



Kate Bradshaw

Director of Government Affairs
801.799.5711
Salt Lake City
kabradshaw@hollandhart.com

Utah Legislative Update: July 2017

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Starting July 25th, voters will start receiving mail-in ballots for the August 15th Primary Election. In addition to municipal, non-partisan, Primary Elections; the registered Republican voters of Congressional District 3 will also be voting in a Primary Special Election to replace Congressman Jason Chaffetz who resigned his seat on June 30th. For resources on which candidates will be appearing on your ballot, check out www.elections.utah.gov.

Although there is still a chance a lawsuit contesting Governor Herbert's authority to call the Special Election might halt the proceedings, for now the Special Election is still on, and running concurrently with the Municipal Primary and General Elections. Utah's signature gathering law was used by two of the three Republican congressional candidates who will appear on that ballot. This will be the second election cycle in which the new signature gathering law has been in place and will provide interesting insight into whether rank and file Republicans vote differently than their Republican delegate counterparts. In last year's Gubernatorial election, Republican delegates expressed a preference for Overstock CEO Jonathan Johnson over incumbent Governor Gary Herbert. However, rank and file Republican voters overwhelmingly picked Governor Herbert in the Primary Election, who went on to win another term.

Republican delegates in Congressional District 3 selected former-state Legislator Chris Herrod, but he still must face the Republican candidates that qualified through the signature gathering process, Provo Mayor John Curtis and investment adviser Tanner Ainge, before becoming the official Republican nominee. This issue of who ought to determine Republican nominees, Republican delegates, or all Republican voters, is still a divisive one inside the party and the subject of an on-going lawsuit with the State of Utah. Depending on the Primary Election outcome, it will be interesting to see if legislators act on legislation to clarify the Special Election process for future Congressional vacancies and the signature gathering path to the ballot in 2018.

Interim Schedule:

The leadership of the Utah Legislature decided to change the "schedule as usual" for interim committee meetings this year. The tradition had been that legislative interim committees would meet the third Wednesday of each month from May-November to hear reports, study issues, and prepare for the coming session. Often they took a field trip to visit portions of the state in place of the August meetings. However, in response to legislators' concerns that not enough time was being spent on budget

preparations, leadership moved the annual field trip to April and decided that full sub-appropriations meetings would be scheduled in June, July, September, and October this year. In fact, for the months of July and October the sub-appropriations committees will completely take the place of the interim standing committees. Whether this change will truly help legislators be better prepared for their budgeting duties is yet to be determined. I believe it will likely make the usually jam-packed November interim standing committee meetings absolutely chaotic!

The final interim standing committee meetings of the year are often when so-called “committee bills” are presented and given a jump start to move to the front of the line when the session begins. With less interim standing committee meeting time, these “committee bills” might receive less scrutiny (already a problem with this bill process) than usual and could result in some interesting legislation that comes out of the gates quickly. I will be closely watching the final interim standing committee meeting for “committee bills” that might have unintended consequences for clients!

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