

# Q & A: Voter Participation Agreement

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*Joint Legislative / Count My Vote Press Conference  
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## **What does Second Substitute Senate Bill 54 do?**

Senate Bill 54 (SB 54), as substituted, modernizes Utah's election system to maximize voter participation. It continues Utah's caucus-convention system *and* institutes a direct primary. This dual system provides the benefits of both systems to the Utah electorate. SB 54 also provides an opportunity for more primary elections open to non-affiliated voters and for absentee or alternate delegate balloting at political conventions.

## **When does it take effect?**

SB 54 would take effect January 1, 2015. This means the new system would be implemented in time for the November 2016 primary and general elections.

## **How does it improve voter participation?**

SB 54 creates a more open and inclusive election system by opening primary elections to the approximately 665,000 unaffiliated voters, allowing absentee balloting at conventions, and expanding the pathway to the primary ballot. Utah voters will benefit from more choice and public engagement.

## **How does SB 54 change the present caucus convention system?**

So long as a political party becomes a Qualified Party, SB 54 does not change the present caucus-convention system. Instead, it provides an additional direct primary path to the primary ballot whereby a candidate can participate in either or both systems. Thus, candidates will have access to a primary ballot by gathering enough signatures and through the present caucus-convention system.

## **How many other states also use a dual-system to gain access to the primary election ballot?**

Six other states have a dual system, although they are used in different ways. Colorado, Connecticut and New Mexico have a dual system similar to what SB 54 will enact. North Dakota utilizes a convention to endorse candidates and other candidates can still proceed to the primary via a petition. South Dakota utilizes a convention to select candidates for the general election for

all state offices except governor, U.S. Senate and U.S. House. In Virginia parties can choose whether to use a primary or convention.

**What are the signature thresholds for gaining access to the primary ballot?**

SB 54 will require the following number of signatures from either registered or unaffiliated voters:

<b>Office</b>	<b># of Signatures</b>
Statewide (governor, US Senate, treasurer, auditor, attorney general)	28,000
Congressional districts	7,000
State Senate	2,000
State House of Representatives	1,000
All other	3% of registered voters in the respective jurisdiction

These thresholds are both reasonable and serious. Committed candidates will be able to be on the ballot without undue burden.

**How will SB 54 impact the average Utah voter?**

Registered voters will have expanded choice and convenience. They have more of an opportunity to participate in the primary election of their choice. The primary ballot will likely have more candidates represented because more individuals will have greater access to the ballot. If a voter becomes a delegate, there will be a system in place for absentee or alternate balloting at the convention.

**How will SB 54 impact candidates?**

Candidates for elected office will have greater flexibility in accessing the primary ballot. They will be able to access the primary ballot through the caucus-convention system, a signature-gathering process, or both.

**Could SB 54 be repealed or altered by future Legislatures?**

Yes, a future legislative body can change any statute whether enacted by a legislative body or voter initiative. However, SB 54 is being enacted with the intention that it is an important

modernization of Utah's election laws and both Count My Vote and the sponsor of SB 54 are committed to resist any attempt to repeal the law by future Legislatures.

**Is SB 54 vulnerable to legal challenge?**

Utah and other states are plainly permitted to set a specific format for elections. SB 54 deals only with the State of Utah's responsibility to organize and conduct elections. That said, any legislation is subject to legal challenge by any party that has been impacted by it. Accordingly, out of an abundance of caution to assure that the bill has the best chance of withstanding legal challenges, the sponsors, with the concurrence of Count My Vote, have drafted the bill in such a way to withstand legal action. The Supreme Court of the United States has been clear in articulating the right of states to pass rules regarding elections.

**Will Count My Vote continue?**

Yes, Count My Vote will continue to lead other activities that improve voter participation. Count My Vote will, however, suspend signature gathering and the initiative petition once SB 54 is passed and signed by the governor. Legislative leaders have committed to expedite this passage in light of current signature gathering efforts.