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**IN THE THIRD JUDICIAL DISTRICT COURT
IN AND FOR SALT LAKE COUNTY, STATE OF UTAH**

LEAGUE OF WOMEN VOTERS OF UTAH,
MORMON WOMEN FOR ETHICAL
GOVERNMENT, STEFANIE CONDIE,
MALCOLM REID, VICTORIA REID,
WENDY MARTIN, ELEANOR SUNDWALL,
JACK MARKMAN, and DALE COX,

Plaintiffs,

v.

UTAH STATE LEGISLATURE; UTAH
LEGISLATIVE REDISTRICTING
COMMITTEE; SENATOR SCOTT SANDALL,
in his official capacity; REPRESENTATIVE
BRAD WILSON, in his official capacity;
SENATOR J. STUART ADAMS, in his official
capacity; and LIEUTENANT GOVERNOR
DEIDRE HENDERSON, in her official capacity,

Defendants.

**LIEUTENANT GOVERNOR DEIDRE
HENDERSON'S NOTICE OF 2026
CONGRESSIONAL ELECTION
TIMELINE**

Case No. 220901712

Honorable Diana Gibson

INTRODUCTION

This lawsuit currently has the following procedural posture: The Utah Supreme Court has retained jurisdiction over Counts I-IV of the First Amended Complaint and is waiting for resolution of Count V before addressing them (Dckt. No. 281); Plaintiffs and Legislative Defendants have

filed cross motions for summary judgment on Count V of the First Amended Complaint (Dckt. Nos. 293 and 404); and Legislative Defendants have moved to dismiss, or in the alternative stay proceedings on, Counts VI-VIII of the First Amended Complaint (Dckt Nos. 415-16).

The Lt. Governor does not take a position on the pending motions before the Court. However, the Lt. Governor and the people of Utah have a very strong interest in one aspect of this case's management due to the Lt. Governor's role as Utah's chief elections officer and due to the people's interest in free and fair elections. And that interest is to have the 2026 Congressional elections run as smoothly as possible. Part of that process is to ensure that the Congressional district maps upon which voters, candidates, and election administrators rely as authorized for the 2026 Congressional election are in place no later than November 1, 2025.

RELEVANT LAW

The Lt. Governor is the State's chief election officer. UTAH CODE § 20A-1-105. She is statutorily obligated to make available to county clerks and the general public Congressional district maps submitted to her by the Legislature. UTAH CODE § 20A-13-102(2) & 102.2. Such maps are the legal boundaries of Utah's Congressional districts. UTAH CODE § 20A-13-102(2) & 102.2. The Lt. Governor and county clerks are statutorily obligated to conduct elections pursuant to those maps unless otherwise ordered by a court of competent jurisdiction. UTAH CODE § 20A-13-102(2) & 102.2.

The Lt. Governor must issue a Notice of Election no later than November 15 of the year prior to the election. UTAH CODE § 20A-5-101. Congressional candidates may declare their candidacy by filing the appropriate paperwork with the Lieutenant Governor's Office "on or after January 1 of the regular election year." UTAH CODE § 20A-9-202(1)(a)(i). Utah's primary system allows Congressional candidates to qualify for the primary ballot through a political

party's convention or by signature gathering. UTAH CODE § 20A-9-408. An individual seeking to qualify for the primary ballot through signature gathering may begin gathering signatures after filing a Notice of Intent to gather signatures, which Notice may be submitted to the Lt. Governor's office with the individual's Declaration of Candidacy as early as the first week of January of the year of the general election. UTAH CODE § 20A-9-408(3). To be valid, a signature in support of a Congressional candidate's petition for ballot qualification must be from an individual who lives in the candidate's Congressional district and meets other statutory requirements. UTAH CODE § 20A-9-408(b)(ii).

Thus, as candidates organize their signature gathering campaigns, they must know the boundaries of their districts so that they may seek signatures from statutorily qualified voters. Further, voters have constitutional rights of speech and association to support ballot qualification for candidates of their choosing. In order to exercise that right, voters, too, must know the Congressional district in which they live. Otherwise, they risk providing an invalid signature for out-of-district candidates through no fault of their own.

To prepare administratively for candidate declarations and signature gathering in January 2026, the Lt. Governor's Office must have Congressional district maps in hand no later than November 1, 2025. The administrative tasks involved in preparing for candidate declaration and signature gathering include production of candidate filing forms and signature gathering packets. *See* UTAH CODE § 20A-9-408(9)(b)(i) and (10)(b)(ii). The Lt. Governor's Office must also prepare electronic forms for an electronic candidate qualification process described in UTAH CODE § 20A-9-405(4).

“A state indisputably has a compelling interest in preserving the integrity of its election process.” *Purcell v. Gonzales*, 549 U.S. 1, 4 (2006) (internal citation omitted). Further, “there must be a substantial regulation of elections if they are to be fair and honest and if some sort of

order, rather than chaos, is to accompany the democratic processes.” *Storer v. Brown*, 415 U.S. 724, 730 (1974). The *Purcell* case, which gave rise to the “Purcell principle,” is particularly instructive because it dealt with the timing of judicial decisions involving elections. There, the Court held that “Court orders affecting elections . . . can themselves result in voter confusion . . . As an election draws closer, that risk will increase.” *Purcell*, 549 U.S. at 4.

The Lt. Governor will conduct the 2026 Congressional election pursuant to the 2022 and 2024 Congressional Districts unless otherwise ordered by this Court or another court of competent jurisdiction. If such an order were to issue prior to the 2026 Congressional election, it must be issued with sufficient time for new Congressional maps to be supplied to the Lt. Governor no later than November 1, 2025. Otherwise, such an order would risk introducing an element of uncertainty into the 2026 election for voters, candidates, the Lt. Governor’s Office, and the county clerks who do much of the administrative work for an election.

DATED: December 10, 2024.

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