



# **CANDIDACY GUIDE**

Harrisville City  
Municipal Elections  
2023





HARRISVILLE CITY  
OFFICE OF THE CITY RECORDER

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Dear Candidate:

Congratulations on your decision to run for elected office in our fine community.

We hope you enjoy your campaign and find it a positive experience. The information contained within this packet is designed to present basic information about Harrisville City government and the election process. In particular, closely review the information on ethics and financial disclosure provided by the Lieutenant Governor's office.

A candidate information meeting will be held on Wednesday, June 14<sup>th</sup>, at 6:00p.m. in the Weber Center, 2380 Washington Blvd, Ogden.

If you have specific questions, please feel free to contact me at your convenience.

Sincerely,

Jack Fogal  
City Recorder  
801.782.4100 ext. 1027





## OFFICES TO BE VOTED ON IN THE 2023 ELECTION

Harrisville City's 2023 Election has the following seats available;

- Three (3) City Council positions – 4-year terms beginning January 2024 and ending December 2027

## PERSONAL COMMITMENT

To perform effectively as a Council member, you will need to budget your time wisely. You will be responsible for three very important roles:

- (1) your public position;
- (2) your spouse and family; and
- (3) your profession.

You already know how much time is needed for your family and profession. However, few people realize how many hours are needed to conduct the official business of the City. A few hours per week may be a good estimate for the time Council members give to their Council responsibilities. In addition to the regularly scheduled Council meetings, informal meetings, work sessions, and training are required. Council members also have responsibilities for various organizations, activities, and projects in the City.

## ELECTED OFFICIAL COMPENSATION

The Elected Official compensation for Fiscal Year 2023-2024 is as follows:

- Council member      \$126.00 per month

In addition to the base salary, each elected official is reimbursed for the expenses incurred while carrying out specific Council related responsibilities.

## OATH OF OFFICE

Once elected, Council members are required to take the following oath of office during the Oath of Office Ceremony. For this election the Oath of Office ceremony will be held on Tuesday, January 9, 2024, at our regularly scheduled City Council meeting. The oath states:

*"I do solemnly swear that I will support, obey, and defend the Constitution of the United States, the Constitution of the State of Utah, and that I will discharge the duties of my office with fidelity."*

## ELECTION DAY AND VOTE CENTERS

The General Election will be held November 7, 2023 and will be held vote-by-mail with ballots mailed out to all registered voters no sooner than 21 days and no later than 7 days before the election. Ballots may be dropped off at any ballot drop box located at all City Office buildings throughout Weber County. A Primary Election will be held August 15, 2023, if needed.



ALL precincts may vote in person at the Weber Center, 2380 Washington Blvd., Ogden. Polls must be opened at 7am and remain open continuously until 8pm of the same day. Poll workers must allow every voter who arrives at the polls by 8pm to vote.

## CAMPAIGN LITERATURE

Please be aware that campaign literature placed anywhere on or inside residential mailboxes is a violation of federal postal standards. Anything placed in the mailbox must have proper postage attached and have been through the postal system. Any material found in or on the mailboxes will be removed by the postal carrier and, at the discretion of the postmaster, the offender may be charged with violation of federal postal standards. You are also encouraged to warn your campaign workers against the use of mailboxes for campaign literature. Feel free to check with the postmaster on any postal questions you have, including requests for assistance with mailing bulk rate campaign literature.

## POLITICAL CAMPAIGN SIGNS

- Political signs are prohibited in the 30-foot setback around intersections and corners.
- Signs cannot be placed in any manner that would prohibit a driver's vision.
- Political signs may not be located within 150 feet of the building which is serving as a polling location in the Municipal Election. (UCA §20A-3-501)
- Always obtain permission of the property owner before placing campaign signs.
- Please remove all signs promptly after the election.

## ELECTION NIGHT RETURNS

Ballot results are collected and returned to the Weber County Elections Office for tabulation on election night. Election returns will be available online at the Weber County Elections website at [www.weberelections.com](http://www.weberelections.com). Election returns may start becoming available between 8:45 and 9:00 p.m.

## CAMPAIGN FINANCIAL REPORTING

Candidates for elected municipal office must file signed Campaign Financial Statements (forms enclosed at the end of the Candidates' Guide) with the City Recorder containing itemized and total campaign contributions and expenditures as outlined below:

1. **CANDIDATES IN A MUNICIPAL PRIMARY ELECTION** must file a Campaign Financial Statement no later than August 8, 2023 at 5:00pm. This statement will include any contributions received and expenditures made from January 1, 2023 through August 3, 2023. *The names of candidates who fail to comply with this deadline will be removed from the ballot for the Municipal Primary Election.*
2. **CANDIDATES ELIMINATED AT THE MUNICIPAL PRIMARY** must file a Campaign Financial Statement no later than September 14, 2023 at 5:00pm. This statement will include any remaining contributions received and expenditures made.



### 3. CANDIDATES IN THE MUNICIPAL GENERAL ELECTION SHALL FILE:

- a. A Campaign Financial Statement must be filed no later than October 10, 2023 at 5:00pm. This statement will include any contributions received and expenditures made from January 1, 2023 through October 5, 2023, if no primary election was held; or August 3, 2023 through October 5, 2023, if a primary election was held. ***The names of candidates who fail to comply with this deadline will be removed from the ballot for the Municipal General Election.***
- b. A second Campaign Financial Statement shall be filed no later than October 31, 2023 at 5:00pm. This statement will include any contributions received and expenditures made from October 6, 2023 through October 26, 2023.
- c. A Post Campaign Financial Statement shall be filed no later than December 7, 2023 at 5:00pm. This statement will include any remaining contributions received and expenditures made.

More information can be found in the Utah Campaign Financial Statues for Municipal Candidate on the following pages within this packet. It is highly recommended any candidate should read through and follow the statues as stated. Any person who fails to comply with this requirement is guilty of an infraction. Each and every failure to file the required campaign financial statement constitutes a separate offense.

## CAMPAIGN FINANCE STATUTES: MUNICIPAL CANDIDATES

*Effective 5/4/2022*

*Utah Code §10-3-208. Campaign finance disclosure in municipal election.*

- (1) Unless a municipality adopts by ordinance more stringent definitions, the following are defined terms for purposes of this section:
  - (a) "Agent of a candidate" means:
    - (i) a person acting on behalf of a candidate at the direction of the reporting entity;
    - (ii) a person employed by a candidate in the candidate's capacity as a candidate;
    - (iii) the personal campaign committee of a candidate;
    - (iv) a member of the personal campaign committee of a candidate in the member's capacity as a member of the personal campaign committee of the candidate; or
    - (v) a political consultant of a candidate.
  - (b) "Anonymous contribution limit" means for each calendar year:
    - (i) \$50; or
    - (ii) an amount less than \$50 that is specified in an ordinance of the municipality.
  - (c) (i) "Candidate" means a person who:
    - (A) files a declaration of candidacy for municipal office; or
    - (B) receives contributions, makes expenditures, or gives consent for any other person to receive contributions or make expenditures to bring about the person's nomination or election to a municipal office.



- (ii) "Candidate" does not mean a person who files for the office of judge.
- (d) (i) "Contribution" means any of the following when done for political purposes:
  - (A) a gift, subscription, donation, loan, advance, or deposit of money or anything of value given to a candidate;
  - (B) an express, legally enforceable contract, promise, or agreement to make a gift, subscription, donation, unpaid or partially unpaid loan, advance, or deposit of money or anything of value to the candidate;
  - (C) any transfer of funds from another reporting entity to the candidate;
  - (D) compensation paid by any person or reporting entity other than the candidate for personal services provided without charge to the candidate;
  - (E) a loan made by a candidate deposited to the candidate's own campaign; and
  - (F) an in-kind contribution.
- (ii) "Contribution" does not include:
  - (A) services provided by an individual volunteering a portion or all of the individual's time on behalf of the candidate if the services are provided without compensation by the candidate or any other person;
  - (B) money lent to the candidate by a financial institution in the ordinary course of business; or
  - (C) goods or services provided for the benefit of a candidate at less than fair market value that are not authorized by or coordinated with the candidate.
- (e) "Coordinated with" means that goods or services provided for the benefit of a candidate are provided:
  - (i) with the candidate's prior knowledge, if the candidate does not object;
  - (ii) by agreement with the candidate;
  - (iii) in coordination with the candidate; or
  - (iv) using official logos, slogans, and similar elements belonging to a candidate.
- (f) (i) "Expenditure" means any of the following made by a candidate or an agent of the candidate on behalf of the candidate:
  - (A) any disbursement from contributions, receipts, or from an account described in Subsection [\(3\)\(a\)](#);
  - (B) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value made for political purposes;
  - (C) an express, legally enforceable contract, promise, or agreement to make any purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of value for a political purpose;
  - (D) compensation paid by a candidate for personal services rendered by a person without charge to a reporting entity;
  - (E) a transfer of funds between the candidate and a candidate's personal campaign committee as defined in Section [20A-11-101](#); or
  - (F) goods or services provided by a reporting entity to or for the benefit of the candidate for political purposes at less than fair market value.





- (ii) "Expenditure" does not include:
  - (A) services provided without compensation by an individual volunteering a portion or all of the individual's time on behalf of a candidate; or
  - (B) money lent to a candidate by a financial institution in the ordinary course of business.
- (g) "In-kind contribution" means anything of value other than money, that is accepted by or coordinated with a candidate.
- (h) (i) "Political consultant" means a person who is paid by a candidate, or paid by another person on behalf of and with the knowledge of the candidate, to provide political advice to the candidate.
- (ii) "Political consultant" includes a circumstance described in Subsection [\(1\)\(h\)\(i\)](#), where the person:
  - (A) has already been paid, with money or other consideration;
  - (B) expects to be paid in the future, with money or other consideration; or
  - (C) understands that the person may, in the discretion of the candidate or another person on behalf of and with the knowledge of the candidate, be paid in the future, with money or other consideration.
- (i) "Political purposes" means an act done with the intent or in a way to influence or tend to influence, directly or indirectly, any person to refrain from voting or to vote for or against any candidate or a person seeking a municipal office at any caucus, political convention, or election.
- (j) "Reporting entity" means:
  - (i) a candidate;
  - (ii) a committee appointed by a candidate to act for the candidate;
  - (iii) a person who holds an elected municipal office;
  - (iv) a party committee as defined in Section [20A-11-101](#);
  - (v) a political action committee as defined in Section [20A-11-101](#);
  - (vi) a political issues committee as defined in Section [20A-11-101](#);
  - (vii) a corporation as defined in Section [20A-11-101](#); or
  - (viii) a labor organization as defined in Section [20A-11-1501](#).
- (2) (a) A municipality may adopt an ordinance establishing campaign finance disclosure requirements for a candidate that are more stringent than the requirements provided in Subsections [\(3\)](#) through [\(7\)](#).
- (b) The municipality may adopt definitions that are more stringent than those provided in Subsection [\(1\)](#).
- (c) If a municipality fails to adopt a campaign finance disclosure ordinance described in Subsection [\(2\)\(a\)](#), a candidate shall comply with financial reporting requirements contained in Subsections [\(3\)](#) through [\(7\)](#).
- (3) Each candidate:
  - (a) shall deposit a contribution in a separate campaign account in a financial institution; and
  - (b) may not deposit or mingle any campaign contributions received into a personal or business account.



- (4) (a) In a year in which a municipal primary is held, each candidate who will participate in the municipal primary shall file a campaign finance statement with the municipal clerk or recorder no later than seven days before the day described in Subsection [20A-1-201.5\(2\)](#).
  - (b) Each candidate who is not eliminated at a municipal primary election shall file a campaign finance statement with the municipal clerk or recorder no later than:
    - (i) 28 days before the day on which the municipal general election is held;
    - (ii) seven days before the day on which the municipal general election is held; and
    - (iii) 30 days after the day on which the municipal general election is held.
  - (c) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement within 30 days after the day on which the municipal primary election is held.
- (5) If a municipality does not conduct a primary election for a race, each candidate who will participate in that race shall file a campaign finance statement with the municipal clerk or recorder no later than:
    - (a) 28 days before the day on which the municipal general election is held;
    - (b) seven days before the day on which the municipal general election is held; and
    - (c) 30 days after the day on which the municipal general election is held.
- (6) Each campaign finance statement described in Subsection [\(4\)](#) or [\(5\)](#) shall:
    - (a) except as provided in Subsection [\(6\)\(b\)](#):
      - (i) report all of the candidate's itemized and total:
        - (A) contributions, including in-kind and other nonmonetary contributions, received up to and including five days before the campaign finance statement is due, excluding a contribution previously reported; and
        - (B) expenditures made up to and including five days before the campaign finance statement is due, excluding an expenditure previously reported; and
      - (ii) identify:
        - (A) for each contribution, the amount of the contribution and the name of the donor, if known; and
        - (B) for each expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or
    - (b) report the total amount of all contributions and expenditures if the candidate receives \$500 or less in contributions and spends \$500 or less on the candidate's campaign.
- (7) Within 30 days after receiving a contribution that is cash or a negotiable instrument, exceeds the anonymous contribution limit, and is from a donor whose name is unknown, a candidate shall disburse the amount of the contribution to:
    - (a) the treasurer of the state or a political subdivision for deposit into the state's or political subdivision's general fund; or
    - (b) an organization that is exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code.
- (8) (a) A municipality may, by ordinance:
    - (i) provide an anonymous contribution limit less than \$50;



- (ii) require greater disclosure of contributions or expenditures than is required in this section; and
    - (iii) impose additional penalties on candidates who fail to comply with the applicable requirements beyond those imposed by this section.
  - (b) A candidate is subject to the provisions of this section and not the provisions of an ordinance adopted by the municipality under Subsection [\(8\)](#)(a) if:
    - (i) the municipal ordinance establishes requirements or penalties that differ from those established in this section; and
    - (ii) the municipal clerk or recorder fails to notify the candidate of the provisions of the ordinance as required in Subsection [\(9\)](#).
- (9) Each municipal clerk or recorder shall, at the time the candidate for municipal office files a declaration of candidacy, and again 35 days before each municipal general election, notify the candidate in writing of:
  - (a) the provisions of statute or municipal ordinance governing the disclosure of contributions and expenditures;
  - (b) the dates when the candidate's campaign finance statement is required to be filed; and
  - (c) the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.
- (10) Notwithstanding any provision of [Title 63G, Chapter 2, Government Records Access and Management Act](#), the municipal clerk or recorder shall:
  - (a) make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and
  - (b) make the campaign finance statement filed by a candidate available for public inspection by:
    - (i) (A) posting an electronic copy or the contents of the statement on the municipality's website no later than seven business days after the statement is filed; and
    - (B) verifying that the address of the municipality's website has been provided to the lieutenant governor in order to meet the requirements of Subsection [20A-11-103\(5\)](#); or
    - (ii) submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under Section [20A-11-103](#) no later than two business days after the statement is filed.
- (11) (a) If a candidate fails to timely file a campaign finance statement required under Subsection [\(4\)](#) or [\(5\)](#), the municipal clerk or recorder:
  - (i) may send an electronic notice to the candidate that states:
    - (A) that the candidate failed to timely file the campaign finance statement; and
    - (B) that, if the candidate fails to file the report within 24 hours after the deadline for filing the report, the candidate will be disqualified; and
  - (ii) may impose a fine of \$50 on the candidate.
- (b) The municipal clerk or recorder shall disqualify a candidate and inform the appropriate election official that the candidate is disqualified if the candidate fails to file a campaign finance



statement described in Subsection (4) or (5) within 24 hours after the deadline for filing the report.

- (c) If a candidate is disqualified under Subsection (11)(b), the election official:
- (i) (A) shall, if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or
  - (B) shall, if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and
  - (ii) may not count any votes for that candidate.
- (d) Notwithstanding Subsection (11)(b), a candidate who timely files each campaign finance statement required under Subsection (4) or (5) is not disqualified if:
- (i) the statement details accurately and completely the information required under Subsection (6), except for inadvertent omissions or insignificant errors or inaccuracies; and
  - (ii) the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.
- (e) A candidate for municipal office who is disqualified under Subsection (11)(b) shall file with the municipal clerk or recorder a complete and accurate campaign finance statement within 30 days after the day on which the candidate is disqualified.
- (12) A campaign finance statement required under this section is considered filed if it is received in the municipal clerk or recorder's office by 5 p.m. on the date that it is due.
- (13) (a) A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.
- (b) In a civil action under Subsection (13)(a), the court may award costs and attorney fees to the prevailing party.

## **CANDIDATE FINANCIAL CONTRIBUTION RULES AND SOME DEFINITIONS**

From Weber County Elections Office

- A contribution is generally anything of value that your campaign receives. The state does not place limits on contributions. Utah Code 20A-11-101(6) provides the legal definition of a contribution. Here are the 4 most common types:
  - Money donations;
  - Gifts;
  - Loans (including ones from yourself); or
  - In-kind services or donations
- Every contribution your campaign receives must be reported, including contributions from your personal accounts. When reporting contributions, you must include the contribution's value, date, and the contributor's name and address. Unpaid volunteers and goods or services that your campaign did not authorize or coordinate do not need to be reported.
- If your campaign receives anything of value that is not money, this is considered an in-kind contribution. Just like monetary donations, you must report all in-kind contributions to your campaign. If your campaign receives an in-kind contribution, you are responsible



for determining its value to report it. You can typically ask the contributor to provide an estimate of the market value of the service or product. For example, if a farmers' market typically charges \$100.00 for booth space but waived the fee for your campaign, you received a \$100.00 in-kind donation from the farmers' market for booth space. It is recommended that in-kind contributions are reported at the time that the candidate benefits. If the value of the contribution is not known, it is advised that you report an approximate value and then amend it later if and when you become aware of a more precise value. Although the in-kind amount is displayed on your online financial ledger and on your disclosure reports, it will not affect the balance of your financial ledger. For example, if you have a \$0.00 balance and add a \$100.00 in-kind contribution to your financial ledger, your balance will remain \$0.00. Each contribution received must be reported as a separate contribution. It is unlawful to aggregate—or combine—contributions, no matter how small they may be. Whether the contribution was \$1.00 or \$10,000.00, you must include the contributor's name and address as well as the contribution's value and date. You cannot use a campaign contribution if it is from an anonymous source and greater than \$50.00. If you receive an anonymous contribution greater than \$50.00, you must transfer the money to the state, county, city or a 501(c)(3) non-profit organization.

- Many candidates use pass-through entities to collect donations (such as PayPal, Act Blue, Square, or GoFundMe). When you report your contributions that come through an entity like this, report the original source of the contribution instead of the passthrough entity. Pass-through entity example: Jane Doe contributes \$100 to your campaign using PayPal. Because you received the money from Jane Doe and not PayPal, you would report the contribution as received from Jane Doe.
- A contribution is considered received when you:
  - Deposit a check;
  - Have the cash in hand; or
  - Benefit from an in-kind contribution. An expenditure is anything of value that your campaign spends. Utah Code 20A-11-101(15) provides the legal definition of expenditure, but here are some common types:
    - Purchases or payments related to the campaign;
    - Compensation for staff or services;
    - Campaign loan repayments. Every expenditure that your campaign makes must be reported. When you report expenditures, you must include the amount, the date, and where the expenditure falls within a list of specified categories.
- You can use credit cards to pay for campaign expenses. However, do not report your monthly credit card payment as an expenditure. Instead, report each transaction on your credit card's billing statement. For example, if you charged \$200.00 on your credit card, report the individual transactions (such as \$100.00 paid to Printing, Inc. for printing and \$100.00 paid to Office Supplies, Inc. for supplies).



## ELECTION 2023 DATES TO REMEMBER

DATE(S)	EVENT OR ACTION REQUIRED	UTAH CODE
June 1, 2023	Candidate Filing Period Begins at 8am	<a href="#">20A-9-203(3)(a)(i)</a>
June 7, 2023	Candidate Filing Period Ends at 5pm	<a href="#">20A-9-203(3)(a)(i)</a>
June 14, 2023	Candidate Informational Meeting, 6:00pm at the Weber Center	
June 19, 2023	Last day Written Objections for Candidacy are due by 5pm	<a href="#">20A-9-203(10)</a>
July 1, 2023	Deadline to submit a candidate profile for <i>primary</i> election on vote.utah.gov by 5pm	<a href="#">20A-7-801(4)(a)(ii)</a>
August 8, 2023	Municipal <i>primary</i> election candidates must file a financial disclosure report with the municipal clerk or recorder by 5:00pm Reporting Period: January 1, 2023 – August 3, 2023	<a href="#">10-3-208(4)(a)</a>
August 15, 2023	<b>MUNICIPAL PRIMARY ELECTION</b>	<a href="#">20A-1-201.5(2)</a>
August 29, 2023	Municipal Primary Canvass meeting for <i>primary</i> election results	<a href="#">20A-4-301(1)(b)</a>
September 8, 2023	Submit a candidate bio/profile for <i>general</i> election on vote.utah.gov by 5pm	<a href="#">20A-7-801(4)(a)(ii)</a>
September 14, 2023	Municipal candidates who were ELIMINATED in a <i>primary</i> election must file a POST financial disclosure report with the municipal clerk or recorder. Reporting Period: Any remaining transactions	<a href="#">10-3-208(4)(c)</a>
October 10, 2023	Municipal candidates not in a <i>primary</i> election OR Municipal candidates who won in a <i>primary</i> election must file a financial disclosure report with the municipal clerk or recorder by 5:00pm Reporting Period: January 1, 2023 – October 5, 2023 (no primary) OR August 3, 2023 – October 5, 2023 (won primary)	
October 31, 2023	Municipal <i>general</i> election candidates must file a financial disclosure report with the municipal clerk or recorder by 5:00pm Reporting Period: October 6, 2023 - October 26, 2023	<a href="#">10-3-208(3)(c)</a>
November 7, 2023	<b>MUNICIPAL GENERAL ELECTION</b>	
November 21, 2023	Municipal General Canvass meeting for <i>general</i> election results	<a href="#">20A-4-301(1)(b)</a>
December 7, 2023	Municipal <i>general</i> election candidates must file a POST financial disclosure report with the municipal clerk or recorder by 5:00pm Reporting Period: Any remaining transactions	<a href="#">10-3-208(4)</a>
30 Days after Disqualification	Municipal candidates who are disqualified must file a financial disclosure report with the municipal clerk or recorder within 30 days of disqualification. Reporting Period: Contact municipal clerk/recorder for due date	
Tuesday, January 9, 2024	Oath of Office Ceremony at regular City Council Meeting	



## ELECTIONEERING

“*Electioneering*” includes any oral, printed, or written attempt to persuade persons to refrain from voting or to vote for or vote against any candidate or issue. A “*polling place*” means the physical place where ballots and absentee ballots are cast and includes city hall during the period in which absentee ballots may be cast there. Any person who violates any provision of this section is guilty of a class A misdemeanor.

On the day of any election, within a polling place or in any public area within 150 feet of the building where a polling place is located, a person may not conduct electioneering. Here are some examples:

1. Circulate cards or handbills of any kind.
2. Solicit signatures to any kind of petition.
3. Engage in any practice that interferes or disrupts the administration of the polling place.
4. Obstruct the doors at polls or prevent free access to and from the polling place.
5. Remove a ballot from the polling place unless the poll worker is assisting a physically disabled voter outside the building
6. Solicit any voter to show his ballot.

## VOTER REGISTRATION

Residents must be registered to vote. Registration is handled by the Weber County Clerk at 2380 Washington Blvd., Suite 320, in Ogden. Registration can be done online at <http://vote.utah.gov/>. Registration can also be done in person at the Weber County Elections office or a mail in application can be obtained from the Harrisville City Recorder’s office. For more information see Voter Registration Information at the end of this packet.

## VOTE BY MAIL

This year, Harrisville City will be delivering a ballot to every registered voter’s mailbox. Residents may either mail their ballot back, drop it off at a secure drop box located in the city parking lot, or vote by paper ballot on Election Day at the Weber Center.

## RECOUNTS

Municipal Election – if the difference between the number of votes cast for a winning candidate in the race and a losing candidate in the race is equal to or less than .25% of the total number of votes cast for all candidates in the race, that losing candidate may file a request in accordance with Subsection (1)(d). UCA §20A-4-401(1)(b)



## VALID VOTER IDENTIFICATION

- A form of identification that bears the name and photograph of the voter which may include:
  - A currently valid Utah driver license
  - A currently valid identification card that is issued by:
    - the state; or
    - a branch, department, or agency of the United States;
  - A currently valid Utah permit to carry a concealed weapon;
  - A currently valid United States passport; or
  - A currently valid United States military identification card;
  
- One of the following identification cards, whether or not the card includes a photograph of the voter:
  - A valid tribal identification card;

### **OR**

- Two forms of identification not listed under Subsection (75)(a) or (b) but that bear the name of the voter and provide evidence that the voter resides in the voting precinct, which may include:
  - A current utility bill or a legible copy thereof, dated within the 90 days before the election;
  - A bank or other financial account statement, or a legible copy thereof;
  - A certified birth certificate;
  - A valid Social Security card;
  - A check issued by the state or the federal government or a legible copy thereof;
  - A paycheck from the voter's employer, or a legible copy thereof;
  - A currently valid Utah hunting or fishing license;
  - Certified naturalization documentation (not a green card);
  - A currently valid license issued by an authorized agency of the United States;
  - A certified copy of court records showing the voter's adoption or name change;
  - A Bureau of Indian Affairs card;
  - A tribal treaty card;
  - A valid Medicaid card, Medicare card, or Electronic Benefits Transfer Card;
    - A currently valid identification card issued by:
      - A local government within the state;
      - An employer for an employee; or
      - A college, university, technical school, or professional school located within the state; or
  - A current Utah vehicle registration.

## STATEWIDE ELECTRONIC VOTER INFORMATION WEBSITE

This website allows registered voters to view election information particular to them, including their polling places, election officials, and a sample ballot. <http://vote.utah.gov/>





## ETHICS AND FINANCIAL DISCLOSURE

The State has enacted the "Municipal Officers and Employees Disclosure Act" which establishes standards of conduct for elected and appointed officials. According to this act, elected or appointed officers or municipal employees may not:

1. Disclose or improperly use private, controlled, or protected information acquired by reason of their positions or in the course of official duties in order to further substantially their personal economic interests or to secure special privileges or exemptions for themselves or others.
2. Use or attempt to use their positions to further substantially their personal economic interests, or secure privileges for themselves or others.
3. Knowingly receive, accept, take, seek, or solicit, directly or indirectly for themselves or others a gift of substantial value or a substantial economic benefit tantamount to a gift (which is defined as a loan received at an interest rate that is substantially lower than the commercial rate, or compensation received for private services rendered at a rate substantially exceeding the fair market value of the services) that would tend to improperly influence a reasonable person to depart from the faithful and impartial discharge of the person's public duties; or the person knows or a reasonable person in the office should know that under the circumstances the gift is primarily for the purpose of rewarding the person for official action taken. This does not apply to:
  - a. An occasional nonpecuniary (nonmonetary) gift under \$50 in value.
  - b. An award presented publicly in recognition for public service.
  - c. A bona fide loan in ordinary course of business.
  - d. Political campaign contributions.
4. Fail to disclose in public meeting any personal interests or investments by any elected or appointed officials of a municipality, which creates a conflict between officials' personal interests and their public duties.

Also, according to the Act, a Disclosure Statement must be filed with the Mayor and proper notification must be given if any of the following situations exist:

1. City official or employee receives compensation for assisting any person or entity in a transaction involving the City. (Must be filed ten days before compensation is received or agreement is entered into.)
2. City official or employee is an officer, director, agent, employee, or owner of substantial interest (over \$2,000) in business regulated by the City.
3. City official or employee is an officer, director, agent, employee, or owner of substantial interest in business, which does or anticipates doing business with the City.



Besides filing a disclosure statement, elected and appointed officials must also disclose their positions verbally in open meeting to the other members of the body to which they belong as well as immediately prior to any discussion involving the business or interest.

Certain penalties may be imposed for violation of the above requirements. They include:

1. Potential Second-Degree Felony action.
2. Mandatory removal from office.
3. Rescission of transaction.

A sample of the disclosure statement form is included at the end of the Candidate's Guide.

## **HARRISVILLE'S FORM OF GOVERNMENT**

Harrisville is under the "traditional" or "six-member council" form of government. Municipalities organized under this form of government will have a governing body that exercises both legislative and executive powers. It is government by committee with a council of six members; the mayor and five council members.

Mayors in this form have powers that council members do not have. They are established in law, but subject to change by local ordinance. The mayor's administrative and executive powers can be voluntarily delegated by him or her or taken from him or her by the council. The administrative and executive powers can then end up in the hands of the council or in appointed officers.

The council, which includes the mayor, is the legislative body of the city. Council members have their vote and the potential to have administrative powers but not direct grant of such, by the legislature.

## **CANDIDATE REQUIREMENTS**

Before the filing officer accepts any declaration of candidacy, the filing officer shall read to the candidate the constitutional and statutory requirements for candidacy, and the candidate shall state whether he/she fulfills the requirements. If the candidate indicates that he/she does not qualify, the filing officer may not accept his/her declaration of candidacy (Utah Code Section 20A-9-203).

## **MUNICIPAL CANDIDATE REQUIREMENTS**

Utah Code §10-3-301 & Utah Code §20A-9-203 state the individual declaring candidacy is a registered voter and meets the following requirements:

- Registered voter in the municipality in which the individual is elected\*
- Must have resided within the municipality for which the candidate is seeking office for the 12 consecutive months immediately before the date of the election.
- Maintain a principal place of residence within the municipality, and within the district that the elected officer represents, during the officer's term of office



- If the individual resides in a territory which was annexed into the municipality: must have resided within the annexed territory or the municipality the 12 consecutive months immediately before the date of the election.
- Pay filing fee, if one is required by municipal ordinance
- Not convicted of a felony, treason, or crime relating to elections\*\*
- Cannot have been declared mentally incompetent

\* Utah Code §20A-2-101 states: A registered voter (1) is a citizen of the United States; (2) is a resident of Utah; (3) will, on the date of that election, be at least 18 years old, (4) has been a resident of Utah for 30 days immediately before that election; (5) and is registered to vote.

\*\* Utah Code §20A-2-101.5 states: A person convicted of a felony loses the right to hold office until (1) all felony convictions have been expunged, OR (2) ten years have passed since the most recent felony conviction AND the person has paid all court-ordered restitution and fines AND the person has completed probation, been granted parole, or completed the term of incarceration associated with the felony.

## **MUNICIPAL CANDIDATE REQUIREMENTS**

Harrisville City Municipal Code §1.05.010 – Eligibility and Residency Requirements states a declaring candidacy meets the following requirements:

- Declaration Of Candidacy: A person filing a declaration of candidacy for a City office shall:
  - Have been a resident of the City for at least one year immediately before the date of the election; and
  - Meet the other requirements of UCA §20A-9-203.
- Annexed Areas: A person living in an area annexed to the City meets the residency requirement of this Section if that person resided within the area annexed to the City for at least one year before the date of the election.
- Registered Voter: Any person elected to City office shall be a registered voter in the City.
- Residency Maintained: Each elected officer of the City shall maintain residency within the boundaries of the City during his term of office.
- Residence Outside City: If an elected officer of the City establishes his principal place of residence as provided in UCA §20A-2-105 outside of the City during his term of office, the office is automatically vacant.
- Continuous Absence From City: If an elected city officer is absent from the City any time during his term of office for a continuous period of more than sixty (60) days without the consent of the City Council, the City office is automatically vacant.



## HOW TO SUBMIT YOUR CANDIDATE PROFILE

The Lieutenant Governor's Office provides candidates with the opportunity to submit a candidate profile for the website, [vote.utah.gov](https://vote.utah.gov). Your profile includes biographical information, a picture, and a short statement. The candidate profile portal may timeout during the submission process; it is recommended that candidates write out their profile details in a separate document to save their work.

### HOW DO I SUBMIT MY PROFILE?

1. Visit the website [vote.utah.gov](https://vote.utah.gov). Select the button "Resources for Candidates, Political Groups & Parties" at the bottom of the page.
2. After being directed to a new page, select the option "Submit candidate profile."
3. You will be directed to the UtahID portal. If you do not have a UtahID account, you must create one to proceed. If you already have a UtahID account, simply log into your account.
4. After creating your UtahID account, you will be prompted for a PIN number. To obtain a PIN number, select your name in the dropdown menu then check your email.
5. After selecting your name in the dropdown menu, you will receive an email with your PIN number. Your PIN number will be sent to the email address that you provided on your declaration of candidacy. It will not be sent to the email address of your UtahID account.
6. After receiving your PIN number, enter it into the website and click "Submit."
7. After entering your PIN number, the website will prompt you to enter your candidate profile. After you are completed, click "Submit for Approval." You have the ability to save and edit your profile *before* the deadline.

### WHEN CAN I SUBMIT MY PROFILE?

- **Primary Election Candidates**  
**July 1, 2023 at 5:00 p.m. (Mountain Time)**
- **General Election Candidates:**  
**September 8, 2023 at 5:00 p.m. (Mountain Time)**

Please note that these deadlines are established by law (see 20A-7-801(4)). As a result, late submissions and edits cannot be accepted.

Do you need assistance with your candidate profile? Contact the Utah Lieutenant Governor's Office at (801) 538-1041 or [elections@utah.gov](mailto:elections@utah.gov). Open Monday – Friday, 8:00 am – 5:00 pm (state and national holidays excluded)



## VOTER INFORMATION WEBSITE

*Effective 5/5/2021*

Utah Code §20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of the lieutenant governor -- Content -- Duties of local election officials -- Deadlines -- Frequently asked voter questions -- Other elections.

- (1) There is established the Statewide Electronic Voter Information Website Program administered by the lieutenant governor in cooperation with the county clerks for general elections and municipal authorities for municipal elections.
- (2) In accordance with this section, and as resources become available, the lieutenant governor, in cooperation with county clerks, shall develop, establish, and maintain a state-provided Internet website designed to help inform the voters of the state of:
  - (a) the offices and candidates up for election;
  - (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments of ballot propositions submitted to the voters; and
  - (c) the status of a voter's trackable ballot, in accordance with Section [20A-3a-401.5](#), accessible only by the voter.
- (3) Except as provided under Subsection [\(6\)](#), the website shall include:
  - (a) all information currently provided in the Utah voter information pamphlet under [Chapter 7, Part 7, Voter Information Pamphlet](#), including a section prepared, analyzed, and submitted by the Judicial Performance Evaluation Commission describing the judicial selection and retention process;
  - (b) on the homepage of the website, a link to the Judicial Performance Evaluation Commission's website, [judges.utah.gov](http://judges.utah.gov);
  - (c) a link to the retention recommendation made by the Judicial Performance Evaluation Commission in accordance with [Title 78A, Chapter 12, Part 2, Judicial Performance Evaluation](#), for each judicial appointee to a court that is subject to a retention election, in accordance with Section [20A-12-201](#), for the upcoming general election;
  - (d) all information submitted by election officers under Subsection [\(4\)](#) on local office races, local office candidates, and local ballot propositions;
  - (e) a list that contains the name of a political subdivision that operates an election day voting center under Section [20A-3a-703](#) and the location of the election day voting center;
  - (f) other information determined appropriate by the lieutenant governor that is currently being provided by law, rule, or ordinance in relation to candidates and ballot questions;
  - (g) any differences in voting method, time, or location designated by the lieutenant governor under Subsection [20A-1-308\(2\)](#); and
  - (h) an online ballot tracking system by which a voter can view the status of the voter's trackable ballot, in accordance with Section [20A-3a-401.5](#), including:
    - (i) when a ballot has been mailed to the voter;
    - (ii) when an election official has received the voter's ballot; and



- (iii) when the voter's ballot has been counted.
- (4) (a) An election official shall submit the following information for each ballot under the election official's direct responsibility under this title:
- (i) a list of all candidates for each office;
  - (ii) if submitted by the candidate to the election official's office before 5 p.m. no later than 45 days before the primary election or before 5 p.m. no later than 60 days before the general election:
    - (A) a statement of qualifications, not exceeding 200 words in length, for each candidate;
    - (B) the following current biographical information if desired by the candidate, current:
      - (I) age;
      - (II) occupation;
      - (III) city of residence;
      - (IV) years of residence in current city; and
      - (V) email address; and
    - (C) a single web address where voters may access more information about the candidate and the candidate's views; and
  - (iii) factual information pertaining to all ballot propositions submitted to the voters, including:
    - (A) a copy of the number and ballot title of each ballot proposition;
    - (B) the final vote cast for each ballot proposition, if any, by a legislative body if the vote was required to place the ballot proposition on the ballot;
    - (C) a complete copy of the text of each ballot proposition, with all new language underlined and all deleted language placed within brackets; and
    - (D) other factual information determined helpful by the election official.
- (b) The information under Subsection [\(4\)\(a\)](#) shall be submitted to the lieutenant governor no later than one business day after the deadline under Subsection [\(4\)\(a\)](#) for each general election year and each municipal election year.
- (c) The lieutenant governor shall:
- (i) review the information submitted under this section, to determine compliance under this section, prior to placing it on the website;
  - (ii) refuse to post information submitted under this section on the website if it is not in compliance with the provisions of this section; and
  - (iii) organize, format, and arrange the information submitted under this section for the website.
- (d) The lieutenant governor may refuse to include information the lieutenant governor determines is not in keeping with:
- (i) Utah voter needs;
  - (ii) public decency; or
  - (iii) the purposes, organization, or uniformity of the website.
- (e) A refusal under Subsection [\(4\)\(d\)](#) is subject to appeal in accordance with Subsection [\(5\)](#).



- (5) (a) A person whose information is refused under Subsection [\(4\)](#), and who is aggrieved by the determination, may appeal by submitting a written notice of appeal to the lieutenant governor before 5 p.m. within 10 business days after the date of the determination. A notice of appeal submitted under this Subsection [\(5\)\(a\)](#) shall contain:
- (i) a listing of each objection to the lieutenant governor's determination; and
  - (ii) the basis for each objection.
- (b) The lieutenant governor shall review the notice of appeal and shall issue a written response within 10 business days after the day on which the notice of appeal is submitted.
- (c) An appeal of the response of the lieutenant governor shall be made to the district court, which shall review the matter de novo.
- (6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently enter the voter's address information on the website to retrieve information on which offices, candidates, and ballot propositions will be on the voter's ballot at the next general election or municipal election.
- (b) The information on the website will anticipate and answer frequent voter questions including the following:
- (i) what offices are up in the current year for which the voter may cast a vote;
  - (ii) who is running for what office and who is the incumbent, if any;
  - (iii) what address each candidate may be reached at and how the candidate may be contacted;
  - (iv) for partisan races only, what, if any, is each candidate's party affiliation;
  - (v) what qualifications have been submitted by each candidate;
  - (vi) where additional information on each candidate may be obtained;
  - (vii) what ballot propositions will be on the ballot; and
  - (viii) what judges are up for retention election.
- (7) The lieutenant governor shall ensure that each voter may conveniently enter the voter's name, date of birth, and address information on the website to retrieve information on the status of the voter's ballot if the voter's ballot is trackable under Section [20A-3a-401.5](#).
- (8) As resources are made available and in cooperation with the county clerks, the lieutenant governor may expand the electronic voter information website program to include the same information as provided under this section for special elections and primary elections.