

**ELECTION PROCESS AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel McCay**

House Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to the conduct of elections.

**Highlighted Provisions:**

This bill:

- defines terms;
- establishes four types of registered political parties, as follows:
  - a class A registered political party, that chooses a nominee by convention only and agrees to send the top two nominees at convention to a primary unless one candidate receives at least two-thirds of the votes cast at convention;
  - a class B registered political party, that chooses a nominee by allowing a member of the registered political party to seek the nomination by the nominee choosing to gather signatures, seek nomination in the registered political party's convention, or both;
  - a class C registered political party that chooses a nominee by gathering signatures only; and
  - a class D registered political party that chooses a nominee by a method other than a method required for a class A, B, or C registered political party;
- requires a registered political party to:
  - certify to the lieutenant governor the class that the registered political party will be for the upcoming regular general election; and



- comply with the candidate nomination requirements relating to the class certified by the registered political party;
- provides that a registered political party that fails to timely certify a class is a class D registered political party;
- provides that only a class A, B, or C registered political party:
  - may participate in a regular primary election; or
  - have the registered political party's nominees appear on the general election ballot with an indication of party affiliation;
- establishes other requirements for a registered political party and for particular classes of registered political parties; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

- 20A-1-201.5**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 20A-1-501**, as last amended by Laws of Utah 2019, Chapter 349
- 20A-1-503**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4
- 20A-5-101**, as last amended by Laws of Utah 2019, Chapter 255
- 20A-6-301**, as last amended by Laws of Utah 2020, Chapters 31, 49, and 344
- 20A-6-302**, as last amended by Laws of Utah 2020, Chapter 31
- 20A-6-304**, as last amended by Laws of Utah 2020, Chapter 31
- 20A-8-103**, as last amended by Laws of Utah 2019, Chapter 255
- 20A-9-101**, as last amended by Laws of Utah 2020, Chapter 344
- 20A-9-201**, as last amended by Laws of Utah 2020, Chapter 22
- 20A-9-202**, as last amended by Laws of Utah 2020, Chapter 22
- 20A-9-403**, as last amended by Laws of Utah 2020, Chapter 22
- 20A-9-405**, as last amended by Laws of Utah 2018, Chapter 281
- 20A-9-406**, as last amended by Laws of Utah 2020, Chapters 22, 31, and 49

59        **20A-9-407**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4  
60        **20A-9-408**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4  
61        **20A-9-408.5**, as enacted by Laws of Utah 2015, Chapter 296  
62        **20A-9-409**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4  
63        **20A-9-504**, as last amended by Laws of Utah 2019, Chapter 255  
64        **20A-9-601**, as last amended by Laws of Utah 2019, Chapters 142, 255, and 279  
65        **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296  
66        **63I-2-220**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 17

67    ENACTS:

68        **20A-9-102**, Utah Code Annotated 1953  
69        **20A-9-402.5**, Utah Code Annotated 1953  
70        **20A-9-402.7**, Utah Code Annotated 1953  
71        **20A-9-403.5**, Utah Code Annotated 1953  
72        **20A-9-403.7**, Utah Code Annotated 1953  
73        **20A-9-409.5**, Utah Code Annotated 1953

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

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

77        **20A-1-201.5. Primary election dates.**

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

- 81        (a) national, state, school board, and county offices; and  
82        (b) offices for a metro township, city, or town incorporated under Section **10-2a-404**.

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

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

88        Section 2. Section **20A-1-501** is amended to read:

89        **20A-1-501. Candidate vacancies -- Procedure for filling.**

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

(a) for a registered political party that will have a candidate on a ballot in a primary election, after the close of the period for filing a declaration of candidacy and continuing through the day before the day on which the lieutenant governor provides the list described in Subsection [~~20A-9-403(4)(a)~~] 20A-9-403.7(1)(a):

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

(ii) one or both:

(A) dies;

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

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

(b) for a registered political party that does not have a candidate on the ballot in a primary, but that will have a candidate on the ballot for a general election, after the close of the period for filing a declaration of candidacy and continuing through the day before the day on which the lieutenant governor makes the certification described in Section 20A-5-409, the party's candidate:

(i) dies;

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

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

or

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

or

(c) for a registered political party with a candidate certified as winning a primary election, after the deadline described in Subsection (1)(a) and continuing through the day

before that day on which the lieutenant governor makes the certification described in Section 20A-5-409, the party's candidate:

- (i) dies;
  - (ii) resigns because of acquiring a physical or mental disability as certified by a physician or physician assistant;
  - (iii) is disqualified by an election officer for improper filing or nominating procedures;
- or
- (iv) resigns to become a candidate for president or vice president of the United States.

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

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

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

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

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

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

Section 3. Section 20A-1-503 is amended to read:

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

(1) As used in this section:

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

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

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

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

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

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

(b) The governor shall fill the vacancy until the next regular general election by immediately appointing the ~~[person]~~ individual whose name was submitted by the party liaison of the same registered political party as the prior senator.

(4) (a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but before August 31 of an even-numbered year in which the term of office does not expire, the lieutenant governor shall:

(i) establish a date and time, which is before the date for a candidate to be certified for the ballot under Section 20A-9-701 and no later than 21 days after the day on which the vacancy occurred, by which ~~[a person]~~ an individual intending to obtain a position on the ballot for the vacant office shall file:

(A) a declaration of candidacy; or

(B) a certificate of nomination; and

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

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

(B) to each registered political party.

(b) ~~[A person]~~ An individual intending to obtain a position on the ballot for the vacant office shall:

(i) before the date and time specified in Subsection (4)(a)(i), file a declaration of candidacy or certificate of nomination according to the procedures and requirements of Chapter

9, Candidate Qualifications and Nominating Procedures; and

(ii) run in the regular general election if:

(A) nominated as a party candidate; or

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

(c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in Subsection ~~20A-9-202[(1)(b)]~~(2)(b)(ii) or (3)(b) and before August 31, of an even-numbered year in which the term of office does not expire, a party liaison from each registered political party may submit a name of ~~[a person]~~ an individual described in Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than August 30 for placement on the regular general election ballot.

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

Section 4. Section **20A-5-101** is amended to read:

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

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

(a) designates the offices to be filled at the next year's regular general election;

(b) identifies the dates for filing a declaration of candidacy, and for submitting and certifying nomination petition signatures, as applicable, ~~[under Sections 20A-9-403;~~  
~~20A-9-407, and 20A-9-408]~~ for those offices; and

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

(2) No later than seven business days after the day on which the lieutenant governor transmits the written notice described in Subsection (1), each county clerk shall publish notice, in accordance with Subsection (3):

(a) (i) in a conspicuous place most likely to give notice of the election to the voters in each voting precinct within the county; and

(ii) prepare an affidavit of the posting, showing a copy of the notice and the places

where the notice was posted;

(b) (i) in a newspaper of general circulation in the county;

(ii) if there is no newspaper of general circulation within the county, in addition to the notice described in Subsection (2)(a), by posting one notice, and at least one additional notice per 2,000 population of the county, in places within the county that are most likely to give notice of the election to the voters in the county; or

(iii) by mailing notice to each registered voter in the county;

(c) on the Utah Public Notice Website created in Section 63F-1-701, for seven days before the day of the election;

(d) in accordance with Section 45-1-101, for seven days before the day of the election; and

(e) on the county's website for seven days before the day of the election.

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

(a) designate the offices to be voted on in that election; and

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

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

(a) the date of election;

(b) the hours during which the polls will be open;

(c) the polling places for each voting precinct, early voting polling place, and election day voting center;

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

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

(f) the qualifications for persons to vote in the election.

(5) To provide the printed notice described in Subsection (4), the election officer shall publish the notice:

(a) (i) in a newspaper of general circulation in the jurisdiction to which the election



pertains at least two days before the day of the election;

(ii) if there is no newspaper of general circulation in the jurisdiction to which the election pertains, at least two days before the day of the election, by posting one notice, and at least one additional notice per 2,000 population of the jurisdiction, in places within the jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction; or

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

(b) on the Utah Public Notice Website created in Section 63F-1-701, for two days before the day of the election;

(c) in accordance with Section 45-1-101, for two days before the day of the election; and

(d) if the jurisdiction has a website, on the jurisdiction's website for two days before the day of the election.

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

(a) is entitled "Notice of Election";

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

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

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

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

(iii) a mailing address and telephone number.

Section 5. Section 20A-6-301 is amended to read:

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

(1) Each election officer shall ensure that:

(a) all manual ballots furnished for use at the regular general election contain:

(i) no captions or other endorsements except as provided in this section;

(ii) no symbols, markings, or other descriptions of a political party or group, except for

a registered political party that has, by timely certifying as a class A, B, or C registered political party under Section 20A-9-102, chosen to nominate ~~[its]~~ the registered political party's candidates in accordance with ~~[Section 20A-9-403]~~ the requirements applicable to the class certified under Section 20A-9-102; and

(iii) no indication that a candidate for elective office has been nominated by, or has been endorsed by, or is in any way affiliated with a political party or group, unless the candidate has been nominated by a class A, B, or C registered political party in accordance with ~~[Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~ the requirements applicable to the class certified under Section 20A-9-102;

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

(i) "Official Ballot for \_\_\_\_ County, Utah";

(ii) the date of the election; and

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

(c) unaffiliated candidates, candidates not affiliated with a registered political party, and all other candidates for elective office who were not nominated by a class A, B, or C registered political party in accordance with ~~[Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~ the requirements applicable to the registered political party's class, are listed with the other candidates for the same office in accordance with Section 20A-6-305, without a party name or title;

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

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

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

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

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

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

(2) An election officer shall ensure that:

(a) each individual nominated by ~~[any registered political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)]~~ a class A, B, or C registered political party in accordance with the requirements applicable to the registered political party's class, and no other individual, is placed on the ballot:

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

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

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

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

(d) the ballots contain no other names.

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

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

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

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

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

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

(f) each group is preceded by the designation of the office for which the candidates seek election, and the words, "Vote for one" or "Vote for up to \_\_\_\_ (the number of

candidates for which the voter may vote)," according to the number to be elected.

(4) Each election officer shall ensure that:

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

(b) ballot propositions submitted to the voters are listed on the ballot in accordance with Section 20A-6-107; and

(c) bond propositions that have qualified for the ballot are listed on the ballot under the title assigned to each bond proposition under Section 11-14-206.

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

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

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

(a) each candidate is listed by party, if nominated by a class A, B, or C registered political party [~~under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)~~] in accordance with the requirements applicable to the registered political party's class;

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

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

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

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

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

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

received for the office of county attorney.

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

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

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

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

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

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

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

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

(e) If no qualified individual files for the office of district attorney, or if the only candidate is not elected by the voters under this subsection, the county legislative body shall

appoint a new district attorney for a four-year term as provided in Section 20A-1-509.2.

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

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

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

Section 7. Section 20A-6-304 is amended to read:

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

(1) Each election officer shall ensure that:

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

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

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

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

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

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

(e) the party designation of each candidate who has been nominated by a class A, B, or C registered political party [~~under Subsection 20A-9-202(4) or Subsection 20A-9-403(5)~~] in accordance with the requirements applicable to the registered political party's class is displayed adjacent to the candidate's name; and

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

(2) Each election officer shall ensure that:

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

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

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

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

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

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

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

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

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

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

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

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

(iii) whether, for the next election, the organization ~~[intends to nominate the organization's candidates in accordance with the provisions of Section 20A-9-406]~~ will be a class A, B, C, or D registered political party.

(3) The petition shall:

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

(b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line

blank for the purpose of binding;

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

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

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

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

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

"POLITICAL PARTY REGISTRATION PETITION To the Honorable \_\_\_\_\_,  
Lieutenant Governor:

We, the undersigned citizens of Utah, seek registered political party status for \_\_\_\_\_  
(name);

Each signer says:

I have personally signed this petition with a holographic signature;

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

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

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

(g) be vertically divided into columns as follows:

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

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

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



Registered Voter";

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

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

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

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

"Verification

State of Utah, County of \_\_\_\_\_

I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

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

All the names that appear on the signature sheets bound to this page were signed by individuals who professed to be the individuals whose names appear on the signature sheets, and each individual signed the individual's name on the signature sheets in my presence;

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

---

(Signature) (Residence Address) (Date)"; and

(i) be bound to a cover sheet that:

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

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

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

(4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual

in whose presence each signature sheet is signed:

(a) is at least 18 years old;

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

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

(5) An individual may not sign the verification if the individual signed a signature sheet bound to the verification.

(6) The lieutenant governor shall:

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

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

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

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

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

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

(9) (a) It is unlawful for an individual to:

(i) knowingly sign a political party registration petition:

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

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

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

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

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

(B) has not witnessed the signing by those individuals whose names appear on the political party registration petition signature sheet; or

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

(b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.

Section 9. Section 20A-9-101 is amended to read:

**20A-9-101. Definitions.**

As used in this chapter:

(1) (a) "Candidates for elective office" means persons who file a declaration of candidacy under Section 20A-9-202 to run in a regular general election for a federal office, constitutional office, multicounty office, or county office.

(b) "Candidates for elective office" does not mean candidates for:

(i) justice or judge of court of record or not of record;

(ii) presidential elector;

(iii) any political party offices; and

(iv) municipal or local district offices.

(2) "Class A registered political party" means a registered political party that, by timely certifying as a class A registered political party under Section 20A-9-102, voluntarily agrees:

(a) to permit a member of the registered political party to seek the registered political party's nomination for any elective office via party convention only; and

(b) that the two candidates who receive the highest number of votes for each office at convention will compete for the nomination in a primary election unless one candidate receives at least two-thirds of the votes cast at convention for that office.

(3) "Class B registered political party" means a registered political party that, by timely certifying as a class B registered political party under Section 20A-9-102, voluntarily agrees:

(a) (i) to permit a delegate for the registered political party to vote on a candidate nomination in the registered political party's convention remotely; or

(ii) to provide a procedure for designating an alternate delegate if a delegate is not present at the registered political party's convention;

586 (b) to hold the registered political party's convention no earlier than the fourth Saturday  
587 in March of an even-numbered year; and

588 (c) to permit a member of the registered political party to seek the registered political  
589 party's nomination for any elective office by the member choosing to seek the nomination by  
590 either or both of the following methods:

591 (i) seeking the nomination through the registered political party's convention process,  
592 in accordance with the provisions of Section [20A-9-407](#); or

593 (ii) seeking the nomination by collecting signatures, in accordance with the provisions  
594 of Section [20A-9-408](#).

595 (4) "Class C registered political party" means a registered political party that, by timely  
596 certifying as a class C registered political party under Section [20A-9-102](#), voluntarily agrees to  
597 permit a member of the registered political party to seek the registered political party's  
598 nomination for any elective office by signature only, in accordance with Section [20A-9-403](#).

599 (5) "Class D registered political party" means a registered political party that:

600 (a) by timely certifying as a class D registered political party under Section [20A-9-102](#),  
601 voluntarily agrees:

602 (i) to permit a member of the registered political party to seek the registered political  
603 party's nomination for any elective office by a means other than the means required for a class  
604 A, B, or C registered political party;

605 (ii) that the registered political party will not participate in the regular primary election;  
606 and

607 (iii) that the registered political party's nominees will appear on the general election  
608 ballot without any indication of party affiliation or affiliation with any other political group; or

609 (b) by failing to timely certify as a class A, B, C, or D registered political party under  
610 Section [20A-9-102](#), is not entitled to, and is not permitted to:

611 (i) participate in the regular primary election; or

612 (ii) have the registered political party's nominees appear on the general election ballot  
613 with any indication of party affiliation or affiliation with any other political group.

614 ~~[(2)]~~ (6) "Constitutional office" means the state offices of governor, lieutenant  
615 governor, attorney general, state auditor, and state treasurer.

616 ~~[(3)]~~ (7) "Continuing political party" means the same as that term is defined in Section

## 20A-8-101.

~~[(4)]~~ (8) (a) "County office" means an elective office where the officeholder is selected by voters entirely within one county.

(b) "County office" does not mean:

(i) the office of justice or judge of any court of record or not of record;

(ii) the office of presidential elector;

(iii) any political party offices;

(iv) any municipal or local district offices; and

(v) the office of United States Senator and United States Representative.

~~[(5)]~~ (9) "Federal office" means an elective office for United States Senator and United States Representative.

~~[(6)]~~ (10) "Filing officer" means:

(a) the lieutenant governor, for:

(i) the office of United States Senator and United States Representative; and

(ii) all constitutional offices;

(b) for the office of a state senator or state representative, the lieutenant governor or the applicable clerk described in Subsection ~~[(6)]~~ (10)(c) or (d);

(c) the county clerk, for county offices and local school district offices;

(d) the county clerk in the filer's county of residence, for multicounty offices;

(e) the city or town clerk, for municipal offices; or

(f) the local district clerk, for local district offices.

~~[(7)]~~ (11) "Local district office" means an elected office in a local district.

~~[(8)]~~ (12) "Local government office" includes county offices, municipal offices, and local district offices and other elective offices selected by the voters from a political division entirely within one county.

~~[(9)]~~ (13) (a) "Multicounty office" means an elective office where the officeholder is selected by the voters from more than one county.

(b) "Multicounty office" does not mean:

(i) a county office;

(ii) a federal office;

(iii) the office of justice or judge of any court of record or not of record;

(iv) the office of presidential elector;

(v) any political party offices; or

(vi) any municipal or local district offices.

~~[(10)]~~ (14) "Municipal office" means an elective office in a municipality.

~~[(11)]~~ (15) (a) "Political division" means a geographic unit from which an officeholder is elected and that an officeholder represents.

(b) "Political division" includes a county, a city, a town, a local district, a school district, a legislative district, and a county prosecution district.

~~[(12)]~~ "Qualified political party" means a registered political party that:]

~~[(a) (i) permits a delegate for the registered political party to vote on a candidate nomination in the registered political party's convention remotely; or]~~

~~[(ii) provides a procedure for designating an alternate delegate if a delegate is not present at the registered political party's convention;]~~

~~[(b) does not hold the registered political party's convention before the fourth Saturday in March of an even-numbered year;]~~

~~[(c) permits a member of the registered political party to seek the registered political party's nomination for any elective office by the member choosing to seek the nomination by either or both of the following methods:]~~

~~[(i) seeking the nomination through the registered political party's convention process, in accordance with the provisions of Section 20A-9-407; or]~~

~~[(ii) seeking the nomination by collecting signatures, in accordance with the provisions of Section 20A-9-408; and]~~

~~[(d) (i) if the registered political party is a continuing political party, no later than 5 p.m. on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the election in the following year, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406; or]~~

~~[(ii) if the registered political party is not a continuing political party, certifies at the time that the registered political party files the petition described in Section 20A-8-103 that, for the next election, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406.]~~

Section 10. Section 20A-9-102 is enacted to read:

**20A-9-102. Certification of registered political party class -- Effect of certification or failure to timely certify.**

(1) A registered political party that is a continuing political party shall, no later than 5 p.m. on September 30 of an odd-numbered year, certify to the lieutenant governor, in writing:

(a) whether the registered political party will be a class A, class B, class C, or class D registered political party during the following even-numbered year; and

(b) for a class A, class B, or class C registered political party:

(i) the name of one or more registered political parties whose members may vote for the registered political party's candidates in the regular primary election; and

(ii) whether individuals identified as unaffiliated with a registered political party may vote for the registered political party's candidates in the regular primary election.

(2) A registered political party that is not a continuing political party, shall, at the time that the registered political party files the petition described in Section [20A-8-103](#), certify to the lieutenant governor, in writing:

(a) whether the registered political party will be a class A, class B, class C, or class D registered political party during the following even-numbered year; and

(b) for a class A, class B, or class C registered political party:

(i) the name of one or more registered political parties whose members may vote for the registered political party's candidates in the regular primary election; and

(ii) whether individuals identified as unaffiliated with a registered political party may vote for the registered political party's candidates in the regular primary election.

(3) A registered political party that fails to timely provide the certification described in Subsection (1) or (2) is a class D registered political party during the even-numbered year following the applicable deadline described in Subsection (1) or (2).

(4) If a registered political party certifies as a class A, class B, class C, or class D registered political party:

(a) the registered political party may not, after certifying, change the registered political party's class for purposes of an election during the even-numbered year following the applicable deadline described in Subsection (1) or (2); and

(b) any action taken by the registered political party that is intended to, or may have the effect of, changing the class of the registered political party or interfering with the election

process provided by law for the class of the registered political party will not be given legal effect by the state for an election in the even-numbered year following the deadline described in Subsection (1) or (2).

(5) If a registered political party becomes a class D registered political party by failing to timely provide the certification described in Subsection (1) or (2):

(a) the registered political party may not, after the applicable deadline described in Subsection (1) or (2), change the registered political party's class for purposes of an election during the even-numbered year following the applicable deadline described in Subsection (1) or (2); and

(b) any action taken by the registered political party that is intended to change, or that may have the effect of changing, the class of the registered political party or interfere with the election process provided by law for a class D registered political party will not be given legal effect by the state for an election in the even-numbered year following the applicable deadline described in Subsection (1) or (2).

Section 11. Section **20A-9-201** is amended to read:

**20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of more than one political party prohibited with exceptions -- General filing and form requirements -- Affidavit of impecuniosity.**

(1) Before filing a declaration of candidacy for election to any office, an individual shall:

(a) be a United States citizen;

(b) meet the legal requirements of that office; and

(c) if seeking a registered political party's nomination as a candidate for elective office, state:

(i) the registered political party of which the individual is a member; or

(ii) that the individual is not a member of a registered political party.

(2) (a) Except as provided in Subsection (2)(b), an individual may not:

(i) file a declaration of candidacy for, or be a candidate for, more than one office in Utah during any election year;

(ii) appear on the ballot as the candidate of more than one political party; or

(iii) file a declaration of candidacy for a registered political party of which the



individual is not a member, except to the extent that the registered political party permits otherwise in the registered political party's bylaws.

(b) (i) An individual may file a declaration of candidacy for, or be a candidate for, president or vice president of the United States and another office, if the individual resigns the individual's candidacy for the other office after the individual is officially nominated for president or vice president of the United States.

(ii) An individual may file a declaration of candidacy for, or be a candidate for, more than one justice court judge office.

(iii) An individual may file a declaration of candidacy for lieutenant governor even if the individual filed a declaration of candidacy for another office in the same election year if the individual withdraws as a candidate for the other office in accordance with Subsection 20A-9-202(6) before filing the declaration of candidacy for lieutenant governor.

(3) (a) Except for a candidate for president or vice president of the United States, before the filing officer may accept any declaration of candidacy, the filing officer shall:

(i) read to the individual the constitutional and statutory qualification requirements for the office that the individual is seeking;

(ii) require the individual to state whether the individual meets the requirements described in Subsection (3)(a)(i); ~~and~~

(iii) if the declaration of candidacy is for a county office, inform the individual that an individual who holds a county elected office may not, at the same time, hold a municipal elected office~~[-]; and~~

(iv) if the declaration of candidacy is for a legislative office, inform the individual that Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit or trust, under authority of the United States or Utah, from being a member of the Legislature.

(b) Before accepting a declaration of candidacy for the office of county attorney, the county clerk shall ensure that the individual filing that declaration of candidacy is:

(i) a United States citizen;

(ii) an attorney licensed to practice law in the state who is an active member in good standing of the Utah State Bar;

(iii) a registered voter in the county in which the individual is seeking office; and

(iv) a current resident of the county in which the individual is seeking office and either

has been a resident of that county for at least one year or was appointed and is currently serving as county attorney and became a resident of the county within 30 days after appointment to the office.

(c) Before accepting a declaration of candidacy for the office of district attorney, the county clerk shall ensure that, as of the date of the election, the individual filing that declaration of candidacy is:

(i) a United States citizen;

(ii) an attorney licensed to practice law in the state who is an active member in good standing of the Utah State Bar;

(iii) a registered voter in the prosecution district in which the individual is seeking office; and

(iv) a current resident of the prosecution district in which the individual is seeking office and either will have been a resident of that prosecution district for at least one year as of the date of the election or was appointed and is currently serving as district attorney and became a resident of the prosecution district within 30 days after receiving appointment to the office.

(d) Before accepting a declaration of candidacy for the office of county sheriff, the county clerk shall ensure that the individual filing the declaration:

(i) is a United States citizen;

(ii) is a registered voter in the county in which the individual seeks office;

(iii) (A) has successfully met the standards and training requirements established for law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and Certification Act; or

(B) has met the waiver requirements in Section 53-6-206;

(iv) is qualified to be certified as a law enforcement officer, as defined in Section 53-13-103; and

(v) as of the date of the election, will have been a resident of the county in which the individual seeks office for at least one year.

(e) Before accepting a declaration of candidacy for the office of governor, lieutenant governor, state auditor, state treasurer, attorney general, state legislator, or State Board of Education member, the filing officer shall ensure[~~-(i)~~] that the individual filing the declaration

of candidacy also makes the conflict of interest disclosure required by Section 20A-11-1603[; and].

~~[(ii) until January 1, 2020, if the filing officer is not the lieutenant governor, that the individual provides the conflict of interest disclosure form to the lieutenant governor in accordance with Section 20A-11-1603.]~~

(4) If an individual who files a declaration of candidacy does not meet the qualification requirements for the office the individual is seeking, the filing officer may not accept the individual's declaration of candidacy.

(5) If an individual who files a declaration of candidacy meets the requirements described in Subsection (3), the filing officer shall:

(a) inform the individual that:

(i) the individual's name will appear on the ballot as the individual's name is written on the individual's declaration of candidacy;

(ii) the individual may be required to comply with state or local campaign finance disclosure laws; and

(iii) the individual is required to file a financial statement before the individual's political convention under:

(A) Section 20A-11-204 for a candidate for constitutional office;

(B) Section 20A-11-303 for a candidate for the Legislature; or

(C) local campaign finance disclosure laws, if applicable;

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

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

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

(i) signing the pledge is voluntary; and

(ii) signed pledges shall be filed with the filing officer;

(e) accept the individual's declaration of candidacy; and

(f) if the individual has filed for a partisan office, provide a certified copy of the declaration of candidacy to the chair of the county or state political party of which the individual is a member.

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

(a) accept the candidate's pledge; and

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

(7) (a) Except for a candidate for president or vice president of the United States, the form of the declaration of candidacy shall:

(i) be substantially as follows:

"State of Utah, County of \_\_\_\_

I, \_\_\_\_\_, declare my candidacy for the office of \_\_\_\_\_, seeking the nomination of the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_ Phone No. \_\_\_\_\_; I will not knowingly violate any law governing campaigns and elections; if filing via a designated agent, I will be out of the state of Utah during the entire candidate filing period; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot. The mailing address that I designate for receiving official election notices is \_\_\_\_\_.

\_\_\_\_\_  
Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

\_\_\_\_\_  
Notary Public (or other officer qualified to administer oath)."; and

(ii) require the candidate to state, in the sworn statement described in Subsection (7)(a)(i):

(A) the registered political party of which the candidate is a member; or

(B) that the candidate is not a member of a registered political party.

(b) An agent designated under Subsection 20A-9-202[(1)(c)](4) to file a declaration of candidacy may not sign the form described in Subsection (7)(a) or Section 20A-9-408.5.

(8) (a) Except for a candidate for president or vice president of the United States, the fee for filing a declaration of candidacy is:

(i) \$50 for candidates for the local school district board; and

(ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the person holding the office for all other federal, state, and county offices.

(b) Except for presidential candidates, the filing officer shall refund the filing fee to any candidate:

(i) who is disqualified; or

(ii) who the filing officer determines has filed improperly.

(c) (i) The county clerk shall immediately pay to the county treasurer all fees received from candidates.

(ii) The lieutenant governor shall:

(A) apportion to and pay to the county treasurers of the various counties all fees received for filing of nomination certificates or acceptances; and

(B) ensure that each county receives that proportion of the total amount paid to the lieutenant governor from the congressional district that the total vote of that county for all candidates for representative in Congress bears to the total vote of all counties within the congressional district for all candidates for representative in Congress.

(d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer, a financial statement filed at the time the affidavit is submitted.

(ii) A person who is able to pay the filing fee may not claim impecuniosity.

(iii) (A) False statements made on an affidavit of impecuniosity or a financial statement filed under this section shall be subject to the criminal penalties provided under Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.

(B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be considered an offense under this title for the purposes of assessing the penalties provided in Subsection 20A-1-609(2).

(iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially the following form:

"Affidavit of Impecuniosity

Individual Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

I, \_\_\_\_\_ (name), do solemnly [swear] [affirm], under penalty of law for false statements, that, owing to my poverty, I am unable to pay the filing fee required by law.

Date \_\_\_\_\_ Signature \_\_\_\_\_

Affiant

Subscribed and sworn to before me on \_\_\_\_\_ (month\day\year)

\_\_\_\_\_  
(signature)

Name and Title of Officer Authorized to Administer Oath \_\_\_\_\_".

(v) The filing officer shall provide to a person who requests an affidavit of impecuniosity a statement printed in substantially the following form, which may be included on the affidavit of impecuniosity:

"Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a candidate who is found guilty of filing a false statement, in addition to being subject to criminal penalties, will be removed from the ballot."

(vi) The filing officer may request that a person who makes a claim of impecuniosity under this Subsection (8)(d) file a financial statement on a form prepared by the election official.

(9) An individual who fails to file a declaration of candidacy or certificate of nomination within the time provided in this chapter is ineligible for nomination to office.

(10) A declaration of candidacy filed under this section may not be amended or modified after the final date established for filing a declaration of candidacy.

Section 12. Section 20A-9-202 is amended to read:

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

~~[(1)(a) An individual seeking to become a candidate for an elective office that is to be~~

filled at the next regular general election shall:]

~~[(i) except as provided in Subsection (1)(c), file a declaration of candidacy in person with the filing officer on or after January 1 of the regular general election year, and, if applicable, before the individual circulates nomination petitions under Section 20A-9-405; and]~~

~~[(ii) pay the filing fee.]~~

~~[(b) Unless expressly provided otherwise in this title, for a registered political party that is not a qualified political party, the deadline for filing a declaration of candidacy for an elective office that is to be filled at the next regular general election is 5 p.m. on the first Monday after the third Saturday in April.]~~

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

(a) file a declaration of candidacy in accordance with Subsection (2) or (3), as applicable; and

(b) pay the filing fee at the time of filing.

(2) If an individual described in Subsection (1) will seek to become a candidate by gathering signatures under Section 20A-9-403 or 20A-9-408, the individual shall, except as provided in Subsection (4), file a declaration of candidacy in person with the filing officer:

(a) on or after January 1 of the regular general election year; and

(b) before the earlier of:

(i) before the individual circulates nomination petitions under Section 20A-9-403 or 20A-9-408; or

(ii) 5 p.m. on the third Thursday in March before the next regular general election.

(3) If an individual described in Subsection (1) will not seek to become a candidate by gathering signatures under Section 20A-9-403 or 20A-9-408, the individual shall, except as provided in Subsection (4), file a declaration of candidacy in person with the filing officer:

(a) on or after the second Friday in March before the next regular general election; and

(b) before 5 p.m. on the third Thursday in March before the next regular general election.

~~[(c)]~~ (4) Subject to Subsection 20A-9-201(7)(b), an individual may designate an agent to file a declaration of candidacy with the filing officer if:

~~[(i)]~~ (a) the individual is located outside of the state during the entire filing period;

958           ~~[(iv)]~~ (b) the designated agent appears in person before the filing officer;

959           ~~[(iii)]~~ (c) the individual communicates with the filing officer using an electronic device  
960 that allows the individual and filing officer to see and hear each other; and

961           ~~[(iv)]~~ (d) the individual provides the filing officer with an email address to which the  
962 filing officer may send the individual the copies described in Subsection [20A-9-201\(5\)](#).

963           ~~[(d)]~~ (5) (a) Each county clerk who receives a declaration of candidacy from a  
964 candidate for multicounty office shall transmit the filing fee and a copy of the candidate's  
965 declaration of candidacy to the lieutenant governor within one business day after the candidate  
966 files the declaration of candidacy.

967           ~~[(e)]~~ (b) Each day during the filing period, each county clerk shall notify the lieutenant  
968 governor electronically or by telephone of candidates who have filed a declaration of candidacy  
969 with the county clerk.

970           ~~[(f)]~~ (c) Each individual seeking the office of lieutenant governor, the office of district  
971 attorney, or the office of president or vice president of the United States shall comply with the  
972 specific declaration of candidacy requirements established by this section.

973           ~~[(2)]~~ (6) (a) Each individual intending to become a candidate for the office of district  
974 attorney within a multicounty prosecution district that is to be filled at the next regular general  
975 election shall:

976           (i) file a declaration of candidacy with the clerk designated in the interlocal agreement  
977 creating the prosecution district on or after January 1 of the regular general election year, and  
978 before the earlier of:

979           (A) before the individual circulates nomination petitions under Section [20A-9-405](#);  
980 [and] or

981           (B) 5 p.m. on the third Thursday in March before the next regular general election; and

982           (ii) pay the filing fee.

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

986           ~~[(3)]~~ (7) (a) Before the applicable deadline described in Subsection ~~[(1)(b)]~~ (2) or (3),  
987 each lieutenant governor candidate shall:

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



(ii) pay the filing fee; and  
(iii) submit a letter from a candidate for governor who has received certification for the primary-election ballot under Section [20A-9-403](#), [20A-9-407](#), [20A-9-408](#), or [20A-9-409.5](#) that names the lieutenant governor candidate as a joint-ticket running mate.

(b) (i) A candidate for lieutenant governor who fails to timely file is disqualified.

(ii) If a candidate for lieutenant governor is disqualified, another candidate may file to replace the disqualified candidate.

~~[(4)]~~ (8) Before 5 p.m. no later than August 31, each registered political party shall:

(a) certify the names of the political party's candidates for president and vice president of the United States to the lieutenant governor; or

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

~~[(5)]~~ (9) (a) A declaration of candidacy filed under this section is valid unless a written objection is filed with the clerk or lieutenant governor before 5 p.m. within five days after the last day for filing.

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

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

(ii) decide any objection within 48 hours after ~~[it]~~ the objection is filed.

(c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the problem by amending the declaration or petition before 5 p.m. within three days after the day on which the objection is sustained or by filing a new declaration before 5 p.m. within three days after the day on which the objection is sustained.

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

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

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

~~[(6)]~~ (10) Any person who ~~[filed]~~ files a declaration of candidacy may withdraw as a candidate by filing a written affidavit with the clerk.

1020           ~~[(7)]~~ (11) (a) Except for a candidate who is certified by a registered political party  
1021 under Subsection ~~[(4)]~~ (8), and except as provided in Section 20A-9-504, before 5 p.m. no later  
1022 than August 31 of a general election year, each individual running as a candidate for vice  
1023 president of the United States shall:

1024           (i) file a declaration of candidacy, in person or via a designated agent, on a form  
1025 developed by the lieutenant governor, that:

1026           (A) contains the individual's name, address, and telephone number;

1027           (B) states that the individual meets the qualifications for the office of vice president of  
1028 the United States;

1029           (C) names the presidential candidate, who has qualified for the general election ballot,  
1030 with which the individual is running as a joint-ticket running mate;

1031           (D) states that the individual agrees to be the running mate of the presidential candidate  
1032 described in Subsection ~~[(7)]~~ (11)(a)(i)(C); and

1033           (E) contains any other necessary information identified by the lieutenant governor;

1034           (ii) pay the filing fee; and

1035           (iii) submit a letter from the presidential candidate described in Subsection ~~[(7)]~~  
1036 (11)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice presidential  
1037 candidate.

1038           (b) A designated agent described in Subsection ~~[(7)]~~ (11)(a)(i) may not sign the  
1039 declaration of candidacy.

1040           (c) A vice presidential candidate who fails to meet the requirements described in this  
1041 Subsection ~~[(7)]~~ (11) may not appear on the general election ballot.

1042           ~~[(8)]~~ (12) An individual filing a declaration of candidacy for president or vice president  
1043 of the United States shall pay a filing fee of \$500.

1044           Section 13. Section **20A-9-402.5** is enacted to read:

1045           **20A-9-402.5. Indication of affiliation on regular general election ballot.**

1046           (1) Each registered political party that chooses to have the names of the registered  
1047 political party's candidates for elective office featured with party affiliation on the ballot at a  
1048 regular general election shall timely certify as a class A, B, or C registered political party under  
1049 Section 20A-9-102 and comply with the requirements of this chapter in relation to the class  
1050 certified by the registered political party.

(2) A filing officer may not permit an official ballot at a regular general election to be produced or used if the ballot denotes affiliation between a political party or any other political group and a candidate for elective office unless the candidate is:

(a) a member of a class A, B, or C registered political party; and

(b) nominated by the candidate's registered political party in the manner specified for the class certified by the candidate's registered political party.

(3) This section does not affect a candidate's ability to qualify for a regular general election's ballot as an unaffiliated candidate under Section [20A-9-501](#) or to participate in a regular general election as a write-in candidate under Section [20A-9-601](#).

Section 14. Section **20A-9-402.7** is enacted to read:

**20A-9-402.7. Class D registered political party -- Requirements -- Duties of lieutenant governor.**

The following provisions apply to a class D registered political party:

(1) an individual may only seek the nomination of the registered political party using the internal process designated by the registered political party;

(2) (a) by timely certifying as a class D registered political party under Section [20A-9-102](#), the registered political party voluntarily agrees:

(i) to permit a member of the registered political party to seek the registered political party's nomination for any elective office by a means other than the means required for a class A, B, or C registered political party;

(ii) that the registered political party will not participate in the regular primary election; and

(iii) that the registered political party's nominees will appear on the general election ballot without any indication of party affiliation or affiliation with any other political group; or

(b) by failing to timely certify as a class A, B, C, or D registered political party under Section [20A-9-102](#), is not entitled to, and is not permitted to:

(i) participate in the regular primary election; or

(ii) have the registered political party's nominees appear on the general election ballot with any indication of party affiliation or affiliation with any other political group;

(3) the registered political party shall, before the deadline described in Subsection [20A-9-202](#)(3)(b), certify to the lieutenant governor the registered political party's nominee for

each office; and

(4) the lieutenant governor shall include the registered political party's nominee for each office on the general election ballot without any indication of party affiliation or affiliation with any other political group.

Section 15. Section **20A-9-403** is amended to read:

**20A-9-403. Regular primary elections for class C registered political party.**

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

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

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

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

~~[(2) (a) Each registered political party, in a statement filed with the lieutenant governor, shall:]~~

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

~~[(ii) if the registered political party participates in the upcoming regular primary election, identify one or more registered political parties whose members may vote for the~~

1113 registered political party's candidates and whether individuals identified as unaffiliated with a  
 1114 political party may vote for the registered political party's candidates.]

1115 ~~[(b) (i) A registered political party that is a continuing political party shall file the~~  
 1116 ~~statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on~~  
 1117 ~~November 30 of each odd-numbered year.]~~

1118 ~~[(ii) An organization that is seeking to become a registered political party under~~  
 1119 ~~Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the~~  
 1120 ~~registered political party files the petition described in Section 20A-8-103.]~~

1121 ~~[(3) (a) Except]~~

1122 The following provisions apply to a class C registered political party:

1123 (1) by timely certifying as a class C registered political party under Section 20A-9-102,  
 1124 the registered political party voluntarily agrees to permit a member of the registered political  
 1125 party to seek the registered political party's nomination for any elective office by signature  
 1126 only, in accordance with this section;

1127 (2) except as provided in Subsection [(3)(e)] (6), an individual who submits a  
 1128 declaration of candidacy under Section 20A-9-202 for a class C registered political party shall  
 1129 appear as a candidate for elective office on the regular primary ballot of the registered political  
 1130 party listed on the declaration of candidacy only if the individual is certified by the appropriate  
 1131 filing officer as having submitted a set of nomination petitions that was:

1132 [(i)] (a) circulated and completed in accordance with Section 20A-9-405; and

1133 [(ii)] (b) signed by at least 2% of the registered political party's members who reside in  
 1134 the political division of the office that the individual seeks[-];

1135 [(b) (i)] (3) [A] a candidate for elective office for a class C registered political party:

1136 (a) shall submit nomination petitions to the appropriate filing officer for verification  
 1137 and certification no later than 5 p.m. on the final day in March[-]; and

1138 [(ii) A candidate] (b) may supplement the candidate's submissions at any time on or  
 1139 before the filing deadline[-];

1140 [(c) (i) The] (4) the lieutenant governor shall:

1141 (a) determine for each elective office the total number of signatures that must be  
 1142 submitted under Subsection [(3)(a)(ii)] (2)(b) or 20A-9-408[(8)](6) by counting the aggregate  
 1143 number of individuals residing in each elective office's political division who have designated a

particular registered political party on the individuals' voter registration forms on or before November 15 of each odd-numbered year[.]; and

~~[(ii) The lieutenant governor shall]~~ (b) publish the determination for each elective office no later than November 30 of each odd-numbered year[.];

~~[(d) The]~~ (5) the filing officer shall:

~~[(i)]~~ (a) verify signatures on nomination petitions in a transparent and orderly manner, no later than 14 days after the day on which a candidate submits the signatures to the filing officer;

~~[(ii)]~~ (b) for all qualifying candidates for elective office who submit nomination petitions to the filing officer, issue certifications referenced in Subsection ~~[(3)(a)]~~ (2) no later than the deadline described in Subsection 20A-9-202~~[(1)(b)]~~(3);

~~[(iii)]~~ (c) consider active and inactive voters eligible to sign nomination petitions;

~~[(iv)]~~ (d) consider an individual who signs a nomination petition a member of a registered political party for purposes of Subsection ~~[(3)(a)(ii)]~~ (2)(b) if the individual has designated that registered political party as the individual's party membership on the individual's voter registration form; and

~~[(v)]~~ (e) utilize procedures described in Section 20A-7-206.3 to verify submitted nomination petition signatures~~[, or use statistical sampling procedures to verify submitted nomination petition signatures in accordance with rules made under Subsection (3)(f).]; and~~

~~[(e) Notwithstanding]~~ (6) notwithstanding any other provision in this ~~[Subsection (3)]~~ section, a candidate for lieutenant governor may appear on the regular primary ballot of a class C registered political party without submitting nomination petitions if the candidate files a declaration of candidacy and complies with Subsection 20A-9-202~~[(3)]~~(7).

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

~~[(i) provide for the use of statistical sampling procedures that:]~~

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

~~[(B) reflect a bona fide effort to determine the validity of a candidate's entire submission, using widely recognized statistical sampling techniques; and]~~

~~[(ii) provide for the transparent, orderly, and timely submission, verification, and~~

1175 certification of nomination petition signatures.]

1176 ~~[(g) The county clerk shall:]~~

1177 ~~[(i) review the declarations of candidacy filed by candidates for local boards of~~  
1178 ~~education to determine if more than two candidates have filed for the same seat;]~~

1179 ~~[(ii) place the names of all candidates who have filed a declaration of candidacy for a~~  
1180 ~~local board of education seat on the nonpartisan section of the ballot if more than two~~  
1181 ~~candidates have filed for the same seat; and]~~

1182 ~~[(iii) determine the order of the local board of education candidates' names on the~~  
1183 ~~ballot in accordance with Section 20A-6-305;]~~

1184 ~~[(4) (a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant~~  
1185 ~~governor shall provide to the county clerks:]~~

1186 ~~[(i) a list of the names of all candidates for federal, constitutional, multi-county, single~~  
1187 ~~county, and county offices who have received certifications under Subsection (3), along with~~  
1188 ~~instructions on how those names shall appear on the primary election ballot in accordance with~~  
1189 ~~Section 20A-6-305; and]~~

1190 ~~[(ii) a list of unopposed candidates for elective office who have been nominated by a~~  
1191 ~~registered political party under Subsection (5)(c) and instruct the county clerks to exclude the~~  
1192 ~~unopposed candidates from the primary election ballot.]~~

1193 ~~[(b) A candidate for lieutenant governor and a candidate for governor campaigning as~~  
1194 ~~joint-ticket running mates shall appear jointly on the primary election ballot.]~~

1195 ~~[(c) After the county clerk receives the certified list from the lieutenant governor under~~  
1196 ~~Subsection (4)(a), the county clerk shall post or publish a primary election notice in~~  
1197 ~~substantially the following form:]~~

1198 ~~["Notice is given that a primary election will be held Tuesday, June \_\_\_\_\_,~~  
1199 ~~\_\_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan~~  
1200 ~~local school board positions listed on the primary ballot. The polling place for voting precinct~~  
1201 ~~\_\_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.~~  
1202 ~~Attest: county clerk."]~~

1203 ~~[(5) (a) A candidate who, at the regular primary election, receives the highest number~~  
1204 ~~of votes cast for the office sought by the candidate is:]~~

1205 ~~[(i) nominated for that office by the candidate's registered political party; or]~~

1206           ~~[(ii) for a nonpartisan local school board position, nominated for that office.]~~  
1207           ~~[(b) If two or more candidates are to be elected to the office at the regular general~~  
1208 ~~election, those party candidates equal in number to positions to be filled who receive the~~  
1209 ~~highest number of votes at the regular primary election are the nominees of the candidates'~~  
1210 ~~party for those positions.]~~  
1211           ~~[(c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:]~~  
1212           ~~[(A) no individual other than the candidate receives a certification under Subsection (3)~~  
1213 ~~for the regular primary election ballot of the candidate's registered political party for a~~  
1214 ~~particular elective office; or]~~  
1215           ~~[(B) for an office where more than one individual is to be elected or nominated, the~~  
1216 ~~number of candidates who receive certification under Subsection (3) for the regular primary~~  
1217 ~~election of the candidate's registered political party does not exceed the total number of~~  
1218 ~~candidates to be elected or nominated for that office.]~~  
1219           ~~[(ii) A candidate who is unopposed for an elective office in the regular primary election~~  
1220 ~~of a registered political party is nominated by the party for that office without appearing on the~~  
1221 ~~primary election ballot.]~~  
1222           ~~[(6) (a) When a tie vote occurs in any primary election for any national, state, or other~~  
1223 ~~office that represents more than one county, the governor, lieutenant governor, and attorney~~  
1224 ~~general shall, at a public meeting called by the governor and in the presence of the candidates~~  
1225 ~~involved, select the nominee by lot cast in whatever manner the governor determines.]~~  
1226           ~~[(b) When a tie vote occurs in any primary election for any county office, the district~~  
1227 ~~court judges of the district in which the county is located shall, at a public meeting called by~~  
1228 ~~the judges and in the presence of the candidates involved, select the nominee by lot cast in~~  
1229 ~~whatever manner the judges determine.]~~  
1230           ~~[(7) The expense of providing all ballots, blanks, or other supplies to be used at any~~  
1231 ~~primary election provided for by this section, and all expenses necessarily incurred in the~~  
1232 ~~preparation for or the conduct of that primary election shall be paid out of the treasury of the~~  
1233 ~~county or state, in the same manner as for the regular general elections.]~~  
1234           ~~[(8) An individual may not file a declaration of candidacy for a registered political~~  
1235 ~~party of which the individual is not a member, except to the extent that the registered political~~  
1236 ~~party permits otherwise under the registered political party's bylaws.]~~



Section 16. Section **20A-9-403.5** is enacted to read:

**20A-9-403.5. Local boards of education -- Ballot placement.**

The county clerk shall:

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

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

(3) determine the order of the local board of education candidates' names on the ballot in accordance with Section [20A-6-305](#).

Section 17. Section **20A-9-403.7** is enacted to read:

**20A-9-403.7. List of qualified candidates for primary election ballot -- Notice of primary election -- Nominee selected at primary election -- Election expenses -- Party membership.**

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

(i) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have qualified for placement on the primary election ballot, along with instructions on how those names shall appear on the ballot in accordance with Section [20A-6-305](#); and

(ii) a list of unopposed candidates for elective office who have been nominated by a registered political party under Subsection (2)(c) and instruct the county clerks to exclude the unopposed candidates from the primary election ballot.

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

(c) After the county clerk receives the certified list from the lieutenant governor under Subsection (1)(a), the county clerk shall post or publish a primary election notice in substantially the following form:

"Notice is given that a primary election will be held Tuesday, June \_\_\_\_\_,  
\_\_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan local school board positions listed on the primary ballot. The polling place for voting precinct

1268 is . The polls will open at 7 a.m. and remain open until 8 p.m. of the same day.

1269 Attest: county clerk."

1270 (2) (a) A candidate who, at the regular primary election, receives the highest number of  
1271 votes cast for the office sought by the candidate is:

1272 (i) nominated for that office by the candidate's registered political party; or

1273 (ii) for a nonpartisan local school board position, nominated for that office.

1274 (b) If two or more candidates are to be elected to the office at the regular general  
1275 election, those party candidates equal in number to positions to be filled who receive the  
1276 highest number of votes at the regular primary election are the nominees of the candidates'  
1277 party for those positions.

1278 (c) (i) As used in this Subsection (2)(c), a candidate is "unopposed" if:

1279 (A) no individual other than the candidate qualifies for placement on the regular  
1280 primary election ballot for the candidate's registered political party for a particular elective  
1281 office; or

1282 (B) for an office where more than one individual is to be elected or nominated, the  
1283 number of candidates who qualify for the regular primary election ballot for the candidate's  
1284 registered political party does not exceed the total number of candidates to be elected or  
1285 nominated for that office.

1286 (ii) A candidate who is unopposed for an elective office in the regular primary election  
1287 of a registered political party is nominated by the party for that office without appearing on the  
1288 primary election ballot.

1289 (3) (a) When a tie vote occurs in any primary election for any national, state, or other  
1290 office that represents more than one county, the governor, lieutenant governor, and attorney  
1291 general shall, at a public meeting called by the governor and in the presence of the candidates  
1292 involved, select the nominee by lot cast in whatever manner the governor determines.

1293 (b) When a tie vote occurs in any primary election for any county office, the district  
1294 court judges of the district in which the county is located shall, at a public meeting called by  
1295 the judges and in the presence of the candidates involved, select the nominee by lot cast in  
1296 whatever manner the judges determine.

1297 (4) The expense of providing all ballots, blanks, or other supplies to be used at any  
1298 primary election provided for by this section, and all expenses necessarily incurred in the

preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

(5) An individual may not file a declaration of candidacy for a registered political party of which the individual is not a member, except to the extent that the registered political party permits otherwise under the registered political party's bylaws.

Section 18. Section **20A-9-405** is amended to read:

**20A-9-405. Nomination petitions for regular primary elections.**

(1) This section [~~shall apply~~] applies to the form and circulation of nomination petitions for regular primary elections [~~described in Subsection 20A-9-403(3)(a)~~] for a class B or C registered political party.

(2) A candidate for elective office, and the agents of the candidate, may not circulate nomination petitions until the candidate [~~has submitted~~] submits a declaration of candidacy in accordance with Subsection **20A-9-202**[(+)](2).

(3) The nomination petitions shall be in substantially the following form:

(a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

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

(c) the petition shall be headed by a caption stating the purpose of the petition and the name of the proposed candidate;

(d) the petition shall feature the word "Warning" followed by the following statement in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination signature sheet with any name other than the person's own name or more than once for the same candidate or if the person is not registered to vote in this state and does not intend to become registered to vote in this state before signatures are certified by a filing officer.";

(e) the petition shall feature 10 lines spaced one-half inch apart and consecutively numbered one through 10;

(f) the signature portion of the petition shall be divided into columns headed by the following titles:

(i) Registered Voter's Printed Name;

(ii) Signature of Registered Voter;

1330 (iii) Party Affiliation of Registered Voter;  
1331 (iv) Birth Date or Age (Optional);  
1332 (v) Street Address, City, Zip Code; and  
1333 (vi) Date of Signature; and  
1334 (g) a photograph of the candidate may appear on the nomination petition.  
1335 (4) If one or more nomination petitions are bound together, a page shall be bound to  
1336 the nomination petition(s) that features the following printed verification statement to be signed  
1337 and dated by the petition circulator:  
1338 "Verification  
1339 State of Utah, County of \_\_\_\_  
1340 I, \_\_\_\_, of \_\_\_\_, hereby state that:  
1341 I am a Utah resident and am at least 18 years old;  
1342 All the names that appear on the signature sheets bound to this page were, to the best of  
1343 my knowledge, signed by the persons who professed to be the persons whose names appear on  
1344 the signature sheets, and each of them signed the person's name on the signature sheets in my  
1345 presence;  
1346 I believe that each has printed and signed the person's name and written the person's  
1347 street address correctly, and that each signer is registered to vote in Utah or will register to vote  
1348 in Utah before the county clerk certifies the signatures on the signature sheet."  
1349 (5) The lieutenant governor shall prepare and make public model nomination petition  
1350 forms and associated instructions.  
1351 (6) A nomination petition circulator must be at least 18 years old and a resident of the  
1352 state, but may affiliate with any political party.  
1353 (7) It is unlawful for [any] a person to:  
1354 (a) knowingly sign the nomination petition sheet described in Subsection (3):  
1355 (i) with any name other than the person's own name;  
1356 (ii) more than once for the same candidate; or  
1357 (iii) if the person is not registered to vote in this state and does not intend to become  
1358 registered to vote in this state prior to 5 p.m. on the final day in March;  
1359 (b) sign the verification of a certificate of nomination signature sheet described in  
1360 Subsection (4) if the person:

- 1361 (i) does not meet the residency requirements of Section 20A-2-105;  
1362 (ii) has not witnessed the signing by those persons whose names appear on the  
1363 certificate of nomination signature sheet; or  
1364 (iii) knows that a person whose signature appears on the certificate of nomination  
1365 signature sheet is not registered to vote in this state and does not intend to become registered to  
1366 vote in this state;  
1367 (c) pay compensation to any person to sign a nomination petition; or  
1368 (d) pay compensation to any person to circulate a nomination petition, if the  
1369 compensation is based directly on the number of signatures submitted to a filing officer rather  
1370 than on the number of signatures verified or on some other basis.

1371 (8) Any person violating Subsection (7) is guilty of a class A misdemeanor.

1372 ~~[(9) Withdrawal of petition signatures shall not be permitted.]~~

1373 (9) An individual who signs a petition described in this section may not withdraw the  
1374 individual's signature from the petition.

1375 Section 19. Section 20A-9-406 is amended to read:

1376 **20A-9-406. Class B registered political party.**

1377 The following provisions apply to a [qualified] class B registered political party:

1378 ~~[(1) the qualified political party shall, no later than 5 p.m. on November 30 of each~~  
1379 ~~odd-numbered year, certify to the lieutenant governor the identity of one or more registered~~  
1380 ~~political parties whose members may vote for the qualified political party's candidates and~~  
1381 ~~whether unaffiliated voters may vote for the qualified political party's candidates;]~~

1382 ~~[(2) the following provisions do not apply to a nomination for the qualified political~~  
1383 ~~party:]~~

1384 ~~[(a) Subsections 20A-9-403(1) through (3)(b) and (3)(d) through (4)(a);]~~

1385 ~~[(b) Subsection 20A-9-403(5)(c); and]~~

1386 ~~[(c) Section 20A-9-405;]~~

1387 ~~[(3)]~~ (1) an individual may only seek the nomination of the [qualified] registered  
1388 political party by using a method described in Section 20A-9-407, Section 20A-9-408, or both;

1389 (2) by timely certifying as a class B registered political party under Section 20A-9-102,  
1390 the political party voluntarily agrees:

1391 (a) (i) to permit a delegate for the registered political party to vote on a candidate

1392 nomination in the registered political party's convention remotely; or

1393 (ii) to provide a procedure for designating an alternate delegate if a delegate is not  
1394 present at the registered political party's convention;

1395 (b) to hold the registered political party's convention no earlier than the fourth Saturday  
1396 in March of an even-numbered year; and

1397 (c) to permit a member of the registered political party to seek the registered political  
1398 party's nomination for any elective office by the member choosing to seek the nomination by  
1399 either or both of the following methods:

1400 (i) seeking the nomination through the registered political party's convention process,  
1401 in accordance with the provisions of Section 20A-9-407; or

1402 (ii) seeking the nomination by collecting signatures, in accordance with the provisions  
1403 of Section 20A-9-408;

1404 ~~[(4)] (3) the [qualified] registered political party shall comply with the provisions of~~  
1405 ~~Sections 20A-9-407, 20A-9-408, and 20A-9-409; and~~

1406 ~~[(5) notwithstanding Subsection 20A-6-301(1)(a), (1)(c), or (2)(a), each election officer~~  
1407 ~~shall ensure that a ballot described in Section 20A-6-301 includes each individual nominated~~  
1408 ~~by a qualified political party:]~~

1409 ~~[(a) under the qualified political party's name, if any; or]~~

1410 ~~[(b) under the title of the qualified registered political party as designated by the~~  
1411 ~~qualified political party in the certification described in Subsection (1), or, if none is~~  
1412 ~~designated, then under some suitable title;]~~

1413 ~~[(6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure,~~  
1414 ~~for ballots in regular general elections, that each candidate who is nominated by the qualified~~  
1415 ~~political party is listed by party;]~~

1416 ~~[(7) notwithstanding Subsection 20A-6-304(1)(c), each election officer shall ensure~~  
1417 ~~that the party designation of each candidate who is nominated by the qualified political party is~~  
1418 ~~displayed adjacent to the candidate's name on a mechanical ballot;]~~

1419 ~~[(8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also~~  
1420 ~~includes an individual who files a declaration of candidacy under Section 20A-9-407 or~~  
1421 ~~20A-9-408 to run in a regular general election for a federal office, constitutional office,~~  
1422 ~~multicounty office, or county office;]~~

1423 ~~[(9) an individual who is nominated by, or seeking the nomination of, the qualified~~  
1424 ~~political party is not required to comply with Subsection 20A-9-201(1)(c);]~~

1425 ~~[(10) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled~~  
1426 ~~to have each of the qualified political party's candidates for elective office appear on the~~  
1427 ~~primary ballot of the qualified political party with an indication that each candidate is a~~  
1428 ~~candidate for the qualified political party;]~~

1429 ~~[(11) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall~~  
1430 ~~include on the list provided by the lieutenant governor to the county clerks:]~~

1431 ~~[(a) the names of all candidates of the qualified political party for federal,~~  
1432 ~~constitutional, multicounty, and county offices; and]~~

1433 ~~[(b) the names of unopposed candidates for elective office who have been nominated~~  
1434 ~~by the qualified political party and instruct the county clerks to exclude such candidates from~~  
1435 ~~the primary-election ballot;]~~

1436 ~~[(12) notwithstanding Subsection 20A-9-403(5)(c);]~~

1437 (4) a candidate who is unopposed for an elective office in the regular primary election  
1438 of the ~~[qualified]~~ registered political party is nominated by the registered political party for that  
1439 office without appearing on the primary ballot~~[, and]~~.

1440 ~~[(13) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section~~  
1441 ~~20A-9-405, the qualified political party is entitled to have the names of its candidates for~~  
1442 ~~elective office featured with party affiliation on the ballot at a regular general election.]~~

1443 Section 20. Section 20A-9-407 is amended to read:

1444 **20A-9-407. Convention process to seek the nomination of a class B registered**  
1445 **political party.**

1446 (1) This section describes the requirements for a member of a ~~[qualified]~~ class B  
1447 registered political party who is seeking the nomination of ~~[a-qualified]~~ the registered political  
1448 party for an elective office through the ~~[qualified]~~ registered political party's convention  
1449 process.

1450 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of  
1451 candidacy for a member of a ~~[qualified]~~ class B registered political party who is nominated by,  
1452 or who is seeking the nomination of, the ~~[qualified]~~ registered political party under this section  
1453 shall be substantially as described in Section 20A-9-408.5.

1454           ~~[(3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in~~  
1455           ~~Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is~~  
1456           ~~seeking the nomination of the qualified political party for an elective office that is to be filled at~~  
1457           ~~the next general election, shall:]~~

1458           ~~[(a) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy~~  
1459           ~~in person with the filing officer on or after the second Friday in March and before 5 p.m. on the~~  
1460           ~~third Thursday in March before the next regular general election; and]~~

1461           ~~[(b) pay the filing fee.]~~

1462           ~~[(4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political~~  
1463           ~~party who, under this section, is seeking the nomination of the qualified political party for the~~  
1464           ~~office of district attorney within a multicounty prosecution district that is to be filled at the next~~  
1465           ~~general election shall:]~~

1466           ~~[(a) file a declaration of candidacy with the county clerk designated in the interlocal~~  
1467           ~~agreement creating the prosecution district on or after the second Friday in March and before 5~~  
1468           ~~p.m. on the third Thursday in March before the next regular general election; and]~~

1469           ~~[(b) pay the filing fee.]~~

1470           ~~[(5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate~~  
1471           ~~who files as the joint-ticket running mate of an individual who is nominated by a qualified~~  
1472           ~~political party, under this section, for the office of governor shall, before the deadline described~~  
1473           ~~in Subsection 20A-9-202(1)(b), file a declaration of candidacy and submit a letter from the~~  
1474           ~~candidate for governor that names the lieutenant governor candidate as a joint-ticket running~~  
1475           ~~mate:]~~

1476           ~~[(6)] (3) (a) A [qualified] class B registered political party that nominates a candidate~~  
1477           ~~under this section shall certify the name of the candidate to the lieutenant governor before the~~  
1478           ~~deadline described in Subsection 20A-9-202[(1)(b)](3).~~

1479           (b) The lieutenant governor shall include, in the primary ballot certification or, for a  
1480           race where a primary is not held because the candidate is unopposed, in the general election  
1481           ballot certification, the name of each candidate nominated by a [qualified] class B registered  
1482           political party under this section.

1483           ~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate~~  
1484           ~~who is nominated by a qualified political party under this section, designate the qualified~~



1485 ~~political party that nominated the candidate.]~~

1486 Section 21. Section **20A-9-408** is amended to read:

1487 **20A-9-408. Signature-gathering process to seek the nomination of a class B**  
1488 **registered political party.**

1489 (1) This section describes the requirements for a member of a ~~[qualified]~~ class B  
1490 registered political party who is seeking the nomination of the ~~[qualified]~~ registered political  
1491 party for an elective office through the signature-gathering process described in this section.

1492 (2) Notwithstanding Subsection **20A-9-201**(7)(a), the form of the declaration of  
1493 candidacy for a member of a ~~[qualified]~~ class B registered political party who is nominated by,  
1494 or who is seeking the nomination of, the ~~[qualified]~~ registered political party under this section  
1495 shall be substantially as described in Section **20A-9-408.5**.

1496 (3) ~~[Notwithstanding Subsection 20A-9-202(1)(a), and except]~~ Except as provided in  
1497 Subsection **20A-9-202**~~[(4)]~~(8), a member of a ~~[qualified]~~ class B registered political party who,  
1498 under this section, is seeking the nomination of the ~~[qualified]~~ registered political party for an  
1499 elective office that is to be filled at the next general election shall~~[-(a)]~~ within the period  
1500 beginning on January 1 before the next regular general election and ending at 5 p.m. on the  
1501 third Thursday in March of the same year, and before gathering signatures under this section,  
1502 file with the filing officer on a form approved by the lieutenant governor a notice of intent to  
1503 gather signatures for candidacy that includes:

1504 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for ~~[a]~~ the  
1505 registered political party under this section;

1506 ~~[(ii)]~~ (b) the name of the registered political party for which the member is seeking  
1507 nomination;

1508 ~~[(iii)]~~ (c) the office for which the member is seeking to become a candidate;

1509 ~~[(iv)]~~ (d) the address and telephone number of the member; and

1510 ~~[(v)]~~ (e) other information required by the lieutenant governor~~[-(a)]~~.

1511 ~~[(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,~~  
1512 ~~in person, with the filing officer on or after the second Friday in March and before 5 p.m. on~~  
1513 ~~the third Thursday in March before the next regular general election; and]~~

1514 ~~[(c) pay the filing fee.]~~

1515 (4) ~~[Notwithstanding Subsection 20A-9-202(2)(a), a]~~ A member of a ~~[qualified]~~ class

1516 B registered political party who, under this section, is seeking the nomination of the [~~qualified~~]  
1517 registered political party for the office of district attorney within a multicounty prosecution  
1518 district that is to be filled at the next general election shall~~[(a)]~~ on or after January 1 before the  
1519 next regular general election, and before gathering signatures under this section, file with the  
1520 filing officer on a form approved by the lieutenant governor a notice of intent to gather  
1521 signatures for candidacy that includes:

1522 ~~[(i)]~~ (a) the name of the member who will attempt to become a candidate for [a] the  
1523 registered political party under this section;

1524 ~~[(ii)]~~ (b) the name of the registered political party for which the member is seeking  
1525 nomination;

1526 ~~[(iii)]~~ (c) the office for which the member is seeking to become a candidate;

1527 ~~[(iv)]~~ (d) the address and telephone number of the member; and

1528 ~~[(v)]~~ (e) other information required by the lieutenant governor~~[:]~~.

1529 ~~[(b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,~~  
1530 ~~in person, with the filing officer on or after the second Friday in March and before 5 p.m. on~~  
1531 ~~the third Thursday in March before the next regular general election; and]~~

1532 ~~[(c) pay the filing fee.]~~

1533 (5) ~~[Notwithstanding Subsection 20A-9-202(3)(a)(iii), a]~~ A lieutenant governor  
1534 candidate who files as the joint-ticket running mate of an individual who is nominated by a  
1535 [~~qualified~~] class B registered political party, under this section, for the office of governor shall,  
1536 before the deadline described in Subsection 20A-9-202~~[(1)(b)]~~(2), file a declaration of  
1537 candidacy and submit a letter from the candidate for governor that names the lieutenant  
1538 governor candidate as a joint-ticket running mate.

1539 ~~[(6) The lieutenant governor shall ensure that the certification described in Subsection~~  
1540 ~~20A-9-701(1) also includes the name of each candidate nominated by a qualified political party~~  
1541 ~~under this section.]~~

1542 ~~[(7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate~~  
1543 ~~who is nominated by a qualified political party under this section, designate the qualified~~  
1544 ~~political party that nominated the candidate.]~~

1545 ~~[(8)]~~ (6) A member of a [~~qualified~~] class B registered political party may seek the  
1546 nomination of the [~~qualified~~] registered political party for an elective office by:

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

(b) collecting signatures, on a form approved by the lieutenant governor, during the period beginning on January 1 of an even-numbered year and ending at 5 p.m. 14 days before the day on which the ~~[qualified]~~ registered political party's convention for the office is held, in the following amounts:

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

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

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

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

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

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

(B) the signatures of 3% of the registered voters ~~[of the qualified political party]~~ who are residents of the ~~[applicable]~~ State Board of Education district and are permitted by the registered political party to vote for the registered political party's candidates in a primary election; and

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

~~[(9)]~~ (7) (a) In order for a member of the ~~[qualified]~~ class B registered political party to qualify as a candidate for the ~~[qualified]~~ registered political party's nomination for an elective

office under this section, the member shall:

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

(ii) submit the signatures to the election officer before 5 p.m. no later than 14 days before the day on which the ~~[qualified]~~ registered political party holds the registered political party's convention to select candidates, for the elective office, for the ~~[qualified]~~ registered political party's nomination.

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

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

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

(ii) subject to the same enforcement provisions, and civil and criminal penalties, that apply to a candidate for office in relation to the reporting requirements described in Subsection ~~[(9)]~~ (7)(c)(i).

(d) Upon timely receipt of the signatures described in Subsections ~~[(8) and (9)]~~ (6) and (7)(a), the election officer shall, no later than the earlier of 14 days after the day on which the election officer receives the signatures, or one day before the day on which the ~~[qualified]~~ class B registered political party holds the convention to select a nominee for the elective office to which the signature packets relate:

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

(ii) submit the name of each individual described in Subsection ~~[(9)]~~ (7)(d)(i) who is not a Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

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

(iv) certify whether each name is that of a registered voter who is qualified to sign the

signature packet.

(e) Upon timely receipt of the signatures described in Subsections ~~[(8) and (9)]~~ (6) and (7)(a), the election officer shall, no later than one day before the day on which the ~~[qualified]~~ class B registered political party holds the convention to select a nominee for the elective office to which the signature packets relate, notify the ~~[qualified]~~ registered political party and the lieutenant governor of the name of each member of the ~~[qualified]~~ registered political party who qualifies as a nominee of the ~~[qualified]~~ registered political party, under this section, for the elective office to which the convention relates.

(f) Upon receipt of a notice of intent to gather signatures for candidacy described in this section, the lieutenant governor shall post the notice of intent to gather signatures for candidacy on the lieutenant governor's website in the same location that the lieutenant governor posts a declaration of candidacy.

Section 22. Section **20A-9-408.5** is amended to read:

**20A-9-408.5. Declaration of candidacy form for class B registered political party.**

~~[The]~~ Notwithstanding Subsection 20A-9-201(7)(a), the declaration of candidacy form ~~[described in Sections 20A-9-407 and 20A-9-408]~~ for a class B registered political party shall:

(1) be substantially as follows:

"State of Utah, County of \_\_\_\_

I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of \_\_\_\_\_ as a candidate for the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate any law governing campaigns and elections; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot. The mailing address that I designate for receiving official election notices is

\_\_\_\_\_  
\_\_\_\_\_.

Subscribed and sworn before me this \_\_\_\_\_(month\day\year). Notary Public (or other officer qualified to administer oath).";

(2) direct the candidate to state, in the sworn statement described in Subsection (1):

(a) the registered political party of which the candidate is a member; or  
(b) that the candidate is not a member of a registered political party; and  
(3) direct the candidate to indicate whether the candidate is seeking the nomination  
using:

- (a) the convention process described in Section 20A-9-407;
- (b) the signature-gathering process described in Section 20A-9-408; or
- (c) both processes described in Subsections (3)(a) and (b).

Section 23. Section 20A-9-409 is amended to read:

**20A-9-409. Primary election provisions relating to class B registered political party.**

(1) The regular primary election is held on the date specified in Section 20A-1-201.5.

(2) (a) A [qualified] class B registered political party that nominates one or more candidates for an elective office under Section 20A-9-407 and does not have a candidate qualify as a candidate for that office under Section 20A-9-408, may, but is not required to, participate in the primary election for that office.

(b) A [qualified] class B registered political party that has only one candidate qualify as a candidate for an elective office under Section 20A-9-408 and does not nominate a candidate for that office under Section 20A-9-407, may, but is not required to, participate in the primary election for that office.

(c) A [qualified] class B registered political party that nominates one or more candidates for an elective office under Section 20A-9-407 and has one or more candidates qualify as a candidate for that office under Section 20A-9-408 shall participate in the primary election for that office.

(d) A [qualified] class B registered political party that has two or more candidates qualify as candidates for an elective office under Section 20A-9-408 and does not nominate a candidate for that office under Section 20A-9-407 shall participate in the primary election for that office.

(3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section 17-52a-201 or 17-52a-202, a [qualified] class B registered political party shall participate in the primary election for a county commission office if:

- (a) there is more than one:

1671 (i) open position as defined in Section 17-52a-201; or  
1672 (ii) midterm vacancy as defined in Section 17-52a-201; and  
1673 (b) the number of candidates nominated under Section 20A-9-407 or qualified under  
1674 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds the number  
1675 of respective open positions or midterm vacancies.

1676 (4) (a) As used in this Subsection (4), a candidate is "unopposed" if:  
1677 (i) no individual other than the candidate receives a certification, from the appropriate  
1678 filing officer, for the regular primary election ballot of the candidate's registered political party  
1679 for a particular elective office; or  
1680 (ii) for an office where more than one individual is to be elected or nominated, the  
1681 number of candidates who receive certification, from the appropriate filing officer, for the  
1682 regular primary election of the candidate's registered political party does not exceed the total  
1683 number of candidates to be elected or nominated for that office.

1684 (b) Before the deadline described in Subsection (4)(c), the lieutenant governor shall:  
1685 (i) provide to the county clerks:  
1686 (A) a list of the names of all candidates for federal, constitutional, multi-county, single  
1687 county, and county offices who have received certifications from the appropriate filing officer,  
1688 along with instructions on how those names shall appear on the primary election ballot in  
1689 accordance with Section 20A-6-305; and  
1690 (B) a list of unopposed candidates for elective office who have been nominated by a  
1691 registered political party; and  
1692 (ii) instruct the county clerks to exclude unopposed candidates from the primary  
1693 election ballot.

1694 (c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after  
1695 the third Saturday in April.

1696 Section 24. Section 20A-9-409.5 is enacted to read:  
1697 **20A-9-409.5. Class A registered political party -- Requirements -- Duties of**  
1698 **lieutenant governor.**  
1699 The following provisions apply to a class A registered political party:  
1700 (1) an individual may only seek the nomination of the registered political party using  
1701 the registered political party's convention process;

(2) by timely certifying as a class A registered political party under Section 20A-9-102, the registered political party voluntarily agrees:

(a) to permit a member of the registered political party to seek the registered political party's nomination for any elective office via party convention only; and

(b) that the two candidates who receive the highest number of votes for each office at convention will compete for the nomination in a primary election unless one candidate receives at least two-thirds of the votes cast at convention for that office;

(3) the registered political party shall, before the deadline described in Subsection 20A-9-202(3), certify to the lieutenant governor:

(a) the two candidates who receive the highest number of votes for each office at convention to compete for the nomination in a primary election; or

(b) if one candidate receives at least two-thirds of the votes cast at convention for that office, the name of that candidate as the nominee of the registered political party for that office; and

(4) the lieutenant governor shall include:

(a) on the regular primary election ballot for the registered political party, for the office, the two candidates described in Subsection (3)(a); or

(b) if one candidate receives at least two-thirds of the votes cast at convention for the office, that candidate as the registered political party's nominee on the regular general election ballot for that office.

Section 25. Section 20A-9-504 is amended to read:

**20A-9-504. Unaffiliated candidates -- Governor and president of the United States.**

(1) (a) Each unaffiliated candidate for governor shall, before 5 p.m. no later than July 1 of the regular general election year, select a running mate to file as an unaffiliated candidate for the office of lieutenant governor.

(b) The unaffiliated lieutenant governor candidate shall, before 5 p.m. no later than July 1 of the regular general election year, file as an unaffiliated candidate by following the procedures and requirements of this part.

(2) (a) Each unaffiliated candidate for president of the United States shall, before 5 p.m. no later than August 15 of a regular general election year, select a running mate to file as



an unaffiliated candidate for the office of vice president of the United States.

(b) Before 5 p.m. no later than August 15 of a regular general election year, the unaffiliated candidate for vice president of the United States described in Subsection (2)(a) shall comply with the requirements of Subsection ~~20A-9-202~~(11).

Section 26. Section **20A-9-601** is amended to read:

**20A-9-601. Qualifying as a write-in candidate.**

(1) (a) Except as provided in Subsection (1)(b), an individual who wishes to become a valid write-in candidate shall file a declaration of candidacy in person, or through a designated agent for a candidate for president or vice president of the United States, with the appropriate filing officer before 5 p.m. no later than 65 days before the regular general election or a municipal general election in which the individual intends to be a write-in candidate.

(b) (i) The provisions of this Subsection (1)(b) do not apply to an individual who files a declaration of candidacy for president of the United States.

(ii) Subject to Subsection (2)(d), an individual may designate an agent to file a declaration of candidacy with the appropriate filing officer if:

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

(B) the designated agent appears in person before the filing officer; and

(C) the individual communicates with the filing officer using an electronic device that allows the individual and filing officer to see and hear each other.

(2) (a) The form of the declaration of candidacy for a write-in candidate for all offices, except president or vice president of the United States, is substantially as follows:

"State of Utah, County of \_\_\_\_

I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of \_\_\_\_\_ for the \_\_\_\_\_ district (if applicable). I do solemnly swear that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate any law governing campaigns and elections; if filing via a designated agent, I will be out of the state of Utah during the entire candidate filing period; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and rejection of any votes cast for me. The mailing address that I designate for receiving official election notices is

1764 \_\_\_\_\_.

1765

1766 \_\_\_\_\_  
Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

1767 Notary Public (or other officer qualified to administer oath)."

1768 (b) The form of the declaration of candidacy for a write-in candidate for president of  
1769 the United States is substantially as follows:

1770 "State of Utah, County of \_\_\_\_\_

1771 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of the  
1772 president of the United States. I do solemnly swear that: I will meet the qualifications to hold  
1773 the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in the City  
1774 or Town of \_\_\_\_\_, State \_\_\_\_\_, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate  
1775 any law governing campaigns and elections. The mailing address that I designate for receiving  
1776 official election notices is \_\_\_\_\_. I designate \_\_\_\_\_ as  
1777 my vice presidential candidate.

1778

1779 \_\_\_\_\_  
Subscribed and sworn before me this \_\_\_\_\_(month\day\year).

1780 Notary Public (or other officer qualified to administer oath.)"

1781 (c) A declaration of candidacy for a write-in candidate for vice president of the United  
1782 States shall be in substantially the same form as a declaration of candidacy described in  
1783 Subsection [20A-9-202\[\(7\)\]\(11\)](#).

1784 (d) An agent described in Subsection (1)(a) or (b) may not sign the form described in  
1785 Subsection (2)(a) or (b).

1786 (3) (a) The filing officer shall:

1787 (i) read to the candidate the constitutional and statutory requirements for the office;

1788 (ii) ask the candidate whether the candidate meets the requirements; and

1789 (iii) if the declaration of candidacy is for a legislative office, inform the individual that  
1790 Utah Constitution, Article VI, Section 6, prohibits a person who holds a public office of profit  
1791 or trust, under authority of the United States or Utah, from being a member of the Legislature.

1792 (b) If the candidate cannot meet the requirements of office, the filing officer may not  
1793 accept the write-in candidate's declaration of candidacy.

1794 (4) (a) Except as provided in Subsection (4)(b), a write-in candidate is subject to

1795 Subsection ~~20A-9-201~~(8).

1796 (b) A write-in candidate for president of the United States is subject to Subsection  
1797 ~~20A-9-201~~(8)(d) or ~~20A-9-803~~(1)(d), as applicable.

1798 (5) By November 1 of each regular general election year, the lieutenant governor shall  
1799 certify to each county clerk the names of all write-in candidates who filed their declaration of  
1800 candidacy with the lieutenant governor.

1801 Section 27. Section ~~20A-9-701~~ is amended to read:

1802 **~~20A-9-701. Certification of party candidates to county clerks -- Display on ballot.~~**

1803 (1) No later than August 31 of each regular general election year, the lieutenant  
1804 governor shall certify to each county clerk, for offices to be voted upon at the regular general  
1805 election in that county clerk's county:

1806 (a) the names of each candidate nominated [~~under Subsection 20A-9-202(4) or~~  
1807 ~~Subsection 20A-9-403(5)~~] by a registered political party; and

1808 (b) the names of the candidates for president and vice president that are certified by the  
1809 registered political party as the party's nominees.

1810 (2) The names shall be certified by the lieutenant governor and shall be displayed on  
1811 the ballot as they are provided on the candidate's declaration of candidacy.

1812 (3) (a) Only candidates nominated by a class A, B, or C registered political party, in  
1813 accordance with the requirements for the class of the registered political party, may appear on  
1814 the ballot as affiliated with, endorsed by, or nominated by a political party or other political  
1815 group.

1816 (b) No [~~other~~] names, other than the names of the candidates described in Subsection  
1817 (3)(a), may appear on the ballot as affiliated with, endorsed by, or nominated by [any other  
1818 registered political party,] a political party[, or other political group.

1819 Section 28. Section ~~63I-2-220~~ is amended to read:

1820 **~~63I-2-220. Repeal dates -- Title 20A.~~**

1821 [~~(1) On January 1, 2021:~~]

1822 [~~(a) Subsection 20A-1-201.5(1), the language that states "Except as provided in~~  
1823 ~~Subsection (4)," is repealed.~~]

1824 [~~(b) Subsection 20A-1-201.5(4) is repealed.~~]

1825 [~~(c) Subsections 20A-1-204(1)(a)(i) through (iii) are repealed and replaced with the~~

1826 following:]

1827       ~~["(i) the fourth Tuesday in June; or]~~

1828       ~~[(ii) the first Tuesday after the first Monday in November.".]~~

1829       ~~[(d) In Subsections 20A-1-503(4)(c), 20A-9-202(3)(a), 20A-9-403(3)(d)(ii),~~

1830 ~~20A-9-407(5) and (6)(a), and 20A-9-408(5), immediately following the reference to Subsection~~

1831 ~~20A-9-202(1)(b), the language that states "(i) or (ii)" is repealed.]~~

1832       ~~[(e) Subsection 20A-9-202(1)(b) is repealed and replaced with the following:]~~

1833       ~~["(b) Unless expressly provided otherwise in this title, for a registered political party~~

1834 ~~that is not a qualified political party, the deadline for filing a declaration of candidacy for an~~

1835 ~~elective office that is to be filled at the next regular general election is 5 p.m. on the first~~

1836 ~~Monday after the third Saturday in April.".]~~

1837       ~~[(f) Subsection 20A-9-409(4)(c) is repealed and replaced with the following:]~~

1838       ~~["(c) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after~~

1839 ~~the third Saturday in April.".]~~

1840       (1) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is

1841 repealed January 1, 2026.

1842       ~~[(2)] (2) Subsection 20A-5-803(8) is repealed July 1, 2023.~~

1843       ~~[(3)] (3) Section 20A-5-804 is repealed July 1, 2023.~~

1844       ~~[(4) On January 1, 2026:]~~

1845       ~~[(a) In Subsection 20A-1-102(18)(a), the language that states "or Chapter 4, Part 6,~~

1846 ~~Municipal Alternate Voting Methods Pilot Project" is repealed.]~~

1847       ~~[(b) In Subsections 20A-1-303(1)(a) and (b), the language that states "Except as~~

1848 ~~provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is~~

1849 ~~repealed.]~~

1850       ~~[(c) In Section 20A-1-304, the language that states "Except for a race conducted by~~

1851 ~~instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods~~

1852 ~~Pilot Project," is repealed.]~~

1853       ~~[(d) In Subsection 20A-3a-204(1)(a), (c), or (d), the language that states "except as~~

1854 ~~provided in Subsection (6)," is repealed.]~~

1855       ~~[(e) Subsection 20A-3a-204 (5)(b), the language that states "subject to Subsection (6),"~~

1856 ~~is repealed.]~~

1857           ~~[(f) Subsection 20A-3a-204(6) is repealed and the remaining subsections in Section~~  
1858 ~~20A-3a-204 are renumbered accordingly.]~~

1859           ~~[(g) In Subsection 20A-4-101(2)(c), the language that states "Except as provided in~~  
1860 ~~Subsection (2)(f)," is repealed.]~~

1861           ~~[(h) Subsection 20A-4-101(2)(f) is repealed.]~~

1862           ~~[(i) Subsection 20A-4-101(3) is repealed and replaced with the following:]~~

1863           ~~["(3) To resolve questions that arise during the counting of ballots, a counting judge~~  
1864 ~~shall apply the standards and requirements of Section 20A-4-105.".]~~

1865           ~~[(j) In Subsection 20A-4-102(1)(b), the language that states "or a rule made under~~  
1866 ~~Subsection 20A-4-101(2)(f)(i)" is repealed.]~~

1867           ~~[(k) Subsection 20A-4-102(1)(c) is repealed and replaced with the following:]~~

1868           ~~["(b) To resolve questions that arise during the counting of ballots, a counting judge~~  
1869 ~~shall apply the standards and requirements of Section 20A-4-105.".]~~

1870           ~~[(l) In Subsection 20A-4-102(6)(a), the language that states ", except as provided in~~  
1871 ~~Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made under Subsection~~  
1872 ~~20A-4-101(2)(f)(i)" is repealed.]~~

1873           ~~[(m) In Subsection 20A-4-105(1)(a), the language that states ", except as otherwise~~  
1874 ~~provided in Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~

1875           ~~[(n) In Subsection 20A-4-105(2), the language that states "Subsection 20A-3a-204(6),~~  
1876 ~~or Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~

1877           ~~[(o) In Subsections 20A-4-105(3), (4), and (11), the language that states "Except as~~  
1878 ~~otherwise provided in Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~

1879           ~~[(p) In Subsection 20A-4-106(2), the language that states "or Title 20A, Chapter 4, Part~~  
1880 ~~6, Municipal Alternate Voting Methods Pilot Project" is repealed.]~~

1881           ~~[(q) In Subsection 20A-4-304(1)(a), the language that states "except as provided in Part~~  
1882 ~~6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~

1883           ~~[(r) Subsection 20A-4-304(2)(c) is repealed and replaced with the following:]~~

1884           ~~["(v) from each voting precinct:]~~

1885           ~~[(A) the number of votes for each candidate; and]~~

1886           ~~[(B) the number of votes for and against each ballot proposition;"]~~

1887           ~~[(s) Subsection 20A-4-401(1)(a) is repealed, the remaining subsections in Subsection~~

(1) are renumbered accordingly, and the cross-references to those subsections are renumbered accordingly.]

~~[(t) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is repealed.]~~

~~[(u) Subsections 20A-5-400.1(1)(c) and (d), relating to contracting with a local political subdivision to conduct an election, is repealed.]~~

~~[(v) In Section 20A-5-802, relating to the certification of voting equipment:]~~

~~[(i) delete "Except as provided in Subsection (2)(b)(ii):" from the beginning of Subsection (2); and]~~

~~[(ii) Subsection (2)(b)(ii) is repealed, and the remaining subsections are renumbered accordingly.]~~

~~[(w) Section 20A-6-203.5 is repealed.]~~

~~[(x) In Subsections 20A-6-402(1) and (2), the language that states "Except as otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~

~~[(y) In Subsection 20A-9-203(3)(a)(i), the language that states "or Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.]~~

~~[(z) In Subsection 20A-9-203(3)(c)(i), the language that states "except as provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~

~~[(aa) In Subsection 20A-9-404(1)(a), the language that states "or Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.]~~

~~[(bb) In Subsection 20A-9-404(2), the language that states "Except as otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.]~~

~~[(5) Section 20A-7-407 is repealed January 1, 2021.]~~

~~[(6) Section 20A-1-310 is repealed January 1, 2021.]~~