

LC0143 – Election Law Revision

Comparison of Candidate, Ballot, Cancellation, Acclamation, and Canvass Deadlines

for the State Administration and Veterans’ Affairs Interim Committee

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Activity	Current Law Deadline	Deadline Proposed in LC0143	Key Statutes
Candidate filing	145 days to 85 days – even-year 135 to 75 days – odd-year 40 days – school district	145 days to 85 days - ALL	13-10-211 – partisan primary 13-14-112 – nonpartisan primary 20-3-305 – school districts Sec. 2 - special purpose districts Sec. 7 - local governments
Withdrawal	85 days – general odd or even year 85 days – primary even year 75 days – primary odd-year 38 days – school district Special purpose district election statutes vary, some generally reference Title 13 or “general election laws of the state”, some may provide a specific provision.	Filing deadline (primary or general): - 85 days - federal - 85 days - state - 85 days – local Day before ballot certification: - 31 days - school district - 31 days - special purpose - 31 days – other local	13-10-325 – statewide and local primary 20-3-305 – school district Sec. 2 – special purpose district Sec. 7 – local government
Write-in declaration	10 days before absentee ballot must be available, therefore: - 55 days – federal - 40 days – state, *county - 30 days – *municipal (*except if election is by mail) 26 days – school district 26 days – if election by mail It depends - special purpose district	10 th day before absentee ballots must be available, therefore: - 55 days – federal - 40 days – statewide - 40 days – local primary Day before ballot certification, therefore: - 31 days – school district - 31 days – special purpose district - 31 days – other local	13-10-211 – statewide 20-3-305 – school district Sec. 2 – special purpose district Sec. 7 – local government

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Ballot certification	75 days - federal general 85 to 75 days – state primary 67 to 62 days – local government 25 days – school district	75 days – statewide (10 days after close of filing) 75 days – local government (10 days after close of filing) 30 days – school district 30 days – special purpose district	13-10-208 – statewide 13-12-201 – federal general 20-20-401 – school district Sec. 3 – special purpose district Sec. 8 – local government
Cancellation of election	Regular candidate filing deadline because not specified in statute: - 85 days - partisan primary, even year - 75 days - partisan primary, odd year	Regular candidate filing deadline (in effect because not specified in state): - 75 days – federal and statewide or local partisan primary in even-numbered years - 75 days – statewide and local nonpartisan primary - 75 days – other local government - 30 days – special purpose district - 30 days – school district	13-10-209 - statewide and local partisan primary in even-numbered years 13-14-115 – statewide and local nonpartisan primary Sec. 7 – other local government Sec. 2 – special purpose district 20-3-313 – school district

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Absentee ballots for polling place election	<p>45 days – for uniformed and overseas electors - federal election any election held in conjunction with with federal election</p> <p>30 days – non-uniformed and non-overseas electors for a federal election any election held in conjunction with a federal election</p> <p>30 days – even-year federal officers, state, multicounty district, legislative, district court judge, county officers when terms will expire or when an office must be filled for an unexpired term</p> <p>20 days – odd-year municipal, political subdivision wholly within one county and not required to hold annual elections, and any other officers specified by law whewn the terms will expire or an office must be filled for an unexpired term</p>	<p>45 days – uniformed and overseas electors - federal election any election held in conjunction with with federal election</p> <p>30 days – state and local (*includes municipal, which is a change), except as above for uniformed and overseas electors</p> <p>20 days – special purpose district 20 days – school district</p>	<p>13-13-205 – federal, statewide, local, special purpose district, and school district (references to 13-1-107 for primaries, which references 13-1-104 for general)</p> <p>Sec. 8 – local government</p> <p>Sec. 3 – special purpose districts 20-20-401 – school districts</p>
Mailing ballots for election by mail	25 to 15 days	20 to 15 days	13-19-207 – any election conducted by mail

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Election Day	<p><u>Primary</u> June – federal and statewide primary – even years (except municipalities)</p> <p>September – statewide primary - odd years</p> <p>September – municipalities odd or even years if municipal general is held in November</p> <p><u>General</u> May – political subdivisions required to hold annual elections, but option for municipalities</p> <p>September – option for municipalities required to hold annual elections</p> <p>November – federal and state in even years, statewide in even or odd years</p> <p><u>School elections</u> May – trustee election Anytime – special levy election</p> <p><u>Special election (not school levy)</u> It depends - some <i>must</i> be held in conjunction with primary or general or school election, some <i>may</i> be</p> <p><u>Special purpose district election</u> It depends - some <i>must</i> be held in conjunction with primary or general or school election, some <i>may</i> be</p>	<p>Same dates, except for special purpose district elections, which would have to be held on regular school election day (May)</p> <p>Definitions and statutory language concerning day of primary and general elections are clarified</p> <p>Special election would be defined as an election held on a day other than the day of a primary, general, or regular school election</p> <p>The term “mail ballot election” would no longer be used as a type of election, but would refer how an authorized type of election (such as a special purpose district or school district election) is to be conducted</p>	<p>13-1-101 - definitions 13-1-107 – primary dates 13-1-104 – general election dates</p> <p>13-19-104 – which elections may or may not be conducted by mail</p> <p>20-1-101 – definitions for school elections</p> <p>20-20-105 – school election dates</p>

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Official canvass	Within 14 days – county Within 27 days – state Unspecified: <ul style="list-style-type: none"> - municipal - special purpose district - school district (certificate of election within 15 days of election) 	Within 14 days after election <ul style="list-style-type: none"> - local government - special purpose district - school district Within 27 days after election <ul style="list-style-type: none"> - state 	13-15-401 – county 13-15-502 – state 20-20-415 – school district (see also 20-20-416) Sec. 5 – special purpose districts Sec. 10 – local government (municipal and county)