

Stephanie Pitcher proposes the following substitute bill:

Elections Provisions Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lisa Shepherd

Senate Sponsor: Ronald M. Winterton

LONG TITLE

General Description:

This bill amends provisions relating to elections.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ modifies the conditions and requirements for a ballot to list a candidate using a variation of the candidate's name or a nickname;
- ▶ modifies, consolidates, recodifies, and adds provisions relating to:
 - notices of offices to be filled at upcoming elections;
 - notices of candidate filing periods;
 - notices of candidates to be included on a ballot and other instructions relating to a ballot;
 - notices of election; and
 - other notices relating to elections;
- ▶ modifies certain declaration of candidacy periods:
 - to coincide with the declaration of candidacy periods for municipal primary elections and municipal general elections; and
 - to make declaration of candidacy periods for all registered political parties the same, regardless of whether the registered political party is a qualified political party;
- ▶ beginning on January 1, 2027, prohibits a county clerk's or election officer's name from:
 - inclusion in the official endorsement for a ballot;
 - inclusion on a return envelope for a ballot; or
 - inclusion on a ballot, except to the extent that the county clerk or election officer is listed as a candidate on the ballot;
- ▶ modifies certain deadlines set at a specific date to instead occur on a business day;

- 29 ▸ modifies and consolidates provisions relating to removing the names of deceased
30 individuals from the list of registered voters;
- 31 ▸ modifies requirements relating to the storage of election material, ballots, and election
32 returns;
- 33 ▸ modifies the deadline to file an objection to a declaration of candidacy;
- 34 ▸ modifies and removes inconsistent provisions relating to participation in a regular
35 primary election;
- 36 ▸ grants rulemaking authority to the Office of the Lieutenant Governor to regulate the use
37 and application of the Great Seal of the State of Utah or a replica of the seal;
- 38 ▸ modifies and clarifies provisions relating to the crime of illegally using or defacing the
39 Great Seal of the State of Utah; and
- 40 ▸ makes technical and conforming changes.

41 **Money Appropriated in this Bill:**

42 None

43 **Other Special Clauses:**

44 This bill provides a special effective date.

45 **Utah Code Sections Affected:**

46 AMENDS:

47 **10-3-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 448

48 **17-62-201 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
49 First Special Session, Chapter 13

50 **17-62-202 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
51 First Special Session, Chapter 13

52 **17B-1-306 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 39, 161

53 **17B-1-1001 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 388

54 **17B-1-1003 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapters 15,
55 174

56 **20A-1-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
57 Session, Chapter 6

58 **20A-1-206 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448

59 **20A-1-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
60 Session, Chapter 16

61 **20A-1-503 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 90, 448

62 **20A-2-107 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special

63 Session, Chapter 2
64 **20A-2-504 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448
65 **20A-2-505 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,
66 448
67 **20A-3a-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381,
68 448
69 **20A-3a-603 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 381
70 **20A-3a-604 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448
71 **20A-4-104 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
72 Session, Chapter 6
73 **20A-4-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
74 Session, Chapter 6
75 **20A-4-304 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
76 Session, Chapter 6
77 **20A-6-109 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 39
78 **20A-6-110 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
79 Chapter 39
80 **20A-6-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
81 **20A-6-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 39, 448
82 **20A-6-304 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 136
83 **20A-6-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
84 **20A-6-401.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
85 **20A-6-402 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 39
86 **20A-9-101 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapters 15, 45
87 **20A-9-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
88 Session, Chapter 2
89 **20A-9-201.5 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second
90 Special Session, Chapter 2
91 **20A-9-202 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 448
92 **20A-9-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 38, 39
93 and 448
94 **20A-9-403 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 39, 448
95 **20A-9-406 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
96 Session, Chapter 2

97 **20A-9-407 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
98 Session, Chapter 2

99 **20A-9-408 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Second Special
100 Session, Chapter 2

101 **20A-9-409 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
102 Session, Chapter 16

103 **20A-14-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Second
104 Special Session, Chapter 10

105 **67-1a-7 (Effective 05/06/26)**, as enacted by Laws of Utah 1984, Chapter 68

106 ENACTS:

107 **20A-5a-101 (Effective 05/06/26)**, Utah Code Annotated 1953

108 **20A-5a-102 (Effective 05/06/26)**, Utah Code Annotated 1953

109 **20A-5a-202 (Effective 05/06/26)**, Utah Code Annotated 1953

110 **20A-5a-203 (Effective 05/06/26)**, Utah Code Annotated 1953

111 **20A-5a-204 (Effective 05/06/26)**, Utah Code Annotated 1953

112 **20A-5a-205 (Effective upon governor's approval)**, Utah Code Annotated 1953

113 **20A-5a-206 (Effective upon governor's approval)**, Utah Code Annotated 1953

114 **20A-5a-207 (Effective 05/06/26)**, Utah Code Annotated 1953

115 **20A-5a-208 (Effective 05/06/26)**, Utah Code Annotated 1953

116 **20A-5a-210 (Effective 05/06/26)**, Utah Code Annotated 1953

117 **20A-5a-211 (Effective 05/06/26)**, Utah Code Annotated 1953

118 **20A-5a-212 (Effective 05/06/26)**, Utah Code Annotated 1953

119 **20A-5a-213 (Effective 05/06/26)**, Utah Code Annotated 1953

120 **20A-5a-301 (Effective 05/06/26)**, Utah Code Annotated 1953

121 **20A-5a-302 (Effective 05/06/26)**, Utah Code Annotated 1953

122 **20A-5a-303 (Effective 05/06/26)**, Utah Code Annotated 1953

123 **20A-5a-304 (Effective 05/06/26)**, Utah Code Annotated 1953

124 **20A-5a-305 (Effective 05/06/26)**, Utah Code Annotated 1953

125 **20A-5a-306 (Effective 05/06/26)**, Utah Code Annotated 1953

126 **20A-5a-307 (Effective 05/06/26)**, Utah Code Annotated 1953

127 **20A-5a-308 (Effective 05/06/26)**, Utah Code Annotated 1953

128 **20A-5a-309 (Effective 05/06/26)**, Utah Code Annotated 1953

129 **20A-5a-310 (Effective 05/06/26)**, Utah Code Annotated 1953

130 **20A-5a-311 (Effective 05/06/26)**, Utah Code Annotated 1953

131 **20A-5a-312 (Effective 05/06/26)**, Utah Code Annotated 1953

132 **20A-5a-401 (Effective 05/06/26)**, Utah Code Annotated 1953

133 **20A-5a-402 (Effective 05/06/26)**, Utah Code Annotated 1953

134 RENUMBERS AND AMENDS:

135 **20A-5-401.1 (Effective 05/06/26)**, (Renumbered from 20A-5-102, as last amended by
136 Laws of Utah 2025, Chapter 381)

137 **20A-5-401.2 (Effective 05/06/26)**, (Renumbered from 20A-5-103, as last amended by
138 Laws of Utah 1997, Chapter 183)

139 **20A-5a-201 (Effective 05/06/26)**, (Renumbered from 20A-5-101, as last amended by
140 Laws of Utah 2025, Chapter 448)

141 **20A-5a-209 (Effective 05/06/26)**, (Renumbered from 20A-9-701, as last amended by
142 Laws of Utah 2015, Chapter 296)

143 REPEALS:

144 **17B-1-305 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 15

145 **20A-5-409 (Effective 05/06/26)**, as last amended by Laws of Utah 2011, Chapter 327

146

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

148 Section 1. Section **10-3-301** is amended to read:

149 **10-3-301 (Effective 05/06/26). Notice of offices to be filled and declaration of**
150 **candidacy period -- Eligibility and residency requirements for elected municipal office --**
151 **Mayor and recorder limitations.**

152 (1) As used in this section:

153 (a) "Absent" means that an elected municipal officer fails to perform official duties,
154 including the officer's failure to attend each regularly scheduled meeting that the
155 officer is required to attend.

156 (b) "Principal place of residence" means the same as that term is defined in Section
157 20A-2-105.

158 (c) "Secondary residence" means a place where an individual resides other than the
159 individual's principal place of residence.

160 [~~(2)(a) On or before May 1 in a year in which there is a municipal general election, the~~
161 ~~municipal clerk shall publish a notice that identifies:]~~

162 [~~(i) the municipal offices to be voted on in the municipal general election; and]~~

163 [~~(ii) the dates for filing a declaration of candidacy for the offices identified under~~
164 ~~Subsection (2)(a)(i).]~~

- 165 ~~[(b) The municipal clerk shall publish the notice described in Subsection (2)(a) for the~~
166 ~~municipality, as a class A notice under Section 63G-30-102, for at least seven days.]~~
- 167 (2) A municipality shall comply with Sections 20A-5a-301 and 20A-5a-303 to provide
168 notice regarding:
- 169 (a) the offices to be voted on at the upcoming election; and
170 (b) the declaration of candidacy filing period.
- 171 (3)(a) An individual who files a declaration of candidacy for a municipal office shall:
- 172 (i) comply with the requirements described in Section 20A-9-203; and
173 (ii) file the conflict of interest disclosure statement described in Section 10-3-301.5.
- 174 (b)(i) Except as provided in Subsection (3)(b)(ii), the city recorder or town clerk of
175 each municipality shall maintain office hours from 8 a.m. to 5 p.m. during the
176 filing period described in Subsection 20A-9-203(3)(d), unless the date occurs on a:
- 177 (A) Saturday or Sunday; or
178 (B) state holiday as listed in Section 63G-1-301.
- 179 (ii) If on a regular basis a city recorder or town clerk maintains an office schedule
180 that is less than 40 hours per week, the city recorder or town clerk may comply
181 with Subsection (3)(b)(i) without maintaining office hours by:
- 182 (A) posting the recorder's or clerk's contact information, including a phone
183 number and email address, on the recorder's or clerk's office door, the main
184 door to the municipal offices, and, if available, on the municipal website; and
185 (B) being available from 8 a.m. to 5 p.m. on the dates described in Subsection
186 (3)(b)(i), via the contact information described in Subsection (3)(b)(ii)(A).
- 187 (4) An individual elected to municipal office shall be a registered voter in the municipality
188 in which the individual is elected.
- 189 (5)(a) Each elected officer of a municipality shall maintain a principal place of residence
190 within the municipality, and within the district that the elected officer represents,
191 during the officer's term of office.
- 192 (b) Except as provided in Subsection (6), an elected municipal office is automatically
193 vacant if the officer elected to the municipal office, during the officer's term of office:
- 194 (i) establishes a principal place of residence outside the district that the elected officer
195 represents;
196 (ii) resides at a secondary residence outside the district that the elected officer
197 represents for a continuous period of more than 60 days while still maintaining a
198 principal place of residence within the district;

- 199 (iii) is absent from the district that the elected officer represents for a continuous
 200 period of more than 60 days; or
- 201 (iv) fails to respond to a request, within 30 days after the day on which the elected
 202 officer receives the request, from the county clerk or the lieutenant governor
 203 seeking information to determine the officer's residency.
- 204 (6)(a) Notwithstanding Subsection (5), if an elected municipal officer obtains the
 205 consent of the municipal legislative body in accordance with Subsection (6)(b) before
 206 the expiration of the 60-day period described in Subsection (5)(b)(ii) or (iii), the
 207 officer may:
- 208 (i) reside at a secondary residence outside the district that the elected officer
 209 represents while still maintaining a principal place of residence within the district
 210 for a continuous period of up to one year during the officer's term of office; or
- 211 (ii) be absent from the district that the elected officer represents for a continuous
 212 period of up to one year during the officer's term of office.
- 213 (b) At a public meeting, the municipal legislative body may give the consent described
 214 in Subsection (6)(a) by majority vote after taking public comment regarding:
- 215 (i) whether the legislative body should give the consent; and
 216 (ii) the length of time to which the legislative body should consent.
- 217 (7)(a) The mayor of a municipality may not also serve as the municipal recorder or
 218 treasurer.
- 219 (b) The recorder of a municipality may not also serve as the municipal treasurer.
- 220 (c) An individual who holds a county elected office may not, at the same time, hold a
 221 municipal elected office.
- 222 (d) The restriction described in Subsection (7)(c) applies regardless of whether the
 223 individual is elected to the office or appointed to fill a vacancy in the office.
- 224 Section 2. Section **17-62-201** is amended to read:
- 225 **17-62-201 (Effective 05/06/26). County commission form of government --**
 226 **Commission member elections.**
- 227 (1) As used in this section:
- 228 (a) "Midterm vacancy" means a county commission position that is being filled at an
 229 election for less than the position's full term as established in:
- 230 (i) Subsection (4)(a); or
 231 (ii) a county's optional plan under Section 17-62-403.
- 232 (b) "Open position" means a county commission position that is being filled at a regular

- 233 general election for the position's full term as established in:
- 234 (i) Subsection (4)(a); or
- 235 (ii) a county's optional plan under Section 17-62-403.
- 236 (c) "Opt-in county" means a county that has, in accordance with Subsection (6)(a),
- 237 chosen to conduct county commissioner elections in accordance with Subsection (6).
- 238 (2) A county commission consisting of three members shall govern each county operating
- 239 under the county commission form of government.
- 240 (3) A county commission under a county commission form of government is both the
- 241 county legislative body and the county executive and has the powers, duties, and
- 242 functions of a county legislative body under Chapter 64, County Legislative Body, and
- 243 the powers, duties, and functions of a county executive under Chapter 65, County
- 244 Executive.
- 245 (4) Except as otherwise provided in an optional plan adopted under this chapter:
- 246 (a) the term of office of each county commission member is four years;
- 247 (b) the terms of county commission members shall be staggered so that two members are
- 248 elected at a regular general election date that alternates with the regular general
- 249 election date of the other member; and
- 250 (c) each county commission member shall be elected:
- 251 (i) at large, unless otherwise required by court order; and
- 252 (ii) subject to the provisions of this section, in accordance with Title 20A, Election
- 253 Code.
- 254 (5) Except as provided in Subsection (6):
- 255 (a) if two county commission positions are vacant for an election, the positions shall be
- 256 designated "county commission seat A" and "county commission seat B";
- 257 (b) each candidate who files a declaration of candidacy when two positions are vacant
- 258 shall designate on the declaration of candidacy form whether the candidate is a
- 259 candidate for seat A or seat B; and
- 260 (c) no person may file a declaration of candidacy for, be a candidate for, or be elected to
- 261 two county commission positions in the same election.
- 262 (6)(a) A county of the first or second class may, through an optional plan as described in
- 263 Subsection 17-62-403(5) or by ordinance, choose to conduct county commissioner
- 264 elections in accordance with this Subsection (6).
- 265 (b) When issuing the notice [~~of election required by Subsection 20A-5-101(2)] described~~
- 266 in Section 20A-5a-202, the clerk of an opt-in county shall, if there is at least one open

- 267 position and at least one midterm vacancy, designate:
- 268 (i) each open position as "open position"; and
- 269 (ii) each midterm vacancy as "midterm vacancy."
- 270 (c) An individual who files a declaration of candidacy for the office of county
- 271 commissioner in an opt-in county:
- 272 (i) if there is more than one open position, is not required to indicate which open
- 273 position the individual is running for;
- 274 (ii) if there is at least one open position and at least one midterm vacancy, shall
- 275 designate on the declaration of candidacy whether the individual is filing for an
- 276 open position or a midterm vacancy; and
- 277 (iii) may not file a declaration of candidacy for an open position and a midterm
- 278 vacancy in the same election.
- 279 (d) If there is an open position and a midterm vacancy being voted upon in the same
- 280 election in an opt-in county, the county clerk shall indicate on the ballot for the
- 281 election which positions are open positions and which positions are midterm
- 282 vacancies.
- 283 (e) In an opt-in county:
- 284 (i) the candidates for open positions, in a number equal to the number of open
- 285 positions, who receive the highest number of votes are:
- 286 (A) for the purposes of a regular primary election, nominated by the candidates'
- 287 party for the open positions; and
- 288 (B) for the purposes of a regular general election, elected to fill the open positions;
- 289 and
- 290 (ii) the candidates for midterm vacancies, in a number equal to the number of
- 291 midterm vacancies, who receive the highest number of votes are:
- 292 (A) for the purposes of a regular primary election, nominated by the candidates'
- 293 party for the midterm vacancies; and
- 294 (B) for the purposes of a regular general election, elected to fill the midterm
- 295 vacancies.

296 Section 3. Section **17-62-202** is amended to read:

297 **17-62-202 (Effective 05/06/26). Expanded county commission form of**

298 **government -- Commission member elections.**

299 (1) As used in this section:

- 300 (a) "Midterm vacancy" means the same as that term is defined in Section 17-62-201.

- 301 (b) "Open position" means the same as that term is defined in Section 17-62-201.
- 302 (c) "Opt-in county" means a county that has, in accordance with Subsection (6)(a),
303 chosen to conduct county commissioner elections in accordance with Subsection (6).
- 304 (2) A county commission consisting of five or seven members shall govern each county
305 operating under an expanded county commission form of government.
- 306 (3) A county commission under the expanded county commission form of government is
307 both the county legislative body and the county executive and has the powers, duties,
308 and functions of a county legislative body under Chapter 64, County Legislative Body,
309 and the powers, duties, and functions of a county executive under Chapter 65, County
310 Executive.
- 311 (4) Except as otherwise provided in an optional plan adopted under this chapter:
- 312 (a) the term of office of each county commission member is four years;
- 313 (b) the terms of county commission members shall be staggered so that approximately
314 half the members are elected at alternating regular general election dates; and
- 315 (c) each county commission member shall be elected:
- 316 (i) at large, unless otherwise required by court order; and
- 317 (ii) subject to the provisions of this section, in accordance with Title 20A, Election
318 Code.
- 319 (5) Except as provided in Subsection (6):
- 320 (a) if multiple at-large county commission positions are vacant for an election, the
321 positions shall be designated "county commission seat A," "county commission seat
322 B," and so on as necessary for the number of vacant positions;
- 323 (b) each candidate who files a declaration of candidacy when multiple positions are
324 vacant shall designate the letter of the county commission seat for which the
325 candidate is a candidate; and
- 326 (c) no person may file a declaration of candidacy for, be a candidate for, or be elected to
327 two county commission positions in the same election.
- 328 (6)(a) A county of the first or second class may, through an optional plan as described in
329 Subsection 17-62-403(5) or by ordinance, choose to conduct county commissioner
330 elections in accordance with this Subsection (6).
- 331 (b) When issuing the notice [~~of election required by Subsection 20A-5-101(2)] described
332 in Section 20A-5a-202, the clerk of an opt-in county shall, if there is at least one open
333 position and at least one midterm vacancy, designate:~~
- 334 (i) each open position as "open position"; and

- 335 (ii) each midterm vacancy as "midterm vacancy."
 336 (c) An individual who files a declaration of candidacy for the office of county
 337 commissioner in an opt-in county:
 338 (i) if there is more than one open position, is not required to indicate which open
 339 position the individual is running for;
 340 (ii) if there is at least one open position and at least one midterm vacancy, shall
 341 designate on the declaration of candidacy whether the individual is filing for an
 342 open position or a midterm vacancy; and
 343 (iii) may not file a declaration of candidacy for an open position and a midterm
 344 vacancy in the same election.
 345 (d) If there is an open position and a midterm vacancy being voted upon in the same
 346 election in an opt-in county, the county clerk shall indicate on the ballot for the
 347 election which positions are open positions and which positions are midterm
 348 vacancies.
 349 (e) In an opt-in county:
 350 (i) the candidates for open positions, in a number equal to the number of open
 351 positions, who receive the highest number of votes are:
 352 (A) for the purposes of a regular primary election, nominated by the candidates'
 353 party for the open positions; and
 354 (B) for the purposes of a regular general election, elected to fill the open positions;
 355 and
 356 (ii) the candidates for midterm vacancies, in a number equal to the number of
 357 midterm vacancies, who receive the highest number of votes are:
 358 (A) for the purposes of a regular primary election, nominated by the candidates'
 359 party for the midterm vacancies; and
 360 (B) for the purposes of a regular general election, elected to fill the midterm
 361 vacancies.

362 Section 4. Section **17B-1-306** is amended to read:

363 **17B-1-306 (Effective 05/06/26). Special district board -- Election procedures --**
 364 **Notice of offices to be filled and declaration of candidacy period.**

- 365 (1) Except as provided in Subsection (12), each elected board member shall be selected as
 366 provided in this section.
 367 (2)(a) Each election of a special district board member shall be held:
 368 (i) at the same time as the municipal general election or the regular general election,

- 369 as applicable; and
- 370 (ii) at polling places designated by the special district board in consultation with the
 371 county clerk for each county in which the special district is located, which polling
 372 places shall coincide with municipal general election or regular general election
 373 polling places, as applicable, whenever feasible.
- 374 (b) The special district board, in consultation with the county clerk, may consolidate two
 375 or more polling places to enable voters from more than one district to vote at one
 376 consolidated polling place.
- 377 (c)(i) Subject to Subsections [~~(5)(h) and (i)~~] (5)(g) and (h), the number of polling
 378 places under Subsection (2)(a)(ii) in an election of board members of an irrigation
 379 district shall be one polling place per division of the district, designated by the
 380 district board.
- 381 (ii) Each polling place designated by an irrigation district board under Subsection
 382 (2)(c)(i) shall coincide with a polling place designated by the county clerk under
 383 Subsection (2)(a)(ii).
- 384 [~~(3)(a) The clerk of each special district with a board member position to be filled at the
 385 next municipal general election or regular general election, as applicable, shall
 386 provide notice of:]~~
- 387 [~~(i) each elective position of the special district to be filled at the next municipal
 388 general election or regular general election, as applicable;]~~
- 389 [~~(ii) the constitutional and statutory qualifications for each position; and]~~
- 390 [~~(iii) the dates and times for filing a declaration of candidacy;]~~
- 391 [~~(b) If the election is to be held at the same time as the municipal general election, a
 392 declaration of candidacy shall be filed between June 1 and June 7 of any
 393 odd-numbered year.]~~
- 394 [~~(c) If the election is to be held at the same time as the regular general election, a
 395 declaration of candidacy shall be filed between June 1 and June 7 of any
 396 even-numbered year.]~~
- 397 [~~(4) The clerk of the special district shall publish the notice described in Subsection (3)(a)
 398 for the special district, as a class A notice under Section 63G-30-102, for at least 10 days
 399 before the first day for filing a declaration of candidacy.]~~
- 400 (3) If the election is to be held at the same time as the municipal general election:
- 401 (a) the special district shall comply with Section 20A-5a-304 to provide notice regarding
 402 offices to be voted on at the upcoming election and the declaration of candidacy

- 403 period; and
- 404 (b) the period to file a declaration of candidacy is the filing period described in
- 405 Subsection 20A-9-203(3)(d).
- 406 (4) If the election is to be held at the same time as the regular general election:
- 407 (a) the special district shall comply with Section 20A-5a-203 to provide notice regarding
- 408 offices to be voted on at the upcoming election and the declaration of candidacy
- 409 period; and
- 410 (b) the period to file a declaration of candidacy:
- 411 (i) begins at 8 a.m. on the first business day in June; and
- 412 (ii)(A) ends at 5 p.m. on the fourth business day after the day on which the filing
- 413 period begins; or
- 414 (B) if the day described in Subsection(4)(b)(ii)(A) is a Friday, ends at 5 p.m. on
- 415 the next business day after that Friday
- 416 (5)(a) Except as provided in Subsection [~~(5)(e)~~] (5)(b), to become a candidate for an
- 417 elective special district board position, an individual shall file a declaration of
- 418 candidacy in person with an official designated by the special district within the
- 419 candidate filing period for the applicable election year in which the election for the
- 420 special district board is held~~and~~ , as follows:
- 421 (i) for a special district with a four day standard work week of at least eight hours
- 422 each day of the workweek, during the special district's standard office hours; or
- 423 (ii) for a special district other than a district described in Subsection (5)(a)(i):
- 424 [~~(i)~~] (A) [~~during the special district's standard office hours,~~]if the standard office
- 425 hours provide at least three consecutive office hours each day during the
- 426 candidate filing period that is not a holiday or weekend, during the special
- 427 district's standard office hours; or
- 428 [~~(ii)~~] (B) if the standard office hours of a special district do not provide at least
- 429 three consecutive office hours each day, a three-hour consecutive time period
- 430 each day designated by the special district during the candidate filing period
- 431 that is not a holiday or weekend~~;~~ .
- 432 [~~(iii)~~] during the special district's standard office hours if the special district has
- 433 adopted a four day standard work week with standard office hours of at least eight
- 434 hours each of those days.]
- 435 [~~(b)~~] When the candidate filing deadline falls on a Saturday, Sunday, holiday, or a day
- 436 that is not a regular business day for the special district pursuant to Subsection

437 (5)(a)(iii), the filing time shall be extended until the close of normal office hours on
 438 the following regular business day.]

439 [(e)] (b) Subject to Subsection [(5)(f)] (5)(e), an individual may designate an agent to file
 440 a declaration of candidacy with the official designated by the special district if:

- 441 (i) the individual is located outside of the state during the entire filing period;
 442 (ii) the designated agent appears in person before the official designated by the
 443 special district; and
 444 (iii) the individual communicates with the official designated by the special district
 445 using an electronic device that allows the individual and official to see and hear
 446 each other.

447 [(d)] (c)(i) Before the filing officer may accept any declaration of candidacy from an
 448 individual, the filing officer shall:

- 449 (A) read to the individual the constitutional and statutory qualification
 450 requirements for the office that the individual is seeking; and
 451 (B) require the individual to state whether the individual meets those requirements.
 452 (ii) If the individual does not meet the qualification requirements for the office, the
 453 filing officer may not accept the individual's declaration of candidacy.
 454 (iii) If it appears that the individual meets the requirements of candidacy, the filing
 455 officer shall accept the individual's declaration of candidacy.

456 [(e)] (d) The declaration of candidacy shall be in substantially the following form:

457 "I, (print name) _____, being first duly sworn, say that I reside at (Street)
 458 _____, City of _____, County of _____, state of Utah,
 459 (Zip Code) _____, (Telephone Number, if any) _____; that I meet the qualifications
 460 for the office of board of trustees member for _____ (state the name of
 461 the special district); that I am a candidate for that office to be voted upon at the next election;
 462 and that, if filing via a designated agent, I will be out of the state of Utah during the entire
 463 candidate filing period, and I hereby request that my name be printed upon the official ballot
 464 for that election.

465 (Signed) _____

466 Subscribed and sworn to (or affirmed) before me by _____ on this _____ day
 467 of _____, _____.

468 (Signed) _____

469 (Clerk or Notary Public). "[]

470 [(f)] (e) An agent designated under Subsection [(5)(e)] (5)(b) may not sign the form

- 471 described in Subsection [~~(5)(e)~~] (5)(d).
- 472 [~~(g)~~] (f) Each individual wishing to become a valid write-in candidate for an elective
473 special district board position is governed by Section 20A-9-601.
- 474 [~~(h)~~] (g) If at least one individual does not file a declaration of candidacy as required by
475 this section, an individual shall be appointed to fill that board position in accordance
476 with the appointment provisions of Section 20A-1-512.
- 477 [~~(i)~~] (h) If only one candidate files a declaration of candidacy and there is no write-in
478 candidate who complies with Section 20A-9-601, the board, in accordance with
479 Section 20A-1-206, may:
- 480 (i) consider the candidate to be elected to the position; and
481 (ii) cancel the election.
- 482 (6)(a) A primary election may be held if:
- 483 (i) the election is authorized by the special district board; and
484 (ii) the number of candidates for a particular local board position or office exceeds
485 twice the number of persons needed to fill that position or office.
- 486 (b) The primary election shall be conducted:
- 487 (i) on the same date as the municipal primary election or the regular primary election,
488 as applicable; and
489 (ii) according to the procedures for primary elections provided under Title 20A,
490 Election Code.
- 491 (7)(a) Except as provided in Subsection (7)(c), within one business day after the
492 deadline for filing a declaration of candidacy, the special district clerk shall certify
493 the candidate names to the clerk of each county in which the special district is located.
- 494 (b)(i) Except as provided in Subsection (7)(c) and in accordance with Sections
495 20A-6-109 and 20A-6-110, the clerk of each county in which the special district is
496 located and the special district clerk shall coordinate placement of the name of
497 each candidate for special district office in the nonpartisan section of the ballot
498 with the appropriate election officer.
- 499 (ii) If consolidation of the special district election ballot with the municipal general
500 election ballot or the regular general election ballot, as applicable, is not feasible,
501 the special district board of trustees, in consultation with the county clerk, shall
502 provide for a separate special district election ballot to be administered by poll
503 workers at polling places designated under Subsection (2).
- 504 (c)(i) Subsections (7)(a) and (b) do not apply to an election of a member of the board

- 505 of an irrigation district established under Chapter 2a, Part 5, Irrigation District Act.
- 506 (ii) The board of an irrigation district shall:
- 507 (A) subject to Subsections (7)(c)(ii)(B) and (C), establish the form of the ballot for
- 508 a board member election;
- 509 (B) ensure that the ballot is in a nonpartisan format; and
- 510 (C) ensure that the name of each candidate is placed on the ballot in accordance
- 511 with Sections 20A-6-109 and 20A-6-110.
- 512 (8)(a) Each voter at an election for a board of trustees member of a special district shall:
- 513 (i) be a registered voter within the district, except for an election of:
- 514 (A) an irrigation district board of trustees member; or
- 515 (B) a basic special district board of trustees member who is elected by property
- 516 owners; and
- 517 (ii) meet the requirements to vote established by the district.
- 518 (b) Each voter may vote for as many candidates as there are offices to be filled.
- 519 (c) The candidates who receive the highest number of votes are elected.
- 520 (9) Except as otherwise provided by this section, the election of special district board
- 521 members is governed by Title 20A, Election Code.
- 522 (10)(a) Except as provided in Subsection 17B-1-303(8), a person elected to serve on a
- 523 special district board shall serve a four-year term, beginning at noon on the January 1
- 524 after the person's election.
- 525 (b) A person elected shall be sworn in as soon as practical after January 1.
- 526 (11)(a) Except as provided in Subsection (11)(b), each special district shall reimburse
- 527 the county or municipality holding an election under this section for the costs of the
- 528 election attributable to that special district.
- 529 (b) Each irrigation district shall bear the district's own costs of each election the district
- 530 holds under this section.
- 531 (12) This section does not apply to an improvement district that provides electric or gas
- 532 service.
- 533 (13) Except as provided in Subsection 20A-3a-605(1)(b), the provisions of Title 20A,
- 534 Chapter 3a, Part 6, Early Voting, do not apply to an election under this section.
- 535 (14)(a) As used in this Subsection (14), "board" means:
- 536 (i) a special district board; or
- 537 (ii) the administrative control board of a special service district that has elected
- 538 members on the board.

- 539 (b) If a board desires to hold elections for membership on the board at a regular general
540 election instead of a municipal general election , or at a municipal general election
541 instead of a regular general election, the board may submit an application to the
542 lieutenant governor that:
- 543 (i) requests permission to change the election year for membership on the board in a
544 manner described in this Subsection (14)(b);
 - 545 (ii) indicates that a change in the election year is beneficial, based on potential cost
546 savings, a potential increase in voter turnout, or another material reason; and
 - 547 (iii) if a change in the election year may result in shortening a board member's term
548 of office, indicates that the members of the board unanimously support the
549 lieutenant governor taking that action.
- 550 (c) Upon receipt of an application described in Subsection (14)(b), the lieutenant
551 governor may approve the if:
- 552 (i) the lieutenant governor concludes that changing the election year is beneficial
553 based on the criteria described in Subsection (14)(b)(ii); and
 - 554 (ii) for an application that may result in shortening a board member's term of office,
555 the application satisfies the unanimity requirement described in Subsection
556 (14)(b)(iii).
- 557 (d) If the lieutenant governor approves a board's application described in this section:
- 558 (i) all future elections for membership on the board shall be held at the time of the
559 general election specified in the application; and
 - 560 (ii) the board may not hold elections at the time of an election other than the general
561 election specified in the application, unless the board receives permission from the
562 lieutenant governor to change the election under the same procedure, and by
563 applying the same criteria, described in this Subsection (14).
- 564 (15)(a) This Subsection (15) applies to a special district if:
- 565 (i) the special district's board members are elected by the owners of real property, as
566 provided in Subsection 17B-1-1402(1)(b); and
 - 567 (ii) the special district was created before January 1, 2020.
- 568 (b) The board of a special district described in Subsection (15)(a) may conduct an
569 election:
- 570 (i) to fill a board member position that expires at the end of the term for that board
571 member's position; and
 - 572 (ii) notwithstanding Subsection 20A-1-512(1)(a)(i), to fill a vacancy in an unexpired

- 573 term of a board member.
- 574 (c) An election under Subsection (15)(b) may be conducted as determined by the special
575 district board, subject to Subsection (15)(d).
- 576 (d)(i) The special district board shall provide to property owners eligible to vote at
577 the special district election:
- 578 (A) notice of the election; and
- 579 (B) a form to nominate an eligible individual to be elected as a board member.
- 580 (ii)(A) The special district board may establish a deadline for a property owner to
581 submit a nomination form.
- 582 (B) A deadline under Subsection (15)(d)(ii)(A) may not be earlier than 15 days
583 after the board provides the notice and nomination form under Subsection
584 (15)(d)(i).
- 585 (iii)(A) After the deadline for submitting nomination forms, the special district
586 board shall provide a ballot to all property owners eligible to vote at the special
587 district election.
- 588 (B) A special district board shall allow at least five days for ballots to be returned.
- 589 (iv) A special district board shall certify the results of an election under this
590 Subsection (15) during an open meeting of the board.

591 Section 5. Section **17B-1-1001** is amended to read:

592 **17B-1-1001 (Effective 05/06/26). Provisions applicable to property tax levy.**

- 593 (1) Each special district that levies and collects property taxes shall levy and collect [them]
594 the taxes according to the provisions of Title 59, Chapter 2, Property Tax Act.
- 595 (2) As used in this section:
- 596 (a) "Appointed board of trustees" means a board of trustees of a special district that
597 includes a member who is appointed to the board of trustees in accordance with
598 Section 17B-1-304, Subsection 17B-1-303(5), Subsection [~~17B-1-306(5)(h)~~]
599 17B-1-306(5)(g), or any of the applicable provisions in Title 17B, Chapter 2a,
600 Provisions Applicable to Different Types of Special Districts.
- 601 (b) "Elected board of trustees" means a board of trustees of a special district that consists
602 entirely of members who are elected to the board of trustees in accordance with
603 Subsection (4), Section 17B-1-306, or any of the applicable provisions in Title 17B,
604 Chapter 2a, Provisions Applicable to Different Types of Special Districts.
- 605 (3)(a) For a taxable year beginning on or after January 1, 2018, a special district may not
606 levy or collect property tax revenue that exceeds the certified tax rate unless:

- 607 (i) to the extent that the revenue from the property tax was pledged before January 1,
608 2018, the special district pledges the property tax revenue to pay for bonds or
609 other obligations of the special district; or
- 610 (ii) the proposed tax or increase in the property tax rate has been approved by:
- 611 (A) an elected board of trustees;
- 612 (B) subject to Subsection (3)(b), an appointed board of trustees;
- 613 (C) a majority of the registered voters within the special district who vote in an
614 election held for that purpose on a date specified in Section 20A-1-204;
- 615 (D) the legislative body of the appointing authority; or
- 616 (E) the legislative body of:
- 617 (I) a majority of the municipalities partially or completely included within the
618 boundary of the specified special district; or
- 619 (II) the county in which the specified special district is located, if the county
620 has some or all of [its] the county's unincorporated area included within the
621 boundary of the specified special district.
- 622 (b) For a special district with an appointed board of trustees, each appointed member of
623 the board of trustees shall comply with the trustee reporting requirements described
624 in Section 17B-1-1003 before the special district may impose a property tax levy that
625 exceeds the certified tax rate.
- 626 (4)(a) Notwithstanding provisions to the contrary in Title 17B, Chapter 2a, Provisions
627 Applicable to Different Types of Special Districts, and subject to Subsection (4)(b),
628 members of the board of trustees of a special district shall be elected, if:
- 629 (i) two-thirds of all members of the board of trustees of the special district vote in
630 favor of changing to an elected board of trustees; and
- 631 (ii) the legislative body of each municipality or county that appoints a member to the
632 board of trustees adopts a resolution approving the change to an elected board of
633 trustees.
- 634 (b) A change to an elected board of trustees under Subsection (4)(a) may not shorten the
635 term of any member of the board of trustees serving at the time of the change.
- 636 (5) Subsections (2), (3), and (4) do not apply to:
- 637 (a) Title 17B, Chapter 2a, Part 6, Metropolitan Water District Act;
- 638 (b) Title 17B, Chapter 2a, Part 10, Water Conservancy District Act; or
- 639 (c) a special district in which:
- 640 (i) the board of trustees consists solely of:

- 641 (A) land owners or the land owners' agents; or
642 (B) as described in Subsection 17B-1-302(3), (5), (6), or (7), land owners or the
643 land owners' agents or officers; and
644 (ii) there are no residents within the special district at the time a property tax is levied.
645 (6) An infrastructure financing district may not pledge or otherwise use any property tax
646 revenue for the payment of bonds.

647 Section 6. Section **17B-1-1003** is amended to read:

648 **17B-1-1003 (Effective 05/06/26). Trustee reporting requirement.**

- 649 (1) As used in this section:
- 650 (a) "Appointed board of trustees" means a board of trustees of a special district that
651 includes a member who is appointed to the board of trustees in accordance with
652 Section 17B-1-304, Subsection 17B-1-303(5), Subsection [~~17B-1-306(5)(h)~~]
653 17B-1-306(5)(g), or any of the applicable provisions in Title 17B, Chapter 2a,
654 Provisions Applicable to Different Types of Special Districts.
- 655 (b)(i) "Bond issuance" means an issuance of a general obligation bond without an
656 approving election under Section 17B-1-1102.
- 657 (ii) "Bond issuance" does not include the issuance of a general obligation bond to
658 refund a general obligation bond that was previously approved by an election.
- 659 (c) "Legislative entity" means:
- 660 (i) the member's appointing authority, if the appointing authority is a legislative body;
661 or
662 (ii) the member's nominating entity, if the appointing authority is not a legislative
663 body.
- 664 (d)(i) "Member" means an individual who is appointed to a board of trustees for a
665 special district in accordance with Section 17B-1-304, Subsection 17B-1-303(5),
666 Subsection [~~17B-1-306(5)(h)~~] 17B-1-306(5)(g), or any of the applicable provisions
667 in Title 17B, Chapter 2a, Provisions Applicable to Different Types of Special
668 Districts.
- 669 (ii) "Member" includes a member of the board of trustees who holds an elected
670 position with a municipality, county, or another special district that is partially or
671 completely included within the boundaries of the special district.
- 672 (e) "Nominating entity" means the legislative body that submits nominees for
673 appointment to the board of trustees to an appointing authority.
- 674 (f)(i) "Property tax increase" means a property tax levy that exceeds the certified tax

- 675 rate for the taxable year.
- 676 (ii) "Property tax increase" does not include a property tax levy for a general
677 obligation bond authorized in accordance with an election under Section
678 17B-1-1102.
- 679 (2)(a) If a special district board of trustees adopts a tentative budget that includes a
680 property tax increase or bond issuance, each member shall report to the member's
681 legislative entity on the property tax increase or bond issuance.
- 682 (b)(i) The special district shall request that each of the legislative entities that appoint
683 or nominate a member to the special district's board of trustees hear the report
684 required by Subsection (2)(a) at a public meeting of each legislative entity.
- 685 (ii) The request to make a report may be made by:
686 (A) the member appointed or nominated by the legislative entity; or
687 (B) another member of the board of trustees.
- 688 (c) The member appointed or nominated by the legislative entity shall make the report
689 required by Subsection (2)(a) at a public meeting that:
690 (i) complies with Title 52, Chapter 4, Open and Public Meetings Act;
691 (ii) includes the report as a separate agenda item; and
692 (iii) is held within 40 days after the day on which the legislative entity receives a
693 request to hear the report.
- 694 (d)(i) If the legislative entity does not have a scheduled meeting within 40 days after
695 the day on which the legislative entity receives a request to hear the report
696 required by Subsection (2)(a), the legislative entity shall schedule a meeting for
697 that purpose.
- 698 (ii) If the legislative entity fails to hear the report at a public meeting that meets the
699 criteria described in Subsection (2)(c), the trustee reporting requirements under
700 this section shall be considered satisfied.
- 701 (3)(a) A report on a contemplated property tax increase or bond issuance at a legislative
702 entity's public meeting under Subsection (2)(c) shall include:
703 (i) a statement that the special district intends to levy a property tax at a rate that
704 exceeds the certified tax rate for the taxable year;
705 (ii) the dollar amount of and purpose for additional ad valorem tax revenue that
706 would be generated by the proposed increase in the certified tax rate;
707 (iii) the approximate percentage increase in ad valorem tax revenue for the special
708 district based on the proposed property tax increase; and

- 709 (iv) any other information requested by the legislative entity.
- 710 (b) A report on a bond issuance at a legislative entity's public meeting under Subsection
711 (2)(c) shall include an explanation, as applicable, of:
- 712 (i) the property tax impact, if any, of the bond issuance;
- 713 (ii) the expected debt service related to the bond issuance;
- 714 (iii) the purpose, remaining principal balance, and maturity date of any outstanding
715 bonds of the issuer;
- 716 (iv) the funds other than property taxes available to pay debt service related to the
717 bond issuance;
- 718 (v) the schedule of proposed expenditures of bond proceeds;
- 719 (vi) property values;
- 720 (vii) any additional considerations that the appointed board of trustees determines
721 may be useful to explain the impact to citizens resulting from the bond issuance;
722 and
- 723 (viii) any other information requested by the legislative entity.
- 724 (c) At a meeting under Subsection (2)(c), the legislative entity shall:
- 725 (i) allow time during the meeting for comment from the legislative entity and
726 members of the public on the property tax increase or bond issuance; and
- 727 (ii) express the legislative entity's sentiment regarding the contemplated property tax
728 increase.
- 729 (4)(a) If more than one member is appointed to the board of trustees by the same
730 legislative entity, a majority of the members appointed or nominated by the
731 legislative entity shall be present to provide the report required by Subsection (2) and
732 described in Subsection (3).
- 733 (b) The chair of the board of trustees shall appoint another member of the board of
734 trustees to provide the report described in Subsection (3) to the legislative entity if:
- 735 (i) the member appointed or nominated by the legislative entity is unable or unwilling
736 to provide the report at a public meeting that meets the requirements of Subsection
737 (3)(a); and
- 738 (ii) the absence of the member appointed or nominated by the legislative entity
739 results in:
- 740 (A) no member who was appointed or nominated by the legislative entity being
741 present to provide the report; or
- 742 (B) an inability to comply with Subsection (4)(a).

743 (5) A special district board of trustees may approve a property tax increase only after the
744 conditions of this section have been satisfied or considered satisfied for each member of
745 the board of trustees.

746 Section 7. Section **20A-1-102** is amended to read:

747 **20A-1-102 (Effective 05/06/26). Definitions.**

748 As used in this title:

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

751 (2) "Automatic tabulating equipment" means apparatus that automatically examines and
752 counts votes recorded on ballots and tabulates the results.

753 (3)(a) "Ballot" means the storage medium, including a paper, mechanical, or electronic
754 storage medium, that records an individual voter's vote.

755 (b) "Ballot" does not include a record to tally multiple votes.

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

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

759 (b) a constitutional amendment;

760 (c) an initiative;

761 (d) a referendum;

762 (e) a bond proposition;

763 (f) a judicial retention question;

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

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

766 (5) "Bind," "binding," or "bound" means securing more than one piece of paper together
767 using staples or another means in at least three places across the top of the paper in the
768 blank space reserved for securing the paper.

769 (6) "Board of canvassers" means the entities established by Sections 20A-4-301 and
770 20A-4-306 to canvass election returns.

771 (7) "Bond election" means an election held for the purpose of approving or rejecting the
772 proposed issuance of bonds by a government entity.

773 (8) "Business day" means a Monday, Tuesday, Wednesday, Thursday, or Friday that is not
774 a holiday.

775 (9) "Business reply mail envelope" means an envelope that may be mailed free of charge by
776 the sender.

- 777 (10) "Calendar day" means any day, regardless of whether the day is a weekend, a holiday,
778 a business day, or any other type of day.
- 779 (11) "Canvass" means the review of election returns and the official declaration of election
780 results by the board of canvassers.
- 781 (12) "Canvassing judge" means a poll worker designated to assist in counting ballots at the
782 canvass.
- 783 (13) "Contracting election officer" means an election officer who enters into a contract or
784 interlocal agreement with a provider election officer.
- 785 (14) "Convention" means the political party convention at which party officers and
786 delegates are selected.
- 787 (15) "Counting center" means one or more locations selected by the election officer in
788 charge of the election for the automatic counting of ballots.
- 789 (16) "Counting judge" means a poll worker designated to count the ballots during election
790 day.
- 791 (17) "Counting room" means a suitable and convenient private place or room for use by the
792 poll workers and counting judges to count ballots.
- 793 (18) "County officers" means those county officers that are required by law to be elected.
- 794 (19) "Date of the election" or "election day" or "day of the election":
- 795 (a) means the day that is specified in the calendar year as the day on which the election
796 occurs; and
- 797 (b) does not include:
- 798 (i) deadlines established for voting by mail, military-overseas voting, or emergency
799 voting; or
- 800 (ii) any early voting or early voting period as provided under Chapter 3a, Part 6,
801 Early Voting.
- 802 (20) "Elected official" means:
- 803 (a) a person elected to an office under Section 20A-1-303 or ~~Chapter 4, Part 6,~~ before
804 the pilot project was repealed, the Municipal Alternate Voting Methods Pilot Project;
- 805 (b) a person who is considered to be elected to a municipal office in accordance with
806 Subsection 20A-1-206(1)(c)(ii); or
- 807 (c) a person who is considered to be elected to a special district office in accordance
808 with Subsection 20A-1-206(3)(b)(ii).
- 809 (21) "Election" means a regular general election, a municipal general election, a statewide
810 special election, a local special election, a regular primary election, a municipal primary

- 811 election, and a special district election.
- 812 (22) "Election Assistance Commission" means the commission established by the Help
813 America Vote Act of 2002, Pub. L. No. 107-252.
- 814 (23) "Election cycle" means the period beginning on the first day on which individuals are
815 eligible to file declarations of candidacy and ending when the canvass is completed.
- 816 (24) "Election judge" means a poll worker that is assigned to:
- 817 (a) preside over other poll workers at a polling place;
- 818 (b) act as the presiding election judge; or
- 819 (c) serve as a canvassing judge, counting judge, or receiving judge.
- 820 (25) "Election material" includes:
- 821 (a) the verification documentation described in Subsection 20A-3a-401(9)(b)(iv);
- 822 (b) the list of voters contacted to cure a ballot described in Subsection 20A-3a-401(10)(b);
- 823 (c) the record of rejected and resolved ballots described in Subsection 20A-3a-401(11)(a);
- 824 (d) any chain of custody documentation described in Section 20A-3a-401.1, including:
- 825 (i) the count of ballots described in Subsection 20A-3a-401.1(3); and
- 826 (ii) the batch log described in Subsection 20A-3a-401.1(5);
- 827 (e) the record of signature verification audits described in Subsection 20A-3a-402.5(4);
- 828 (f) the affidavit of compliance described in Subsection 20A-3a-404(2);
- 829 (g) the physical and electronic log of replicated ballots described in Subsection
830 20A-4-104(3);
- 831 (h) the physical or electronic log of adjudicated ballots described in Section 20A-5-802.5;
- 832 (i) the record of voter database access described in Subsection 20A-5-905(2);
- 833 (j) the reports on military and overseas voters described in Section 20A-16-202;
- 834 (k) scanned copies of return envelopes;
- 835 (l) a copy of the final election results database described in Section 20A-5-802.5; and
- 836 (m) the materials used in the programming of the automatic tabulating equipment.
- 837 (26) "Election officer" means:
- 838 (a) the lieutenant governor, for all statewide ballots and elections;
- 839 (b) the county clerk for:
- 840 (i) a county ballot and election; and
- 841 (ii) a ballot and election as a provider election officer as provided in Section
842 20A-5-400.1 or 20A-5-400.5;
- 843 (c) the municipal clerk for:
- 844 (i) a municipal ballot and election; and

- 845 (ii) a ballot and election as a provider election officer as provided in Section
846 20A-5-400.1 or 20A-5-400.5;
- 847 (d) the special district clerk or chief executive officer for:
- 848 (i) a special district ballot and election; and
- 849 (ii) a ballot and election as a provider election officer as provided in Section
850 20A-5-400.1 or 20A-5-400.5; or
- 851 (e) the business administrator or superintendent of a school district for:
- 852 (i) a school district ballot and election; and
- 853 (ii) a ballot and election as a provider election officer as provided in Section
854 20A-5-400.1 or 20A-5-400.5.
- 855 (27) "Election official" means any election officer, election judge, or poll worker.
- 856 (28) "Election results" means:
- 857 (a) for an election other than a bond election, the count of votes cast in the election and
858 the election returns requested by the board of canvassers; or
- 859 (b) for bond elections, the count of those votes cast for and against the bond proposition
860 plus any or all of the election returns that the board of canvassers may request.
- 861 (29) "Election results database" means the following information generated by voting
862 equipment:
- 863 (a) one or more electronic files that contains a digital interpretation of each ballot that is
864 counted in an election;
- 865 (b) a ballot image; and
- 866 (c) other information related to a ballot that is adjudicated under Section 20A-4-105.
- 867 (30) "Election returns" means:
- 868 (a) the pollbook;
- 869 (b) the military and overseas absentee voter registration and voting certificates;
- 870 (c) one of the tally sheets;
- 871 (d) any unprocessed ballots;
- 872 (e) all counted ballots;
- 873 (f) all excess ballots;
- 874 (g) all unused ballots;
- 875 (h) all spoiled ballots;
- 876 (i) all ballot disposition forms, including any provisional ballot disposition forms;
- 877 (j) the final election results database described in Section 20A-5-802.5;
- 878 (k) all return envelopes;

- 879 (l) any provisional ballot envelopes; and
880 (m) the total votes cast form.
- 881 (31) "Electronic signature" means an electronic sound, symbol, or process attached to or
882 logically associated with a record and executed or adopted by a person with the intent to
883 sign the record.
- 884 (32) "Holiday" means a legal holiday described in Subsections 63G-1-301(1) and (2).
- 885 (33) "Inactive voter" means a registered voter who is listed as inactive by a county clerk
886 under Subsection [~~20A-2-505(4)(c)(i) or (ii)~~] 20A-2-505(4)(a) or (b).
- 887 (34) "Judicial office" means the office filled by any judicial officer.
- 888 (35) "Judicial officer" means any justice or judge of a court of record or any county court
889 judge.
- 890 (36) "Local election" means a regular county election, a regular municipal election, a
891 municipal primary election, a local special election, a special district election, and a
892 bond election.
- 893 (37) "Local political subdivision" means a county, a municipality, a special district, or a
894 local school district.
- 895 (38) "Local special election" means a special election called by the governing body of a
896 local political subdivision in which all registered voters of the local political subdivision
897 may vote.
- 898 (39) "Manual ballot" means a paper document produced by an election officer on which an
899 individual records an individual's vote by directly placing a mark on the paper document
900 using a pen or other marking instrument.
- 901 (40) "Mechanical ballot" means a record, including a paper record, electronic record, or
902 mechanical record, that:
- 903 (a) is created via electronic or mechanical means; and
904 (b) records an individual voter's vote cast via a method other than an individual directly
905 placing a mark, using a pen or other marking instrument, to record an individual
906 voter's vote.
- 907 (41) "Municipal executive" means:
- 908 (a) the mayor in the council-mayor form of government defined in Section 10-3b-102; or
909 (b) the mayor in the council-manager form of government defined in Subsection
910 10-3b-103(6).
- 911 (42) "Municipal general election" means the election held in municipalities and, as
912 applicable, special districts on the first Tuesday after the first Monday in November of

- 913 each odd-numbered year for the purposes established in Section 20A-1-202.
- 914 (43) "Municipal legislative body" means the council of the city or town in any form of
915 municipal government.
- 916 (44) "Municipal office" means an elective office in a municipality.
- 917 (45) "Municipal officers" means those municipal officers that are required by law to be
918 elected.
- 919 (46) "Municipal primary election" means an election held to nominate candidates for
920 municipal office.
- 921 (47) "Municipality" means a city or town.
- 922 (48) "Official ballot" means the ballots distributed by the election officer for voters to
923 record their votes.
- 924 (49) "Official endorsement" means the information on the ballot that identifies:
925 (a) the ballot as an official ballot;
926 (b) the date of the election; and
927 (c)(i) for a ballot prepared by an election officer other than a county clerk, the [
928 ~~facsimile signature required by Subsection 20A-6-401(1)(a)(iii)~~] applicable
929 information described in:
930 (A) Subsection 20A-6-401(1)(a)(iii) or (iv);
931 (B) Subsection 20A-6-401.1(1)(d)(iii) or (iv); or
932 (C) Subsection 20A-6-402(2)(a)(iii) or (iv); or
933 (ii) for a ballot prepared by a county clerk, the [~~words required by~~] applicable
934 statement described in Subsection 20A-6-301(1)(b)(iii) or (iv).
- 935 (50) "Official register" means the official record furnished to election officials by the
936 election officer that contains the information required by Section 20A-5-401.
- 937 (51) "Political party" means an organization of registered voters that has qualified to
938 participate in an election by meeting the requirements of Chapter 8, Political Party
939 Formation and Procedures.
- 940 (52)(a) "Poll worker" means a person assigned by an election official to assist with an
941 election, voting, or counting votes.
942 (b) "Poll worker" includes election judges.
943 (c) "Poll worker" does not include a watcher.
- 944 (53) "Pollbook" means a record of the names of voters in the order that the voters appear to
945 cast votes.
- 946 (54) "Polling place" means a building where voting is conducted.

- 947 (55) "Position" means a square, circle, rectangle, or other geometric shape on a ballot in
948 which the voter marks the voter's choice.
- 949 (56) "Presidential Primary Election" means the election established in Chapter 9, Part 8,
950 Presidential Primary Election.
- 951 (57) "Primary convention" means the political party conventions held during the year of the
952 regular general election.
- 953 (58) "Protective counter" means a separate counter, which cannot be reset, that:
954 (a) is built into a voting machine; and
955 (b) records the total number of movements of the operating lever.
- 956 (59) "Provider election officer" means an election officer who enters into a contract or
957 interlocal agreement with a contracting election officer to conduct an election for the
958 contracting election officer's local political subdivision in accordance with Section
959 20A-5-400.1.
- 960 (60) "Provisional ballot" means a ballot voted provisionally by a person:
961 (a) whose name is not listed on the official register at the polling place;
962 (b) whose legal right to vote is challenged as provided in this title; or
963 (c) whose identity was not sufficiently established by a poll worker.
- 964 (61) "Provisional ballot envelope" means an envelope printed in the form required by
965 Section 20A-6-105 that is used to identify provisional ballots and to provide information
966 to verify a person's legal right to vote.
- 967 (62)(a) "Public figure" means an individual who, due to the individual being considered
968 for, holding, or having held a position of prominence in a public or private capacity,
969 or due to the individual's celebrity status, has an increased risk to the individual's
970 safety.
- 971 (b) "Public figure" does not include an individual:
972 (i) elected to public office; or
973 (ii) appointed to fill a vacancy in an elected public office.
- 974 (63) "Qualify" or "qualified" means to take the oath of office and begin performing the
975 duties of the position for which the individual was elected.
- 976 (64) "Receiving judge" means the poll worker that checks the voter's name in the official
977 register at a polling place and provides the voter with a ballot.
- 978 (65) "Registration form" means a form by which an individual may register to vote under
979 this title.
- 980 (66) "Regular ballot" means a ballot that is not a provisional ballot.

- 981 (67) "Regular general election" means the election held throughout the state on the first
982 Tuesday after the first Monday in November of each even-numbered year for the
983 purposes established in Section 20A-1-201.
- 984 (68) "Regular primary election" means the election, held on the date specified in Section
985 20A-1-201.5, to nominate candidates of political parties and candidates for nonpartisan
986 local school board positions to advance to the regular general election.
- 987 (69) "Resident" means a person who resides within a specific voting precinct in Utah.
- 988 (70) "Return envelope" means the envelope, described in Subsection 20A-3a-202(4),
989 provided to a voter with a manual ballot:
- 990 (a) into which the voter places the manual ballot after the voter has voted the manual
991 ballot in order to preserve the secrecy of the voter's vote; and
992 (b) that includes the voter affidavit and a place for the voter's signature.
- 993 (71) "Sample ballot" means a mock ballot similar in form to the official ballot, published as
994 provided in Section 20A-5-405.
- 995 (72) "Special district" means a local government entity under Title 17B, Limited Purpose
996 Local Government Entities - Special Districts, and includes a special service district
997 under Title 17D, Chapter 1, Special Service District Act.
- 998 (73) "Special district officers" means those special district board members who are required
999 by law to be elected.
- 1000 (74) "Special election" means an election held as authorized by Section 20A-1-203.
- 1001 (75) "Spoiled ballot" means each ballot that:
- 1002 (a) is spoiled by the voter;
1003 (b) is unable to be voted because it was spoiled by the printer or a poll worker; or
1004 (c) lacks the official endorsement.
- 1005 (76) "Statewide special election" means a special election called by the governor or the
1006 Legislature in which all registered voters in Utah may vote.
- 1007 (77) "Tabulation system" means a device or system designed for the sole purpose of
1008 tabulating votes cast by voters at an election.
- 1009 (78) "Ticket" means a list of:
- 1010 (a) political parties;
1011 (b) candidates for an office; or
1012 (c) ballot propositions.
- 1013 (79) "Transfer case" means the sealed box used to transport voted ballots to the counting
1014 center.

- 1015 (80) "Vacancy" means:
- 1016 (a) except as provided in Subsection (80)(b), the absence of an individual to serve in a
- 1017 position created by state constitution or state statute, whether that absence occurs
- 1018 because of death, disability, disqualification, resignation, or other cause; or
- 1019 (b) in relation to a candidate for a position created by state constitution or state statute,
- 1020 the removal of a candidate due to the candidate's death, resignation, or
- 1021 disqualification.
- 1022 (81) "Valid voter identification" means:
- 1023 (a) a form of identification that bears the name and photograph of the voter which may
- 1024 include:
- 1025 (i) a currently valid Utah driver license;
- 1026 (ii) a currently valid identification card issued under Title 53, Chapter 3, Part 8,
- 1027 Identification Card Act;
- 1028 (iii) a currently valid identification card that is issued by:
- 1029 (A) the state; or
- 1030 (B) a branch, department, or agency of the United States;
- 1031 (iv) a currently valid Utah permit to carry a concealed weapon;
- 1032 (v) a currently valid United States passport; or
- 1033 (vi) a currently valid United States military identification card;
- 1034 (b) one of the following identification cards, regardless of whether the card includes a
- 1035 photograph of the voter:
- 1036 (i) a valid tribal identification card;
- 1037 (ii) a Bureau of Indian Affairs card; or
- 1038 (iii) a tribal treaty card; or
- 1039 (c) two forms of identification not listed under Subsection (81)(a) or (b) but that bear the
- 1040 name of the voter and provide evidence that the voter resides in the voting precinct,
- 1041 which may include:
- 1042 (i) before January 1, 2029, an original or copy of a current utility bill, dated no more
- 1043 than 90 calendar days before the date of the election;
- 1044 (ii) before January 1, 2029, an original or copy of a bank or other financial account
- 1045 statement, dated no more than 90 calendar days before the date of the election;
- 1046 (iii) a certified birth certificate;
- 1047 (iv) a valid social security card;
- 1048 (v) an original or copy of a check issued by the state or the federal government, dated

- 1049 no more than 90 calendar days before the date of the election;
- 1050 (vi) an original or copy of a paycheck from the voter's employer, dated no more than
- 1051 90 calendar days before the date of the election;
- 1052 (vii) a currently valid Utah hunting or fishing license;
- 1053 (viii) certified naturalization documentation;
- 1054 (ix) a currently valid license issued by an authorized agency of the United States;
- 1055 (x) a certified copy of court records showing the voter's adoption or name change;
- 1056 (xi) a valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
- 1057 (xii) a currently valid identification card issued by:
- 1058 (A) a local government within the state;
- 1059 (B) an employer for an employee; or
- 1060 (C) a college, university, technical school, or professional school located within
- 1061 the state; or
- 1062 (xiii) a current Utah vehicle registration.
- 1063 (82) "Valid write-in candidate" means a candidate who has qualified as a write-in candidate
- 1064 by following the procedures and requirements of this title.
- 1065 (83) "Vote by mail" means to vote, using a manual ballot that is mailed to the voter, by:
- 1066 (a) mailing the ballot to the location designated in the mailing; or
- 1067 (b) depositing the ballot in a ballot drop box designated by the election officer.
- 1068 (84) "Voter" means an individual who:
- 1069 (a) meets the requirements for voting in an election;
- 1070 (b) meets the requirements of election registration;
- 1071 (c) is registered to vote; and
- 1072 (d) is listed in the official register.
- 1073 (85) "Voter registration deadline" means the registration deadline provided in Section
- 1074 20A-2-102.5.
- 1075 (86) "Voting area" means the area within six feet of the voting booths, voting machines,
- 1076 and ballot box.
- 1077 (87) "Voting booth" means:
- 1078 (a) the space or compartment within a polling place that is provided for the preparation
- 1079 of ballots, including the voting enclosure or curtain; or
- 1080 (b) a voting device that is free standing.
- 1081 (88) "Voting device" means any device provided by an election officer for a voter to vote a
- 1082 mechanical ballot.

- 1083 (89) "Voting precinct" means the smallest geographical voting unit, established under
 1084 Chapter 5, Part 3, Duties of the County and Municipal Legislative Bodies.
- 1085 (90) "Watcher" means an individual who complies with the requirements described in
 1086 Section 20A-3a-801 to become a watcher for an election.
- 1087 (91) "Write-in ballot" means a ballot containing any write-in votes.
- 1088 (92) "Write-in vote" means a vote cast for an individual, whose name is not printed on the
 1089 ballot, in accordance with the procedures established in this title.
- 1090 Section 8. Section **20A-1-206** is amended to read:
- 1091 **20A-1-206 (Effective 05/06/26). Cancellation of local election or local race --**
 1092 **Municipalities -- Special districts -- Notice.**
- 1093 (1) As used in this section:
- 1094 (a) "Contested race" means a race in a general election where the number of candidates,
 1095 including any eligible write-in candidates, exceeds the number of offices to be filled
 1096 in the race.
- 1097 (b) "Election" means an event, run by an election officer, that includes one or more races
 1098 for public office or one or more ballot propositions.
- 1099 (c)(i) "Race" means a contest between candidates to obtain the number of votes
 1100 necessary to take a particular public office.
- 1101 (ii) "Race," as the term relates to a contest for an at-large position, includes all open
 1102 positions for the same at-large office.
- 1103 (iii) "Race," as the term relates to a contest for a municipal council position that is not
 1104 an at-large position, includes only the contest to represent a particular district on
 1105 the council.
- 1106 (2) A municipal legislative body may cancel a local election if:
- 1107 (a) the ballot for the local election will not include any contested races or ballot
 1108 propositions; and
- 1109 (b) during the period described in Subsection 20A-5a-310(1), the municipal legislative
 1110 body passes[, no later than 20 calendar days before the day of the scheduled election,]
 1111 a resolution that cancels the election and certifies that:
- 1112 (i) the ballot for the election would not include any contested races or ballot
 1113 propositions; and
- 1114 (ii) the candidates who qualified for the ballot are considered elected.
- 1115 (3) ~~[A] If a municipal legislative body [may cancel a race in]~~ cancels a local election ~~[if:]~~
 1116 under Subsection (2), the candidate for each office in an uncontested race that would

- 1117 otherwise be on the ballot for that election is elected to the office to which the race
 1118 relates.
- 1119 ~~[(a) the ballot for the race will not include any contested races or ballot propositions; and]~~
 1120 ~~[(b) the municipal legislative body passes, no later than 20 calendar days before the day~~
 1121 ~~of the scheduled election, a resolution that cancels the race and certifies that:]~~
 1122 ~~[(i) the ballot for the race would not include any contested races or ballot~~
 1123 ~~propositions; and]~~
 1124 ~~[(ii) the candidate for the race is considered elected.]~~
- 1125 (4) A municipal legislative body that cancels a local election in accordance with Subsection
 1126 (2) shall give notice that the election is cancelled ~~[by:]~~ in accordance with Section
 1127 20A-5a-310.
- 1128 ~~[(a) subject to Subsection (8), providing notice to the lieutenant governor's office to be~~
 1129 ~~posted on the Statewide Electronic Voter Information Website described in Section~~
 1130 ~~20A-7-801, for at least 15 calendar days before the day of the scheduled election; and]~~
 1131 ~~[(b) providing notice for the municipality, as a class A notice under Section 63G-30-102,~~
 1132 ~~for at least 15 calendar days before the day of the scheduled election.]~~
- 1133 (5) A special district board may cancel a local election if:
 1134 (a) the ballot for the local election will not include any contested races or ballot
 1135 propositions; and
 1136 (b) during the period described in Subsection 20A-5a-311(1), the special district board
 1137 passes~~[- no later than 20 calendar days before the day of the scheduled election,]~~ a
 1138 resolution that cancels the election and certifies that:
 1139 (i) the ballot for the election would not include any contested races or ballot
 1140 propositions; and
 1141 (ii) the candidates who qualified for the ballot are considered elected.
- 1142 (6) ~~[A-]~~ If a special district board ~~[may cancel]~~ cancels a special district race ~~[if:]~~ under
 1143 Subsection (5), the candidate for each office in an uncontested race that would otherwise
 1144 be on the ballot for that election is elected to the office to which the race relates.
 1145 ~~[(a) the race is uncontested; and]~~
 1146 ~~[(b) the special district board passes, no later than 20 calendar days before the day of the~~
 1147 ~~scheduled election, a resolution that cancels the race and certifies that the candidate~~
 1148 ~~who qualified for the ballot for that race is considered elected.]~~
- 1149 (7) A special district that cancels a local election in accordance with Subsection (5) shall [
 1150 provide] give notice that the election is cancelled~~[:]~~ in accordance with Section

1151 20A-5a-311.

1152 [~~(a) subject to Subsection (8), by posting notice on the Statewide Electronic Voter~~
 1153 ~~Information Website described in Section 20A-7-801, for at least 15 calendar days~~
 1154 ~~before the day of the scheduled election; and]~~

1155 [~~(b) as a class A notice under Section 63G-30-102, for at least 15 calendar days before~~
 1156 ~~the day of the scheduled election.]~~

1157 [~~(8) A municipal legislative body that posts a notice in accordance with Subsection (4)(a) or~~
 1158 ~~a special district that posts a notice in accordance with Subsection (7)(a) is not liable for~~
 1159 ~~a notice that fails to post due to technical or other error by the publisher of the Statewide~~
 1160 ~~Electronic Voter Information Website.]~~

1161 Section 9. Section **20A-1-501** is amended to read:

1162 **20A-1-501 (Effective 05/06/26). Candidate vacancies -- Procedure for filling.**

1163 (1) As used in this section, "central committee" means:

1164 (a) the state central committee of a political party, for a candidate for:

1165 (i) United States senator, United States representative, governor, lieutenant governor,
 1166 attorney general, state treasurer, or state auditor; or

1167 (ii) state legislator if the legislative district encompasses all or a portion of more than
 1168 one county; or

1169 (b) the county central committee of a political party, for a party candidate seeking an
 1170 office, other than an office described in Subsection (1)(a), elected at an election held
 1171 in an even-numbered year.

1172 (2) Except as provided in Subsection (6), the central committee may certify the name of
 1173 another candidate to the appropriate election officer if:

1174 (a) for a registered political party that will have a candidate on a ballot in a primary
 1175 election:

1176 (i) after the close of the period for filing a declaration of candidacy and continuing
 1177 through the day before the day on which the lieutenant governor provides the list
 1178 described in [~~Subsection 20A-9-403(4)(a)] Section 20A-5a-205, only one or two
 1179 candidates from that party have filed a declaration of candidacy for that office and
 1180 one or both dies, resigns as a candidate, or is disqualified as a candidate; and~~

1181 (ii) the central committee provides written certification of the replacement candidate
 1182 to the appropriate election officer before the day on which the lieutenant governor
 1183 provides the list described in [~~Subsection 20A-9-403(4)(a)] Section 20A-5a-205;~~

1184 (b) for a registered political party that does not have a candidate on the ballot in a

- 1185 primary, but will have a candidate on the ballot for a regular general election:
- 1186 (i) after the close of the period for filing a declaration of candidacy and continuing
- 1187 through the day before the day on which the lieutenant governor makes the
- 1188 certification described in Section 20A-5-409, the party's candidate dies, resigns as
- 1189 a candidate, or is disqualified as a candidate; and
- 1190 (ii) the central committee provides written certification of the replacement candidate
- 1191 to the appropriate election officer before the day on which the lieutenant governor
- 1192 makes the certification described in Section 20A-5-409; or
- 1193 (c) for a registered political party with a candidate certified as winning a primary
- 1194 election:
- 1195 (i) after the close of the period for filing a declaration of candidacy and continuing
- 1196 through the day before the day on which the lieutenant governor makes the
- 1197 certification described in Section 20A-5-409, the party's candidate dies, resigns as
- 1198 a candidate, or is disqualified as a candidate; and
- 1199 (ii) the central committee provides written certification of the replacement candidate
- 1200 to the appropriate election officer before the day on which the lieutenant governor
- 1201 makes the certification described in Section 20A-5-409.
- 1202 (3) If no more than two candidates from a political party have filed a declaration of
- 1203 candidacy for an office elected at a regular general election and one resigns to become
- 1204 the party candidate for another position, the central committee of that political party may
- 1205 certify the name of another candidate to the appropriate election officer.
- 1206 (4) Each replacement candidate shall file a declaration of candidacy as required by Chapter
- 1207 9, Part 2, Candidate Qualifications and Declarations of Candidacy.
- 1208 (5)(a) The name of a candidate who is certified under Subsection (2)(a) after the
- 1209 deadline described in Subsection (2)(a)(ii) may not appear on the primary election
- 1210 ballot.
- 1211 (b) The name of a candidate who is certified under Subsection (2)(b) after the deadline
- 1212 described in Subsection (2)(b)(ii) may not appear on the general election ballot.
- 1213 (c) The name of a candidate who is certified under Subsection (2)(c) after the deadline
- 1214 described in Subsection (2)(c)(ii) may not appear on the general election ballot.
- 1215 (6) A political party may not replace a candidate who is disqualified for failure to timely
- 1216 file a campaign disclosure financial report under Chapter 11, Campaign and Financial
- 1217 Reporting Requirements, or Section 17-70-403.
- 1218 (7) This section does not apply to a candidate vacancy for a nonpartisan office.

- 1219 Section 10. Section **20A-1-503** is amended to read:
- 1220 **20A-1-503 (Effective 05/06/26). Midterm vacancies in the Legislature.**
- 1221 (1) As used in this section:
- 1222 (a) "Filing deadline" means the final date for filing:
- 1223 (i) a declaration of candidacy as provided in Section 20A-9-202; and
- 1224 (ii) a certificate of nomination as provided in Section 20A-9-503.
- 1225 (b) "Party liaison" means the political party officer designated to serve as a liaison with
- 1226 the lieutenant governor on all matters relating to the political party's relationship with
- 1227 the state as required by Section 20A-8-401.
- 1228 (2) When a vacancy occurs for any reason in the office of representative in the Legislature,
- 1229 the governor shall fill the vacancy by immediately appointing the person whose name
- 1230 was submitted by the party liaison of the same political party as the prior representative.
- 1231 (3)(a) Except as provided by Subsection (5), when a vacancy occurs for any reason in
- 1232 the office of senator in the Legislature, it shall be filled for the unexpired term at the
- 1233 next regular general election.
- 1234 (b) The governor shall fill the vacancy until the next regular general election by
- 1235 immediately appointing the person whose name was submitted by the party liaison of
- 1236 the same political party as the prior senator.
- 1237 (4)(a) If a vacancy described in Subsection (3)(a) occurs after the filing deadline but
- 1238 before August 31 of an even-numbered year in which the term of office does not
- 1239 expire, the lieutenant governor shall:
- 1240 (i) establish a date and time, [~~which~~] that is before the [~~date for a candidate to be~~
- 1241 ~~certified for the ballot under Section 20A-9-701]~~ day on which the lieutenant
- 1242 governor is required to send the information described in Section 20A-5a-209 to a
- 1243 county clerk, and no later than 21 calendar days after the day on which the
- 1244 vacancy occurred, by which a person intending to obtain a position on the ballot
- 1245 for the vacant office shall file:
- 1246 (A) a declaration of candidacy; or
- 1247 (B) a certificate of nomination; and
- 1248 (ii) give notice of the vacancy and the date and time described in Subsection (4)(a)(i):
- 1249 (A) on the lieutenant governor's website; and
- 1250 (B) to each registered political party.
- 1251 (b) A person intending to obtain a position on the ballot for the vacant office shall:
- 1252 (i) before the date and time specified in Subsection (4)(a)(i), file a declaration of

- 1253 candidacy or certificate of nomination according to the procedures and
1254 requirements of Chapter 9, Candidate Qualifications and Nominating Procedures;
1255 and
- 1256 (ii) run in the regular general election if:
- 1257 (A) nominated as a party candidate; or
- 1258 (B) qualified as an unaffiliated candidate as provided by Chapter 9, Candidate
1259 Qualifications and Nominating Procedures.
- 1260 (c) If a vacancy described in Subsection (3)(a) occurs after the deadline described in
1261 Subsection [~~20A-9-202(1)(b)~~] 20A-9-201.5(2) and before the last business day in
1262 August~~[31]~~, of an even-numbered year in which the term of office does not expire, a
1263 party liaison from each registered political party may submit a name of a person
1264 described in Subsection (4)(b) to the lieutenant governor before 5 p.m. no later than
1265 the second to last business day in August [~~30~~]for placement on the regular general
1266 election ballot.
- 1267 (5) If a vacancy described in Subsection (3)(a) occurs on or after the last business day in
1268 August [~~31~~]of an even-numbered year in which a term does not expire, the governor
1269 shall fill the vacancy for the unexpired term by immediately appointing the person
1270 whose name was submitted by the party liaison of the same political party as the prior
1271 senator.
- 1272 (6)(a) Except as provided in Subsection (6)(b), an individual seeking appointment to fill
1273 a vacancy described in this section shall, no later than the deadline for the individual
1274 to file an interim report under Subsection 20A-11-303(3)(a), make a complete
1275 conflict of interest disclosure on the website described in Section 20A-11-1602.5.
- 1276 (b) An individual described in Subsection (6)(a) is not required to comply with
1277 Subsection (6)(a) if the individual:
- 1278 (i)(A) currently holds the office of senator and is seeking appointment as a
1279 representative; or
- 1280 (B) currently holds the office of representative and is seeking appointment as a
1281 senator;
- 1282 (ii) already, that same year, filed a conflict of interest disclosure for the office
1283 described in Subsection (6)(b)(i), in accordance with Section 20A-11-1604; and
- 1284 (iii) no later than the deadline described in Subsection (6)(a), indicates, in a written
1285 statement, that the conflict of interest disclosure described in Subsection (6)(b)(ii)
1286 is updated and accurate as of the date of the written statement.

1287 (7) The lieutenant governor shall make each conflict of interest disclosure made by an
 1288 individual described in Subsection (6)(a) available for public inspection in accordance
 1289 with Subsection 20A-11-1603(4).

1290 (8) A vacancy in the office of senator or representative of the Legislature does not occur
 1291 unless the senator or representative:

1292 (a) has left the office; or

1293 (b) submits an irrevocable letter of resignation to:

1294 (i) for a senator, the president of the Senate; or

1295 (ii) for a representative, the speaker of the House of Representatives.

1296 Section 11. Section **20A-2-107** is amended to read:

1297 **20A-2-107 (Effective 05/06/26). Designating or changing party affiliation --**

1298 **Times permitted.**

1299 (1) As used in this section, "change of affiliation deadline" means:

1300 (a) for an election held in an even-numbered year in which a presidential election will be
 1301 held, the day after the declaration of candidacy deadline described in [~~Subsection~~
 1302 ~~20A-9-201.5(1)~~] Section 20A-9-201.5; or

1303 (b) for an election held in an even-numbered year in which a presidential election will
 1304 not be held, April 1.

1305 (2) The county clerk shall:

1306 (a) except as provided in Subsection (6) or 20A-2-107.5(3), record the party affiliation
 1307 designated by the voter on the voter registration form as the voter's party affiliation; or

1308 (b) if no political party affiliation is designated by the voter on the voter registration
 1309 form:

1310 (i) except as provided in Subsection (2)(b)(ii), record the voter's party affiliation as
 1311 the party that the voter designated the last time that the voter designated a party on
 1312 a voter registration form, unless the voter more recently registered as
 1313 "unaffiliated"; or

1314 (ii) record the voter's party affiliation as "unaffiliated" if the voter:

1315 (A) did not previously designate a party;

1316 (B) most recently designated the voter's party affiliation as "unaffiliated"; or

1317 (C) did not previously register.

1318 (3)(a) Any registered voter may designate or change the voter's political party affiliation
 1319 by complying with the procedures and requirements of this Subsection (3).

1320 (b) A registered voter may designate or change the voter's political party affiliation by

- 1321 filing with the county clerk, the municipal clerk, or the lieutenant governor a voter
1322 registration form or another signed form that identifies the registered political party
1323 with which the voter chooses to affiliate.
- 1324 (c) Except as provided in Subsection (3)(d), a voter registration form or another signed
1325 form designating or changing a voter's political party affiliation takes effect when the
1326 county clerk receives the signed form.
- 1327 (d) The party affiliation of a voter who changes party affiliation, or who becomes
1328 unaffiliated from a political party, at any time on or after the change of affiliation
1329 deadline and on or before the date of the regular primary election, takes effect the day
1330 after the statewide canvass for the regular primary election.
- 1331 (4) For purposes of Subsection (3)(d), a form described in Subsection (3)(c) is received by
1332 the county clerk before the change of affiliation deadline if:
- 1333 (a) the individual submits the form in person at the county clerk's office no later than 5
1334 p.m. on the last business day before the change of affiliation deadline;
- 1335 (b) the individual submits the form electronically through the system described in
1336 Section 20A-2-206, at or before 11:59 p.m. before the day of the change of affiliation
1337 deadline; or
- 1338 (c) the individual's form is clearly postmarked before the change of affiliation deadline.
- 1339 (5) Subsection (3)(d) does not apply to the party affiliation designated by a voter on a voter
1340 registration form if:
- 1341 (a) the voter has not previously been registered to vote in the state; or
- 1342 (b) the voter's most recent party affiliation was changed to "unaffiliated" by a county
1343 clerk under Subsection (6).
- 1344 (6) If the most recent party affiliation designated by a voter is for a political party that is no
1345 longer a registered political party, the county clerk shall:
- 1346 (a) change the voter's party affiliation to "unaffiliated"; and
- 1347 (b) notify the voter electronically or by mail:
- 1348 (i) that the voter's affiliation has been changed to "unaffiliated" because the most
1349 recent party affiliation designated by the voter is for a political party that is no
1350 longer a registered political party; and
- 1351 (ii) of the methods and deadlines for changing the voter's party affiliation.

1352 Section 12. Section **20A-2-504** is amended to read:

1353 **20A-2-504 (Effective 05/06/26). Removing names from the official register --**

1354 **General requirements.**

- 1355 (1) The county clerk may not remove a voter's name from the official register solely
 1356 because the voter has failed to vote in an election.
- 1357 (2) The county clerk shall remove a voter's name from the official register if:
- 1358 (a) the voter dies and the requirements of Subsection [(3)] (4) are met;
- 1359 (b) the county clerk, after complying with the requirements of Section 20A-2-505,
 1360 receives written confirmation from the voter that the voter no longer resides within
 1361 the county clerk's county;
- 1362 (c)(i) the county clerk obtains evidence that the voter's residence has changed;
- 1363 (ii) the county clerk mails notice to the voter as required under Section 20A-2-505;
- 1364 (iii) the county clerk:
- 1365 (A) receives no response from the voter; or
- 1366 (B) does not receive information that confirms the voter's residence; and
- 1367 (iv) the voter does not vote or appear to vote in an election during the period
 1368 beginning on the date of the notice described in Section 20A-2-505 and ending on
 1369 the day after the date of the second regular general election occurring after the
 1370 date of the notice;
- 1371 (d) the voter requests, in writing, that the voter's name be removed from the official
 1372 register;
- 1373 (e) the county clerk receives notice that a voter has been convicted of any felony or a
 1374 misdemeanor for an offense under this title and the voter's right to vote has not been
 1375 restored as provided in Section 20A-2-101.3 or 20A-2-101.5; or
- 1376 (f) the county clerk receives notice that a voter has registered to vote in another state
 1377 after the day on which the voter registered to vote in this state.
- 1378 (3) The lieutenant governor shall make available to a county clerk the United States Social
 1379 Security Administration data received by the lieutenant governor regarding deceased
 1380 individuals.
- 1381 [(3)] (4) The county clerk shall remove a voter's name from the official register within five
 1382 business days after the day on which the county clerk receives confirmation [~~from the~~
 1383 ~~Office of Vital Records~~] that the voter is deceased[-] from:
- 1384 (a) the Office of Vital Records or the lieutenant governor;
- 1385 (b) the United States Social Security Administration data; or
- 1386 (c) another reliable source or document that clearly identifies that the voter is deceased.
- 1387 (5)(a) Except as provided in Subsection (5)(b), the county clerk may not remove the
 1388 name of a voter from the official register during the 90 calendar days before a regular

1389 primary election or the 90 calendar days before a regular general election.
 1390 (b) The county clerk may remove the name of a voter from the official register during
 1391 the 90 calendar days before a regular primary election or the 90 calendar days before
 1392 a regular general election if:
 1393 (i) the voter requests, in writing, that the voter's name be removed; or
 1394 (ii) the voter dies.

1395 [(4)] (6) No later than 90 calendar days before each primary election day and general
 1396 election day, the county clerk shall update the official register by reviewing the official
 1397 register and taking the actions permitted or required by law under this section, Section
 1398 20A-2-503, and Section 20A-2-505.

1399 (7) Ninety calendar days before each primary and general election the lieutenant governor
 1400 shall compare the information the lieutenant governor has received from the Office of
 1401 Vital Records, the United States Social Security Administration data, and other reliable
 1402 sources with the official register of voters to ensure that all deceased voters have been
 1403 removed from the official register.

1404 Section 13. Section **20A-2-505** is amended to read:

1405 **20A-2-505 (Effective 05/06/26). Removing names from the official register --**
 1406 **Determining and confirming change of residence.**

1407 (1) A county clerk may not remove a voter's name from the official register on the grounds
 1408 that the voter has changed residence unless the voter:

1409 (a) confirms in writing that the voter has changed residence to a place outside the
 1410 county; or

1411 (b)(i) does not vote in an election during the period beginning on the date of the
 1412 notice described in Subsection (3), and ending on the day after the date of the
 1413 second regular general election occurring after the date of the notice; and

1414 (ii) does not respond to the notice described in Subsection (3).

1415 (2)(a) Within 31 calendar days after the day on which a county clerk obtains information
 1416 that a voter's address has changed, if it appears that the voter still resides within the
 1417 same county, the county clerk shall:

1418 (i) change the official register to show the voter's new address; and

1419 (ii) send to the voter, by forwardable mail, the notice described in Subsection (3).

1420 (b) When a county clerk obtains information that a voter's address has changed and it
 1421 appears that the voter now resides in a different county, the county clerk shall verify
 1422 the changed residence by sending to the voter, by forwardable mail, the notice

1423 described in Subsection (3), printed on a postage prepaid, preaddressed return form.

1424 (3)(a) Each county clerk shall use substantially the following form to notify voters whose
1425 addresses have changed:

1426 "VOTER REGISTRATION NOTICE

1427 We have been notified that your residence has changed. Please read, complete, and
1428 return this form so that we can update our voter registration records. What is your current
1429 street address?

1430 _____

1431 Street City County State Zip

1432 What is your current phone number (optional)? _____

1433 What is your current email address (optional)? _____

1434 If you have not changed your residence, or have moved but stayed within the same
1435 county, you must complete and return this form to the county clerk so that it is received by the
1436 county clerk before 5 p.m. no later than 30 calendar days before the date of the election. If you
1437 fail to return this form within that time:

1438 - you may be required to show evidence of your address to the poll worker before being
1439 allowed to vote in either of the next two regular general elections; or

1440 - if you fail to vote at least once, from the date this notice was mailed until the passing of
1441 two regular general elections, you will no longer be registered to vote. If you have changed
1442 your residence and have moved to a different county in Utah, you may register to vote by
1443 contacting the county clerk in your county.

1444 _____

1445 Signature of Voter

1446 PRIVACY INFORMATION

1447 Voter registration records contain some information that is available to the public, such
1448 as your name and address, some information that is available only to government entities, and
1449 some information that is available only to certain third parties in accordance with the
1450 requirements of law.

1451 Your driver license number, identification card number, social security number, email
1452 address, full date of birth, and phone number are available only to government entities. Your
1453 year of birth is available to political parties, candidates for public office, certain third parties,
1454 and their contractors, employees, and volunteers, in accordance with the requirements of law.

1455 You may request that all information on your voter registration records be withheld from
1456 all persons other than government entities, political parties, candidates for public office, and

1457 their contractors, employees, and volunteers, by indicating here:

1458 _____ Yes, I request that all information on my voter registration records be withheld
1459 from all persons other than government entities, political parties, candidates for public office,
1460 and their contractors, employees, and volunteers.

1461 REQUEST FOR ADDITIONAL PRIVACY PROTECTION

1462 In addition to the protections provided above, you may request that identifying
1463 information on your voter registration records be withheld from all political parties, candidates
1464 for public office, and their contractors, employees, and volunteers, by submitting a
1465 withholding request form, and any required verification, as described in the following
1466 paragraphs.

1467 A person may request that identifying information on the person's voter registration
1468 records be withheld from all political parties, candidates for public office, and their
1469 contractors, employees, and volunteers, by submitting a withholding request form with this
1470 registration record, or to the lieutenant governor or a county clerk, if the person is or is likely
1471 to be, or resides with a person who is or is likely to be, a victim of domestic violence or dating
1472 violence.

1473 A person may request that identifying information on the person's voter registration
1474 records be withheld from all political parties, candidates for public office, and their
1475 contractors, employees, and volunteers, by submitting a withholding request form and any
1476 required verification with this registration form, or to the lieutenant governor or a county clerk,
1477 if the person is, or resides with a person who is, a law enforcement officer, a member of the
1478 armed forces, a public figure, or protected by a protective order or a protection order."

1479 (b) The form described in Subsection (3)(a) shall also include:

1480 (i) a section in substantially the following form:

1481 "-----
1482 **BALLOT NOTIFICATIONS**
1483 Do you consent to receive communications about the status of your ballot and other official
1484 communications, by text, at the phone number you provided above? Yes No
1485 -----";
1486 and

1487 (ii) no later than November 5, 2025, the following, immediately after the question described in
1488 Subsection (3)(b)(i):

1489 "Indicate below how you want to vote in upcoming elections:

1490 _____ Mail a ballot to me.

- 1491 _____ Do not mail a ballot to me. I will vote in person."
- 1492 [~~(4)(a)~~ Except as provided in Subsection (4)(b), the county clerk may not remove the
- 1493 names of any voters from the official register during the 90 calendar days before a
- 1494 regular primary election or the 90 calendar days before a regular general election.]
- 1495 [~~(b)~~ The county clerk may remove the names of voters from the official register during
- 1496 the 90 calendar days before a regular primary election or the 90 calendar days before
- 1497 a regular general election if:]
- 1498 [(i) the voter requests, in writing, that the voter's name be removed; or]
- 1499 [(ii) the voter dies.]
- 1500 [~~(e)~~] ~~(4)~~ [(i)] (a) After a county clerk mails a notice under this section, the county clerk
- 1501 shall, unless otherwise prohibited by law, list that voter as inactive.
- 1502 [(ii)] (b) If a county clerk receives a returned voter identification card, determines that
- 1503 there was no clerical error causing the card to be returned, and has no further
- 1504 information to contact the voter, the county clerk shall, unless otherwise prohibited
- 1505 by law, list that voter as inactive.
- 1506 [(iii)] (c) An inactive voter may vote, sign petitions, and have all other privileges of a
- 1507 registered voter.
- 1508 [(iv)] (d) A county is not required to:
- 1509 [(A)] (i) send routine mailings to an inactive voter; or
- 1510 [(B)] (ii) count inactive voters when dividing precincts and preparing supplies.
- 1511 [(5) The lieutenant governor shall make available to a county clerk United States Social
- 1512 Security Administration data received by the lieutenant governor regarding deceased
- 1513 individuals.]
- 1514 [(6) A county clerk shall, within 10 business days after the day on which the county clerk
- 1515 receives the information described in Subsection (5) or Subsections 26B-8-114(11) and
- 1516 (12) relating to a decedent whose name appears on the official register, remove the
- 1517 decedent's name from the official register.]
- 1518 [(7) Ninety calendar days before each primary and general election the lieutenant governor
- 1519 shall compare the information the lieutenant governor has received under Subsection
- 1520 26B-8-114(11) with the official register of voters to ensure that all deceased voters have
- 1521 been removed from the official register.]
- 1522 Section 14. Section **20A-3a-202** is amended to read:
- 1523 **20A-3a-202 (Effective 05/06/26). Conducting election in person and by mail --**
- 1524 **Mailing ballots to voters -- Exceptions.**

- 1525 (1)(a) Except as otherwise provided for an election conducted entirely by mail under
1526 Section 20A-7-609.5, an election officer shall administer an election primarily by
1527 mail, in accordance with this section.
- 1528 (b) An individual who did not provide valid voter identification at the time the voter
1529 registered to vote shall provide valid voter identification before voting.
- 1530 (2) An election officer who administers an election:
- 1531 (a) shall in accordance with Subsection (3), no sooner than 21 calendar days before
1532 election day and no later than seven calendar days before election day, mail to the
1533 applicable voters, in accordance with Subsection 20A-3a-202.5(3), and subject to
1534 Subsection 20A-3a-202.5(4):
- 1535 (i) a manual ballot;
- 1536 (ii) a return envelope;
- 1537 (iii) instructions for returning the ballot that include an express notice about any
1538 relevant deadlines that the voter must meet in order for the voter's vote to be
1539 counted;
- 1540 (iv) information regarding the location and hours of operation of any election day
1541 voting center at which the voter may vote or a website address where the voter
1542 may view this information; and
- 1543 (v) instructions on how a voter may sign up to receive electronic ballot status
1544 notifications via the ballot tracking system described in Section 20A-3a-401.5;
- 1545 (b) may not mail a ballot under this section to:
- 1546 (i) an inactive voter, unless the inactive voter requests a manual ballot; or
- 1547 (ii) a voter whom the election officer is prohibited from sending a ballot under
1548 Subsection 20A-3a-202.5(4);
- 1549 (c) shall, on the outside of the envelope in which the election officer mails the ballot,
1550 include instructions for returning the ballot if the individual to whom the election
1551 officer mails the ballot does not live at the address to which the ballot is sent;
- 1552 (d) shall provide a method of accessible voting to a voter with a disability who is not
1553 able to vote by mail; and
- 1554 (e) shall include, on the election officer's website and with each ballot mailed,
1555 instructions regarding how a voter described in Subsection (2)(d) may vote.
- 1556 (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the
1557 manual ballot to the address:
- 1558 (i) provided at the time of registration or updated by the voter after the time of

1559 registration; or

1560 (ii) if, at or after the time of registration, the voter files an alternate address request
1561 form described in Subsection (3)(b), the alternate address indicated on the form.

1562 (b) The lieutenant governor shall make available to voters an alternate address request
1563 form that permits a voter to request that the election officer mail the voter's ballot to a
1564 location other than the voter's residence.

1565 (c) A voter shall provide the completed alternate address request form to the election
1566 officer no later than 11 calendar days before the day of the election.

1567 (d) Beginning on November 5, 2025, through December 31, 2028, an election officer shall
1568 include, with each ballot mailed to a voter, a separate paper document containing the following
1569 statements:

1570 "WARNING

1571 If you have a valid Utah driver license or a valid Utah state identification card, failure to
1572 provide the last four digits of the license or card number may result in your ballot not being
1573 counted. You also have the option of providing the last four digits of your social security
1574 number as identification. If you do not have any of these identification types, your ballot will
1575 still be counted if your signature on the affidavit on this envelope matches your signature on
1576 file with the election officer.

1577 NOTICE

1578 Beginning in 2029, you will not receive a ballot by mail unless you request to receive a
1579 ballot by mail. You may request to receive a ballot by mail at [insert a uniform resource
1580 locator where the voter can make the request online]. If you are unable to make a request
1581 online, contact your county clerk's office at the following number for instructions on how to
1582 make the request in person or by mail [insert phone number here]."

1583 (e) Beginning on January 1, 2029, an election officer shall include, with each ballot mailed to a
1584 voter, a separate paper document containing the following statement:

1585 "WARNING

1586 If you have a valid Utah driver license or a valid Utah state identification card, failure to
1587 provide the last four digits of your license or card number will result in your ballot not being
1588 counted.

1589 If you do not have a license or card described above, you may enter the last four digits of
1590 your social security number as identification, or include a photocopy of one of the following in
1591 the return envelope:

1592 • a currently valid identification card that is issued by the state or a branch, department, or

1593 agency of the United States;

1594 • a currently valid Utah permit to carry a concealed weapon;

1595 • a currently valid United States passport;

1596 • a currently valid United States military identification card; or

1597 • a currently valid tribal identification card, Bureau of Indian Affairs card, or tribal treaty
1598 card.

1599 If you do not have any of the forms of identification listed above, you must vote in person
1600 at a polling place, unless you qualify for an exemption from this requirement. You may obtain
1601 information regarding an exemption at [insert a uniform resource locator where the voter can
1602 view this information] or by calling [insert a phone number that a voter may call to access this
1603 information]."

1604 (4) The return envelope[-] :

1605 (a) shall include:

1606 [~~(a)~~] (i)(A) before January 1, 2027, the name, official title, and post office address
1607 of the election officer on the front of the envelope; or

1608 (B) beginning on January 1, 2027, the official title and post office address of the
1609 election officer on the front of the envelope;

1610 [~~(b)~~] (ii) subject to Subsection (9), [~~beginning on or before January 1, 2026,~~] a place
1611 for the voter to enter the last four digits of the voter's Utah driver license number,
1612 Utah state identification card number, or social security number;

1613 [~~(c)~~] (iii) the following statement:

1614 "IMPORTANT: See the warning and notice enclosed with your ballot.";

1615 [~~(d)~~] (iv) a space where a voter may write an email address and phone number by
1616 which the election officer may contact the voter if the voter's ballot is rejected; and

1617 [~~(e)~~] (v) a printed affidavit in substantially the following form:

1618 "County of ____ State of ____

1619 I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct
1620 in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon
1621 currently incarcerated for commission of a felony.

1622 _____

1623 Signature of Voter

1624 WARNING

1625 The above affidavit must be signed by the voter to whom the ballot is addressed. It is a
1626 FELONY for any other individual to sign the above affidavit, even if the voter to whom the

- 1627 ballot is addressed gives permission for another to sign the affidavit for the voter."; and
1628 (b) beginning on January 1, 2027, may not include the name of the election officer on
1629 the envelope.
- 1630 (5) If the election officer determines that the voter has not yet provided valid voter
1631 identification with the voter's voter registration, the election officer may:
- 1632 (a) mail a ballot to the voter;
- 1633 (b) instruct the voter to enclose a copy of the voter's valid voter identification in the
1634 return envelope; and
- 1635 (c) provide instructions to the voter on how the voter may sign up to receive electronic
1636 ballot status notifications via the ballot tracking system described in Section
1637 20A-3a-401.5.
- 1638 (6) An election officer who administers an election shall:
- 1639 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the
1640 election; or
- 1641 (ii) obtain the signature of each voter within the voting precinct from the county
1642 clerk; and
- 1643 (b) maintain the signatures on file in the election officer's office.
- 1644 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot
1645 under Section 20A-3a-401.
- 1646 (8) A county that administers an election:
- 1647 (a) shall provide at least one election day voting center in accordance with Part 7,
1648 Election Day Voting Center, and at least one additional election day voting center for
1649 every 5,000 active voters in the county who, under Section 20A-3a-202.5, will not
1650 receive a ballot by mail;
- 1651 (b) shall ensure that each election day voting center operated by the county has at least
1652 one voting device that is accessible, in accordance with the Help America Vote Act
1653 of 2002, Pub. L. No. 107-252, for individuals with disabilities;
- 1654 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 1655 (i) the county clerk conducts early voting on at least four days;
- 1656 (ii) the early voting days are within the period beginning on the date that is 14
1657 calendar days before the date of the election and ending on the day before the
1658 election; and
- 1659 (iii) the county clerk provides notice of the reduced early voting period in accordance
1660 with Section 20A-3a-604; and

- 1661 (d) is not required to pay return postage for a return envelope.
- 1662 (9) A return envelope shall be designed in a manner that the information described in
1663 Subsections [~~(4)(b) and (d)~~] (4)(a)(ii) and (iv), and the voter's signature, is covered from
1664 view after the return envelope is sealed.
- 1665 (10) A county clerk shall, at least 90 calendar days before an election administered by the
1666 county clerk, contact local post offices to:
- 1667 (a) coordinate the handling of mail-in ballots for the upcoming election; and
1668 (b) take measures to ensure that[~~z~~]
- 1669 [~~(i) ballots are clearly and properly postmarked, or otherwise marked in accordance
1670 with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was
1671 mailed; and]~~
- 1672 [~~(ii)~~] _ballots are delivered in an expeditious manner to optimize the timely receipt of
1673 ballots.

1674 Section 15. Section **20A-3a-603** is amended to read:

1675 **20A-3a-603 (Effective 05/06/26). Early voting polling places.**

- 1676 (1) Except as provided in Section 20A-1-308, the election officer shall designate one or
1677 more polling places for early voting, as follows:
- 1678 (a) at least one polling place shall be open on each day that polls are open during the
1679 early voting period;
- 1680 (b) each polling place shall comply with the requirements for polling places under
1681 Chapter 5, Election Administration;
- 1682 (c) for all elections other than local special elections, municipal primary elections, and
1683 municipal general elections, at least 10% of the voting devices at a polling place shall
1684 be accessible for individuals with disabilities in accordance with Public Law
1685 107-252, the Help America Vote Act of 2002; and
- 1686 (d) each polling place shall be located in a government building or office, unless the
1687 election officer determines that, in the area designated by the election officer, there is
1688 no government building or office available that:
- 1689 (i) can be scheduled for use during early voting hours;
- 1690 (ii) has the physical facilities necessary to accommodate early voting requirements;
- 1691 (iii) has adequate space for voting equipment, poll workers, and voters; and
1692 (iv) has adequate security, public accessibility, and parking.
- 1693 (2)(a) Except as provided in Section 20A-1-308, the election officer may, after the
1694 deadline described in Section 20A-3a-604:

- 1695 (i) if necessary, change the location of an early voting place; or
 1696 (ii) if the election officer determines that the number of early voting polling places is
 1697 insufficient due to the number of registered voters who are voting, designate
 1698 additional polling places during the early voting period.
- 1699 (b) Except as provided in Section 20A-1-308, if an election officer changes the location
 1700 of an early voting polling place or designates an additional early voting polling place,
 1701 the election officer shall, as soon as is reasonably possible, give notice of the dates,
 1702 times, and location of the changed early voting polling place or the additional early
 1703 voting polling place:
 1704 [~~(i) to the lieutenant governor, for posting on the Statewide Voter Information~~
 1705 ~~Website;]~~
 1706 [~~(ii) by posting the information on the website of the election officer, if available; and]~~
 1707 (i) in accordance with Section 20A-3a-604; and
 1708 [~~(iii)]~~ (ii) by posting notice:
 1709 (A) for a change in the location of an early voting polling place, at the new
 1710 location and, if possible, the old location; and
 1711 (B) for an additional early voting polling place, at the additional early voting
 1712 polling place.
- 1713 (3) Except as provided in Section 20A-1-308, for each regular general election and regular
 1714 primary election, counties of the first class shall ensure that the early voting polling
 1715 places are approximately proportionately distributed based on population within the
 1716 county.

1717 Section 16. Section **20A-3a-604** is amended to read:

1718 **20A-3a-604 (Effective 05/06/26). Notice of time and place of early voting.**

- 1719 [~~(1)]~~ Except as provided in Section 20A-1-308[~~or~~] , and subject to Subsection
 1720 20A-3a-603(2), the election officer shall[, for at least 28 calendar days before the date of
 1721 the election,] provide notice of the dates, times, and locations of early voting[~~by~~
 1722 publishing notice for the county, as a class A notice under Section 63G-30-102.] , and
 1723 any changes to the dates, times, and locations of early voting, on the websites, at the
 1724 phone number, and at the address disclosed in the notice described in Section
 1725 20A-5a-102.
- 1726 [~~(2)~~ Instead of specifying all dates, times, and locations of early voting, a notice required
 1727 under Subsection (1) may specify the following sources where a voter may view or
 1728 obtain a copy of all dates, times, and locations of early voting:]

- 1729 ~~[(a) the county's website;]~~
 1730 ~~[(b) the physical address of the county's offices; and]~~
 1731 ~~[(c) a mailing address and telephone number.]~~
 1732 ~~[(3) The election officer shall include in the notice described in Subsection (1):]~~
 1733 ~~[(a) the address of the Statewide Electronic Voter Information Website and, if available,~~
 1734 ~~the address of the election officer's website, with a statement indicating that the~~
 1735 ~~election officer will post on the website the location of each early voting polling~~
 1736 ~~place, including any changes to the location of an early voting polling place and the~~
 1737 ~~location of additional early voting polling places; and]~~
 1738 ~~[(b) a phone number that a voter may call to obtain information regarding the location of~~
 1739 ~~an early voting polling place.]~~

1740 Section 17. Section **20A-4-104** is amended to read:

1741 **20A-4-104 (Effective 05/06/26). Counting ballots electronically -- Notice of**
 1742 **testing tabulating equipment.**

- 1743 (1)(a) [Before] No later than 21 calendar days before the day of an election, and no
 1744 earlier than 10 calendar days after the day on which the election officer provides
 1745 notice under Subsection (1)(c), the election officer shall, in accordance with this
 1746 Subsection (1) and rules made by the director of elections under Subsection
 1747 20A-1-108(1), before beginning to count ballots using automatic tabulating
 1748 equipment, [the election officer shall] test the automatic tabulating equipment to
 1749 ensure that [it] the equipment will accurately count the votes cast for all offices and
 1750 all measures.
 1751 (b) No later than the day of the canvass for the election, after counting ballots using
 1752 automatic tabulating equipment is completed, the election officer shall, in accordance
 1753 with this Subsection (1) and rules made by the chief election officer under Subsection
 1754 20A-1-108(1), test the automatic tabulating equipment to ensure that the equipment
 1755 accurately counted votes cast for all offices and measures.
 1756 ~~[(b)]~~ (c) The election officer shall provide public notice of the time and place of the ~~[test]~~
 1757 tests described in Subsections (1)(a) and (b) by publishing the notice~~[, as a class A~~
 1758 notice under Section 63G-30-102, for the county, municipality, or jurisdiction where
 1759 the equipment is used, for at least 10 calendar days before the day of the test] in the
 1760 notice of election described in Section 20A-5a-202.
 1761 ~~[(c)]~~ (d) The election officer shall conduct the test described in Subsection (1)(a) by
 1762 processing a preaudited group of ballots.

- 1763 ~~[(d)]~~ (e) The election officer shall ensure that:
- 1764 (i) a predetermined number of valid votes for each candidate and measure are
- 1765 recorded on the ballots;
- 1766 (ii) for each office, one or more ballots have votes in excess of the number allowed
- 1767 by law in order to test the ability of the automatic tabulating equipment to reject
- 1768 those votes; and
- 1769 (iii) a different number of valid votes are assigned to each candidate for an office, and
- 1770 for and against each measure.
- 1771 ~~[(e)]~~ (f) If any error is detected, the election officer shall determine the cause of the error
- 1772 and correct it.
- 1773 ~~[(f)]~~ (g) The election officer shall ensure that~~[:]~~
- 1774 ~~[(g)]~~ the automatic tabulating equipment produces an errorless count~~[-]~~ :
- 1775 (i) before beginning the actual counting; and
- 1776 (ii) before ~~[the election returns are approved as official, the automatic tabulating~~
- 1777 ~~equipment passes a post election audit conducted in accordance with the rules~~
- 1778 ~~described in Subsection 20A-1-108(1)]~~ the canvass for the election.
- 1779 (2)(a) The election officer or the election officer's designee shall supervise and direct all
- 1780 proceedings at the counting center.
- 1781 (b)(i) Proceedings at the counting center are public and may be observed by
- 1782 interested persons.
- 1783 (ii) Only those persons authorized to participate in the count may touch any ballot or
- 1784 return.
- 1785 (c) The election officer shall deputize and administer an oath or affirmation to all
- 1786 persons who are engaged in processing and counting the ballots that they will
- 1787 faithfully perform their assigned duties.
- 1788 (3)(a) If any ballot is damaged or defective so that it cannot properly be counted by the
- 1789 automatic tabulating equipment, the election officer shall ensure that two counting
- 1790 judges jointly:
- 1791 (i) make a true replication of the ballot with an identifying serial number;
- 1792 (ii) substitute the replicated ballot for the damaged or defective ballot;
- 1793 (iii) label the replicated ballot "replicated"; and
- 1794 (iv) record the replicated ballot's serial number on the damaged or defective ballot.
- 1795 (b) The lieutenant governor shall provide to each election officer a standard form on
- 1796 which the election officer shall maintain a log of all replicated ballots, that includes,

- 1797 for each ballot:
- 1798 (i) the serial number described in Subsection (3)(a);
- 1799 (ii) the identification of the individuals who replicated the ballot;
- 1800 (iii) the reason for the replication; and
- 1801 (iv) any other information required by the lieutenant governor.
- 1802 (c) An election officer shall:
- 1803 (i) maintain the log described in Subsection (3)(b) in a complete and legible manner,
- 1804 as ballots are replicated;
- 1805 (ii) at the end of each day during which one or more ballots are replicated, make an
- 1806 electronic copy of the log; and
- 1807 (iii) retain and preserve each electronic copy made under Subsection (3)(c)(ii) in
- 1808 accordance with Subsection 20A-2-202(3).
- 1809 (4) The election officer may:
- 1810 (a) conduct an unofficial count before conducting the official count in order to provide
- 1811 early unofficial returns to the public;
- 1812 (b) release unofficial returns from time to time after the polls close; and
- 1813 (c) report the progress of the count for each candidate during the actual counting of
- 1814 ballots.
- 1815 (5) Beginning on the day after the date of the election, if an election officer releases early
- 1816 unofficial returns or reports the progress of the count for each candidate under
- 1817 Subsection (4), the election officer shall, with each release or report, disclose an estimate
- 1818 of the total number of voted ballots in the election officer's custody that have not yet
- 1819 been counted.
- 1820 (6) The election officer shall review and evaluate the provisional ballot envelopes and
- 1821 prepare any valid provisional ballots for counting as provided in Section 20A-4-107.
- 1822 (7)(a) The election officer or the election officer's designee shall:
- 1823 (i) separate, count, and tabulate any ballots containing valid write-in votes; and
- 1824 (ii) complete the standard form provided by the clerk for recording valid write-in
- 1825 votes.
- 1826 (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast
- 1827 more votes for an office than that voter is entitled to vote for that office, the poll
- 1828 workers shall count the valid write-in vote as being the obvious intent of the voter.
- 1829 (8)(a) The election officer shall certify the return printed by the automatic tabulating
- 1830 equipment, to which have been added write-in and absentee votes, as the official

1831 return of each voting precinct.

1832 (b) Upon completion of the count, the election officer shall make official returns open to
1833 the public.

1834 (9) If for any reason it becomes impracticable to count all or a part of the ballots with
1835 tabulating equipment, the election officer may direct that they be counted manually
1836 according to the procedures and requirements of this part.

1837 (10) After the count is completed, the election officer shall seal and retain the programs,
1838 test materials, and ballots as provided in Subsection 20A-4-202(2).

1839 Section 18. Section **20A-4-202** is amended to read:

1840 **20A-4-202 (Effective 05/06/26). Election returns and election material --**

1841 **Retention and disposition requirements -- Public records.**

1842 (1) Upon receipt of the ballots and election returns from the poll workers, the election
1843 officer shall:

1844 (a) ensure that the poll workers have provided all of the ballots and election returns;

1845 (b) inspect the ballots and election returns to ensure that they are sealed;

1846 (c) for manual ballots, deposit and lock the ballots and election returns in a safe and
1847 secure place;

1848 (d) for mechanical ballots:

1849 (i) count the ballots; and

1850 (ii) deposit and lock the ballots and election returns in a safe and secure place; and

1851 (e) for bond elections, provide a copy of the election results to the board of canvassers of
1852 the local political subdivision that called the bond election.

1853 (2) Each election officer shall:

1854 (a) before 5 p.m. on the day after the date of the election, determine the number of
1855 provisional ballots cast within the election officer's jurisdiction and make that number
1856 available to the public;

1857 (b) preserve ballots for 22 months after the date of the election or until the time has
1858 expired during which the ballots could be used in an election contest;

1859 (c) preserve all other official election returns for at least 22 months after the date of the
1860 election; and

1861 (d) after the time period described in Subsection (2)(c), destroy the ballots and election
1862 returns without examining the ballots and election returns.

1863 (3)(a) The election officer shall:

1864 (i) package and retain all election material; and

- 1865 (ii) store the election material in a secure location~~[that is physically separate from~~
1866 ~~the location where the election officer stores ballots and election returns]~~.
- 1867 (b) The election officer:
- 1868 (i) may not alter or make changes to the election material;
- 1869 (ii) may make a working copy of the election material;
- 1870 (iii) may alter or make changes to the working copy of election material;
- 1871 (iv) shall preserve the election material, and any working copy of the election
1872 material, for at least 22 months after the date of the election; and
- 1873 (v) after the time period described in Subsection (3)(b)(iv), may dispose of or retain
1874 the election material and any working copy of the election material.
- 1875 (c) An election officer:
- 1876 (i) may not release to a member of the public:
- 1877 (A) the copy of the final election results database; or
- 1878 (B) a working copy of the copy of the final election results database;
- 1879 (ii) may issue a public report based on information derived from the election material
1880 if the report does not contain any information that directly identifies a voter who
1881 cast a ballot;
- 1882 (iii) may only access the election material, or a working copy of the election material,
1883 at the election officer's office; and
- 1884 (iv) may not remove the election material, or a working copy of the election material,
1885 from ~~[the]~~the election officer's office.
- 1886 (4)(a) If an election is contested within 12 months after the date of the election, the
1887 election officer shall, except as provided in Subsection (4)(c):
- 1888 (i) keep the ballots and election returns unopened and unaltered until the contest is
1889 complete; or
- 1890 (ii) surrender the ballots and election returns to the custody of the court having
1891 jurisdiction of the contest when ordered or subpoenaed to do so by that court.
- 1892 (b) Except as provided in Subsection (4)(c), when all election contests arising from an
1893 election are complete, the election officer shall either:
- 1894 (i) retain the ballots and election returns until the time for preserving them under this
1895 section has run; or
- 1896 (ii) destroy the ballots and election returns remaining in the election officer's custody
1897 without examining the ballots and election returns if the time for preserving them
1898 under this section has run.

- 1899 (c)(i) An auditor conducting an audit described in Section 36-12-15.2 may examine
 1900 the ballots and election returns described in this Subsection (4).
- 1901 (ii) The lieutenant governor may examine the ballots and election returns described in
 1902 this Subsection (4).
- 1903 (5) Notwithstanding the provisions of this section, the legislative auditor general:
 1904 (a) may make and keep a copy of ballots or election returns as part of a legislative audit;
 1905 and
 1906 (b) may not examine, make a copy, or keep a copy of a ballot in a manner that identifies
 1907 the ballot with the voter who casts the ballot.
- 1908 (6) Each of the following is not a record, and is not subject to disclosure, under Title 63G,
 1909 Chapter 2, Government Records Access and Management Act:
 1910 (a) all ballots and election returns;
 1911 (b) all election material;
 1912 (c) any working copy of election material that the election officer makes under
 1913 Subsection (3)(b)(ii); and
 1914 (d) a copy described in Subsection (5)(a).
- 1915 (7) Each of the following is a public record under Title 63G, Chapter 2, Government
 1916 Records Access and Management Act:
 1917 (a) the final report of the disposition of all rejected and resolved ballots described in
 1918 Subsection 20A-3a-401(11)(b);
 1919 (b) the results and tally of all ballots that have been counted described in Subsection
 1920 20A-3a-402(2);
 1921 (c) each posting of ballot statistics described in Section 20A-3a-405; and
 1922 (d) any early unofficial returns or reports described in Subsection 20A-4-104(4).
- 1923 (8) The retention and disposition requirements described in this section for ballots, election
 1924 returns, and election material:
 1925 (a) supersede the retention and disposition requirements for ballots, election returns, and
 1926 election material that were in effect before the effective date of this bill; and
 1927 (b) apply to ballots, election returns, and election material created before, on, or after the
 1928 effective date of this bill.
- 1929 (9) The retention and disposition requirements described in this section do not require the
 1930 creation of a record that an election officer is not otherwise required to create.
- 1931 Section 19. Section **20A-4-304** is amended to read:
 1932 **20A-4-304 (Effective 05/06/26). Declaration of results -- Canvassers' report.**

- 1933 (1)[(a) ~~Except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project,~~
 1934 a] A board of canvassers shall declare "elected" or "nominated" those persons who:
 1935 [(+)] (a) had the highest number of votes; and
 1936 [(+)] (b) sought election or nomination to an office completely within the board's
 1937 jurisdiction.
- 1938 [(b)] (c) [~~Except as provided in Part 6, Municipal Alternate Voting Methods Pilot~~
 1939 ~~Project, a]~~ A board of canvassers shall declare a "tie vote" if:
 1940 (i) two or more candidates for an office receive an equal and the highest number of
 1941 votes for that office; or
 1942 (ii) in a race for an at-large office:
 1943 (A) two or more candidates receive an equal number of votes; and
 1944 (B) a recount is necessary to determine which candidates are elected to the at-large
 1945 office.
- 1946 [(e)] (d) A board of canvassers shall declare:
 1947 (i) "approved" those ballot propositions that:
 1948 (A) had more "yes" votes than "no" votes; and
 1949 (B) were submitted only to the voters within the board's jurisdiction; or
 1950 (ii) "rejected" those ballot propositions that:
 1951 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and
 1952 "yes" votes; and
 1953 (B) were submitted only to the voters within the board's jurisdiction.
- 1954 [(d)] (e) A board of canvassers shall:
 1955 (i) certify the vote totals for candidates and for and against ballot propositions that
 1956 were submitted to voters within and beyond the board's jurisdiction and transmit
 1957 those vote totals to the lieutenant governor; and
 1958 (ii) if applicable, certify the results of each special district election to the special
 1959 district clerk.
- 1960 (2) The election officer shall submit a report to the board of canvassers that includes the
 1961 following information:
 1962 (a) a statement of votes cast, disclosing:
 1963 (i) the total number of votes cast in the board's jurisdiction; and
 1964 (ii) for each office that appeared on the ballot:
 1965 (A) the name of each candidate whose name appeared on the ballot; and
 1966 (B) whether the candidate is an unaffiliated candidate, a valid write-in candidate,

- 1967 or, if the candidate is affiliated with or the nominee of a registered political
- 1968 party, the name of the registered political party;
- 1969 (b) the title of each ballot proposition that appeared on the ballot;
- 1970 (c) the total number of votes given in the board's jurisdiction to each candidate, and for
- 1971 and against each ballot proposition;
- 1972 (d) from each voting precinct:
- 1973 (i) the number of votes for each candidate;
- 1974 (ii) for each race conducted by instant runoff voting under Part 6, Municipal
- 1975 Alternate Voting Methods Pilot Project, the number of valid votes cast for each
- 1976 candidate for each potential ballot-counting phase and the name of the candidate
- 1977 excluded in each ballot-counting phase; and
- 1978 (iii) the number of votes for and against each ballot proposition;
- 1979 (e) standardized statistics, on a form provided by the lieutenant governor, disclosing, at a
- 1980 minimum:
- 1981 (i) the number of active voters in the board's jurisdiction as of the Friday before
- 1982 election day;
- 1983 (ii) the number of ballots counted by the election officer that were cast by voters who
- 1984 registered to vote on election day under Section 20A-2-207;
- 1985 (iii) the total number of ballots counted by the election officer;
- 1986 (iv) the quotient of the number described in Subsection (2)(e)(iii) divided by the sum
- 1987 of the numbers described in [~~Subsections (2)(e)(i) and (ii)~~] Subsection (2)(e)(i);
- 1988 (v) of the number described in Subsection (2)(e)(iii):
- 1989 (A) the number of provisional ballots cast at a polling place; and
- 1990 (B) the number of ballots cast using a voting method described in Section
- 1991 20A-3a-201;
- 1992 (vi) a reconciliation of the number of ballots the election officer counted and the
- 1993 number of voters given credit for voting in the election;
- 1994 (vii) if there is a difference between the numbers described in Subsection (2)(e)(vi),
- 1995 an explanation for the difference;
- 1996 (viii) the number of provisional ballots that could not legally be counted; and
- 1997 (ix) each of the following:
- 1998 (A) the number of ballots, other than provisional ballots, that were rejected
- 1999 because the ballots could not legally be cured;
- 2000 (B) the number of ballots, other than provisional ballots, that were rejected, could

- 2001 have been cured by the voter, but were not cured;
- 2002 (C) the number of uncounted ballots received after the deadline described in
- 2003 Subsection 20A-3a-204(3); and
- 2004 (D) the percentage of ballots that were returned as undeliverable;
- 2005 (f) subject to Subsection (3), a cast vote record report that contains only the following
- 2006 information from the election results database:
- 2007 (i) for the jurisdiction administering the election:
- 2008 (A) the title of each ballot proposition appearing on the ballots;
- 2009 (B) a description of each race for federal office, statewide office, state legislative
- 2010 office, state school board office, county office, local school board office, or
- 2011 municipal office appearing on the ballots; and
- 2012 (C) the name of each candidate for an office described in Subsection (2)(f)(i)(B);
- 2013 (ii) the numeric identifier described in Subsection 20A-5-802.5(2)(b);
- 2014 (iii) the vote cast by a voter for:
- 2015 (A) a candidate for an office described in Subsection (2)(f)(i)(B);
- 2016 (B) a valid write-in candidate; and
- 2017 (C) each ballot proposition;
- 2018 (iv) if a voter's vote was not counted, an indication that the vote was not counted
- 2019 because:
- 2020 (A) the voter cast a vote for more than one candidate for a single office; or
- 2021 (B) the voter made more than one selection for a single ballot proposition;
- 2022 (v) if a voter was eligible to cast a vote, but did not cast a vote, an indication that the
- 2023 voter did not cast a vote; and
- 2024 (vi) if a ballot proposition or an office described in Subsection (2)(f)(i)(B) did not
- 2025 appear on the voter's ballot:
- 2026 (A) an indication that the voter was ineligible to cast a vote for the ballot
- 2027 proposition or office; or
- 2028 (B) a blank field or space in the portion of the report representing the ballot
- 2029 proposition or office;
- 2030 (g) other information required by law to be provided to the board of canvassers; and
- 2031 (h) a statement certifying that the information contained in the report is accurate.
- 2032 (3) The cast vote record report described in Subsection (2)(f) may not include:
- 2033 (a) any special district office or special district ballot proposition appearing on a ballot in
- 2034 the jurisdiction administering the election;

- 2035 (b) the vote cast by a voter for a special district office or special district ballot
2036 proposition;
- 2037 (c) the voter precinct number associated with a ballot; or
2038 (d) information that directly identifies the voter who cast the ballot.
- 2039 (4) For an election in which the election officer does not use automatic tabulating
2040 equipment, the election officer shall:
- 2041 (a) review the votes cast on each ballot that is counted;
2042 (b) manually compile the information described in Subsection (2)(f) in a file format
2043 described in Subsection (8)(c);
2044 (c) ensure that the file does not contain the information described in Subsection (3); and
2045 (d) include a copy of the file in the board of canvassers' report.
- 2046 (5) The election officer and the board of canvassers shall:
- 2047 (a) review the report to ensure that the report is correct; and
2048 (b) sign the report.
- 2049 (6) The election officer shall:
- 2050 (a) record or file the certified report in a book kept for that purpose;
2051 (b) prepare and transmit a certificate of nomination or election under the officer's seal to
2052 each nominated or elected candidate;
2053 (c) publish a copy of the certified report in accordance with Subsection (7); and
2054 (d) file a copy of the certified report with the lieutenant governor.
- 2055 (7) Subject to Subsection (8), an election officer shall, no later than three business days
2056 after the day on which the board of canvassers declares the election results, publish a
2057 notice of the certified report described in Subsection (2) as a class A notice under
2058 Section 63G-30-102.
- 2059 (8) The class A notice described in Subsection (7) shall:
- 2060 (a) include the following statement: "The Board of Canvassers for [indicate name of
2061 jurisdiction] has prepared a report of the election results for the [indicate type and
2062 date of election].";
- 2063 (b) specify the following sources where an individual may view or obtain a copy of the
2064 entire certified report:
- 2065 (i) the Utah Public Notice Website;
2066 (ii) if the election officer is required to publish the notice on the board's jurisdiction's
2067 website under Subsection 63G-30-102(1)(b), the jurisdiction's website;
2068 (iii) the physical address for the board's jurisdiction; and

- 2069 (iv) a mailing address and telephone number; and
- 2070 (c) subject to Subsection (9), for the website posting described in Subsections
- 2071 63G-30-102(1)(a) and (b), include a copy of the certified report in the following file
- 2072 formats:
- 2073 (i) except for the cast vote record report described in Subsection (2)(f), a PDF or
- 2074 similar file; and
- 2075 (ii) for the cast vote record report described in Subsection (2)(f), one or more
- 2076 spreadsheets, Comma Separated Values files, or another common type of
- 2077 delimited or fixed-width files.
- 2078 (9) An election officer may post the information required to be included in the cast vote
- 2079 record report described in Subsection (2)(f) as a text-based file that represents structured
- 2080 information through key value pairs and ordered collections of data in lieu of including
- 2081 that information in a file described in Subsection (8)(c)(ii) if[:]
- 2082 [~~(a) the race for elective office was conducted using instant runoff voting under Chapter~~
- 2083 ~~4, Part 6, Municipal Alternate Voting Methods Pilot Project; and]~~
- 2084 [~~(b)~~] the tabulating equipment does not produce a file described in Subsection (8)(c)(ii)
- 2085 that accurately records all the preferences cast by a voter on the voter's ballot.
- 2086 (10) An election officer shall publish the class A notice described in Subsection (7) for the
- 2087 following time periods:
- 2088 (a) in relation to posting the notice on the Utah Public Notice Website under Subsection
- 2089 63G-30-102(1)(a), indefinitely;
- 2090 (b) in relation to posting the notice on the election officer's jurisdiction's website under
- 2091 Subsection 63G-30-102(1)(b), for at least 180 calendar days after the day of the
- 2092 deadline described in Subsection (7); and
- 2093 (c) in relation to posting the notice in a physical location under Subsection
- 2094 63G-30-102(1)(c), for at least seven calendar days after the day of the deadline
- 2095 described in Subsection (7).
- 2096 (11) An election officer:
- 2097 (a) shall ensure that an individual may obtain a copy of the certified report in a file
- 2098 format described in:
- 2099 (i) Subsection (8)(c); and
- 2100 (ii) if applicable, Subsection (9); and
- 2101 (b) may make the certified report available in any computer-readable format that the
- 2102 election officer determines is helpful to members of the public.

2103 (12) When there has been a regular general or a statewide special election for statewide
 2104 officers, for officers that appear on the ballot in more than one county, or for a statewide
 2105 or two or more county ballot proposition, each board of canvassers shall, immediately
 2106 upon adjournment of the board, transmit to the lieutenant governor a report detailing the
 2107 number of votes for each candidate and the number of votes for and against each ballot
 2108 proposition.

2109 (13) In each county election, municipal election, school election, special district election,
 2110 and local special election, the election officer shall transmit the reports to the lieutenant
 2111 governor within 14 calendar days after the date of the election.

2112 (14) In a regular primary election and in a presidential primary election, the board of
 2113 canvassers shall, immediately upon adjournment of the board, transmit to the lieutenant
 2114 governor:

2115 (a) the county totals for multi-county races; and

2116 (b) a complete tabulation showing voting totals for all primary races, precinct by
 2117 precinct.

2118 Section 20. Section **20A-5-401.1**, which is renumbered from Section 20A-5-102 is renumbered
 2119 and amended to read:

2120 **[20A-5-102] 20A-5-401.1 (Effective 05/06/26). Voting instructions.**

2121 (1) Each election officer shall:

2122 (a) print instructions for voters;

2123 (b) ensure that the instructions are printed in English, and any other language required
 2124 under the Voting Rights Act of 1965, as amended, in large clear type; and

2125 (c) ensure that the instructions inform voters:

2126 (i) about how to obtain, and how to return, ballots for voting;

2127 (ii) about special political party affiliation requirements for voting in a regular
 2128 primary election or presidential primary election;

2129 (iii) about how to prepare ballots cast at a polling place for deposit in the ballot box;

2130 (iv) about how to prepare a mailed ballot for return;

2131 (v) about how to record write-in votes;

2132 (vi) about how to obtain a new ballot in the place of one spoiled by accident or
 2133 mistake;

2134 (vii) about how to obtain assistance in marking ballots;

2135 (viii) about obtaining a new ballot if the voter's ballot is defaced;

2136 (ix) that identification marks or the spoiling or defacing of a ballot will make it

- 2137 invalid;
- 2138 (x) about how to obtain and vote a provisional ballot;
- 2139 (xi) about whom to contact to report election fraud;
- 2140 (xii) about applicable federal and state laws regarding:
- 2141 (A) voting rights and the appropriate official to contact if the voter alleges that the
- 2142 voter's rights have been violated; and
- 2143 (B) prohibitions on acts of fraud and misrepresentation;
- 2144 (xiii) about procedures governing mail-in registrants and first-time voters; and
- 2145 (xiv) about the date of the election and the hours that the polls are open on election
- 2146 day.

2147 (2) Each election officer shall:

- 2148 (a) provide the election judges of each voting precinct with sufficient instruction cards to
- 2149 instruct voters in the preparation of the voters' ballots; and
- 2150 (b) direct the election judges to post:
- 2151 (i) general voting instructions in each voting booth;
- 2152 (ii) at least three instruction cards at other locations in the polling place; and
- 2153 (iii) at least one sample ballot at the polling place.

2154 Section 21. Section **20A-5-401.2**, which is renumbered from Section 20A-5-103 is renumbered

2155 and amended to read:

2156 **[20A-5-103] 20A-5-401.2 (Effective 05/06/26). Constitutional amendments --**

2157 **Posting.**

- 2158 (1) Whenever a constitutional amendment is submitted to a vote of the people for their
- 2159 approval or rejection, the county clerk shall:
- 2160 (a) cause the original section of the constitution to be printed on cards in large clear type
- 2161 with the changes to it indicated by bracketing and interlining any language proposed
- 2162 to be repealed and underlining any new language proposed to be inserted; and
- 2163 (b) place the question as it appears upon the official ballot after the original section.
- 2164 (2) If there is more than one amendment submitted, the clerk shall ensure that the proposed
- 2165 amendments are placed upon the cards in columns in the same order as they will appear
- 2166 upon the official ballot.
- 2167 (3) Each county clerk shall:
- 2168 (a) provide the election judges for each voting precinct with two constitutional
- 2169 amendment cards; and
- 2170 (b) direct the election judges to post the two constitutional amendment cards in and

2171 about the polling place.

2172 Section 22. Section **20A-5a-101** is enacted to read:

2173 **CHAPTER 5a. Election Notices**

2174 **Part 1. General Provisions -- Election Notice Requirements**

2175 **20A-5a-101 (Effective 05/06/26). Definitions.**

2176 As used in this part, "unopposed" means, as it relates to a regular primary election:

2177 (1) for a race for a single office, only one individual qualifies for placement on the primary
 2178 election ballot to seek the nomination of a particular registered political party for that
 2179 office; or

2180 (2) for a race where two or more individuals will be elected to fill an office, the number of
 2181 individuals who qualify for placement on the primary election ballot to seek the
 2182 nomination of a particular registered political party for that office does not exceed the
 2183 total number of candidates to be elected to that office.

2184 Section 23. Section **20A-5a-102** is enacted to read:

2185 **20A-5a-102 (Effective 05/06/26). Notice of election -- Publication required by**
 2186 **election officer.**

2187 (1) Except as otherwise provided for an election described in Section 20A-7-609.5, the
 2188 election officer for an election shall publish notice of the election, as described in
 2189 Subsection (2), for the jurisdiction as a class A notice under Section 63G-30-102, for at
 2190 least 30 calendar days before the day of the election.

2191 (2) The election notice shall include:

2192 (a) the heading "Election Notice," in bold;

2193 (b) for an election notice given by a county clerk:

2194 (i) if the election is a regular primary election, the following statement:

2195 "Notice is given that a regular primary election will be held on Tuesday, [insert
 2196 date] to nominate party candidates for the parties and candidates for nonpartisan
 2197 local school board positions listed on the regular primary election ballot.";

2198 (ii) if the election is a regular general election, the following statement:

2199 "Notice is given that a regular general election will be held on Tuesday, [insert
 2200 date] to elect candidates to the offices listed on the regular general election
 2201 ballot."; or

2202 (iii) if the election is a special election or a presidential primary election, a statement,
 2203 similar to a statement described in Subsection (2)(b)(i) or (ii) that states the day,

- 2204 date, and purpose of the election;
- 2205 (c) for an election notice given by a municipal clerk:
- 2206 (i) if the election is a municipal primary election, the following statement:
- 2207 "Notice is given that a municipal primary election will be held on Tuesday,
- 2208 [insert date] to nominate candidates for the municipal offices listed on the
- 2209 municipal primary election ballot.";
- 2210 (ii) if the election is a municipal general election, the following statement: "Notice is
- 2211 given that a municipal general election will be held on Tuesday, [insert date] to
- 2212 elect candidates to the offices listed on the municipal general election ballot."; or
- 2213 (iii) if the election is a special election, a statement, similar to a statement described
- 2214 in Subsection (2)(c)(i) or (ii) that states the day, date, and purpose of the election;
- 2215 (d) for an election notice given by a special district clerk, a statement similar to the
- 2216 statements described in Subsection (2)(b) or (c) that states the day, date, and purpose
- 2217 of the election;
- 2218 (e) after the statement described in Subsection (2)(b), (c), or (d), as applicable, the
- 2219 following statement:
- 2220 "For voters receiving a ballot by mail, ballots will be mailed beginning 21
- 2221 calendar days before the election. The location of ballot drop boxes, the location and
- 2222 hours of polling places, including early voting polling places and hours, and
- 2223 qualifications of individuals who may vote in the election can be found at [insert
- 2224 name of election officer's or jurisdiction's website, if any, and a state voting website
- 2225 designated by the lieutenant governor], by calling [insert phone number for election
- 2226 officer's office], or at [insert street address of the election officer's office]. On the day
- 2227 of the election, the polls will open at 7 a.m. and continue open until 8 p.m. Attest:
- 2228 [insert "County Clerk," "Municipal Clerk," or "Special District Clerk"]."; and
- 2229 (f) after the statement described in Subsection (2)(e), instructions regarding how an
- 2230 individual with a disability, who is not able to vote a manual ballot by mail, may
- 2231 obtain information on voting in an accessible manner.
- 2232 (3) The notice described in this section may not include the name of the election officer.
- 2233 (4) The election officer shall include in the notice of election the notice of pre-election and
- 2234 post-election automatic tabulating equipment testing described in Subsection
- 2235 20A-4-104(1).

2236 Section 24. Section **20A-5a-201**, which is renumbered from Section 20A-5-101 is renumbered
2237 and amended to read:

2238 **Part 2. Notices for Regular Election Year**

2239 ~~[20A-5-101]~~ **20A-5a-201 (Effective 05/06/26). State notice of candidate filing for**
 2240 **regular election -- Notice of statewide ballot propositions.**

2241 (1) On or before ~~[November 15 in the year before each regular general election year, the~~
 2242 ~~lieutenant governor shall prepare and transmit a written notice to each county clerk that:]~~

2243 ~~[(a) designates the offices to be filled at the next year's regular general election;] the~~
 2244 ~~second Friday after the first Monday in November in an odd-numbered year, the~~
 2245 ~~lieutenant governor shall:~~

2246 ~~(a) publish for the state, as a class A notice under Section 63G-30-102, for 30 calendar~~
 2247 ~~days, the notice described in Subsection (2); and~~

2248 ~~(b) transmit the notice described in Subsection (2) to each county clerk.~~

2249 ~~(2) The notice required under Subsection (1) shall:~~

2250 ~~(a) designate the offices to be filled at the next year's regular general election for:~~

2251 ~~(i) a federal office;~~

2252 ~~(ii) a statewide constitutional office;~~

2253 ~~(iii) state senator;~~

2254 ~~(iv) state representative; and~~

2255 ~~(v) State Board of Education member;~~

2256 ~~(b) [identifies] identify the dates for filing a declaration of candidacy, and for submitting~~
 2257 ~~and certifying nomination petition signatures, as applicable, under Sections~~
 2258 ~~20A-9-403, 20A-9-407, and 20A-9-408 for [those offices] the offices described in~~
 2259 ~~Subsection (2)(a);[-and]~~

2260 ~~(c) [contains a description of any] describe the statewide ballot propositions to be~~
 2261 ~~decided by the voters that have qualified for the ballot as of that date[-] ; and~~

2262 ~~(d) designate a webpage that, for each elective office, states the total number of~~
 2263 ~~signatures that must be submitted under Subsection 20A-9-403(3)(a)(ii) or~~
 2264 ~~20A-9-408(8), with the necessary calculations made by counting the aggregate~~
 2265 ~~number of individuals residing in each elective office's political division who have~~
 2266 ~~designated a particular registered political party on the individuals' voter registration~~
 2267 ~~forms on or before November 15 of each odd-numbered year.~~

2268 ~~[(2)(a) No later than seven business days after the day on which the lieutenant governor~~
 2269 ~~transmits the written notice described in Subsection (1), each county clerk shall~~
 2270 ~~provide notice for the county, as a class A notice under Section 63G-30-102, for~~
 2271 ~~seven business days before the day of the election and in accordance with Subsection~~

- 2272 (3).]
- 2273 [(b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a),
- 2274 showing a copy of the notice and the places where the notice was posted.]
- 2275 [(3) The notice described in Subsection (2) shall:]
- 2276 [(a) designate the offices to be voted on in that election; and]
- 2277 [(b) identify the dates for filing a declaration of candidacy for those offices.]
- 2278 [(4) Except as provided in Subsection (6), before each election, the election officer shall
- 2279 give printed notice of the following information:]
- 2280 [(a) the date of election;]
- 2281 [(b) the hours during which the polls will be open;]
- 2282 [(c) the polling places for each voting precinct, early voting polling place, and election
- 2283 day voting center;]
- 2284 [(d) the address of the Statewide Electronic Voter Information Website and, if available,
- 2285 the address of the election officer's website, with a statement indicating that the
- 2286 election officer will post on the website any changes to the location of a polling place
- 2287 and the location of any additional polling place;]
- 2288 [(e) a phone number that a voter may call to obtain information regarding the location of
- 2289 a polling place;]
- 2290 [(f) the qualifications for persons to vote in the election; and]
- 2291 [(g) instructions regarding how an individual with a disability, who is not able to vote a
- 2292 manual ballot by mail, may obtain information on voting in an accessible manner.]
- 2293 [(5) The election officer shall provide the notice described in Subsection (4) for the
- 2294 jurisdiction, as a class A notice under Section 63G-30-102, for at least seven business
- 2295 days before the day of the election.]
- 2296 [(6) Instead of including the information described in Subsection (4) in the notice, the
- 2297 election officer may give printed notice that:]
- 2298 [(a) is entitled "Notice of Election";]
- 2299 [(b) includes the following: "A [indicate election type] will be held in [indicate the
- 2300 jurisdiction] on [indicate date of election]. Information relating to the election,
- 2301 including polling places, polling place hours, and qualifications of voters may be
- 2302 obtained from the following sources:"; and]
- 2303 [(c) specifies the following sources where an individual may view or obtain the
- 2304 information described in Subsection (4):]
- 2305 [(i) if the jurisdiction has a website, the jurisdiction's website;]

2306 (ii) the physical address of the jurisdiction offices; and]

2307 [(iii) a mailing address and telephone number.]

2308 Section 25. Section **20A-5a-202** is enacted to read:

2309 **20A-5a-202 (Effective 05/06/26). County notice of candidate filing for regular**
 2310 **election -- Notice of local ballot propositions.**

2311 On or before the third Friday after the first Monday in November in an odd-numbered
 2312 year, the clerk of a county shall publish for the county, as a class A notice under Section
 2313 63G-30-102, for 30 calendar days, notice that includes:

2314 (1) the portion of the information, provided to the county clerk by the lieutenant governor
 2315 under Section 20A-5a-201, relating to races in which a resident of the county may vote;

2316 (2) the offices to be filled at the next year's regular general election for:

2317 (a) county offices for the county; and

2318 (b) local school board offices in the county;

2319 (3) the dates for filing a declaration of candidacy, and for submitting and certifying
 2320 nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407,
 2321 and 20A-9-408 for the offices described in Subsection (2)(a);

2322 (4) the dates for filing a declaration of candidacy for local school board offices in the
 2323 county; and

2324 (5) a description of the local ballot propositions to be decided by the voters that have
 2325 qualified for the ballot as of that date.

2326 Section 26. Section **20A-5a-203** is enacted to read:

2327 **20A-5a-203 (Effective 05/06/26). Special district notice of candidate filing for**
 2328 **regular election.**

2329 On or before the first business day in February of an even-numbered year, the clerk of a
 2330 special district shall provide to each county clerk of a county in which all or a part of the
 2331 special district is located written notice of the special district offices to be voted on in the
 2332 upcoming regular general election.

2333 Section 27. Section **20A-5a-204** is enacted to read:

2334 **20A-5a-204 (Effective 05/06/26). Registered political party notice of convention**
 2335 **results.**

2336 (1) On or before noon on the Monday after a registered political party's nominating
 2337 convention, the party liaison for the registered political party shall provide to the
 2338 lieutenant governor, in writing, the convention results for:

2339 (a) the registered political party's state convention; and

- 2340 (b) each of the registered political party's county conventions.
- 2341 (2) The lieutenant governor shall provide the convention results described in Subsection (1)
- 2342 to the county clerk of each county to which the results relate before the end of the first
- 2343 business day that is on or after the day on which the lieutenant governor receives the
- 2344 convention results.

2345 Section 28. Section **20A-5a-205** is enacted to read:

2346 **20A-5a-205 (Effective upon governor's approval). Certification of state**

2347 **candidates for regular primary election.**

- 2348 (1) On or before the first Wednesday after the fourth Saturday in April of an
- 2349 even-numbered year, the lieutenant governor shall:
- 2350 (a) publish for the state, as a class A notice under Section 63G-30-102, for 30 calendar
- 2351 days, the notice described in Subsection (2); and
- 2352 (b)(i) transmit to each county clerk the notice described in Subsection (2); or
- 2353 (ii) transmit the portion of the notice described in Subsection (2) that relates to a
- 2354 particular county to the county clerk for that county.
- 2355 (2) The notice required under Subsection (1):
- 2356 (a) shall list the names of all candidates who are qualified for placement on the regular
- 2357 primary election ballot for a county, by office, for the following offices:
- 2358 (i) a federal office;
- 2359 (ii) a statewide constitutional office;
- 2360 (iii) state senator;
- 2361 (iv) state representative; and
- 2362 (v) State Board of Education member;
- 2363 (b) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
- 2364 how the names of candidates will appear on the primary election ballot; and
- 2365 (c) may not include candidates who are unopposed in the regular primary election.

2366 Section 29. Section **20A-5a-206** is enacted to read:

2367 **20A-5a-206 (Effective upon governor's approval). Certification of county**

2368 **candidates for regular primary election.**

- 2369 (1) No later than two business days after the day on which the lieutenant governor provides
- 2370 the notice described in Section 20A-5a-205 to a county clerk, that county clerk shall
- 2371 publish for the county, as a class A notice under Section 63G-30-102, for 30 calendar
- 2372 days, the notice described in Subsection (2).
- 2373 (2) The notice required under Subsection (1):

- 2374 (a) shall include the portion of the notice, provided to the county clerk by the lieutenant
 2375 governor under Section 20A-2-205, relating to races in which a resident of the county
 2376 may vote;
- 2377 (b) except as provided in Subsection (2)(d), shall include all candidates who have
 2378 qualified for placement on a primary election ballot in the county for county office or
 2379 local school board office;
- 2380 (c) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
 2381 how the names of candidates will appear on the primary election ballot; and
- 2382 (d) may not include candidates who are unopposed in the regular primary election.

2383 Section 30. Section **20A-5a-207** is enacted to read:

2384 **20A-5a-207 (Effective 05/06/26). Certification of special district candidates for**
 2385 **regular primary election.**

- 2386 (1) On or before the first Wednesday after the fourth Saturday in April of an
 2387 even-numbered year, the clerk of a special district that will, in accordance with
 2388 Subsection 17B-1-306(6), hold a primary election that year shall send to each county
 2389 clerk in which all or part of the special district is located a notice containing a list of
 2390 names of all candidates who are qualified for placement on the regular primary election
 2391 ballot, by office, for each special district office.
- 2392 (2) No later than two business days after the day on which a special district clerk complies
 2393 with Subsection (1), the special district clerk shall publish for the special district, as a
 2394 class A notice under Section 63G-30-102, for 30 calendar days, the notice described in
 2395 Subsection (1).

2396 Section 31. Section **20A-5a-208** is enacted to read:

2397 **20A-5a-208 (Effective 05/06/26). Regular primary election notice -- Counties --**
 2398 **Special Districts.**

- 2399 (1) No later than 32 calendar days before the day of the regular primary election, a county
 2400 clerk shall, in accordance with Section 20A-5a-102, publish notice of the regular
 2401 primary election for the county, as a class A notice under Section 63G-30-102, for the
 2402 entire period beginning on the day on which the county clerk publishes the notice, and
 2403 ending at the end of the day of the regular primary election.
- 2404 (2) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2405 the regular primary election, the clerk of a special district that will, in accordance with
 2406 Subsection 17B-1-306(6), hold a primary election that year, shall, in accordance with
 2407 Section 20A-5a-102, publish notice of the regular primary election for the special

2408 district, as a class A notice under Section 63G-30-102, for the entire period beginning on
 2409 the day on which the special district clerk publishes the notice, and ending at the end of
 2410 the day of the regular primary election.

2411 (3) The county clerk may publish the notice described in Subsection (2) for the special
 2412 district clerk, or in combination with the notice described in Subsection (1), if the special
 2413 district clerk contracts for the county clerk to conduct the special district election.

2414 Section 32. Section ~~20A-5a-209~~, which is renumbered from Section 20A-9-701 is renumbered
 2415 and amended to read:

2416 ~~[20A-9-701]~~ **20A-5a-209 (Effective 05/06/26). Certification of state candidates for**
 2417 **regular general election -- Ballot propositions -- Display on ballot.**

2418 [(1) ~~No later than August 31 of each regular general election year, the lieutenant governor~~
 2419 ~~shall certify to each county clerk, for offices to be voted upon at the regular general~~
 2420 ~~election in that county clerk's county:]~~

2421 [~~(a) the names of each candidate nominated under Subsection 20A-9-202(4) or~~
 2422 ~~Subsection 20A-9-403(5); and]~~

2423 [~~(b) the names of the candidates for president and vice president that are certified by the~~
 2424 ~~registered political party as the party's nominees:]~~

2425 (1) On or before the last business day in August of an even-numbered year, the lieutenant
 2426 governor shall:

2427 (a) publish for the state, as a class A notice under Section 63G-30-102, for 30 calendar
 2428 days, the notice described in Subsection (2); and

2429 (b)(i) transmit to each county clerk the notice described in Subsection (2); or

2430 (ii) transmit the portion of the notice described in Subsection (2) that relates to a
 2431 particular county to the county clerk for that county.

2432 (2) The notice required under Subsection (1):

2433 (a) shall list the names of all candidates who are qualified for placement on the regular
 2434 general election ballot for a county, by office, for the following offices:

2435 (i) a federal office;

2436 (ii) a statewide constitutional office;

2437 (iii) state senator;

2438 (iv) state representative; and

2439 (v) State Board of Education member;

2440 (b) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
 2441 how the names of candidates will appear on the primary election ballot; and

2442 (c) shall include information on statewide ballot propositions that have qualified for
 2443 placement on the ballot.

2444 [(2)] (3) The names shall be certified by the lieutenant governor and shall be displayed on
 2445 the ballot as they are provided on the candidate's declaration of candidacy. No other
 2446 names may appear on the ballot as affiliated with, endorsed by, or nominated by any
 2447 other registered political party, political party, or other political group.

2448 Section 33. Section **20A-5a-210** is enacted to read:

2449 **20A-5a-210 (Effective 05/06/26). Certification of county candidates for regular**
 2450 **general election -- Ballot propositions.**

2451 (1) A county clerk shall publish for the county, as a class A notice under Section
 2452 63G-30-102, for 30 calendar days, the notice described in Subsection (2):

2453 (a) no earlier than the first business day that is at least two calendar days after the day on
 2454 which the lieutenant governor provides the notice described in Section 20A-5a-209 to
 2455 the county clerk; and

2456 (b) no later than the second business day in September.

2457 (2) The notice required under Subsection (1):

2458 (a) shall include the portion of the notice, provided to the county clerk by the lieutenant
 2459 governor under Section 20A-5a-209, relating to races in which a resident of the
 2460 county may vote;

2461 (b) shall include all candidates who have qualified for placement on the regular general
 2462 election ballot in the county for county office or local school board office;

2463 (c) shall, in accordance with Sections 20A-6-109 and 20A-6-110, include instructions on
 2464 how the names of candidates will appear on the regular general election ballot; and

2465 (d) shall include information on local ballot propositions that have qualified for
 2466 placement on the ballot.

2467 Section 34. Section **20A-5a-211** is enacted to read:

2468 **20A-5a-211 (Effective 05/06/26). Certification of special district candidates for**
 2469 **regular general election.**

2470 (1) Except as provided in Subsection (3), on or before the last business day in August of an
 2471 even-numbered year, the clerk of a special district shall send to each county clerk in
 2472 which all or part of the special district is located a notice containing a list of names of all
 2473 candidates who are qualified for placement on the regular general election ballot, by
 2474 office, for each special district office.

2475 (2) Except as provided in Subsection (3), the clerk of a special district shall publish for the

2476 special district, as a class A notice under Section 63G-30-102, for 30 calendar days, the
 2477 notice described in Subsection (1), beginning on the earlier of:

2478 (a) the first business day that is at least two calendar days after the day on which the
 2479 clerk of the special district complies with Subsection (1); or

2480 (b) the second business day in September.

2481 (3) If the special district contracts for the county clerk to conduct the special district
 2482 election:

2483 (a) the special district clerk is not required to comply with Subsection (1); and

2484 (b) the county clerk may publish the notice described in Subsection (2) for the special
 2485 district clerk.

2486 Section 35. Section **20A-5a-212** is enacted to read:

2487 **20A-5a-212 (Effective 05/06/26). Notice of cancellation of special district election**
 2488 **in an even-numbered year.**

2489 (1) A special district board that cancels an election in an even-numbered year under Section
 2490 20A-1-206 shall provide notice that the election is canceled by complying with
 2491 Subsection (2):

2492 (a) no earlier than the day after the deadline, described in Subsection 20A-9-601(1)(a),
 2493 for a write-in candidate to file a declaration of candidacy for the regular general
 2494 election; and

2495 (b) no later than 32 calendar days before the day of the regular general election.

2496 (2) A special district board described in Subsection (1) shall provide notice that the election
 2497 is canceled by:

2498 (a) sending notice to each county where all or a portion of the special district is located;

2499 (b) sending the notice to the lieutenant governor's office to be posted on the Statewide
 2500 Electronic Voter Information Website described in Section 20A-7-801, for at least 15
 2501 calendar days before the day of the regular general election; and

2502 (c) publishing notice for the special district, as a class A notice under Section
 2503 63G-30-102, for at least 15 calendar days before the day of the regular general
 2504 election.

2505 Section 36. Section **20A-5a-213** is enacted to read:

2506 **20A-5a-213 (Effective 05/06/26). Regular general election notice -- Counties --**
 2507 **Special districts.**

2508 (1) No later than 32 calendar days before the day of the regular general election, the county
 2509 clerk shall, in accordance with Section 20A-5a-102, publish notice of the regular general

2510 election for the county, as a class A notice under Section 63G-30-102, for the entire
 2511 period beginning on the day on which the county clerk publishes the notice, and ending
 2512 at the end of the day of the regular general election.

2513 (2) Except as provided in Subsection (3), the clerk of a special district shall, in accordance
 2514 with Section 20A-5a-102, publish notice of the regular general election for the special
 2515 district, as a class A notice under Section 63G-30-102, for the entire period beginning on
 2516 the day on which the special district clerk publishes the notice, and ending at the end of
 2517 the day of the regular general election.

2518 (3) The county clerk may publish the notice described in Subsection (2) for the special
 2519 district clerk if the special district clerk contracts for the county clerk to conduct the
 2520 special district election.

2521 Section 37. Section **20A-5a-301** is enacted to read:

2522 **Part 3. Notices for Municipal Election Year**

2523 **20A-5a-301 (Effective 05/06/26). Municipal notice of open offices for municipal**
 2524 **election.**

2525 On or before the first business day in February of an odd-numbered year, the election
 2526 officer for a municipality shall provide to each county clerk of a county in which all or a part
 2527 of the municipality is located written notice of the municipal offices to be voted on in the
 2528 upcoming municipal general election.

2529 Section 38. Section **20A-5a-302** is enacted to read:

2530 **20A-5a-302 (Effective 05/06/26). Special district notice of open offices for**
 2531 **municipal election.**

2532 On or before the first business day in February of an odd-numbered year, the clerk of a
 2533 special district shall provide to each county clerk of a county in which all or a part of the
 2534 special district is located written notice of the special district offices to be voted on in the
 2535 upcoming municipal general election.

2536 Section 39. Section **20A-5a-303** is enacted to read:

2537 **20A-5a-303 (Effective 05/06/26). Municipal notice of candidate filing for**
 2538 **municipal election.**

2539 On or before the first business day in May of an odd-numbered year, the election officer
 2540 of a municipality shall publish for the municipality, as a class A notice under Section
 2541 63G-30-102, for 30 calendar days:

2542 (1) a list of the municipal offices to be voted on in the upcoming municipal general
 2543 election; and

2544 (2) the declaration of candidacy period, described in Subsection 20A-9-203(3)(d), for the
2545 municipal offices described in Subsection (1).

2546 Section 40. Section **20A-5a-304** is enacted to read:

2547 **20A-5a-304 (Effective 05/06/26). Special district notice of candidate filing for**
2548 **municipal election.**

2549 On or before the first business day in May of an odd-numbered year, the clerk of a
2550 special district shall publish for the special district, as a class A notice under Section
2551 63G-30-102, for 30 calendar days:

2552 (1) a list of the special district offices to be voted on in the upcoming municipal general
2553 election; and

2554 (2) the declaration of candidacy period, described in Subsection 20A-9-203(3)(d), for the
2555 special district offices described in Subsection (1).

2556 Section 41. Section **20A-5a-305** is enacted to read:

2557 **20A-5a-305 (Effective 05/06/26). Municipal certification of candidates for**
2558 **municipal primary election.**

2559 No later than two business days after the day on which the declaration of candidacy
2560 period described in Subsection 20A-9-203(3)(d) ends, the election officer of a municipality
2561 shall:

2562 (1) send to each county clerk in which all or part of the municipality is located a notice
2563 containing a list of names of all candidates who are qualified for placement on the
2564 regular primary election ballot, by office, for each municipal office; and

2565 (2) publish for the municipality, as a class A notice under Section 63G-30-102, for 30
2566 calendar days, the notice described in Subsection (1).

2567 Section 42. Section **20A-5a-306** is enacted to read:

2568 **20A-5a-306 (Effective 05/06/26). Special district certification of candidates for**
2569 **municipal primary election.**

2570 No later than two business days after the day on which the declaration of candidacy
2571 period described in Subsection 20A-9-203(3)(d) ends, the clerk of a special district that will, in
2572 accordance with Subsection 17B-1-306(6), hold a primary election that year shall:

2573 (1) send to each county clerk in which all or part of the special district is located a notice
2574 containing a list of names of all candidates who are qualified for placement on the
2575 regular primary election ballot, by office, for each special district office; and

2576 (2) publish for the special district, as a class A notice under Section 63G-30-102, for 30
2577 calendar days, the notice described in Subsection (1).

2578 Section 43. Section **20A-5a-307** is enacted to read:

2579 **20A-5a-307** (Effective 05/06/26). **Municipal primary election notice --**

2580 **Municipalities -- Special districts.**

2581 (1) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2582 the municipal primary election, the election officer of a municipality shall, in accordance
 2583 with Section 20A-5a-102, publish notice of the municipal primary election for the
 2584 county, as a class A notice under Section 63G-30-102, for the entire period beginning on
 2585 the day on which the election officer of the municipality publishes the notice, and
 2586 ending at the end of the day of the municipal primary election.

2587 (2) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2588 the municipal primary election, the clerk of a special district that will hold a primary
 2589 election that year shall, in accordance with Section 20A-5a-102, publish notice of the
 2590 special primary election for the special district, as a class A notice under Section
 2591 63G-30-102, for the entire period beginning on the day on which the clerk of the special
 2592 district publishes the notice, and ending at the end of the day of the municipal primary
 2593 election.

2594 (3) The county clerk may:

2595 (a) publish the notice described in Subsection (1) for the municipality, if the election
 2596 officer for the municipality contracts for the county to conduct the municipal primary
 2597 election;

2598 (b) publish the notice described in Subsection (2) for the special district if the special
 2599 district clerk contracts for the county clerk to conduct the special district primary
 2600 election; or

2601 (c) subject to Subsections (3)(a) and (b), publish the notices described in Subsections (1)
 2602 and (2) as a combined notice.

2603 Section 44. Section **20A-5a-308** is enacted to read:

2604 **20A-5a-308** (Effective 05/06/26). **Certification of municipal candidates for**
 2605 **municipal general election -- Ballot propositions.**

2606 (1) The election officer of a municipality shall provide the notice described in Subsection
 2607 (2) on or before the later of:

2608 (a) the last business day in August of an odd-numbered year; or

2609 (b) in the case of a recount in a primary election race for the municipality, two business
 2610 days after the day on which the recount results are certified.

2611 (2) The election officer of a municipality shall provide the notice required under Subsection

- 2612 (1) by:
- 2613 (a) sending to each county clerk in which all or part of the municipality is located:
- 2614 (i) a list of names of all candidates who are qualified for placement on the municipal
- 2615 general election ballot, by office, for each municipal office; and
- 2616 (ii) information on local ballot propositions that have qualified for placement on the
- 2617 ballot; and
- 2618 (b) publishing for the municipality, as a class A notice under Section 63G-30-102, for 30
- 2619 calendar days, the list described in Subsection (2)(a).

2620 Section 45. Section **20A-5a-309** is enacted to read:

2621 **20A-5a-309 (Effective 05/06/26). Certification of special district candidates for**

2622 **municipal general election.**

- 2623 (1) The clerk of a special district shall provide the notice described in Subsection (2) on or
- 2624 before the later of:
- 2625 (a) the last business day in August of an odd-numbered year; or
- 2626 (b) in the case of a recount in a primary election race for the special district, two
- 2627 business days after the day on which the recount results are certified.
- 2628 (2) The clerk of a special district shall provide the notice required under Subsection (1) by:
- 2629 (a) sending to each county clerk in which all or part of the special district is located a list
- 2630 of names of all candidates who are qualified for placement on the municipal general
- 2631 election ballot, by office, for each special district office; and
- 2632 (b) publishing for the special district, as a class A notice under Section 63G-30-102, for
- 2633 30 calendar days, the list described in Subsection (2)(a).

2634 Section 46. Section **20A-5a-310** is enacted to read:

2635 **20A-5a-310 (Effective 05/06/26). Notice of cancellation of municipal general**

2636 **election.**

- 2637 (1) A municipal legislative body that cancels an election under Section 20A-1-206 shall
- 2638 provide notice that the election is canceled by complying with Subsection (2):
- 2639 (a) no earlier than the day after the deadline, described in Subsection 20A-9-601(1)(a),
- 2640 for a write-in candidate to file a declaration of candidacy for the municipal general
- 2641 election; and
- 2642 (b) no later than 32 calendar days before the day of the municipal general election.
- 2643 (2) A municipal legislative body described in Subsection (1) shall provide notice that the
- 2644 election is canceled by:
- 2645 (a) sending notice to each county where all or a portion of the municipality is located;

- 2646 (b) sending the notice to the lieutenant governor's office to be posted on the Statewide
 2647 Electronic Voter Information Website described in Section 20A-7-801, for at least 15
 2648 calendar days before the day of the municipal general election; and
 2649 (c) publishing notice for the municipality, as a class A notice under Section 63G-30-102,
 2650 for at least 15 calendar days before the day of the municipal general election.

2651 Section 47. Section **20A-5a-311** is enacted to read:

2652 **20A-5a-311 (Effective 05/06/26). Notice of cancellation of special district election**
 2653 **for odd-numbered year.**

2654 (1) A special district board that cancels an election in an odd-numbered year under Section
 2655 20A-1-206 shall provide notice that the election is canceled by complying with
 2656 Subsection (2):

- 2657 (a) no earlier than the day after the deadline, described in Subsection 20A-9-601(1)(a),
 2658 for a write-in candidate to file a declaration of candidacy for the municipal general
 2659 election; and
 2660 (b) no later than 32 calendar days before the day of the municipal general election.

2661 (2) A special district board described in Subsection (1) shall provide notice that the election
 2662 is canceled by:

- 2663 (a) sending notice to each county where all or a portion of the special district is located;
 2664 (b) sending the notice to the lieutenant governor's office to be posted on the Statewide
 2665 Electronic Voter Information Website described in Section 20A-7-801, for at least 15
 2666 calendar days before the day of the municipal general election; and
 2667 (c) publishing notice for the special district, as a class A notice under Section
 2668 63G-30-102, for at least 15 calendar days before the day of the municipal general
 2669 election.

2670 Section 48. Section **20A-5a-312** is enacted to read:

2671 **20A-5a-312 (Effective 05/06/26). Municipal general election notice --**
 2672 **Municipalities -- Special districts.**

2673 (1) Except as provided in Subsection (3), no later than 32 calendar days before the day of
 2674 the municipal general election:

- 2675 (a) the election officer of a municipality shall, in accordance with Section 20A-5a-102,
 2676 publish notice of the municipal general election for the municipality, as a class A
 2677 notice under Section 63G-30-102, for the entire period beginning on the day on
 2678 which the election office of the municipality publishes the notice, and ending at the
 2679 end of the day of the municipal general election; and

2680 (b) the clerk of a special district shall, in accordance with Section 20A-5a-102, publish
 2681 notice of the general election for the special district, as a class A notice under Section
 2682 63G-30-102, for the entire period beginning on the day on which the special district
 2683 clerk publishes the notice, and ending at the end of the day of the municipal general
 2684 election.

2685 (2) The county clerk may:

2686 (a) publish the notice described in Subsection (1)(a) for the municipality, if the election
 2687 officer for the municipality contracts for the county to conduct the municipal general
 2688 election;

2689 (b) publish the notice described in Subsection (1)(b) for the special district, if the special
 2690 district clerk contracts for the county clerk to conduct the special district election; or

2691 (c) subject to Subsections (2)(a) and (b), publish the notices described in Subsections
 2692 (2)(a) and (b) as a combined notice.

2693 Section 49. Section **20A-5a-401** is enacted to read:

2694 **Part 4. Miscellaneous Notice Requirements Relating to Elections.**

2695 **20A-5a-401 (Effective 05/06/26). Uniform Military and Overseas Voting Act**
 2696 **notice requirements relating to multiple election types.**

2697 (1) Except to the extent otherwise provided in Section 20A-16-502, no later than 100
 2698 calendar days before an election, an election officer shall comply with the notice
 2699 requirements described in Section 20A-16-502.

2700 (2) Except to the extent otherwise provided in Section 20A-16-403, no later than the last
 2701 business day that is at least 45 calendar days before the day of an election, an election
 2702 officer shall comply with Subsection 20A-16-403(1).

2703 Section 50. Section **20A-5a-402** is enacted to read:

2704 **20A-5a-402 (Effective 05/06/26). Uniform Military and Overseas Voting Act**
 2705 **notice requirements relating to regular general elections only.**

2706 (1) No later than 60 calendar days after the day of a regular general election, a county clerk
 2707 shall submit the report described in Subsection 20A-16-202(1).

2708 (2) No later than 90 calendar days after the day of a regular general election, the lieutenant
 2709 governor shall submit the report described in Subsection 20A-16-202(2).

2710 Section 51. Section **20A-6-109** is amended to read:

2711 **20A-6-109 (Effective 05/06/26). Appearance of candidate's name on ballot --**
 2712 **Name variations -- Appeal.**

2713 (1) As used in this section:

- 2714 (a) "Variation of a candidate's name" means a name:
 2715 (i) that varies from the candidate's legal first name followed by the candidate's legal
 2716 surname; and
 2717 (ii) by which the candidate is known in the county in which the candidate resides.
- 2718 (b) "Variation of a candidate's name" includes the following, if the candidate is known
 2719 by the variation in the county in which the candidate resides:
 2720 (i) using the candidate's legal middle name in addition to, or instead of, the
 2721 candidate's legal first name;
 2722 (ii) using the initial or initials of a legal first name or a legal middle name instead of
 2723 the full name;
 2724 (iii) a variation of the order of a candidate's names or initials, if the names or initials
 2725 are permitted under this section;
 2726 (iv) adding a suffix that is a true representation of the candidate, including Junior, Jr.,
 2727 Senior, Sr., or I, II, or III;
 2728 (v) using another surname by which the candidate is known in the county where the
 2729 candidate resides, either in place of, or in addition to, the candidate's legal
 2730 surname, including:
 2731 (A) the candidate's maiden last name;
 2732 (B) the last name of the candidate's spouse; or
 2733 (C) the last name of a parent or step-parent of the candidate;
 2734 (vi) using a common nickname of the legal first name, or of the legal middle name, of
 2735 the candidate, by which the candidate is known; or
 2736 (vii) using a nickname, other than a nickname described in Subsection (1)(b)(vi):
 2737 (A) in place of the candidate's legal first name or legal middle name; or
 2738 (B) in addition to the candidate's name.
- 2739 [(4)] (2) ~~Except as [otherwise provided in this section] provided in Subsection (3), an~~
 2740 ~~election officer shall ensure that a candidate's name appears on the ballot with the~~
 2741 ~~candidate's legal first name, followed by the candidate's legal surname.~~
- 2742 [(2) ~~An election officer shall place on the ballot a candidate's legal middle name, or a~~
 2743 ~~common derivative of the candidate's legal middle name, in place of the candidate's legal~~
 2744 ~~first name, if:]~~
- 2745 [(a) ~~the candidate normally uses the candidate's legal middle name, or the common~~
 2746 ~~derivative, instead of the candidate's legal first name; and]~~
- 2747 [(b) ~~no later than 5 p.m. on the day on which the applicable declaration of candidacy~~

- 2748 period ends, the candidate files with the election officer:]
- 2749 [(i) a request that the election officer place on the ballot the candidate's legal middle
2750 name, or a common derivative of the candidate's legal middle name, instead of the
2751 candidate's legal first name, specifying the candidate's legal middle name, or the
2752 common derivative of the candidate's legal middle name;]
- 2753 [(ii) an affidavit signed by the candidate in which the candidate states, under penalty
2754 of perjury, that the candidate is generally known by acquaintances in the
2755 candidate's county of residence by the legal middle name, or the common
2756 derivative of the legal middle name, specified in the request described in
2757 Subsection (2)(b)(i), and stated in the affidavit, instead of the candidate's legal
2758 first name; and]
- 2759 [(iii) an affidavit signed by five residents of the candidate's county of residence who
2760 are not immediate family members of the candidate stating, under penalty of
2761 perjury, that the candidate is generally known by acquaintances in the candidate's
2762 county of residence by the legal middle name, or the common derivative of the
2763 legal middle name, specified in the request described in Subsection (2)(b)(i), and
2764 stated in the affidavit, instead of the candidate's legal first name.]
- 2765 [(3) Subject to Subsection (4), an election officer shall place a candidate's nickname on a
2766 ballot, if:]
- 2767 [(a) the election officer determines that the nickname:]
- 2768 [(i) does not imply that the candidate is an individual other than the candidate,
2769 regardless of whether the individual is living or deceased;]
- 2770 [(ii) does not constitute a slogan;]
- 2771 [(iii) does not associate the candidate with an economic, religious, political, or other
2772 group, issue, or opinion;]
- 2773 [(iv) is not offensive, profane, or spurious; and]
- 2774 [(v) is not a title, rank, degree, certification, job description, or similar designation;
2775 and]
- 2776 [(b) no later than 5 p.m. on the day on which the applicable declaration of candidacy
2777 period ends, the candidate files with the election officer:]
- 2778 [(i) a request that the election officer place the candidate's nickname on the ballot,
2779 specifying the desired nickname and, in accordance with Subsection (4), the
2780 desired placement of the nickname;]
- 2781 [(ii) an affidavit signed by the candidate in which the candidate states, under penalty

2782 of perjury, that the candidate:]

2783 [(A) is generally known by acquaintances in the candidate's county of residence

2784 by the nickname specified in the request described in Subsection (3)(b)(i) and

2785 stated in the affidavit; and]

2786 [(B) is not using the nickname to gain an advantage on the ballot; and]

2787 [(iii) an affidavit signed by five residents of the candidate's county of residence who

2788 are not immediate family members of the candidate stating, under penalty of

2789 perjury, that the candidate is generally known by acquaintances in the candidate's

2790 county of residence by the nickname specified in the request described in

2791 Subsection (3)(b)(i) and stated in the affidavit.]

2792 [(4) If, under Subsection (3), an election officer places a candidate's nickname on the ballot,

2793 the candidate may choose one of the following:]

2794 [(a) to place the nickname on the ballot before or after the candidate's legal first name;]

2795 [(b) to place the nickname on the ballot before or after the candidate's legal middle

2796 name, if the candidate's legal middle name appears on the ballot under Subsection (2)

2797 or (7); or]

2798 [(c) to place the nickname on the ballot in place of the candidate's legal first name.]

2799 [(5) An election officer may, without requiring compliance with Subsection (3), approve a

2800 written request filed with the election officer no later than 5 p.m. on the day on which

2801 the applicable declaration of candidacy period ends, to:]

2802 [(a) place on the ballot a nickname instead of a legal first name, if the nickname is a

2803 common derivative of the legal first name;]

2804 [(b) place on the ballot the first initial of a legal middle name between a legal first name,

2805 or a common derivative of the legal first name, and a legal last name; or]

2806 [(c) place on the ballot the first initial of a legal first name before a legal middle name,

2807 or a common derivative of the legal middle name, if the candidate's legal middle

2808 name, or a common derivative of the legal middle name, appears on the ballot under

2809 Subsection (2) or (7).]

2810 (3) An election officer shall place a variation of the candidate's name on the ballot if, no

2811 later than 5 p.m. on the day on which the applicable declaration of candidacy period

2812 ends:

2813 (a) the candidate requests, in writing, that the variation appear on the ballot;

2814 (b) for a variation of the candidate's name described in Subsection (1)(b)(v), the

2815 candidate submits, with the request described in Subsection (3)(a), an affidavit signed

- 2816 by the candidate in which the candidate states, under penalty of perjury, that the
 2817 variation of the candidate's name:
- 2818 (i) is a name by which the candidate is known in the county where the candidate
 2819 resides; and
- 2820 (ii) is:
- 2821 (A) the candidate's maiden last name;
 2822 (B) the last name of the candidate's spouse; or
 2823 (C) the last name of a parent or step-parent of the candidate; or
- 2824 (c) for a variation of the candidate's name that is a nickname described in Subsection
 2825 (1)(b)(vii):
- 2826 (i) the candidate submits, with the request described in Subsection (3)(a):
- 2827 (A) an affidavit signed by the candidate in which the candidate states, under
 2828 penalty of perjury, that the candidate is generally known by the nickname in
 2829 the county where the candidate resides; and
- 2830 (B) an affidavit signed by five residents of the candidate's county of residence
 2831 who are not immediate family members of the candidate stating, under penalty
 2832 of perjury, that the candidate is generally known by the nickname in the
 2833 county where the candidate resides; and
- 2834 (ii) the election officer determines that the nickname:
- 2835 (A) does not imply that the candidate is an individual other than the candidate,
 2836 regardless of whether the individual is living or deceased;
- 2837 (B) does not constitute a slogan;
- 2838 (C) does not associate the candidate with an economic, religious, political, or
 2839 other group, issue, or opinion;
- 2840 (D) is not offensive, profane, or spurious;
- 2841 (E) is not a title, rank, degree, certification, job description, or similar designation;
 2842 and
- 2843 (F) is not being used to gain the candidate an unfair political advantage.
- 2844 [(6)] (4)(a) An election officer shall approve or reject a request filed under Subsection [
 2845 (2)(b), (3)(b), or (5)] (3)(a) within five business days after the day on which the
 2846 election officer receives the request.
- 2847 (b) Failure by an election officer to timely comply with Subsection [(6)(a)] (4)(a) is
 2848 considered a rejection of the request.
- 2849 (c) If an election officer rejects a request described in Subsection [(6)(a)] (4)(a) or fails to

2850 timely comply with Subsection [(6)(a)] (4)(a), the candidate may, within five days
 2851 after the day of the rejection or, if the election officer fails to timely comply with
 2852 Subsection [(6)(a)] (4)(a), within five days after the day of the deadline described in
 2853 Subsection [(6)(a)] (4)(a), appeal the rejection to a court with jurisdiction.

2854 [(7)] (5) If two or more candidates for the same office have the same or similar names, the
 2855 election officer may do one of the following, to the extent the election officer determines
 2856 necessary, to differentiate between the candidates:

- 2857 (a) for one or more of the candidates, include the candidate's legal middle name, in
 2858 addition to the candidate's legal first name and legal last name; or
- 2859 (b) negotiate another manner of differentiation with the candidates who have the same or
 2860 similar names.

2861 [(8)] (6) Regardless of whether an election officer approves placement of a variation of a
 2862 candidate's name on the ballot[~~in a manner other than the candidate's legal first name~~
 2863 ~~followed by the candidate's legal last name~~], the candidate's legal name will be used to
 2864 determine the order of placement on the ballot under Section 20A-6-110.

2865 Section 52. Section **20A-6-110** is amended to read:

2866 **20A-6-110 (Effective 05/06/26). Master ballot position list -- Random selection --**
 2867 **Procedures -- Publication -- Surname -- Exemptions -- Ballot order.**

- 2868 (1) As used in this section, "master ballot position list" means an official list of the 26
 2869 characters in the alphabet listed in random order and numbered from one to 26 as
 2870 provided under Subsection (2).
- 2871 (2) The lieutenant governor shall:
 - 2872 (a) within 30 calendar days after the day of the candidate filing deadline in each
 2873 even-numbered year, conduct a random selection to create a master ballot position
 2874 list for all elections in accordance with procedures established under Subsection (2)(c);
 - 2875 (b) publish the master ballot position list on the lieutenant governor's election website no
 2876 later than 15 calendar days after the day on which the lieutenant governor creates the
 2877 list; and
 - 2878 (c) establish written procedures for:
 - 2879 (i) the election official to use the master ballot position list; and
 - 2880 (ii) the lieutenant governor in:
 - 2881 (A) conducting the random selection in a fair manner; and
 - 2882 (B) providing a record of the random selection process used.
 - 2883 (3) In accordance with the written procedures established under Subsection (2)(c)(i), an

- 2884 election officer shall use the master ballot position list for the current year to determine
2885 the order in which to list candidates on the ballot for an election held during the year.
- 2886 (4) To determine the order in which to list candidates on the ballot required under
2887 Subsection (3), the election officer shall apply the randomized alphabet using:
2888 (a) the candidate's surname;
2889 (b) for candidates with a surname that has the same spelling:
2890 (i) the candidate's legal first name; or
2891 (ii) if the candidates also have a legal first name that has the same spelling, the
2892 candidate's legal middle name; and
2893 (c) the surname of the president and the surname of the governor for an election for the
2894 offices of president and vice president and governor and lieutenant governor.
- 2895 (5) Subsections (1) through (4) do not apply to:
2896 (a) an election for an office for which only one candidate is listed on the ballot; or
2897 (b) a judicial retention election under Section 20A-12-201.
- 2898 (6) Subject to Subsection (7), each ticket that appears on a ballot for an election shall
2899 appear separately, in the following order:
2900 (a) for federal office:
2901 (i) president and vice president of the United States;
2902 (ii) United States Senate office; and
2903 (iii) United States House of Representatives office;
2904 (b) for state office:
2905 (i) governor and lieutenant governor;
2906 (ii) attorney general;
2907 (iii) state auditor;
2908 (iv) state treasurer;
2909 (v) state Senate office;
2910 (vi) state House of Representatives office; and
2911 (vii) State Board of Education member;
2912 (c) for county office:
2913 (i) county executive office;
2914 (ii) county legislative body member;
2915 (iii) county assessor;
2916 (iv) county or district attorney;
2917 (v) county auditor;

- 2918 (vi) county clerk;
- 2919 (vii) county recorder;
- 2920 (viii) county sheriff;
- 2921 (ix) county surveyor;
- 2922 (x) county treasurer; and
- 2923 (xi) local school board member;
- 2924 (d) for municipal office:
- 2925 (i) mayor; and
- 2926 (ii) city or town council member;
- 2927 (e) elected planning and service district council member;
- 2928 (f) judicial retention questions; and
- 2929 (g) ballot propositions not described in Subsection (6)(f).
- 2930 (7)(a) A ticket for a race for a combined office shall appear on the ballot in the place of
- 2931 the earliest ballot ticket position that is reserved for an office that is subsumed in the
- 2932 combined office.
- 2933 (b) Each ticket, other than a ticket described in Subsection (6)(f), shall list:
- 2934 (i) each candidate in accordance with Subsections (1) through (4); and
- 2935 (ii) except as otherwise provided in this title, the party name, initials, or title
- 2936 following each candidate's name.
- 2937 (c) A candidate for governor and a candidate for lieutenant governor campaigning as
- 2938 joint-ticket running mates shall appear jointly on the ballot as a single ticket.
- 2939 (d) A candidate for president of the United States and a candidate for vice-president of
- 2940 the United States campaigning as joint-ticket running mates shall appear jointly on
- 2941 the ballot as a single ticket.
- 2942 Section 53. Section **20A-6-301** is amended to read:
- 2943 **20A-6-301 (Effective 05/06/26). Manual ballots -- Regular general election.**
- 2944 (1) Each election officer shall ensure that:
- 2945 (a) all manual ballots furnished for use at the regular general election contain:
- 2946 (i) no captions or other endorsements except as provided in this section;
- 2947 (ii) no symbols, markings, or other descriptions of a political party or group, except
- 2948 for a registered political party that has chosen to nominate its candidates in
- 2949 accordance with Section 20A-9-403; and
- 2950 (iii) no indication that a candidate for elective office has been nominated by, or has
- 2951 been endorsed by, or is in any way affiliated with a political party or group, unless

- 2952 the candidate has been nominated by a registered political party in accordance
2953 with Subsection 20A-9-202(4) or Subsection [~~20A-9-403(5)~~] 20A-9-403(4);
- 2954 (b) at the top of the ballot, the following endorsements are printed in 18 point bold type:
- 2955 (i) "Official Ballot for ____ County, Utah";
- 2956 (ii) the date of the election; [~~and~~]
- 2957 (iii) before January 1, 2027, the words "certified by the Clerk of _____
2958 County" or, as applicable, the name of a combined office that includes the duties
2959 of a county clerk; and
- 2960 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
2961 officer, without the election officer's name;
- 2962 (c) unaffiliated candidates, candidates not affiliated with a registered political party, and
2963 all other candidates for elective office who were not nominated by a registered
2964 political party in accordance with Subsection 20A-9-202(4) or Subsection [
2965 ~~20A-9-403(5)~~] 20A-9-403(4), are listed with the other candidates for the same office
2966 in accordance with Sections 20A-6-109 and 20A-6-110, without a party name or title;
- 2967 (d) each ticket containing the lists of candidates, including the party name and device,
2968 are separated by heavy parallel lines;
- 2969 (e) the offices to be filled are plainly printed immediately above the names of the
2970 candidates for those offices;
- 2971 (f) the names of candidates are printed in capital letters, not less than one-eighth nor
2972 more than one-fourth of an inch high in heavy-faced type not smaller than 10 point,
2973 between lines or rules three-eighths of an inch apart; and
- 2974 (g) on a ticket for a race in which a voter is authorized to cast a write-in vote and in
2975 which a write-in candidate is qualified under Section 20A-9-601:
- 2976 (i) the ballot includes a space for a write-in candidate immediately following the last
2977 candidate listed on that ticket; or
- 2978 (ii) for the offices of president and vice president and governor and lieutenant
2979 governor, the ballot includes two spaces for write-in candidates immediately
2980 following the last candidates on that ticket, one placed above the other, to enable
2981 the entry of two valid write-in candidates.
- 2982 (2) An election officer shall ensure that:
- 2983 (a) each individual nominated by any registered political party under Subsection
2984 20A-9-202(4) or Subsection [~~20A-9-403(5)~~] 20A-9-403(4), and no other individual, is
2985 placed on the ballot:

- 2986 (i) under the registered political party's name, if any; or
 2987 (ii) under the title of the registered political party as designated by them in their
 2988 certificates of nomination or petition, or, if none is designated, then under some
 2989 suitable title;
- 2990 (b) the names of all unaffiliated candidates that qualify as required in Chapter 9, Part 5,
 2991 Candidates not Affiliated with a Party, are placed on the ballot;
- 2992 (c) the names of the candidates for president and vice president are used on the ballot
 2993 instead of the names of the presidential electors; and
- 2994 (d) the ballots contain no other names.
- 2995 (3) When the ballot contains a nonpartisan section, the election officer shall ensure that:
- 2996 (a) the designation of the office to be filled in the election and the number of candidates
 2997 to be elected are printed in type not smaller than eight point;
- 2998 (b) the words designating the office are printed flush with the left-hand margin;
- 2999 (c) the words, "Vote for one" or "Vote for up to ____ (the number of candidates for
 3000 which the voter may vote)" extend to the extreme right of the column;
- 3001 (d) the nonpartisan candidates are grouped according to the office for which they are
 3002 candidates;
- 3003 (e) the names in each group are placed in accordance with Sections 20A-6-109 and
 3004 20A-6-110, with the surnames last; and
- 3005 (f) each group is preceded by the designation of the office for which the candidates seek
 3006 election, and the words, "Vote for one" or "Vote for up to ____ (the number of
 3007 candidates for which the voter may vote)," according to the number to be elected.
- 3008 (4) Each election officer shall ensure that:
- 3009 (a) proposed amendments to the Utah Constitution are listed on the ballot in accordance
 3010 with Section 20A-6-107;
- 3011 (b) ballot propositions submitted to the voters are listed on the ballot in accordance with
 3012 Section 20A-6-107;
- 3013 (c) bond propositions that have qualified for the ballot are listed on the ballot under the
 3014 title assigned to each bond proposition under Section 11-14-206; and
- 3015 (d) the judicial retention section of the ballot includes a statement at the beginning
 3016 directing voters to the Judicial Performance Evaluation Commission's website in
 3017 accordance with Subsection 20A-12-201(4).
- 3018 (5) Beginning on January 1, 2027:
- 3019 (a) an election officer's or county clerk's name may not appear on the return envelope for

3020 a ballot; and
3021 **(b) except to the extent required to list an election officer's or county clerk's name as a**
3022 **candidate on the ballot, a ballot may not include the name of the election officer or**
3023 **county clerk.**

3024 Section 54. Section **20A-6-302** is amended to read:

3025 **20A-6-302 (Effective 05/06/26). Manual ballots -- Placement of candidates'**
3026 **names.**

3027 (1) An election officer shall ensure, for manual ballots in regular general elections, that:

3028 (a) each candidate is listed by party, if nominated by a registered political party under
3029 Subsection 20A-9-202(4) or Subsection [~~20A-9-403(5)~~] 20A-9-403(4);

3030 (b) candidates' surnames are listed in alphabetical order on the ballots when two or more
3031 candidates' names are required to be listed on a ticket under the title of an office; and

3032 (c) the names of candidates are placed on the ballot in:

3033 (i) the manner described in Section 20A-6-109; and

3034 (ii) the order described in Section 20A-6-110.

3035 (2)(a) When there is only one candidate for county attorney at the regular general
3036 election in counties that have three or fewer registered voters of the county who are
3037 licensed active members in good standing of the Utah State Bar, the county clerk
3038 shall cause that candidate's name and party affiliation, if any, to be placed on a
3039 separate section of the ballot with the following question: "Shall (name of candidate)
3040 be elected to the office of county attorney? Yes ____ No ____."[-]

3041 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
3042 elected to the office of county attorney.

3043 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
3044 elected and may not take office, nor may the candidate continue in the office past the
3045 end of the term resulting from any prior election or appointment.

3046 (d) When the name of only one candidate for county attorney is printed on the ballot
3047 under authority of this Subsection (2), the county clerk may not count any write-in
3048 votes received for the office of county attorney.

3049 (e) If no qualified individual files for the office of county attorney or if the candidate is
3050 not elected by the voters, the county legislative body shall appoint the county
3051 attorney as provided in Section 20A-1-509.2.

3052 (f) If the candidate whose name would, except for this Subsection (2)(f), be placed on
3053 the ballot under Subsection (2)(a) has been elected on a ballot under Subsection (2)(a)

3054 to the two consecutive terms immediately preceding the term for which the candidate
3055 is seeking election, Subsection (2)(a) does not apply and that candidate shall be
3056 considered to be an unopposed candidate the same as any other unopposed candidate
3057 for another office, unless a petition is filed with the county clerk before 5 p.m. no
3058 later than the day before that year's primary election that:

- 3059 (i) requests the procedure set forth in Subsection (2)(a) to be followed; and
3060 (ii) contains the signatures of registered voters in the county representing in number
3061 at least 25% of all votes cast in the county for all candidates for governor at the
3062 last election at which a governor was elected.

3063 (3)(a) When there is only one candidate for district attorney at the regular general
3064 election in a prosecution district that has three or fewer registered voters of the
3065 district who are licensed active members in good standing of the Utah State Bar, the
3066 county clerk shall cause that candidate's name and party affiliation, if any, to be
3067 placed on a separate section of the ballot with the following question: "Shall (name of
3068 candidate) be elected to the office of district attorney? Yes ____ No ____."

3069 (b) If the number of "Yes" votes exceeds the number of "No" votes, the candidate is
3070 elected to the office of district attorney.

3071 (c) If the number of "No" votes exceeds the number of "Yes" votes, the candidate is not
3072 elected and may not take office, nor may the candidate continue in the office past the
3073 end of the term resulting from any prior election or appointment.

3074 (d) When the name of only one candidate for district attorney is printed on the ballot
3075 under authority of this Subsection (3), the county clerk may not count any write-in
3076 votes received for the office of district attorney.

3077 (e) If no qualified individual files for the office of district attorney, or if the only
3078 candidate is not elected by the voters under this subsection, the county legislative
3079 body shall appoint a new district attorney for a four-year term as provided in Section
3080 20A-1-509.2.

3081 (f) If the candidate whose name would, except for this Subsection (3)(f), be placed on
3082 the ballot under Subsection (3)(a) has been elected on a ballot under Subsection (3)(a)
3083 to the two consecutive terms immediately preceding the term for which the candidate
3084 is seeking election, Subsection (3)(a) does not apply and that candidate shall be
3085 considered to be an unopposed candidate the same as any other unopposed candidate
3086 for another office, unless a petition is filed with the county clerk before 5 p.m. no
3087 later than the day before that year's primary election that:

- 3088 (i) requests the procedure set forth in Subsection (3)(a) to be followed; and
3089 (ii) contains the signatures of registered voters in the county representing in number
3090 at least 25% of all votes cast in the county for all candidates for governor at the
3091 last election at which a governor was elected.

3092 Section 55. Section **20A-6-304** is amended to read:

3093 **20A-6-304 (Effective 05/06/26). Regular general election -- Mechanical ballots.**

3094 (1) Each election officer shall ensure that:

- 3095 (a) the format and content of a mechanical ballot is arranged in approximately the same
3096 order as manual ballots;
- 3097 (b) the titles of offices and the names of candidates are displayed in vertical columns or
3098 in a series of separate displays;
- 3099 (c) the mechanical ballot is of sufficient length to include, after the list of candidates:
3100 (i) the names of candidates for judicial offices and any other nonpartisan offices; and
3101 (ii) any ballot propositions submitted to the voters for their approval or rejection;
- 3102 (d) the office titles are displayed above or at the side of the names of candidates so as to
3103 indicate clearly the candidates for each office and the number to be elected;
- 3104 (e) the party designation of each candidate who has been nominated by a registered
3105 political party under Subsection 20A-9-202(4) or Subsection [20A-9-403(5)]
3106 20A-9-403(4) is displayed adjacent to the candidate's name; and
- 3107 (f) if possible, all candidates for one office are grouped in one column or upon one
3108 display screen.

3109 (2) Each election officer shall ensure that:

- 3110 (a) proposed amendments to the Utah Constitution are displayed in accordance with
3111 Section 20A-6-107;
- 3112 (b) ballot propositions submitted to the voters are displayed in accordance with Section
3113 20A-6-107;
- 3114 (c) bond propositions that have qualified for the ballot are displayed under the title
3115 assigned to each bond proposition under Section 11-14-206; and
- 3116 (d) the judicial retention section of the ballot includes a statement at the beginning
3117 directing voters to the Judicial Performance Evaluation Commission's website in
3118 accordance with Subsection 20A-12-201(4).

3119 Section 56. Section **20A-6-401** is amended to read:

3120 **20A-6-401 (Effective 05/06/26). Ballots for municipal primary elections.**

3121 (1) Each election officer shall ensure that:

- 3122 (a) the following endorsements are printed in 18 point bold type:
- 3123 (i) "Official Primary Ballot for ____ (City or Town), Utah";
- 3124 (ii) the date of the election; [~~and~~]
- 3125 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the
- 3126 election officer's title in eight point type; and
- 3127 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
- 3128 officer, without the election officer's name;
- 3129 (b) immediately below the election officer's title, two one-point parallel horizontal rules
- 3130 separate endorsements from the rest of the ballot;
- 3131 (c) immediately below the horizontal rules, an "Instructions to Voters" section is printed
- 3132 in 10 point bold type that states: "To vote for a candidate, mark the space adjacent to
- 3133 the name(s) of the person(s) you favor as the candidate(s) for each respective office."
- 3134 followed by two one-point parallel rules;
- 3135 (d) after the rules, the designation of the office for which the candidates seek nomination
- 3136 is printed and the words, "Vote for one" or "Vote for up to ____ (the number of
- 3137 candidates for which the voter may vote)" are printed in 10-point bold type, followed
- 3138 by a hair-line rule;
- 3139 (e) after the hair-line rule, the names of the candidates are printed in heavy face type
- 3140 between lines or rules three-eighths inch apart, in accordance with Sections
- 3141 20A-6-109 and 20A-6-110, with surnames last and grouped according to the office
- 3142 that the candidates seek;
- 3143 (f) a square with sides not less than one-fourth inch long is printed immediately adjacent
- 3144 to the names of the candidates; and
- 3145 (g) the candidate groups are separated from each other by one light and one heavy line
- 3146 or rule.
- 3147 (2) A municipal primary ballot may not contain any space for write-in votes.
- 3148 (3) Beginning on January 1, 2027:
- 3149 (a) an election officer's or county clerk's name may not appear on the return envelope for
- 3150 a ballot; and
- 3151 (b) except to the extent required to list an election officer's or county clerk's name as a
- 3152 candidate on the ballot, a ballot may not include the name of the election officer or
- 3153 county clerk.
- 3154 Section 57. Section **20A-6-401.1** is amended to read:
- 3155 **20A-6-401.1 (Effective 05/06/26). Ballots for partisan municipal primary**

3156 **elections.**

3157 (1) An election officer shall ensure that:

3158 (a) all manual ballots furnished for use at the regular primary election:

3159 (i) separate the candidates of one political party from those of the other political
3160 parties; and

3161 (ii) contain no captions or other endorsements except as provided in this section;

3162 (b) the names of all candidates from each party are listed on the same ballot in one or
3163 more columns under their party name and emblem;

3164 (c) the political parties are printed on the ballot in the order specified under Section
3165 20A-6-110;

3166 (d) the following endorsements are printed in 18-point bold type:

3167 (i) "Official Primary Ballot for ____ (name of municipality), Utah";

3168 (ii) the date of the election; [~~and~~]

3169 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the
3170 election officer's title in eight point type; and

3171 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
3172 officer, without the election officer's name;

3173 (e) [~~after the facsimile signature~~] immediately below or to the side of the election
3174 officer's title, the political party emblem and the name of the political party are
3175 printed;

3176 (f) after the party name and emblem, the ballot contains the following printed in not
3177 smaller than 10-point bold face, double leaded type: "Instructions to Voters: To vote
3178 for a candidate, mark the space following the name of the person for whom you wish
3179 to vote and in no other place. Do not vote for any candidate listed under more than
3180 one party or group designation.", followed by two one-point parallel horizontal rules;

3181 (g) after the rules, the designation of the office for which the candidates seek nomination
3182 is printed flush with the left-hand margin and the words, "Vote for one" or "Vote for
3183 up to ____ (the number of candidates for which the voter may vote)" are printed to
3184 extend to the extreme right of the column in 10-point bold type, followed by a
3185 hair-line rule;

3186 (h) after the hair-line rule, the names of the candidates are printed in heavy face type
3187 between lines or rules three-eighths inch apart, in accordance with Sections
3188 20A-6-109 and 20A-6-110, with surnames last and grouped according to the office
3189 that they seek;

- 3190 (i) a square with sides not less than one-fourth inch long is printed immediately adjacent
 3191 to the names of the candidates;
- 3192 (j) the candidate groups are separated from each other by one light and one heavy line or
 3193 rule; and
- 3194 (k) the nonpartisan candidates are listed as follows:
- 3195 (i) immediately below the listing of the party candidates, the word
 3196 "NONPARTISAN" is printed in reverse type in an 18 point solid rule that extends
 3197 the full width of the type copy of the party listing above; and
- 3198 (ii) below "NONPARTISAN," the office, the number of candidates to vote for, the
 3199 candidate's name, the voting square, and any other necessary information is
 3200 printed in the same style and manner as for party candidates.
- 3201 (2) For mechanical ballots, the election officer may require that:
- 3202 (a) the ballot for a regular primary election consist of several groups of pages or display
 3203 screens, so that a separate group can be used to list the names of candidates seeking
 3204 nomination of each qualified political party, with additional groups used to list
 3205 candidates for other nonpartisan offices;
- 3206 (b) the separate groups of pages or display screens are identified by color or other
 3207 suitable means; and
- 3208 (c) the ballot contains instructions that direct the voter how to vote the ballot.
- 3209 (3) Beginning on January 1, 2027:
- 3210 (a) an election officer's or county clerk's name may not appear on the return envelope for
 3211 a ballot; and
- 3212 (b) except to the extent required to list an election officer's or county clerk's name as a
 3213 candidate on the ballot, a ballot may not include the name of the election officer or
 3214 county clerk.
- 3215 Section 58. Section **20A-6-402** is amended to read:
- 3216 **20A-6-402 (Effective 05/06/26). Ballots for municipal general elections.**
- 3217 (1) [~~Except as otherwise required for a race conducted by instant runoff voting under Title~~
 3218 ~~20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, for] For a
 3219 manual ballot at a municipal general election, an election officer shall ensure that:~~
- 3220 (a) the names of the two candidates who received the highest number of votes for mayor
 3221 in the municipal primary are placed upon the ballot;
- 3222 (b) if no municipal primary election was held, the names of the candidates who filed
 3223 declarations of candidacy for municipal offices are placed upon the ballot;

- 3224 (c) for other offices:
- 3225 (i) twice the number of candidates as there are positions to be filled are certified as
- 3226 eligible for election in the municipal general election from those candidates who
- 3227 received the greater number of votes in the primary election; and
- 3228 (ii) the names of those candidates are placed upon the municipal general election
- 3229 ballot;
- 3230 (d) the names of the candidates are placed on the ballot in accordance with Sections
- 3231 20A-6-109 and 20A-6-110;
- 3232 (e) in an election in which a voter is authorized to cast a write-in vote and where a
- 3233 write-in candidate is qualified under Section 20A-9-601, a write-in area is placed
- 3234 upon the ballot that contains, for each office in which there is a qualified write-in
- 3235 candidate:
- 3236 (i) a blank, horizontal line to enable a voter to submit a valid write-in candidate; and
- 3237 (ii) a square or other conforming area that is adjacent to or opposite the blank
- 3238 horizontal line to enable the voter to indicate the voter's vote;
- 3239 (f) ballot propositions that have qualified for the ballot, including propositions submitted
- 3240 to the voters by the municipality, municipal initiatives, and municipal referenda, are
- 3241 listed on the ballot in accordance with Section 20A-6-107; and
- 3242 (g) bond propositions that have qualified for the ballot are listed on the ballot under the
- 3243 title assigned to each bond proposition under Section 11-14-206.
- 3244 (2) [~~Except as otherwise required for a race conducted by instant runoff voting under Title~~
- 3245 ~~20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, when~~ When
- 3246 using a mechanical ballot at municipal general elections, each election officer shall
- 3247 ensure that:
- 3248 (a) the following endorsements are displayed on the first portion of the ballot:
- 3249 (i) "Official Ballot for ____ (City or Town), Utah";
- 3250 (ii) the date of the election; [~~and~~]
- 3251 (iii) before January 1, 2027, a facsimile of the signature of the election officer and the
- 3252 election officer's title; and
- 3253 (iv) beginning on January 1, 2027, "Certified by" followed by the title of the election
- 3254 officer, without the election officer's name;
- 3255 (b) immediately below the election officer's title, a distinct border or line separates the
- 3256 endorsements from the rest of the ballot;
- 3257 (c) immediately below the border or line, an "Instructions to Voters" section is displayed

- 3258 that states: "To vote for a candidate, select the name(s) of the person(s) you favor as
 3259 the candidate(s) for each respective office." followed by another border or line;
- 3260 (d) after the border or line, the designation of the office for which the candidates seek
 3261 election is displayed, and the words, "Vote for one" or "Vote for up to ____ (the
 3262 number of candidates for which the voter may vote)" are displayed, followed by a
 3263 line or border;
- 3264 (e) after the line or border, the names of the candidates are displayed in accordance with
 3265 Sections 20A-6-109 and 20A-6-110, with surnames last and grouped according to the
 3266 office that the candidates seek;
- 3267 (f) a voting square or position is located adjacent to the name of each candidate;
- 3268 (g) following the name of the last candidate for each office in which a write-in candidate
 3269 is qualified under Section 20A-9-601, the ballot contains a write-in space where the
 3270 voter may enter the name of and vote for a valid write-in candidate for the office; and
- 3271 (h) the candidate groups are separated from each other by a line or border.
- 3272 (3) When a municipality has chosen to nominate candidates by convention or committee,
 3273 the election officer shall ensure that the party name is included with the candidate's
 3274 name on the ballot.
- 3275 (4) Beginning on January 1, 2027:
- 3276 (a) an election officer's or county clerk's name may not appear on the return envelope for
 3277 a ballot; and
- 3278 (b) except to the extent required to list an election officer's or county clerk's name as a
 3279 candidate on the ballot, a ballot may not include the name of the election officer or
 3280 county clerk.
- 3281 Section 59. Section **20A-9-101** is amended to read:
- 3282 **20A-9-101 (Effective 05/06/26). Definitions.**
- 3283 As used in this chapter:
- 3284 (1)(a) "Candidates for elective office" means persons who file a declaration of candidacy
 3285 under Section 20A-9-202 to run in a regular general election for a federal office,
 3286 statewide constitutional office, multicounty office, or county office.
- 3287 (b) "Candidates for elective office" does not mean candidates for:
- 3288 (i) justice or judge of court of record or not of record;
- 3289 (ii) presidential elector;
- 3290 (iii) any political party offices; and
- 3291 (iv) municipal or special district offices.

- 3292 [(2) "Constitutional office" means the state offices of governor, lieutenant governor,
3293 attorney general, state auditor, and state treasurer.]
- 3294 [(3)] (2) "Continuing political party" means the same as that term is defined in Section
3295 20A-8-101.
- 3296 [(4)] (3)(a) "County office" means an elective office where the officeholder is selected by
3297 voters entirely within one county.
- 3298 (b) "County office" does not mean:
- 3299 (i) the office of justice or judge of any court of record or not of record;
3300 (ii) the office of presidential elector;
3301 (iii) any political party offices;
3302 (iv) any municipal or special district offices; and
3303 (v) the office of United States Senator and United States Representative.
- 3304 [(5)] (4) "Electronic candidate qualification process" means:
- 3305 (a) as it relates to a registered political party that is not a qualified political party, the
3306 process for gathering signatures electronically to seek the nomination of a registered
3307 political party, described in:
- 3308 (i) Section 20A-9-403;
3309 (ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and
3310 (iii) Section 20A-21-201; and
- 3311 (b) as it relates to a qualified political party, the process, for gathering signatures
3312 electronically to seek the nomination of a registered political party, described in:
- 3313 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);
3314 (ii) Section 20A-9-408; and
3315 (iii) Section 20A-21-201.
- 3316 [(6)] (5) "Federal office" means an elective office for United States Senator and United
3317 States Representative.
- 3318 [(7)] (6) "Filing officer" means:
- 3319 (a) the lieutenant governor, for:
- 3320 (i) the office of United States Senator and United States Representative; and
3321 (ii) all constitutional offices;
- 3322 (b) for the office of a state senator, state representative, or the state school board, the
3323 lieutenant governor or the applicable clerk described in Subsection [(7)(e)] (6)(c) or
3324 (d);
- 3325 (c) the county clerk, for county offices and local school district offices;

- 3326 (d) the county clerk in the filer's county of residence, for multicounty offices;
- 3327 (e) the city or town clerk, for municipal offices; or
- 3328 (f) the special district clerk, for special district offices.
- 3329 ~~[(8)]~~ (7) "Local government office" includes county offices, municipal offices, and special
 3330 district offices and other elective offices selected by the voters from a political division
 3331 entirely within one county.
- 3332 ~~[(9)]~~ (8) "Manual candidate qualification process" means the process for gathering
 3333 signatures to seek the nomination of a registered political party, using paper signature
 3334 packets that a signer physically signs.
- 3335 ~~[(10)]~~ (9)(a) "Multicounty office" means an elective office where the officeholder is
 3336 selected by the voters from more than one county.
- 3337 (b) "Multicounty office" does not mean:
- 3338 (i) a county office;
- 3339 (ii) a federal office;
- 3340 (iii) the office of justice or judge of any court of record or not of record;
- 3341 (iv) the office of presidential elector;
- 3342 (v) any political party offices; or
- 3343 (vi) any municipal or special district offices.
- 3344 ~~[(11)]~~ (10) "Municipal office" means an elective office in a municipality.
- 3345 ~~[(12)]~~ (11)(a) "Political division" means a geographic unit from which an officeholder is
 3346 elected and that an officeholder represents.
- 3347 (b) "Political division" includes a county, a city, a town, a special district, a school
 3348 district, a legislative district, and a county prosecution district.
- 3349 ~~[(13)]~~ (12) "Qualified political party" means a registered political party that:
- 3350 (a)(i) permits a delegate for the registered political party to vote on a candidate
 3351 nomination in the registered political party's convention remotely; or
- 3352 (ii) provides a procedure for designating an alternate delegate if a delegate is not
 3353 present at the registered political party's convention;
- 3354 (b) does not hold the registered political party's convention before the fourth Saturday in
 3355 March of an even-numbered year;
- 3356 (c) permits a member of the registered political party to seek the registered political
 3357 party's nomination for any elective office by the member choosing to seek the
 3358 nomination by either or both of the following methods:
- 3359 (i) seeking the nomination through the registered political party's convention process,

- 3360 in accordance with the provisions of Section 20A-9-407; or
- 3361 (ii) seeking the nomination by collecting signatures, in accordance with the
- 3362 provisions of Section 20A-9-408; and
- 3363 (d)(i) if the registered political party is a continuing political party, no later than 5
- 3364 p.m. on the first Monday of October of an odd-numbered year, certifies to the
- 3365 lieutenant governor that, for the election in the following year, the registered
- 3366 political party intends to nominate the registered political party's candidates in
- 3367 accordance with the provisions of Section 20A-9-406; or
- 3368 (ii) if the registered political party is not a continuing political party, certifies at the
- 3369 time that the registered political party files the petition described in Section
- 3370 20A-8-103 that, for the next election, the registered political party intends to
- 3371 nominate the registered political party's candidates in accordance with the
- 3372 provisions of Section 20A-9-406.

3373 ~~[(14)]~~ (13) "Signature," as it relates to a petition for a candidate to seek the nomination of a

3374 registered political party, means:

- 3375 (a) when using the manual candidate qualification process, a holographic signature
- 3376 collected physically on a nomination petition described in Subsection 20A-9-405(3);
- 3377 or
- 3378 (b) when using the electronic candidate qualification process:
- 3379 (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or
- 3380 (ii) a holographic signature collected electronically under Subsection
- 3381 20A-21-201(6)(c)(ii)(B).

3382 ~~[(15)]~~ (14) "Special district office" means an elected office in a special district.

3383 (15) "Statewide constitutional office" means the office of governor, lieutenant governor,

3384 attorney general, state auditor, and state treasurer.

3385 Section 60. Section **20A-9-201** is amended to read:

3386 **20A-9-201 (Effective 05/06/26). Declarations of candidacy -- Candidacy for more**

3387 **than one office or of more than one political party prohibited with exceptions -- General**

3388 **filing and form requirements -- Affidavit of impecuniosity.**

3389 (1) Before filing a declaration of candidacy for election to any office, an individual shall:

- 3390 (a) be a United States citizen;
- 3391 (b) meet the legal requirements of that office; and
- 3392 (c) if seeking a registered political party's nomination as a candidate for elective office,
- 3393 state:

- 3394 (i) the registered political party of which the individual is a member; or
3395 (ii) that the individual is not a member of a registered political party.
- 3396 (2)(a) Except as provided in Subsection (2)(b), an individual may not:
- 3397 (i) file a declaration of candidacy for, or be a candidate for, more than one office in
3398 Utah during any election year;
- 3399 (ii) appear on the ballot as the candidate of more than one political party; or
3400 (iii) file a declaration of candidacy for a registered political party of which the
3401 individual is not a member, except to the extent that the registered political party
3402 permits otherwise in the registered political party's bylaws.
- 3403 (b)(i) An individual may file a declaration of candidacy for, or be a candidate for,
3404 president or vice president of the United States and another office, if the
3405 individual resigns the individual's candidacy for the other office after the
3406 individual is officially nominated for president or vice president of the United
3407 States.
- 3408 (ii) An individual may file a declaration of candidacy for, or be a candidate for, more
3409 than one justice court judge office.
- 3410 (iii) An individual may file a declaration of candidacy for lieutenant governor even if
3411 the individual filed a declaration of candidacy for another office in the same
3412 election year if the individual withdraws as a candidate for the other office in
3413 accordance with Subsection 20A-9-202(6) before filing the declaration of
3414 candidacy for lieutenant governor.
- 3415 (iv) For the 2026 election year only, an individual who files a declaration of
3416 candidacy to seek the nomination of a qualified political party for constitutional
3417 office, multicounty office, or county office:
- 3418 (A) may also be a candidate for United States representative;
- 3419 (B) may, if the individual desires to use the signature-gathering process to qualify
3420 for the primary election ballot for the office of United States representative, file
3421 a notice of intent to gather signatures for, and gather signatures for, that office;
3422 and
- 3423 (C) shall, before filing a declaration of candidacy for the office of United States
3424 representative, withdraw as a candidate for the constitutional office,
3425 multicounty office, or county office for which the individual filed a declaration
3426 of candidacy.
- 3427 (3)(a) Except for a candidate for president or vice president of the United States, before

- 3428 the filing officer may accept any declaration of candidacy, the filing officer shall:
- 3429 (i) read to the individual the constitutional and statutory qualification requirements
- 3430 for the office that the individual is seeking;
- 3431 (ii) require the individual to state whether the individual meets the requirements
- 3432 described in Subsection (3)(a)(i);
- 3433 (iii) if the declaration of candidacy is for a county office, inform the individual that
- 3434 an individual who holds a county elected office may not, at the same time, hold a
- 3435 municipal elected office; and
- 3436 (iv) if the declaration of candidacy is for a legislative office, inform the individual
- 3437 that Utah Constitution, Article VI, Section 6, prohibits a person who holds a
- 3438 public office of profit or trust, under authority of the United States or Utah, from
- 3439 being a member of the Legislature.
- 3440 (b)(i) Before accepting a declaration of candidacy for the office of county attorney,
- 3441 the county clerk shall ensure that the individual filing that declaration of
- 3442 candidacy is:
- 3443 (A) a United States citizen;
- 3444 (B) an attorney licensed to practice law in the state who is an active member in
- 3445 good standing of the Utah State Bar;
- 3446 (C) a registered voter in the county in which the individual is seeking office; and
- 3447 (D) a current resident of the county in which the individual is seeking office and
- 3448 either has been a resident of that county for at least one year before the date of
- 3449 the election or was appointed and is currently serving as county attorney and
- 3450 became a resident of the county within 30 calendar days after appointment to
- 3451 the office.
- 3452 (ii) An individual filing a declaration of candidacy for the office of county attorney
- 3453 shall submit with the individual's declaration:
- 3454 (A) a letter from the Utah Supreme Court, affirming that the individual is an
- 3455 attorney in good standing;
- 3456 (B) proof of the individual's application with the Utah State Bar, with an affidavit
- 3457 describing the status of the individual's application; or
- 3458 (C) an affidavit describing how the individual intends to comply with the
- 3459 requirements for office of county attorney described in Subsection (3)(b)(i), [
- 3460 ~~prior to~~] before taking office.
- 3461 (iii) In addition to the requirements described in Subsection (3)(b)(ii), an individual

3462 shall also provide the filing officer with the individual's license number with:

3463 (A) the Utah State Bar, if the individual is a member; or

3464 (B) any other state bar association, if the individual is a member.

3465 (c)(i) Before accepting a declaration of candidacy for the office of district attorney,

3466 the county clerk shall ensure that, as of the date of the election, the individual

3467 filing that declaration of candidacy is:

3468 (A) a United States citizen;

3469 (B) an attorney licensed to practice law in the state who is an active member in
3470 good standing of the Utah State Bar;

3471 (C) a registered voter in the prosecution district in which the individual is seeking
3472 office; and

3473 (D) a current resident of the prosecution district in which the individual is seeking
3474 office and either will have been a resident of that prosecution district for at
3475 least one year before the date of the election or was appointed and is currently
3476 serving as district attorney or county attorney and became a resident of the
3477 prosecution district within 30 calendar days after receiving appointment to the
3478 office.

3479 (ii) An individual filing a declaration of candidacy for the office of district attorney
3480 shall submit with the individual's declaration:

3481 (A) a letter from the Utah Supreme Court, affirming that the individual is an
3482 attorney in good standing;

3483 (B) proof of the individual's application with the Utah State Bar, with an affidavit
3484 describing the status of the individual's application; or

3485 (C) an affidavit describing how the individual intends to comply with the
3486 requirements for office of district attorney described in Subsection (3)(c)(i), [
3487 ~~prior to~~] before taking office.

3488 (iii) In addition to the requirements described in Subsection (3)(c)(ii), an individual
3489 shall also provide the filing officer with the individual's license number with:

3490 (A) the Utah State Bar, if the individual is a member; or

3491 (B) any other state bar association, if the individual is a member.

3492 (d) Before accepting a declaration of candidacy for the office of county sheriff, the
3493 county clerk shall ensure that the individual filing the declaration:

3494 (i) is a United States citizen;

3495 (ii) is a registered voter in the county in which the individual seeks office;

- 3496 (iii)(A) has successfully met the standards and training requirements established
3497 for law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer
3498 Training and Certification Act; or
3499 (B) has met the waiver requirements in Section 53-6-206;
- 3500 (iv) is qualified to be certified as a law enforcement officer, as defined in Section
3501 53-13-103; and
3502 (v) before the date of the election, will have been a resident of the county in which
3503 the individual seeks office for at least one year.
- 3504 (e)(i) An individual filing a declaration of candidacy for the office of attorney general
3505 shall submit with the individual's declaration:
- 3506 (A) a letter from the Utah Supreme Court, affirming that the individual is an
3507 attorney in good standing;
- 3508 (B) proof of the individual's application with the Utah State Bar, with an affidavit
3509 describing the status of the individual's application; or
3510 (C) an affidavit describing how the individual intends to comply with the
3511 requirements for office of attorney general, described in Article VII, Sec. 3,
3512 Utah Constitution, [~~prior to~~] before taking office.
- 3513 (ii) In addition to the requirements described in Subsection (3)(e)(i), an individual
3514 shall also provide the filing officer with the individual's license number with:
- 3515 (A) the Utah State Bar, if the individual is a member; or
3516 (B) any other state bar association, if the individual is a member.
- 3517 (iii) An individual filing the declaration of candidacy for the office of attorney
3518 general shall also make the conflict of interest disclosure described in Section
3519 20A-11-1603.
- 3520 (f) Before accepting a declaration of candidacy for the office of governor, lieutenant
3521 governor, state auditor, state treasurer, state legislator, or State Board of Education
3522 member, the filing officer shall ensure that the individual filing the declaration of
3523 candidacy also makes the conflict of interest disclosure described in Section
3524 20A-11-1603.
- 3525 (4) If an individual who files a declaration of candidacy does not meet the qualification
3526 requirements for the office the individual is seeking, the filing officer may not accept the
3527 individual's declaration of candidacy.
- 3528 (5) If an individual who files a declaration of candidacy meets the requirements described
3529 in Subsection (3), the filing officer shall:

- 3530 (a) inform the individual that:
- 3531 (i) subject to Section 20A-6-109, the individual's name will appear on the ballot as
- 3532 the individual's name is written on the individual's declaration of candidacy;
- 3533 (ii) the individual may be required to comply with state or local campaign finance
- 3534 disclosure laws; and
- 3535 (iii) the individual is required to file a financial statement before the individual's
- 3536 political convention under:
- 3537 (A) Section 20A-11-204 for a candidate for statewide constitutional office;
- 3538 (B) Section 20A-11-303 for a candidate for the Legislature; or
- 3539 (C) local campaign finance disclosure laws, if applicable;
- 3540 (b) except for a presidential candidate, provide the individual with a copy of the current
- 3541 campaign financial disclosure laws for the office the individual is seeking and inform
- 3542 the individual that failure to comply will result in disqualification as a candidate and
- 3543 removal of the individual's name from the ballot;
- 3544 (c)(i) provide the individual with a copy of Section 20A-7-801 regarding the
- 3545 Statewide Electronic Voter Information Website Program and inform the
- 3546 individual of the submission deadline under Subsection 20A-7-801(4)(a);
- 3547 (ii) inform the individual that the individual must provide the filing officer with an
- 3548 email address that the individual actively monitors:
- 3549 (A) to receive a communication from a filing officer or an election officer; and
- 3550 (B) if the individual wishes to display a candidate profile on the Statewide
- 3551 Electronic Voter Information Website, to submit to the website the
- 3552 biographical and other information described in Subsection 20A-7-801(4)(a)(ii);
- 3553 (iii) inform the individual that the email address described in Subsection (5)(c)(ii) is
- 3554 not a record under Title 63G, Chapter 2, Government Records Access and
- 3555 Management Act; and
- 3556 (iv) obtain from the individual the email address described in Subsection (5)(c)(ii);
- 3557 (d) provide the candidate with a copy of the pledge of fair campaign practices described
- 3558 under Section 20A-9-206 and inform the candidate that:
- 3559 (i) signing the pledge is voluntary; and
- 3560 (ii) signed pledges shall be filed with the filing officer;
- 3561 (e) accept the individual's declaration of candidacy; and
- 3562 (f) if the individual has filed for a partisan office, provide a certified copy of the
- 3563 declaration of candidacy to the chair of the county or state political party of which the

3564 individual is a member.

3565 (6) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
3566 shall:

3567 (a) accept the candidate's pledge; and

3568 (b) if the candidate has filed for a partisan office, provide a certified copy of the
3569 candidate's pledge to the chair of the county or state political party of which the
3570 candidate is a member.

3571 (7)(a) Except for a candidate for president or vice president of the United States, the
3572 form of the declaration of candidacy shall:

3573 (i) be substantially as follows:

3574 "State of Utah, County of ____

3575 I, _____, declare my candidacy for the office of _____, seeking the
3576 nomination of the _____ party. I do solemnly swear, under penalty of perjury, that: I will meet
3577 the qualifications to hold the office, both legally and constitutionally, if selected; I reside at
3578 _____ in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not
3579 knowingly violate any law governing campaigns and elections; if filing via a designated agent,
3580 I will be out of the state of Utah during the entire candidate filing period; I will file all
3581 campaign financial disclosure reports as required by law; and I understand that failure to do so
3582 will result in my disqualification as a candidate for this office and removal of my name from
3583 the ballot. The mailing address that I designate for receiving official election notices is
3584 _____.

3585 _____
3586 Subscribed and sworn before me this _____(month\day\year).

3587

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

3588 (ii) require the candidate to state, in the sworn statement described in Subsection

3589 (7)(a)(i):

3590 (A) the registered political party of which the candidate is a member; or

3591 (B) that the candidate is not a member of a registered political party.

3592 (b) An agent designated under Subsection [~~20A-9-202(1)(e)~~] 20A-9-202(1)(b) to file a
3593 declaration of candidacy may not sign the form described in Subsection (7)(a) or
3594 Section 20A-9-408.5.

3595 (8)(a) Except for a candidate for president or vice president of the United States, the fee
3596 for filing a declaration of candidacy is:

- 3597 (i) \$50 for candidates for the local school district board; and
3598 (ii) \$50 plus 1/8 of 1% of the total salary for the full term of office legally paid to the
3599 person holding the office for all other federal, state, and county offices.
- 3600 (b) Except for presidential candidates, the filing officer shall refund the filing fee to any
3601 candidate:
- 3602 (i) who is disqualified; or
3603 (ii) who the filing officer determines has filed improperly.
- 3604 (c)(i) The county clerk shall immediately pay to the county treasurer all fees received
3605 from candidates.
- 3606 (ii) The lieutenant governor shall:
- 3607 (A) apportion to and pay to the county treasurers of the various counties all fees
3608 received for filing of nomination certificates or acceptances; and
3609 (B) ensure that each county receives that proportion of the total amount paid to the
3610 lieutenant governor from the congressional district that the total vote of that
3611 county for all candidates for representative in Congress bears to the total vote
3612 of all counties within the congressional district for all candidates for
3613 representative in Congress.
- 3614 (d)(i) A person who is unable to pay the filing fee may file a declaration of candidacy
3615 without payment of the filing fee upon a prima facie showing of impecuniosity as
3616 evidenced by an affidavit of impecuniosity filed with the filing officer and, if
3617 requested by the filing officer, a financial statement filed at the time the affidavit
3618 is submitted.
- 3619 (ii) A person who is able to pay the filing fee may not claim impecuniosity.
- 3620 (iii)(A) False statements made on an affidavit of impecuniosity or a financial
3621 statement filed under this section shall be subject to the criminal penalties
3622 provided under Sections 76-8-503 and 76-8-504 and any other applicable
3623 criminal provision.
- 3624 (B) Conviction of a criminal offense under Subsection (8)(d)(iii)(A) shall be
3625 considered an offense under this title for the purposes of assessing the penalties
3626 provided in Subsection 20A-1-609(2).
- 3627 (iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially
3628 the following form:
- 3629 "Affidavit of Impecuniosity
3630 Individual Name

3631 _____ Address _____

3632 Phone Number _____

3633 I, _____ (name), do solemnly [swear] [affirm], under penalty of
3634 law for false statements, that, owing to my poverty, I am unable to pay the filing fee required
3635 by law.

3636 Date _____

3637 Signature _____ Affiant

3638 Subscribed and sworn to before me on _____ (month\day\year)

3639

3640

(signature)

3641 Name and Title of Officer Authorized to Administer Oath _____".

3642 (v) The filing officer shall provide to a person who requests an affidavit of impecuniosity a
3643 statement printed in substantially the following form, which may be included on the affidavit
3644 of impecuniosity:

3645 "Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a
3646 candidate who is found guilty of filing a false statement, in addition to being subject to
3647 criminal penalties, will be removed from the ballot."

3648 (vi) The filing officer may request that a person who makes a claim of impecuniosity
3649 under this Subsection (8)(d) file a financial statement on a form prepared by the
3650 election official.

3651 (9) An individual who fails to file a declaration of candidacy or certificate of nomination
3652 within the time provided in this chapter is ineligible for nomination to office.

3653 (10) A declaration of candidacy filed under this section may not be amended or modified
3654 after the final date established for filing a declaration of candidacy.

3655 Section 61. Section **20A-9-201.5** is amended to read:

3656 **20A-9-201.5 (Effective 05/06/26). Declaration of candidacy filing period for a**
3657 **regular general election year.**

3658 [~~For a qualified political party~~] Except as provided in Part 5, Candidates Not Affiliated
3659 with a Party, or Part 6, Write-in Candidates:

3660 (1) except as provided in Subsection (2), the filing period to file a declaration of candidacy
3661 for an elective office that is to be filled at the next regular general election:

3662 (a) begins at 8 a.m. on the first business day in January of an even-numbered year; and

3663 (b) ends at 5 p.m. on the fifth business day[-] in January of an even-numbered year; and
 3664 (2) for the 2026 election year only, the filing period to file a declaration of candidacy for
 3665 the office of United States representative:

3666 (a) begins at 8 a.m. on March 9, 2026; and

3667 (b) ends at 5 p.m. on March 13, 2026.

3668 Section 62. Section **20A-9-202** is amended to read:

3669 **20A-9-202 (Effective 05/06/26). Declarations of candidacy for regular general**
 3670 **elections.**

3671 (1)(a) An individual seeking to become a candidate for an elective office that is to be
 3672 filled at the next regular general election shall:

3673 (i) except as otherwise provided in Subsection [(1)(e)] (1)(b), Part 5, Candidates Not
 3674 Affiliated with a Party, or Part 6, Write-in Candidates, file a declaration of
 3675 candidacy in person with the filing officer on or after January 1 of the regular
 3676 general election year, and, if applicable, before the individual circulates
 3677 nomination petitions under Section 20A-9-405; and

3678 (ii) pay the filing fee.

3679 ~~[(b) Unless expressly provided otherwise in this title, for a registered political party that~~
 3680 ~~is not a qualified political party, the deadline for filing a declaration of candidacy for~~
 3681 ~~an elective office that is to be filled at the next regular general election is 5 p.m. on~~
 3682 ~~the first Monday after the fourth Saturday in April.]~~

3683 ~~[(e)]~~ (b) Subject to Subsection 20A-9-201(7)(b), an individual may designate an agent to
 3684 file a declaration of candidacy with the filing officer if:

3685 (i) the individual is located outside of the state during the entire filing period;

3686 (ii) the designated agent appears in person before the filing officer;

3687 (iii) the individual communicates with the filing officer using an electronic device
 3688 that allows the individual and filing officer to see and hear each other; and

3689 (iv) the individual provides the filing officer with an email address to which the filing
 3690 officer may send the individual the copies described in Subsection 20A-9-201(5).

3691 ~~[(d)]~~ (c) Each county clerk who receives a declaration of candidacy from a candidate for
 3692 multicounty office shall transmit the filing fee and a copy of the candidate's
 3693 declaration of candidacy to the lieutenant governor within one business day after the
 3694 candidate files the declaration of candidacy.

3695 ~~[(e)]~~ (d) Each business day during the filing period, each county clerk shall notify the
 3696 lieutenant governor electronically or by telephone of candidates who have filed a

- 3697 declaration of candidacy with the county clerk.
- 3698 [(f)] (e) Each individual seeking the office of lieutenant governor, the office of district
3699 attorney, or the office of president or vice president of the United States shall comply
3700 with the specific declaration of candidacy requirements established by this section.
- 3701 (2)(a) Each individual intending to become a candidate for the office of district attorney
3702 within a multicounty prosecution district that is to be filled at the next regular general
3703 election shall:
- 3704 (i) file a declaration of candidacy with the clerk designated in the interlocal
3705 agreement creating the prosecution district on or after January 1 of the regular
3706 general election year, and before the individual circulates nomination petitions
3707 under Section 20A-9-405; and
- 3708 (ii) pay the filing fee.
- 3709 (b) The designated clerk shall provide to the county clerk of each county in the
3710 prosecution district a certified copy of each declaration of candidacy filed for the
3711 office of district attorney.
- 3712 (3)(a) Before ~~[the deadline described in Subsection (1)(b)]~~ 5 p.m. on the first Monday
3713 after the fourth Saturday in April, each lieutenant governor candidate shall:
- 3714 (i) file a declaration of candidacy with the lieutenant governor;
- 3715 (ii) pay the filing fee; and
- 3716 (iii) submit a letter from a candidate for governor who has received certification for
3717 the primary-election ballot under Section 20A-9-403 that names the lieutenant
3718 governor candidate as a joint-ticket running mate.
- 3719 (b)(i) A candidate for lieutenant governor who fails to timely file is disqualified.
- 3720 (ii) If a candidate for lieutenant governor is disqualified, another candidate may file
3721 to replace the disqualified candidate.
- 3722 (4) Before 5 p.m. no later than the last business day in August~~[-31]~~, each registered political
3723 party shall:
- 3724 (a) certify the names of the political party's candidates for president and vice president of
3725 the United States to the lieutenant governor; or
- 3726 (b) provide written authorization for the lieutenant governor to accept the certification of
3727 candidates for president and vice president of the United States from the national
3728 office of the registered political party.
- 3729 (5)(a) A declaration of candidacy filed under this section is valid unless a written
3730 objection is filed with the clerk or lieutenant governor no later than 5 p.m. on the last

- 3731 business day that is at least 10 calendar days before the deadline described in
3732 Subsection 20A-9-409(4)(c).
- 3733 (b) If an objection is made, the clerk or lieutenant governor shall:
- 3734 (i) mail or personally deliver notice of the objection to the affected candidate
3735 immediately; and
- 3736 (ii) decide ~~[any]~~ the objection within ~~[48 hours after it is filed]~~ three business days
3737 after the day on which the objection is filed.
- 3738 (c) If the clerk or lieutenant governor sustains the objection, the candidate may cure the
3739 problem by:
- 3740 (i) amending the declaration or petition no later than 5 p.m. on the first business day
3741 that is at least three calendar days after the day on which the objection is
3742 sustained; or
- 3743 (ii) filing a new declaration no later than 5 p.m. on the first business day that is at
3744 least three calendar days after the day on which the objection is sustained.
- 3745 (d)(i) The clerk's or lieutenant governor's decision upon objections to form is final.
- 3746 (ii) The clerk's or lieutenant governor's decision upon substantive matters is
3747 reviewable by a district court if prompt application is made to the court.
- 3748 (iii) The decision of the district court is final unless the Supreme Court, in the
3749 exercise of its discretion, agrees to review the lower court decision.
- 3750 (6) Any person who filed a declaration of candidacy may withdraw as a candidate by filing
3751 a written affidavit with the clerk.
- 3752 (7)(a) Except for a candidate who is certified by a registered political party under
3753 Subsection (4), and except as provided in Section 20A-9-504, before 5 p.m. no later
3754 than the last business day in August [31] of a general election year, each individual
3755 running as a candidate for vice president of the United States shall:
- 3756 (i) file a declaration of candidacy, in person or via a designated agent, on a form
3757 developed by the lieutenant governor, that:
- 3758 (A) contains the individual's name, address, and telephone number;
- 3759 (B) states that the individual meets the qualifications for the office of vice
3760 president of the United States;
- 3761 (C) names the presidential candidate, who has qualified for the general election
3762 ballot, with which the individual is running as a joint-ticket running mate;
- 3763 (D) states that the individual agrees to be the running mate of the presidential
3764 candidate described in Subsection (7)(a)(i)(C); and

3765 (E) contains any other necessary information identified by the lieutenant governor;
3766 (ii) pay the filing fee; and
3767 (iii) submit a letter from the presidential candidate described in Subsection
3768 (7)(a)(i)(C) that names the individual as a joint-ticket running mate as a vice
3769 presidential candidate.

3770 (b) A designated agent described in Subsection (7)(a)(i) may not sign the declaration of
3771 candidacy.

3772 (c) A vice presidential candidate who fails to meet the requirements described in this
3773 Subsection (7) may not appear on the general election ballot.

3774 (8) An individual filing a declaration of candidacy for president or vice president of the
3775 United States shall pay a filing fee of \$500.

3776 Section 63. Section **20A-9-203** is amended to read:

3777 **20A-9-203 (Effective 05/06/26). Declarations of candidacy -- Municipal general**
3778 **elections -- Nomination petition -- Removal of signature.**

3779 (1) An individual may become a candidate for any municipal office if:

3780 (a) the individual is a registered voter; and

3781 (b)(i) the individual has resided within the municipality in which the individual seeks
3782 to hold elective office for the 12 consecutive months immediately before the date
3783 of the election; or

3784 (ii) the territory in which the individual resides was annexed into the municipality,
3785 the individual has resided within the annexed territory or the municipality the 12
3786 consecutive months immediately before the date of the election.

3787 (2)(a) For purposes of determining whether an individual meets the residency
3788 requirement of Subsection (1)(b)(i) in a municipality that was incorporated less than
3789 12 months before the election, the municipality is considered to have been
3790 incorporated 12 months before the date of the election.

3791 (b) In addition to the requirements of Subsection (1), each candidate for a municipal
3792 council position shall, if elected from a district, be a resident of the council district
3793 from which the candidate is elected.

3794 (c) In accordance with Utah Constitution, Article IV, Section 6, a mentally incompetent
3795 individual, an individual convicted of a felony, or an individual convicted of treason
3796 or a crime against the elective franchise may not hold office in this state until the
3797 right to hold elective office is restored under Section 20A-2-101.3 or 20A-2-101.5.

3798 (3)(a) An individual seeking to become a candidate for a municipal office shall,

3799 regardless of the nomination method by which the individual is seeking to become a
3800 candidate:

3801 (i) except as provided in Subsection (3)(b)[,] ~~or Section 10-2a-214[, or Chapter 4,~~
3802 ~~Part 6, Municipal Alternate Voting Methods Pilot Project]~~, and subject to
3803 Subsection 20A-9-404(3)(e), file a declaration of candidacy, in person with the
3804 city recorder or town clerk, during the filing period described in Subsection (3)(d)
3805 and the office hours described in Subsection 10-3-301(3); and

3806 (ii) pay the filing fee, if one is required by municipal ordinance.

3807 (b) Subject to Subsection (5)(b), an individual may designate an agent to file a
3808 declaration of candidacy with the city recorder or town clerk if:

3809 (i) the individual is located outside of the state during the entire filing period;

3810 (ii) the designated agent appears in person before the city recorder or town clerk;

3811 (iii) the individual communicates with the city recorder or town clerk using an
3812 electronic device that allows the individual and city recorder or town clerk to see
3813 and hear each other; and

3814 (iv) the individual provides the city recorder or town clerk with an email address to
3815 which the city recorder or town clerk may send the individual the copies described
3816 in Subsection (4).

3817 (c) Any resident of a municipality may nominate a candidate for a municipal office by:

3818 (i) ~~[except as provided in Chapter 4, Part 6, Municipal Alternate Voting Methods~~
3819 ~~Pilot Project,]~~ filing a nomination petition with the city recorder or town clerk
3820 during the filing period described in Subsection (3)(d) and the office hours
3821 described in Subsection 10-3-301(3) that includes signatures in support of the
3822 nomination petition of the lesser of at least:

3823 (A) 25 registered voters who reside in the municipality; or

3824 (B) 20% of the registered voters who reside in the municipality; and

3825 (ii) paying the filing fee, if one is required by municipal ordinance.

3826 (d) The filing period to file a declaration of candidacy for an elective office that is to be
3827 filled at the next municipal general election:

3828 ~~[(i) begins at 8 a.m. on the later of:]~~

3829 ~~[(A) June 1 of the year in which the next municipal general election is held; or]~~

3830 ~~[(B) if June 1 is not a business day, the first business day after June 1; and]~~

3831 (i) begins at 8 a.m. on the first business day in June; and

3832 (ii) (A) ends at 5 p.m. on the fourth business day after the day on which the filing

- 3833 period begins[-] ; or
- 3834 (B) if the day described in Subsection(3)(d)(ii)(A) is a Friday, ends at 5 p.m. on
- 3835 the next business day after that Friday.
- 3836 (4)(a) Before the filing officer may accept any declaration of candidacy or nomination
- 3837 petition, the filing officer shall:
- 3838 (i) read to the prospective candidate or individual filing the petition the constitutional
- 3839 and statutory qualification requirements for the office that the candidate is seeking;
- 3840 (ii) require the candidate or individual filing the petition to state whether the
- 3841 candidate meets the requirements described in Subsection (4)(a)(i); and
- 3842 (iii) inform the candidate or the individual filing the petition that an individual who
- 3843 holds a municipal elected office may not, at the same time, hold a county elected
- 3844 office.
- 3845 (b) If the prospective candidate does not meet the qualification requirements for the
- 3846 office, the filing officer may not accept the declaration of candidacy or nomination
- 3847 petition.
- 3848 (c) If it appears that the prospective candidate meets the requirements of candidacy, the
- 3849 filing officer shall:
- 3850 (i) inform the candidate that, subject to Section 20A-6-109, the candidate's name will
- 3851 appear on the ballot as it is written on the declaration of candidacy;
- 3852 (ii) provide the candidate with a copy of the current campaign financial disclosure
- 3853 laws for the office the candidate is seeking and inform the candidate that failure to
- 3854 comply will result in disqualification as a candidate and removal of the candidate's
- 3855 name from the ballot;
- 3856 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide
- 3857 Electronic Voter Information Website Program and inform the candidate of the
- 3858 submission deadline under Subsection 20A-7-801(4)(a);
- 3859 (iv) inform the candidate that the candidate must provide the filing officer with an
- 3860 email address that the candidate actively monitors:
- 3861 (A) to receive a communication from a filing officer or an election officer; and
- 3862 (B) if the candidate wishes to display a candidate profile on the Statewide
- 3863 Electronic Voter Information Website, to submit to the website the
- 3864 biographical and other information described in Subsection 20A-7-801
- 3865 (4)(a)(ii);
- 3866 (v) inform the candidate that the email address described in Subsection (4)(c)(iv) is

- 3867 not a record under Title 63G, Chapter 2, Government Records Access and
 3868 Management Act;
- 3869 (vi) obtain from the candidate the email address described in Subsection (4)(c)(iv);
 3870 (vii) provide the candidate with a copy of the pledge of fair campaign practices
 3871 described under Section 20A-9-206 and inform the candidate that:
 3872 (A) signing the pledge is voluntary; and
 3873 (B) signed pledges shall be filed with the filing officer; and
 3874 (viii) accept the declaration of candidacy or nomination petition.
- 3875 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing officer
 3876 shall:
 3877 (i) accept the candidate's pledge; and
 3878 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
 3879 candidate's pledge to the chair of the county or state political party of which the
 3880 candidate is a member.

3881 (5)(a) The declaration of candidacy shall be in substantially the following form:

3882 "I, (print name) _____, being first sworn and under penalty of perjury, say that I reside at
 3883 _____ Street, City of _____, County of _____, state of Utah, Zip Code _____, Telephone Number
 3884 (if any) _____; that I am a registered voter; and that I am a candidate for the office of _____
 3885 (stating the term). I will meet the legal qualifications required of candidates for this office. If
 3886 filing via a designated agent, I attest that I will be out of the state of Utah during the entire
 3887 candidate filing period. I will file all campaign financial disclosure reports as required by law
 3888 and I understand that failure to do so will result in my disqualification as a candidate for this
 3889 office and removal of my name from the ballot. I request that my name be printed upon the
 3890 applicable official ballots. (Signed) _____

3891 Subscribed and sworn to (or affirmed) before me by _____ on this
 3892 _____(month\day\year).

3893 (Signed) _____ (Clerk or other officer qualified to administer oath)."

3894 (b) An agent designated under Subsection (3)(b) to file a declaration of candidacy may
 3895 not sign the form described in Subsection (5)(a).

3896 (c)(i) A nomination petition shall be in substantially the following form:

3897 "NOMINATION PETITION

3898 The undersigned residents of (name of municipality), being registered voters, nominate
 3899 (name of nominee) for the office of (name of office) for the (length of term of office)."

3900 (ii) The remainder of the petition shall contain lines and columns for the signatures of

3901 individuals signing the petition and each individual's address and phone number.

3902 (6) If the declaration of candidacy or nomination petition fails to state whether the
3903 nomination is for the two-year or four-year term, the clerk shall consider the nomination
3904 to be for the four-year term.

3905 (7)(a) The clerk shall verify with the county clerk that all candidates are registered
3906 voters.

3907 (b) With the assistance of the county clerk, and using the procedures described in
3908 Section 20A-1-1002, the municipal clerk shall determine whether the required
3909 number of signatures of registered voters appears on a nomination petition.

3910 (8) Immediately after expiration of the period for filing a declaration of candidacy, the clerk
3911 shall:

3912 (a) publicize a list of the names of the candidates as they will appear on the ballot by
3913 publishing the list for the municipality, as a class A notice under Section 63G-30-102,
3914 for seven calendar days; and

3915 (b) notify the lieutenant governor of the names of the candidates as they will appear on
3916 the ballot.

3917 (9) Except as provided in Subsection (10)(c), an individual may not amend a declaration of
3918 candidacy or nomination petition filed under this section after the candidate filing period
3919 ends.

3920 (10)(a) A declaration of candidacy or nomination petition that an individual files under
3921 this section is valid unless a person files a written objection with the clerk no later
3922 than 5 p.m. on the first business day that is at least 10 calendar days after the last day
3923 for filing.

3924 (b) If a person files an objection, the clerk shall:

3925 (i) mail or personally deliver notice of the objection to the affected candidate
3926 immediately; and

3927 (ii) decide any objection within 48 hours after the objection is filed.

3928 (c) If the clerk sustains the objection, the candidate may, no later than 5 p.m. on the first
3929 business day that is at least three calendar days after the day on which the clerk
3930 sustains the objection, correct the problem for which the objection is sustained by
3931 amending the candidate's declaration of candidacy or nomination petition, or by filing
3932 a new declaration of candidacy.

3933 (d)(i) The clerk's decision upon objections to form is final.

3934 (ii) The clerk's decision upon substantive matters is reviewable by a district court if

3935 prompt application is made to the district court.

3936 (iii) The decision of the district court is final unless the Supreme Court, in the
3937 exercise of its discretion, agrees to review the lower court decision.

3938 (11) A candidate who qualifies for the ballot under this section may withdraw as a
3939 candidate by filing a written affidavit with the municipal clerk.

3940 (12)(a) A voter who signs a nomination petition under this section may have the voter's
3941 signature removed from the petition by, no later than 5 p.m. three business days after
3942 the day on which the petition is filed with the city recorder or municipal clerk,
3943 submitting to the municipal clerk a statement requesting that the voter's signature be
3944 removed.

3945 (b) A statement described in Subsection (12)(a) shall comply with the requirements
3946 described in Subsection 20A-1-1003(2).

3947 (c) With the assistance of the county clerk and using the procedures described in
3948 Subsection 20A-1-1003(3), the municipal clerk shall determine whether to remove an
3949 individual's signature from a petition after receiving a timely, valid statement
3950 requesting removal of the signature.

3951 Section 64. Section **20A-9-403** is amended to read:

3952 **20A-9-403 (Effective 05/06/26). Regular primary elections.**

3953 (1)(a) Candidates for elective office that are to be filled at the next regular general
3954 election shall be nominated in a regular primary election by direct vote of the people
3955 in the manner prescribed in this section. The regular primary election is held on the
3956 date specified in Section 20A-1-201.5. Nothing in this section shall affect a
3957 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
3958 candidate under Section 20A-9-501 or to participate in a regular general election as a
3959 write-in candidate under Section 20A-9-601.

3960 (b) Each registered political party that chooses to have the names of the registered
3961 political party's candidates for elective office featured with party affiliation on the
3962 ballot at a regular general election shall comply with the requirements of this section
3963 and shall nominate the registered political party's candidates for elective office in the
3964 manner described in this section.

3965 (c) A filing officer may not permit an official ballot at a regular general election to be
3966 produced or used if the ballot denotes affiliation between a registered political party
3967 or any other political group and a candidate for elective office who is not nominated
3968 in the manner prescribed in this section or in Subsection 20A-9-202(4).

- 3969 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
3970 even-numbered year in which a regular general election will be held.
- 3971 (2)(a) Each registered political party, in a statement filed with the lieutenant governor,
3972 shall:
- 3973 (i) either declare the registered political party's intent to participate in the next regular
3974 primary election or declare that the registered political party chooses not to have
3975 the names of the registered political party's candidates for elective office featured
3976 on the ballot at the next regular general election; and
- 3977 (ii) if the registered political party participates in the upcoming regular primary
3978 election, identify one or more registered political parties whose members may
3979 vote for the registered political party's candidates and whether individuals
3980 identified as unaffiliated with a political party may vote for the registered political
3981 party's candidates.
- 3982 (b)(i) A registered political party that is a continuing political party shall file the
3983 statement described in Subsection (2)(a) with the lieutenant governor no later than
3984 5 p.m. on November 30 of each odd-numbered year.
- 3985 (ii) An organization that is seeking to become a registered political party under
3986 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the
3987 time that the registered political party files the petition described in Section
3988 20A-8-103.
- 3989 (3)(a) Except as provided in Subsection [~~(3)(e)~~] (3)(d), an individual who submits a
3990 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for
3991 elective office on the regular primary ballot of the registered political party listed on
3992 the declaration of candidacy only if the individual is certified by the appropriate
3993 filing officer as having submitted a nomination petition that was:
- 3994 (i) circulated and completed in accordance with Section 20A-9-405; and
3995 (ii) signed by at least 2% of the registered political party's members who reside in the
3996 political division of the office that the individual seeks.
- 3997 (b)(i) A candidate for elective office shall, in accordance with Section 20A-9-408.3,
3998 submit signatures for a nomination petition to the appropriate filing officer for
3999 verification and certification no later than 5 p.m. on March 31.
- 4000 (ii) A candidate may supplement the candidate's submissions at any time on or before
4001 the filing deadline.
- 4002 [~~(e)~~(i) The lieutenant governor shall determine for each elective office the total

4003 number of signatures that must be submitted under Subsection (3)(a)(ii) or
 4004 20A-9-408(8) by counting the aggregate number of individuals residing in each
 4005 elective office's political division who have designated a particular registered
 4006 political party on the individuals' voter registration forms on or before November
 4007 15 of each odd-numbered year.]

4008 [(ii) The lieutenant governor shall publish the determination for each elective office
 4009 no later than November 30 of each odd-numbered year.]

4010 [(d)] (c) The filing officer shall:

- 4011 (i) except as otherwise provided in Section 20A-21-201, and in accordance with
 4012 Section 20A-9-408.3, verify signatures on nomination petitions in a transparent
 4013 and orderly manner, no later than 14 calendar days after the day on which a
 4014 candidate submits the signatures to the filing officer;
- 4015 (ii) for all qualifying candidates for elective office who submit nomination petitions
 4016 to the filing officer, issue certifications referenced in Subsection (3)(a) no later
 4017 than the deadline described in Subsection [20A-9-202(1)(b)] 20A-9-201.5(2);
- 4018 (iii) consider active and inactive voters eligible to sign nomination petitions;
- 4019 (iv) consider an individual who signs a nomination petition a member of a registered
 4020 political party for purposes of Subsection (3)(a)(ii) if the individual has designated
 4021 that registered political party as the individual's party membership on the
 4022 individual's voter registration form; and
- 4023 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of
 4024 the county clerk as applicable, use the procedures described in Section 20A-1-1002
 4025 to verify submitted nomination petition signatures, or use statistical sampling
 4026 procedures to verify submitted nomination petition signatures in accordance with
 4027 rules made under Subsection [(3)(f)] (3)(e).

4028 [(e)] (d) Notwithstanding any other provision in this Subsection (3), a candidate for
 4029 lieutenant governor may appear on the regular primary ballot of a registered political
 4030 party without submitting nomination petitions if the candidate files a declaration of
 4031 candidacy and complies with Subsection 20A-9-202(3).

4032 [(f)] (e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 4033 the director of elections, within the Office of the Lieutenant Governor, may make
 4034 rules that:

4035 (i) provide for the use of statistical sampling procedures that:

4036 (A) filing officers are required to use to verify signatures under Subsection [(3)(d)]

4037 (3)(c); and
 4038 (B) reflect a bona fide effort to determine the validity of a candidate's entire
 4039 submission, using widely recognized statistical sampling techniques; and
 4040 (ii) provide for the transparent, orderly, and timely submission, verification, and
 4041 certification of nomination petition signatures.

4042 ~~[(g)]~~ (f) The county clerk shall:

4043 (i) review the declarations of candidacy filed by candidates for local boards of
 4044 education to determine if more than two candidates have filed for the same seat;
 4045 and

4046 (ii) if more than two candidates file for one seat, include the names of the candidates
 4047 on the list described in Section 20A-5a-206.

4048 ~~[(ii) place the names of all candidates who have filed a declaration of candidacy for a~~
 4049 ~~local board of education seat on the nonpartisan section of the ballot if more than~~
 4050 ~~two candidates have filed for the same seat; and]~~

4051 ~~[(iii) place the local board of education candidates' names on the ballot in accordance~~
 4052 ~~with Sections 20A-6-109 and 20A-6-110.]~~

4053 ~~[(4)(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant~~
 4054 ~~governor shall provide to the county clerks:]~~

4055 ~~[(i) a list of the names of all candidates for federal, constitutional, multi-county,~~
 4056 ~~single county, and county offices who have received certifications under~~
 4057 ~~Subsection (3), along with instructions on how those names shall appear on the~~
 4058 ~~primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110;~~
 4059 ~~and]~~

4060 ~~[(ii) a list of unopposed candidates for elective office who have been nominated by a~~
 4061 ~~registered political party under Subsection (5)(c) and instruct the county clerks to~~
 4062 ~~exclude the unopposed candidates from the primary election ballot.]~~

4063 ~~[(b) A candidate for lieutenant governor and a candidate for governor campaigning as~~
 4064 ~~joint-ticket running mates shall appear jointly on the primary election ballot.]~~

4065 ~~[(e) After the county clerk receives the certified list from the lieutenant governor under~~
 4066 ~~Subsection (4)(a), the county clerk shall post or publish a primary election notice in~~
 4067 ~~substantially the following form:~~

4068 ~~"Notice is given that a primary election will be held Tuesday, June _____,~~

4069 ~~_____ (year), to nominate party candidates for the parties and candidates for nonpartisan~~

4070 ~~local school board positions listed on the primary ballot. The polling place for voting precinct~~

4071 _____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
 4072 Attest: county clerk."]

4073 [(5)] (4)(a) A candidate who, at the regular primary election, receives the highest number
 4074 of votes cast for the office sought by the candidate is:

4075 (i) nominated for that office by the candidate's registered political party; or

4076 (ii) for a nonpartisan local school board position, nominated for that office.

4077 (b) If two or more candidates are to be elected to the office at the regular general
 4078 election, those party candidates equal in number to positions to be filled who receive
 4079 the highest number of votes at the regular primary election are the nominees of the
 4080 candidates' party for those positions.

4081 (c)(i) As used in this Subsection [(5)(e)] (4)(c), a candidate is "unopposed" if:

4082 (A) no individual other than the candidate receives a certification under
 4083 Subsection (3) for the regular primary election ballot of the candidate's
 4084 registered political party for a particular elective office; or

4085 (B) for an office where more than one individual is to be elected or nominated, the
 4086 number of candidates who receive certification under Subsection (3) for the
 4087 regular primary election of the candidate's registered political party does not
 4088 exceed the total number of candidates to be elected or nominated for that office.

4089 (ii) A candidate who is unopposed for an elective office in the regular primary
 4090 election of a registered political party is nominated by the party for that office
 4091 without appearing on the primary election ballot.

4092 [(6)] (5) The expense of providing all ballots, blanks, or other supplies to be used at any
 4093 primary election provided for by this section, and all expenses necessarily incurred in
 4094 the preparation for or the conduct of that primary election shall be paid out of the
 4095 treasury of the county or state, in the same manner as for the regular general elections.

4096 [(7)] (6) An individual may not file a declaration of candidacy for a registered political party
 4097 of which the individual is not a member, except to the extent that the registered political
 4098 party permits otherwise under the registered political party's bylaws.

4099 Section 65. Section **20A-9-406** is amended to read:

4100 **20A-9-406 (Effective 05/06/26). Qualified political party -- Requirements and**
 4101 **exemptions.**

4102 The following provisions apply to a qualified political party:

4103 (1) the qualified political party shall, no later than 5 p.m. on the first Monday of October of
 4104 each odd-numbered year, certify to the lieutenant governor the identity of one or more

- 4105 registered political parties whose members may vote for the qualified political party's
4106 candidates and whether unaffiliated voters may vote for the qualified political party's
4107 candidates;
- 4108 (2) the following provisions do not apply to a nomination for the qualified political party:
- 4109 (a) Subsections 20A-9-403(1) through [~~(3)(b) and Subsections (3)(d)(ii) through~~](4)(a);
- 4110 (b) Subsection [~~20A-9-403(5)(e)~~] 20A-9-403(4)(c); and
- 4111 (c) Section 20A-9-405;
- 4112 (3) an individual may only seek the nomination of the qualified political party by using a
4113 method described in Section 20A-9-407, Section 20A-9-408, or both;
- 4114 (4) the qualified political party shall comply with the provisions of Sections 20A-9-407,
4115 20A-9-408, and 20A-9-409;
- 4116 (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(e), or (2)(a), each election officer shall
4117 ensure that a ballot described in Section 20A-6-301 includes each individual nominated
4118 by a qualified political party:
- 4119 (a) under the qualified political party's name, if any; or
- 4120 (b) under the title of the qualified registered political party as designated by the qualified
4121 political party in the certification described in Subsection (1), or, if none is
4122 designated, then under some suitable title;
- 4123 (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for
4124 ballots in regular general elections, that each candidate who is nominated by the
4125 qualified political party is listed by party;
- 4126 (7) notwithstanding Subsection 20A-6-304(1)(e), each election officer shall ensure that the
4127 party designation of each candidate who is nominated by the qualified political party is
4128 displayed adjacent to the candidate's name on a mechanical ballot;
- 4129 (8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also includes an
4130 individual who files a declaration of candidacy under Section 20A-9-407 or 20A-9-408
4131 to run in a regular general election for a federal office, statewide constitutional office,
4132 multicounty office, or county office;
- 4133 (9) an individual who is nominated by, or seeking the nomination of, the qualified political
4134 party is not required to comply with Subsection 20A-9-201(1)(c);
- 4135 (10) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled to
4136 have each of the qualified political party's candidates for elective office appear on the
4137 primary ballot of the qualified political party with an indication that each candidate is a
4138 candidate for the qualified political party;

- 4139 (11)(a) ~~[notwithstanding Subsection 20A-9-403(4)(a),]~~ the lieutenant governor shall
 4140 include on the list provided by the lieutenant governor to the county clerks[;]
 4141 ~~[(a)]~~ under Section 20A-5a-205, the names of all candidates of the qualified political
 4142 party for ~~[federal, constitutional, multicounty, and county offices]~~ the offices
 4143 described in Subsection 20A-5a-205(2)(a); and
 4144 ~~[(b) the names of unopposed candidates for elective office who have been nominated by~~
 4145 ~~the qualified political party and instruct the county clerks to exclude such candidates~~
 4146 ~~from the primary election ballot;]~~
 4147 (b) a county clerk shall include on the list provided by the county clerk under Section
 4148 20A-5a-206, the names of all candidates of the qualified political party for the offices
 4149 described in Subsection 20A-5a-206(2);
- 4150 (12) a county clerk shall:
- 4151 (a) except as provided in Subsection (12)(b), include on the regular primary election
 4152 ballot the candidates of a qualified political party that have qualified for placement on
 4153 the ballot; and
- 4154 (b) exclude from the regular primary election ballot the candidates who are unopposed
 4155 candidates;
- 4156 ~~[(12)]~~ (13) notwithstanding Subsection ~~[20A-9-403(5)(e)]~~ 20A-9-403(4)(c), a candidate who
 4157 is unopposed for an elective office in the regular primary election of the qualified
 4158 political party is nominated by the party for that office without appearing on the primary
 4159 ballot; and
- 4160 ~~[(13)]~~ (14) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section
 4161 20A-9-405, the qualified political party is entitled to have the names of its candidates for
 4162 elective office featured with party affiliation on the ballot at a regular general election.
 4163 Section 66. Section **20A-9-407** is amended to read:
 4164 **20A-9-407 (Effective 05/06/26). Convention process to seek the nomination of a**
 4165 **qualified political party.**
- 4166 (1) This section describes the requirements for a member of a qualified political party who
 4167 is seeking the nomination of a qualified political party for an elective office through the
 4168 qualified political party's convention process.
- 4169 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
 4170 for a member of a qualified political party who is nominated by, or who is seeking the
 4171 nomination of, the qualified political party under this section shall be substantially as
 4172 described in Section 20A-9-408.5.

- 4173 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
4174 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
4175 the nomination of the qualified political party for an elective office that is to be filled at
4176 the next general election, shall:
- 4177 (a) except as provided in Subsection [~~20A-9-202(1)(e)~~] 20A-9-202(1)(b), file a
4178 declaration of candidacy in person with the filing officer during the applicable
4179 declaration of candidacy filing period described in Section 20A-9-201.5; and
4180 (b) pay the filing fee.
- 4181 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
4182 who, under this section, is seeking the nomination of the qualified political party for the
4183 office of district attorney within a multicounty prosecution district that is to be filled at
4184 the next general election, shall:
- 4185 (a) file a declaration of candidacy with the county clerk designated in the interlocal
4186 agreement creating the prosecution district during the applicable declaration of
4187 candidacy filing period described in Section 20A-9-201.5; and
4188 (b) pay the filing fee.
- 4189 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
4190 files as the joint-ticket running mate of an individual who is nominated by a qualified
4191 political party, under this section, for the office of governor shall, during the applicable
4192 declaration of candidacy filing period described in Section 20A-9-201.5, file a
4193 declaration of candidacy and submit a letter from the candidate for governor that names
4194 the lieutenant governor candidate as a joint-ticket running mate.
- 4195 (6)(a) A qualified political party that nominates a candidate under this section shall
4196 certify the name of the candidate to the lieutenant governor before the deadline
4197 described in Subsection 20A-9-202(1)(b).
- 4198 (b) The lieutenant governor and a county clerk shall include, in the primary ballot
4199 certification or, for a race where a primary is not held because the candidate is
4200 unopposed, in the [~~general election ballot certification~~] list of names described in
4201 Sections 20A-5a-209 and 20A-5a-210, the name of each candidate nominated by a
4202 qualified political party under this section.
- 4203 (7) Notwithstanding Subsection [~~20A-9-701(2)~~] 20A-5a-209(3), the ballot shall, for each
4204 candidate who is nominated by a qualified political party under this section, designate
4205 the qualified political party that nominated the candidate.
- 4206 Section 67. Section **20A-9-408** is amended to read:

4207 **20A-9-408 (Effective 05/06/26). Signature-gathering process to seek the**
4208 **nomination of a qualified political party -- Removal of signature.**

- 4209 (1) This section describes the requirements for a member of a qualified political party who
4210 is seeking the nomination of the qualified political party for an elective office through
4211 the signature-gathering process described in this section.
- 4212 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
4213 for a member of a qualified political party who is nominated by, or who is seeking the
4214 nomination of, the qualified political party under this section shall be substantially as
4215 described in Section 20A-9-408.5.
- 4216 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
4217 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
4218 the nomination of the qualified political party for an elective office that is to be filled at
4219 the next general election shall:
- 4220 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
4221 declaration of candidacy filing period described in Section 20A-9-201.5, and before
4222 gathering signatures under this section, file with the filing officer on a form approved
4223 by the lieutenant governor a notice of intent to gather signatures for candidacy that
4224 includes:
- 4225 (i) the name of the member who will attempt to become a candidate for a registered
4226 political party under this section;
- 4227 (ii) the name of the registered political party for which the member is seeking
4228 nomination;
- 4229 (iii) the office for which the member is seeking to become a candidate;
- 4230 (iv) the address and telephone number of the member; and
- 4231 (v) other information required by the lieutenant governor;
- 4232 (b) except as provided in Subsection [~~20A-9-202(1)(e)~~] 20A-9-202(1)(b), file a
4233 declaration of candidacy, in person, with the filing officer during the applicable
4234 declaration of candidacy filing period described in Section 20A-9-201.5; and
- 4235 (c) pay the filing fee.
- 4236 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
4237 who, under this section, is seeking the nomination of the qualified political party for the
4238 office of district attorney within a multicounty prosecution district that is to be filled at
4239 the next general election shall:
- 4240 (a) during the applicable declaration of candidacy filing period described in Section

- 4241 20A-9-201.5, and before gathering signatures under this section, file with the filing
4242 officer on a form approved by the lieutenant governor a notice of intent to gather
4243 signatures for candidacy that includes:
- 4244 (i) the name of the member who will attempt to become a candidate for a registered
4245 political party under this section;
 - 4246 (ii) the name of the registered political party for which the member is seeking
4247 nomination;
 - 4248 (iii) the office for which the member is seeking to become a candidate;
 - 4249 (iv) the address and telephone number of the member; and
 - 4250 (v) other information required by the lieutenant governor;
- 4251 (b) except as provided in Subsection ~~[20A-9-202(1)(e)]~~ 20A-9-202(1)(b), file a
4252 declaration of candidacy, in person, with the filing officer during the applicable
4253 declaration of candidacy filing period described in Section 20A-9-201.5; and
4254 (c) pay the filing fee.
- 4255 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
4256 files as the joint-ticket running mate of an individual who is nominated by a qualified
4257 political party, under this section, for the office of governor shall, during the applicable
4258 declaration of candidacy filing period described in Section 20A-9-201.5, file a
4259 declaration of candidacy and submit a letter from the candidate for governor that names
4260 the lieutenant governor candidate as a joint-ticket running mate.
- 4261 (6)(a) The lieutenant governor shall ensure that the ~~[certification described in Subsection~~
4262 ~~20A-9-701(1)]~~ information that the lieutenant governor sends to a county clerk under
4263 Section 20A-5a-209 also includes the name of each candidate nominated by a
4264 qualified political party under this section.
- 4265 (b) A county clerk shall ensure that the information published by the county clerk under
4266 Section 20A-5a-210 also includes the name of each candidate nominated by a
4267 qualified political party under this section.
- 4268 (7) Notwithstanding Subsection ~~[20A-9-701(2)]~~ 20A-5a-209(3), the ballot shall, for each
4269 candidate who is nominated by a qualified political party under this section, designate
4270 the qualified political party that nominated the candidate.
- 4271 (8) A member of a qualified political party may seek the nomination of the qualified
4272 political party for an elective office by:
- 4273 (a) complying with the requirements described in this section; and
 - 4274 (b) collecting signatures, on a form approved by the lieutenant governor that complies

- 4275 with Subsection 20A-9-405(3), during the period beginning on the day on which the
4276 member files a notice of intent to gather signatures and ending at the applicable
4277 deadline described in Subsection (12), in the following amounts:
- 4278 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
4279 permitted by the qualified political party to vote for the qualified political party's
4280 candidates in a primary election;
 - 4281 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000
4282 signatures of registered voters who are residents of the congressional district and
4283 are permitted by the qualified political party to vote for the qualified political
4284 party's candidates in a primary election;
 - 4285 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
4286 residents of the state Senate district and are permitted by the qualified political
4287 party to vote for the qualified political party's candidates in a primary election;
 - 4288 (iv) for a state House district race, 1,000 signatures of registered voters who are
4289 residents of the state House district and are permitted by the qualified political
4290 party to vote for the qualified political party's candidates in a primary election;
 - 4291 (v) for a State Board of Education race, the lesser of:
 - 4292 (A) 2,000 signatures of registered voters who are residents of the State Board of
4293 Education district and are permitted by the qualified political party to vote for
4294 the qualified political party's candidates in a primary election; or
 - 4295 (B) 3% of the registered voters of the qualified political party who are residents of
4296 the applicable State Board of Education district; and
 - 4297 (vi) for a county office race, signatures of 3% of the registered voters who are
4298 residents of the area permitted to vote for the county office and are permitted by
4299 the qualified political party to vote for the qualified political party's candidates in
4300 a primary election.
- 4301 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 4302 (b) In order for a member of the qualified political party to qualify as a candidate for the
4303 qualified political party's nomination for an elective office under this section, using
4304 the manual candidate qualification process, the member shall:
 - 4305 (i) collect the signatures on a form approved by the lieutenant governor, using the
4306 same circulation and verification requirements described in Sections 20A-7-105
4307 and 20A-7-204; and
 - 4308 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election

- 4309 officer before the applicable deadline described in Subsection (12).
- 4310 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in
4311 accordance with Section 20A-9-408.3, the election officer shall, no later than the
4312 earlier of 14 calendar days after the day on which the election officer receives the
4313 signatures, or one day before the day on which the qualified political party holds the
4314 convention to select a nominee for the elective office to which the signature packets
4315 relate:
- 4316 (i) check the name of each individual who completes the verification for a signature
4317 packet to determine whether each individual is at least 18 years old;
- 4318 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at
4319 least 18 years old to the attorney general and the county attorney;
- 4320 (iii) with the assistance of the county clerk as applicable, determine whether each
4321 signer is a registered voter who is qualified to sign the petition, using the same
4322 method, described in Section 20A-1-1002, used to verify a signature on a petition;
4323 and
- 4324 (iv) certify whether each name is that of a registered voter who is qualified to sign the
4325 signature packet.
- 4326 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)
4327 may have the voter's signature removed from the form by, no later than 5 p.m.
4328 three business days after the day on which the member submits the signature form
4329 to the election officer, submitting to the election officer a statement requesting
4330 that the voter's signature be removed.
- 4331 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
4332 described in Subsection 20A-1-1003(2).
- 4333 (iii) With the assistance of the county clerk as applicable, the election officer shall
4334 use the procedures described in Subsection 20A-1-1003(3) to determine whether
4335 to remove an individual's signature after receiving a timely, valid statement
4336 requesting removal of the signature.
- 4337 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules
4338 made under Section 20A-3a-106, conduct regular audits of signature comparisons
4339 made between signatures gathered under this section and voter signatures
4340 maintained by the election officer.
- 4341 (ii) An individual who conducts an audit of signature comparisons under this section
4342 may not audit the individual's own work.

- 4343 (iii) The election officer shall:
- 4344 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to
- 4345 determine the accuracy of the comparisons made;
- 4346 (B) record the individuals who conducted the audit;
- 4347 (C) record the audit results;
- 4348 (D) provide additional training or staff reassignments, as needed, based on the
- 4349 results of an audit described in Subsection (9)(e)(i); and
- 4350 (E) record any remedial action taken.
- 4351 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 4352 (f) An election officer who certifies signatures under Subsection (9)(c) or [
- 4353 ~~20A-9-403(3)(d)~~ 20A-9-403(3)(c) shall, after certifying enough signatures to
- 4354 establish that a candidate has reached the applicable signature threshold described in
- 4355 Subsection (8) or 20A-9-403(3)(a), as applicable, continue to certify signatures
- 4356 submitted for the candidate in excess of the number of signatures required, until the
- 4357 election officer either:
- 4358 (i) certifies signatures equal to 110% of the applicable signature threshold; or
- 4359 (ii) has reviewed all signatures submitted for the candidate before reaching an
- 4360 amount equal to 110% of the applicable signature threshold.
- 4361 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
- 4362 process.
- 4363 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 4364 qualified political party's nomination for an elective office under this section, the
- 4365 member shall, before the deadline described in Subsection (12), collect signatures
- 4366 electronically:
- 4367 (i) in accordance with Section 20A-21-201; and
- 4368 (ii) using progressive screens, in a format approved by the lieutenant governor, that
- 4369 complies with Subsection 20A-9-405(4).
- 4370 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
- 4371 election officer shall, no later than the earlier of 14 calendar days after the day on
- 4372 which the election officer receives the signatures, or one day before the day on which
- 4373 the qualified political party holds the convention to select a nominee for the elective
- 4374 office to which the signature packets relate:
- 4375 (i) check the name of each individual who completes the verification for a signature
- 4376 to determine whether each individual is at least 18 years old; and

- 4377 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
4378 at least 18 years old to the attorney general and the county attorney.
- 4379 (11)(a) An individual may not gather signatures under this section until after the
4380 individual files a notice of intent to gather signatures for candidacy described in this
4381 section.
- 4382 (b) An individual who files a notice of intent to gather signatures for candidacy,
4383 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
4384 individual files the notice of intent to gather signatures for candidacy:
- 4385 (i) required to comply with the reporting requirements that a candidate for office is
4386 required to comply with; and
- 4387 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
4388 apply to a candidate for office in relation to the reporting requirements described
4389 in Subsection (11)(b)(i).
- 4390 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
4391 Subsections (8) and (10)(b), the election officer shall, no later than the day before the
4392 day on which the qualified political party holds the convention to select a nominee
4393 for the elective office to which the signature packets relate, notify the qualified
4394 political party and the lieutenant governor of the name of each member of the
4395 qualified political party who qualifies as a nominee of the qualified political party,
4396 under this section, for the elective office to which the convention relates.
- 4397 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
4398 section, the lieutenant governor shall post the notice of intent to gather signatures for
4399 candidacy on the lieutenant governor's website in the same location that the
4400 lieutenant governor posts a declaration of candidacy.
- 4401 (12) The deadline before which a member of a qualified political party must collect and
4402 submit signatures to the election officer under this section is 5 p.m. on the last business
4403 day that is at least 14 calendar days before the day on which the qualified political
4404 party's convention for the office begins.
- 4405 (13) For the 2026 election year only, an individual who desires to gather signatures to seek
4406 the nomination of a qualified political party for the office of United States representative
4407 shall:
- 4408 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures
4409 during the period beginning at 8 a.m. on the first business day of January and ending
4410 at 5 p.m. on March 13, 2026; and

4411 (b) during the period beginning on the day on which the individual files the notice of
 4412 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
 4413 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
 4414 collect 7,000 signatures of registered voters who are residents of the state and are
 4415 permitted by the qualified political party to vote for the qualified political party's
 4416 candidates in a primary election.

4417 Section 68. Section **20A-9-409** is amended to read:

4418 **20A-9-409 (Effective 05/06/26). Primary election provisions relating to qualified**
 4419 **political party.**

4420 (1) The regular primary election is held on the date specified in Section 20A-1-201.5.

4421 (2)(a) A qualified political party that nominates only one [~~or more candidates~~] candidate
 4422 for an elective office under Section 20A-9-407 and does not have a candidate qualify
 4423 as a candidate for that office under Section 20A-9-408[~~, may, but is not required to,~~] :

4424 (i) may not participate in the primary election for that office[-] ; and

4425 (ii) will appear as a candidate for that office on the regular general election ballot.

4426 (b) A qualified political party that has only one candidate qualify as a candidate for an
 4427 elective office under Section 20A-9-408 and does not nominate a candidate for that
 4428 office under Section 20A-9-407[~~, may, but is not required to,~~] :

4429 (i) may not participate in the primary election for that office[-] ; and

4430 (ii) will appear as a candidate for that office on the regular general election ballot.

4431 (c) A qualified political party that nominates one or more candidates for an elective
 4432 office under Section 20A-9-407 and has one or more candidates qualify as a
 4433 candidate for that office under Section 20A-9-408 shall participate in the primary
 4434 election for that office.

4435 (d) A qualified political party that has two or more candidates qualify as candidates for
 4436 an elective office under Section 20A-9-408, and does not nominate a candidate for
 4437 that office under Section 20A-9-407, shall participate in the primary election for that
 4438 office.

4439 (e) A qualified political party that nominates two candidates for an elective office under
 4440 Section 20A-9-407, and does not have a candidate qualify as a candidate for elective
 4441 office under Section 20A-9-408, shall participate in the primary election for that
 4442 office.

4443 (3) Notwithstanding Subsection (2), in an opt-in county, as defined in Section 17-62-201 or
 4444 17-62-202, a qualified political party shall participate in the primary election for a

4445 county commission office if:

4446 (a) there is more than one:

4447 (i) open position as defined in Section 17-62-201; or

4448 (ii) midterm vacancy as defined in Section 17-62-201; and

4449 (b) the number of candidates nominated under Section 20A-9-407 or qualified under
4450 Section 20A-9-408 for the respective open positions or midterm vacancies exceeds
4451 the number of respective open positions or midterm vacancies.

4452 [~~(4)(a) As used in this Subsection (4), a candidate is "unopposed" if:~~]

4453 [~~(i) no individual other than the candidate receives a certification, from the
4454 appropriate filing officer, for the regular primary election ballot of the candidate's
4455 registered political party for a particular elective office; or]~~

4456 [~~(ii) for an office where more than one individual is to be elected or nominated, the
4457 number of candidates who receive certification, from the appropriate filing officer,
4458 for the regular primary election of the candidate's registered political party does
4459 not exceed the total number of candidates to be elected or nominated for that
4460 office.]~~

4461 [~~(b) Before the deadline described in Subsection (4)(c), the lieutenant governor shall:]~~

4462 [~~(i) provide to the county clerks:]~~

4463 [~~(A) a list of the names of all candidates for federal, constitutional, multi-county,
4464 single county, and county offices who have received certifications from the
4465 appropriate filing officer, along with instructions on how those names shall
4466 appear on the primary election ballot in accordance with Sections 20A-6-109
4467 and 20A-6-110; and]~~

4468 [~~(B) a list of unopposed candidates for elective office who have been nominated
4469 by a registered political party; and]~~

4470 [~~(ii) instruct the county clerks to exclude unopposed candidates from the primary
4471 election ballot.]~~

4472 [~~(e) The deadline described in Subsection (4)(b) is 5 p.m. on the first Wednesday after
4473 the fourth Saturday in April.]~~

4474 Section 69. Section **20A-14-103** is amended to read:

4475 **20A-14-103 (Effective 05/06/26). State Board of Education members -- Term --**
4476 **Requirements.**

4477 (1) Unless otherwise provided by law and except as provided in Subsection (2):

4478 (a) voters in the following districts, as designated in the Senate block equivalency file,

- 4479 shall elect a State Board of Education member for a term of four years:
- 4480 (i) at the 2022 General Election, State Board of Education Districts 1, 2, 4, 5, 8, 11,
4481 and 14; and
- 4482 (ii) at the 2024 General Election, State Board of Education Districts 3, 6, 7, 9, 10, 12,
4483 13, and 15; and
- 4484 (b) a State Board of Education member representing a district described in Subsection
4485 (1)(a)(ii) on November 16, 2021, shall represent the realigned district, if the State
4486 Board of Education member resides in the realigned district, for a term of office that
4487 ends January 6, 2025.
- 4488 (2)(a) As used in this Subsection (2), "District 6" means District 6 as designated in the
4489 Senate block equivalency file.
- 4490 (b) If one of the incumbent State Board of Education members from District 6 files
4491 written notice with the lieutenant governor by close of business on January 3, 2022,
4492 that the member will not seek election to the State Board of Education from District 6:
- 4493 (i) the filing incumbent member may serve until January 2, 2023, in representation of
4494 the district to which the member was elected at the 2020 General Election; and
- 4495 (ii) the other incumbent member from District 6 shall serve out the term for which the
4496 member was elected, in representation of District 6, which is until January 6, 2025.
- 4497 (c) If neither or both incumbent State Board of Education members in District 6 file the
4498 written notice described in Subsection (2)(b):
- 4499 (i) the incumbent members may serve until January 2, 2023, in representation of the
4500 district to which the members were elected at the 2020 General Election;
- 4501 (ii) the lieutenant governor shall designate District 6 as an office to be filled in the
4502 2022 General Election in the notice [~~of election required by Section 20A-5-101~~] of
4503 offices to be filled for that election;
- 4504 (iii) the State Board of Education member elected from District 6 at the 2022 General
4505 Election shall be elected to serve a term of office of two years; and
- 4506 (iv) the State Board of Education member elected from District 6 at the 2024 General
4507 Election shall be elected to serve a term of office of four years.
- 4508 (3)(a) A person seeking election to the State Board of Education shall have been a
4509 resident of the State Board of Education district in which the person is seeking
4510 election for at least one year as of the date of the election.
- 4511 (b) A person who has resided within the State Board of Education district, as the
4512 boundaries of the district exist on the date of the election, for one year immediately

4513 preceding the date of the election shall be considered to have met the requirements of
4514 this Subsection (3).

4515 (4) A State Board of Education member shall:

4516 (a) be and remain a registered voter in the State Board of Education district from which
4517 the member was elected or appointed; and

4518 (b) maintain the member's primary residence within the State Board of Education district
4519 from which the member was elected or appointed during the member's term of office.

4520 (5) A State Board of Education member may not, during the member's term of office, also
4521 serve as an employee of the State Board of Education.

4522 Section 70. Section **67-1a-7** is amended to read:

4523 **67-1a-7 (Effective 05/06/26). Use and custody of The Great Seal of the State of**
4524 **Utah -- Penalty for misuse or defacing -- Rulemaking authority.**

4525 (1) As used in this section, "seal" means the Great Seal of the State of Utah, established in
4526 Utah Constitution, Article VII, Section 20.

4527 (2) In accordance with Utah Constitution, Article VII, Section 20, the Legislature
4528 designates the lieutenant governor as the officer responsible to keep the seal.

4529 (3) [~~Except as otherwise provided by~~] In accordance with the requirements of law, the
4530 lieutenant governor, or the lieutenant governor's designee, is authorized to use or affix
4531 the [Great Seal of this state] seal to any document[~~-whatever and only in pursuance of~~
4532 law, and is responsible for its safekeeping. Any] .

4533 (4) A person who illegally uses the [Great Seal of this state, or such seal when defaced] seal,
4534 or who defaces the seal, is guilty of a third degree felony.

4535 (5) The director of elections, within the Office of the Lieutenant Governor, may make rules,
4536 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

4537 (a) regulate the use and application of the seal;

4538 (b) establish permitted and prohibited uses of the seal; and

4539 (c) establish requirements for obtaining authorization to use the seal or a replica of the
4540 seal.

4541 Section 71. **Repealer.**

4542 This bill repeals:

4543 Section **17B-1-305, Notice of offices to be filled.**

4544 Section **20A-5-409, Certification of candidates to county clerks.**

4545 Section 72. **Effective Date.**

4546 (1) Except as provided in Subsection (2), this bill takes effect May 6, 2026.

- 4547 (2)(a) The actions affecting sections described in Subsection (2)(b) take effect:
4548 (i) except as provided in Subsection (2)(a)(ii), May 6, 2026; or
4549 (ii) if approved by two-thirds of all members elected to each house:
4550 (A) upon approval by the governor;
4551 (B) without the governor's signature, the day following the constitutional time
4552 limit of Utah Constitution, Article VII, Section 8; or
4553 (C) in the case of a veto, the date of veto override.
4554 (b) Subsection (2)(a) applies to the actions affecting the following sections:
4555 (i) Section 20A-5a-205 (**Effective upon governor's approval**); and
4556 (ii) Section 20A-5a-206 (**Effective upon governor's approval**).