

28 20A-9-202, as last amended by Laws of Utah 2015, Chapter 296

29 20A-9-406, as last amended by Laws of Utah 2016, Chapters 16 and 66

30 20A-9-407, as last amended by Laws of Utah 2015, Chapter 296

31 20A-9-408, as last amended by Laws of Utah 2016, Chapter 28

32 20A-14-203, as last amended by Laws of Utah 2016, Chapter 16

33 REPEALS:

34 20A-5-409, as last amended by Laws of Utah 2011, Chapter 327



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

37 Section 1. Section 20A-1-501 is amended to read:

38 **20A-1-501. Candidate vacancies -- Procedure for filling.**

39 (1) The state central committee of a political party, for candidates for United States
40 senator, United States representative, governor, lieutenant governor, attorney general, state
41 treasurer, and state auditor, and for legislative candidates whose legislative districts encompass
42 more than one county, and the county central committee of a political party, for all other party
43 candidates seeking an office elected at a regular general election, may certify the name of
44 another candidate to the appropriate election officer if:

45 (a) for a registered political party that will have a candidate on a ballot in a primary
46 election, after the close of the period for filing a declaration of candidacy and continuing
47 through the day before the day on which the lieutenant governor provides the list described in
48 Subsection 20A-9-403(4)(a):

49 (i) only one or two candidates from that party have filed a declaration of candidacy for
50 that office; and

51 (ii) one or both:

52 (A) dies;

53 (B) resigns because of acquiring a physical or mental disability, certified by a
54 physician, that prevents the candidate from continuing the candidacy; or

55 (C) is disqualified by an election officer for improper filing or nominating procedures;

56 (b) for a registered political party that does not have a candidate on the ballot in a
57 primary, but that will have a candidate on the ballot for a general election, after the close of the
58 period for filing a declaration of candidacy and continuing through the day before the day on

59 which the lieutenant governor makes the certification described in Section [~~20A-5-409~~
60 20A-9-701, the party's candidate:

61 (i) dies;

62 (ii) resigns because of acquiring a physical or mental disability as certified by a
63 physician;

64 (iii) is disqualified by an election officer for improper filing or nominating procedures;

65 or

66 (iv) resigns to become a candidate for president or vice president of the United States;

67 or

68 (c) for a registered political party with a candidate certified as winning a primary
69 election, after the deadline described in Subsection (1)(a) and continuing through the day
70 before that day on which the lieutenant governor makes the certification described in Section
71 [~~20A-5-409~~] 20A-9-701, the party's candidate:

72 (i) dies;

73 (ii) resigns because of acquiring a physical or mental disability as certified by a
74 physician;

75 (iii) is disqualified by an election officer for improper filing or nominating procedures;

76 or

77 (iv) resigns to become a candidate for president or vice president of the United States.

78 (2) If no more than two candidates from a political party have filed a declaration of
79 candidacy for an office elected at a regular general election and one resigns to become the party
80 candidate for another position, the state central committee of that political party, for candidates
81 for governor, lieutenant governor, attorney general, state treasurer, and state auditor, and for
82 legislative candidates whose legislative districts encompass more than one county, and the
83 county central committee of that political party, for all other party candidates, may certify the
84 name of another candidate to the appropriate election officer.

85 (3) Each replacement candidate shall file a declaration of candidacy as required by
86 Title 20A, Chapter 9, Part 2, Candidate Qualifications and Declarations of Candidacy.

87 (4) (a) The name of a candidate who is certified under Subsection (1)(a) after the
88 deadline described in Subsection (1)(a) may not appear on the primary election ballot.

89 (b) The name of a candidate who is certified under Subsection (1)(b) after the deadline

90 described in Subsection (1)(b) may not appear on the general election ballot.

91 (c) The name of a candidate who is certified under Subsection (1)(c) after the deadline
92 described in Subsection (1)(c) may not appear on the general election ballot.

93 (5) A political party may not replace a candidate who is disqualified for failure to
94 timely file a campaign disclosure financial report under Title 20A, Chapter 11, Campaign and
95 Financial Reporting Requirements, or Section 17-16-6.5.

96 Section 2. Section 20A-1-503 is amended to read:

97 **20A-1-503. Midterm vacancies in the Legislature.**

98 (1) As used in this section:

99 (a) "Filing deadline" means the final date for filing:

100 (i) a declaration of candidacy as provided in Section 20A-9-202; and

101 (ii) a certificate of nomination as provided in Section 20A-9-503.

102 (b) "Party liaison" means the political party officer designated to serve as a liaison with
103 the lieutenant governor on all matters relating to the political party's relationship with the state
104 as required by Section 20A-8-401.

105 (2) When a vacancy occurs for any reason in the office of representative in the
106 Legislature, the governor shall fill the vacancy by immediately appointing the person whose
107 name was submitted by the party liaison of the same political party as the prior representative.

108 (3) (a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
109 the office of senator in the Legislature, it shall be filled for the unexpired term at the next
110 regular general election.

111 (b) The governor shall fill the vacancy until the next regular general election by
112 immediately appointing the person whose name was submitted by the party liaison of the same
113 political party as the prior senator.

114 (4) (a) ~~[Hf] For an even-numbered year in which the term of office does not expire, if a~~
115 ~~vacancy described in Subsection (3)(a) occurs after the filing deadline but before [August 31 of~~
116 ~~an even-numbered year in which the term of office does not expire]~~ the day on which the
117 lieutenant governor certifies candidates for the regular general election ballot under Section
118 20A-9-701, the lieutenant governor shall:

119 (i) establish a date, which is before the date for a candidate to be certified for the ballot
120 under Section 20A-9-701 and no later than 21 days after the day on which the vacancy

121 occurred, by which a person intending to obtain a position on the ballot for the vacant office
122 shall file:

123 (A) a declaration of candidacy; or

124 (B) a certificate of nomination; and

125 (ii) give notice of the vacancy and the date described in Subsection (4)(a)(i):

126 (A) on the lieutenant governor's website; and

127 (B) to each registered political party.

128 (b) A person intending to obtain a position on the ballot for the vacant office shall:

129 (i) by the date specified in Subsection (4)(a)(i), file a declaration of candidacy or

130 certificate of nomination according to the procedures and requirements of Chapter 9, Candidate
131 Qualifications and Nominating Procedures; and

132 (ii) run in the regular general election if:

133 (A) nominated as a party candidate; or

134 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
135 Qualifications and Nominating Procedures.

136 (c) If a vacancy described in Subsection (3)(a) occurs on or after the first Monday after
137 the third Saturday in April and before August 31 of an even-numbered year in which the term
138 of office does not expire, a party liaison from each registered political party may submit a name
139 of a person described in Subsection (4)(b) to the lieutenant governor by August 30 for
140 placement on the regular general election ballot.

141 (5) If a vacancy described in Subsection (3)(a) occurs on or after August 31 of an
142 even-numbered year in which a term does not expire, the governor shall fill the vacancy for the
143 unexpired term by immediately appointing the person whose name was submitted by the party
144 liaison of the same political party as the prior senator.

145 Section 3. Section **20A-1-509.1** is amended to read:

146 **20A-1-509.1. Procedure for filling midterm vacancy in county or district with 15**
147 **or more attorneys.**

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

151 (2) (a) The requirements of this Subsection (2) apply when:

152 (i) the office of county attorney or district attorney becomes vacant [~~and~~];
 153 [~~(i)~~] (ii) the vacant office has an unexpired term of two years or more; and
 154 [~~(ii)~~] (iii) the vacancy occurs before [~~the third Thursday in March of the~~] January 1 of
 155 an even-numbered year.

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

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

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

161 (ii) if nominated as a party candidate or qualified as an independent or write-in
 162 candidate under Chapter 9, Candidate Qualifications and Nominating Procedures, run in the
 163 regular general election; and

164 (iii) if elected, complete the unexpired term of the person who created the vacancy.

165 [~~(d) If the vacancy occurs after the second Friday in March and before the third~~
 166 ~~Thursday in March, the time for filing a declaration of candidacy under Section 20A-9-202~~
 167 ~~shall be extended until seven days after the county clerk gives notice under Subsection (2)(b);~~
 168 ~~but no later than the fourth Thursday in March.]~~

169 (3) (a) The requirements of this Subsection (3) apply when:

170 (i) the office of county attorney or district attorney becomes vacant [~~and~~];

171 [~~(i)~~] (ii) the vacant office has an unexpired term of two years or more; and

172 [~~(ii)~~] (iii) the vacancy occurs after [~~the third Thursday in March of the~~] January 1 of an
 173 even-numbered year but more than 75 days before the regular primary election.

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

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

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

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

180 (i) within five days after the date that the notice is made, ending at the close of normal
 181 office hours on the fifth day, file a declaration of candidacy for the vacant office as required by
 182 Chapter 9, Part 2, Candidate Qualifications and [~~Declaration~~] Declarations of Candidacy; and

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

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

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

187 (ii) certify the name of the candidate or candidates to the county clerk at least 60 days
188 before the regular primary election.

189 (4) (a) The requirements of this Subsection (4) apply when:

190 (i) the office of county attorney or district attorney becomes vacant ~~[and:]~~;

191 ~~[(i)]~~ (ii) the vacant office has an unexpired term of two years or more; and

192 ~~[(ii)]~~ (iii) 75 days or less remain before the regular primary election but more than 65
193 days remain before the regular general election.

194 (b) When the conditions established in Subsection (4)(a) are met, the county central
195 committees of each registered political party that wish to submit a candidate for the office shall
196 summarily certify the name of one candidate to the county clerk for placement on the regular
197 general election ballot.

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

200 (5) (a) The requirements of this Subsection (5) apply when:

201 (i) the office of county attorney or district attorney becomes vacant; and[:]

202 ~~[(i)]~~ (ii) (A) the vacant office has an unexpired term of less than two years; or

203 ~~[(ii)]~~ (B) the vacant office has an unexpired term of two years or more but 65 days or
204 less remain before the next regular general election.

205 (b) When the conditions established in Subsection (5)(a) are met, the county legislative
206 body shall give notice of the vacancy to the county central committee of the same political
207 party of the prior officeholder and invite that committee to submit the names of three nominees
208 to fill the vacancy.

209 (c) That county central committee shall, within 30 days of receiving notice from the
210 county legislative body, submit to the county legislative body the names of three nominees to
211 fill the vacancy.

212 (d) The county legislative body shall, within 45 days after the vacancy occurs, appoint
213 one of those nominees to serve out the unexpired term.

214 (e) If the county legislative body fails to appoint a person to fill the vacancy within 45
215 days, the county clerk shall send to the governor a letter that:

216 (i) informs the governor that the county legislative body has failed to appoint a person
217 to fill the vacancy within the statutory time period; and

218 (ii) contains the list of nominees submitted by the party central committee.

219 (f) The governor shall appoint a person to fill the vacancy from that list of nominees
220 within 30 days after receipt of the letter.

221 (g) A person appointed to fill the vacancy under Subsection (5) shall complete the
222 unexpired term of the person who created the vacancy.

223 (6) Nothing in this section prevents or prohibits independent candidates from filing a
224 declaration of candidacy for the office within the required time limits.

225 Section 4. Section **20A-8-103** is amended to read:

226 **20A-8-103. Petition procedures -- Criminal penalty.**

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

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

233 (a) circulate a petition seeking registered political party status beginning no earlier than
234 the date of the statewide canvass held after the last regular general election and ending no later
235 than [~~the February 15~~] November 30 of the year before the year in which the next regular
236 general election will be held; and

237 (b) file a petition with the lieutenant governor that is signed, with a holographic
238 signature, by at least 2,000 registered voters on or before [~~February 15~~] November 30 of the
239 year before the year in which a regular general election will be held.

240 (3) The petition shall:

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

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

244 (c) contain the name of the political party and the words "Political Party Registration

245 Petition" printed directly below the horizontal line;

246 (d) contain the word "Warning" printed directly under the words described in

247 Subsection (3)(c);

248 (e) contain, to the right of the word "Warning," the following statement printed in not
249 less than eight-point, single leaded type:

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

255 (f) contain the following statement directly under the statement described in Subsection
256 (3)(e):

257 "POLITICAL PARTY REGISTRATION PETITION To the Honorable _____,
258 Lieutenant Governor:

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

261 Each signer says:

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

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

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

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

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

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

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

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

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

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

278 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
279 information is not required, but it may be used to verify your identity with voter registration
280 records. If you choose not to provide it, your signature may not be certified as a valid signature
281 if you change your address before petition signatures are certified or if the information you
282 provide does not match your voter registration records.";

283 (h) have a final page bound to one or more signature sheets that are bound together that
284 contains the following printed statement:

285 "Verification
286 State of Utah, County of ____

287 I, _____, of _____, hereby state that:

288 I am a Utah resident and am at least 18 years old;

289 All the names that appear on the signature sheets bound to this page were signed by
290 persons who professed to be the persons whose names appear on the signature sheets, and each
291 of them signed the person's name on the signature sheets in my presence;

292 I believe that each has printed and signed the person's name and written the person's
293 street address correctly, and that each signer is registered to vote in Utah or will register to vote
294 in Utah before the petition is submitted to the lieutenant governor.

295 _____
296 (Signature) (Residence Address) (Date)"; and

297 (i) be bound to a cover sheet that:

298 (i) identifies the political party's name, which may not exceed four words, and the
299 emblem of the party;

300 (ii) states the process that the organization will follow to organize and adopt a
301 constitution and bylaws; and

302 (iii) is signed by a filing officer, who agrees to receive communications on behalf of
303 the organization.

304 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the person in
305 whose presence each signature sheet is signed:

306 (a) is at least 18 years old;

307 (b) meets the residency requirements of Section 20A-2-105; and

308 (c) verifies each signature sheet by completing the verification bound to one or more
309 signature sheets that are bound together.

310 (5) A person may not sign the verification if the person signed a signature sheet bound
311 to the verification.

312 (6) The lieutenant governor shall:

313 (a) determine whether the required number of voters appears on the petition;

314 (b) review the proposed name and emblem to determine if they are "distinguishable"
315 from the names and emblems of other registered political parties; and

316 (c) certify the lieutenant governor's findings to the filing officer described in
317 Subsection (3)(i)(iii) within 30 days of the filing of the petition.

318 (7) (a) If the lieutenant governor determines that the petition meets the requirements of
319 this section, and that the proposed name and emblem are distinguishable, the lieutenant
320 governor shall authorize the filing officer described in Subsection (3)(i)(iii) to organize the
321 prospective political party.

322 (b) If the lieutenant governor finds that the name, emblem, or both are not
323 distinguishable from the names and emblems of other registered political parties, the lieutenant
324 governor shall notify the filing officer that the filing officer has seven days to submit a new
325 name or emblem to the lieutenant governor.

326 (8) A registered political party may not change its name or emblem during the regular
327 general election cycle.

328 (9) (a) It is unlawful for any person to:

329 (i) knowingly sign a political party registration petition:

330 (A) with any name other than the person's own name;

331 (B) more than once for the same political party; or

332 (C) if the person is not registered to vote in this state and does not intend to become
333 registered to vote in this state before the petition is submitted to the lieutenant governor; or

334 (ii) sign the verification of a political party registration petition signature sheet if the
335 person:

336 (A) does not meet the residency requirements of Section 20A-2-105;

337 (B) has not witnessed the signing by those persons whose names appear on the political

338 party registration petition signature sheet; or

339 (C) knows that a person whose signature appears on the political party registration
340 petition signature sheet is not registered to vote in this state and does not intend to become
341 registered to vote in this state.

342 (b) Any person violating this Subsection (9) is guilty of a class A misdemeanor.

343 Section 5. Section **20A-9-202** is amended to read:

344 **20A-9-202. Declarations of candidacy for regular general elections.**

345 (1) (a) Each person seeking to become a candidate for an elective office that is to be
346 filled at the next regular general election shall:

347 (i) file a declaration of candidacy in person with the filing officer:

348 (A) on or after the first business day following January 1 of the regular general election
349 year~~[, and];~~];

350 (B) no later than 14 calendar days after the day described in Subsection (1)(a)(i)(A);
351 and

352 (C) if applicable, before the candidate circulates nomination petitions under Section
353 **20A-9-405**; and

354 (ii) pay the filing fee.

355 (b) Each county clerk who receives a declaration of candidacy from a candidate for
356 multicounty office shall transmit the filing fee and a copy of the candidate's declaration of
357 candidacy to the lieutenant governor within one working day after ~~[it is filed.]~~ the day on which
358 the county clerk receives the declaration of candidacy.

359 (c) Each day during the filing period, each county clerk shall notify the lieutenant
360 governor electronically or by telephone of candidates who have filed in ~~[their]~~ the county
361 clerk's office.

362 (d) Each person seeking the office of lieutenant governor, the office of district attorney,
363 or the office of president or vice president of the United States shall comply with the specific
364 declaration of candidacy requirements established by this section.

365 (2) (a) Each person intending to become a candidate for the office of district attorney
366 within a multicounty prosecution district that is to be filled at the next regular general election
367 shall:

368 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement

369 creating the prosecution district:

370 (A) on or after the first business day following January 1 of the regular general election
371 year~~[, and]~~;

372 (B) no later than 14 calendar days after the day described in Subsection (2)(a)(i)(A);
373 and

374 (C) if applicable, before the candidate circulates nomination petitions under Section
375 20A-9-405; and

376 (i) pay the filing fee.

377 (b) The designated clerk shall provide to the county clerk of each county in the
378 prosecution district a certified copy of each declaration of candidacy filed for the office of
379 district attorney.

380 (3) (a) On or before 5 p.m. on the first Monday after the third Saturday in April, each
381 lieutenant governor candidate shall:

382 (i) file a declaration of candidacy with the lieutenant governor;

383 (ii) pay the filing fee; and

384 (iii) submit a letter from a candidate for governor who has received certification for the
385 primary-election ballot under Section 20A-9-403 that names the lieutenant governor candidate
386 as a joint-ticket running mate.

387 (b) Any candidate for lieutenant governor who fails to timely file is disqualified. If a
388 lieutenant governor is disqualified, another candidate shall file to replace the disqualified
389 candidate.

390 (4) Each registered political party shall:

391 (a) certify the names of ~~[its]~~ the registered political party's candidates for president and
392 vice president of the United States to the lieutenant governor no later than August 31; or

393 (b) provide written authorization for the lieutenant governor to accept the certification
394 of candidates for president and vice president of the United States from the national office of
395 the registered political party.

396 (5) (a) A declaration of candidacy filed under this section is valid unless a written
397 objection is filed with the clerk or lieutenant governor within five days after the last day for
398 filing.

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

400 (i) mail or personally deliver notice of the objection to the affected candidate
401 immediately; and
402 (ii) decide any objection within 48 hours after it is filed.
403 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
404 problem by amending the declaration or petition within three days after the objection is
405 sustained or by filing a new declaration within three days after the objection is sustained.
406 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.
407 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
408 by a district court if prompt application is made to the court.
409 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
410 of its discretion, agrees to review the lower court decision.
411 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by
412 filing a written affidavit with the clerk.
413 (7) Except as provided in Subsection 20A-9-201(4)(b), notwithstanding a requirement
414 in this section to file a declaration of candidacy in person, a person may designate an agent to
415 file the form described in Subsection 20A-9-201(4) in person with the filing officer if:
416 (a) the person is located outside the state during the filing period because:
417 (i) of employment with the state or the United States; or
418 (ii) the person is a member of:
419 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
420 Coast Guard of the United States who is on active duty;
421 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
422 commissioned corps of the National Oceanic and Atmospheric Administration of the United
423 States; or
424 (C) the National Guard on activated status;
425 (b) the person communicates with the filing officer using an electronic device that
426 allows the person and filing officer to see and hear each other; and
427 (c) the person provides the filing officer with an email address to which the filing
428 officer may send the copies described in Subsection 20A-9-201(3).
429 Section 6. Section 20A-9-406 is amended to read:
430 **20A-9-406. Qualified political party -- Requirements and exemptions.**

431 The following provisions apply to a qualified political party:

432 (1) the qualified political party shall, no later than 5 p.m. on [~~March 1~~ of each
433 ~~even-numbered~~] November 15 of each odd-numbered year, certify to the lieutenant governor
434 the identity of one or more registered political parties whose members may vote for the
435 qualified political party's candidates and whether unaffiliated voters may vote for the qualified
436 political party's candidates;

437 (2) the provisions of Subsections [20A-9-403](#)(1) through (4)(a), Subsection
438 [20A-9-403](#)(5)(c), and Section [20A-9-405](#) do not apply to a nomination for the qualified
439 political party;

440 (3) an individual may only seek the nomination of the qualified political party by using
441 a method described in Section [20A-9-407](#), Section [20A-9-408](#), or both;

442 (4) the qualified political party shall comply with the provisions of Sections
443 [20A-9-407](#), [20A-9-408](#), and [20A-9-409](#);

444 (5) notwithstanding Subsection [20A-6-301](#)(1)(a), (1)(g), or (2)(a), each election officer
445 shall ensure that a ballot described in Section [20A-6-301](#) includes each [~~person~~] individual
446 nominated by a qualified political party:

447 (a) under the qualified political party's name, if any; or

448 (b) under the title of the qualified registered political party as designated by the
449 qualified political party in the certification described in Subsection (1), or, if none is
450 designated, then under some suitable title;

451 (6) notwithstanding Subsection [20A-6-302](#)(1)(a), each election officer shall ensure, for
452 paper ballots in regular general elections, that each candidate who is nominated by the qualified
453 political party is listed by party;

454 (7) notwithstanding Subsection [20A-6-303](#)(1)(d), each election officer shall ensure that
455 the party designation of each candidate who is nominated by the qualified political party is
456 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;

457 (8) notwithstanding Subsection [20A-6-304](#)(1)(e), each election officer shall ensure that
458 the party designation of each candidate who is nominated by the qualified political party is
459 displayed adjacent to the candidate's name on an electronic ballot;

460 (9) "candidates for elective office," defined in Subsection [20A-9-101](#)(1)(a), also
461 includes an individual who files a declaration of candidacy under Section [20A-9-407](#) or

462 20A-9-408 to run in a regular general election for a federal office, constitutional office,
463 multicounty office, or county office;

464 (10) an individual who is nominated by, or seeking the nomination of, the qualified
465 political party is not required to comply with Subsection 20A-9-201(1)(c);

466 (11) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled
467 to have each of the qualified political party's candidates for elective office appear on the
468 primary ballot of the qualified political party with an indication that each candidate is a
469 candidate for the qualified political party;

470 (12) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include
471 on the list provided by the lieutenant governor to the county clerks:

472 (a) the names of all candidates of the qualified political party for federal, constitutional,
473 multicounty, and county offices; and

474 (b) the names of unopposed candidates for elective office who have been nominated by
475 the qualified political party and instruct the county clerks to exclude such candidates from the
476 primary-election ballot;

477 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an
478 elective office in the regular primary election of the qualified political party is nominated by
479 the party for that office without appearing on the primary ballot; and

480 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
481 20A-9-405, the qualified political party is entitled to have the names of its candidates for
482 elective office featured with party affiliation on the ballot at a regular general election.

483 Section 7. Section 20A-9-407 is amended to read:

484 **20A-9-407. Convention process to seek the nomination of a qualified political**
485 **party.**

486 (1) This section describes the requirements for a member of a qualified political party
487 who is seeking the nomination of a qualified political party for an elective office through the
488 qualified political party's convention process.

489 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
490 candidacy for a member of a qualified political party who is nominated by, or who is seeking
491 the nomination of, the qualified political party under this section shall be substantially as
492 described in Section 20A-9-408.5.

493 ~~[(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in~~
494 ~~Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is~~
495 ~~seeking the nomination of the qualified political party for an elective office that is to be filled at~~
496 ~~the next general election, shall:]~~

497 ~~[(a) file a declaration of candidacy in person with the filing officer on or after the~~
498 ~~second Friday in March and before 5 p.m. on the third Thursday in March before the next~~
499 ~~regular general election; and]~~

500 ~~[(b) pay the filing fee.]~~

501 ~~[(4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political~~
502 ~~party who, under this section, is seeking the nomination of the qualified political party for the~~
503 ~~office of district attorney within a multicounty prosecution district that is to be filled at the next~~
504 ~~general election shall:]~~

505 ~~[(a) file a declaration of candidacy with the county clerk designated in the interlocal~~
506 ~~agreement creating the prosecution district on or after the second Friday in March and before 5~~
507 ~~p.m. on the third Thursday in March before the next regular general election; and]~~

508 ~~[(b) pay the filing fee.]~~

509 ~~[(5)]~~ (3) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor
510 candidate who files as the joint-ticket running mate of an individual who is nominated by a
511 qualified political party, under this section, for the office of governor shall submit a letter from
512 the candidate for governor that names the lieutenant governor candidate as a joint-ticket
513 running mate.

514 ~~[(6)]~~ (4) (a) A qualified political party that nominates a candidate under this section
515 shall certify the name of the candidate to the lieutenant governor before 5 p.m. on the first
516 Monday after the fourth Saturday in April.

517 (b) The lieutenant governor shall ensure that the certification described in Subsection
518 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
519 under this section.

520 ~~[(7)]~~ (5) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate
521 who is nominated by a qualified political party under this section, designate the qualified
522 political party that nominated the candidate.

523 Section 8. Section 20A-9-408 is amended to read:

524 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
 525 **political party.**

526 (1) This section describes the requirements for a member of a qualified political party
 527 who is seeking the nomination of the qualified political party for an elective office through the
 528 signature-gathering process described in this section.

529 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
 530 candidacy for a member of a qualified political party who is nominated by, or who is seeking
 531 the nomination of, the qualified political party under this section shall be substantially as
 532 described in Section 20A-9-408.5.

533 ~~[(3) Notwithstanding Subsection 20A-9-202(1)(a), and except]~~

534 (3) Except as provided in Subsection 20A-9-202(4), a member of a qualified political
 535 party who, under this section, is seeking the nomination of the qualified political party for an
 536 elective office that is to be filled at the next general election shall~~[(a) within the period~~
 537 ~~beginning on January 1 before the next regular general election and ending on the third~~
 538 ~~Thursday in March of the same year],~~ on or after the first business day in January, on or before
 539 14 calendar days after the first business day in January, and before gathering signatures under
 540 this section, file with the filing officer on a form approved by the lieutenant governor a notice
 541 of intent to gather signatures for candidacy that includes:

542 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for a
 543 registered political party under this section;

544 ~~[(ii)]~~ (b) the name of the registered political party for which the member is seeking
 545 nomination;

546 ~~[(iii)]~~ (c) the office for which the member is seeking to become a candidate;

547 ~~[(iv)]~~ (d) the address and telephone number of the member; and

548 ~~[(v)]~~ (e) other information required by the lieutenant governor[;].

549 ~~[(b) file a declaration of candidacy, in person, with the filing officer on or after the~~
 550 ~~second Friday in March and before 5 p.m. on the third Thursday in March before the next~~
 551 ~~regular general election; and]~~

552 ~~[(c) pay the filing fee.]~~

553 ~~[(4) Notwithstanding Subsection 20A-9-202(2)(a), a]~~

554 (4) A member of a qualified political party who, under this section, is seeking the

555 nomination of the qualified political party for the office of district attorney within a
 556 multicounty prosecution district that is to be filled at the next regular general election shall~~[(a)~~
 557 ~~on or after January 1 before the next regular general election]~~, on or after the first business day
 558 in January, on or before 14 calendar days after the first business day in January, and before
 559 gathering signatures under this section, file with the filing officer on a form approved by the
 560 lieutenant governor a notice of intent to gather signatures for candidacy that includes:

561 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for a
 562 registered political party under this section;

563 ~~[(ii)]~~ (b) the name of the registered political party for which the member is seeking
 564 nomination;

565 ~~[(iii)]~~ (c) the office for which the member is seeking to become a candidate;

566 ~~[(iv)]~~ (d) the address and telephone number of the member; and

567 ~~[(v)]~~ (e) other information required by the lieutenant governor~~[:]~~.

568 ~~[(b) file a declaration of candidacy, in person, with the filing officer on or after the~~
 569 ~~second Friday in March and before 5 p.m. on the third Thursday in March before the next~~
 570 ~~regular general election; and]~~

571 ~~[(c) pay the filing fee.]~~

572 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
 573 who files as the joint-ticket running mate of an individual who is nominated by a qualified
 574 political party, under this section, for the office of governor shall submit a letter from the
 575 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
 576 mate.

577 (6) The lieutenant governor shall ensure that the certification described in Subsection
 578 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
 579 under this section.

580 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
 581 is nominated by a qualified political party under this section, designate the qualified political
 582 party that nominated the candidate.

583 (8) A member of a qualified political party may seek the nomination of the qualified
 584 political party for an elective office by:

585 (a) complying with the requirements described in this section; and

586 (b) collecting signatures, on a form approved by the lieutenant governor, during the
587 period beginning on the first business day in January [†] of an even-numbered year and ending
588 14 days before the day on which the qualified political party's convention for the office is held,
589 in the following amounts:

590 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
591 permitted by the qualified political party to vote for the qualified political party's candidates in
592 a primary election;

593 (ii) for a congressional district race, 7,000 signatures of registered voters who are
594 residents of the congressional district and are permitted by the qualified political party to vote
595 for the qualified political party's candidates in a primary election;

596 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
597 residents of the state Senate district and are permitted by the qualified political party to vote for
598 the qualified political party's candidates in a primary election;

599 (iv) for a state House district race, 1,000 signatures of registered voters who are
600 residents of the state House district and are permitted by the qualified political party to vote for
601 the qualified political party's candidates in a primary election;

602 (v) for a State Board of Education race, the lesser of:

603 (A) 2,000 signatures of registered voters who are residents of the State Board of
604 Education district and are permitted by the qualified political party to vote for the qualified
605 political party's candidates in a primary election; or

606 (B) 3% of the registered voters of the qualified political party who are residents of the
607 applicable State Board of Education district; and

608 (vi) for a county office race, signatures of 3% of the registered voters who are residents
609 of the area permitted to vote for the county office and are permitted by the qualified political
610 party to vote for the qualified political party's candidates in a primary election.

611 (9) (a) In order for a member of the qualified political party to qualify as a candidate
612 for the qualified political party's nomination for an elective office under this section, the
613 member shall:

614 (i) collect the signatures on a form approved by the lieutenant governor, using the same
615 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

616 (ii) submit the signatures to the election officer no later than 14 days before the day on

617 which the qualified political party holds its convention to select candidates, for the elective
618 office, for the qualified political party's nomination.

619 (b) An individual may not gather signatures under this section until after the individual
620 files a notice of intent to gather signatures for candidacy described in this section.

621 (c) An individual who files a notice of intent to gather signatures for candidacy,
622 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
623 the notice of intent to gather signatures for candidacy:

624 (i) required to comply with the reporting requirements that a candidate for office is
625 required to comply with; and

626 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
627 apply to a candidate for office in relation to the reporting requirements described in Subsection
628 (9)(c)(i).

629 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
630 election officer shall, no later than one day before the day on which the qualified political party
631 holds the convention to select a nominee for the elective office to which the signature packets
632 relate:

633 (i) check the name of each individual who completes the verification for a signature
634 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

635 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a
636 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

637 (iii) determine whether each signer is a registered voter who is qualified to sign the
638 petition, using the same method, described in Section [20A-7-206.3](#), used to verify a signature
639 on a petition;

640 (iv) certify whether each name is that of a registered voter who is qualified to sign the
641 signature packet; and

642 (v) notify the qualified political party and the lieutenant governor of the name of each
643 member of the qualified political party who qualifies as a nominee of the qualified political
644 party, under this section, for the elective office to which the convention relates.

645 (e) Upon receipt of a notice of intent to gather signatures for candidacy described in
646 this section, the lieutenant governor shall post the notice of intent to gather signatures for
647 candidacy on the lieutenant governor's website in the same location that the lieutenant governor

648 posts a declaration of candidacy.

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

650 **20A-14-203. Becoming a member of a local board of education -- Declaration of**
651 **candidacy -- Election.**

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

653 [~~(a) (i) in the 2016 general election, by filing a declaration of candidacy with the~~
654 ~~county clerk, in accordance with Section 20A-9-202, before 5 p.m. on March 17, 2016; or]~~

655 [~~(ii) in a general election held after 2016;]~~

656 (a) by filing a declaration of candidacy with the county clerk;

657 (i) on or after the [~~second Friday in March, and before 5 p.m. on the third Thursday in~~
658 ~~March, before the next] first business day following January 1 of the regular general election;
659 and] year; and~~

660 (ii) not later than 14 calendar days after the day described in Subsection

661 (1)(a)(i); and

662 (b) by paying the fee described in Section 20A-9-202.

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

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

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

669 Section 10. **Repealer.**

670 This bill repeals:

671 Section 20A-5-409, **Certification of candidates to county clerks.**