

1 **STATE SCHOOL BOARD CANDIDATE AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kathleen A. Riebe**

5 House Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill reduces the number of signatures needed for an individual to appear on a
10 regular primary election ballot.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ reduces the number of signatures needed for an individual to appear on the regular
14 primary election ballot for a qualified political party.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **20A-9-408**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4

23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **20A-9-408** is amended to read:

25 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**
26 **political party.**

27 (1) This section describes the requirements for a member of a qualified political party



28 who is seeking the nomination of the qualified political party for an elective office through the
29 signature-gathering process described in this section.

30 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of
31 candidacy for a member of a qualified political party who is nominated by, or who is seeking
32 the nomination of, the qualified political party under this section shall be substantially as
33 described in Section 20A-9-408.5.

34 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
35 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the
36 nomination of the qualified political party for an elective office that is to be filled at the next
37 general election shall:

38 (a) within the period beginning on January 1 before the next regular general election
39 and ending at 5 p.m. on the third Thursday in March of the same year, and before gathering
40 signatures under this section, file with the filing officer on a form approved by the lieutenant
41 governor a notice of intent to gather signatures for candidacy that includes:

42 (i) the name of the member who will attempt to become a candidate for a registered
43 political party under this section;

44 (ii) the name of the registered political party for which the member is seeking
45 nomination;

46 (iii) the office for which the member is seeking to become a candidate;

47 (iv) the address and telephone number of the member; and

48 (v) other information required by the lieutenant governor;

49 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,
50 in person, with the filing officer on or after the second Friday in March and before 5 p.m. on
51 the third Thursday in March before the next regular general election; and

52 (c) pay the filing fee.

53 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political
54 party who, under this section, is seeking the nomination of the qualified political party for the
55 office of district attorney within a multicounty prosecution district that is to be filled at the next
56 general election shall:

57 (a) on or after January 1 before the next regular general election, and before gathering
58 signatures under this section, file with the filing officer on a form approved by the lieutenant

59 governor a notice of intent to gather signatures for candidacy that includes:

60 (i) the name of the member who will attempt to become a candidate for a registered
61 political party under this section;

62 (ii) the name of the registered political party for which the member is seeking
63 nomination;

64 (iii) the office for which the member is seeking to become a candidate;

65 (iv) the address and telephone number of the member; and

66 (v) other information required by the lieutenant governor;

67 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,
68 in person, with the filing officer on or after the second Friday in March and before 5 p.m. on
69 the third Thursday in March before the next regular general election; and

70 (c) pay the filing fee.

71 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
72 who files as the joint-ticket running mate of an individual who is nominated by a qualified
73 political party, under this section, for the office of governor shall, before the deadline described
74 in Subsection 20A-9-202(1)(b)(i) or (ii), file a declaration of candidacy and submit a letter
75 from the candidate for governor that names the lieutenant governor candidate as a joint-ticket
76 running mate.

77 (6) The lieutenant governor shall ensure that the certification described in Subsection
78 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
79 under this section.

80 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
81 is nominated by a qualified political party under this section, designate the qualified political
82 party that nominated the candidate.

83 (8) A member of a qualified political party may seek the nomination of the qualified
84 political party for an elective office by:

85 (a) complying with the requirements described in this section; and

86 (b) collecting signatures, on a form approved by the lieutenant governor, during the
87 period beginning on January 1 of an even-numbered year and ending at 5 p.m. 14 days before
88 the day on which the qualified political party's convention for the office is held, in the
89 following amounts:

90 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
91 permitted by the qualified political party to vote for the qualified political party's candidates in
92 a primary election;

93 (ii) for a congressional district race, 7,000 signatures of registered voters who are
94 residents of the congressional district and are permitted by the qualified political party to vote
95 for the qualified political party's candidates in a primary election;

96 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
97 residents of the state Senate district and are permitted by the qualified political party to vote for
98 the qualified political party's candidates in a primary election;

99 (iv) for a state House district race, 1,000 signatures of registered voters who are
100 residents of the state House district and are permitted by the qualified political party to vote for
101 the qualified political party's candidates in a primary election;

102 (v) for a State Board of Education race, the lesser of:

103 (A) [~~2,000~~] ~~500~~ → 500 1,000 ← ~~500~~ signatures of registered voters who are residents of the
103a State Board of

104 Education district and are permitted by the qualified political party to vote for the qualified
105 political party's candidates in a primary election; or

106 (B) 3% of the registered voters of the qualified political party who are residents of the
107 applicable State Board of Education district; and

108 (vi) for a county office race, signatures of 3% of the registered voters who are residents
109 of the area permitted to vote for the county office and are permitted by the qualified political
110 party to vote for the qualified political party's candidates in a primary election.

111 (9) (a) In order for a member of the qualified political party to qualify as a candidate
112 for the qualified political party's nomination for an elective office under this section, the
113 member shall:

114 (i) collect the signatures on a form approved by the lieutenant governor, using the same
115 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

116 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days
117 before the day on which the qualified political party holds the party's convention to select
118 candidates, for the elective office, for the qualified political party's nomination.

119 (b) An individual may not gather signatures under this section until after the individual
120 files a notice of intent to gather signatures for candidacy described in this section.

121 (c) An individual who files a notice of intent to gather signatures for candidacy,
122 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files
123 the notice of intent to gather signatures for candidacy:

124 (i) required to comply with the reporting requirements that a candidate for office is
125 required to comply with; and

126 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
127 apply to a candidate for office in relation to the reporting requirements described in Subsection
128 (9)(c)(i).

129 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
130 election officer shall, no later than the earlier of 14 days after the day on which the election
131 officer receives the signatures, or one day before the day on which the qualified political party
132 holds the convention to select a nominee for the elective office to which the signature packets
133 relate:

134 (i) check the name of each individual who completes the verification for a signature
135 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

136 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a
137 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

138 (iii) determine whether each signer is a registered voter who is qualified to sign the
139 petition, using the same method, described in Section [20A-7-206.3](#), used to verify a signature
140 on a petition; and

141 (iv) certify whether each name is that of a registered voter who is qualified to sign the
142 signature packet.

143 (e) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the
144 election officer shall, no later than one day before the day on which the qualified political party
145 holds the convention to select a nominee for the elective office to which the signature packets
146 relate, notify the qualified political party and the lieutenant governor of the name of each
147 member of the qualified political party who qualifies as a nominee of the qualified political
148 party, under this section, for the elective office to which the convention relates.

149 (f) Upon receipt of a notice of intent to gather signatures for candidacy described in
150 this section, the lieutenant governor shall post the notice of intent to gather signatures for
151 candidacy on the lieutenant governor's website in the same location that the lieutenant governor

152 posts a declaration of candidacy.