



NEWS RELEASE

June 7, 2023

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Executive, legislative branches set new election schedule to fill Congressman Stewart's vacancy

SALT LAKE CITY (June 7, 2023) – On Tuesday, June 6, 2023, Rep. Chris Stewart of Utah's Second Congressional District informed Gov. Spencer J. Cox that he will resign from the U.S. House of Representatives effective Sept. 15, 2023.

“It has been one of the great honors of my life to serve the good people of Utah in Congress,” Rep. Stewart shared in his letter. “My family and I have been very blessed by this experience. I thank you for your leadership as Governor and dedication to our great state.”

As a result, the executive and legislative branches have developed a timeline to fill the vacancy. In order to minimize the amount of time that the House seat will be vacant and to accommodate this year's municipal elections, primary elections throughout the state will be held on Sept. 5, 2023, and the general election on Nov. 21, 2023.

Gov. Cox has issued two proclamations related to the special elections. The first calls a special election and establishes timelines for the election. The second calls a special session of the Legislature to appropriate money for the elections, change the municipal election dates and address other election-related matters. The special session will be held on Wednesday, June 14, 2023 at 4 p.m.

“This timeline will ensure a smooth and efficient transition with minimal disruption to our electoral process. We understand these are unusual circumstances and appreciate the efforts of our municipalities and county clerks in accommodating this election schedule,” said Gov. Cox.

“Rep. Stewart has represented our state with integrity and dedication, and we’re grateful for the honorable way he’s executed his duties and represented the people of our great state.”

“This special election timeline lays out a sensible approach for candidates, parties, voters, and election administrators,” Lt. Gov. Deidre Henderson said. “We’ve balanced urgency with election security and accuracy.”

“It’s imperative Utah continues to have full representation in Washington, D.C.,” said President J. Stuart Adams. “With Congressman Stewart resigning, it only makes sense to fill the position as quickly as possible. Utah is known for coming together to find quick, cost-effective solutions that best serve Utahns. With this special election, Utah will only be without full representation for a short time. Congressman Stewart is a dedicated public servant, and I thank him for his service to our state and nation.”

“Adjusting the election timeline will ensure Utahns have their voices fully represented in our nation’s capital,” said Speaker Brad Wilson. “We cannot afford to go without a quarter of our representation for a prolonged period of time. The proposed schedule will allow for a seamless transition and only a brief period of time without representation. I have the utmost respect and admiration for Congressman Stewart and wish him and his family good health and happiness.”

The two proclamations issued by Gov. Cox are attached.

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Spencer J. Cox
Governor

PROCLAMATION

2023-2S

Calling a Special Session of the Utah Legislature

WHEREAS, on June 6, 2023, United States Rep. Chris Stewart submitted an irrevocable letter of resignation to the governor stating that Rep. Stewart's final day representing the Second Congressional District of Utah is Sep. 15, 2023;

WHEREAS, Article I, Section 2 of the United States Constitution states that "[w]hen vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies;"

WHEREAS, Utah Code § 20A-1-502.5 provides that once a United States representative submits an irrevocable letter of resignation, the governor shall issue a proclamation calling a special congressional election and setting a date for a primary special congressional election and a date for a general special congressional election;

WHEREAS, Utah Code § 20A-1-502.5 states that the governor may set a date for a primary special congressional election and a date for a general special congressional election that are different than the days specified in Utah Code § 20A-1-502.5(1)(a) if the governor calls a special session for the Legislature to appropriate money to hold the special elections;

WHEREAS, by proclamation of the governor, the primary special congressional election has been set for Tuesday, Sep. 5, 2023, and the general special congressional election has been set for Tuesday, Nov. 21, 2023;

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into Special Session;

NOW, THEREFORE, I, Spencer J. Cox, governor of the State of Utah, by virtue of the authority vested in me by the Utah Constitution and the laws of the State of Utah, do by this Proclamation call the Sixty-fifth Legislature of the State of Utah into a Second Special Session at the Utah State Capitol, in Salt Lake City, Utah, on the 14th day of June 2023, at 4 p.m., for the following specific purposes:

1. to appropriate money to conduct the elections to be held on Tuesday, Sep. 5, 2023, and Tuesday, Nov. 21, 2023;
2. to change the date of the 2023 municipal primary election from Aug. 15, 2023, to Sep. 5, 2023;

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3. to change the date of the 2023 municipal general election from Nov. 7, 2023, to Nov. 21, 2023;
4. to align canvassing deadlines for the Sep. 5, 2023, municipal primary election and the Nov. 21, 2023, municipal general election with the canvassing deadlines for the primary special congressional election and the general special congressional election;
5. to direct counties to conduct the 2023 municipal elections and the counties within the Second Congressional District of Utah to also conduct the special congressional elections;
6. to allow election officers to accept and count ballots for the municipal primary election and the primary special congressional election that are postmarked on or before Sep. 5, 2023;
7. to establish the deadline by which a voter may change the voter's political party affiliation for the Sep. 5, 2023, primary special congressional election; and
8. the Senate consenting to appointments made by the Governor.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done this 7th day of June 2023.

A handwritten signature in black ink, appearing to read 'Spencer J. Cox'.

Spencer J. Cox
Governor, State of Utah

A handwritten signature in black ink, appearing to read 'Deidre M. Henderson'.

Deidre M. Henderson
Lieutenant Governor, State of Utah

ATTEST:



Spencer J. Cox
Governor

**WRIT OF ELECTION, PROCLAMATION, AND NOTICE OF ELECTION
2023-1P**

Calling and Giving Notice of a Special Congressional Election

WHEREAS, on June 6, 2023, United States Rep. Chris Stewart submitted an irrevocable letter of resignation to the governor stating that Rep. Stewart's final day representing the Second Congressional District of Utah is Sep. 15, 2023;

WHEREAS, Article I, Section 2 of the United States Constitution states that "[w]hen vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies;"

WHEREAS, Utah Code § 20A-1-502.5 provides that once a United States representative submits an irrevocable letter of resignation, the governor shall issue a proclamation calling a special congressional election and setting a date for a primary special congressional election and a date for a general special congressional election;

WHEREAS, Utah Code § 20A-1-502.5 states that the governor may set a date for a primary special congressional election and a date for a general special congressional election that are different than the days specified in Utah Code § 20A-1-502.5(1)(a) if the governor calls a special session for the Legislature to appropriate money to hold the special elections;

WHEREAS, Utah Code § 20A-1-502.5(1)(f) requires the governor's proclamation to, consistent with that section, establish the "deadlines, time frames, and procedures for filing a declaration of candidacy, giving notice of an election, and other election requirements;"

WHEREAS, Utah Code § 67-1a-2 designates the Lieutenant Governor as the Chief Election Officer of the State and authorizes her to "exercise oversight, and general supervisory authority, over all elections," and to "exercise direct authority over the conduct of elections for federal, state, and multicounty officers;"

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, by the authority vested in me by the Constitution of the United States, Utah Constitution, and laws of the State of Utah, do hereby issue this Writ of Election, Proclamation, and Notice of Election, and order as follows:

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1. The Chief Election Officer shall, if the Legislature appropriates money under Utah Code § 20A-1-502.5(2):
 - a. conduct a primary special congressional election on Sep. 5, 2023;
 - b. conduct a general special congressional election on Nov. 21, 2023; and
 - c. perform any other duties necessary to conduct the elections above.
2. In addition, the following deadlines, time frames, and procedures shall apply:
 - a. Declaration of Candidacy
 - i. Each prospective candidate shall file a declaration of candidacy with the Chief Election Officer between 8 a.m. MST June 8, 2023, and 5 p.m. MST June 14, 2023.
 - b. Intent to Gather Signatures
 - i. Each candidate for a qualified political party that intends to seek the party's nomination through the signature gathering process shall, before gathering signatures, file a notice of intent to gather signatures between 8 a.m. MST June 8, 2023 and 5 p.m. MST June 14, 2023.
 - c. Candidate Selection
 - i. Each registered political party that is not a qualified political party shall have until July 5, 2023, to select one candidate, in a manner determined by the registered political party, as a candidate for the registered political party.
 - ii. For each qualified political party, before 5 p.m. on July 5, 2023:
 1. the party shall submit to the lieutenant governor one name for placement on the special congressional election primary ballot that the party selects using the convention process described in Utah Code Section 20A-9-407; and
 2. members of the qualified political party who desire to be placed on the special congressional election primary ballot using the signature-gathering process described in Utah Code Section 20A-9-408 shall submit signatures to the lieutenant governor.
 - d. Uniform Military and Overseas Voters
 - i. For the primary special congressional election, county clerks shall transmit ballots to uniformed-service and overseas voters by July 21, 2023.
 - ii. For the general special congressional election, county clerks shall transmit ballots to uniformed-service and overseas voters by Oct. 6, 2023.
 - iii. An election officer shall comply with the requirements of Utah Code § 20A-16-102 *et seq.*, Uniform Military and Overseas Voters Act.
 - e. Voter Registration
 - i. The voter registration deadlines and procedures set forth in Utah Code Title 20A, Election Code shall apply to the special congressional elections.
 - f. Canvassing
 - i. County Canvass:
 1. For the primary special congressional election, the County Board of Canvassers shall complete canvassing by Sep. 19, 2023.
 2. For the general special congressional election, the County Board of Canvassers shall complete canvassing by Dec. 6, 2023.
 - g. State Canvass:
 - i. For the general special congressional election, the State Board of Canvassers shall complete canvassing by Dec. 8, 2023.

3. Except as otherwise addressed in this proclamation, the deadlines, time frames, and procedures in Utah Code Title 20A, Election Code, shall apply to the congressional special elections.

NOTICE OF ELECTION

I hereby provide notice of an election to fill a vacancy in the Second Congressional District of Utah, consistent with deadlines, time frames, and other requirements provided in this proclamation.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the state of Utah. Done this 7th day of June 2023.

A handwritten signature in black ink, appearing to read "Spencer J. Cox".

Spencer J. Cox
Governor, State of Utah

A handwritten signature in black ink, appearing to read "Deidre M. Henderson".

Deidre M. Henderson
Lieutenant Governor, State of Utah

ATTEST: