

1 **STATE EDUCATION GOVERNANCE REVISIONS**

2 2016 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Alvin B. Jackson**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions relating to the State Board of Education and other
10 provisions relating to the governance of education in Utah.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ provides that, subject to passage of a certain constitutional amendment relating to
15 the selection of a State Board of Education, the State Board of Education will
16 consist of 13 members, including four members elected in a partisan election, four
17 members elected in a nonpartisan election, and five nonpartisan members appointed
18 by the governor with the consent of the Senate;
- 19 ▶ provides that one partisan and one nonpartisan State Board of Education member
20 will be elected from each congressional district;
- 21 ▶ establishes residency and other requirements relating to a State Board of Education
22 member;
- 23 ▶ establishes procedures and requirements relating to the election and appointment of
24 State Board of Education members;
- 25 ▶ establishes campaign finance and conflict reporting requirements;
- 26 ▶ enacts provisions relating to filling midterm vacancies; and
- 27 ▶ makes technical and conforming changes.



28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **20A-1-102**, as last amended by Laws of Utah 2015, Chapters 296, 352, and 392

35 **20A-1-201**, as last amended by Laws of Utah 2014, Chapter 362

36 **20A-1-201.5**, as last amended by Laws of Utah 2015, Chapters 296 and 352

37 **20A-2-101.5**, as last amended by Laws of Utah 2013, Chapter 263

38 **20A-6-301**, as last amended by Laws of Utah 2015, Chapter 392

39 **20A-6-302**, as last amended by Laws of Utah 2014, Chapter 17

40 **20A-6-303**, as last amended by Laws of Utah 2015, Chapter 296

41 **20A-6-304**, as last amended by Laws of Utah 2015, Chapter 296

42 **20A-9-201**, as last amended by Laws of Utah 2015, Chapter 296

43 **20A-9-202**, as last amended by Laws of Utah 2015, Chapter 296

44 **20A-9-403**, as last amended by Laws of Utah 2015, Chapter 296

45 **20A-9-407**, as last amended by Laws of Utah 2015, Chapter 296

46 **20A-9-408**, as last amended by Laws of Utah 2015, Chapter 296

47 **20A-9-701**, as last amended by Laws of Utah 2015, Chapter 296

48 **20A-11-101**, as last amended by Laws of Utah 2015, Chapters 21, 26, 352, and 388

49 **20A-11-403**, as last amended by Laws of Utah 2013, Chapter 420

50 **20A-11-1005**, as last amended by Laws of Utah 2013, Chapter 252

51 **20A-11-1301**, as last amended by Laws of Utah 2015, Chapters 21 and 127

52 **20A-11-1302**, as last amended by Laws of Utah 2011, Chapter 347

53 **20A-11-1303**, as last amended by Laws of Utah 2015, Chapter 204

54 **20A-11-1304**, as enacted by Laws of Utah 1997, Chapter 355

55 **20A-11-1305**, as last amended by Laws of Utah 2015, Chapter 204

56 **20A-14-101.1**, as last amended by Laws of Utah 2013, Chapter 455

57 **20A-14-103**, as last amended by Laws of Utah 2011, Third Special Session, Chapter 3

58 **20A-14-104**, as last amended by Laws of Utah 2004, Chapter 19

59 **53A-1-201**, as last amended by Laws of Utah 2015, Chapter 415

60 **63I-1-220**, as last amended by Laws of Utah 2014, Chapter 231

61 ENACTS:

62 **20A-14-104.5**, Utah Code Annotated 1953

63 REPEALS AND REENACTS:

64 **20A-1-507**, as enacted by Laws of Utah 1993, Chapter 1

65 REPEALS:

66 **20A-14-102**, as last amended by Laws of Utah 2013, Chapter 455

67 **20A-14-102.1**, as last amended by Laws of Utah 2013, Chapter 455

68 **20A-14-102.2**, as last amended by Laws of Utah 2013, Chapter 455

69 **20A-14-102.3**, as last amended by Laws of Utah 2013, Chapter 455

70 **20A-14-105**, as last amended by Laws of Utah 2011, Chapters 292, 327, 335 and last
71 amended by Coordination Clause, Laws of Utah 2011, Chapter 327

72 **20A-14-106**, as enacted by Laws of Utah 1995, Chapter 1



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

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

76 **20A-1-102. Definitions.**

77 As used in this title:

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

80 (2) "Appointed State Board of Education member" means a nonpartisan, at-large State
81 Board of Education member who is appointed by the governor, with the consent of the Senate,
82 in accordance with Subsection **53A-1-201(1)(c)**.

83 [~~(2)~~] (3) "Automatic tabulating equipment" means apparatus that automatically
84 examines and counts votes recorded on paper ballots or ballot sheets and tabulates the results.

85 [~~(3)~~] (4) (a) "Ballot" means the storage medium, whether paper, mechanical, or
86 electronic, upon which a voter records the voter's votes.

87 (b) "Ballot" includes ballot sheets, paper ballots, electronic ballots, and secrecy
88 envelopes.

89 [~~(4)~~] (5) "Ballot label" means the cards, papers, booklet, pages, or other materials that:

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

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

93 ~~[(5)]~~ (6) "Ballot proposition" means a question, issue, or proposal that is submitted to
94 voters on the ballot for their approval or rejection including:

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

96 (b) a constitutional amendment;

97 (c) an initiative;

98 (d) a referendum;

99 (e) a bond proposition;

100 (f) a judicial retention question;

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

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

103 ~~[(6)]~~ (7) "Ballot sheet":

104 (a) means a ballot that:

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

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

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

108 ~~[(7)]~~ (8) "Bind," "binding," or "bound" means securing more than one piece of paper
109 together with a staple or stitch in at least three places across the top of the paper in the blank
110 space reserved for securing the paper.

111 ~~[(8)]~~ (9) "Board of canvassers" means the entities established by Sections [20A-4-301](#)
112 and [20A-4-306](#) to canvass election returns.

113 ~~[(9)]~~ (10) "Bond election" means an election held for the purpose of approving or
114 rejecting the proposed issuance of bonds by a government entity.

115 ~~[(10)]~~ (11) "Book voter registration form" means voter registration forms contained in
116 a bound book that are used by election officers and registration agents to register persons to
117 vote.

118 ~~[(11)]~~ (12) "Business reply mail envelope" means an envelope that may be mailed free
119 of charge by the sender.

120 ~~[(12)]~~ (13) "By-mail voter registration form" means a voter registration form designed

121 to be completed by the voter and mailed to the election officer.

122 ~~[(13)]~~ (14) "Canvass" means the review of election returns and the official declaration
123 of election results by the board of canvassers.

124 ~~[(14)]~~ (15) "Canvassing judge" means a poll worker designated to assist in counting
125 ballots at the canvass.

126 ~~[(15)]~~ (16) "Contracting election officer" means an election officer who enters into a
127 contract or interlocal agreement with a provider election officer.

128 ~~[(16)]~~ (17) "Convention" means the political party convention at which party officers
129 and delegates are selected.

130 ~~[(17)]~~ (18) "Counting center" means one or more locations selected by the election
131 officer in charge of the election for the automatic counting of ballots.

132 ~~[(18)]~~ (19) "Counting judge" means a poll worker designated to count the ballots
133 during election day.

134 ~~[(19)]~~ (20) "Counting poll watcher" means a person selected as provided in Section
135 [20A-3-201](#) to witness the counting of ballots.

136 ~~[(20)]~~ (21) "Counting room" means a suitable and convenient private place or room,
137 immediately adjoining the place where the election is being held, for use by the poll workers
138 and counting judges to count ballots during election day.

139 ~~[(21)]~~ (22) "County officers" means those county officers that are required by law to be
140 elected.

141 ~~[(22)]~~ (23) "Date of the election" or "election day" or "day of the election":

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

144 (b) does not include:

145 (i) deadlines established for absentee voting; or

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

148 ~~[(23)]~~ (24) "Elected official" means:

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

150 (b) a person who is considered to be elected to a municipal office in accordance with
151 Subsection [20A-1-206\(1\)\(c\)\(ii\)](#); or

152 (c) a person who is considered to be elected to a local district office in accordance with
153 Subsection 20A-1-206(3)(c)(ii).

154 ~~[(24)]~~ (25) "Election" means a regular general election, a municipal general election, a
155 statewide special election, a local special election, a regular primary election, a municipal
156 primary election, and a local district election.

157 ~~[(25)]~~ (26) "Election Assistance Commission" means the commission established by
158 ~~[Public Law 107-252,]~~ the Help America Vote Act of 2002, Pub. L. No. 107-252.

159 ~~[(26)]~~ (27) "Election cycle" means the period beginning on the first day persons are
160 eligible to file declarations of candidacy and ending when the canvass is completed.

161 ~~[(27)]~~ (28) "Election judge" means a poll worker that is assigned to:

- 162 (a) preside over other poll workers at a polling place;
- 163 (b) act as the presiding election judge; or
- 164 (c) serve as a canvassing judge, counting judge, or receiving judge.

165 ~~[(28)]~~ (29) "Election officer" means:

- 166 (a) the lieutenant governor, for all statewide ballots and elections;
- 167 (b) the county clerk for:
 - 168 (i) a county ballot and election; and
 - 169 (ii) a ballot and election as a provider election officer as provided in Section

170 20A-5-400.1 or 20A-5-400.5;

171 (c) the municipal clerk for:

- 172 (i) a municipal ballot and election; and
- 173 (ii) a ballot and election as a provider election officer as provided in Section

174 20A-5-400.1 or 20A-5-400.5;

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

- 176 (i) a local district ballot and election; and
- 177 (ii) a ballot and election as a provider election officer as provided in Section

178 20A-5-400.1 or 20A-5-400.5; or

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

- 180 (i) a school district ballot and election; and
- 181 (ii) a ballot and election as a provider election officer as provided in Section

182 20A-5-400.1 or 20A-5-400.5.

183 ~~[(29)]~~ (30) "Election official" means any election officer, election judge, or poll
184 worker.

185 ~~[(30)]~~ (31) "Election results" means:

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

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

190 ~~[(31)]~~ (32) "Election returns" includes the pollbook, the military and overseas absentee
191 voter registration and voting certificates, one of the tally sheets, any unprocessed absentee
192 ballots, all counted ballots, all excess ballots, all unused ballots, all spoiled ballots, the ballot
193 disposition form, and the total votes cast form.

194 ~~[(32)]~~ (33) "Electronic ballot" means a ballot that is recorded using a direct electronic
195 voting device or other voting device that records and stores ballot information by electronic
196 means.

197 ~~[(33)]~~ (34) "Electronic signature" means an electronic sound, symbol, or process
198 attached to or logically associated with a record and executed or adopted by a person with the
199 intent to sign the record.

200 ~~[(34)]~~ (35) (a) "Electronic voting device" means a voting device that uses electronic
201 ballots.

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

203 ~~[(35)]~~ (36) "Inactive voter" means a registered voter who has:

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

205 (b) failed to respond to that notice.

206 ~~[(36)]~~ (37) "Inspecting poll watcher" means a person selected as provided in this title to
207 witness the receipt and safe deposit of voted and counted ballots.

208 ~~[(37)]~~ (38) "Judicial office" means the office filled by any judicial officer.

209 ~~[(38)]~~ (39) "Judicial officer" means any justice or judge of a court of record or any
210 county court judge.

211 ~~[(39)]~~ (40) "Local district" means a local government entity under Title 17B, Limited
212 Purpose Local Government Entities - Local Districts, and includes a special service district
213 under Title 17D, Chapter 1, Special Service District Act.

214 [~~(40)~~] (41) "Local district officers" means those local district board members that are
215 required by law to be elected.

216 [~~(41)~~] (42) "Local election" means a regular county election, a regular municipal
217 election, a municipal primary election, a local special election, a local district election, and a
218 bond election.

219 [~~(42)~~] (43) "Local political subdivision" means a county, a municipality, a local
220 district, or a local school district.

221 [~~(43)~~] (44) "Local special election" means a special election called by the governing
222 body of a local political subdivision in which all registered voters of the local political
223 subdivision may vote.

224 [~~(44)~~] (45) "Municipal executive" means:

225 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102;

226 (b) the mayor in the council-manager form of government defined in Subsection
227 10-3b-103(7); or

228 (c) the chair of a metro township form of government defined in Section 10-3b-102.

229 [~~(45)~~] (46) "Municipal general election" means the election held in municipalities and,
230 as applicable, local districts on the first Tuesday after the first Monday in November of each
231 odd-numbered year for the purposes established in Section 20A-1-202.

232 [~~(46)~~] (47) "Municipal legislative body" means:

233 (a) the council of the city or town in any form of municipal government; or

234 (b) the council of a metro township.

235 [~~(47)~~] (48) "Municipal office" means an elective office in a municipality.

236 [~~(48)~~] (49) "Municipal officers" means those municipal officers that are required by
237 law to be elected.

238 [~~(49)~~] (50) "Municipal primary election" means an election held to nominate
239 candidates for municipal office.

240 (51) "Nonpartisan State Board of Education member" means a State Board of
241 Education member who is elected in a nonpartisan election, in accordance with the provisions
242 of this title.

243 [~~(50)~~] (52) "Official ballot" means the ballots distributed by the election officer to the
244 poll workers to be given to voters to record their votes.

- 245 [~~(51)~~] (53) "Official endorsement" means:
- 246 (a) the information on the ballot that identifies:
- 247 (i) the ballot as an official ballot;
- 248 (ii) the date of the election; and
- 249 (iii) (A) for a ballot prepared by an election officer other than a county clerk, the
- 250 facsimile signature required by Subsection 20A-6-401(1)(b)(iii); or
- 251 (B) for a ballot prepared by a county clerk, the words required by Subsection
- 252 20A-6-301(1)(c)(iii); and
- 253 (b) the information on the ballot stub that identifies:
- 254 (i) the poll worker's initials; and
- 255 (ii) the ballot number.
- 256 [~~(52)~~] (54) "Official register" means the official record furnished to election officials
- 257 by the election officer that contains the information required by Section 20A-5-401.
- 258 [~~(53)~~] (55) "Paper ballot" means a paper that contains:
- 259 (a) the names of offices and candidates and statements of ballot propositions to be
- 260 voted on; and
- 261 (b) spaces for the voter to record the voter's vote for each office and for or against each
- 262 ballot proposition.
- 263 (56) "Partisan State Board of Education member" means a State Board of Education
- 264 member who is elected in a partisan election, in accordance with the provisions of this title.
- 265 [~~(54)~~] (57) "Pilot project" means the election day voter registration pilot project created
- 266 in Section 20A-4-108.
- 267 [~~(55)~~] (58) "Political party" means an organization of registered voters that has
- 268 qualified to participate in an election by meeting the requirements of Chapter 8, Political Party
- 269 Formation and Procedures.
- 270 [~~(56)~~] (59) "Pollbook" means a record of the names of voters in the order that they
- 271 appear to cast votes.
- 272 [~~(57)~~] (60) "Polling place" means the building where voting is conducted.
- 273 [~~(58)~~] (61) (a) "Poll worker" means a person assigned by an election official to assist
- 274 with an election, voting, or counting votes.
- 275 (b) "Poll worker" includes election judges.

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

277 [~~(59)~~] (62) "Position" means a square, circle, rectangle, or other geometric shape on a
278 ballot in which the voter marks the voter's choice.

279 [~~(60)~~] (63) "Primary convention" means the political party conventions held during the
280 year of the regular general election.

281 [~~(61)~~] (64) "Protective counter" means a separate counter, which cannot be reset, that:

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

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

284 [~~(62)~~] (65) "Provider election officer" means an election officer who enters into a
285 contract or interlocal agreement with a contracting election officer to conduct an election for
286 the contracting election officer's local political subdivision in accordance with Section
287 [20A-5-400.1](#).

288 [~~(63)~~] (66) "Provisional ballot" means a ballot voted provisionally by a person:

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

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

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

292 [~~(64)~~] (67) "Provisional ballot envelope" means an envelope printed in the form
293 required by Section [20A-6-105](#) that is used to identify provisional ballots and to provide
294 information to verify a person's legal right to vote.

295 [~~(65)~~] (68) "Qualify" or "qualified" means to take the oath of office and begin
296 performing the duties of the position for which the person was elected.

297 [~~(66)~~] (69) "Receiving judge" means the poll worker that checks the voter's name in the
298 official register, provides the voter with a ballot, and removes the ballot stub from the ballot
299 after the voter has voted.

300 [~~(67)~~] (70) "Registration form" means a book voter registration form and a by-mail
301 voter registration form.

302 [~~(68)~~] (71) "Regular ballot" means a ballot that is not a provisional ballot.

303 [~~(69)~~] (72) "Regular general election" means the election held throughout the state on
304 the first Tuesday after the first Monday in November of each even-numbered year for the
305 purposes established in Section [20A-1-201](#).

306 [~~(70)~~] (73) "Regular primary election" means the election on the fourth Tuesday of

307 June of each even-numbered year, to nominate candidates of political parties and candidates for
308 nonpartisan local school board positions to advance to the regular general election.

309 ~~[(71)]~~ (74) "Resident" means a person who resides within a specific voting precinct in
310 Utah.

311 ~~[(72)]~~ (75) "Sample ballot" means a mock ballot similar in form to the official ballot
312 printed and distributed as provided in Section 20A-5-405.

313 ~~[(73)]~~ (76) "Scratch vote" means to mark or punch the straight party ticket and then
314 mark or punch the ballot for one or more candidates who are members of different political
315 parties or who are unaffiliated.

316 ~~[(74)]~~ (77) "Secrecy envelope" means the envelope given to a voter along with the
317 ballot into which the voter places the ballot after the voter has voted it in order to preserve the
318 secrecy of the voter's vote.

319 ~~[(75)]~~ (78) "Special election" means an election held as authorized by Section
320 20A-1-203.

321 ~~[(76)]~~ (79) "Spoiled ballot" means each ballot that:

322 (a) is spoiled by the voter;

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

324 (c) lacks the official endorsement.

325 ~~[(77)]~~ (80) "Statewide special election" means a special election called by the governor
326 or the Legislature in which all registered voters in Utah may vote.

327 ~~[(78)]~~ (81) "Stub" means the detachable part of each ballot.

328 ~~[(79)]~~ (82) "Substitute ballots" means replacement ballots provided by an election
329 officer to the poll workers when the official ballots are lost or stolen.

330 ~~[(80)]~~ (83) "Ticket" means each list of candidates for each political party or for each
331 group of petitioners.

332 ~~[(81)]~~ (84) "Transfer case" means the sealed box used to transport voted ballots to the
333 counting center.

334 ~~[(82)]~~ (85) "Vacancy" means the absence of a person to serve in any position created
335 by statute, whether that absence occurs because of death, disability, disqualification,
336 resignation, or other cause.

337 ~~[(83)]~~ (86) "Valid voter identification" means:

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

- 340 (i) a currently valid Utah driver license;
- 341 (ii) a currently valid identification card that is issued by:
 - 342 (A) the state; or
 - 343 (B) a branch, department, or agency of the United States;
- 344 (iii) a currently valid Utah permit to carry a concealed weapon;
- 345 (iv) a currently valid United States passport; or
- 346 (v) a currently valid United States military identification card;

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

- 349 (i) a valid tribal identification card;
- 350 (ii) a Bureau of Indian Affairs card; or
- 351 (iii) a tribal treaty card; or
- 352 (c) two forms of identification not listed under Subsection [~~(83)~~] (86)(a) or (b) but that

353 bear the name of the voter and provide evidence that the voter resides in the voting precinct,
354 which may include:

- 355 (i) a current utility bill or a legible copy thereof, dated within the 90 days before the
356 election;
- 357 (ii) a bank or other financial account statement, or a legible copy thereof;
- 358 (iii) a certified birth certificate;
- 359 (iv) a valid Social Security card;
- 360 (v) a check issued by the state or the federal government or a legible copy thereof;
- 361 (vi) a paycheck from the voter's employer, or a legible copy thereof;
- 362 (vii) a currently valid Utah hunting or fishing license;
- 363 (viii) certified naturalization documentation;
- 364 (ix) a currently valid license issued by an authorized agency of the United States;
- 365 (x) a certified copy of court records showing the voter's adoption or name change;
- 366 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 367 (xii) a currently valid identification card issued by:
 - 368 (A) a local government within the state;

- 369 (B) an employer for an employee; or
- 370 (C) a college, university, technical school, or professional school located within the
371 state; or
- 372 (xiii) a current Utah vehicle registration.
- 373 ~~[(84)]~~ (87) "Valid write-in candidate" means a candidate who has qualified as a
374 write-in candidate by following the procedures and requirements of this title.
- 375 ~~[(85)]~~ (88) "Voter" means a person who:
- 376 (a) meets the requirements for voting in an election;
- 377 (b) meets the requirements of election registration;
- 378 (c) is registered to vote; and
- 379 (d) is listed in the official register book.
- 380 ~~[(86)]~~ (89) "Voter registration deadline" means the registration deadline provided in
381 Section [20A-2-102.5](#).
- 382 ~~[(87)]~~ (90) "Voting area" means the area within six feet of the voting booths, voting
383 machines, and ballot box.
- 384 ~~[(88)]~~ (91) "Voting booth" means:
- 385 (a) the space or compartment within a polling place that is provided for the preparation
386 of ballots, including the voting machine enclosure or curtain; or
- 387 (b) a voting device that is free standing.
- 388 ~~[(89)]~~ (92) "Voting device" means:
- 389 (a) an apparatus in which ballot sheets are used in connection with a punch device for
390 piercing the ballots by the voter;
- 391 (b) a device for marking the ballots with ink or another substance;
- 392 (c) an electronic voting device or other device used to make selections and cast a ballot
393 electronically, or any component thereof;
- 394 (d) an automated voting system under Section [20A-5-302](#); or
- 395 (e) any other method for recording votes on ballots so that the ballot may be tabulated
396 by means of automatic tabulating equipment.
- 397 ~~[(90)]~~ (93) "Voting machine" means a machine designed for the sole purpose of
398 recording and tabulating votes cast by voters at an election.
- 399 ~~[(91)]~~ (94) "Voting poll watcher" means a person appointed as provided in this title to

400 witness the distribution of ballots and the voting process.

401 ~~[(92)]~~ (95) "Voting precinct" means the smallest voting unit established as provided by
402 law within which qualified voters vote at one polling place.

403 ~~[(93)]~~ (96) "Watcher" means a voting poll watcher, a counting poll watcher, an
404 inspecting poll watcher, and a testing watcher.

405 ~~[(94)]~~ (97) "Western States Presidential Primary" means the election established in
406 Chapter 9, Part 8, Western States Presidential Primary.

407 ~~[(95)]~~ (98) "Write-in ballot" means a ballot containing any write-in votes.

408 ~~[(96)]~~ (99) "Write-in vote" means a vote cast for a person whose name is not printed on
409 the ballot according to the procedures established in this title.

410 Section 2. Section **20A-1-201** is amended to read:

411 **20A-1-201. Date and purpose of regular general elections.**

412 (1) A regular general election shall be held throughout the state on the first Tuesday
413 after the first Monday in November of each even-numbered year.

414 (2) At the regular general election, the voters shall:

415 (a) choose ~~[persons]~~ individuals to serve the terms established by law for the following
416 offices:

417 (i) electors of President and Vice President of the United States;

418 (ii) United States Senators;

419 (iii) Representatives to the United States Congress;

420 (iv) governor, lieutenant governor, attorney general, state treasurer, and state auditor;

421 (v) senators and representatives to the Utah Legislature;

422 (vi) county officers;

423 (vii) ~~[State School Board]~~ partisan State Board of Education members;

424 (viii) nonpartisan State Board of Education members;

425 ~~[(viii)]~~ (ix) local school board members;

426 ~~[(ix)]~~ (x) except as provided in Subsection (3), local district officers, as applicable; and

427 ~~[(x)]~~ (xi) any elected judicial officers; and

428 (b) approve or reject:

429 (i) any proposed amendments to the Utah Constitution that have qualified for the ballot
430 under procedures established in the Utah Code;

431 (ii) any proposed initiatives or referenda that have qualified for the ballot under
432 procedures established in the Utah Code; and

433 (iii) any other ballot propositions submitted to the voters that are authorized by the
434 Utah Code.

435 (3) This section:

436 (a) applies to a special service district for which the county legislative body or the
437 municipal legislative body, as applicable, has delegated authority for the special service district
438 to an administrative control board; and

439 (b) does not apply to a special service district for which the county legislative body or
440 the municipal legislative body, as applicable, has not delegated authority for the special service
441 district to an administrative control board.

442 Section 3. Section **20A-1-201.5** is amended to read:

443 **20A-1-201.5. Primary election dates.**

444 (1) A regular primary election shall be held throughout the state on the fourth Tuesday
445 of June of each even numbered year as provided in Section [20A-9-403](#), [20A-9-407](#), or
446 [20A-9-408](#), as applicable, to nominate persons for:

447 (a) national, state, [~~school board,~~] and county offices; [~~and~~]

448 (b) partisan State Board of Education offices, nonpartisan State Board of Education
449 offices, and local school board offices; and

450 [~~(b)~~] (c) offices for a metro township, city, or town incorporated under Section
451 [10-2a-404](#).

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

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

458 Section 4. Section [20A-1-507](#) is repealed and reenacted to read:

459 **20A-1-507. Midterm vacancies in the offices of partisan and nonpartisan State**
460 **Board of Education members.**

461 (1) When a vacancy occurs for any reason in the office of partisan State Board of

462 Education member or nonpartisan State Board of Education member, the vacancy shall be
463 filled for the unexpired term at the next regular general election.

464 (2) Except as provided in Subsection (3), if the vacancy is for the office of partisan
465 State Board of Education member, the governor shall fill the vacancy until the next regular
466 general election by appointing an individual who meets the qualifications and residency
467 requirements for the office from among three individuals nominated by the state central
468 committee of the same political party as the prior officeholder.

469 (3) If the vacancy is for the office of nonpartisan State Board of Education member, or
470 the office of a partisan State Board of Education member for which the previous member was
471 not a member of a political party, the governor shall fill the vacancy until the next regular
472 general election by appointing an individual, with the consent of the Senate, who meets the
473 qualifications and residency requirements for the office.

474 Section 5. Section **20A-2-101.5** is amended to read:

475 **20A-2-101.5. Convicted felons -- Restoration of right to vote and right to hold**
476 **office.**

477 (1) As used in this section, "convicted felon" means a person convicted of a felony in
478 any state or federal court of the United States.

479 (2) Each convicted felon's right to register to vote and to vote in an election is restored
480 when:

481 (a) the felon is sentenced to probation;

482 (b) the felon is granted parole; or

483 (c) the felon has successfully completed the term of incarceration to which the felon
484 was sentenced.

485 (3) Except as provided by Subsection (4), a convicted felon's right to hold elective
486 office is restored when:

487 (a) all of the felon's felony convictions have been expunged; or

488 (b) (i) 10 years have passed since the date of the felon's most recent felony conviction;

489 (ii) the felon has paid all court-ordered restitution and fines; and

490 (iii) for each felony conviction that has not been expunged, the felon has:

491 (A) completed probation in relation to the felony;

492 (B) been granted parole in relation to the felony; or

493 (C) successfully completed the term of incarceration associated with the felony.

494 (4) An individual who has been convicted of a grievous sexual offense, as defined in
495 Section 76-1-601, against a child, may not hold the office of partisan State Board of Education
496 member, nonpartisan State Board of Education member, appointed State Board of Education
497 member, or local school board member.

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

499 **20A-6-301. Paper ballots -- Regular general election.**

500 (1) Each election officer shall ensure that:

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

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

503 (ii) no symbols, markings, or other descriptions of a political party or group, except for
504 a registered political party that has chosen to nominate its candidates in accordance with
505 Section 20A-9-403; and

506 (iii) no indication that a candidate for elective office has been nominated by, or has
507 been endorsed by, or is in any way affiliated with a political party or group, unless the
508 candidate has been nominated by a registered political party in accordance with Subsection
509 20A-9-202~~(4)~~(5) or Subsection 20A-9-403(5).

510 (b) (i) the paper ballot contains a ballot stub at least one inch wide, placed across the
511 top of the ballot, and divided from the rest of ballot by a perforated line;

512 (ii) the ballot number and the words "Poll Worker's Initial ____" are printed on the
513 stub; and

514 (iii) ballot stubs are numbered consecutively;

515 (c) immediately below the perforated ballot stub, the following endorsements are
516 printed in 18 point bold type:

517 (i) "Official Ballot for ____ County, Utah";

518 (ii) the date of the election; and

519 (iii) the words "Clerk of _____ County";

520 (d) each ticket is placed in a separate column on the ballot in the order specified under
521 Section 20A-6-305 with the party emblem, followed by the party name, at the head of the
522 column;

523 (e) the party name or title is printed in capital letters not less than one-fourth of an inch

524 high;

525 (f) a circle one-half inch in diameter is printed immediately below the party name or
526 title, and the top of the circle is placed not less than two inches below the perforated line;

527 (g) unaffiliated candidates, candidates not affiliated with a registered political party,
528 and all other candidates for elective office who were not nominated by a registered political
529 party in accordance with Subsection 20A-9-202[(4)](5) or Subsection 20A-9-403(5), are listed
530 in one column in the order specified under Section 20A-6-305, without a party circle, with the
531 following instructions printed at the head of the column: "All candidates not affiliated with a
532 political party are listed below. They are to be considered with all offices and candidates listed
533 to the left. Only one vote is allowed for each office.";

534 (h) the columns containing the lists of candidates, including the party name and device,
535 are separated by heavy parallel lines;

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

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

541 (k) a square with sides measuring not less than one-fourth of an inch in length is
542 printed immediately adjacent to the name of each candidate;

543 (l) for the offices of president and vice president and governor and lieutenant governor,
544 one square with sides measuring not less than one-fourth of an inch in length is printed on the
545 same side as but opposite a double bracket enclosing the names of the two candidates;

546 (m) in an election in which a voter is authorized to cast a write-in vote and where a
547 write-in candidate is qualified under Section 20A-9-601, immediately adjacent to the
548 unaffiliated ticket on the ballot, the ballot contains a write-in column long enough to contain as
549 many written names of candidates as there are persons to be elected with:

550 (i) for each office on the ballot, the office to be filled plainly printed immediately
551 above:

552 (A) a blank, horizontal line to enable the entry of a valid write-in candidate and a
553 square with sides measuring not less than one-fourth of an inch in length printed immediately
554 adjacent to the blank horizontal line; or

555 (B) for the offices of president and vice president and governor and lieutenant
556 governor, two blank horizontal lines, one placed above the other, to enable the entry of two
557 valid write-in candidates, and one square with sides measuring not less than one-fourth of an
558 inch in length printed on the same side as but opposite a double bracket enclosing the two
559 blank horizontal lines; and

560 (ii) the words "Write-In Voting Column" printed at the head of the column without a
561 one-half inch circle;

562 (n) when required, the ballot includes a nonpartisan ticket placed immediately adjacent
563 to the write-in ticket, or, if there is no write-in ticket, immediately adjacent to the unaffiliated
564 ticket, with the word "NONPARTISAN" in reverse type in an 18 point solid rule running
565 vertically the full length of the nonpartisan ballot copy; and

566 (o) constitutional amendments or other questions submitted to the vote of the people,
567 are printed on the ballot after the list of candidates.

568 (2) Each election officer shall ensure that:

569 (a) each person nominated by any registered political party under Subsection
570 20A-9-202~~(4)~~(5) or Subsection 20A-9-403(5), and no other person, is placed on the ballot:

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

572 (ii) under the title of the registered political party as designated by them in their
573 certificates of nomination or petition, or, if none is designated, then under some suitable title;

574 (b) the names of all unaffiliated candidates that qualify as required in Title 20A,
575 Chapter 9, Part 5, Candidates not Affiliated with a Party, are placed on the ballot;

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

578 (d) the ballots contain no other names.

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

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

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

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

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

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

590 (f) each group is preceded by the designation of the office for which the candidates
591 seek election, and the words, "Vote for one" or "Vote for up to ____ (the number of
592 candidates for which the voter may vote)," according to the number to be elected.

593 (4) Each election officer shall ensure that:

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

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

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

600 Section 7. Section 20A-6-302 is amended to read:

601 **20A-6-302. Paper ballots -- Placement of candidates' names.**

602 (1) Each election officer shall ensure, for paper ballots in regular general elections,
603 that:

604 (a) each candidate is listed by party, if nominated by a registered political party under
605 Subsection 20A-9-202[(4)](5) or Subsection 20A-9-403(5);

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

608 (c) the names of candidates are placed on the ballot in the order specified under Section
609 20A-6-305.

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

616 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is

617 elected to the office of county attorney.

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

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

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

627 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
628 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a) to the
629 two consecutive terms immediately preceding the term for which the candidate is seeking
630 election, Subsection (2)(a) does not apply and that candidate shall be considered to be an
631 unopposed candidate the same as any other unopposed candidate for another office, unless a
632 petition is filed with the county clerk before the date of that year's primary election that:

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

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

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

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

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

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

651 (e) If no qualified person files for the office of district attorney, or if the only candidate
652 is not elected by the voters under this subsection, the county legislative body shall appoint a
653 new district attorney for a four-year term as provided in Section 20A-1-509.2.

654 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
655 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a) to the
656 two consecutive terms immediately preceding the term for which the candidate is seeking
657 election, Subsection (3)(a) does not apply and that candidate shall be considered to be an
658 unopposed candidate the same as any other unopposed candidate for another office, unless a
659 petition is filed with the county clerk before the date of that year's primary election that:

- 660 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and
- 661 (ii) contains the signatures of registered voters in the county representing in number at
662 least 25% of all votes cast in the county for all candidates for governor at the last election at
663 which a governor was elected.

664 Section 8. Section 20A-6-303 is amended to read:

665 **20A-6-303. Regular general election -- Ballot sheets.**

666 (1) Each election officer shall ensure that:

- 667 (a) copy on the ballot sheets or ballot labels, as applicable, are arranged in
668 approximately the same order as paper ballots;
- 669 (b) the titles of offices and the names of candidates are printed in vertical columns or in
670 a series of separate pages;
- 671 (c) the ballot sheet or any pages used for the ballot label are of sufficient number to
672 include, after the list of candidates:
 - 673 (i) the names of candidates for judicial offices and any other nonpartisan offices; and
 - 674 (ii) any ballot propositions submitted to the voters for their approval or rejection;
- 675 (d) (i) a voting square or position is included where the voter may record a straight
676 party ticket vote for all the candidates who are listed on the ballot as being from one party by
677 one mark or punch; and
- 678 (ii) the name of each political party listed in the straight party selection area includes

679 the word "party" at the end of the party's name;

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

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

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

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

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

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

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

694 (2) Each election officer shall ensure that:

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

697 (b) ballot propositions submitted to the voters are listed in accordance with Section
698 20A-6-107; and

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

701 Section 9. Section 20A-6-304 is amended to read:

702 **20A-6-304. Regular general election -- Electronic ballots.**

703 (1) Each election officer shall ensure that:

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

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

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

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

- 710 (ii) any ballot propositions submitted to the voters for their approval or rejection;
- 711 (d) (i) a voting square or position is included where the voter may record a straight
- 712 party ticket vote for all the candidates who are listed on the ballot as being from one party by
- 713 making a single selection; and
- 714 (ii) the name of each political party listed in the straight party selection area includes
- 715 the word "party" at the end of the party's name;
- 716 (e) the tickets are displayed in the order specified under Section 20A-6-305;
- 717 (f) the office titles are displayed above or at the side of the names of candidates so as to
- 718 indicate clearly the candidates for each office and the number to be elected;
- 719 (g) the party designation of each candidate who has been nominated by a registered
- 720 political party under Subsection 20A-9-202~~(4)~~(5) or Subsection 20A-9-403(5) is displayed
- 721 adjacent to the candidate's name; and
- 722 (h) if possible, all candidates for one office are grouped in one column or upon one
- 723 display screen.
- 724 (2) Each election officer shall ensure that:
- 725 (a) proposed amendments to the Utah Constitution are displayed in accordance with
- 726 Section 20A-6-107;
- 727 (b) ballot propositions submitted to the voters are displayed in accordance with Section
- 728 20A-6-107; and
- 729 (c) bond propositions that have qualified for the ballot are displayed under the title
- 730 assigned to each bond proposition under Section 11-14-206.
- 731 Section 10. Section 20A-9-201 is amended to read:
- 732 **20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of**
- 733 **more than one political party prohibited with exceptions -- General filing and form**
- 734 **requirements -- Affidavit of impecuniosity.**
- 735 (1) Before filing a declaration of candidacy for election to any office, a person shall:
- 736 (a) be a United States citizen;
- 737 (b) meet the legal requirements of that office; and
- 738 (c) if seeking a registered political party's nomination as a candidate for partisan
- 739 elective office, state:
- 740 (i) the registered political party of which the person is a member; or

- 741 (ii) that the person is not a member of a registered political party.
- 742 (2) (a) Except as provided in Subsection (2)(b), an individual may not:
- 743 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
744 Utah during any election year;
- 745 (ii) appear on the ballot as the candidate of more than one political party; or
- 746 (iii) file a declaration of candidacy for a registered political party of which the
747 individual is not a member, except to the extent that the registered political party permits
748 otherwise in the registered political party's bylaws.
- 749 (b) (i) A person may file a declaration of candidacy for, or be a candidate for, president
750 or vice president of the United States and another office, if the person resigns the person's
751 candidacy for the other office after the person is officially nominated for president or vice
752 president of the United States.
- 753 (ii) A person may file a declaration of candidacy for, or be a candidate for, more than
754 one justice court judge office.
- 755 (iii) A person may file a declaration of candidacy for lieutenant governor even if the
756 person filed a declaration of candidacy for another office in the same election year if the person
757 withdraws as a candidate for the other office in accordance with Subsection 20A-9-202~~(6)~~(7)
758 before filing the declaration of candidacy for lieutenant governor.
- 759 (3) ~~(a)~~(i) Except for presidential candidates, before the filing officer may accept any
760 declaration of candidacy, the filing officer shall:
- 761 ~~(A)~~ (a) read to the prospective candidate the constitutional and statutory qualification
762 requirements for the office that the candidate is seeking; and
- 763 ~~(B)~~ (b) require the candidate to state whether ~~or not~~ the candidate meets those
764 requirements.
- 765 ~~(i)~~ (4) Before accepting a declaration of candidacy for the office of county attorney,
766 the county clerk shall ensure that the person filing that declaration of candidacy is:
- 767 ~~(A)~~ (a) a United States citizen;
- 768 ~~(B)~~ (b) an attorney licensed to practice law in Utah who is an active member in good
769 standing of the Utah State Bar;
- 770 ~~(C)~~ (c) a registered voter in the county in which the person is seeking office; and
- 771 ~~(D)~~ (d) a current resident of the county in which the person is seeking office and

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

775 ~~[(iii)]~~ (5) Before accepting a declaration of candidacy for the office of district attorney,
776 the county clerk shall ensure that, as of the date of the election, the person filing that
777 declaration of candidacy is:

778 ~~[(A)]~~ (a) a United States citizen;

779 ~~[(B)]~~ (b) an attorney licensed to practice law in Utah who is an active member in good
780 standing of the Utah State Bar;

781 ~~[(C)]~~ (c) a registered voter in the prosecution district in which the person is seeking
782 office; and

783 ~~[(D)]~~ (d) a current resident of the prosecution district in which the person is seeking
784 office and either will have been a resident of that prosecution district for at least one year as of
785 the date of the election or was appointed and is currently serving as district attorney and
786 became a resident of the prosecution district within 30 days after receiving appointment to the
787 office.

788 ~~[(iv)]~~ (6) Before accepting a declaration of candidacy for the office of county sheriff,
789 the county clerk shall ensure that the person filing the declaration of candidacy:

790 ~~[(A)]~~ (a) as of the date of filing:

791 ~~[(i)]~~ (i) is a United States citizen;

792 ~~[(ii)]~~ (ii) is a registered voter in the county in which the person seeks office;

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

796 ~~[(Bb)]~~ (B) has met the waiver requirements in Section [53-6-206](#); and

797 ~~[(iv)]~~ (iv) is qualified to be certified as a law enforcement officer, as defined in
798 Section [53-13-103](#); and

799 ~~[(B)]~~ (b) as of the date of the election, shall have been a resident of the county in which
800 the person seeks office for at least one year.

801 ~~[(v)]~~ (7) Before accepting a declaration of candidacy for the office of governor,
802 lieutenant governor, state auditor, state treasurer, attorney general, state legislator, ~~[or]~~ partisan

803 State Board of Education member, or nonpartisan State Board of Education member, the filing
804 officer shall ensure:

805 ~~[(A)]~~ (a) that the ~~[person]~~ individual filing the declaration of candidacy also files the
806 financial disclosure required by Section [20A-11-1603](#); and

807 ~~[(B)]~~ (b) if the filing officer is not the lieutenant governor, that the financial disclosure
808 is provided to the lieutenant governor according to the procedures and requirements of Section
809 [20A-11-1603](#).

810 ~~[(b)]~~ (8) If the prospective candidate states that the qualification requirements for the
811 office are not met, the filing officer may not accept the prospective candidate's declaration of
812 candidacy.

813 ~~[(e)]~~ (9) If the candidate meets the requirements of ~~[Subsection (3)(a)]~~ Subsections (3)
814 through (7) and states that the requirements of candidacy are met, the filing officer shall:

815 ~~[(i)]~~ (a) inform the candidate that:

816 ~~[(A)]~~ (i) the candidate's name will appear on the ballot as it is written on the
817 declaration of candidacy;

818 ~~[(B)]~~ (ii) the candidate may be required to comply with state or local campaign finance
819 disclosure laws; and

820 ~~[(C)]~~ (iii) the candidate is required to file a financial statement before the candidate's
821 political convention under:

822 ~~[(F)]~~ (A) Section [20A-11-204](#) for a candidate for constitutional office;

823 ~~[(H)]~~ (B) Section [20A-11-303](#) for a candidate for the Legislature; or

824 ~~[(H)]~~ (C) local campaign finance disclosure laws, if applicable;

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

829 ~~[(iii)]~~ (c) provide the candidate with a copy of Section [20A-7-801](#) regarding the
830 Statewide Electronic Voter Information Website Program and inform the candidate of the
831 submission deadline under Subsection [20A-7-801\(4\)\(a\)](#);

832 ~~[(iv)]~~ (d) provide the candidate with a copy of the pledge of fair campaign practices
833 described under Section [20A-9-206](#) and inform the candidate that:

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

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

867 (b) An agent designated to file a declaration of candidacy under Section 20A-9-202

868 may not sign the form described in Subsection ~~[(4)]~~ (11)(a).

869 (12) (a) The lieutenant governor shall create a form for the declaration of candidacy for
870 a nonpartisan office that reads substantially as follows:

871 "State of Utah, County of _____

872 I, _____, declare my candidacy for the office of _____. I do solemnly swear

873 that: I will meet the qualifications to hold the office, both legally and constitutionally, if

874 selected; I reside at _____ in the City or Town of _____, Utah, Zip Code _____ Phone

875 No. _____; I will not knowingly violate any law governing campaigns and elections; I will file

876 all campaign financial disclosure reports as required by law; and I understand that failure to do

877 so will result in my disqualification as a candidate for this office and removal of my name from

878 the ballot. The mailing address that I designate for receiving official election notices is

879 _____.

880 _____

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

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

883 (b) An agent designated to file a declaration of candidacy under Section 20A-9-202

884 may not sign the form described in Subsection (12)(a).

885 ~~[(5)]~~ (13) (a) Except for presidential candidates, the fee for filing a declaration of
886 candidacy is:

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

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

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

892 (i) who is disqualified; or

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

894 ~~[(c)-(i)]~~ (14) (a) The county clerk shall immediately pay to the county treasurer all fees
895 received from candidates.

896 ~~[(iv)]~~ (b) The lieutenant governor shall:

897 ~~[(A)]~~ (i) apportion to and pay to the county treasurers of the various counties all fees
898 received for filing of nomination certificates or acceptances; and

899 ~~[(B)]~~ (ii) ensure that each county receives that proportion of the total amount paid to
900 the lieutenant governor from the congressional district that the total vote of that county for all
901 candidates for representative in Congress bears to the total vote of all counties within the
902 congressional district for all candidates for representative in Congress.

903 ~~[(d)-(i)]~~ (15) (a) A person who is unable to pay the filing fee may file a declaration of
904 candidacy without payment of the filing fee upon a prima facie showing of impecuniosity as
905 evidenced by an affidavit of impecuniosity filed with the filing officer and, if requested by the
906 filing officer, a financial statement filed at the time the affidavit is submitted.

907 ~~[(iv)]~~ (b) A person who is able to pay the filing fee may not claim impecuniosity.

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

911 ~~[(B)]~~ (d) Conviction of a criminal offense under Subsection ~~[(5)(d)(iii)(A)]~~ (15)(c)
912 shall be considered an offense under this title for the purposes of assessing the penalties
913 provided in Subsection 20A-1-609(2).

914 ~~[(iv)]~~ (e) The filing officer shall ensure that the affidavit of impecuniosity is printed in
915 substantially the following form:

916 "Affidavit of Impecuniosity

917 Individual Name _____

918 _____ Address _____

919 Phone Number _____

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

923 Date _____ Signature _____

924 Affiant

925 Subscribed and sworn to before me on _____ (month/day/year)

926 _____

927 (signature)

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

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

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

935 ~~[(vi)]~~ (g) The filing officer may request that a person who makes a claim of
936 impecuniosity under this Subsection ~~[(5)(d)]~~ (15) file a financial statement on a form prepared
937 by the election official.

938 ~~[(6)]~~ (16) (a) If there is no legislative appropriation for the Western States Presidential
939 Primary election, as provided in Part 8, Western States Presidential Primary, a candidate for
940 president of the United States who is affiliated with a registered political party and chooses to
941 participate in the regular primary election shall:

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

 - 944 (A) on a form developed and provided by the lieutenant governor; and
 - 945 (B) on or after the second Friday in March and before 5 p.m. on the third Thursday in
 - 946 March before the next regular primary election;
 - 947 (ii) identify the registered political party whose nomination the candidate is seeking;
 - 948 (iii) provide a letter from the registered political party certifying that the candidate may
 - 949 participate as a candidate for that party in that party's presidential primary election; and
 - 950 (iv) pay the filing fee of \$500.

951 (b) An agent designated to file a declaration of candidacy may not sign the form
952 described in Subsection ~~[(6)]~~ (16)(a)(i)(A).

953 ~~[(7)]~~ (17) Any person who fails to file a declaration of candidacy or certificate of
954 nomination within the time provided in this chapter is ineligible for nomination to office.

955 ~~[(8) A]~~ (18) Except as provided in Subsection 20A-9-202(6) or 20A-14-104(3), an
956 individual may not amend or modify a declaration of candidacy filed under this section [~~may~~
957 ~~not be amended or modified~~] after the final date established for filing a declaration of

958 candidacy.

959 Section 11. Section **20A-9-202** is amended to read:

960 **20A-9-202. Declarations of candidacy for regular general elections.**

961 (1) ~~[(a) Each person seeking]~~ An individual who desires to become a candidate for an
962 elective office, other than the office of nonpartisan State Board of Education member, that is to
963 be filled at the next regular general election shall:

964 ~~[(i)]~~ (a) file a declaration of candidacy in person with the filing officer:

965 (i) on or after January 1 of the regular general election year~~;~~ and, if applicable, before
966 the candidate circulates a nomination ~~[petitions]~~ petition under Section 20A-9-405; and

967 (ii) in accordance with the requirements of Section 20A-9-201; and

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

969 ~~[(b)]~~ (2) (a) Each county clerk who receives a declaration of candidacy from a
970 candidate for multicounty office shall transmit the filing fee and a copy of the candidate's
971 declaration of candidacy to the lieutenant governor within one working day after ~~[it is filed]~~ the
972 day on which the candidate files the declaration of candidacy.

973 ~~[(c)]~~ (b) Each day during the filing period, each county clerk shall notify the lieutenant
974 governor electronically or by telephone of candidates who have filed ~~[in their]~~ a declaration of
975 candidacy in the county clerk's office.

976 ~~[(d) Each person seeking]~~ (c) An individual who desires to become a candidate for the
977 office of lieutenant governor, the office of district attorney, or the office of president or vice
978 president of the United States shall comply with the specific declaration of candidacy
979 requirements ~~[established by]~~ described in this section.

980 ~~[(2)]~~ (3) (a) ~~[Each person intending]~~ An individual who desires to become a candidate
981 for the office of district attorney within a multicounty prosecution district that is to be filled at
982 the next regular general election shall:

983 (i) ~~[file a declaration of candidacy with the clerk designated in the interlocal agreement~~
984 ~~creating the prosecution district]~~ on or after January 1 of the regular general election year, and
985 before the candidate circulates nomination petitions under Section 20A-9-405, file a
986 declaration of candidacy with the clerk designated in the interlocal agreement creating the
987 prosecution district; and

988 (ii) pay the filing fee.

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

992 ~~[(3)]~~ (4) (a) On or before 5 p.m. on the first Monday after the third Saturday in April,
993 each lieutenant governor candidate shall:

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

995 (ii) pay the filing fee; and

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

999 (b) Any candidate for lieutenant governor who fails to timely file is disqualified. If a
1000 lieutenant governor is disqualified, another candidate shall file to replace the disqualified
1001 candidate.

1002 ~~[(4)]~~ (5) Each registered political party shall:

1003 (a) certify the names of ~~[its]~~ the registered political party's candidates for president and
1004 vice president of the United States to the lieutenant governor no later than August 31; or

1005 (b) provide written authorization for the lieutenant governor to accept the certification
1006 of candidates for president and vice president of the United States from the national office of
1007 the registered political party.

1008 ~~[(5)]~~ (6) (a) A declaration of candidacy filed under this section is valid unless ~~[a]~~ an
1009 individual files a written objection ~~[is filed]~~ with the clerk or lieutenant governor within five
1010 days after the ~~[last day for filing]~~ day of the deadline for filing a declaration of candidacy.

1011 (b) If an ~~[objection is made]~~ individual files an objection, the clerk or lieutenant
1012 governor shall:

1013 (i) immediately mail or personally deliver notice of the objection to the affected
1014 candidate ~~[immediately]~~; and

1015 (ii) decide any objection within 48 hours after ~~[it]~~ the objection is filed.

1016 (c) If the clerk or lieutenant governor sustains the objection, the candidate may, if
1017 possible, cure the problem by amending the declaration or nomination petition, or by filing a
1018 new declaration, within three days after the day on which the objection is sustained ~~[or by filing~~
1019 ~~a new declaration within three days after the objection is sustained]~~.

1020 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

1021 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
1022 by a district court if prompt application is made to the court.

1023 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
1024 of its discretion, agrees to review the lower court decision.

1025 ~~[(6) Any person who filed a declaration of candidacy]~~ (7) A candidate may withdraw
1026 as a candidate by filing a written affidavit with the clerk.

1027 ~~[(7) Except as provided in Subsection 20A-9-201(4)(b), notwithstanding a requirement~~
1028 ~~in this section to file a declaration of candidacy in person, a person]~~

1029 (8) Subject to Subsection 20A-9-201(11)(b), an individual may designate an agent to
1030 file the form described in Subsection 20A-9-201~~(4)~~(11) in person with the filing officer if:

1031 (a) the ~~[person]~~ individual is located outside the state during the filing period because:

1032 (i) of employment with the state or the United States; or

1033 (ii) the ~~[person]~~ individual is a member of:

1034 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
1035 Coast Guard of the United States ~~[who]~~, and is on active duty;

1036 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
1037 commissioned corps of the National Oceanic and Atmospheric Administration of the United
1038 States; or

1039 (C) the National Guard and is on activated status;

1040 (b) the ~~[person]~~ individual communicates with the filing officer using an electronic
1041 device that allows the ~~[person]~~ individual and filing officer to see and hear each other; and

1042 (c) the ~~[person]~~ individual provides the filing officer with an email address to which
1043 the filing officer may send the copies described in Subsection 20A-9-201~~(3)~~(9).

1044 Section 12. Section 20A-9-403 is amended to read:

1045 **20A-9-403. Regular primary elections.**

1046 (1) (a) Candidates for elective office that are to be filled at the next regular general
1047 election shall be nominated in a regular primary election by direct vote of the people in the
1048 manner prescribed in this section. The fourth Tuesday of June of each even-numbered year is
1049 designated as regular primary election day. Nothing in this section shall affect a candidate's
1050 ability to qualify for a regular general election's ballot as an unaffiliated candidate under

1051 Section 20A-9-501 or to participate in a regular general election as a write-in candidate under
1052 Section 20A-9-601.

1053 (b) Each registered political party that chooses to have the names of its candidates for
1054 elective office featured with party affiliation on the ballot at a regular general election shall
1055 comply with the requirements of this section and shall nominate its candidates for elective
1056 office in the manner prescribed in this section.

1057 (c) A filing officer may not permit an official ballot at a regular general election to be
1058 produced or used if the ballot denotes affiliation between a registered political party or any
1059 other political group and a candidate for elective office who was not nominated in the manner
1060 prescribed in this section or in Subsection 20A-9-202~~(4)~~(5).

1061 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
1062 even-numbered year in which a regular general election will be held.

1063 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,
1064 shall:

1065 (i) either declare their intent to participate in the next regular primary election or
1066 declare that the registered political party chooses not to have the names of its candidates for
1067 elective office featured on the ballot at the next regular general election; and

1068 (ii) if the registered political party participates in the upcoming regular primary
1069 election, identify one or more registered political parties whose members may vote for the
1070 registered political party's candidates and whether or not persons identified as unaffiliated with
1071 a political party may vote for the registered political party's candidates.

1072 (b) (i) A registered political party that is a continuing political party must file the
1073 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on
1074 November 15 of each odd-numbered year.

1075 (ii) An organization that is seeking to become a registered political party under Section
1076 20A-8-103 must file the statement described in Subsection (2)(a) at the time that the registered
1077 political party files the petition described in Section 20A-8-103.

1078 (3) (a) Except as provided in Subsection (3)(e), a person who has submitted a
1079 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective
1080 office on the regular primary ballot of the registered political party listed on the declaration of
1081 candidacy only if the person is certified by the appropriate filing officer as having submitted a

1082 set of nomination petitions that was:

1083 (i) circulated and completed in accordance with Section 20A-9-405; and

1084 (ii) signed by at least two percent of the registered political party's members who reside
1085 in the political division of the office that the person seeks.

1086 (b) A candidate for elective office shall submit nomination petitions to the appropriate
1087 filing officer for verification and certification no later than 5 p.m. on the final day in March.

1088 Candidates may supplement their submissions at any time on or before the filing deadline.

1089 (c) The lieutenant governor shall determine for each elective office the total number of
1090 signatures that must be submitted under Subsection (3)(a)(ii) by counting the aggregate number
1091 of persons residing in each elective office's political division who have designated a particular
1092 registered political party on their voter registration forms as of November 1 of each
1093 odd-numbered year. The lieutenant governor shall publish this determination for each elective
1094 office no later than November 15 of each odd-numbered year.

1095 (d) The filing officer shall:

1096 (i) verify signatures on nomination petitions in a transparent and orderly manner;

1097 (ii) for all qualifying candidates for elective office who submitted nomination petitions
1098 to the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on
1099 the first Monday after the third Saturday in April;

1100 (iii) consider active and inactive voters eligible to sign nomination petitions;

1101 (iv) consider a person who signs a nomination petition a member of a registered
1102 political party for purposes of Subsection (3)(a)(ii) if the person has designated that registered
1103 political party as the person's party membership on the person's voter registration form; and

1104 (v) utilize procedures described in Section 20A-7-206.3 to verify submitted nomination
1105 petition signatures, or use statistical sampling procedures to verify submitted nomination
1106 petition signatures pursuant to rules made under Subsection (3)(f).

1107 (e) Notwithstanding any other provision in this Subsection (3), a candidate for
1108 lieutenant governor may appear on the regular primary ballot of a registered political party
1109 without submitting nomination petitions if the candidate files a declaration of candidacy and
1110 complies with Subsection 20A-9-202~~(3)~~(4).

1111 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1112 director of elections, within the Office of the Lieutenant Governor, shall make rules that:

- 1113 (i) provide for the use of statistical sampling procedures that:
- 1114 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and
- 1115 (B) reflect a bona fide effort to determine the validity of a candidate's entire
- 1116 submission, using widely recognized statistical sampling techniques; and
- 1117 (ii) provide for the transparent, orderly, and timely submission, verification, and
- 1118 certification of nomination petition signatures.
- 1119 (g) The county clerk shall:
- 1120 (i) review the declarations of candidacy filed by candidates for local boards of
- 1121 education to determine if more than two candidates have filed for the same seat;
- 1122 (ii) place the names of all candidates who have filed a declaration of candidacy for a
- 1123 local board of education seat on the nonpartisan section of the ballot if more than two
- 1124 candidates have filed for the same seat; and
- 1125 (iii) determine the order of the local board of education candidates' names on the ballot
- 1126 in accordance with Section [20A-6-305](#).
- 1127 (4) (a) By 5 p.m. on the first Wednesday after the third Saturday in April, the lieutenant
- 1128 governor shall provide to the county clerks:
- 1129 (i) a list of the names of all candidates for federal, constitutional, multi-county, and
- 1130 county offices who have received certifications under Subsection (3), along with instructions
- 1131 on how those names shall appear on the primary-election ballot in accordance with Section
- 1132 [20A-6-305](#); and
- 1133 (ii) a list of unopposed candidates for elective office who have been nominated by a
- 1134 registered political party under Subsection (5)(c) and instruct the county clerks to exclude such
- 1135 candidates from the primary-election ballot.
- 1136 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
- 1137 joint-ticket running mates shall appear jointly on the primary-election ballot.
- 1138 (c) After the county clerk receives the certified list from the lieutenant governor under
- 1139 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
- 1140 substantially the following form:
- 1141 "Notice is given that a primary election will be held Tuesday, June ____,
- 1142 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
- 1143 local school board positions listed on the primary ballot. The polling place for voting precinct

1144 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.

1145 Attest: county clerk."

1146 (5) (a) Candidates, other than presidential candidates, receiving the highest number of
1147 votes cast for each office at the regular primary election are nominated by their registered
1148 political party for that office or are nominated as a candidate for a nonpartisan local school
1149 board position.

1150 (b) If two or more candidates, other than presidential candidates, are to be elected to
1151 the office at the regular general election, those party candidates equal in number to positions to
1152 be filled who receive the highest number of votes at the regular primary election are the
1153 nominees of their party for those positions.

1154 (c) A candidate who is unopposed for an elective office in the regular primary election
1155 of a registered political party is nominated by the party for that office without appearing on the
1156 primary ballot. A candidate is "unopposed" if no person other than the candidate has received a
1157 certification under Subsection (3) for the regular primary election ballot of the candidate's
1158 registered political party for a particular elective office.

1159 (6) (a) When a tie vote occurs in any primary election for any national, state, or other
1160 office that represents more than one county, the governor, lieutenant governor, and attorney
1161 general shall, at a public meeting called by the governor and in the presence of the candidates
1162 involved, select the nominee by lot cast in whatever manner the governor determines.

1163 (b) When a tie vote occurs in any primary election for any county office, the district
1164 court judges of the district in which the county is located shall, at a public meeting called by
1165 the judges and in the presence of the candidates involved, select the nominee by lot cast in
1166 whatever manner the judges determine.

1167 (7) The expense of providing all ballots, blanks, or other supplies to be used at any
1168 primary election provided for by this section, and all expenses necessarily incurred in the
1169 preparation for or the conduct of that primary election shall be paid out of the treasury of the
1170 county or state, in the same manner as for the regular general elections.

1171 (8) An individual may not file a declaration of candidacy for a registered political party
1172 of which the individual is not a member, except to the extent that the registered political party
1173 permits otherwise under the registered political party's bylaws.

1174 Section 13. Section **20A-9-407** is amended to read:

1175 **20A-9-407. Convention process to seek the nomination of a qualified political**
1176 **party.**

1177 (1) This section describes the requirements for a member of a qualified political party
1178 who is seeking the nomination of a qualified political party for an elective office through the
1179 qualified political party's convention process.

1180 (2) Notwithstanding Subsection [20A-9-201](#)~~[(4)]~~(11)(a), the form of the declaration of
1181 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1182 the nomination of, the qualified political party under this section shall be substantially as
1183 described in Section [20A-9-408.5](#).

1184 (3) Notwithstanding Subsection [20A-9-202](#)(1)~~[(a)]~~, and except as provided in
1185 Subsection [20A-9-202](#)~~[(4)]~~(5), a member of a qualified political party who, under this section,
1186 is seeking the nomination of the qualified political party for an elective office that is to be filled
1187 at the next general election, shall:

1188 (a) file a declaration of candidacy in person with the filing officer on or after the
1189 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1190 regular general election; and

1191 (b) pay the filing fee.

1192 (4) Notwithstanding Subsection [20A-9-202](#)~~[(2)]~~(3)(a), a member of a qualified
1193 political party who, under this section, is seeking the nomination of the qualified political party
1194 for the office of district attorney within a multicounty prosecution district that is to be filled at
1195 the next general election shall:

1196 (a) file a declaration of candidacy with the county clerk designated in the interlocal
1197 agreement creating the prosecution district on or after the second Friday in March and before 5
1198 p.m. on the third Thursday in March before the next regular general election; and

1199 (b) pay the filing fee.

1200 (5) Notwithstanding Subsection [20A-9-202](#)~~[(3)]~~(4)(a)(iii), a lieutenant governor
1201 candidate who files as the joint-ticket running mate of an individual who is nominated by a
1202 qualified political party, under this section, for the office of governor shall submit a letter from
1203 the candidate for governor that names the lieutenant governor candidate as a joint-ticket
1204 running mate.

1205 (6) (a) A qualified political party that nominates a candidate under this section shall

1206 certify the name of the candidate to the lieutenant governor before 5 p.m. on the first Monday
1207 after the fourth Saturday in April.

1208 (b) The lieutenant governor shall ensure that the certification described in Subsection
1209 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
1210 under this section.

1211 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1212 is nominated by a qualified political party under this section, designate the qualified political
1213 party that nominated the candidate.

1214 Section 14. Section 20A-9-408 is amended to read:

1215 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
1216 **political party.**

1217 (1) This section describes the requirements for a member of a qualified political party
1218 who is seeking the nomination of the qualified political party for an elective office through the
1219 signature-gathering process described in this section.

1220 (2) Notwithstanding Subsection 20A-9-201[(4)](11)(a), the form of the declaration of
1221 candidacy for a member of a qualified political party who is nominated by, or who is seeking
1222 the nomination of, the qualified political party under this section shall be substantially as
1223 described in Section 20A-9-408.5.

1224 (3) Notwithstanding Subsection 20A-9-202(1)[(a)], and except as provided in
1225 Subsection 20A-9-202[(4)](5), a member of a qualified political party who, under this section,
1226 is seeking the nomination of the qualified political party for an elective office that is to be filled
1227 at the next general election shall:

1228 (a) within the period beginning on January 1 before the next regular general election
1229 and ending on the third Thursday in March of the same year, and before gathering signatures
1230 under this section, file with the filing officer on a form approved by the lieutenant governor a
1231 notice of intent to gather signatures for candidacy that includes:

1232 (i) the name of the member who will attempt to become a candidate for a registered
1233 political party under this section;

1234 (ii) the name of the registered political party for which the member is seeking
1235 nomination;

1236 (iii) the office for which the member is seeking to become a candidate;

- 1237 (iv) the address and telephone number of the member; and
1238 (v) other information required by the lieutenant governor;
- 1239 (b) file a declaration of candidacy, in person, with the filing officer on or after the
1240 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1241 regular general election; and
- 1242 (c) pay the filing fee.
- 1243 (4) Notwithstanding Subsection [20A-9-202](#)~~(2)~~(3)(a), a member of a qualified
1244 political party who, under this section, is seeking the nomination of the qualified political party
1245 for the office of district attorney within a multicounty prosecution district that is to be filled at
1246 the next general election shall:
- 1247 (a) on or after January 1 before the next regular general election, and before gathering
1248 signatures under this section, file with the filing officer on a form approved by the lieutenant
1249 governor a notice of intent to gather signatures for candidacy that includes:
- 1250 (i) the name of the member who will attempt to become a candidate for a registered
1251 political party under this section;
- 1252 (ii) the name of the registered political party for which the member is seeking
1253 nomination;
- 1254 (iii) the office for which the member is seeking to become a candidate;
- 1255 (iv) the address and telephone number of the member; and
1256 (v) other information required by the lieutenant governor;
- 1257 (b) file a declaration of candidacy, in person, with the filing officer on or after the
1258 second Friday in March and before 5 p.m. on the third Thursday in March before the next
1259 regular general election; and
- 1260 (c) pay the filing fee.
- 1261 (5) Notwithstanding Subsection [20A-9-202](#)~~(3)~~(4)(a)(iii), a lieutenant governor
1262 candidate who files as the joint-ticket running mate of an individual who is nominated by a
1263 qualified political party, under this section, for the office of governor shall submit a letter from
1264 the candidate for governor that names the lieutenant governor candidate as a joint-ticket
1265 running mate.
- 1266 (6) The lieutenant governor shall ensure that the certification described in Subsection
1267 [20A-9-701](#)(1) also includes the name of each candidate nominated by a qualified political party

1268 under this section.

1269 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
1270 is nominated by a qualified political party under this section, designate the qualified political
1271 party that nominated the candidate.

1272 (8) A member of a qualified political party may seek the nomination of the qualified
1273 political party for an elective office by:

1274 (a) complying with the requirements described in this section; and

1275 (b) collecting signatures, on a form approved by the lieutenant governor, during the
1276 period beginning on January 1 of an even-numbered year and ending 14 days before the day on
1277 which the qualified political party's convention for the office is held, in the following amounts:

1278 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
1279 permitted by the qualified political party to vote for the qualified political party's candidates in
1280 a primary election;

1281 (ii) for a congressional district race, 7,000 signatures of registered voters who are
1282 residents of the congressional district and are permitted by the qualified political party to vote
1283 for the qualified political party's candidates in a primary election;

1284 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1285 residents of the state Senate district and are permitted by the qualified political party to vote for
1286 the qualified political party's candidates in a primary election;

1287 (iv) for a state House district race, 1,000 signatures of registered voters who are
1288 residents of the state House district and are permitted by the qualified political party to vote for
1289 the qualified political party's candidates in a primary election; ~~and~~

1290 (v) for a partisan State Board of Education member race, 4,000 signatures of registered
1291 voters who are residents of the State Board of Education district and are permitted by the
1292 qualified political party to vote for the qualified political party's candidates in a primary
1293 election; and

1294 ~~(v)~~ (vi) for a county office race, signatures of 3% of the registered voters who are
1295 residents of the area permitted to vote for the county office and are permitted by the qualified
1296 political party to vote for the qualified political party's candidates in a primary election.

1297 (9) (a) In order for a member of the qualified political party to qualify as a candidate
1298 for the qualified political party's nomination for an elective office under this section, the

1299 member shall:

1300 (i) collect the signatures on a form approved by the lieutenant governor, using the same
1301 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

1302 (ii) submit the signatures to the election officer no later than 14 days before the day on
1303 which the qualified political party holds its convention to select candidates, for the elective
1304 office, for the qualified political party's nomination.

1305 (b) An individual may not gather signatures under this section until after the individual
1306 files a notice of intent to gather signatures for candidacy described in this section.

1307 (c) An individual who files a notice of intent to gather signatures for candidacy,
1308 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
1309 the notice of intent to gather signatures for candidacy:

1310 (i) required to comply with the reporting requirements that a candidate for office is
1311 required to comply with; and

1312 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1313 apply to a candidate for office in relation to the reporting requirements described in Subsection
1314 (9)(c)(i).

1315 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
1316 election officer shall, no later than one day before the day on which the qualified political party
1317 holds the convention to select a nominee for the elective office to which the signature packets
1318 relate:

1319 (i) check the name of each individual who completes the verification for a signature
1320 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

1321 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a
1322 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

1323 (iii) determine whether each signer is a registered voter who is qualified to sign the
1324 petition, using the same method, described in Section [20A-7-206.3](#), used to verify a signature
1325 on a petition;

1326 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1327 signature packet; and

1328 (v) notify the qualified political party and the lieutenant governor of the name of each
1329 member of the qualified political party who qualifies as a nominee of the qualified political

1330 party, under this section, for the elective office to which the convention relates.

1331 (e) Upon receipt of a notice of intent to gather signatures for candidacy described in
1332 this section, the lieutenant governor shall post the notice of intent to gather signatures for
1333 candidacy on the lieutenant governor's website in the same location that the lieutenant governor
1334 posts a declaration of candidacy.

1335 Section 15. Section **20A-9-701** is amended to read:

1336 **20A-9-701. Certification of party candidates to county clerks -- Display on ballot.**

1337 (1) No later than August 31 of each regular general election year, the lieutenant
1338 governor shall certify to each county clerk, for offices to be voted upon at the regular general
1339 election in that county clerk's county:

1340 (a) the names of each candidate nominated under Subsection [20A-9-202](#)~~(4)~~(5) or
1341 Subsection [20A-9-403](#)(5); and

1342 (b) the names of the candidates for president and vice president that are certified by the
1343 registered political party as the party's nominees.

1344 (2) The names shall be certified by the lieutenant governor and shall be displayed on
1345 the ballot as they are provided on the candidate's declaration of candidacy. No other names
1346 may appear on the ballot as affiliated with, endorsed by, or nominated by any other registered
1347 political party, political party, or other political group.

1348 Section 16. Section **20A-11-101** is amended to read:

1349 **20A-11-101. Definitions.**

1350 As used in this chapter:

1351 (1) "Address" means the number and street where an individual resides or where a
1352 reporting entity has its principal office.

1353 (2) "Agent of a reporting entity" means:

1354 (a) a person acting on behalf of a reporting entity at the direction of the reporting
1355 entity;

1356 (b) a person employed by a reporting entity in the reporting entity's capacity as a
1357 reporting entity;

1358 (c) the personal campaign committee of a candidate or officeholder;

1359 (d) a member of the personal campaign committee of a candidate or officeholder in the
1360 member's capacity as a member of the personal campaign committee of the candidate or

- 1361 officeholder; or
- 1362 (e) a political consultant of a reporting entity.
- 1363 (3) "Ballot proposition" includes initiatives, referenda, proposed constitutional
- 1364 amendments, and any other ballot propositions submitted to the voters that are authorized by
- 1365 the Utah Code Annotated 1953.
- 1366 (4) "Candidate" means any person who:
- 1367 (a) files a declaration of candidacy for a public office; or
- 1368 (b) receives contributions, makes expenditures, or gives consent for any other person to
- 1369 receive contributions or make expenditures to bring about the person's nomination or election
- 1370 to a public office.
- 1371 (5) "Chief election officer" means:
- 1372 (a) the lieutenant governor for:
- 1373 (i) state office candidates[;];
- 1374 (ii) legislative office candidates[;];
- 1375 (iii) officeholders[;];
- 1376 (iv) political parties[;];
- 1377 (v) political action committees[;];
- 1378 (vi) corporations[;];
- 1379 (vii) political issues committees[; ~~state school board~~];
- 1380 (viii) candidates[;] for the office of elected State Board of Education member;
- 1381 (ix) judges[;]; and
- 1382 (x) labor organizations, as defined in Section 20A-11-1501; and
- 1383 (b) the county clerk for local school board candidates.
- 1384 (6) (a) "Contribution" means any of the following when done for political purposes:
- 1385 (i) a gift, subscription, donation, loan, advance, or deposit of money or anything of
- 1386 value given to the filing entity;
- 1387 (ii) an express, legally enforceable contract, promise, or agreement to make a gift,
- 1388 subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or
- 1389 anything of value to the filing entity;
- 1390 (iii) any transfer of funds from another reporting entity to the filing entity;
- 1391 (iv) compensation paid by any person or reporting entity other than the filing entity for

1392 personal services provided without charge to the filing entity;
1393 (v) remuneration from:
1394 (A) any organization or its directly affiliated organization that has a registered lobbyist;
1395 or
1396 (B) any agency or subdivision of the state, including school districts;
1397 (vi) a loan made by a candidate deposited to the candidate's own campaign; and
1398 (vii) in-kind contributions.
1399 (b) "Contribution" does not include:
1400 (i) services provided by individuals volunteering a portion or all of their time on behalf
1401 of the filing entity if the services are provided without compensation by the filing entity or any
1402 other person;
1403 (ii) money lent to the filing entity by a financial institution in the ordinary course of
1404 business; or
1405 (iii) goods or services provided for the benefit of a candidate or political party at less
1406 than fair market value that are not authorized by or coordinated with the candidate or political
1407 party.
1408 (7) "Coordinated with" means that goods or services provided for the benefit of a
1409 candidate or political party are provided:
1410 (a) with the candidate's or political party's prior knowledge, if the candidate or political
1411 party does not object;
1412 (b) by agreement with the candidate or political party;
1413 (c) in coordination with the candidate or political party; or
1414 (d) using official logos, slogans, and similar elements belonging to a candidate or
1415 political party.
1416 (8) (a) "Corporation" means a domestic or foreign, profit or nonprofit, business
1417 organization that is registered as a corporation or is authorized to do business in a state and
1418 makes any expenditure from corporate funds for:
1419 (i) the purpose of expressly advocating for political purposes; or
1420 (ii) the purpose of expressly advocating the approval or the defeat of any ballot
1421 proposition.
1422 (b) "Corporation" does not mean:

1423 (i) a business organization's political action committee or political issues committee; or
1424 (ii) a business entity organized as a partnership or a sole proprietorship.

1425 (9) "County political party" means, for each registered political party, all of the persons
1426 within a single county who, under definitions established by the political party, are members of
1427 the registered political party.

1428 (10) "County political party officer" means a person whose name is required to be
1429 submitted by a county political party to the lieutenant governor in accordance with Section
1430 [20A-8-402](#).

1431 (11) "Detailed listing" means:

1432 (a) for each contribution or public service assistance:

1433 (i) the name and address of the individual or source making the contribution or public
1434 service assistance, except to the extent that the name or address of the individual or source is
1435 unknown;

1436 (ii) the amount or value of the contribution or public service assistance; and

1437 (iii) the date the contribution or public service assistance was made; and

1438 (b) for each expenditure:

1439 (i) the amount of the expenditure;

1440 (ii) the person or entity to whom it was disbursed;

1441 (iii) the specific purpose, item, or service acquired by the expenditure; and

1442 (iv) the date the expenditure was made.

1443 (12) (a) "Donor" means a person that gives money, including a fee, due, or assessment
1444 for membership in the corporation, to a corporation without receiving full and adequate
1445 consideration for the money.

1446 (b) "Donor" does not include a person that signs a statement that the corporation may
1447 not use the money for an expenditure or political issues expenditure.

1448 (13) (a) "Elected State Board of Education member" means a partisan State Board of
1449 Education member or a nonpartisan State Board of Education member.

1450 (b) "Elected State Board of Education member" does not include an appointed State
1451 Board of Education member.

1452 [~~13~~] (14) "Election" means each:

1453 (a) regular general election;

1454 (b) regular primary election; and

1455 (c) special election at which candidates are eliminated and selected.

1456 [~~(14)~~] (15) "Electioneering communication" means a communication that:

1457 (a) has at least a value of \$10,000;

1458 (b) clearly identifies a candidate or judge; and

1459 (c) is disseminated through the Internet, newspaper, magazine, outdoor advertising
1460 facility, direct mailing, broadcast, cable, or satellite provider within 45 days of the clearly
1461 identified candidate's or judge's election date.

1462 [~~(15)~~] (16) (a) "Expenditure" means any of the following made by a reporting entity or
1463 an agent of a reporting entity on behalf of the reporting entity:

1464 (i) any disbursement from contributions, receipts, or from the separate bank account
1465 required by this chapter;

1466 (ii) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
1467 or anything of value made for political purposes;

1468 (iii) an express, legally enforceable contract, promise, or agreement to make any
1469 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
1470 value for political purposes;

1471 (iv) compensation paid by a filing entity for personal services rendered by a person
1472 without charge to a reporting entity;

1473 (v) a transfer of funds between the filing entity and a candidate's personal campaign
1474 committee; or

1475 (vi) goods or services provided by the filing entity to or for the benefit of another
1476 reporting entity for political purposes at less than fair market value.

1477 (b) "Expenditure" does not include:

1478 (i) services provided without compensation by individuals volunteering a portion or all
1479 of their time on behalf of a reporting entity;

1480 (ii) money lent to a reporting entity by a financial institution in the ordinary course of
1481 business; or

1482 (iii) anything listed in Subsection [~~(15)~~] (16)(a) that is given by a reporting entity to
1483 candidates for office or officeholders in states other than Utah.

1484 [~~(16)~~] (17) "Federal office" means the office of president of the United States, United

1485 States Senator, or United States Representative.

1486 ~~[(17)]~~ (18) "Filing entity" means the reporting entity that is required to file a financial
1487 statement required by this chapter or Chapter 12, Part 2, Judicial Retention Elections.

1488 ~~[(18)]~~ (19) "Financial statement" includes any summary report, interim report, verified
1489 financial statement, or other statement disclosing contributions, expenditures, receipts,
1490 donations, or disbursements that is required by this chapter or Chapter 12, Part 2, Judicial
1491 Retention Elections.

1492 ~~[(19)]~~ (20) "Governing board" means the individual or group of individuals that
1493 determine the candidates and committees that will receive expenditures from a political action
1494 committee, political party, or corporation.

1495 ~~[(20)]~~ (21) "Incorporation" means the process established by Title 10, Chapter 2a,
1496 Municipal Incorporation, by which a geographical area becomes legally recognized as a city,
1497 town, or metro township.

1498 ~~[(21)]~~ (22) "Incorporation election" means the election authorized by Section
1499 [10-2a-210](#), [10-2a-304](#), or [10-2a-404](#).

1500 ~~[(22)]~~ (23) "Incorporation petition" means a petition authorized by Section [10-2a-208](#)
1501 or [10-2a-302](#).

1502 ~~[(23)]~~ (24) "Individual" means a natural person.

1503 ~~[(24)]~~ (25) "In-kind contribution" means anything of value, other than money, that is
1504 accepted by or coordinated with a filing entity.

1505 ~~[(25)]~~ (26) "Interim report" means a report identifying the contributions received and
1506 expenditures made since the last report.

1507 ~~[(26)]~~ (27) "Legislative office" means the office of state senator, state representative,
1508 speaker of the House of Representatives, president of the Senate, and the leader, whip, and
1509 assistant whip of any party caucus in either house of the Legislature.

1510 ~~[(27)]~~ (28) "Legislative office candidate" means a person who:

1511 (a) files a declaration of candidacy for the office of state senator or state representative;

1512 (b) declares oneself to be a candidate for, or actively campaigns for, the position of
1513 speaker of the House of Representatives, president of the Senate, or the leader, whip, and
1514 assistant whip of any party caucus in either house of the Legislature; or

1515 (c) receives contributions, makes expenditures, or gives consent for any other person to

1516 receive contributions or make expenditures to bring about the person's nomination, election, or
1517 appointment to a legislative office.

1518 ~~[(28)]~~ (29) "Major political party" means either of the two registered political parties
1519 that have the greatest number of members elected to the two houses of the Legislature.

1520 ~~[(29)]~~ (30) "Officeholder" means a person who holds a public office.

1521 ~~[(30)]~~ (31) "Party committee" means any committee organized by or authorized by the
1522 governing board of a registered political party.

1523 ~~[(31)]~~ (32) "Person" means both natural and legal persons, including individuals,
1524 business organizations, personal campaign committees, party committees, political action
1525 committees, political issues committees, and labor organizations, as defined in Section
1526 [20A-11-1501](#).

1527 ~~[(32)]~~ (33) "Personal campaign committee" means the committee appointed by a
1528 candidate to act for the candidate as provided in this chapter.

1529 ~~[(33)]~~ (34) "Personal use expenditure" has the same meaning as provided under Section
1530 [20A-11-104](#).

1531 ~~[(34)]~~ (35) (a) "Political action committee" means an entity, or any group of
1532 individuals or entities within or outside this state, a major purpose of which is to:

1533 (i) solicit or receive contributions from any other person, group, or entity for political
1534 purposes; or

1535 (ii) make expenditures to expressly advocate for any person to refrain from voting or to
1536 vote for or against any candidate or person seeking election to a municipal or county office.

1537 (b) "Political action committee" includes groups affiliated with a registered political
1538 party but not authorized or organized by the governing board of the registered political party
1539 that receive contributions or makes expenditures for political purposes.

1540 (c) "Political action committee" does not mean:

1541 (i) a party committee;

1542 (ii) any entity that provides goods or services to a candidate or committee in the regular
1543 course of its business at the same price that would be provided to the general public;

1544 (iii) an individual;

1545 (iv) individuals who are related and who make contributions from a joint checking
1546 account;

1547 (v) a corporation, except a corporation a major purpose of which is to act as a political
1548 action committee; or

1549 (vi) a personal campaign committee.

1550 ~~[(35)]~~ (36) (a) "Political consultant" means a person who is paid by a reporting entity,
1551 or paid by another person on behalf of and with the knowledge of the reporting entity, to
1552 provide political advice to the reporting entity.

1553 (b) "Political consultant" includes a circumstance described in Subsection ~~[(35)]~~
1554 ~~(36)(a)[;]~~ where the person:

1555 (i) has already been paid, with money or other consideration;

1556 (ii) expects to be paid in the future, with money or other consideration; or

1557 (iii) understands that the person may, in the discretion of the reporting entity or another
1558 person on behalf of and with the knowledge of the reporting entity, be paid in the future, with
1559 money or other consideration.

1560 ~~[(36)]~~ (37) "Political convention" means a county or state political convention held by
1561 a registered political party to select candidates.

1562 ~~[(37)]~~ (38) (a) "Political issues committee" means an entity, or any group of individuals
1563 or entities within or outside this state, a major purpose of which is to:

1564 (i) solicit or receive donations from any other person, group, or entity to assist in
1565 placing a ballot proposition on the ballot, assist in keeping a ballot proposition off the ballot, or
1566 to advocate that a voter refrain from voting or vote for or vote against any ballot proposition;

1567 (ii) make expenditures to expressly advocate for any person to sign or refuse to sign a
1568 ballot proposition or incorporation petition or refrain from voting, vote for, or vote against any
1569 proposed ballot proposition or an incorporation in an incorporation election; or

1570 (iii) make expenditures to assist in qualifying or placing a ballot proposition on the
1571 ballot or to assist in keeping a ballot proposition off the ballot.

1572 (b) "Political issues committee" does not mean:

1573 (i) a registered political party or a party committee;

1574 (ii) any entity that provides goods or services to an individual or committee in the
1575 regular course of its business at the same price that would be provided to the general public;

1576 (iii) an individual;

1577 (iv) individuals who are related and who make contributions from a joint checking

1578 account;

1579 (v) a corporation, except a corporation a major purpose of which is to act as a political

1580 issues committee; or

1581 (vi) a group of individuals who:

1582 (A) associate together for the purpose of challenging a single ballot proposition,

1583 ordinance, or other governmental action by a county, city, town, local district, special service

1584 district, or other local political subdivision of the state;

1585 (B) have a common liberty, property, or financial interest that is directly impacted by

1586 the ballot proposition, ordinance, or other governmental action;

1587 (C) do not associate together, for the purpose described in Subsection [~~(37)~~]

1588 (38)(b)(vi)(A), via a legal entity;

1589 (D) do not receive funds for challenging the ballot proposition, ordinance, or other

1590 governmental action from a person other than an individual in the group; and

1591 (E) do not expend a total of more than \$5,000 for the purpose described in Subsection

1592 [~~(37)~~] (38)(b)(vi)(A).

1593 [~~(38)~~] (39) (a) "Political issues contribution" means any of the following:

1594 (i) a gift, subscription, unpaid or partially unpaid loan, advance, or deposit of money or

1595 anything of value given to a political issues committee;

1596 (ii) an express, legally enforceable contract, promise, or agreement to make a political

1597 issues donation to influence the approval or defeat of any ballot proposition;

1598 (iii) any transfer of funds received by a political issues committee from a reporting

1599 entity;

1600 (iv) compensation paid by another reporting entity for personal services rendered

1601 without charge to a political issues committee; and

1602 (v) goods or services provided to or for the benefit of a political issues committee at

1603 less than fair market value.

1604 (b) "Political issues contribution" does not include:

1605 (i) services provided without compensation by individuals volunteering a portion or all

1606 of their time on behalf of a political issues committee; or

1607 (ii) money lent to a political issues committee by a financial institution in the ordinary

1608 course of business.

1609 [~~(39)~~] (40) (a) "Political issues expenditure" means any of the following when made by
1610 a political issues committee or on behalf of a political issues committee by an agent of the
1611 reporting entity:

1612 (i) any payment from political issues contributions made for the purpose of influencing
1613 the approval or the defeat of:

1614 (A) a ballot proposition; or

1615 (B) an incorporation petition or incorporation election;

1616 (ii) a purchase, payment, distribution, loan, advance, deposit, or gift of money made for
1617 the express purpose of influencing the approval or the defeat of:

1618 (A) a ballot proposition; or

1619 (B) an incorporation petition or incorporation election;

1620 (iii) an express, legally enforceable contract, promise, or agreement to make any
1621 political issues expenditure;

1622 (iv) compensation paid by a reporting entity for personal services rendered by a person
1623 without charge to a political issues committee; or

1624 (v) goods or services provided to or for the benefit of another reporting entity at less
1625 than fair market value.

1626 (b) "Political issues expenditure" does not include:

1627 (i) services provided without compensation by individuals volunteering a portion or all
1628 of their time on behalf of a political issues committee; or

1629 (ii) money lent to a political issues committee by a financial institution in the ordinary
1630 course of business.

1631 [~~(40)~~] (41) "Political purposes" means an act done with the intent or in a way to
1632 influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote
1633 for or against any:

1634 (a) candidate or a person seeking a municipal or county office at any caucus, political
1635 convention, or election; or

1636 (b) judge standing for retention at any election.

1637 [~~(41)~~] (42) (a) "Poll" means the survey of a person regarding the person's opinion or
1638 knowledge of an individual who has filed a declaration of candidacy for public office, or of a
1639 ballot proposition that has legally qualified for placement on the ballot, which is conducted in

1640 person or by telephone, facsimile, Internet, postal mail, or email.

1641 (b) "Poll" does not include:

1642 (i) a ballot; or

1643 (ii) an interview of a focus group that is conducted, in person, by one individual, if:

1644 (A) the focus group consists of more than three, and less than thirteen, individuals; and

1645 (B) all individuals in the focus group are present during the interview.

1646 ~~[(42)]~~ (43) "Primary election" means any regular primary election held under the
1647 election laws.

1648 ~~[(43)]~~ (44) "Publicly identified class of individuals" means a group of 50 or more
1649 individuals sharing a common occupation, interest, or association that contribute to a political
1650 action committee or political issues committee and whose names can be obtained by contacting
1651 the political action committee or political issues committee upon whose financial statement the
1652 individuals are listed.

1653 ~~[(44)]~~ (45) "Public office" means the office of governor, lieutenant governor, state
1654 auditor, state treasurer, attorney general, ~~[state school board member]~~ elected State Board of
1655 Education member, state senator, state representative, speaker of the House of Representatives,
1656 president of the Senate, and the leader, whip, and assistant whip of any party caucus in either
1657 house of the Legislature.

1658 ~~[(45)]~~ (46) (a) "Public service assistance" means the following when given or provided
1659 to an officeholder to defray the costs of functioning in a public office or aid the officeholder to
1660 communicate with the officeholder's constituents:

1661 (i) a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of
1662 money or anything of value to an officeholder; or

1663 (ii) goods or services provided at less than fair market value to or for the benefit of the
1664 officeholder.

1665 (b) "Public service assistance" does not include:

1666 (i) anything provided by the state;

1667 (ii) services provided without compensation by individuals volunteering a portion or all
1668 of their time on behalf of an officeholder;

1669 (iii) money lent to an officeholder by a financial institution in the ordinary course of
1670 business;

1671 (iv) news coverage or any publication by the news media; or
1672 (v) any article, story, or other coverage as part of any regular publication of any
1673 organization unless substantially all the publication is devoted to information about the
1674 officeholder.

1675 ~~[(46)]~~ (47) "Receipts" means contributions and public service assistance.

1676 ~~[(47)]~~ (48) "Registered lobbyist" means a person registered under Title 36, Chapter 11,
1677 Lobbyist Disclosure and Regulation Act.

1678 ~~[(48)]~~ (49) "Registered political action committee" means any political action
1679 committee that is required by this chapter to file a statement of organization with the Office of
1680 the Lieutenant Governor.

1681 ~~[(49)]~~ (50) "Registered political issues committee" means any political issues
1682 committee that is required by this chapter to file a statement of organization with the Office of
1683 the Lieutenant Governor.

1684 ~~[(50)]~~ (51) "Registered political party" means an organization of voters that:
1685 (a) participated in the last regular general election and polled a total vote equal to 2%
1686 or more of the total votes cast for all candidates for the United States House of Representatives
1687 for any of its candidates for any office; or
1688 (b) has complied with the petition and organizing procedures of Chapter 8, Political
1689 Party Formation and Procedures.

1690 ~~[(51)]~~ (52) (a) "Remuneration" means a payment:
1691 (i) made to a legislator for the period the Legislature is in session; and
1692 (ii) that is approximately equivalent to an amount a legislator would have earned
1693 during the period the Legislature is in session in the legislator's ordinary course of business.

1694 (b) "Remuneration" does not mean anything of economic value given to a legislator by:
1695 (i) the legislator's primary employer in the ordinary course of business; or
1696 (ii) a person or entity in the ordinary course of business:
1697 (A) because of the legislator's ownership interest in the entity; or
1698 (B) for services rendered by the legislator on behalf of the person or entity.

1699 ~~[(52)]~~ (53) "Reporting entity" means a candidate, a candidate's personal campaign
1700 committee, a judge, a judge's personal campaign committee, an officeholder, a party
1701 committee, a political action committee, a political issues committee, a corporation, or a labor

1702 organization, as defined in Section 20A-11-1501.

1703 ~~[(53) "School board office" means the office of state school board.]~~

1704 (54) (a) "Source" means the person or entity that is the legal owner of the tangible or
1705 intangible asset that comprises the contribution.

1706 (b) "Source" means, for political action committees and corporations, the political
1707 action committee and the corporation as entities, not the contributors to the political action
1708 committee or the owners or shareholders of the corporation.

1709 (55) "State office" means the offices of governor, lieutenant governor, attorney general,
1710 state auditor, and state treasurer.

1711 (56) "State office candidate" means a person who:

1712 (a) files a declaration of candidacy for a state office; or

1713 (b) receives contributions, makes expenditures, or gives consent for any other person to
1714 receive contributions or make expenditures to bring about the person's nomination, election, or
1715 appointment to a state office.

1716 (57) "Summary report" means the year end report containing the summary of a
1717 reporting entity's contributions and expenditures.

1718 (58) "Supervisory board" means the individual or group of individuals that allocate
1719 expenditures from a political issues committee.

1720 Section 17. Section 20A-11-403 is amended to read:

1721 **20A-11-403. Failure to file -- Penalties.**

1722 (1) Within 30 days after a deadline for the filing of a summary report, the lieutenant
1723 governor shall review each filed summary report to ensure that:

1724 (a) each officeholder that is required to file a summary report has filed one; and

1725 (b) each summary report contains the information required by this part.

1726 (2) If it appears that any officeholder has failed to file the summary report required by
1727 law, if it appears that a filed summary report does not conform to the law, or if the lieutenant
1728 governor has received a written complaint alleging a violation of the law or the falsity of any
1729 summary report, the lieutenant governor shall, if the lieutenant governor determines that a
1730 violation has occurred:

1731 (a) impose a fine against the filing entity in accordance with Section 20A-11-1005; and

1732 (b) within five days of discovery of a violation or receipt of a written complaint, notify

1733 the officeholder of the violation or written complaint and direct the officeholder to file a
1734 summary report correcting the problem.

1735 (3) (a) It is unlawful for any officeholder to fail to file or amend a summary report
1736 within seven days after receiving notice from the lieutenant governor under this section.

1737 (b) Each officeholder who violates Subsection (3)(a) is guilty of a class B
1738 misdemeanor.

1739 (c) The lieutenant governor shall report all violations of Subsection (3)(a) to the
1740 attorney general.

1741 (d) In addition to the criminal penalty described in Subsection (3)(b), the lieutenant
1742 governor shall impose a civil fine of \$100 against an officeholder who violates Subsection
1743 (3)(a).

1744 (4) Within 30 days after a deadline for the filing of an interim report by an officeholder
1745 under Subsection 20A-11-204(1)(c), 20A-11-303(1)(c), or 20A-11-1303(1)~~(c)~~(d), the
1746 lieutenant governor shall review each filed interim report to ensure that each interim report
1747 contains the information required for the report.

1748 (5) If it appears that any officeholder has failed to file an interim report required by
1749 law, if it appears that a filed interim report does not conform to the law, or if the lieutenant
1750 governor has received a written complaint alleging a violation of the law or the falsity of any
1751 interim report, the lieutenant governor shall, if the lieutenant governor determines that a
1752 violation has occurred:

1753 (a) impose a fine against the filing entity in accordance with Section 20A-11-1005; and

1754 (b) within five days after the day on which the violation is discovered or a written
1755 complaint is received, notify the officeholder of the violation or written complaint and direct
1756 the officeholder to file an interim report correcting the problem.

1757 (6) (a) It is unlawful for any officeholder to fail to file or amend an interim report
1758 within seven days after the day on which the officeholder receives notice from the lieutenant
1759 governor under this section.

1760 (b) Each officeholder who violates Subsection (6)(a) is guilty of a class B
1761 misdemeanor.

1762 (c) The lieutenant governor shall report all violations of Subsection (6)(a) to the
1763 attorney general.

1764 (d) In addition to the criminal penalty described in Subsection (6)(b), the lieutenant
 1765 governor shall impose a civil fine of \$100 against an officeholder who violates Subsection
 1766 (6)(a).

1767 Section 18. Section **20A-11-1005** is amended to read:

1768 **20A-11-1005. Fines for failing to file a financial statement.**

1769 (1) Except as provided in Subsections **20A-11-512**(1)(b) and (4), the chief election
 1770 officer shall fine a filing entity \$100 for failing to file a financial statement by the filing
 1771 deadline.

1772 (2) If a filing entity is unable to pay the fine or files an affidavit of impecuniosity in a
 1773 manner similar to Subsection **20A-9-201**~~[(5)(d)]~~(15), the chief election officer shall impose the
 1774 fine against the candidate or treasurer, as appropriate.

1775 (3) The chief election officer shall deposit fines collected under this chapter in the
 1776 General Fund.

1777 Section 19. Section **20A-11-1301** is amended to read:

1778 **20A-11-1301. Candidate for office of elected State Board of Education member --**
 1779 **Campaign finance requirements -- Candidate as a political action committee officer -- No**
 1780 **personal use -- Contribution reporting deadline -- Report other accounts -- Anonymous**
 1781 **contributions.**

1782 (1) (a) (i) Each ~~[school board office]~~ candidate for the office of elected State Board of
 1783 Education member shall deposit each contribution and public service assistance received in one
 1784 or more separate accounts in a financial institution that are dedicated only to that purpose.

1785 (ii) A ~~[school board office]~~ candidate for the office of elected State Board of Education
 1786 member may:

1787 (A) receive a contribution or public service assistance from a political action
 1788 committee registered under Section **20A-11-601**; and

1789 (B) be designated by a political action committee as an officer who has primary
 1790 decision-making authority as described in Section **20A-11-601**.

1791 (b) A ~~[school board office]~~ candidate for the office of elected State Board of Education
 1792 member may not use money deposited in an account described in Subsection (1)(a)(i) for:

1793 (i) a personal use expenditure; or

1794 (ii) an expenditure prohibited by law.

1795 (2) A ~~[school board office]~~ candidate for the office of elected State Board of Education
 1796 member may not deposit or mingle any contributions or public service assistance received into
 1797 a personal or business account.

1798 (3) A ~~[school board office]~~ candidate for the office of elected State Board of Education
 1799 member may not make any political expenditures prohibited by law.

1800 (4) If ~~[a person]~~ an individual who is no longer a ~~[school board]~~ candidate for the
 1801 office of elected State Board of Education member chooses not to expend the money remaining
 1802 in a campaign account, the ~~[person]~~ individual shall continue to file the year-end summary
 1803 report required by Section 20A-11-1302 until the statement of dissolution and final summary
 1804 report required by Section 20A-11-1304 are filed with the lieutenant governor.

1805 (5) (a) Except as provided in Subsection (5)(b) and Section 20A-11-402, ~~[a person]~~ an
 1806 individual who is no longer a ~~[school board]~~ candidate for the office of elected State Board of
 1807 Education member may not expend or transfer the money in a campaign account in a manner
 1808 that would cause the former ~~[school board]~~ candidate for the office of elected State Board of
 1809 Education member to recognize the money as taxable income under federal tax law.

1810 (b) ~~[A person]~~ An individual who is no longer a ~~[school board]~~ candidate for the office
 1811 of elected State Board of Education member may transfer the money in a campaign account in
 1812 a manner that would cause the former ~~[school board]~~ candidate for the office of elected State
 1813 Board of Education member to recognize the money as taxable income under federal tax law if
 1814 the transfer is made to a campaign account for federal office.

1815 (6) (a) As used in this Subsection (6) ~~[and Section 20A-11-1303]~~, "received" ~~[means:]~~
 1816 means the same as that term is defined in Subsection 20A-11-1303(1)(a).

1817 ~~[(i) for a cash contribution, that the cash is given to a school board office candidate or a~~
 1818 ~~member of the candidate's personal campaign committee;]~~

1819 ~~[(ii) for a contribution that is a negotiable instrument or check, that the negotiable~~
 1820 ~~instrument or check is negotiated; and]~~

1821 ~~[(iii) for any other type of contribution, that any portion of the contribution's benefit~~
 1822 ~~inures to the school board office candidate.]~~

1823 (b) Each ~~[school board office]~~ candidate for the office of elected State Board of
 1824 Education member shall report to the chief election officer each contribution and public service
 1825 assistance received by the ~~[school board office]~~ candidate for the office of elected State Board

1826 of Education member:

1827 (i) except as provided in Subsection (6)(b)(ii), within 30 days after the day on which
1828 the contribution or public service assistance is received; or

1829 (ii) within three business days after the day on which the contribution or public service
1830 assistance is received, if:

1831 (A) the [~~school board office~~] candidate for the office of elected State Board of
1832 Education member is contested in a primary election and the contribution or public service
1833 assistance is received within 30 days before the day on which the primary election is held; or

1834 (B) the [~~school board office~~] candidate for the office of elected State Board of
1835 Education member is contested in a general election and the contribution or public service
1836 assistance is received within 30 days before the day on which the general election is held.

1837 (c) For each contribution or provision of public service assistance that a [~~school board~~
1838 ~~office~~] candidate for the office of elected State Board of Education member fails to report
1839 within the time period described in Subsection (6)(b), the chief election officer shall impose a
1840 fine against the [~~school board office~~] candidate for the office of elected State Board of
1841 Education member in an amount equal to:

1842 (i) (A) 10% of the amount of the contribution, if the [~~school board office~~] candidate for
1843 the office of elected State Board of Education member reports the contribution within 60 days
1844 after the day on which the time period described in Subsection (6)(b) ends; or

1845 (B) 20% of the amount of the contribution, if the [~~school board office~~] candidate for
1846 the office of elected State Board of Education member fails to report the contribution within 60
1847 days after the day on which the time period described in Subsection (6)(b) ends; or

1848 (ii) (A) 10% of the value of the public service assistance, if the [~~school board office~~]
1849 candidate for the office of elected State Board of Education member reports the public service
1850 assistance within 60 days after the day on which the time period described in Subsection (6)(b)
1851 ends; or

1852 (B) 20% of the amount of the public service assistance, if the [~~school board office~~]
1853 candidate for the office of elected State Board of Education member fails to report the public
1854 service assistance within 60 days after the day on which the time period described in
1855 Subsection (6)(b) ends.

1856 (d) The chief election officer shall:

- 1857 (i) deposit money received under Subsection (6)(c) into the General Fund; and
1858 (ii) report on the chief election officer's website, in the location where reports relating
1859 to each [~~school board office~~] candidate for the office of elected State Board of Education
1860 member are available for public access:
- 1861 (A) each fine imposed by the chief election officer against the [~~school board office~~]
1862 candidate for the office of elected State Board of Education member;
- 1863 (B) the amount of the fine;
- 1864 (C) the amount of the contribution to which the fine relates; and
- 1865 (D) the date of the contribution.
- 1866 (7) Within 30 days after receiving a contribution that is cash or a negotiable
1867 instrument, exceeds \$50, and is from an unknown source, a [~~school board office~~] candidate for
1868 the office of elected State Board of Education member shall disburse the contribution to:
- 1869 (a) the treasurer of the state or a political subdivision for deposit into the state's or
1870 political subdivision's general fund; or
- 1871 (b) an organization that is exempt from federal income taxation under Section
1872 501(c)(3), Internal Revenue Code.
- 1873 (8) (a) As used in this Subsection (8), "account" means an account in a financial
1874 institution:
- 1875 (i) that is not described in Subsection (1)(a)(i); and
- 1876 (ii) into which or from which [~~a person~~] an individual who, as a candidate for an office,
1877 other than [~~a school board office~~] the office of elected State Board of Education member for
1878 which the person files a declaration of candidacy or federal office, or as a holder of an office,
1879 other than [~~a school board office~~] the office of elected State Board of Education member for
1880 which the person files a declaration of candidacy or federal office, deposits a contribution or
1881 makes an expenditure.
- 1882 (b) A [~~school board office~~] candidate for the office of elected State Board of Education
1883 member shall include on any financial statement filed in accordance with this part:
- 1884 (i) a contribution deposited in an account:
- 1885 (A) since the last campaign finance statement was filed; or
- 1886 (B) that has not been reported under a statute or ordinance that governs the account; or
- 1887 (ii) an expenditure made from an account:

1888 (A) since the last campaign finance statement was filed; or
1889 (B) that has not been reported under a statute or ordinance that governs the account.

1890 Section 20. Section **20A-11-1302** is amended to read:

1891 **20A-11-1302. Candidate for the office of elected State Board of Education**
1892 **member -- Financial reporting requirements -- Year-end summary report.**

1893 (1) (a) Each [~~school board office~~] candidate for the office of elected State Board of
1894 Education member shall file a summary report by January 10 of the year after the regular
1895 general election year.

1896 (b) In addition to the requirements of Subsection (1)(a), a former [~~school board office~~]
1897 candidate for the office of elected State Board of Education member that has not filed the
1898 statement of dissolution and final summary report required under Section **20A-11-1304** shall
1899 continue to file a summary report on January 10 of each year.

1900 (2) (a) Each summary report shall include the following information as of December 31
1901 of the previous year:

- 1902 (i) the net balance of the last financial statement, if any;
- 1903 (ii) a single figure equal to the total amount of receipts reported on all interim reports,
1904 if any, during the previous year;
- 1905 (iii) a single figure equal to the total amount of expenditures reported on all interim
1906 reports, if any, filed during the previous year;
- 1907 (iv) a detailed listing of each receipt, contribution, and public service assistance since
1908 the last summary report that has not been reported in detail on an interim report;
- 1909 (v) for each nonmonetary contribution:

1910 (A) the fair market value of the contribution with that information provided by the
1911 contributor; and

1912 (B) a specific description of the contribution;

1913 (vi) a detailed listing of each expenditure made since the last summary report that has
1914 not been reported in detail on an interim report;

1915 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;

1916 (viii) a net balance for the year consisting of the net balance from the last summary
1917 report, if any, plus all receipts minus all expenditures; and

1918 (ix) the name of a political action committee for which the [~~school board office~~]

1919 candidate for the office of elected State Board of Education member is designated as an officer
 1920 who has primary decision-making authority under Section 20A-11-601.

1921 (b) (i) For all individual contributions or public service assistance of \$50 or less, a
 1922 single aggregate figure may be reported without separate detailed listings.

1923 (ii) Two or more contributions from the same source that have an aggregate total of
 1924 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1925 (c) In preparing the report, all receipts and expenditures shall be reported as of
 1926 December 31 of the previous year.

1927 (d) A check or negotiable instrument received by a [~~school board office~~] candidate for
 1928 the office of elected State Board of Education member on or before December 31 of the
 1929 previous year shall be included in the summary report.

1930 (3) The [~~school board office~~] candidate for the office of elected State Board of
 1931 Education member shall certify in the summary report that, to the best of the [~~school board~~
 1932 ~~office~~] candidate's knowledge, all receipts and all expenditures have been reported as of
 1933 December 31 of the previous year and that there are no bills or obligations outstanding and
 1934 unpaid except as set forth in that report.

1935 Section 21. Section 20A-11-1303 is amended to read:

1936 **20A-11-1303. Candidate and officeholder for the office of elected State Board of**
 1937 **Education member -- Financial reporting requirements -- Interim reports.**

1938 (1) (a) As used in this section, "received" means:

1939 (i) for a cash contribution, that the cash is given to a candidate for the office of elected
 1940 State Board of Education member or a member of the candidate's personal campaign
 1941 committee;

1942 (ii) for a contribution that is a check or other negotiable instrument, that the check or
 1943 other negotiable instrument is negotiated; and

1944 (iii) for any other type of contribution, that any portion of the contribution's benefit
 1945 inures to the candidate for the office of elected State Board of Education member.

1946 (b) As used in this Subsection (1), "campaign account" means a separate campaign
 1947 account required under Subsection 20A-11-1301(1)(a)(i).

1948 [~~(b)~~] (c) Each [~~school board office~~] candidate for the office of elected State Board of
 1949 Education member shall file an interim report at the following times in any year in which the

- 1950 candidate has filed a declaration of candidacy for a public office:
- 1951 (i) (A) for a candidate for the office of nonpartisan State Board of Education member,
- 1952 May 15; or
- 1953 (B) for a candidate for the office of partisan State Board of Education member, seven
- 1954 days before the candidate's political convention;
- 1955 (ii) seven days before the regular primary election date;
- 1956 (iii) September 30; and
- 1957 (iv) seven days before the regular general election date.
- 1958 ~~(c)~~ (d) Each [school board office holder] elected State Board of Education
- 1959 officeholder who has a campaign account that has not been dissolved under Section
- 1960 [20A-11-1304](#) shall, in an even year, file an interim report at the following times, regardless of
- 1961 whether an election for the school board office holder's office is held that year:
- 1962 (i) May 15;
- 1963 (ii) seven days before the regular primary election date for that year;
- 1964 (iii) September 30; and
- 1965 (iv) seven days before the regular general election date.
- 1966 (2) Each interim report shall include the following information:
- 1967 (a) the net balance of the last summary report, if any;
- 1968 (b) a single figure equal to the total amount of receipts reported on all prior interim
- 1969 reports, if any, during the calendar year in which the interim report is due;
- 1970 (c) a single figure equal to the total amount of expenditures reported on all prior
- 1971 interim reports, if any, filed during the calendar year in which the interim report is due;
- 1972 (d) a detailed listing of each contribution and public service assistance received since
- 1973 the last summary report that has not been reported in detail on a prior interim report;
- 1974 (e) for each nonmonetary contribution:
- 1975 (i) the fair market value of the contribution with that information provided by the
- 1976 contributor; and
- 1977 (ii) a specific description of the contribution;
- 1978 (f) a detailed listing of each expenditure made since the last summary report that has
- 1979 not been reported in detail on a prior interim report;
- 1980 (g) for each nonmonetary expenditure, the fair market value of the expenditure;

1981 (h) a net balance for the year consisting of the net balance from the last summary
 1982 report, if any, plus all receipts since the last summary report minus all expenditures since the
 1983 last summary report;

1984 (i) a summary page in the form required by the lieutenant governor that identifies:

1985 (i) beginning balance;

1986 (ii) total contributions during the period since the last statement;

1987 (iii) total contributions to date;

1988 (iv) total expenditures during the period since the last statement; and

1989 (v) total expenditures to date; and

1990 (j) the name of a political action committee for which the school board office candidate
 1991 or school board office holder is designated as an officer who has primary decision-making
 1992 authority under Section [20A-11-601](#).

1993 (3) (a) For all individual contributions or public service assistance of \$50 or less, a
 1994 single aggregate figure may be reported without separate detailed listings.

1995 (b) Two or more contributions from the same source that have an aggregate total of
 1996 more than \$50 may not be reported in the aggregate, but shall be reported separately.

1997 (4) (a) In preparing each interim report, all receipts and expenditures shall be reported
 1998 as of five days before the required filing date of the report.

1999 (b) Any negotiable instrument or check received by a school board office candidate or
 2000 school board office holder more than five days before the required filing date of a report
 2001 required by this section shall be included in the interim report.

2002 Section 22. Section **20A-11-1304** is amended to read:

2003 **20A-11-1304. Candidate for office of elected State Board of Education member --**
 2004 **Financial reporting requirements -- Termination of duty to report.**

2005 (1) Each [~~school board~~] candidate for the office of elected State Board of Education
 2006 member is subject to interim reporting requirements until the candidate withdraws or is
 2007 eliminated in a primary.

2008 (2) Each [~~school board office~~] candidate for the office of elected State Board of
 2009 Education member is subject to year-end summary reporting requirements until the candidate
 2010 has filed a statement of dissolution with the lieutenant governor stating that:

2011 (a) the [~~school board office~~] candidate is no longer receiving contributions and is no

2012 longer making expenditures;

2013 (b) the ending balance on the last summary report filed is zero and the balance in the
2014 separate bank account required in Section 20A-11-1301 is zero; and

2015 (c) a final summary report in the form required by Section 20A-11-1302 showing a
2016 zero balance is attached to the statement of dissolution.

2017 (3) A statement of dissolution and a final summary report may be filed at any time.

2018 (4) Each ~~[school board office]~~ candidate for the office of elected State Board of
2019 Education member shall continue to file the year-end summary report required by Section
2020 20A-11-1302 until the statement of dissolution and final summary report required by this
2021 section are filed.

2022 Section 23. Section 20A-11-1305 is amended to read:

2023 **20A-11-1305. Candidate for office of elected State Board of Education member --**
2024 **Failure to file statement -- Penalties.**

2025 (1) (a) A ~~[school board office]~~ candidate for the office of elected State Board of
2026 Education member who fails to file a financial statement by the deadline is subject to a fine
2027 imposed in accordance with Section 20A-11-1005.

2028 (b) If a ~~[school board office]~~ candidate for the office of elected State Board of
2029 Education member fails to file an interim report described in ~~[Subsections]~~ Subsection
2030 20A-11-1303(1)(b)(ii) through (iv), the chief election officer shall, after making a reasonable
2031 attempt to discover if the report was timely filed, inform the county clerk and other appropriate
2032 election officials who:

2033 (i) (A) shall, if practicable, remove the name of the candidate from the ballots before
2034 the ballots are delivered to voters; or

2035 (B) shall, if removing the candidate's name from the ballot is not practicable, inform
2036 the voters by any practicable method that the candidate has been disqualified and that votes
2037 cast for the candidate will not be counted; and

2038 (ii) may not count any votes for that candidate.

2039 (c) Any ~~[school board office]~~ candidate for the office of elected State Board of
2040 Education member who fails to file timely a financial statement required by Subsection
2041 20A-11-1303(1)(b)(ii), (iii), or (iv)~~(c)~~ is disqualified.

2042 (d) Notwithstanding Subsections (1)(b) and (1)(c), a ~~[school board office]~~ candidate for

2043 the office of elected State Board of Education member is not disqualified and the chief election
2044 officer may not impose a fine if:

2045 (i) the candidate timely files the reports required by this section in accordance with
2046 Section [20A-11-103](#);

2047 (ii) those reports are completed, detailing accurately and completely the information
2048 required by this part except for inadvertent omissions or insignificant errors or inaccuracies;
2049 and

2050 (iii) those omissions, errors, or inaccuracies described in Subsection (1)(d)(ii) are
2051 corrected in:

2052 (A) an amended report; or

2053 (B) the next scheduled report.

2054 (2) (a) Within 30 days after a deadline for the filing of a summary report by a [~~school~~
2055 ~~board office~~] candidate for the office of elected State Board of Education member, the
2056 lieutenant governor shall review each filed summary report to ensure that:

2057 (i) each [~~school board candidate that~~] candidate for the office of elected State Board of
2058 Education member who is required to file a summary report has filed one; and

2059 (ii) each summary report contains the information required by this part.

2060 (b) If it appears that a [~~school board~~] candidate for the office of elected State Board of
2061 Education member has failed to file the summary report required by law, if it appears that a
2062 filed summary report does not conform to the law, or if the lieutenant governor has received a
2063 written complaint alleging a violation of the law or the falsity of any summary report, the
2064 lieutenant governor shall, within five days of discovery of a violation or receipt of a written
2065 complaint, notify the [~~school board~~] candidate of the violation or written complaint and direct
2066 the [~~school board~~] candidate to file a summary report correcting the problem.

2067 (c) (i) It is unlawful for a [~~school board~~] candidate for the office of elected State Board
2068 of Education member to fail to file or amend a summary report within seven days after
2069 receiving notice from the lieutenant governor under this section.

2070 (ii) Each [~~school board~~] candidate for the office of elected State Board of Education
2071 member who violates Subsection (2)(c)(i) is guilty of a class B misdemeanor.

2072 (iii) The lieutenant governor shall report all violations of Subsection (2)(c)(i) to the
2073 attorney general.

2074 (iv) In addition to the criminal penalty described in Subsection (2)(c)(ii), the lieutenant
 2075 governor shall impose a civil fine of \$100 against a [~~school board~~] candidate for the office of
 2076 elected State Board of Education member who violates Subsection (2)(c)(i).

2077 Section 24. Section **20A-14-101.1** is amended to read:

2078 **CHAPTER 14. ELECTION OF STATE BOARD OF EDUCATION AND**
 2079 **LOCAL SCHOOL BOARDS**

2080 **20A-14-101.1. Title -- Definitions.**

2081 (1) This chapter is known as "Election of State Board of Education and Local School
 2082 Boards."

2083 (2) As used in this part[:~~(1) "Board"~~], "board" means the State Board of Education.

2084 [~~(2) "Board block assignment file" means the electronic file that assigns each of Utah's~~
 2085 ~~115, 406 census blocks to a particular State Board of Education district.]~~

2086 [~~(3) "Board shapefile" means the electronic shapefile that stores the boundary of each~~
 2087 ~~of the 15 State Board of Education districts.]~~

2088 [~~(4) "Census block" means any one of the 115, 406 individual geographic areas into~~
 2089 ~~which the Bureau of the Census of the United States Department of Commerce has divided the~~
 2090 ~~state of Utah, to each of which the Bureau of the Census has attached a discrete population~~
 2091 ~~tabulation from the 2010 decennial census.]~~

2092 [~~(5) "Shapefile" means the digital vector storage format for storing geometric location~~
 2093 ~~and associated attribute information.]~~

2094 Section 25. Section **20A-14-103** is amended to read:

2095 **20A-14-103. State Board of Education members -- State Board of Education**
 2096 **districts established -- Qualifications -- Avoiding conflicts of interest.**

2097 [~~(1)(a) Unless otherwise provided by law, each State Board of Education member~~
 2098 ~~elected from a State Board of Education District at the 2010 general election shall:]~~

2099 [~~(i) serve out the term of office for which that member was elected; and]~~

2100 [~~(ii) represent the realigned district if the member resides in that district.]~~

2101 [~~(b) At the general election to be held in 2012, a State Board of Education member~~
 2102 ~~elected from State Board of Education Districts 4, 7, 8, 10, 11, 12, 13, and 15 shall be elected~~
 2103 ~~to serve a term of office of four years.]~~

2104 [~~(c) In order to ensure that the terms of approximately half of the State Board of~~

2105 ~~Education members expire every two years:]~~

2106 ~~[(i) at the general election to be held in 2012, the State Board of Education member~~
 2107 ~~elected from State Board of Education District 1 shall be elected to serve a term of office of~~
 2108 ~~two years; and]~~

2109 ~~[(ii) at the general election to be held in 2014, the State Board of Education member~~
 2110 ~~elected from State Board of Education District 1 shall be elected to serve a term of office of~~
 2111 ~~four years.]~~

2112 (1) The term of office for each individual elected or appointed to the office of State
 2113 Board of Education member before the 2018 general election ends on December 31, 2018.

2114 (2) There are four State Board of Education districts, as follows:

2115 (a) State Board of Education District 1 is the same as the first congressional district;

2116 (b) State Board of Education District 2 is the same as the second congressional district;

2117 (c) State Board of Education District 3 is the same as the third congressional district;

2118 and

2119 (d) State Board of Education District 4 is the same as the fourth congressional district.

2120 (3) The State Board of Education is composed of 13 members, as described in Section

2121 [53A-1-201](#).

2122 ~~[(2)]~~ (4) (a) A person seeking election to the State Board of Education shall have been
 2123 a resident of the State Board of Education district in which the person is seeking election for at
 2124 least one year as of the date of the election.

2125 (b) A person who has resided within the State Board of Education district, as the
 2126 boundaries of the district exist on the date of the election, for one year immediately preceding
 2127 the date of the election shall be considered to have met the requirements of this Subsection (2).

2128 ~~[(3)]~~ (5) A State Board of Education member shall:

2129 (a) be and remain a registered voter in the State Board of Education district from which
 2130 the member was elected or appointed; and

2131 (b) maintain the member's primary residence within the State Board of Education
 2132 district from which the member was elected or appointed during the member's term of office.

2133 ~~[(4)]~~ (6) A State Board of Education member may not, during the member's term of
 2134 office, also serve as an employee of:

2135 (a) the State Board of Education;

2136 (b) the Utah State Office of Education; or

2137 (c) the Utah State Office of Rehabilitation.

2138 (7) The provisions of Section 20A-9-403 do not apply to the election of a nonpartisan

2139 State Board of Education member. The election of a nonpartisan State Board of Education

2140 member is governed by this chapter.

2141 Section 26. Section 20A-14-104 is amended to read:

2142 **20A-14-104. Becoming a candidate for the office of nonpartisan State Board of**
2143 **Education member.**

2144 (1) ~~[(a) Persons interested in becoming]~~ An individual who desires to be a candidate
2145 for the office of nonpartisan State Board of Education member shall:

2146 (a) file a declaration of candidacy [according to] in person with the filing officer:

2147 (i) on or after January 1 of the regular general election year and before the individual
2148 circulates a nomination petition described in Section 20A-14-104.5; and

2149 (ii) in accordance with the procedures and requirements of Sections 20A-9-201 and
2150 20A-9-202[-]; and

2151 ~~[(b) By May 1 of the year in which a State Board of Education member's term expires;~~
2152 ~~the lieutenant governor shall submit the name of each person who has filed a declaration of~~
2153 ~~candidacy for the State Board of Education to the nominating and recruiting committee for the~~
2154 ~~State Board of Education.]~~

2155 (b) pay the filing fee.

2156 ~~[(2) By November 1 of the year preceding each regular general election year, a~~
2157 ~~nominating and recruiting committee consisting of 12 members, each to serve a two-year term;~~
2158 ~~shall be appointed by the governor as follows:]~~

2159 ~~[(a) one member shall be appointed to represent each of the following business and~~
2160 ~~industry sectors:]~~

2161 ~~[(i) manufacturing and mining;]~~

2162 ~~[(ii) transportation and public utilities;]~~

2163 ~~[(iii) service, trade, and information technology;]~~

2164 ~~[(iv) finance, insurance, and real estate;]~~

2165 ~~[(v) construction; and]~~

2166 ~~[(vi) agriculture; and]~~

2167 ~~[(b) one member shall be appointed to represent each of the following education~~
2168 ~~sectors:]~~

2169 ~~[(i) teachers;]~~

2170 ~~[(ii) school administrators;]~~

2171 ~~[(iii) parents;]~~

2172 ~~[(iv) local school board members;]~~

2173 ~~[(v) charter schools; and]~~

2174 ~~[(vi) higher education.]~~

2175 ~~[(3) (a) The members appointed under Subsections (2)(a)(i) through (vi) and (2)(b)(i)~~
2176 ~~through (vi) shall be appointed from lists containing at least two names submitted by~~
2177 ~~organizations representing each of the respective sectors.]~~

2178 ~~[(b) At least one member of the nominating and recruiting committee shall reside~~
2179 ~~within each state board district in which a member's term expires during the committee's~~
2180 ~~two-year term of office.]~~

2181 ~~[(4) (a) The members shall elect one member to serve as chair for the committee.]~~

2182 ~~[(b) The chair, or another member of the committee designated by the chair, shall~~
2183 ~~schedule and convene all committee meetings.]~~

2184 ~~[(c) Any formal action by the committee requires the approval of a majority of~~
2185 ~~committee members.]~~

2186 ~~[(d) Members of the nominating and recruiting committee shall serve without~~
2187 ~~compensation, but they may be reimbursed for expenses incurred in the performance of their~~
2188 ~~official duties as established by the Division of Finance.]~~

2189 ~~[(5) The nominating and recruiting committee shall:]~~

2190 ~~[(a) recruit potential candidates for membership on the State Board of Education prior~~
2191 ~~to the deadline to file a declaration of candidacy;]~~

2192 ~~[(b) prepare a list of candidates for membership on the State Board of Education for~~
2193 ~~each state board district subject to election in that year using the qualifications under~~
2194 ~~Subsection (6);]~~

2195 ~~[(c) submit a list of at least three candidates for each state board position to the~~
2196 ~~governor by July 1; and]~~

2197 ~~[(d) ensure that the list includes appropriate background information on each~~

2198 candidate:]

2199 ~~[(6) The nominating committee shall select a broad variety of candidates who possess~~
2200 ~~outstanding professional qualifications relating to the powers and duties of the State Board of~~
2201 ~~Education, including experience in the following areas:]~~

2202 ~~[(a) business and industry administration;]~~

2203 ~~[(b) business and industry human resource management;]~~

2204 ~~[(c) business and industry finance;]~~

2205 ~~[(d) business and industry, including expertise in:]~~

2206 ~~[(i) metrics and evaluation;]~~

2207 ~~[(ii) manufacturing;]~~

2208 ~~[(iii) retailing;]~~

2209 ~~[(iv) natural resources;]~~

2210 ~~[(v) information technology;]~~

2211 ~~[(vi) construction;]~~

2212 ~~[(vii) banking;]~~

2213 ~~[(viii) science and engineering; and]~~

2214 ~~[(ix) medical and healthcare;]~~

2215 ~~[(e) higher education administration;]~~

2216 ~~[(f) applied technology education;]~~

2217 ~~[(g) public education administration;]~~

2218 ~~[(h) public education instruction;]~~

2219 ~~[(i) economic development;]~~

2220 ~~[(j) labor; and]~~

2221 ~~[(k) other life experiences that would benefit the State Board of Education.]~~

2222 (2) (a) Each county clerk who receives a declaration of candidacy described in this
2223 section from a candidate for multicounty office shall transmit the filing fee and a copy of the
2224 candidate's declaration of candidacy to the lieutenant governor within one working day after the
2225 day on which the candidate files the declaration of candidacy.

2226 (b) Each day during the filing period, each county clerk shall notify the lieutenant
2227 governor electronically or by telephone of candidates who have filed a declaration of candidacy
2228 described in this section in the county clerk's office.

2229 (3) (a) A declaration of candidacy filed under this section is valid unless an individual
2230 files a written objection with the clerk or lieutenant governor within five days after the day of
2231 the deadline for filing a declaration of candidacy.

2232 (b) If an individual files an objection, the clerk or lieutenant governor shall:

2233 (i) immediately mail or personally deliver notice of the objection to the affected
2234 candidate; and

2235 (ii) decide any objection within 48 hours after the objection is filed.

2236 (c) If the clerk or lieutenant governor sustains the objection, the candidate may, if
2237 possible, cure the problem by amending the declaration or nomination petition, or by filing a
2238 new declaration, within three days after the day on which the objection is sustained.

2239 (d) (i) The clerk's or lieutenant governor's decision upon objections to form is final.

2240 (ii) The clerk's or lieutenant governor's decision upon substantive matters is reviewable
2241 by a district court if prompt application is made to the court.

2242 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
2243 of discretion, agrees to review the lower court decision.

2244 (4) A candidate may withdraw as a candidate by filing a written affidavit with the
2245 clerk.

2246 (5) Notwithstanding Subsection (1)(a), and subject to Subsection [20A-9-201](#)(12)(b), an
2247 individual may designate an agent to file the form described in Subsection [20A-9-201](#)(12) in
2248 person with the filing officer if:

2249 (a) the individual is located outside the state during the filing period because:

2250 (i) of employment with the state or the United States; or

2251 (ii) the individual is a member of:

2252 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or
2253 Coast Guard of the United States, and is on active duty;

2254 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the
2255 commissioned corps of the National Oceanic and Atmospheric Administration of the United
2256 States; or

2257 (C) the National Guard and is on activated status;

2258 (b) the individual communicates with the filing officer using an electronic device that
2259 allows the individual and the filing officer to see and hear each other; and

2260 (c) the individual provides the filing officer with an email address to which the filing
2261 officer may send the copies described in Subsection 20A-9-201(9).

2262 Section 27. Section **20A-14-104.5** is enacted to read:

2263 **20A-14-104.5. Signature-gathering process for office of nonpartisan State Board**
2264 **of Education member -- Verification of signatures -- Placement on ballot.**

2265 (1) A candidate who is seeking placement on the ballot for the office of nonpartisan
2266 State Board of Education member shall, after complying with the requirements of Subsection
2267 20A-14-104(1):

2268 (a) during the period beginning on January 1 of an even-numbered year and ending at 5
2269 p.m. on the last business day in March, collect signatures of at least 2,000 registered voters
2270 who reside in the same State Board of Education district as the candidate;

2271 (b) collect the signatures described in Subsection (1)(a) on a nomination petition form
2272 created by the lieutenant governor's office, in accordance with, and subject to, the same
2273 circulation and verification requirements described in Sections 20A-7-204 and 20A-7-205; and

2274 (c) submit the signatures described in Subsection (1)(a) to the election officer no later
2275 than 5 p.m. on the last business day in March.

2276 (2) Upon timely receipt of the signatures described in this section, the election officer
2277 shall, no later than 14 days after the day on which the election officer receives the signatures:

2278 (a) check the name of each individual who completes the verification for a signature
2279 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

2280 (b) submit the name of each individual described in Subsection (2)(a) who is not a
2281 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

2282 (c) determine whether each signer is a registered voter who is qualified to sign the
2283 nomination petition form, using the same method described in Section 20A-7-206.3 to verify a
2284 signature on a petition;

2285 (d) certify whether each name is the name of a registered voter who is qualified to sign
2286 the signature packet; and

2287 (e) certify the candidate for placement on the ballot if the election officer determines
2288 that the candidate:

2289 (i) has complied with the requirements of this section and Section 20A-14-104; and

2290 (ii) obtained the signatures described in Subsection (1)(a).

2291 (3) (a) If more than two candidates for the office of nonpartisan State Board of
2292 Education member qualify to be placed on the ballot for one State Board of Education District,
2293 the election officer shall certify the candidates for placement on the regular primary election
2294 ballot.

2295 (b) The election officer shall place the names of the two candidates for the office of
2296 nonpartisan State Board of Education member who receive the highest number of votes in a
2297 primary election for a State Board of Education District on the general election ballot.

2298 (c) If only one or two candidates for the office of nonpartisan State Board of Education
2299 member qualify to be placed on the ballot for one State Board of Education District, the
2300 election officer:

2301 (i) shall certify the name of each candidate for placement on the regular general
2302 election ballot; and

2303 (ii) may not place the name of a candidate described in Subsection (3)(c)(i) on the
2304 primary election ballot.

2305 Section 28. Section **53A-1-201** is amended to read:

2306 **53A-1-201. State Board of Education members -- Election and appointment of**
2307 **officers -- Removal from office.**

2308 ~~[(1) Members of the State Board of Education shall be nominated and elected as~~
2309 ~~provided in Title 20A, Chapter 14, Nomination and Election of State and Local School~~
2310 ~~Boards.]~~

2311 (1) The State Board of Education is composed of 13 members, as follows:

2312 (a) four members shall be elected in a nonpartisan election, one from each
2313 congressional district, in accordance with Title 20A, Chapter 14, Nomination and Election of
2314 State and Local School Boards;

2315 (b) four members shall be elected in a partisan election, one from each congressional
2316 district; and

2317 (c) five nonpartisan, at-large members shall be appointed by the governor, with the
2318 consent of the Senate.

2319 (2) An individual who has been convicted of a grievous sexual offense, as defined in
2320 Section [76-1-601](#), against a child, may not hold the office of State Board of Education member.

2321 (3) In appointing the at-large members of the State Board of Education, the governor:

2322 (a) may not appoint an individual who is a resident of the same county as any other
2323 at-large member of the State Board of Education;

2324 (b) may not appoint an at-large member who is a resident of a county of the first,
2325 second, or third class, if less than three members of the State Board of Education are residents
2326 of a county of the fourth, fifth, or sixth class; and

2327 (c) may not appoint an individual to serve more than two consecutive terms.

2328 (4) (a) Four partisan State Board of Education members and four nonpartisan State
2329 Board of Education members shall be elected in the 2018 general election for terms beginning
2330 on January 1, 2019.

2331 (b) The following partisan State Board of Education members elected in the 2018
2332 general election shall serve initial terms of two years:

2333 (i) State Board of Education District 1; and

2334 (ii) State Board of Education District 2.

2335 (c) In the 2020 general election, and every four years after the 2020 general election,
2336 the State Board of Education members described in Subsection (4)(b) shall be elected to
2337 four-year terms.

2338 (d) The following partisan State Board of Education members elected in the 2018
2339 general election shall serve initial terms of four years, and shall be elected every four years
2340 after the 2018 general election to four-year terms:

2341 (i) State Board of Education District 3; and

2342 (ii) State Board of Education District 4.

2343 (e) The following nonpartisan State Board of Education members elected in the 2018
2344 general election shall serve initial terms of two years:

2345 (i) State Board of Education District 3; and

2346 (ii) State Board of Education District 4.

2347 (f) In the 2020 general election, and every four years after the 2020 general election,
2348 the State Board of Education members described in Subsection (4)(e) shall be elected to
2349 four-year terms.

2350 (g) The following nonpartisan State Board of Education members elected in the 2018
2351 general election shall serve initial terms of four years, and shall be elected every four years
2352 after the 2018 general election to four-year terms:

2353 (i) State Board of Education District 1; and

2354 (ii) State Board of Education District 2.

2355 (h) The governor shall appoint three of the State Board of Education members

2356 described in Subsection (1)(c) to serve initial terms of two years and two of the State Board of

2357 Education members described in Subsection (1)(c) to serve initial terms of four years.

2358 (i) Following the initial terms described in Subsection (4)(h), the governor shall

2359 appoint State Board of Education members described in Subsection (1)(c) to four-year terms.

2360 ~~[(2)]~~ (5) The State Board of Education shall elect from its members a chair, and at least

2361 one vice chair, but no more than three vice chairs, each year at a meeting held any time

2362 between November 15 and January 15.

2363 ~~[(3)]~~ (6) (a) If the election of officers is held subsequent to the election or the

2364 appointment and consent of a new member of the board, but prior to the time that the new

2365 member takes office, the new member shall assume the position of the outgoing member for

2366 purposes of the election of officers.

2367 (b) In all other matters the outgoing member shall retain the full authority of the office

2368 until replaced as provided by law.

2369 ~~[(4)]~~ (7) The ~~[duties of these officers shall be determined by the]~~ board shall determine

2370 the duties of the officers described in Subsection (5).

2371 ~~[(5)]~~ (8) The board shall appoint a secretary who serves at the pleasure of the board.

2372 ~~[(6)]~~ (9) An officer appointed or elected by the board under this section may be

2373 removed from office for cause by a vote of two-thirds of the board.

2374 Section 29. Section **63I-1-220** is amended to read:

2375 **63I-1-220. Repeal dates, Title 20A.**

2376 On January 1, 2017:

2377 (1) Subsection **20A-1-102**~~[(54)]~~(57) is repealed.

2378 (2) Subsection **20A-2-102.5**(1) the language that states "**20A-4-108**, or" is repealed.

2379 (3) Subsection **20A-2-201**(3) the language that states "Except as provided in

2380 Subsection **20A-4-108**(5)," is repealed.

2381 (4) Subsection **20A-2-202**(3)(a) the language that states "Except as provided in

2382 Subsection **20A-4-108**(6)," is repealed.

2383 (5) Subsection **20A-2-204**(5)(a) the language that states "Except as provided in

2384 Subsection 20A-4-108(7)," is repealed.

2385 (6) Subsection 20A-2-205(7)(a) the language that states "Except as provided in

2386 Subsection 20A-4-108(8)," is repealed.

2387 (7) Subsection 20A-2-206(8)(b) the language that states "Except as provided in

2388 Subsection 20A-4-108(9)," is repealed.

2389 (8) Subsection 20A-2-307(2)(a) is repealed.

2390 (9) Subsection 20A-4-107(2)(b) the language that states "Except as provided in

2391 Subsection 20A-4-108(10)," is repealed.

2392 (10) Subsection 20A-4-107(3) the language that states "or if the voter is, in accordance
2393 with the pilot project, registered to vote under Subsection 20A-4-108(10)," is repealed.

2394 (11) Subsection 20A-4-107(4) the language that states "Except as provided in

2395 Subsection 20A-4-108(12)," is repealed.

2396 (12) Section 20A-4-108 is repealed.

2397 Section 30. **Repealer.**

2398 This bill repeals:

2399 Section 20A-14-102, **State Board of Education districts.**

2400 Section 20A-14-102.1, **Omissions from maps -- How resolved.**

2401 Section 20A-14-102.2, **Uncertain boundaries -- How resolved.**

2402 Section 20A-14-102.3, **County clerk, Automated Geographic Reference Center,
2403 and lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

2404 Section 20A-14-105, **Becoming a candidate for membership on the State Board of
2405 Education -- Selection of candidates by the governor -- Ballot placement.**

2406 Section 20A-14-106, **Vacancies on the State Board of Education.**

2407 Section 31. **Effective date.**

2408 This bill takes effect on January 1, 2017, if the amendment to the Utah Constitution
2409 proposed by S.J.R. 1, Proposal to Amend Utah Constitution -- State Board of Education
2410 Changes, 2016 General Session, passes the Legislature and is approved by a majority of those
2411 voting on the amendment at the next regular general election.

Legislative Review Note
Office of Legislative Research and General Counsel