

**ELECTION NOTICE AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Margaret Dayton**

House Sponsor: Jack R. Draxler

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**LONG TITLE**

**General Description:**

This bill amends provisions related to election notice requirements.

**Highlighted Provisions:**

This bill:

- ▶ clarifies the manner in which notice of certain election information is required to be given; and
- ▶ provides an option for providing the election notice by publication in a newspaper or by mail to each registered voter who resides in the area to which the election pertains.

**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 2015, Chapter 296

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

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

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

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

- 30 (a) designates the offices to be filled at the next year's regular general election;
- 31 (b) identifies the dates for filing a declaration of candidacy, and for submitting and  
32 certifying nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407,  
33 and 20A-9-408 for those offices;
- 34 (c) includes the master ballot position list for the next year and the year following as  
35 established under Section 20A-6-305; and
- 36 (d) contains a description of any ballot propositions to be decided by the voters that  
37 have qualified for the ballot as of that date.
- 38 (2) (a) No later than seven business days after the day on which the lieutenant governor  
39 transmits the written notice described in Subsection (1), each county clerk shall:
  - 40 (i) publish a notice:
    - 41 (A) once in a newspaper published in that county; and
    - 42 (B) as required in Section 45-1-101; or
  - 43 (ii) (A) cause a copy of the notice to be posted in a conspicuous place most likely to  
44 give notice of the election to the voters in each voting precinct within the county; and
  - 45 (B) prepare an affidavit of that posting, showing a copy of the notice and the places  
46 where the notice was posted.
- 47 (b) The notice required by Subsection (2)(a) shall:
  - 48 (i) designate the offices to be voted on in that election; and
  - 49 (ii) identify the dates for filing a declaration of candidacy for those offices.
- 50 (3) Before each election, the election officer shall give [~~written or~~] printed notice of the  
51 following information, or printed notice of a website where the following information can be  
52 obtained:
  - 53 (a) the date and place of election;
  - 54 (b) the hours during which the polls will be open;
  - 55 (c) the polling places for each voting precinct;
  - 56 (d) an election day voting center designated under Section 20A-3-703; and
  - 57 (e) the qualifications for persons to vote in the election.

58 (4) To provide the printed notice [~~required by~~] described in Subsection (3), the election  
59 officer shall:

60 (a) publish the notice at least two days before [~~the~~] election day:

61 [~~(a)~~] (i) in a newspaper of general circulation common to the area [~~or in~~] to which the  
62 election [~~is being held~~] pertains; and

63 [~~(b)~~] (ii) as required in Section 45-1-101[:]; or

64 (b) mail the notice to each registered voter who resides in the area to which the election  
65 pertains at least five days before election day.