legislative body shall provide for the
639 appointment of:

640 (a) (i) three registered voters from the list to serve as receiving judges for each voting
641 precinct when ballots will be counted after the polls close; or

642 (ii) three registered voters from the list to serve as receiving judges in each voting
643 precinct and three registered voters from the list to serve as counting judges in each voting
644 precinct when ballots will be counted throughout election day; and

645 (b) three registered voters from the list for each 100 absentee ballots to be counted to
646 serve as canvassing judges.

647 (4) For regular primary elections and for the Western States Presidential Primary

648 election, each county legislative body shall provide for the appointment of:

649 (a) (i) two or three registered voters, or one or two registered voters and one person 17
650 years old who will be 18 years old by the date of the next regular general election, from the list
651 to serve as receiving judges for each voting precinct when ballots will be counted after the
652 polls close; or

653 (ii) two or three registered voters, or one or two registered voters and one person 17
654 years old who will be 18 years old by the date of the next regular general election, from the list
655 to serve as receiving judges in each voting precinct and two or three registered voters, or one or
656 two registered voters and one person 17 years old who will be 18 years old by the date of the
657 next regular general election, from the list to serve as counting judges in each voting precinct
658 when ballots will be counted throughout election day; and

659 (b) two or three registered voters, or one or two registered voters and one person 17
660 years old who will be 18 years old by the date of the next regular general election, from the list
661 for each 100 absentee ballots to be counted to serve as canvassing judges.

662 (5) For a school board primary election and a school board general election, a county
663 legislative body shall provide for the appointment of:

664 (a) in jurisdictions using paper ballots:

665 (i) three registered voters, or two registered voters and one person 17 years old who
666 will be 18 years old by election day, who reside within the county, to serve as poll workers for
667 each voting precinct when the ballots will be counted after the polls close; or

668 (ii) three registered voters, or two registered voters and one person 17 years old who
669 will be 18 years old by election day, who reside within the county, to serve as receiving judges
670 in each voting precinct and three registered voters, or two registered voters and one person 17
671 years old who will be 18 years old by election day, who reside within the county, to serve as
672 counting judges in each voting precinct when ballots will be counted throughout election day;

673 (b) in jurisdictions using automated tabulating equipment, three registered voters, or
674 two registered voters and one person 17 years old who will be 18 years old by election day,
675 who reside within the county, to serve as poll workers for each voting precinct;

676 (c) in jurisdictions using voting machines, four registered voters, or three registered
677 voters and one person 17 years old who will be 18 years old by election day, who reside within
678 the county, to serve as poll workers for each voting precinct; and

679 (d) in all jurisdictions:

680 (i) at least one registered voter who resides within the county to serve as canvassing
681 judge, if necessary; and

682 (ii) as many alternate poll workers as needed to replace appointed poll workers who are
683 unable to serve.

684 (6) The county clerk shall:

685 (a) prepare and file a list containing the name, address, voting precinct, and telephone
686 number of each person appointed under Subsection (5); and

687 (b) make the list available in the county clerk's office for inspection, examination, and
688 copying during business hours.

689 ~~[(5)]~~ (7) Each county legislative body may provide for the appointment of:

690 (a) three registered voters from the list to serve as inspecting judges at the regular
691 general election or school board general election to observe the clerk's receipt and deposit of
692 the ballots for safekeeping; and

693 (b) two or three registered voters, or one or two registered voters and one person 17
694 years old who will be 18 years old by the date of the next regular general election or school
695 board general election, from the list, to serve as inspecting judges at the regular primary
696 election or school board general election to observe the clerk's receipt and deposit of the ballots
697 for safekeeping.

698 ~~[(6)]~~ (8) (a) For each set of three counting or receiving judges to be appointed for each
699 voting precinct for the regular primary election, the regular general election, and the Western
700 States Presidential Primary election, the county legislative body shall ensure that:

701 (i) two judges are appointed from the political party that cast the highest number of
702 votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,
703 excluding votes for unopposed candidates, in the voting precinct at the last regular general
704 election before the appointment of the election judges; and

705 (ii) one judge is appointed from the political party that cast the second highest number
706 of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,
707 excluding votes for unopposed candidates, in the voting precinct at the last regular general
708 election before the appointment of the election judges.

709 (b) For each set of two counting or receiving judges to be appointed for each voting

710 precinct for the regular primary election and Western States Presidential Primary election, the
711 county legislative body shall ensure that:

712 (i) one judge is appointed from the political party that cast the highest number of votes
713 for governor, lieutenant governor, attorney general, state auditor, and state treasurer, excluding
714 votes for unopposed candidates, in the voting precinct at the last regular general election before
715 the appointment of the election judges; and

716 (ii) one judge is appointed from the political party that cast the second highest number
717 of votes for governor, lieutenant governor, attorney general, state auditor, and state treasurer,
718 excluding votes for unopposed candidates, in the voting precinct at the last regular general
719 election before the appointment of the election judges.

720 ~~[(7)]~~ (9) When the voting precinct boundaries have been changed since the last regular
721 general election, the county legislative body shall ensure that:

722 (a) for the regular primary election and the Western States Presidential Primary
723 election, when the county legislative body is using three receiving, counting, and canvassing
724 judges, and regular general election, not more than two of the judges are selected from the
725 political party that cast the highest number of votes for the offices of governor, lieutenant
726 governor, attorney general, state auditor, and state treasurer in the territory that formed the
727 voting precinct at the time of appointment; and

728 (b) for the regular primary election and the Western States Presidential Primary
729 election, when the county legislative body is using two receiving, counting, and canvassing
730 judges, not more than one of the judges is selected from the political party that cast the highest
731 number of votes for the offices of governor, lieutenant governor, attorney general, state auditor,
732 and state treasurer in the territory that formed the voting precinct at the time of appointment.

733 ~~[(8)]~~ (10) The county legislative body shall provide for the appointment of any
734 qualified county voter as an election judge when:

735 (a) a political party fails to file the poll worker list by the filing deadline; or

736 (b) the list is incomplete.

737 ~~[(9)]~~ (11) A registered voter of the county may serve as a poll worker in any voting
738 precinct of the county.

739 ~~[(10)]~~ (12) If a person serves as a poll worker outside the voting precinct where the
740 person is registered, that person may vote an absentee voter ballot.

741 ~~[(11)]~~ (13) The county clerk shall fill all poll worker vacancies.

742 ~~[(12)]~~ (14) If a conflict arises over the right to certify the poll worker lists for any
743 political party, the county legislative body may decide between conflicting lists, but may only
744 select names from a properly submitted list.

745 ~~[(13)]~~ (15) The county legislative body shall establish compensation for poll workers.

746 ~~[(14)]~~ (16) The county clerk may appoint additional poll workers to serve in the polling
747 place as needed.

748 Section 11. Section **20A-6-301.5** is enacted to read:

749 **20A-6-301.5. Paper ballots -- School board general election.**

750 (1) A ballot furnished for use at a school board primary election or school board
751 general election shall contain:

752 (a) no caption or other endorsement except as provided in this section;

753 (b) (i) a ballot stub at least one inch wide, placed across the top of the ballot, and
754 divided from the rest of ballot by a perforated line;

755 (ii) the ballot number and the words "Poll Worker's Initials _____" on the stub; and

756 (iii) a consecutively numbered ballot stub; and

757 (c) immediately below the perforated ballot stub, the following endorsements printed in
758 18-point bold type:

759 (i) "Official Ballot for _____ County, Utah";

760 (ii) the date of the election; and

761 (iii) a facsimile of the signature of the county clerk and the words "county clerk".

762 (2) A ballot furnished for use at a school board primary election or school board
763 general election shall have:

764 (a) the word "NONPARTISAN" in reverse type in an 18-point solid rule running
765 vertically the full length of the ballot;

766 (b) columns containing the lists of candidates, separated by heavy parallel lines;

767 (c) the offices to be filled plainly printed:

768 (i) in type not smaller than eight point;

769 (ii) immediately above the names of the candidates for those offices; and

770 (iii) flush with the left-hand margin;

771 (d) the names of candidates printed in capital letters, not less than one-eighth nor more

772 than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between lines or
773 rules three-eighths of an inch apart;

774 (e) a square with sides measuring not less than one-fourth of an inch in length printed
775 immediately adjacent to the name of each candidate; and

776 (f) (i) for each office on the ballot for the school board general election, the office to be
777 filled plainly printed immediately above a blank, horizontal line to enable the entry of a valid
778 write-in candidate and a square with sides measuring not less than one-fourth of an inch in
779 length printed immediately adjacent to the blank horizontal line; and

780 (ii) the words "Write-In Voting Column" printed at the head of the column without a
781 one-half inch circle.

782 (3) The election officer shall ensure that:

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

785 (b) the candidates are grouped according to the office for which they are candidates;
786 and

787 (c) the names in each group are placed in the order specified under Section 20A-6-305
788 with the surnames last.

789 Section 12. Section **20A-6-302** is amended to read:

790 **20A-6-302. Paper ballots -- Placement of candidates' names.**

791 (1) Each election officer shall ensure, for paper ballots in regular general elections or a
792 school board general election, that:

793 (a) each candidate is listed by party, if applicable;

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

796 (c) the names of candidates are placed on the ballot in the order specified under Section
797 20A-6-305.

798 (2) (a) The election officer may not allow the name of a candidate who dies or
799 withdraws before election day to be printed upon the ballots.

800 (b) If the ballots have already been printed, the election officer:

801 (i) shall, if possible, cancel the name of the dead or withdrawn candidate by drawing a
802 line through the candidate's name before the ballots are delivered to voters; and

803 (ii) may not count any votes for that dead or withdrawn candidate.

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

810 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
811 elected to the office of county attorney.

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

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

818 (e) If no qualified person files for the office of county attorney or if the candidate is not
819 elected by the voters, the county legislative body shall appoint the county attorney as provided
820 in Section 20A-1-509.2.

821 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
822 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a) to the
823 two consecutive terms immediately preceding the term for which the candidate is seeking
824 election, Subsection (3)(a) does not apply and that candidate shall be considered to be an
825 unopposed candidate the same as any other unopposed candidate for another office, unless a
826 petition is filed with the county clerk before the date of that year's primary election that:

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

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

831 (4) (a) When there is only one candidate for district attorney at the regular general
832 election in a prosecution district that has three or fewer registered voters of the district who are
833 licensed active members in good standing of the Utah State Bar, the county clerk shall cause

834 that candidate's name and party affiliation, if any, to be placed on a separate section of the
835 ballot with the following question: "Shall (name of candidate) be elected to the office of district
836 attorney? Yes ____ No ____."

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

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

842 (d) When the name of only one candidate for district attorney is printed on the ballot
843 under authority of this Subsection (4), the county clerk may not count any write-in votes
844 received for the office of district attorney.

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

848 (f) If the candidate whose name would, except for this Subsection (4)(f), be placed on
849 the ballot under Subsection (4)(a) has been elected on a ballot under Subsection (4)(a) to the
850 two consecutive terms immediately preceding the term for which the candidate is seeking
851 election, Subsection (4)(a) does not apply and that candidate shall be considered to be an
852 unopposed candidate the same as any other unopposed candidate for another office, unless a
853 petition is filed with the county clerk before the date of that year's primary election that:

854 (i) requests the procedure set forth in Subsection (4)(a) to be followed; and

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

858 Section 13. Section **20A-9-203.5** is enacted to read:

859 **20A-9-203.5. Declarations of candidacy for school board general elections --**

860 **Requirements for candidates.**

861 (1) Each person seeking to become a candidate for the office of local school board
862 member that is to be filled at the next school board general election shall:

863 (a) file a declaration of candidacy in person with the county clerk on or after the second
864 Friday in March and before 5 p.m. on the third Thursday in March before the next school

865 general election; and

866 (b) pay the filing fee.

867 (2) (a) Each person intending to become a candidate for the office of State Board of
868 Education member that is to be filled at the next school general election shall:

869 (i) file a declaration of candidacy in person with either the lieutenant governor or the
870 county clerk in the candidate's county of residence on or after the second Friday in March and
871 before 5 p.m. on the third Thursday in March before the next school board general election; and

872 (ii) pay the filing fee.

873 (b) (i) Each county clerk who receives a declaration of candidacy from a candidate for
874 office of State Board of Education member shall transmit the filing fee and a copy of the
875 candidate's declaration of candidacy to the lieutenant governor within one business day after
876 the declaration is filed.

877 (ii) Each day during the filing period, each county clerk shall notify the lieutenant
878 governor electronically or by telephone of State Board of Education candidates who have filed
879 in the county clerk's office.

880 (3) (a) A declaration of candidacy filed under this section is valid unless a written
881 objection is filed with the county clerk or lieutenant governor within five days after the last day
882 for filing.

883 (b) If an objection is made, the county clerk or lieutenant governor shall:

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

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

887 (c) If the county clerk or lieutenant governor sustains the objection, the candidate may
888 cure the problem by amending the declaration within three days after the objection is sustained
889 or by filing a new declaration within three days after the objection is sustained.

890 (d) (i) The county clerk's or lieutenant governor's decision upon objections to form is
891 final.

892 (ii) The county clerk's or lieutenant governor's decision upon substantive matters is
893 reviewable by a district court if prompt application is made to the court.

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

896 (4) Any person who filed a declaration of candidacy may withdraw as a candidate by
897 filing a written affidavit with the county clerk or lieutenant governor.

898 Section 14. Section **20A-9-403** is amended to read:

899 **20A-9-403. Regular primary elections.**

900 (1) (a) The fourth Tuesday of June of each even-numbered year is designated as regular
901 primary election day.

902 (b) Each registered political party that chooses to use the primary election process to
903 nominate some or all of its candidates shall comply with the requirements of this section.

904 (2) (a) As a condition for using the state's election system, each registered political
905 party that wishes to participate in the primary election shall:

906 (i) declare their intent to participate in the primary election;

907 (ii) identify one or more registered political parties whose members may vote for the
908 registered political party's candidates and whether or not persons identified as unaffiliated with
909 a political party may vote for the registered political party's candidates; and

910 (iii) certify that information to the lieutenant governor no later than 5 p.m. on March 1
911 of each even-numbered year.

912 (b) As a condition for using the state's election system, each registered political party
913 that wishes to participate in the primary election shall:

914 (i) certify the name and office of all of the registered political party's candidates to the
915 lieutenant governor no later than 5 p.m. on the first Monday after the third Saturday in April of
916 each even-numbered year; and

917 (ii) certify the name and office of each of its county candidates to the county clerks by
918 5 p.m. on the first Monday after the third Saturday in April of each even-numbered year.

919 (c) By 5 p.m. on the first Wednesday after the third Saturday in April of each
920 even-numbered year, the lieutenant governor shall send the county clerks a certified list of the
921 names of all statewide candidates, multicounty candidates, or single county candidates that
922 shall be printed on the primary ballot and the order the candidates are to appear on the ballot in
923 accordance with Section 20A-6-305.

924 (d) Except for presidential candidates, if a registered political party does not wish to
925 participate in the primary election, it shall submit the names of its county candidates to the
926 county clerks and the names of all of its candidates to the lieutenant governor by 5 p.m. on May

927 30 of each even-numbered year.

928 ~~[(3) The county clerk shall:]~~

929 ~~[(a) review the declarations of candidacy filed by candidates for local boards of~~
930 ~~education to determine if more than two candidates have filed for the same seat;]~~

931 ~~[(b) place the names of all candidates who have filed a declaration of candidacy for a~~
932 ~~local board of education seat on the nonpartisan section of the ballot if more than two~~
933 ~~candidates have filed for the same seat; and]~~

934 ~~[(c) determine the order of the candidates' names on the ballot in accordance with~~
935 ~~Section 20A-6-305.]~~

936 ~~[(4)]~~ (3) After the county clerk receives the certified list from a registered political
937 party, the county clerk shall post or publish a primary election notice in substantially the
938 following form:

939 "Notice is given that a primary election will be held Tuesday, June ____,
940 _____(year), to nominate party candidates for the parties and nonpartisan offices listed on
941 the primary ballot. The polling place for voting precinct ____ is _____. The polls will open at 7
942 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk."

943 ~~[(5)]~~ (4) (a) Candidates, other than presidential candidates, receiving the highest
944 number of votes cast for each office at the regular primary election are nominated by their party
945 or nonpartisan group for that office.

946 (b) If two or more candidates, other than presidential candidates, are to be elected to
947 the office at the regular general election, those party candidates equal in number to positions to
948 be filled who receive the highest number of votes at the regular primary election are the
949 nominees of their party for those positions.

950 ~~[(6)]~~ (5) (a) When a tie vote occurs in any primary election for any national, state, or
951 other office that represents more than one county, the governor, lieutenant governor, and
952 attorney general shall, at a public meeting called by the governor and in the presence of the
953 candidates involved, select the nominee by lot cast in whatever manner the governor
954 determines.

955 (b) When a tie vote occurs in any primary election for any county office, the district
956 court judges of the district in which the county is located shall, at a public meeting called by
957 the judges and in the presence of the candidates involved, select the nominee by lot cast in

958 whatever manner the judges determine.

959 ~~[(7)]~~ (6) The expense of providing all ballots, blanks, or other supplies to be used at
960 any primary election provided for by this section, and all expenses necessarily incurred in the
961 preparation for or the conduct of that primary election shall be paid out of the treasury of the
962 county or state, in the same manner as for the regular general elections.

963 Section 15. Section **20A-9-405** is enacted to read:

964 **20A-9-405. School board primary election.**

965 (1) A school board primary election shall be held on the second Tuesday following the
966 first Monday in August of an odd-numbered year, as provided by Section 20A-1-201.5, to
967 nominate candidates for the school board general election if more than two candidates file a
968 declaration of candidacy for the same State Board of Education district or a local school board
969 district.

970 (2) The election officer shall:

971 (a) place the names of all candidates who have filed a declaration of candidacy for a
972 State Board of Education district or a local school board district on the school board primary
973 ballot if more than two candidates have filed for the same district; and

974 (b) determine the order of the candidates' names on the ballot in accordance with
975 Section 20A-6-305.

976 (3) A candidate who receives the highest number of votes and a candidate who receives
977 the second highest number of votes in a school board primary election is nominated to be a
978 candidate in the school board general election.

979 (4) The election officer shall publish the following notice:

980 "Notice is given that a school board primary election will be held Tuesday, August _____,
981 (day) _____ (year), to nominate candidates for the State Board of Education and local school
982 boards. The polling place for voting precinct _____ is _____. The polls will open at 7 a.m. and
983 continue open until 8 p.m. of the same day. Attest: county clerk."

984 (5) The expense of providing all ballots, blanks, or other supplies to be used at a school
985 board primary election provided for by this section, and all expenses necessarily incurred in the
986 preparation for or the conduct of the school board primary election, shall be paid out of the
987 treasury of the county or state, in the same manner as for the regular general elections.

988 Section 16. Section **20A-11-101** is amended to read:

989 **20A-11-101. Definitions.**

990 As used in this chapter:

991 (1) "Address" means the number and street where an individual resides or where a
992 reporting entity has its principal office.993 (2) "Ballot proposition" includes initiatives, referenda, proposed constitutional
994 amendments, and any other ballot propositions submitted to the voters that are authorized by
995 the Utah Code Annotated 1953.

996 (3) "Candidate" means any person who:

997 (a) files a declaration of candidacy for a public office; or

998 (b) receives contributions, makes expenditures, or gives consent for any other person to
999 receive contributions or make expenditures to bring about the person's nomination or election
1000 to a public office.

1001 (4) "Chief election officer" means:

1002 (a) the lieutenant governor for state office candidates, legislative office candidates,
1003 officeholders, political parties, political action committees, corporations, political issues
1004 committees, state school board candidates, judges, and labor organizations, as defined in
1005 Section 20A-11-1501; and

1006 (b) the county clerk for local school board candidates.

1007 (5) (a) "Contribution" means any of the following when done for political purposes:

1008 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
1009 value given to the filing entity;1010 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
1011 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
1012 anything of value to the filing entity;

1013 (iii) any transfer of funds from another reporting entity to the filing entity;

1014 (iv) compensation paid by any person or reporting entity other than the filing entity for
1015 personal services provided without charge to the filing entity;

1016 (v) remuneration from:

1017 (A) any organization or its directly affiliated organization that has a registered lobbyist;

1018 or

1019 (B) any agency or subdivision of the state, including school districts; and

1020 (vi) goods or services provided to or for the benefit of the filing entity at less than fair
1021 market value.

1022 (b) "Contribution" does not include:

1023 (i) services provided without compensation by individuals volunteering a portion or all
1024 of their time on behalf of the filing entity;

1025 (ii) money lent to the filing entity by a financial institution in the ordinary course of
1026 business; or

1027 (iii) goods or services provided for the benefit of a candidate or political party at less
1028 than fair market value that are not authorized by or coordinated with the candidate or political
1029 party.

1030 (6) "Coordinated with" means that goods or services provided for the benefit of a
1031 candidate or political party are provided:

1032 (a) with the candidate's or political party's prior knowledge, if the candidate or political
1033 party does not object;

1034 (b) by agreement with the candidate or political party;

1035 (c) in coordination with the candidate or political party; or

1036 (d) using official logos, slogans, and similar elements belonging to a candidate or
1037 political party.

1038 (7) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
1039 organization that is registered as a corporation or is authorized to do business in a state and
1040 makes any expenditure from corporate funds for:

1041 (i) the purpose of expressly advocating for political purposes; or

1042 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
1043 proposition.

1044 (b) "Corporation" does not mean:

1045 (i) a business organization's political action committee or political issues committee; or

1046 (ii) a business entity organized as a partnership or a sole proprietorship.

1047 (8) "County political party" means, for each registered political party, all of the persons
1048 within a single county who, under definitions established by the political party, are members of
1049 the registered political party.

1050 (9) "County political party officer" means a person whose name is required to be

- 1051 submitted by a county political party to the lieutenant governor in accordance with Section
1052 20A-8-402.
- 1053 (10) "Detailed listing" means:
- 1054 (a) for each contribution or public service assistance:
- 1055 (i) the name and address of the individual or source making the contribution or public
1056 service assistance;
- 1057 (ii) the amount or value of the contribution or public service assistance; and
- 1058 (iii) the date the contribution or public service assistance was made; and
- 1059 (b) for each expenditure:
- 1060 (i) the amount of the expenditure;
- 1061 (ii) the person or entity to whom it was disbursed;
- 1062 (iii) the specific purpose, item, or service acquired by the expenditure; and
- 1063 (iv) the date the expenditure was made.
- 1064 (11) "Election" means each:
- 1065 (a) regular general election;
- 1066 (b) school board general election;
- 1067 ~~(b)~~ (c) regular primary election; [and]
- 1068 (d) school board primary election; and
- 1069 ~~(c)~~ (e) special election at which candidates are eliminated and selected.
- 1070 (12) "Electioneering communication" means a communication that:
- 1071 (a) has at least a value of \$10,000;
- 1072 (b) clearly identifies a candidate or judge; and
- 1073 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
1074 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
1075 identified candidate's or judge's election date.
- 1076 (13) (a) "Expenditure" means:
- 1077 (i) any disbursement from contributions, receipts, or from the separate bank account
1078 required by this chapter;
- 1079 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
1080 or anything of value made for political purposes;
- 1081 (iii) an express, legally enforceable contract, promise, or agreement to make any

1082 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
1083 value for political purposes;

1084 (iv) compensation paid by a filing entity for personal services rendered by a person
1085 without charge to a reporting entity;

1086 (v) a transfer of funds between the filing entity and a candidate's personal campaign
1087 committee; or

1088 (vi) goods or services provided by the filing entity to or for the benefit of another
1089 reporting entity for political purposes at less than fair market value.

1090 (b) "Expenditure" does not include:

1091 (i) services provided without compensation by individuals volunteering a portion or all
1092 of their time on behalf of a reporting entity;

1093 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
1094 business; or

1095 (iii) anything listed in Subsection (13)(a) that is given by a reporting entity to
1096 candidates for office or officeholders in states other than Utah.

1097 (14) "Filing entity" means the reporting entity that is required to file a financial
1098 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

1099 (15) "Financial statement" includes any summary report, interim report, verified
1100 financial statement, or other statement disclosing contributions, expenditures, receipts,
1101 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial
1102 Retention Elections.

1103 (16) "Governing board" means the individual or group of individuals that determine the
1104 candidates and committees that will receive expenditures from a political action committee,
1105 political party, or corporation.

1106 (17) "Incorporation" means the process established by Title 10, Chapter 2, Part 1,
1107 Incorporation, by which a geographical area becomes legally recognized as a city or town.

1108 (18) "Incorporation election" means the election authorized by Section 10-2-111.

1109 (19) "Incorporation petition" means a petition authorized by Section 10-2-109.

1110 (20) "Individual" means a natural person.

1111 (21) "Interim report" means a report identifying the contributions received and
1112 expenditures made since the last report.

1113 (22) "Legislative office" means the office of state senator, state representative, speaker
1114 of the House of Representatives, president of the Senate, and the leader, whip, and assistant
1115 whip of any party caucus in either house of the Legislature.

1116 (23) "Legislative office candidate" means a person who:

1117 (a) files a declaration of candidacy for the office of state senator or state representative;

1118 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
1119 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
1120 assistant whip of any party caucus in either house of the Legislature; or

1121 (c) receives contributions, makes expenditures, or gives consent for any other person to
1122 receive contributions or make expenditures to bring about the person's nomination or election
1123 to a legislative office.

1124 (24) "Officeholder" means a person who holds a public office.

1125 (25) "Party committee" means any committee organized by or authorized by the
1126 governing board of a registered political party.

1127 (26) "Person" means both natural and legal persons, including individuals, business
1128 organizations, personal campaign committees, party committees, political action committees,
1129 political issues committees, and labor organizations, as defined in Section 20A-11-1501.

1130 (27) "Personal campaign committee" means the committee appointed by a candidate to
1131 act for the candidate as provided in this chapter.

1132 (28) "Personal use expenditure" has the same meaning as provided under Section
1133 20A-11-104.

1134 (29) (a) "Political action committee" means an entity, or any group of individuals or
1135 entities within or outside this state, a major purpose of which is to:

1136 (i) solicit or receive contributions from any other person, group, or entity for political
1137 purposes; or

1138 (ii) make expenditures to expressly advocate for any person to refrain from voting or to
1139 vote for or against any candidate or person seeking election to a municipal or county office.

1140 (b) "Political action committee" includes groups affiliated with a registered political
1141 party but not authorized or organized by the governing board of the registered political party
1142 that receive contributions or makes expenditures for political purposes.

1143 (c) "Political action committee" does not mean:

- 1144 (i) a party committee;
- 1145 (ii) any entity that provides goods or services to a candidate or committee in the regular
- 1146 course of its business at the same price that would be provided to the general public;
- 1147 (iii) an individual;
- 1148 (iv) individuals who are related and who make contributions from a joint checking
- 1149 account;
- 1150 (v) a corporation, except a corporation a major purpose of which is to act as a political
- 1151 action committee; or
- 1152 (vi) a personal campaign committee.
- 1153 (30) "Political convention" means a county or state political convention held by a
- 1154 registered political party to select candidates.
- 1155 (31) (a) "Political issues committee" means an entity, or any group of individuals or
- 1156 entities within or outside this state, a major purpose of which is to:
- 1157 (i) solicit or receive donations from any other person, group, or entity to assist in
- 1158 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
- 1159 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;
- 1160 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
- 1161 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
- 1162 proposed ballot proposition or an incorporation in an incorporation election; or
- 1163 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
- 1164 ballot or to assist in keeping a ballot proposition off the ballot.
- 1165 (b) "Political issues committee" does not mean:
- 1166 (i) a registered political party or a party committee;
- 1167 (ii) any entity that provides goods or services to an individual or committee in the
- 1168 regular course of its business at the same price that would be provided to the general public;
- 1169 (iii) an individual;
- 1170 (iv) individuals who are related and who make contributions from a joint checking
- 1171 account; or
- 1172 (v) a corporation, except a corporation a major purpose of which is to act as a political
- 1173 issues committee.
- 1174 (32) (a) "Political issues contribution" means any of the following:

1175 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or
1176 anything of value given to a political issues committee;

1177 (ii) an express, legally enforceable contract, promise, or agreement to make a political
1178 issues donation to influence the approval or defeat of any ballot proposition;

1179 (iii) any transfer of funds received by a political issues committee from a reporting
1180 entity;

1181 (iv) compensation paid by another reporting entity for personal services rendered
1182 without charge to a political issues committee; and

1183 (v) goods or services provided to or for the benefit of a political issues committee at
1184 less than fair market value.

1185 (b) "Political issues contribution" does not include:

1186 (i) services provided without compensation by individuals volunteering a portion or all
1187 of their time on behalf of a political issues committee; or

1188 (ii) money lent to a political issues committee by a financial institution in the ordinary
1189 course of business.

1190 (33) (a) "Political issues expenditure" means any of the following:

1191 (i) any payment from political issues contributions made for the purpose of influencing
1192 the approval or the defeat of:

1193 (A) a ballot proposition; or

1194 (B) an incorporation petition or incorporation election;

1195 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
1196 the express purpose of influencing the approval or the defeat of:

1197 (A) a ballot proposition; or

1198 (B) an incorporation petition or incorporation election;

1199 (iii) an express, legally enforceable contract, promise, or agreement to make any
1200 political issues expenditure;

1201 (iv) compensation paid by a reporting entity for personal services rendered by a person
1202 without charge to a political issues committee; or

1203 (v) goods or services provided to or for the benefit of another reporting entity at less
1204 than fair market value.

1205 (b) "Political issues expenditure" does not include:

1206 (i) services provided without compensation by individuals volunteering a portion or all
1207 of their time on behalf of a political issues committee; or

1208 (ii) money lent to a political issues committee by a financial institution in the ordinary
1209 course of business.

1210 (34) "Political purposes" means an act done with the intent or in a way to influence or
1211 tend to influence, directly or indirectly, any person to refrain from voting or to vote for or
1212 against any candidate or a person seeking a municipal or county office at any caucus, political
1213 convention, or election.

1214 (35) "Primary election" means any regular primary election held under the election
1215 laws.

1216 (36) "Public office" means the office of governor, lieutenant governor, state auditor,
1217 state treasurer, attorney general, state or local school board member, state senator, state
1218 representative, speaker of the House of Representatives, president of the Senate, and the leader,
1219 whip, and assistant whip of any party caucus in either house of the Legislature.

1220 (37) (a) "Public service assistance" means the following when given or provided to an
1221 officeholder to defray the costs of functioning in a public office or aid the officeholder to
1222 communicate with the officeholder's constituents:

1223 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
1224 money or anything of value to an officeholder; or

1225 (ii) goods or services provided at less than fair market value to or for the benefit of the
1226 officeholder.

1227 (b) "Public service assistance" does not include:

1228 (i) anything provided by the state;

1229 (ii) services provided without compensation by individuals volunteering a portion or all
1230 of their time on behalf of an officeholder;

1231 (iii) money lent to an officeholder by a financial institution in the ordinary course of
1232 business;

1233 (iv) news coverage or any publication by the news media; or

1234 (v) any article, story, or other coverage as part of any regular publication of any
1235 organization unless substantially all the publication is devoted to information about the
1236 officeholder.

1237 (38) "Publicly identified class of individuals" means a group of 50 or more individuals
1238 sharing a common occupation, interest, or association that contribute to a political action
1239 committee or political issues committee and whose names can be obtained by contacting the
1240 political action committee or political issues committee upon whose financial statement the
1241 individuals are listed.

1242 (39) "Receipts" means contributions and public service assistance.

1243 (40) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
1244 Lobbyist Disclosure and Regulation Act.

1245 (41) "Registered political action committee" means any political action committee that
1246 is required by this chapter to file a statement of organization with the lieutenant governor's
1247 office.

1248 (42) "Registered political issues committee" means any political issues committee that
1249 is required by this chapter to file a statement of organization with the lieutenant governor's
1250 office.

1251 (43) "Registered political party" means an organization of voters that:

1252 (a) participated in the last regular general election and polled a total vote equal to 2%
1253 or more of the total votes cast for all candidates for the United States House of Representatives
1254 for any of its candidates for any office; or

1255 (b) has complied with the petition and organizing procedures of Chapter 8, Political
1256 Party Formation and Procedures.

1257 (44) (a) "Remuneration" means a payment:

1258 (i) made to a legislator for the period the Legislature is in session; and

1259 (ii) that is approximately equivalent to an amount a legislator would have earned
1260 during the period the Legislature is in session in the legislator's ordinary course of business.

1261 (b) "Remuneration" does not mean anything of economic value given to a legislator by:

1262 (i) the legislator's primary employer in the ordinary course of business; or

1263 (ii) a person or entity in the ordinary course of business:

1264 (A) because of the legislator's ownership interest in the entity; or

1265 (B) for services rendered by the legislator on behalf of the person or entity.

1266 (45) "Reporting entity" means a candidate, a candidate's personal campaign committee,
1267 a judge, a judge's personal campaign committee, an officeholder, a party committee, a political

1268 action committee, a political issues committee, a corporation, or a labor organization, as
1269 defined in Section 20A-11-1501.

1270 (46) "School board office" means the office of [~~state school board~~] the State Board of
1271 Education or local school board.

1272 (47) (a) "Source" means the person or entity that is the legal owner of the tangible or
1273 intangible asset that comprises the contribution.

1274 (b) "Source" means, for political action committees and corporations, the political
1275 action committee and the corporation as entities, not the contributors to the political action
1276 committee or the owners or shareholders of the corporation.

1277 (48) "State office" means the offices of governor, lieutenant governor, attorney general,
1278 state auditor, and state treasurer.

1279 (49) "State office candidate" means a person who:

1280 (a) files a declaration of candidacy for a state office; or

1281 (b) receives contributions, makes expenditures, or gives consent for any other person to
1282 receive contributions or make expenditures to bring about the person's nomination or election
1283 to a state office.

1284 (50) "Summary report" means the year end report containing the summary of a
1285 reporting entity's contributions and expenditures.

1286 (51) "Supervisory board" means the individual or group of individuals that allocate
1287 expenditures from a political issues committee.

1288 Section 17. Section **20A-11-1302** is amended to read:

1289 **20A-11-1302. School board office candidate -- Financial reporting requirements**
1290 **-- Year-end summary report.**

1291 (1) (a) Each school board office candidate shall file a summary report by January 10 of
1292 the year after the [~~regular~~] school board general election year.

1293 (b) In addition to the requirements of Subsection (1)(a), a former school board office
1294 candidate that has not filed the statement of dissolution and final summary report required
1295 under Section 20A-11-1304 shall continue to file a summary report on January 10 of each year.

1296 (2) (a) Each summary report shall include the following information as of December 31
1297 of the previous year:

1298 (i) the net balance of the last financial statement, if any;

1299 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
1300 if any, during the previous year;

1301 (iii) a single figure equal to the total amount of expenditures reported on all interim
1302 reports, if any, filed during the previous year;

1303 (iv) a detailed listing of each receipt, contribution, and public service assistance since
1304 the last summary report that has not been reported in detail on an interim report;

1305 (v) for each nonmonetary contribution:

1306 (A) the fair market value of the contribution with that information provided by the
1307 contributor; and

1308 (B) a specific description of the contribution;

1309 (vi) a detailed listing of each expenditure made since the last summary report that has
1310 not been reported in detail on an interim report;

1311 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

1312 (viii) a net balance for the year consisting of the net balance from the last summary
1313 report, if any, plus all receipts minus all expenditures; and

1314 (ix) the name of a political action committee for which the school board office
1315 candidate is designated as an officer who has primary decision-making authority under Section
1316 20A-11-601.

1317 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
1318 single aggregate figure may be reported without separate detailed listings.

1319 (ii) Two or more contributions from the same source that have an aggregate total of
1320 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1321 (c) In preparing the report, all receipts and expenditures shall be reported as of
1322 December 31 of the previous year.

1323 (d) A check or negotiable instrument received by a school board office candidate on or
1324 before December 31 of the previous year shall be included in the summary report.

1325 (3) The school board office candidate shall certify in the summary report that, to the
1326 best of the school board office candidate's knowledge, all receipts and all expenditures have
1327 been reported as of December 31 of the previous year and that there are no bills or obligations
1328 outstanding and unpaid except as set forth in that report.

1329 Section 18. Section **20A-11-1303** is amended to read:

1330 **20A-11-1303. School board office candidate -- Financial reporting requirements**1331 **-- Interim reports.**

1332 (1) Each school board office candidate shall file an interim report at the following
1333 times in any year in which the candidate has filed a declaration of candidacy for a public office:

1334 (a) May 15, for [~~state school board office~~] candidates for the State Board of Education;

1335 (b) seven days before the [~~regular~~] school board primary election date; and

1336 [~~(c) August 31, and~~]

1337 [~~(d)~~] (c) seven days before the [~~regular~~] school board general election date.

1338 (2) Each interim report shall include the following information:

1339 (a) the net balance of the last summary report, if any;

1340 (b) a single figure equal to the total amount of receipts reported on all prior interim
1341 reports, if any, during the calendar year in which the interim report is due;

1342 (c) a single figure equal to the total amount of expenditures reported on all prior
1343 interim reports, if any, filed during the calendar year in which the interim report is due;

1344 (d) a detailed listing of each contribution and public service assistance received since
1345 the last summary report that has not been reported in detail on a prior interim report;

1346 (e) for each nonmonetary contribution:

1347 (i) the fair market value of the contribution with that information provided by the
1348 contributor; and

1349 (ii) a specific description of the contribution;

1350 (f) a detailed listing of each expenditure made since the last summary report that has
1351 not been reported in detail on a prior interim report;

1352 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

1353 (h) a net balance for the year consisting of the net balance from the last summary
1354 report, if any, plus all receipts since the last summary report minus all expenditures since the
1355 last summary report;

1356 (i) a summary page in the form required by the lieutenant governor that identifies:

1357 (i) beginning balance;

1358 (ii) total contributions during the period since the last statement;

1359 (iii) total contributions to date;

1360 (iv) total expenditures during the period since the last statement; and

1361 (v) total expenditures to date; and

1362 (j) the name of a political action committee for which the school board office candidate
1363 is designated as an officer who has primary decision-making authority under Section
1364 20A-11-601.

1365 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
1366 single aggregate figure may be reported without separate detailed listings.

1367 (b) Two or more contributions from the same source that have an aggregate total of
1368 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1369 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
1370 as of five days before the required filing date of the report.

1371 (b) Any negotiable instrument or check received by a school board office candidate
1372 more than five days before the required filing date of a report required by this section shall be
1373 included in the interim report.

1374 Section 19. Section **20A-11-1305** is amended to read:

1375 **20A-11-1305. School board office candidate -- Failure to file statement --**
1376 **Penalties.**

1377 (1) (a) If a school board office candidate fails to file an interim report due before the
1378 [~~regular~~] school board primary election[~~, on August 31,~~] or before the [~~regular~~] school board
1379 general election, the chief election officer shall, after making a reasonable attempt to discover
1380 if the report was timely filed:

1381 (i) inform the county clerk and other appropriate election officials who:

1382 (A) (I) shall, if practicable, remove the name of the candidate from the ballots before
1383 the ballots are delivered to voters; or

1384 (II) shall, if removing the candidate's name from the ballot is not practicable, inform
1385 the voters by any practicable method that the candidate has been disqualified and that votes
1386 cast for candidate will not be counted; and

1387 (B) may not count any votes for that candidate; and

1388 (ii) impose a fine against the filing entity in accordance with Section 20A-11-1005.

1389 (b) Any school board office candidate who fails to file timely a financial statement
1390 required by Subsection 20A-11-1303(1)(b)[~~;~~] or (c)[~~;~~ ~~or (d)~~] is disqualified and the vacancy on
1391 the ballot may be filled as provided in Section 20A-1-501.

1392 (c) Notwithstanding Subsections (1)(a) and (1)(b), a school board office candidate is
1393 not disqualified and the chief election officer may not impose a fine if:

1394 (i) the candidate timely files the reports required by this section in accordance with
1395 Section 20A-11-103;

1396 (ii) those reports are completed, detailing accurately and completely the information
1397 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
1398 and

1399 (iii) those omissions, errors, or inaccuracies described in Subsection (1)(c)(ii) are
1400 corrected in:

1401 (A) an amended report; or

1402 (B) the next scheduled report.

1403 (2) (a) Within 30 days after a deadline for the filing of a summary report by a candidate
1404 for state school board, the lieutenant governor shall review each filed summary report to ensure
1405 that:

1406 (i) each state school board candidate that is required to file a summary report has filed
1407 one; and

1408 (ii) each summary report contains the information required by this part.

1409 (b) If it appears that any state school board candidate has failed to file the summary
1410 report required by law, if it appears that a filed summary report does not conform to the law, or
1411 if the lieutenant governor has received a written complaint alleging a violation of the law or the
1412 falsity of any summary report, the lieutenant governor shall, within five days of discovery of a
1413 violation or receipt of a written complaint, notify the state school board candidate of the
1414 violation or written complaint and direct the state school board candidate to file a summary
1415 report correcting the problem.

1416 (c) (i) It is unlawful for any state school board candidate to fail to file or amend a
1417 summary report within 14 days after receiving notice from the lieutenant governor under this
1418 section.

1419 (ii) Each state school board candidate who violates Subsection (2)(c)(i) is guilty of a
1420 class B misdemeanor.

1421 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
1422 attorney general.

1423 (3) (a) Within 30 days after a deadline for the filing of a summary report, the county
1424 clerk shall review each filed summary report to ensure that:

1425 (i) each local school board candidate that is required to file a summary report has filed
1426 one; and

1427 (ii) each summary report contains the information required by this part.

1428 (b) If it appears that any local school board candidate has failed to file the summary
1429 report required by law, if it appears that a filed summary report does not conform to the law, or
1430 if the county clerk has received a written complaint alleging a violation of the law or the falsity
1431 of any summary report, the county clerk shall, within five days of discovery of a violation or
1432 receipt of a written complaint, notify the local school board candidate of the violation or
1433 written complaint and direct the local school board candidate to file a summary report
1434 correcting the problem.

1435 (c) (i) It is unlawful for any local school board candidate to fail to file or amend a
1436 summary report within 14 days after receiving notice from the county clerk under this section.

1437 (ii) Each local school board candidate who violates Subsection (3)(c)(i) is guilty of a
1438 class B misdemeanor.

1439 (iii) The county clerk shall report all violations of Subsection (3)(c)(i) to the district or
1440 county attorney.

1441 Section 20. Section **20A-14-103** is amended to read:

1442 **20A-14-103. State Board of Education members -- When elected -- Qualifications**
1443 **-- Avoiding conflicts of interest.**

1444 (1) (a) [~~Unless otherwise provided by law, each~~] Except as provided by this section, a
1445 State Board of Education member shall serve a four-year term.

1446 (b) A State Board of Education member elected [~~from a State Board of Education~~
1447 ~~District~~] at the 2010 regular general election shall:

1448 (i) serve [~~out the term of office for which that member was elected~~] a five-year term;
1449 and

1450 (ii) represent the realigned district if the member resides in that district.

1451 (b) [~~At the general election to be held in 2012, a~~] A State Board of Education member
1452 elected at the 2012 regular general election from State Board of Education Districts 4, 7, 8, 10,
1453 11, 12, 13, [~~and~~] or 15 shall [~~be elected to~~] serve a term of office of [~~four~~] five years.

1454 (c) In order to ensure that the terms of approximately half of the State Board of
1455 Education members expire every two years [~~:(i) at the general election to be held in 2012~~], the
1456 State Board of Education member elected at the 2012 regular general election from State Board
1457 of Education District 1 shall [~~be elected to~~] serve a term of office of [~~two years; and~~] three
1458 years.

1459 [~~(ii) at the general election to be held in 2014, the State Board of Education member~~
1460 ~~elected from State Board of Education District 1 shall be elected to serve a term of office of~~
1461 ~~four years.~~]

1462 (2) (a) A person seeking election to the State Board of Education shall have been a
1463 resident of the State Board of Education district in which the person is seeking election for at
1464 least one year as of the date of the election.

1465 (b) A person who has resided within the State Board of Education district, as the
1466 boundaries of the district exist on the date of the election, for one year immediately preceding
1467 the date of the election shall be considered to have met the requirements of this Subsection (2).

1468 (3) A State Board of Education member shall:

1469 (a) be and remain a registered voter in the State Board of Education district from which
1470 the member was elected or appointed; and

1471 (b) maintain the member's primary residence within the State Board of Education
1472 district from which the member was elected or appointed during the member's term of office.

1473 (4) A State Board of Education member may not, during the member's term of office,
1474 also serve as an employee of:

1475 (a) the State Board of Education;

1476 (b) the Utah State Office of Education; or

1477 (c) the Utah State Office of Rehabilitation.

1478 Section 21. Section **20A-14-104** is amended to read:

1479 **20A-14-104. Becoming a candidate for membership on the State Board of**
1480 **Education.**

1481 (1) [~~(a)~~] Persons interested in becoming a candidate for the State Board of Education
1482 shall file a declaration of candidacy according to the procedures and requirements of Sections
1483 20A-9-201 and [~~20A-9-202~~] 20A-9-203.5.

1484 (2) An election officer shall conduct a school board primary election that is necessary

1485 in accordance with Section 20A-9-405.

1486 (3) An election officer shall conduct a school board general election on the date
1487 specified in Section 20A-1-201.1.

1488 ~~[(b) By May 1 of the year in which a State Board of Education member's term expires,~~
1489 ~~the lieutenant governor shall submit the name of each person who has filed a declaration of~~
1490 ~~candidacy for the State Board of Education to the nominating and recruiting committee for the~~
1491 ~~State Board of Education.]~~

1492 ~~[(2) By November 1 of the year preceding each regular general election year, a~~
1493 ~~nominating and recruiting committee consisting of 12 members, each to serve a two-year term,~~
1494 ~~shall be appointed by the governor as follows:]~~

1495 ~~[(a) one member shall be appointed to represent each of the following business and~~
1496 ~~industry sectors:]~~

1497 ~~[(i) manufacturing and mining;]~~

1498 ~~[(ii) transportation and public utilities;]~~

1499 ~~[(iii) service, trade, and information technology;]~~

1500 ~~[(iv) finance, insurance, and real estate;]~~

1501 ~~[(v) construction; and]~~

1502 ~~[(vi) agriculture; and]~~

1503 ~~[(b) one member shall be appointed to represent each of the following education~~
1504 ~~sectors:]~~

1505 ~~[(i) teachers;]~~

1506 ~~[(ii) school administrators;]~~

1507 ~~[(iii) parents;]~~

1508 ~~[(iv) local school board members;]~~

1509 ~~[(v) charter schools; and]~~

1510 ~~[(vi) higher education.]~~

1511 ~~[(3) (a) The members appointed under Subsections (2)(a)(i) through (vi) and (2)(b)(i)~~
1512 ~~through (vi) shall be appointed from lists containing at least two names submitted by~~
1513 ~~organizations representing each of the respective sectors.]~~

1514 ~~[(b) At least one member of the nominating and recruiting committee shall reside~~
1515 ~~within each state board district in which a member's term expires during the committee's~~

1516 ~~two-year term of office.]~~

1517 ~~[(4) (a) The members shall elect one member to serve as chair for the committee.]~~

1518 ~~[(b) The chair, or another member of the committee designated by the chair, shall~~
1519 ~~schedule and convene all committee meetings.]~~

1520 ~~[(c) Any formal action by the committee requires the approval of a majority of~~
1521 ~~committee members.]~~

1522 ~~[(d) Members of the nominating and recruiting committee shall serve without~~
1523 ~~compensation, but they may be reimbursed for expenses incurred in the performance of their~~
1524 ~~official duties as established by the Division of Finance.]~~

1525 ~~[(5) The nominating and recruiting committee shall:]~~

1526 ~~[(a) recruit potential candidates for membership on the State Board of Education prior~~
1527 ~~to the deadline to file a declaration of candidacy;]~~

1528 ~~[(b) prepare a list of candidates for membership on the State Board of Education for~~
1529 ~~each state board district subject to election in that year using the qualifications under~~
1530 ~~Subsection (6);]~~

1531 ~~[(c) submit a list of at least three candidates for each state board position to the~~
1532 ~~governor by July 1; and]~~

1533 ~~[(d) ensure that the list includes appropriate background information on each~~
1534 ~~candidate.]~~

1535 ~~[(6) The nominating committee shall select a broad variety of candidates who possess~~
1536 ~~outstanding professional qualifications relating to the powers and duties of the State Board of~~
1537 ~~Education, including experience in the following areas:]~~

1538 ~~[(a) business and industry administration;]~~

1539 ~~[(b) business and industry human resource management;]~~

1540 ~~[(c) business and industry finance;]~~

1541 ~~[(d) business and industry, including expertise in:]~~

1542 ~~[(i) metrics and evaluation;]~~

1543 ~~[(ii) manufacturing;]~~

1544 ~~[(iii) retailing;]~~

1545 ~~[(iv) natural resources;]~~

1546 ~~[(v) information technology;]~~

1547 [~~(vi) construction;~~]
 1548 [~~(vii) banking;~~]
 1549 [~~(viii) science and engineering; and~~]
 1550 [~~(ix) medical and healthcare;~~]
 1551 [~~(e) higher education administration;~~]
 1552 [~~(f) applied technology education;~~]
 1553 [~~(g) public education administration;~~]
 1554 [~~(h) public education instruction;~~]
 1555 [~~(i) economic development;~~]
 1556 [~~(j) labor; and~~]
 1557 [~~(k) other life experiences that would benefit the State Board of Education.~~]

1558 Section 22. Section **20A-14-201** is amended to read:

1559 **20A-14-201. Boards of education -- School board districts -- Creation --**
 1560 **Reapportionment.**

1561 (1) (a) The county legislative body, for local school districts whose boundaries
 1562 encompass more than a single municipality, and the municipal legislative body, for school
 1563 districts contained completely within a municipality, shall divide the local school district into
 1564 local school board districts as required under Subsection 20A-14-202(1)(a).

1565 (b) The county and municipal legislative bodies shall divide the school district so that
 1566 the local school board districts are substantially equal in population and are as contiguous and
 1567 compact as practicable.

1568 (2) (a) County and municipal legislative bodies shall reapportion district boundaries to
 1569 meet the population, compactness, and contiguity requirements of this section:

1570 (i) at least once every 10 years;

1571 (ii) if a new district is created:

1572 (A) within 45 days after the canvass of an election at which voters approve the creation
 1573 of a new district; and

1574 (B) at least 60 days before the candidate filing deadline for a school board election;

1575 (iii) whenever districts are consolidated;

1576 (iv) whenever a district loses more than 20% of the population of the entire school
 1577 district to another district;

1578 (v) whenever a district loses more than 50% of the population of a local school board
1579 district to another district;

1580 (vi) whenever a district receives new residents equal to at least 20% of the population
1581 of the district at the time of the last reapportionment because of a transfer of territory from
1582 another district; and

1583 (vii) whenever it is necessary to increase the membership of a board from five to seven
1584 members as a result of changes in student membership under Section 20A-14-202.

1585 (b) If a school district receives territory containing less than 20% of the population of
1586 the transferee district at the time of the last reapportionment, the local school board may assign
1587 the new territory to one or more existing school board districts.

1588 (3) (a) Reapportionment does not affect the right of any school board member to
1589 complete the term for which the member was elected.

1590 (b) (i) After reapportionment, representation in a local school board district shall be
1591 determined as provided in this Subsection (3).

1592 (ii) If only one board member whose term extends beyond reapportionment lives
1593 within a reapportioned local school board district, that board member shall represent that local
1594 school board district.

1595 (iii) (A) If two or more members whose terms extend beyond reapportionment live
1596 within a reapportioned local school board district, the members involved shall select one
1597 member by lot to represent the local school board district.

1598 (B) The other members shall serve at-large for the remainder of their terms.

1599 (C) The at-large board members shall serve in addition to the designated number of
1600 board members for the board in question for the remainder of their terms.

1601 (iv) If there is no board member living within a local school board district whose term
1602 extends beyond reapportionment, the seat shall be treated as vacant and filled as provided in
1603 this part.

1604 (4) (a) If, before an election affected by reapportionment, the county or municipal
1605 legislative body that conducted the reapportionment determines that one or more members
1606 shall be elected to ~~[terms of two years]~~ a term less than four years to meet this part's
1607 requirements for staggered terms, the legislative body shall determine by lot which of the
1608 reapportioned local school board districts will elect members to ~~[two-year terms and which will~~

1609 elect members to four-year terms] a term less than four years.

1610 (b) [AH] Except as provided by Section 20A-14-203, all subsequent elections are for
1611 four-year terms.

1612 (5) Within 10 days after any local school board district boundary change, the county or
1613 municipal legislative body making the change shall send an accurate map or plat of the
1614 boundary change to the Automated Geographic Reference Center created under Section
1615 63F-1-506.

1616 Section 23. Section **20A-14-202** is amended to read:

1617 **20A-14-202. Local boards of education -- Membership -- When elected --**
1618 **Qualifications -- Avoiding conflicts of interest.**

1619 (1) (a) Except as provided in Subsection (1)(b), the board of education of a school
1620 district with a student population of up to 24,000 students shall consist of five members.

1621 (b) The board of education of a school district with a student population of more than
1622 10,000 students but fewer than 24,000 students shall increase from five to seven members
1623 [~~beginning with the 2004 regular general election~~].

1624 (c) The board of education of a school district with a student population of 24,000 or
1625 more students shall consist of seven members.

1626 (d) Student population is based on the October 1 student count submitted by districts to
1627 the State Office of Education.

1628 (e) If the number of members of a local school board is required to change under
1629 Subsection (1)(b), the board shall be reapportioned and elections conducted as provided in
1630 Sections 20A-14-201 and 20A-14-203.

1631 (f) A school district which now has or increases to a seven-member board shall
1632 maintain a seven-member board regardless of subsequent changes in student population.

1633 (g) (i) Members of a local board of education shall be elected at each [~~regular~~] school
1634 board general election.

1635 (ii) Except as provided in Subsection (1)(g)(iii), no more than three members of a local
1636 board of education may be elected to a five-member board, nor more than four members
1637 elected to a seven-member board, in any election year.

1638 (iii) More than three members of a local board of education may be elected to a
1639 five-member board and more than four members elected to a seven-member board in any

1640 election year only when required by reapportionment or to fill a vacancy or to implement
1641 Subsection (1)(b).

1642 (h) One member of the local board of education shall be elected from each local school
1643 board district.

1644 (2) (a) ~~[For an election held after the 2008 general election, a]~~ A person seeking
1645 election to a local school board shall have been a resident of the local school board district in
1646 which the person is seeking election for at least one year as of the date of the election.

1647 (b) A person who has resided within the local school board district, as the boundaries
1648 of the district exist on the date of the election, for one year immediately preceding the date of
1649 the election shall be considered to have met the requirements of this Subsection (2).

1650 (3) A member of a local school board shall:

1651 (a) be and remain a registered voter in the local school board district from which the
1652 member is elected or appointed; and

1653 (b) maintain the member's primary residence within the local school board district from
1654 which the member is elected or appointed during the member's term of office.

1655 (4) A member of a local school board may not, during the member's term in office, also
1656 serve as an employee of that board.

1657 Section 24. Section **20A-14-203** is amended to read:

1658 **20A-14-203. Becoming a member of a local board of education -- Declaration of**
1659 **candidacy -- Election.**

1660 (1) An individual may become a candidate for a local school board by filing a
1661 declaration of candidacy with the county clerk and paying the fee as required by Section
1662 ~~[20A-9-202]~~ 20A-9-203.5.

1663 (2) (a) ~~[The]~~ Except as provided by Subsection (3), a term of office for an individual
1664 elected to a local board of education is four years, beginning on the first Monday in January
1665 after the election.

1666 (b) A member of a local board of education shall serve until a successor is elected or
1667 appointed and qualified.

1668 (c) A member of a local board of education is "qualified" when the member takes or
1669 signs the constitutional oath of office.

1670 (3) (a) A person elected as a local board of education member at the 2010 regular

1671 general election shall serve a five-year term.

1672 (b) A person elected as a local board of education member at the 2012 regular general
1673 election shall serve a five-year term.

1674 Section 25. Section **53A-3-301** is amended to read:

1675 **53A-3-301. Superintendent of schools -- Appointment -- Qualifications -- Term --**
1676 **Compensation.**

1677 (1) Subject to Subsection (8), a local school board shall appoint a district
1678 superintendent of schools who serves as the local school board's chief executive officer.

1679 (2) A local school board shall appoint the superintendent on the basis of outstanding
1680 professional qualifications.

1681 (3) (a) A superintendent's term of office is for two years and until, subject to
1682 Subsection (8), a successor is appointed and qualified.

1683 (b) A local school board that appoints a superintendent in accordance with this section
1684 may not, on or after May 10, 2011, enter into an employment contract that contains an
1685 automatic renewal provision with the superintendent.

1686 (4) Unless a vacancy occurs during an interim vacancy period subject to Subsection (8),
1687 if it becomes necessary to appoint an interim superintendent due to a vacancy in the office of
1688 superintendent, the local school board shall make an appointment during a public meeting for
1689 an indefinite term not to exceed one year, which term shall end upon the appointment and
1690 qualification of a new superintendent.

1691 (5) (a) The superintendent shall hold an administrative/supervisory license issued by
1692 the State Board of Education, except as otherwise provided in Subsection (5)(b).

1693 (b) At the request of a local school board, the State Board of Education shall grant a
1694 letter of authorization permitting a person with outstanding professional qualifications to serve
1695 as superintendent without holding an administrative/supervisory license.

1696 (6) A local school board shall set the superintendent's compensation for services.

1697 (7) A superintendent qualifies for office by taking the constitutional oath of office.

1698 (8) (a) As used in this Subsection (8), "interim vacancy period" means the period of
1699 time that:

1700 (i) begins on the day on which a school board general election described in Section
1701 [~~20A-1-202~~] 20A-1-201.1 is held to elect a member of a local school board; and

1702 (ii) ends on the day on which the member-elect begins the member's term.
1703 (b) (i) The local school board may not appoint a superintendent during an interim
1704 vacancy period.
1705 (ii) Notwithstanding Subsection (8)(b)(i):
1706 (A) the local school board may appoint an interim superintendent during an interim
1707 vacancy period; and
1708 (B) the interim superintendent's term shall expire once a new superintendent is
1709 appointed by the new local school board after the interim vacancy period has ended.
1710 (c) Subsection (8)(b) does not apply if all the local school board members who held
1711 office on the day of the school board general election whose term of office was vacant for the
1712 election are re-elected to the local school board for the following term.
1713 **Section 26. Repealer.**
1714 This bill repeals:
1715 **Section 20A-14-105, Becoming a candidate for membership on the State Board of**
1716 **Education -- Selection of candidates by the governor -- Ballot placement.**
1717 **Section 27. Effective date.**
1718 This bill takes effect January 1, 2014.

Legislative Review Note
as of 2-23-12 9:16 AM

Office of Legislative Research and General Counsel