

**REVISIONS TO ELECTIONS LAW**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Fred C. Cox**

Senate Sponsor: Scott K. Jenkins

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to elections.

**Highlighted Provisions:**

This bill:

- ▶ provides that, for the 2016 primary elections only, a registered political party that chooses to become a qualified political party will select the party's nominees using, initially, only the convention process and will participate in the primary process only to the extent that the qualified political party designates more than one nominee for one office to participate in the primary process; and

- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

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

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

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

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



28 20A-9-408, as enacted by Laws of Utah 2014, Chapter 17  
29 63I-2-220, as last amended by Laws of Utah 2014, Chapter 3

30 ENACTS:

31 20A-9-405.5, Utah Code Annotated 1953  
32 20A-9-411, Utah Code Annotated 1953



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

35 Section 1. Section 20A-5-101 is amended to read:

36 **20A-5-101. Notice of election.**

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

- 39 (a) designates the offices to be filled at the next year's regular general election;
- 40 (b) identifies the dates for filing a declaration of candidacy, and for submitting and  
41 certifying nomination petition signatures under ~~[Section]~~ Sections 20A-9-403, 20A-9-407,  
42 20A-9-408, and 20A-9-411 for those offices;

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

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

47 (2) (a) No later than November 15 in the year before the regular general election year,  
48 each county clerk shall:

49 (i) publish a notice:

- 50 (A) once in a newspaper published in that county; and
- 51 (B) as required in Section 45-1-101; or

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

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

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

- 57 (i) designate the offices to be voted on in that election; and
- 58 (ii) identify the dates for filing a declaration of candidacy for those offices.

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

60 (a) the date and place of election;

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

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

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

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

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

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

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

70 Section 2. Section 20A-9-101 is amended to read:

71 **20A-9-101. Definitions.**

72 As used in this chapter:

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

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

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

78 (ii) presidential elector;

79 (iii) any political party offices; and

80 (iv) municipal or local district offices.

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

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

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

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

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

88 (ii) the office of presidential elector;

89 (iii) any political party offices;

- 90 (iv) any municipal or local district offices; and
- 91 (v) the office of United States Senator and United States Representative.
- 92 (5) "Federal office" means an elective office for United States Senator and United
- 93 States Representative.
- 94 (6) "Filing officer" means:
- 95 (a) the lieutenant governor, for:
- 96 (i) the office of United States Senator and United States Representative; and
- 97 (ii) all constitutional offices;
- 98 (b) the county clerk, for county offices and local school district offices, and the county
- 99 clerk in the filer's county of residence, for multicounty offices;
- 100 (c) the city or town clerk, for municipal offices; and
- 101 (d) the local district clerk, for local district offices.
- 102 (7) "Local district office" means an elected office in a local district.
- 103 (8) "Local government office" includes county offices, municipal offices, and local
- 104 district offices and other elective offices selected by the voters from a political division entirely
- 105 within one county.
- 106 (9) (a) "Multicounty office" means an elective office where the office holder is selected
- 107 by the voters from more than one county.
- 108 (b) "Multicounty office" does not mean:
- 109 (i) a county office;
- 110 (ii) a federal office;
- 111 (iii) the office of justice or judge of any court of record or not of record;
- 112 (iv) the office of presidential elector;
- 113 (v) any political party offices; and
- 114 (vi) any municipal or local district offices.
- 115 (10) "Municipal office" means an elective office in a municipality.
- 116 (11) (a) "Political division" means a geographic unit from which an office holder is
- 117 elected and that an office holder represents.
- 118 (b) "Political division" includes a county, a city, a town, a local district, a school
- 119 district, a legislative district, and a county prosecution district.
- 120 (12) (a) "Qualified political party," until January 1, 2017, means a registered political

121 party that, no later than 5 p.m. on the last Tuesday of September in an odd-numbered year,  
122 notifies the lieutenant governor, in writing, that the party will:

123 (i) nominate all party candidates through a convention process; and  
124 (ii) only use the primary election process, at the option of the party, to allow voters in  
125 one or more of the following groups to choose between two or more candidates designated by  
126 the party:

127 (A) members of the registered political party;

128 (B) members of one or more parties other than the registered political party; or

129 (C) unaffiliated voters.

130 (b) "Qualified political party," beginning on January 1, 2017, means a registered  
131 political party that:

132 ~~[(a)]~~ (i) permits voters who are unaffiliated with any political party to vote for the  
133 registered political party's candidates in a primary election;

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

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

138 ~~[(c)]~~ (iii) does not hold the registered political party's convention before April 1 of an  
139 even-numbered year;

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

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

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

147 ~~[(e)]~~ (v) no later than 5 p.m. on September 30 of an odd-numbered year, certifies to the  
148 lieutenant governor that, for the election in the following year, the registered political party  
149 intends to nominate the registered political party's candidates in accordance with the provisions  
150 of Sections 20A-9-407 and 20A-9-408.

151 Section 3. Section 20A-9-405.5 is enacted to read:

152 **20A-9-405.5. Qualified political party -- Requirements and exemptions.**153 The following provisions apply to a qualified political party:154 (1) the qualified political party shall certify to the lieutenant governor no later than 5  
155 p.m. on March 1 of each even-numbered year:156 (a) the identity of one or more registered political parties whose members may vote for  
157 the qualified political party's candidates in a primary election;158 (b) whether the qualified political party will permit unaffiliated voters to vote for the  
159 qualified political party's candidates in a primary election; and160 (c) whether the qualified political party chooses to nominate unopposed candidates  
161 without the names of the candidates appearing on the ballot, as described in Subsection162 20A-9-403(5)(c);163 (2) the provisions of Subsections 20A-9-403(1) through (4)(a), Subsection  
164 20A-9-403(5)(c), and Section 20A-9-405 do not apply to a nomination for the qualified  
165 political party;166 (3) an individual may only obtain a nomination for the qualified political party by using  
167 the method described in Section 20A-9-411;168 (4) the qualified political party shall comply with the provisions of Section 20A-9-411;169 (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(g), or (2)(a), each election officer  
170 shall ensure that a ballot described in Section 20A-6-301 includes each person nominated by a  
171 qualified political party under Section 20A-9-411:172 (a) under the qualified political party's name and emblem, if any; or173 (b) under the title of the qualified registered political party as designated by the  
174 qualified political party in the certification described in Subsection (1), or, if none is  
175 designated, then under some suitable title;176 (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for  
177 paper ballots in regular general elections, that each candidate who is nominated by the qualified  
178 political party is listed by party;179 (7) notwithstanding Subsection 20A-6-303(1)(g), each election officer shall ensure that  
180 the party designation of each candidate who is nominated by the qualified political party is  
181 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;182 (8) notwithstanding Subsection 20A-6-304(1)(g), each election officer shall ensure that

183 the party designation of each candidate who is nominated by the qualified political party is  
184 displayed adjacent to the candidate's name on an electronic ballot;

185 (9) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also  
186 includes an individual who files a declaration of candidacy under Section 20A-9-411 to run in a  
187 regular general election for a federal office, constitutional office, multicounty office, or county  
188 office;

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

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

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

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

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

202 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an  
203 elective office in the regular primary election of the qualified political party is nominated by  
204 the party for that office without appearing on the primary ballot, provided that the party has  
205 chosen to nominate unopposed candidates under Subsection 20A-9-403(2)(a)(iii); and

206 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section  
207 20A-9-405, the qualified political party is entitled to have the names of its candidates for  
208 elective office featured with party affiliation on the ballot at a regular general election.

209 Section 4. Section 20A-9-406 is amended to read:

210 **20A-9-406. Qualified political party -- Requirements and exemptions.**

211 [The] Beginning on January 1, 2017, the following provisions apply to a qualified  
212 political party:

213 (1) the qualified political party shall certify to the lieutenant governor no later than 5

214 p.m. on March 1 of each even-numbered year:

215 (a) the identity of one or more registered political parties whose members may vote for  
216 the qualified political party's candidates; and

217 (b) whether the qualified political party chooses to nominate unopposed candidates  
218 without the names of the candidates appearing on the ballot~~[, as described in Subsection~~  
219 ~~20A-9-403(5)(c)]~~;

220 (2) the provisions of Subsections 20A-9-403(1) through (4)(a), Subsection  
221 20A-9-403(5)(c), and Section 20A-9-405 do not apply to a nomination for the qualified  
222 political party;

223 (3) an individual may only obtain a nomination for the qualified political party by using  
224 a method described in Section 20A-9-407, Section 20A-9-408, or both;

225 (4) the qualified political party shall comply with the provisions of Sections  
226 20A-9-407, 20A-9-408, and 20A-9-409;

227 (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(g), or (2)(a), each election officer  
228 shall ensure that a ballot described in Section 20A-6-301 includes each person nominated by a  
229 qualified political party under Section 20A-9-407 or 20A-9-408:

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

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

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

237 (7) notwithstanding Subsection 20A-6-303(1)(g), each election officer shall ensure that  
238 the party designation of each candidate who is nominated by the qualified political party is  
239 printed immediately adjacent to the candidate's name on ballot sheets or ballot labels;

240 (8) notwithstanding Subsection 20A-6-304(1)(g), each election officer shall ensure that  
241 the party designation of each candidate who is nominated by the qualified political party is  
242 displayed adjacent to the candidate's name on an electronic ballot;

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



245 20A-9-408 to run in a regular general election for a federal office, constitutional office,  
246 multicounty office, or county office;

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

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

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

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

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

260 (13) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an  
261 elective office in the regular primary election of the qualified political party is nominated by  
262 the party for that office without appearing on the primary ballot, provided that the party has  
263 chosen to nominate unopposed candidates under Subsection 20A-9-403(2)(a)(iii); and

264 (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section  
265 20A-9-405, the qualified political party is entitled to have the names of its candidates for  
266 elective office featured with party affiliation on the ballot at a regular general election.

267 Section 5. Section 20A-9-407 is amended to read:

268 **20A-9-407. Applicable beginning on January 1, 2017 -- Convention nomination**  
269 **process for qualified political party.**

270 (1) The provisions of this section apply to a qualified political party beginning on  
271 January 1, 2017.

272 ~~(1)~~ (2) This section describes the requirements, beginning on January 1, 2017, for a  
273 member of a qualified political party who is seeking the nomination of a qualified political  
274 party for an elective office through the qualified political party's convention nomination  
275 process.

276 [~~3~~] (3) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of  
277 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
278 the nomination of, the qualified political party under this section shall be substantially as  
279 follows:

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

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

293 [~~3~~] (4) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in  
294 Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is  
295 seeking the nomination of the qualified political party for an elective office that is to be filled at  
296 the next general election, shall:

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

300 (b) pay the filing fee.

301 [~~4~~] (5) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified  
302 political party who, under this section, is seeking the nomination of the qualified political party  
303 for the office of district attorney within a multicounty prosecution district that is to be filled at  
304 the next general election shall:

305 (a) file a declaration of candidacy with the county clerk designated in the interlocal  
306 agreement creating the prosecution district on or after the second Friday in March and before 5

307 p.m. on the third Thursday in March before the next regular general election; and

308 (b) pay the filing fee.

309 [~~(5)~~] (6) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor  
310 candidate who files as the joint-ticket running mate of an individual who is nominated by a  
311 qualified political party, under this section, for the office of governor shall submit a letter from  
312 the candidate for governor that names the lieutenant governor candidate as a joint-ticket  
313 running mate.

314 [~~(6)~~] (7) The lieutenant governor shall ensure that the certification described in  
315 Subsection 20A-9-701(1) also includes the name of each candidate nominated by a qualified  
316 political party under this section.

317 [~~(7)~~] (8) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate  
318 who is nominated by a qualified political party under this section, designate the qualified  
319 political party that nominated the candidate.

320 Section 6. Section 20A-9-408 is amended to read:

321 **20A-9-408. Applicable beginning on January 1, 2017 -- Signature-gathering**  
322 **nomination process for qualified political party.**

323 (1) The provisions of this section apply to a qualified political party beginning on  
324 January 1, 2017.

325 [~~(1)~~] (2) This section describes the requirements, beginning on January 1, 2017, for a  
326 member of a qualified political party who is seeking the nomination of the qualified political  
327 party for an elective office through the signature-gathering nomination process described in this  
328 section.

329 [~~(2)~~] (3) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of  
330 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
331 the nomination of, the qualified political party under this section shall be substantially as  
332 follows:

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

334 I, \_\_\_\_\_, declare my intention of becoming a candidate for the office of  
335 \_\_\_\_\_ as a candidate for the \_\_\_\_\_ party. I do solemnly swear that: I will meet the qualifications  
336 to hold the office, both legally and constitutionally, if selected; I reside at \_\_\_\_\_ in  
337 the City or Town of \_\_\_\_\_, Utah, Zip Code \_\_\_\_\_, Phone No. \_\_\_\_\_; I will not knowingly violate

338 any law governing campaigns and elections; I will file all campaign financial disclosure reports  
339 as required by law; and I understand that failure to do so will result in my disqualification as a  
340 candidate for this office and removal of my name from the ballot. The mailing address that I  
341 designate for receiving official election notices is

342 \_\_\_\_\_  
343 \_\_\_\_\_.

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

346 [~~3~~] (4) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in  
347 Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is  
348 seeking the nomination of the qualified political party for an elective office that is to be filled at  
349 the next general election shall:

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

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

356 (ii) the name of the registered political party for which the member is seeking  
357 nomination;

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

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

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

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

364 (c) pay the filing fee.

365 [~~4~~] (5) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified  
366 political party who, under this section, is seeking the nomination of the qualified political party  
367 for the office of district attorney within a multicounty prosecution district that is to be filled at  
368 the next general election shall:

369 (a) on or after January 1 before the next regular general election, and before gathering  
370 signatures under this section, file with the filing officer on a form approved by the lieutenant  
371 governor a notice of intent to gather signatures for candidacy that includes:

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

374 (ii) the name of the registered political party for which the member is seeking  
375 nomination;

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

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

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

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

382 (c) pay the filing fee.

383 ~~[(5)]~~ (6) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor  
384 candidate who files as the joint-ticket running mate of an individual who is nominated by a  
385 qualified political party, under this section, for the office of governor shall submit a letter from  
386 the candidate for governor that names the lieutenant governor candidate as a joint-ticket  
387 running mate.

388 ~~[(6)]~~ (7) The lieutenant governor shall ensure that the certification described in  
389 Subsection 20A-9-701(1) also includes the name of each candidate nominated by a qualified  
390 political party under this section.

391 ~~[(7)]~~ (8) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate  
392 who is nominated by a qualified political party under this section, designate the qualified  
393 political party that nominated the candidate.

394 ~~[(8)]~~ (9) A member of a qualified political party may seek the nomination of the  
395 qualified political party for an elective office by:

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

397 (b) collecting signatures, on a form approved by the lieutenant governor's office, during  
398 the period beginning on January 1 of an even-numbered year and ending 14 days before the day  
399 on which the qualified political party's convention for the office is held, in the following

400 amounts:

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

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

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

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

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

416 ~~[(9)]~~ (10) (a) In order for a member of the qualified political party to qualify as a  
417 candidate for the qualified political party's nomination for an elective office under this section,  
418 the member shall:

419 (i) collect the signatures on a form approved by the lieutenant governor's office, using  
420 the same circulation and verification requirements described in Sections [20A-7-304](#) and  
421 [20A-7-305](#); and

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

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

427 (c) An individual who files a notice of intent to gather signatures for candidacy,  
428 described in Subsection ~~[(3)(a) or]~~ (4)(a) or (5)(a), is, beginning on the day on which the  
429 individual files the notice of intent to gather signatures for candidacy:

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

431 required to comply with; and

432 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
433 apply to a candidate for office in relation to the reporting requirements described in Subsection  
434 ~~[(9)]~~ (10)(c)(i).

435 (d) Upon timely receipt of the signatures described in Subsections ~~[(8)]~~ (9) and ~~[(9)]~~  
436 (10)(a), the election officer shall, no later than one day before the day on which the qualified  
437 political party holds the convention to select a nominee for the elective office to which the  
438 signature packets relate:

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

441 (ii) submit the name of each individual described in Subsection ~~[(9)]~~ (10)(d)(i) who is  
442 not a Utah resident or who is not at least 18 years old to the attorney general and the county  
443 attorney;

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

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

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

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

456 Section 7. Section **20A-9-411** is enacted to read:

457 **20A-9-411. Convention nomination process for qualified political party for the**  
458 **2016 primary elections.**

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

462 (2) Notwithstanding Subsection 20A-9-201(4)(a), the form of the declaration of  
463 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
464 the nomination of, the qualified political party under this section shall be substantially as  
465 follows:

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

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

479 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection  
480 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the  
481 nomination of the qualified political party for an elective office that is to be filled at the next  
482 general election, shall:

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

486 (b) pay the filing fee.

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

491 (a) file a declaration of candidacy with the county clerk designated in the interlocal  
492 agreement creating the prosecution district on or after the second Friday in March and before 5



493 p.m. on the third Thursday in March before the next regular general election; and

494 (b) pay the filing fee.

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

500 (6) The lieutenant governor shall ensure that the certification described in Subsection  
 501 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party  
 502 under this section.

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

506 Section 8. Section **63I-2-220** is amended to read:

507 **63I-2-220. Repeal dates, Title 20A.**

508 (1) Section 20A-3-704 is repealed January 1, 2016.

509 (2) Section 20A-5-410 is repealed January 1, 2016.

510 [~~(3)(a) Subsection 20A-7-101(1)(a)(i), the language that states "of the first class" and~~  
 511 ~~"; or" is repealed January 1, 2015.~~]

512 [~~(b) Subsection 20A-7-101(1)(a)(ii), the language that states "for a county not~~  
 513 ~~described in Subsection (1)(a)(i), a person designated as budget officer in Section 17-19-19" is~~  
 514 ~~repealed January 1, 2015.~~]

515 [~~(4) Section 20A-9-403.1 is repealed on January 1, 2015.~~]

516 (3) Section 20A-9-405.5 is repealed on January 1, 2017.

517 (4) Section 20A-9-411 is repealed on January 1, 2017.

**Legislative Review Note**  
 as of 2-2-15 6:03 PM

**Office of Legislative Research and General Counsel**