

ELECTION LAW MODIFICATIONS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to election law.

Highlighted Provisions:

This bill:

- ▶ amends and corrects provisions relating to primary elections;
- ▶ changes the date on which a county clerk is required to provide an election notice;
- ▶ modifies the political party registration petition;
- ▶ modifies provisions relating to a declaration of candidacy;
- ▶ amends provisions relating to notifications that a qualified political party is required to provide to the lieutenant governor;
- ▶ amends ballot provisions;
- ▶ modifies provisions relating to rulemaking authority;
- ▶ amends provisions relating to candidate nomination and certification;
- ▶ amends provisions relating to nomination petitions;
- ▶ amends provisions relating to straight party voting; and
- ▶ makes technical and conforming amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **20A-1-102**, as last amended by Laws of Utah 2014, Chapters 17, 31, 231, 362, and 391

31 **20A-1-201.5**, as last amended by Laws of Utah 2013, Chapter 320

32 **20A-3-106**, as last amended by Laws of Utah 2006, Chapter 326

33 **20A-5-101**, as last amended by Laws of Utah 2014, Chapters 17 and 362

34 **20A-6-303**, as last amended by Laws of Utah 2014, Chapter 17

35 **20A-6-304**, as last amended by Laws of Utah 2014, Chapter 17

36 **20A-9-101**, as last amended by Laws of Utah 2014, Chapter 17

37 **20A-9-201**, as last amended by Laws of Utah 2014, Chapter 17

38 **20A-9-202**, as last amended by Laws of Utah 2014, Chapter 17

39 **20A-9-403**, as last amended by Laws of Utah 2014, Chapter 17

40 **20A-9-406**, as enacted by Laws of Utah 2014, Chapter 17

41 **20A-9-407**, as enacted by Laws of Utah 2014, Chapter 17

42 **20A-9-408**, as enacted by Laws of Utah 2014, Chapter 17

43 **20A-9-701**, as last amended by Laws of Utah 2014, Chapter 17

44 ENACTS:

45 **20A-9-408.5**, Utah Code Annotated 1953

46 **20A-9-411**, Utah Code Annotated 1953



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

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

50 **20A-1-102. Definitions.**

51 As used in this title:

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

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

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

58 (b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy

59 envelopes.

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

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

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

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

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

67 (b) a constitutional amendment;

68 (c) an initiative;

69 (d) a referendum;

70 (e) a bond proposition;

71 (f) a judicial retention question;

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

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

74 (6) "Ballot sheet":

75 (a) means a ballot that:

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

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

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

79 (7) "Bind," "binding," or "bound" means securing more than one piece of paper

80 together with a staple or stitch in at least three places across the top of the paper in the blank
81 space reserved for securing the paper.

82 (8) "Board of canvassers" means the entities established by Sections [20A-4-301](#) and
83 [20A-4-306](#) to canvass election returns.

84 (9) "Bond election" means an election held for the purpose of approving or rejecting
85 the proposed issuance of bonds by a government entity.

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

88 (11) "Business reply mail envelope" means an envelope that may be mailed free of
89 charge by the sender.

90 (12) "By-mail voter registration form" means a voter registration form designed to be
91 completed by the voter and mailed to the election officer.

92 (13) "Canvass" means the review of election returns and the official declaration of
93 election results by the board of canvassers.

94 (14) "Canvassing judge" means a poll worker designated to assist in counting ballots at
95 the canvass.

96 (15) "Contracting election officer" means an election officer who enters into a contract
97 or interlocal agreement with a provider election officer.

98 (16) "Convention" means the political party convention at which party officers and
99 delegates are selected.

100 (17) "Counting center" means one or more locations selected by the election officer in
101 charge of the election for the automatic counting of ballots.

102 (18) "Counting judge" means a poll worker designated to count the ballots during
103 election day.

104 (19) "Counting poll watcher" means a person selected as provided in Section
105 [20A-3-201](#) to witness the counting of ballots.

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

109 (21) "County officers" means those county officers that are required by law to be
110 elected.

111 (22) "Date of the election" or "election day" or "day of the election":

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

114 (b) does not include:

115 (i) deadlines established for absentee voting; or

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

118 (23) "Elected official" means:

119 (a) a person elected to an office under Section [20A-1-303](#);

120 (b) a person who is considered to be elected to a municipal office in accordance with

121 Subsection 20A-1-206(1)(c)(ii); or

122 (c) a person who is considered to be elected to a local district office in accordance with

123 Subsection 20A-1-206(3)(c)(ii).

124 (24) "Election" means a regular general election, a municipal general election, a
125 statewide special election, a local special election, a regular primary election, a municipal
126 primary election, and a local district election.

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

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

131 (27) "Election judge" means a poll worker that is assigned to:

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

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

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

135 (28) "Election officer" means:

136 (a) the lieutenant governor, for all statewide ballots and elections;

137 (b) the county clerk for:

138 (i) a county ballot and election; and

139 (ii) a ballot and election as a provider election officer as provided in Section
140 20A-5-400.1 or 20A-5-400.5;

141 (c) the municipal clerk for:

142 (i) a municipal ballot and election; and

143 (ii) a ballot and election as a provider election officer as provided in Section
144 20A-5-400.1 or 20A-5-400.5;

145 (d) the local district clerk or chief executive officer for:

146 (i) a local district ballot and election; and

147 (ii) a ballot and election as a provider election officer as provided in Section
148 20A-5-400.1 or 20A-5-400.5; or

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

150 (i) a school district ballot and election; and

151 (ii) a ballot and election as a provider election officer as provided in Section

152 [20A-5-400.1](#) or [20A-5-400.5](#).

153 (29) "Election official" means any election officer, election judge, or poll worker.

154 (30) "Election results" means:

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

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

159 (31) "Election returns" includes the pollbook, the military and overseas absentee voter
160 registration and voting certificates, one of the tally sheets, any unprocessed absentee ballots, all
161 counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot disposition
162 form, and the total votes cast form.

163 (32) "Electronic ballot" means a ballot that is recorded using a direct electronic voting
164 device or other voting device that records and stores ballot information by electronic means.

165 (33) "Electronic signature" means an electronic sound, symbol, or process attached to
166 or logically associated with a record and executed or adopted by a person with the intent to sign
167 the record.

168 (34) (a) "Electronic voting device" means a voting device that uses electronic ballots.

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

170 (35) "Inactive voter" means a registered voter who has:

171 (a) been sent the notice required by Section [20A-2-306](#); and

172 (b) failed to respond to that notice.

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

175 (37) "Judicial office" means the office filled by any judicial officer.

176 (38) "Judicial officer" means any justice or judge of a court of record or any county
177 court judge.

178 (39) "Local district" means a local government entity under Title 17B, Limited Purpose
179 Local Government Entities - Local Districts, and includes a special service district under Title
180 17D, Chapter 1, Special Service District Act.

181 (40) "Local district officers" means those local district board members that are required
182 by law to be elected.

183 (41) "Local election" means a regular county election, a regular municipal election, a
184 municipal primary election, a local special election, a local district election, and a bond
185 election.

186 (42) "Local political subdivision" means a county, a municipality, a local district, or a
187 local school district.

188 (43) "Local special election" means a special election called by the governing body of a
189 local political subdivision in which all registered voters of the local political subdivision may
190 vote.

191 (44) "Municipal executive" means:

192 (a) the mayor in the council-mayor form of government defined in Section [10-3b-102](#);

193 or

194 (b) the mayor in the council-manager form of government defined in Subsection
195 [10-3b-103\(6\)](#).

196 (45) "Municipal general election" means the election held in municipalities and, as
197 applicable, local districts on the first Tuesday after the first Monday in November of each
198 odd-numbered year for the purposes established in Section [20A-1-202](#).

199 (46) "Municipal legislative body" means the council of the city or town in any form of
200 municipal government.

201 (47) "Municipal office" means an elective office in a municipality.

202 (48) "Municipal officers" means those municipal officers that are required by law to be
203 elected.

204 (49) "Municipal primary election" means an election held to nominate candidates for
205 municipal office.

206 (50) "Official ballot" means the ballots distributed by the election officer to the poll
207 workers to be given to voters to record their votes.

208 (51) "Official endorsement" means:

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

210 (i) the ballot as an official ballot;

211 (ii) the date of the election; and

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

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

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

215 (ii) the ballot number.

216 (52) "Official register" means the official record furnished to election officials by the
217 election officer that contains the information required by Section [20A-5-401](#).

218 (53) "Paper ballot" means a paper that contains:

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

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

223 (54) "Pilot project" means the election day voter registration pilot project created in
224 Section [20A-4-108](#).

225 (55) "Political party" means an organization of registered voters that has qualified to
226 participate in an election by meeting the requirements of Chapter 8, Political Party Formation
227 and Procedures.

228 (56) "Pollbook" means a record of the names of voters in the order that they appear to
229 cast votes.

230 (57) "Polling place" means the building where voting is conducted.

231 (58) (a) "Poll worker" means a person assigned by an election official to assist with an
232 election, voting, or counting votes.

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

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

235 (59) "Position" means a square, circle, rectangle, or other geometric shape on a ballot
236 in which the voter marks the voter's choice.

237 (60) "Primary convention" means the political party conventions held during the year
238 of the regular general election.

239 (61) "Protective counter" means a separate counter, which cannot be reset, that:

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

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

242 (62) "Provider election officer" means an election officer who enters into a contract or
243 interlocal agreement with a contracting election officer to conduct an election for the
244 contracting election officer's local political subdivision in accordance with Section

245 20A-5-400.1.

246 (63) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

250 (64) "Provisional ballot envelope" means an envelope printed in the form required by
251 Section 20A-6-105 that is used to identify provisional ballots and to provide information to
252 verify a person's legal right to vote.

253 (65) "Qualify" or "qualified" means to take the oath of office and begin performing the
254 duties of the position for which the person was elected.

255 (66) "Receiving judge" means the poll worker that checks the voter's name in the
256 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
257 after the voter has voted.

258 (67) "Registration form" means a book voter registration form and a by-mail voter
259 registration form.

260 (68) "Regular ballot" means a ballot that is not a provisional ballot.

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

264 (70) "Regular primary election" means the election on the fourth Tuesday of June of
265 each even-numbered year, to nominate candidates of political parties and candidates for
266 nonpartisan local school board positions to advance to the regular general election.

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

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

270 (73) "Scratch vote" means to mark or punch the straight party ticket and then mark or
271 punch the ballot for one or more candidates who are members of different political parties or
272 who are unaffiliated.

273 (74) "Secrecy envelope" means the envelope given to a voter along with the ballot into
274 which the voter places the ballot after the voter has voted it in order to preserve the secrecy of
275 the voter's vote.

276 (75) "Special election" means an election held as authorized by Section [20A-1-203](#).

277 (76) "Spoiled ballot" means each ballot that:

278 (a) is spoiled by the voter;

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

280 (c) lacks the official endorsement.

281 (77) "Statewide special election" means a special election called by the governor or the
282 Legislature in which all registered voters in Utah may vote.

283 (78) "Stub" means the detachable part of each ballot.

284 (79) "Substitute ballots" means replacement ballots provided by an election officer to
285 the poll workers when the official ballots are lost or stolen.

286 (80) "Ticket" means each list of candidates for each political party or for each group of
287 petitioners.

288 (81) "Transfer case" means the sealed box used to transport voted ballots to the
289 counting center.

290 (82) "Vacancy" means the absence of a person to serve in any position created by
291 statute, whether that absence occurs because of death, disability, disqualification, resignation,
292 or other cause.

293 (83) "Valid voter identification" means:

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

296 (i) a currently valid Utah driver license;

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

298 (A) the state; or

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

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

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

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

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

305 (i) a valid tribal identification card;

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

- 307 (iii) a tribal treaty card; or
- 308 (c) two forms of identification not listed under Subsection (83)(a) or (b) but that bear
- 309 the name of the voter and provide evidence that the voter resides in the voting precinct, which
- 310 may include:
- 311 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
- 312 election;
- 313 (ii) a bank or other financial account statement, or a legible copy thereof;
- 314 (iii) a certified birth certificate;
- 315 (iv) a valid Social Security card;
- 316 (v) a check issued by the state or the federal government or a legible copy thereof;
- 317 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 318 (vii) a currently valid Utah hunting or fishing license;
- 319 (viii) certified naturalization documentation;
- 320 (ix) a currently valid license issued by an authorized agency of the United States;
- 321 (x) a certified copy of court records showing the voter's adoption or name change;
- 322 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 323 (xii) a currently valid identification card issued by:
- 324 (A) a local government within the state;
- 325 (B) an employer for an employee; or
- 326 (C) a college, university, technical school, or professional school located within the
- 327 state; or
- 328 (xiii) a current Utah vehicle registration.
- 329 (84) "Valid write-in candidate" means a candidate who has qualified as a write-in
- 330 candidate by following the procedures and requirements of this title.
- 331 (85) "Voter" means a person who:
- 332 (a) meets the requirements for voting in an election;
- 333 (b) meets the requirements of election registration;
- 334 (c) is registered to vote; and
- 335 (d) is listed in the official register book.
- 336 (86) "Voter registration deadline" means the registration deadline provided in Section
- 337 [20A-2-102.5](#).

338 (87) "Voting area" means the area within six feet of the voting booths, voting
339 machines, and ballot box.

340 (88) "Voting booth" means:

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

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

344 (89) "Voting device" means:

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

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

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

350 (d) an automated voting system under Section [20A-5-302](#); or

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

353 (90) "Voting machine" means a machine designed for the sole purpose of recording
354 and tabulating votes cast by voters at an election.

355 (91) "Voting poll watcher" means a person appointed as provided in this title to
356 witness the distribution of ballots and the voting process.

357 (92) "Voting precinct" means the smallest voting unit established as provided by law
358 within which qualified voters vote at one polling place.

359 (93) "Watcher" means a voting poll watcher, a counting poll watcher, an inspecting
360 poll watcher, and a testing watcher.

361 (94) "Western States Presidential Primary" means the election established in Chapter 9,
362 Part 8, Western States Presidential Primary.

363 (95) "Write-in ballot" means a ballot containing any write-in votes.

364 (96) "Write-in vote" means a vote cast for a person whose name is not printed on the
365 ballot according to the procedures established in this title.

366 Section 2. Section **20A-1-201.5** is amended to read:

367 **20A-1-201.5. Primary election dates.**

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

369 of June of each even numbered year as provided in Section [20A-9-403](#), [20A-9-407](#), or
370 [20A-9-408](#), as applicable, to nominate persons for national, state, school board, and county
371 offices.

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

375 (3) If the Legislature makes an appropriation for a Western States Presidential Primary
376 election, the Western States Presidential Primary election shall be held throughout the state on
377 the first Tuesday in February in the year in which a presidential election will be held.

378 Section 3. Section **20A-3-106** is amended to read:

379 **20A-3-106. Voting straight ticket -- Splitting ballot -- Writing in names -- Effect**
380 **of unnecessary marking of cross.**

381 (1) When voting a paper ballot, any voter desiring to vote for all the candidates who are
382 listed on the ballot as being from any one registered political party may:

383 (a) mark in the circle or position above that political party;

384 (b) mark in the squares or position opposite the names of all candidates for that party
385 ticket; or

386 (c) make both markings.

387 (2) (a) When voting a ballot sheet, any voter desiring to vote for all the candidates who
388 are listed on the ballot as being from any one registered political party may:

389 (i) mark the selected party on the straight party page or section; or

390 (ii) mark the name of each candidate from that party.

391 (b) To vote for candidates from two or more political parties, the voter may:

392 (i) mark in the squares or positions opposite the names of the candidates for whom the
393 voter wishes to vote without marking in any circle; or

394 (ii) indicate [~~his~~] the voter's choice by:

395 (A) marking in the circle or position above one political party; and

396 (B) marking in the squares or positions opposite the names of desired candidates who
397 are members of any party, are unaffiliated, or are listed without party name.

398 (3) (a) When voting an electronic ballot, any voter desiring to vote for all the
399 candidates who are listed on the ballot as being from any one registered political party may:

- 400 (i) select that party on the straight party selection area; or
401 (ii) select the name of each candidate from that party.
- 402 (b) To vote for candidates from two or more political parties, the voter may:
- 403 (i) select the names of the candidates for whom the voter wishes to vote without
404 selecting a political party in the straight party selection area; or
405 (ii) (A) select a political party in the straight party selection area; and
406 (B) select the names of the candidates for whom the voter wishes to vote who are
407 members of any party, are unaffiliated, or are listed without party name.
- 408 (4) In any election other than a primary election, if a voter voting a ballot has selected
409 or placed a mark next to a party name in order to vote a straight party ticket and wishes to vote
410 for a person on another party ticket for an office, or for an unaffiliated candidate, the voter shall
411 select or mark the ballot next to the name of the candidate for whom the voter wishes to vote.
- 412 (5) (a) The voter may cast a write-in vote on a paper ballot or ballot sheet:
- 413 (i) by entering the name of a valid write-in candidate:
- 414 (A) by writing the name of a valid write-in candidate in the blank write-in section of
415 the ballot; or
416 (B) by affixing a sticker with the office and name of the valid write-in name printed on
417 it in the blank write-in part of the ballot; and
- 418 (ii) by placing a mark opposite the name of the write-in candidate to indicate the voter's
419 vote.
- 420 (b) On a paper ballot or ballot sheet, a voter is considered to have voted for the person
421 whose name is written or whose sticker appears in the blank write-in part of the ballot, if a
422 mark is made opposite that name.
- 423 (c) On a paper ballot or ballot sheet, the unnecessary marking of a mark in a square on
424 the ticket below the marked circle does not affect the validity of the vote.
- 425 (6) The voter may cast a write-in vote on an electronic ballot by:
- 426 (a) marking the appropriate position opposite the area for entering a write-in candidate
427 for the office sought by the candidate for whom the voter wishes to vote; and
428 (b) entering the name of a valid write-in candidate in the write-in selection area.
- 429 Section 4. Section **20A-5-101** is amended to read:
- 430 **20A-5-101. Notice of election.**

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

433 (a) designates the offices to be filled at the next year's regular general election;
434 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
435 certifying nomination petition signatures, as applicable, under ~~[Section]~~ Sections 20A-9-403,
436 20A-9-407, and 20A-9-408 for those offices;

437 (c) includes the master ballot position list for the next year and the year following as
438 established under Section 20A-6-305; and

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

441 (2) (a) No later than ~~[November 15 in the year before the regular general election year]~~
442 seven business days after the day on which the lieutenant governor transmits the written notice
443 described in Subsection (1), each county clerk shall:

444 (i) publish a notice:

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

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

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

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

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

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

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

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

455 (a) the date and place of election;

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

457 (c) the polling places for each voting precinct;

458 (d) an election day voting center designated under Section 20A-3-703; and

459 (e) the qualifications for persons to vote in the election.

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

462 (a) in a newspaper of general circulation common to the area or in which the election is
463 being held; and

464 (b) as required in Section 45-1-101.

465 Section 5. Section 20A-6-303 is amended to read:

466 **20A-6-303. Regular general election -- Ballot sheets.**

467 (1) Each election officer shall ensure that:

468 (a) copy on the ballot sheets or ballot labels, as applicable, are arranged in
469 approximately the same order as paper ballots;

470 (b) the titles of offices and the names of candidates are printed in vertical columns or in
471 a series of separate pages;

472 (c) the ballot sheet or any pages used for the ballot label are of sufficient number to
473 include, after the list of candidates:

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

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

476 (d) (i) a voting square or position is included where the voter may record a straight
477 party ticket vote for all the candidates ~~[of]~~ who are listed on the ballot as being from one party
478 by one mark or punch; and

479 (ii) the name of each political party listed in the straight party selection area includes
480 the word "party" at the end of the party's name;

481 (e) the tickets are printed in the order specified under Section 20A-6-305;

482 (f) the office titles are printed immediately adjacent to the names of candidates so as to
483 indicate clearly the candidates for each office and the number to be elected;

484 (g) the party designation of each candidate who has been nominated by a registered
485 political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5) is printed
486 immediately adjacent to the candidate's name; and

487 (h) (i) if possible, all candidates for one office are grouped in one column or upon one
488 page;

489 (ii) if all candidates for one office cannot be listed in one column or grouped on one
490 page:

491 (A) the ballot sheet or ballot label shall be clearly marked to indicate that the list of
492 candidates is continued on the following column or page; and

493 (B) approximately the same number of names shall be printed in each column or on
494 each page.

495 (2) Each election officer shall ensure that:

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

498 (b) ballot propositions submitted to the voters are listed in accordance with Section
499 20A-6-107; and

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

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

503 **20A-6-304. Regular general election -- Electronic ballots.**

504 (1) Each election officer shall ensure that:

505 (a) the format and content of the electronic ballot is arranged in approximately the
506 same order as paper ballots;

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

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

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

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

512 (d) (i) a voting square or position is included where the voter may record a straight
513 party ticket vote for all the candidates [of] who are listed on the ballot as being from one party
514 by making a single selection; and

515 (ii) the name of each political party listed in the straight party selection area includes
516 the word "party" at the end of the party's name;

517 (e) the tickets are displayed in the order specified under Section 20A-6-305;

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

520 (g) the party designation of each candidate who has been nominated by a registered
521 political party under Subsection 20A-9-202(4) or Subsection 20A-9-403(5) is displayed
522 adjacent to the candidate's name; and

523 (h) if possible, all candidates for one office are grouped in one column or upon one

524 display screen.

525 (2) Each election officer shall ensure that:

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

528 (b) ballot propositions submitted to the voters are displayed in accordance with Section
529 20A-6-107; and

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

532 Section 7. Section 20A-9-101 is amended to read:

533 **20A-9-101. Definitions.**

534 As used in this chapter:

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

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

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

540 (ii) presidential elector;

541 (iii) any political party offices; and

542 (iv) municipal or local district offices.

543 (2) "Constitutional office" means the state offices of governor, lieutenant governor,
544 attorney general, state auditor, and state treasurer.

545 (3) "Continuing political party" is as defined in Section 20A-8-101.

546 (4) (a) "County office" means an elective office where the office holder is selected by
547 voters entirely within one county.

548 (b) "County office" does not mean:

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

550 (ii) the office of presidential elector;

551 (iii) any political party offices;

552 (iv) any municipal or local district offices; and

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

554 (5) "Federal office" means an elective office for United States Senator and United

555 States Representative.

556 (6) "Filing officer" means:

557 (a) the lieutenant governor, for:

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

559 (ii) all constitutional offices;

560 (b) the county clerk, for county offices and local school district offices, and the county
561 clerk in the filer's county of residence, for multicounty offices;

562 (c) the city or town clerk, for municipal offices; and

563 (d) the local district clerk, for local district offices.

564 (7) "Local district office" means an elected office in a local district.

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

568 (9) (a) "Multicounty office" means an elective office where the office holder is selected
569 by the voters from more than one county.

570 (b) "Multicounty office" does not mean:

571 (i) a county office;

572 (ii) a federal office;

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

574 (iv) the office of presidential elector;

575 (v) any political party offices; and

576 (vi) any municipal or local district offices.

577 (10) "Municipal office" means an elective office in a municipality.

578 (11) (a) "Political division" means a geographic unit from which an office holder is
579 elected and that an office holder represents.

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

582 (12) "Qualified political party" means a registered political party that:

583 (a) permits voters who are unaffiliated with any political party to vote for the registered
584 political party's candidates in a primary election;

585 (b) (i) permits a delegate for the registered political party to vote on a candidate

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

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

589 (c) does not hold the registered political party's convention before April 1 of an
590 even-numbered year;

591 (d) permits a member of the registered political party to seek the registered political
592 party's nomination for any elective office by the member choosing to seek the nomination by
593 either or both of the following methods:

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

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

598 (e) (i) if the registered political party is a continuing political party, no later than 5 p.m.
599 on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the
600 election in the following year, the registered political party intends to nominate the registered
601 political party's candidates in accordance with the provisions of [~~Sections [20A-9-407](#) and~~
602 ~~[20A-9-408](#)~~]; Section [20A-9-406](#); or

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

607 Section 8. Section **20A-9-201** is amended to read:

608 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
609 **more than one political party prohibited with exceptions -- General filing and form**
610 **requirements -- Affidavit of impecuniosity.**

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

612 (a) be a United States citizen;

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

614 (c) if seeking a registered political party's nomination as a candidate for elective office,
615 [~~designate that registered political party as their preferred party affiliation on their declaration~~
616 ~~of candidacy.~~] state:

- 617 (i) the registered political party of which the person is a member; or
618 (ii) that the person is not a member of a registered political party.
619 (2) (a) Except as provided in Subsection (2)(b), ~~[a person]~~ an individual may not:
620 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
621 Utah during any election year; ~~[or]~~
622 (ii) appear on the ballot as the candidate of more than one political party~~[-]; or~~
623 (iii) file a declaration of candidacy for a registered political party of which the
624 individual is not a member, except to the extent that the registered political party permits
625 otherwise in the registered political party's bylaws.
626 (b) (i) A person may file a declaration of candidacy for, or be a candidate for, president
627 or vice president of the United States and another office, if the person resigns the person's
628 candidacy for the other office after the person is officially nominated for president or vice
629 president of the United States.
630 (ii) A person may file a declaration of candidacy for, or be a candidate for, more than
631 one justice court judge office.
632 (iii) A person may file a declaration of candidacy for lieutenant governor even if the
633 person filed a declaration of candidacy for another office in the same election year if the person
634 withdraws as a candidate for the other office in accordance with Subsection [20A-9-202\(6\)](#)
635 before filing the declaration of candidacy for lieutenant governor.
636 (3) (a) (i) Except for presidential candidates, before the filing officer may accept any
637 declaration of candidacy, the filing officer shall:
638 (A) read to the prospective candidate the constitutional and statutory qualification
639 requirements for the office that the candidate is seeking; and
640 (B) require the candidate to state whether or not the candidate meets those
641 requirements.
642 (ii) Before accepting a declaration of candidacy for the office of county attorney, the
643 county clerk shall ensure that the person filing that declaration of candidacy is:
644 (A) a United States citizen;
645 (B) an attorney licensed to practice law in Utah who is an active member in good
646 standing of the Utah State Bar;
647 (C) a registered voter in the county in which the person is seeking office; and

648 (D) a current resident of the county in which the person is seeking office and either has
649 been a resident of that county for at least one year or was appointed and is currently serving as
650 county attorney and became a resident of the county within 30 days after appointment to the
651 office.

652 (iii) Before accepting a declaration of candidacy for the office of district attorney, the
653 county clerk shall ensure that, as of the date of the election, the person filing that declaration of
654 candidacy is:

655 (A) a United States citizen;

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

658 (C) a registered voter in the prosecution district in which the person is seeking office;
659 and

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

664 (iv) Before accepting a declaration of candidacy for the office of county sheriff, the
665 county clerk shall ensure that the person filing the declaration of candidacy:

666 (A) as of the date of filing:

667 (I) is a United States citizen;

668 (II) is a registered voter in the county in which the person seeks office;

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

672 (Bb) has met the waiver requirements in Section 53-6-206; and

673 (IV) is qualified to be certified as a law enforcement officer, as defined in Section
674 53-13-103; and

675 (B) as of the date of the election, shall have been a resident of the county in which the
676 person seeks office for at least one year.

677 (v) Before accepting a declaration of candidacy for the office of governor, lieutenant
678 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of

679 Education member, the filing officer shall ensure:

680 (A) that the person filing the declaration of candidacy also files the financial disclosure
681 required by Section 20A-11-1603; and

682 (B) if the filing officer is not the lieutenant governor, that the financial disclosure is
683 provided to the lieutenant governor according to the procedures and requirements of Section
684 20A-11-1603.

685 (b) If the prospective candidate states that the qualification requirements for the office
686 are not met, the filing officer may not accept the prospective candidate's declaration of
687 candidacy.

688 (c) If the candidate meets the requirements of Subsection (3)(a) and states that the
689 requirements of candidacy are met, the filing officer shall:

690 (i) inform the candidate that:

691 (A) the candidate's name will appear on the ballot as it is written on the declaration of
692 candidacy;

693 (B) the candidate may be required to comply with state or local campaign finance
694 disclosure laws; and

695 (C) the candidate is required to file a financial statement before the candidate's political
696 convention under:

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

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

699 (III) local campaign finance disclosure laws, if applicable;

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

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

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

709 (A) signing the pledge is voluntary; and

710 (B) signed pledges shall be filed with the filing officer;
 711 (v) accept the candidate's declaration of candidacy; and
 712 (vi) if the candidate has filed for a partisan office, provide a certified copy of the
 713 declaration of candidacy to the chair of the county or state political party of which the
 714 candidate is a member.

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

717 (i) accept the candidate's pledge; and
 718 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
 719 candidate's pledge to the chair of the county or state political party of which the candidate is a
 720 member.

721 (4) (a) Except for presidential candidates, the form of the declaration of candidacy
 722 shall:

723 (i) be substantially as follows:

724 "State of Utah, County of _____

725 I, _____, declare my candidacy for the office of _____, seeking the
 726 nomination of the _____ party[~~, which is my preferred political party affiliation~~]. I do
 727 solemnly swear that: I will meet the qualifications to hold the office, both legally and
 728 constitutionally, if selected; I reside at _____ in the City or Town of _____,
 729 Utah, Zip Code _____ Phone No. _____; I will not knowingly violate any law governing
 730 campaigns and elections; I will file all campaign financial disclosure reports as required
 731 by law; and I understand that failure to do so will result in my disqualification as a
 732 candidate for this office and removal of my name from the ballot. The mailing address
 733 that I designate for receiving official election notices is
 734 _____.

735 _____

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

737 _____ Notary Public (or other officer qualified to administer oath.)"; and

738 (ii) require the candidate to state, in the sworn statement described in Subsection

739 (4)(a)(i):

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

- 741 (B) that the candidate is not a member of a registered political party.
- 742 (b) An agent designated to file a declaration of candidacy under Section [20A-9-202](#)
743 may not sign the form described in Subsection (4)(a).
- 744 (5) (a) Except for presidential candidates, the fee for filing a declaration of candidacy
745 is:
- 746 (i) \$50 for candidates for the local school district board; and
747 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
748 person holding the office for all other federal, state, and county offices.
- 749 (b) Except for presidential candidates, the filing officer shall refund the filing fee to
750 any candidate:
- 751 (i) who is disqualified; or
752 (ii) who the filing officer determines has filed improperly.
- 753 (c) (i) The county clerk shall immediately pay to the county treasurer all fees received
754 from candidates.
- 755 (ii) The lieutenant governor shall:
- 756 (A) apportion to and pay to the county treasurers of the various counties all fees
757 received for filing of nomination certificates or acceptances; and
758 (B) ensure that each county receives that proportion of the total amount paid to the
759 lieutenant governor from the congressional district that the total vote of that county for all
760 candidates for representative in Congress bears to the total vote of all counties within the
761 congressional district for all candidates for representative in Congress.
- 762 (d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy
763 without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by
764 an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer,
765 a financial statement filed at the time the affidavit is submitted.
- 766 (ii) A person who is able to pay the filing fee may not claim impecuniosity.
- 767 (iii) (A) False statements made on an affidavit of impecuniosity or a financial
768 statement filed under this section shall be subject to the criminal penalties provided under
769 Sections [76-8-503](#) and [76-8-504](#) and any other applicable criminal provision.
- 770 (B) Conviction of a criminal offense under Subsection (5)(d)(iii)(A) shall be
771 considered an offense under this title for the purposes of assessing the penalties provided in

772 Subsection 20A-1-609(2).

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

775 "Affidavit of Impecuniosity

776 Individual Name

777 _____ Address _____

778 Phone Number _____

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

782 Date _____ Signature _____

783 Affiant

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

785 _____
786 (signature)

787 Name and Title of Officer Authorized to Administer Oath _____"

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

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

794 (vi) The filing officer may request that a person who makes a claim of impecuniosity
795 under this Subsection (5)(d) file a financial statement on a form prepared by the election
796 official.

797 (6) (a) If there is no legislative appropriation for the Western States Presidential
798 Primary election, as provided in Part 8, Western States Presidential Primary, a candidate for
799 president of the United States who is affiliated with a registered political party and chooses to
800 participate in the regular primary election shall:

801 (i) file a declaration of candidacy, in person or via a designated agent, with the
802 lieutenant governor:

- 803 (A) on a form developed and provided by the lieutenant governor; and
- 804 (B) on or after the second Friday in March and before 5 p.m. on the third Thursday in
805 March before the next regular primary election;
- 806 (ii) identify the registered political party whose nomination the candidate is seeking;
- 807 (iii) provide a letter from the registered political party certifying that the candidate may
808 participate as a candidate for that party in that party's presidential primary election; and
- 809 (iv) pay the filing fee of \$500.
- 810 (b) An agent designated to file a declaration of candidacy may not sign the form
811 described in Subsection (6)(a)(i)(A).
- 812 (7) Any person who fails to file a declaration of candidacy or certificate of nomination
813 within the time provided in this chapter is ineligible for nomination to office.
- 814 (8) A declaration of candidacy filed under this section may not be amended or
815 modified after the final date established for filing a declaration of candidacy.
- 816 Section 9. Section **20A-9-202** is amended to read:
- 817 **20A-9-202. Declarations of candidacy for regular general elections.**
- 818 (1) (a) Each person seeking to become a candidate for an elective office that is to be
819 filled at the next regular general election shall:
- 820 (i) file a declaration of candidacy in person with the filing officer on or after January 1
821 of the regular general election year, and, if applicable, before the candidate circulates
822 nomination petitions under Section [20A-9-405](#); and
- 823 (ii) pay the filing fee.
- 824 (b) Each county clerk who receives a declaration of candidacy from a candidate for
825 multicounty office shall transmit the filing fee and a copy of the candidate's declaration of
826 candidacy to the lieutenant governor within one working day after it is filed.
- 827 (c) Each day during the filing period, each county clerk shall notify the lieutenant
828 governor electronically or by telephone of candidates who have filed in their office.
- 829 (d) Each person seeking the office of lieutenant governor, the office of district attorney,
830 or the office of president or vice president of the United States shall comply with the specific
831 declaration of candidacy requirements established by this section.
- 832 (2) (a) Each person intending to become a candidate for the office of district attorney
833 within a multicounty prosecution district that is to be filled at the next regular general election

834 shall:

835 (i) file a declaration of candidacy with the clerk designated in the interlocal agreement
836 creating the prosecution district on or after January 1 of the regular general election year, and
837 before the candidate circulates nomination petitions under Section 20A-9-405; and

838 (ii) pay the filing fee.

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

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

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

845 (ii) pay the filing fee; and

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

849 (b) Any candidate for lieutenant governor who fails to timely file is disqualified. If a
850 lieutenant governor is disqualified, another candidate shall file to replace the disqualified
851 candidate.

852 (4) Each registered political party shall:

853 (a) certify the names of its candidates for president and vice president of the United
854 States to the lieutenant governor no later than August 31; or

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

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

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

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

864 (ii) decide any objection within 48 hours after it is filed.

865 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
866 problem by amending the declaration or petition within three days after the objection is
867 sustained or by filing a new declaration within three days after the objection is sustained.

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

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

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

873 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by
874 filing a written affidavit with the clerk.

875 (7) Except as provided in Subsection 20A-9-201(4)(b), notwithstanding a requirement
876 in this section to file a declaration of candidacy in person, a person may designate an agent to
877 file the form described in Subsection 20A-9-201(4) in person with the filing officer if:

878 (a) the person is located outside the state during the filing period because:

879 (i) of employment with the state or the United States; or

880 (ii) the person is a member of:

881 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
882 Coast Guard of the United States who is on active duty;

883 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
884 commissioned corps of the National Oceanic and Atmospheric Administration of the United
885 States; or

886 (C) the National Guard on activated status;

887 (b) the person communicates with the filing officer using an electronic device that
888 allows the person and filing officer to see and hear each other; and

889 (c) the person provides the filing officer with an email address to which the filing
890 officer may send the copies described in Subsection 20A-9-201(3).

891 Section 10. Section 20A-9-403 is amended to read:

892 **20A-9-403. Regular primary elections.**

893 (1) (a) Candidates for elective office that are to be filled at the next regular general
894 election shall be nominated in a regular primary election by direct vote of the people in the
895 manner prescribed in this section. The fourth Tuesday of June of each even-numbered year is

896 designated as regular primary election day. Nothing in this section shall affect a candidate's
897 ability to qualify for a regular general election's ballot as an unaffiliated candidate under
898 Section 20A-9-501 or to participate in a regular general election as a write-in candidate under
899 Section 20A-9-601.

900 (b) Each registered political party that chooses to have the names of its candidates for
901 elective office featured with party affiliation on the ballot at a regular general election shall
902 comply with the requirements of this section and shall nominate its candidates for elective
903 office in the manner prescribed in this section.

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

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

910 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,
911 shall:

912 (i) either declare their intent to participate in the next regular primary election or
913 declare that the registered political party chooses not to have the names of its candidates for
914 elective office featured on the ballot at the next regular general election; and

915 (ii) if the registered political party participates in the upcoming regular primary
916 election, identify one or more registered political parties whose members may vote for the
917 registered political party's candidates and whether or not persons identified as unaffiliated with
918 a political party may vote for the registered political party's candidates[~~; and~~].

919 [~~(iii) if the registered political party participates in the upcoming regular primary
920 election, indicate whether it chooses to nominate unopposed candidates without their name
921 appearing on the ballot, as described under Subsection (5)(c).]~~

922 (b) (i) A registered political party that is a continuing political party must file the
923 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on
924 November 15 of each odd-numbered year.

925 (ii) An organization that is seeking to become a registered political party under Section
926 20A-8-103 must file the statement described in [~~Subsection (2)(b) no later than 5 p.m. on~~

927 ~~February 15]~~ Subsection (2)(a) at the time that the registered political party files the petition
928 described in Section 20A-8-103.

929 (3) (a) Except as provided in Subsection (3)(e), a person who has submitted a
930 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective
931 office on the regular primary ballot of the registered political party listed on the declaration of
932 candidacy only if the person is certified by the appropriate filing officer as having submitted a
933 set of nomination petitions that was:

934 (i) circulated and completed in accordance with Section 20A-9-405; and

935 (ii) signed by at least two percent of the registered political party's members who reside
936 in the political division of the office that the person seeks.

937 (b) A candidate for elective office shall submit nomination petitions to the appropriate
938 filing officer for verification and certification no later than 5 p.m. on the final day in March.

939 Candidates may supplement their submissions at any time on or before the filing deadline.

940 (c) The lieutenant governor shall determine for each elective office the total number of
941 signatures that must be submitted under Subsection (3)(a)(ii) by counting the aggregate number
942 of persons residing in each elective office's political division who have designated a particular
943 registered political party on their voter registration forms as of November 1 of each
944 odd-numbered year. The lieutenant governor shall publish this determination for each elective
945 office no later than November 15 of each odd-numbered year.

946 (d) The filing officer shall:

947 (i) verify signatures on nomination petitions in a transparent and orderly manner;

948 (ii) for all qualifying candidates for elective office who submitted nomination petitions
949 to the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on
950 the first Monday after the third Saturday in April;

951 (iii) consider active and inactive voters eligible to sign nomination petitions;

952 (iv) consider a person who signs a nomination petition a member of a registered
953 political party for purposes of Subsection (3)(a)(ii) if the person has designated that registered
954 political party as ~~[their preferred party affiliation on their]~~ the person's party membership on the
955 person's voter registration form [prior to 5 p.m. on the final day in March]; and

956 (v) utilize procedures described in Section 20A-7-206.3 to verify submitted nomination
957 petition signatures, or use statistical sampling procedures to verify submitted nomination

958 petition signatures pursuant to rules ~~[issued by the lieutenant governor]~~ made under Subsection
959 (3)(f).

960 (e) Notwithstanding any other provision in this Subsection (3), a candidate for
961 lieutenant governor may appear on the regular primary ballot of a registered political party
962 without submitting nomination petitions if the candidate files a declaration of candidacy and
963 complies with Subsection [20A-9-202\(3\)](#).

964 ~~[(f) The lieutenant governor shall issue rules that]~~

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

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

968 (A) filing officers are required to use to verify signatures under Subsection (3)(d)[-
969 The statistical sampling procedures shall]; and

970 (B) reflect a bona fide effort to determine the validity of a candidate's entire
971 submission, using widely recognized statistical sampling techniques[. -The lieutenant governor
972 may also issue supplemental rules and guidance that]; and

973 (ii) provide for the transparent, orderly, and timely submission, verification, and
974 certification of nomination petition signatures.

975 (g) The county clerk shall:

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

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

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

983 (4) (a) By 5 p.m. on the first Wednesday after the third Saturday in April, the lieutenant
984 governor shall provide to the county clerks:

985 (i) a list of the names of all candidates for federal, constitutional, multi-county, and
986 county offices who have received certifications under Subsection (3), along with instructions
987 on how those names shall appear on the primary-election ballot in accordance with Section
988 [20A-6-305](#); and

989 (ii) a list of unopposed candidates for elective office who have been nominated by a
990 registered political party under Subsection (5)(c) and instruct the county clerks to exclude such
991 candidates from the primary-election ballot.

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

994 (c) After the county clerk receives the certified list from the lieutenant governor under
995 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
996 substantially the following form:

997 "Notice is given that a primary election will be held Tuesday, June ____,
998 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
999 local school board positions listed on the primary ballot. The polling place for voting precinct
1000 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.

1001 Attest: county clerk."

1002 (5) (a) Candidates, other than presidential candidates, receiving the highest number of
1003 votes cast for each office at the regular primary election are nominated by their registered
1004 political party for that office or are nominated as a candidate for a nonpartisan local school
1005 board position.

1006 (b) If two or more candidates, other than presidential candidates, are to be elected to
1007 the office at the regular general election, those party candidates equal in number to positions to
1008 be filled who receive the highest number of votes at the regular primary election are the
1009 nominees of their party for those positions.

1010 (c) A candidate who is unopposed for an elective office in the regular primary election
1011 of a registered political party is nominated by the party for that office without appearing on the
1012 primary ballot[~~, provided that the party has chosen to nominate unopposed candidates under~~
1013 ~~Subsection (2)(a)(iii)]. A candidate is "unopposed" if no person other than the candidate has
1014 received a certification under Subsection (3) for the regular primary election ballot of the
1015 candidate's registered political party for a particular elective office.~~

1016 (6) (a) When a tie vote occurs in any primary election for any national, state, or other
1017 office that represents more than one county, the governor, lieutenant governor, and attorney
1018 general shall, at a public meeting called by the governor and in the presence of the candidates
1019 involved, select the nominee by lot cast in whatever manner the governor determines.

1020 (b) When a tie vote occurs in any primary election for any county office, the district
1021 court judges of the district in which the county is located shall, at a public meeting called by
1022 the judges and in the presence of the candidates involved, select the nominee by lot cast in
1023 whatever manner the judges determine.

1024 (7) The expense of providing all ballots, blanks, or other supplies to be used at any
1025 primary election provided for by this section, and all expenses necessarily incurred in the
1026 preparation for or the conduct of that primary election shall be paid out of the treasury of the
1027 county or state, in the same manner as for the regular general elections.

1028 (8) An individual may not file a declaration of candidacy for a registered political party
1029 of which the individual is not a member, except to the extent that the registered political party
1030 permits otherwise under the registered political party's bylaws.

1031 Section 11. Section **20A-9-406** is amended to read:

1032 **20A-9-406. Qualified political party -- Requirements and exemptions.**

1033 The following provisions apply to a qualified political party:

1034 (1) the qualified political party shall [~~certify to the lieutenant governor~~], no later than 5
1035 p.m. on March 1 of each even-numbered year[~~:(a)~~], certify to the lieutenant governor the
1036 identity of one or more registered political parties whose members may vote for the qualified
1037 political party's candidates; [~~and~~]

1038 [~~(b) whether the qualified political party chooses to nominate unopposed candidates~~
1039 ~~without the names of the candidates appearing on the ballot, as described in Subsection~~
1040 ~~20A-9-403(5)(e);~~]

1041 (2) the provisions of Subsections [20A-9-403\(1\)](#) through [\(4\)\(a\)](#), Subsection
1042 [20A-9-403\(5\)\(c\)](#), and Section [20A-9-405](#) do not apply to a nomination for the qualified
1043 political party;

1044 (3) an individual may only [~~obtain a~~] seek the nomination [~~for~~] of the qualified
1045 political party by using a method described in Section [20A-9-407](#), Section [20A-9-408](#), or both;

1046 (4) the qualified political party shall comply with the provisions of Sections
1047 [20A-9-407](#), [20A-9-408](#), and [20A-9-409](#);

1048 (5) notwithstanding Subsection [20A-6-301\(1\)\(a\)](#), [\(1\)\(g\)](#), or [\(2\)\(a\)](#), each election officer
1049 shall ensure that a ballot described in Section [20A-6-301](#) includes each person nominated by a
1050 qualified political party [~~under Section [20A-9-407](#) or [20A-9-408](#)~~]:

- 1051 (a) under the qualified political party's name and emblem, if any; or
- 1052 (b) under the title of the qualified registered political party as designated by the
- 1053 qualified political party in the certification described in Subsection (1), or, if none is
- 1054 designated, then under some suitable title;
- 1055 (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for
- 1056 paper ballots in regular general elections, that each candidate who is nominated by the qualified
- 1057 political party is listed by party;
- 1058 (7) notwithstanding Subsection 20A-6-303(1)(g), each election officer shall ensure that
- 1059 the party designation of each candidate who is nominated by the qualified political party is
- 1060 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;
- 1061 (8) notwithstanding Subsection 20A-6-304(1)(g), each election officer shall ensure that
- 1062 the party designation of each candidate who is nominated by the qualified political party is
- 1063 displayed adjacent to the candidate's name on an electronic ballot;
- 1064 (9) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also
- 1065 includes an individual who files a declaration of candidacy under Section 20A-9-407 or
- 1066 20A-9-408 to run in a regular general election for a federal office, constitutional office,
- 1067 multicounty office, or county office;
- 1068 (10) an individual who is nominated by, or seeking the nomination of, the qualified
- 1069 political party is not required to comply with Subsection 20A-9-201(1)(c);
- 1070 (11) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled
- 1071 to have each of the qualified political party's candidates for elective office appear on the
- 1072 primary ballot of the qualified political party with an indication that each candidate is a
- 1073 candidate for the qualified political party;
- 1074 (12) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include
- 1075 on the list provided by the lieutenant governor to the county clerks:
- 1076 (a) the names of all candidates of the qualified political party for federal, constitutional,
- 1077 multicounty, and county offices; and
- 1078 (b) the names of unopposed candidates for elective office who have been nominated by
- 1079 the qualified political party and instruct the county clerks to exclude such candidates from the
- 1080 primary-election ballot;
- 1081 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an

1082 elective office in the regular primary election of the qualified political party is nominated by
1083 the party for that office without appearing on the primary ballot[~~-, provided that the party has~~
1084 ~~chosen to nominate unopposed candidates under Subsection 20A-9-403(2)(a)(iii)]; and~~

1085 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
1086 20A-9-405, the qualified political party is entitled to have the names of its candidates for
1087 elective office featured with party affiliation on the ballot at a regular general election.

1088 Section 12. Section 20A-9-407 is amended to read:

1089 **20A-9-407. Convention process to seek the nomination of a qualified political**
1090 **party.**

1091 (1) This section describes the requirements for a member of a qualified political party
1092 who is seeking the nomination of a qualified political party for an elective office through the
1093 qualified political party's convention [nomination] process.

1094 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
1095 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1096 the nomination of, the qualified political party under this section shall be substantially as
1097 [follows:] described in Section 20A-9-408.5.

1098 ["State of Utah, County of _____]

1099 [I, _____, declare my intention of becoming a candidate for the office of
1100 _____ as a candidate for the _____ party. I do solemnly swear that: I will meet the qualifications
1101 to hold the office, both legally and constitutionally, if selected; I reside at _____ in
1102 the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate
1103 any law governing campaigns and elections; I will file all campaign financial disclosure reports
1104 as required by law; and I understand that failure to do so will result in my disqualification as a
1105 candidate for this office and removal of my name from the ballot. The mailing address that I
1106 designate for receiving official election notices is

1107 _____
1108 _____.

1109 _____ Subscribed and sworn before me this _____ (month\day\year). Notary Public (or
1110 other officer qualified to administer oath)."]

1111 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
1112 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the

1113 nomination of the qualified political party for an elective office that is to be filled at the next
1114 general election, shall:

1115 (a) file a declaration of candidacy in person with the filing officer on or after the
1116 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1117 regular general election; and

1118 (b) pay the filing fee.

1119 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political
1120 party who, under this section, is seeking the nomination of the qualified political party for the
1121 office of district attorney within a multicounty prosecution district that is to be filled at the next
1122 general election shall:

1123 (a) file a declaration of candidacy with the county clerk designated in the interlocal
1124 agreement creating the prosecution district on or after the second Friday in March and before 5
1125 p.m. on the third Thursday in March before the next regular general election; and

1126 (b) pay the filing fee.

1127 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
1128 who files as the joint-ticket running mate of an individual who is nominated by a qualified
1129 political party, under this section, for the office of governor shall submit a letter from the
1130 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
1131 mate.

1132 (6) (a) A qualified political party that nominates a candidate under this section shall
1133 certify the name of the candidate to the lieutenant governor before 5 p.m. on the first Monday
1134 after the third Saturday in April.

1135 [~~6~~] (b) The lieutenant governor shall ensure that the certification described in
1136 Subsection 20A-9-701(1) also includes the name of each candidate nominated by a qualified
1137 political party under this section.

1138 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1139 is nominated by a qualified political party under this section, designate the qualified political
1140 party that nominated the candidate.

1141 Section 13. Section 20A-9-408 is amended to read:

1142 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
1143 **political party.**

1144 (1) This section describes the requirements for a member of a qualified political party
1145 who is seeking the nomination of the qualified political party for an elective office through the
1146 signature-gathering [~~nomination~~] process described in this section.

1147 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of
1148 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1149 the nomination of, the qualified political party under this section shall be substantially as
1150 [~~follows:~~] described in Section 20A-9-408.5.

1151 ["State of Utah, County of _____
1152 _____ I, _____, declare my intention of becoming a candidate for the office of
1153 _____ as a candidate for the _____ party. I do solemnly swear that: I will meet the qualifications
1154 to hold the office, both legally and constitutionally, if selected; I reside at _____ in
1155 the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate
1156 any law governing campaigns and elections; I will file all campaign financial disclosure reports
1157 as required by law; and I understand that failure to do so will result in my disqualification as a
1158 candidate for this office and removal of my name from the ballot. The mailing address that I
1159 designate for receiving official election notices is

1160 _____
1161 _____.

1162 _____ Subscribed and sworn before me this _____ (month\day\year). Notary Public (or
1163 other officer qualified to administer oath)."]

1164 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
1165 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the
1166 nomination of the qualified political party for an elective office that is to be filled at the next
1167 general election shall:

1168 (a) within the period beginning on January 1 before the next regular general election
1169 and ending on the third Thursday in March of the same year, and before gathering signatures
1170 under this section, file with the filing officer on a form approved by the lieutenant governor a
1171 notice of intent to gather signatures for candidacy that includes:

1172 (i) the name of the member who will attempt to become a candidate for a registered
1173 political party under this section;

1174 (ii) the name of the registered political party for which the member is seeking

1175 nomination;

1176 (iii) the office for which the member is seeking to become a candidate;

1177 (iv) the address and telephone number of the member; and

1178 (v) other information required by the lieutenant governor;

1179 (b) file a declaration of candidacy, in person, with the filing officer on or after the

1180 second Friday in March and before 5 p.m. on the third Thursday in March before the next

1181 regular general election; and

1182 (c) pay the filing fee.

1183 (4) Notwithstanding Subsection [20A-9-202\(2\)\(a\)](#), a member of a qualified political

1184 party who, under this section, is seeking the nomination of the qualified political party for the

1185 office of district attorney within a multicounty prosecution district that is to be filled at the next

1186 general election shall:

1187 (a) on or after January 1 before the next regular general election, and before gathering

1188 signatures under this section, file with the filing officer on a form approved by the lieutenant

1189 governor a notice of intent to gather signatures for candidacy that includes:

1190 (i) the name of the member who will attempt to become a candidate for a registered

1191 political party under this section;

1192 (ii) the name of the registered political party for which the member is seeking

1193 nomination;

1194 (iii) the office for which the member is seeking to become a candidate;

1195 (iv) the address and telephone number of the member; and

1196 (v) other information required by the lieutenant governor;

1197 (b) file a declaration of candidacy, in person, with the filing officer on or after the

1198 second Friday in March and before 5 p.m. on the third Thursday in March before the next

1199 regular general election; and

1200 (c) pay the filing fee.

1201 (5) Notwithstanding Subsection [20A-9-202\(3\)\(a\)\(iii\)](#), a lieutenant governor candidate

1202 who files as the joint-ticket running mate of an individual who is nominated by a qualified

1203 political party, under this section, for the office of governor shall submit a letter from the

1204 candidate for governor that names the lieutenant governor candidate as a joint-ticket running

1205 mate.

1206 (6) The lieutenant governor shall ensure that the certification described in Subsection
1207 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
1208 under this section.

1209 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1210 is nominated by a qualified political party under this section, designate the qualified political
1211 party that nominated the candidate.

1212 (8) A member of a qualified political party may seek the nomination of the qualified
1213 political party for an elective office by:

1214 (a) complying with the requirements described in this section; and

1215 (b) collecting signatures, on a form approved by the lieutenant [~~governor's office~~]
1216 governor, during the period beginning on January 1 of an even-numbered year and ending 14
1217 days before the day on which the qualified political party's convention for the office is held, in
1218 the following amounts:

1219 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
1220 permitted by the qualified political party to vote for the qualified political party's candidates in
1221 a primary election;

1222 (ii) for a congressional district race, 7,000 signatures of registered voters who are
1223 residents of the congressional district and are permitted by the qualified political party to vote
1224 for the qualified political party's candidates in a primary election;

1225 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1226 residents of the state Senate district and are permitted by the qualified political party to vote for
1227 the qualified political party's candidates in a primary election;

1228 (iv) for a state House district race, 1,000 signatures of registered voters who are
1229 residents of the state House district and are permitted by the qualified political party to vote for
1230 the qualified political party's candidates in a primary election; and

1231 (v) for a county office race, signatures of 3% of the registered voters who are residents
1232 of the area permitted to vote for the county office and are permitted by the qualified political
1233 party to vote for the qualified political party's candidates in a primary election.

1234 (9) (a) In order for a member of the qualified political party to qualify as a candidate
1235 for the qualified political party's nomination for an elective office under this section, the
1236 member shall:

1237 (i) collect the signatures on a form approved by the lieutenant [~~governor's office~~]
1238 governor, using the same circulation and verification requirements described in Sections
1239 [~~20A-7-304 and 20A-7-305~~] 20A-7-204 and 20A-7-205; and

1240 (ii) submit the signatures to the election officer no later than 14 days before the day on
1241 which the qualified political party holds its convention to select candidates, for the elective
1242 office, for the qualified political party's nomination.

1243 (b) An individual may not gather signatures under this section until after the individual
1244 files a notice of intent to gather signatures for candidacy described in this section.

1245 (c) An individual who files a notice of intent to gather signatures for candidacy,
1246 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
1247 the notice of intent to gather signatures for candidacy:

1248 (i) required to comply with the reporting requirements that a candidate for office is
1249 required to comply with; and

1250 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1251 apply to a candidate for office in relation to the reporting requirements described in Subsection
1252 (9)(c)(i).

1253 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
1254 election officer shall, no later than one day before the day on which the qualified political party
1255 holds the convention to select a nominee for the elective office to which the signature packets
1256 relate:

1257 (i) check the name of each individual who completes the verification for a signature
1258 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

1259 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a
1260 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

1261 (iii) determine whether each signer is a registered voter who is qualified to sign the
1262 petition, using the same method, described in Section 20A-7-206.3, used to verify a signature
1263 on a petition;

1264 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1265 signature packet; and

1266 (v) notify the qualified political party and the lieutenant governor of the name of each
1267 member of the qualified political party who qualifies as a nominee of the qualified political

1268 party, under this section, for the elective office to which the convention relates.

1269 (e) Upon receipt of a notice of intent to gather signatures for candidacy described in
1270 this section, the lieutenant governor shall post the notice of intent to gather signatures for
1271 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
1272 posts a declaration of candidacy.

1273 Section 14. Section **20A-9-408.5** is enacted to read:

1274 **20A-9-408.5. Declaration of candidacy form for qualified political party.**

1275 The declaration of candidacy form described in Sections [20A-9-407](#) and [20A-9-408](#)

1276 shall:

1277 (1) be substantially as follows:

1278 "State of Utah, County of _____

1279 I, _____, declare my intention of becoming a candidate for the office of
1280 _____ as a candidate for the _____ party. I do solemnly swear that: I will meet the qualifications
1281 to hold the office, both legally and constitutionally, if selected; I reside at _____ in
1282 the City or Town of _____, Utah, Zip Code _____, Phone No. _____; I will not knowingly violate
1283 any law governing campaigns and elections; I will file all campaign financial disclosure reports
1284 as required by law; and I understand that failure to do so will result in my disqualification as a
1285 candidate for this office and removal of my name from the ballot. The mailing address that I
1286 designate for receiving official election notices is

1287 _____

1288 _____.

1289 Subscribed and sworn before me this _____ (month\day\year). Notary Public (or
1290 other officer qualified to administer oath).";

1291 (2) direct the candidate to state, in the sworn statement described in Subsection (1):

1292 (a) the registered political party of which the candidate is a member; or

1293 (b) that the candidate is not a member of a registered political party; and

1294 (3) direct the candidate to indicate whether the candidate is seeking the nomination

1295 using:

1296 (a) the convention process described in Section [20A-9-407](#);

1297 (b) the signature-gathering process described in Section [20A-9-408](#); or

1298 (c) both processes described in Subsections (3)(a) and (b).

1299 Section 15. Section **20A-9-411** is enacted to read:

1300 **20A-9-411. Signing multiple nomination petitions.**

1301 An individual who signs a petition, described in Section [20A-9-403](#) or [20A-9-408](#), to
1302 nominate a candidate may also sign a petition to nominate another candidate for the same
1303 office if the individual is otherwise eligible to sign the petition.

1304 Section 16. Section **20A-9-701** is amended to read:

1305 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1306 (1) No later than August 31 of each regular general election year, the lieutenant
1307 governor shall certify to each county clerk, for offices to be voted upon at the regular general
1308 election in that county clerk's county:

1309 (a) the names of each candidate nominated under Subsection [20A-9-202\(4\)](#) or
1310 Subsection [20A-9-403\(5\)](#) [~~for offices to be voted upon at the regular general election in that~~
1311 ~~county clerk's county.]; and~~

1312 (b) the names of the candidates for president and vice president that are certified by the
1313 registered political party as the party's nominees.

1314 (2) The names shall be certified by the lieutenant governor and shall be displayed on
1315 the ballot as they are provided on the candidate's declaration of candidacy. No other names
1316 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
1317 political party, political party, or other political group.

Legislative Review Note
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