

Michael L. Kohler proposes the following substitute bill:

Signature Collection Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael L. Kohler

Senate Sponsor: Keven J. Stratton

LONG TITLE

General Description:

This bill amends provisions related to nominations for elective office.

Highlighted Provisions:

This bill:

- establishes a process for a voter to have the voter's signature removed from a petition to nominate a candidate of a registered political party that is not a qualified political party to elective office;
- requires an election official to post on the lieutenant governor's website the name and date of signature of each voter who signs a nomination petition;
- prohibits an election official from removing a voter's signature from a nomination petition if the election official has already verified the voter's signature;
- requires an election official to notify the county or district attorney if a person whose signature appears on a nomination petition notifies the election official that the person did not sign the nomination petition;
- describes deadlines and procedures related to the processes described above; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-9-403, as last amended by Laws of Utah 2024, Chapter 503

20A-9-405, as last amended by Laws of Utah 2022, Chapter 325

20A-9-406, as last amended by Laws of Utah 2022, Chapter 13

29 **20A-9-408**, as last amended by Laws of Utah 2023, Chapter 116

30 **20A-9-502**, as last amended by Laws of Utah 2024, Chapter 17

31

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

33 Section 1. Section **20A-9-403** is amended to read:

34 **20A-9-403 . Regular primary elections.**

- 35 (1)(a) Candidates for elective office that are to be filled at the next regular general
36 election shall be nominated in a regular primary election by direct vote of the people
37 in the manner prescribed in this section. The regular primary election is held on the
38 date specified in Section 20A-1-201.5. Nothing in this section shall affect a
39 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
40 candidate under Section 20A-9-501 or to participate in a regular general election as a
41 write-in candidate under Section 20A-9-601.
- 42 (b) Each registered political party that chooses to have the names of the registered
43 political party's candidates for elective office featured with party affiliation on the
44 ballot at a regular general election shall comply with the requirements of this section
45 and shall nominate the registered political party's candidates for elective office in the
46 manner described in this section.
- 47 (c) A filing officer may not permit an official ballot at a regular general election to be
48 produced or used if the ballot denotes affiliation between a registered political party
49 or any other political group and a candidate for elective office who is not nominated
50 in the manner prescribed in this section or in Subsection 20A-9-202(4).
- 51 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
52 even-numbered year in which a regular general election will be held.
- 53 (2)(a) Each registered political party, in a statement filed with the lieutenant governor,
54 shall:
- 55 (i) either declare the registered political party's intent to participate in the next regular
56 primary election or declare that the registered political party chooses not to have
57 the names of the registered political party's candidates for elective office featured
58 on the ballot at the next regular general election; and
- 59 (ii) if the registered political party participates in the upcoming regular primary
60 election, identify one or more registered political parties whose members may
61 vote for the registered political party's candidates and whether individuals
62 identified as unaffiliated with a political party may vote for the registered political

- 63 party's candidates.
- 64 (b)(i) A registered political party that is a continuing political party shall file the
65 statement described in Subsection (2)(a) with the lieutenant governor no later than
66 5 p.m. on November 30 of each odd-numbered year.
- 67 (ii) An organization that is seeking to become a registered political party under
68 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the
69 time that the registered political party files the petition described in Section
70 20A-8-103.
- 71 (3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration
72 of candidacy under Section 20A-9-202 shall appear as a candidate for elective office
73 on the regular primary ballot of the registered political party listed on the declaration
74 of candidacy only if the individual is certified by the appropriate filing officer as
75 having submitted a nomination petition that was:
- 76 (i) circulated and completed in accordance with Section 20A-9-405; and
77 (ii) signed by at least 2% of the registered political party's members who reside in the
78 political division of the office that the individual seeks.
- 79 (b)(i) A candidate for elective office shall submit signatures for a nomination petition
80 to the appropriate filing officer for verification and certification no later than 5
81 p.m. on the final day in March.
- 82 (ii) A candidate may supplement the candidate's submissions at any time on or before
83 the filing deadline.
- 84 (c)(i) The lieutenant governor shall determine for each elective office the total
85 number of signatures that must be submitted under Subsection (3)(a)(ii) or
86 20A-9-408(8) by counting the aggregate number of individuals residing in each
87 elective office's political division who have designated a particular registered
88 political party on the individuals' voter registration forms on or before November
89 15 of each odd-numbered year.
- 90 (ii) The lieutenant governor shall publish the determination for each elective office
91 no later than November 30 of each odd-numbered year.
- 92 (d) The filing officer shall:
- 93 (i) except as otherwise provided in Section 20A-21-201, verify signatures on [
94 ~~nomination petitions~~] a nomination petition in a transparent and orderly manner,
95 no later than 14 days after the day on which a candidate submits the signatures to
96 the filing officer;

- 97 (ii) for ~~[all qualifying candidates for elective office who submit nomination petitions~~
98 ~~to the filing officer, issue certifications referenced]~~ each qualifying candidate for
99 elective office who submits a nomination petition to the filing officer, issue the
100 certification described in Subsection (3)(a) no later than the deadline described in
101 Subsection 20A-9-202(1)(b);
- 102 (iii) consider ~~[active and inactive voters eligible to sign nomination petitions]~~ an
103 active voter and inactive voter eligible to sign a nomination petition;
- 104 (iv) consider an individual who signs a nomination petition a member of a registered
105 political party for purposes of Subsection (3)(a)(ii) if the individual has designated [
106 ~~that]~~ the registered political party as the individual's party membership on the
107 individual's voter registration form;[-and]
- 108 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of
109 the county clerk as applicable, use the procedures described in Section 20A-1-1002
110 to verify submitted nomination petition signatures, or use statistical sampling
111 procedures to verify submitted nomination petition signatures in accordance with
112 rules made under Subsection (3)(f)[-] ; and
- 113 (vi) except as provided in Subsection 20A-9-405(11), no later than five business days
114 after the day on which the signature of an individual who signs a nomination
115 petition is verified under Subsection (3)(d)(v), post the name and date of signature
116 of the individual on the lieutenant governor's website, in a conspicuous location
117 designated by the lieutenant governor, for at least 90 calendar days.
- 118 (e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant
119 governor may appear on the regular primary ballot of a registered political party
120 without submitting ~~[nomination petitions]~~ a nomination petition if the candidate files
121 a declaration of candidacy and complies with Subsection 20A-9-202(3).
- 122 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
123 director of elections, within the Office of the Lieutenant Governor, may make rules
124 that:
- 125 (i) provide for the use of statistical sampling procedures that:
- 126 (A) ~~[filing officers are]~~ each filing officer is required to use to verify signatures
127 under Subsection (3)(d); and
- 128 (B) reflect a bona fide effort to determine the validity of a candidate's entire
129 submission, using widely recognized statistical sampling techniques; and
- 130 (ii) provide for the transparent, orderly, and timely submission, verification, and

- 131 certification of nomination petition signatures.
- 132 (g) The county clerk shall:
- 133 (i) review the declarations of candidacy filed by ~~[candidates]~~ each candidate for local
- 134 boards of education to determine if more than two candidates have filed for the
- 135 same seat;
- 136 (ii) place the ~~[names of all candidates who have filed]~~ name of each candidate who
- 137 filed a declaration of candidacy for a local board of education seat on the
- 138 nonpartisan section of the ballot if more than two candidates have filed for the
- 139 same seat; and
- 140 (iii) determine the order of the local board of education candidates' names on the
- 141 ballot in accordance with Section 20A-6-305.
- 142 (4)(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant
- 143 governor shall provide to ~~[the county clerks]~~ each county clerk:
- 144 (i) a list of the names of ~~[all candidates]~~ each candidate for federal, constitutional,
- 145 multi-county, single county, and county ~~[offices who have received certifications]~~
- 146 office who has received a certification under Subsection (3)(a), along with
- 147 instructions on how ~~[those names]~~ each name shall appear on the primary election
- 148 ballot in accordance with Section 20A-6-305; and
- 149 (ii) a list of ~~[unopposed candidates for elective office who have]~~ each unopposed
- 150 candidate for elective office who has been nominated by a registered political
- 151 party under Subsection (5)(c) and ~~[instruct the county clerks]~~ instructions to
- 152 exclude the unopposed ~~[candidates]~~ candidate from the primary election ballot.
- 153 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
- 154 joint-ticket running mates shall appear jointly on the primary election ballot.
- 155 (c) After the county clerk receives the certified list from the lieutenant governor under
- 156 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
- 157 substantially the following form:
- 158 "Notice is given that a primary election will be held Tuesday, June _____,
- 159 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
- 160 local school board positions listed on the primary ballot. The polling place for voting precinct
- 161 _____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
- 162 Attest: county clerk."
- 163 (5)(a) A candidate who, at the regular primary election, receives the highest number of
- 164 votes cast for the office sought by the candidate is:

- 165 (i) nominated for that office by the candidate's registered political party; or
166 (ii) for a nonpartisan local school board position, nominated for that office.
- 167 (b) If two or more candidates are to be elected to the office at the regular general
168 election, those party candidates equal in number to positions to be filled who receive
169 the highest number of votes at the regular primary election are the nominees of the
170 candidates' party for those positions.
- 171 (c)(i) As used in this Subsection (5)(c), a candidate is "unopposed" if:
172 (A) no individual other than the candidate receives a certification under
173 Subsection (3)(a) for the regular primary election ballot of the candidate's
174 registered political party for a particular elective office; or
175 (B) for an office where more than one individual is to be elected or nominated, the
176 number of candidates who receive certification under Subsection (3)(a) for the
177 regular primary election of the candidate's registered political party does not
178 exceed the total number of candidates to be elected or nominated for that office.
- 179 (ii) A candidate who is unopposed for an elective office in the regular primary
180 election of a registered political party is nominated by the party for that office
181 without appearing on the primary election ballot.
- 182 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary
183 election provided for by this section, and all expenses necessarily incurred in the
184 preparation for or the conduct of that primary election shall be paid out of the treasury of
185 the county or state, in the same manner as for the regular general elections.
- 186 (7) An individual may not file a declaration of candidacy for a registered political party of
187 which the individual is not a member, except to the extent that the registered political
188 party permits otherwise under the registered political party's bylaws.
- 189 Section 2. Section **20A-9-405** is amended to read:
190 **20A-9-405 . Nomination petitions for regular primary elections.**
- 191 (1) This section applies to the form and circulation of nomination petitions for regular
192 primary elections described in Subsection 20A-9-403(3)(a) and Section 20A-9-408.
- 193 (2) A candidate for elective office, and the agents of the candidate, may not circulate
194 nomination petitions until the candidate has submitted a declaration of candidacy in
195 accordance with Subsection 20A-9-202(1).
- 196 (3) For the manual candidate qualification process, the nomination petitions shall be in
197 substantially the following form:
198 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

(b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for purposes of binding;

(c) the petition shall be headed by a caption stating the purpose of the petition and the name of the proposed candidate;

(d) the petition shall feature the word "Warning" followed by the following statement in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to knowingly sign a nomination petition with any name other than the person's own name, or more than once for the same candidate, or if the person is not registered to vote in this state.";

(e) the petition shall feature 10 lines spaced one-half inch apart and consecutively numbered one through 10;

(f) the signature portion of the petition shall be divided into columns headed by the following titles:

(i) Registered Voter's Printed Name;

(ii) Signature of Registered Voter;

(iii) Party Affiliation of Registered Voter;

(iv) Birth Date or Age (Optional);

(v) Street Address, City, Zip Code; and

(vi) Date of Signature; and

(g) a photograph of the candidate may appear on the nomination petition.

(4) For the electronic candidate qualification process, the lieutenant governor shall design an electronic form, using progressive screens, that includes:

(a) the following warning:

"Warning: It is a class A misdemeanor for anyone to knowingly sign a nomination petition with any name other than the person's own name, or more than once for the same candidate, or if the person is not registered to vote in this state."; and

(b) the following information for each individual who signs the petition:

(i) name;

(ii) party affiliation;

(iii) date of birth or age, (optional);

(iv) street address, city, zip code;

(v) date of signature;

(vi) other information required under Section 20A-21-201; and

(vii) other information required by the lieutenant governor.

- (5) For the manual candidate qualification process, if one or more nomination petitions are bound together, a page shall be bound to the nomination petition(s) that features the following printed verification statement to be signed and dated by the petition circulator:

"Verification

State of Utah, County of ____

I, ____, of ____, hereby state that:

I am a Utah resident and am at least 18 years old;

All the names that appear on the signature sheets bound to this page were, to the best of my knowledge, signed by the persons who professed to be the persons whose names appear on the signature sheets, and each of them signed the person's name on the signature sheets in my presence;

I believe that each has printed and signed the person's name and written the person's street address correctly, and that each signer is registered to vote in Utah."

- (6) The lieutenant governor shall prepare and make public model nomination petition forms and associated instructions.

- (7) A nomination petition circulator must be at least 18 years old and a resident of the state, but may affiliate with any political party.

- (8) It is unlawful for any person to:

(a) knowingly sign the nomination petition described in this section or Section 20A-9-408:

(i) with any name other than the person's own name;

(ii) more than once for the same candidate; or

(iii) if the person is not registered to vote in this state;

(b) sign the verification of a signature for a nomination petition if the person:

(i) does not meet the residency requirements of Section 20A-2-105;

(ii) has not witnessed the signing by those persons whose names appear on the nomination petition; or

(iii) knows that a person whose signature appears on the nomination petition is not registered to vote in this state;

(c) pay compensation to any person to sign a nomination petition; or

(d) pay compensation to any person to circulate a nomination petition, if the compensation is based directly on the number of signatures submitted to a filing officer rather than on the number of signatures verified or on some other basis.

- (9) Any person violating Subsection (8) is guilty of a class A misdemeanor.

(10) If a person whose signature appears on a nomination petition notifies a filing officer that the person did not sign the nomination petition, the filing officer shall, after making a reasonable attempt to determine the accuracy of the person's allegation, but no later than three business days after the day on which the allegation is received, notify the county or district attorney of:

(a) the nature of the allegation; and

(b) the name of, and available contact information for:

(i) the person making the allegation; and

(ii) the person who collected the signature.

(11)(a) Except as provided in Subsection (12)(a), a voter who signs a nomination petition may have the voter's signature removed from the petition by, no later than three business days after the day on which the candidate files the petition with the appropriate filing officer, submitting to the filing officer a statement requesting that the voter's signature be removed.

(b) A statement described in Subsection (11)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).

(c) The filing officer shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a nomination petition after receiving a timely, valid statement requesting removal of the signature.

(12)(a) A filing officer may not remove a voter's signature from a nomination petition if, before the date and time that the filing officer receives the statement described in Subsection (11)(a), the filing officer verifies the voter's signature under Subsection 20A-9-403(3)(d)(v).

(b) A filing officer who removes a voter's signature under Subsection (11) shall:

(i) ensure that the voter's name and date of signature are not included in the posting described in Subsection 20A-9-403(3)(d)(vi); and

(ii) remove the voter's signature from the nomination petition and the nomination petition signature totals.

~~[(10) Withdrawal of petition signatures is prohibited.]~~

Section 3. Section **20A-9-406** is amended to read:

20A-9-406 . Qualified political party -- Requirements and exemptions.

The following provisions apply to a qualified political party:

(1) the qualified political party shall, no later than 5 p.m. on the first Monday of October of each odd-numbered year, certify to the lieutenant governor the identity of one or more

registered political parties whose members may vote for the qualified political party's candidates and whether unaffiliated voters may vote for the qualified political party's candidates;

(2) the following provisions do not apply to a nomination for the qualified political party:

(a) Subsections 20A-9-403(1) through (3)(b) and (3)(d) through (4)(a); and

(b) Subsection 20A-9-403(5)(c);~~[-and]~~

~~[(c) Section 20A-9-405;]~~

(3) an individual may only seek the nomination of the qualified political party by using a method described in Section 20A-9-407, Section 20A-9-408, or both;

(4) the qualified political party shall comply with the provisions of Sections 20A-9-407, 20A-9-408, and 20A-9-409;

(5) notwithstanding Subsection 20A-6-301(1)(a), (1)(e), or (2)(a), each election officer shall ensure that a ballot described in Section 20A-6-301 includes each individual nominated by a qualified political party:

(a) under the qualified political party's name , if any; or

(b) under the title of the qualified registered political party as designated by the qualified political party in the certification described in Subsection (1), or, if none is designated, then under some suitable title;

(6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for ballots in regular general elections, that each candidate who is nominated by the qualified political party is listed by party;

(7) notwithstanding Subsection 20A-6-304(1)(e), each election officer shall ensure that the party designation of each candidate who is nominated by the qualified political party is displayed adjacent to the candidate's name on a mechanical ballot;

(8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also includes an individual who files a declaration of candidacy under Section 20A-9-407 or 20A-9-408 to run in a regular general election for a federal office, constitutional office, multicounty office, or county office;

(9) an individual who is nominated by, or seeking the nomination of, the qualified political party is not required to comply with Subsection 20A-9-201(1)(c);

(10) notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled to have each of the qualified political party's candidates for elective office appear on the primary ballot of the qualified political party with an indication that each candidate is a candidate for the qualified political party;

- (11) notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include on the list provided by the lieutenant governor to the county clerks:
- (a) the names of all candidates of the qualified political party for federal, constitutional, multicounty, and county offices; and
 - (b) the names of unopposed candidates for elective office who have been nominated by the qualified political party and instruct the county clerks to exclude such candidates from the primary-election ballot;
- (12) notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an elective office in the regular primary election of the qualified political party is nominated by the party for that office without appearing on the primary ballot; and
- (13) notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section 20A-9-405, the qualified political party is entitled to have the names of its candidates for elective office featured with party affiliation on the ballot at a regular general election.

Section 4. Section **20A-9-408** is amended to read:

20A-9-408 . Signature-gathering process to seek the nomination of a qualified political party -- Removal of signature.

- (1) This section describes the requirements for a member of a qualified political party who is seeking the nomination of the qualified political party for an elective office through the signature-gathering process described in this section.
- (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy for a member of a qualified political party who is nominated by, or who is seeking the nomination of, the qualified political party under this section shall be substantially as described in Section 20A-9-408.5.
- (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election shall:
- (a) during the declaration of candidacy filing period described in Section 20A-9-201.5, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:
 - (i) the name of the member who will attempt to become a candidate for a registered political party under this section;
 - (ii) the name of the registered political party for which the member is seeking

- 369 nomination;
- 370 (iii) the office for which the member is seeking to become a candidate;
- 371 (iv) the address and telephone number of the member; and
- 372 (v) other information required by the lieutenant governor;
- 373 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
- 374 person, with the filing officer during the declaration of candidacy filing period
- 375 described in Section 20A-9-201.5; and
- 376 (c) pay the filing fee.
- 377 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
- 378 who, under this section, is seeking the nomination of the qualified political party for the
- 379 office of district attorney within a multicounty prosecution district that is to be filled at
- 380 the next general election shall:
- 381 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,
- 382 and before gathering signatures under this section, file with the filing officer on a
- 383 form approved by the lieutenant governor a notice of intent to gather signatures for
- 384 candidacy that includes:
- 385 (i) the name of the member who will attempt to become a candidate for a registered
- 386 political party under this section;
- 387 (ii) the name of the registered political party for which the member is seeking
- 388 nomination;
- 389 (iii) the office for which the member is seeking to become a candidate;
- 390 (iv) the address and telephone number of the member; and
- 391 (v) other information required by the lieutenant governor;
- 392 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
- 393 person, with the filing officer during the declaration of candidacy filing period
- 394 described in Section 20A-9-201.5; and
- 395 (c) pay the filing fee.
- 396 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
- 397 files as the joint-ticket running mate of an individual who is nominated by a qualified
- 398 political party, under this section, for the office of governor shall, during the declaration
- 399 of candidacy filing period described in Section 20A-9-201.5, file a declaration of
- 400 candidacy and submit a letter from the candidate for governor that names the lieutenant
- 401 governor candidate as a joint-ticket running mate.
- 402 (6) The lieutenant governor shall ensure that the certification described in Subsection

20A-9-701(1) also includes the name of each candidate nominated by a qualified political party under this section.

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

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

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

(b) collecting signatures, on a form approved by the lieutenant governor that complies with Subsection 20A-9-405(3), during the period beginning on the day on which the member files a notice of intent to gather signatures and ending at 5 p.m. 14 days before the day on which the qualified political party's convention for the office is held, in the following amounts:

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

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

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

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

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

(A) 2,000 signatures of registered voters who are residents of the State Board of Education district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election; or

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

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

- 437 a primary election.
- 438 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 439 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 440 qualified political party's nomination for an elective office under this section, using
- 441 the manual candidate qualification process, the member shall:
- 442 (i) collect the signatures on a form approved by the lieutenant governor, using the
- 443 same circulation and verification requirements described in [~~Sections 20A-7-105~~
- 444 ~~and 20A-7-204~~] Section 20A-9-405; and
- 445 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days
- 446 before the day on which the qualified political party holds the party's convention
- 447 to select candidates, for the elective office, for the qualified political party's
- 448 nomination.
- 449 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
- 450 election officer shall, no later than the earlier of 14 days after the day on which the
- 451 election officer receives the signatures, or one day before the day on which the
- 452 qualified political party holds the convention to select a nominee for the elective
- 453 office to which the signature packets relate:
- 454 (i) check the name of each individual who completes the verification for a signature
- 455 packet to determine whether each individual is a resident of Utah and is at least 18
- 456 years old;
- 457 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not a
- 458 Utah resident or who is not at least 18 years old to the attorney general and the
- 459 county attorney;
- 460 (iii) with the assistance of the county clerk as applicable, determine whether each
- 461 signer is a registered voter who is qualified to sign the petition, using the same
- 462 method, described in Section 20A-1-1002, used to verify a signature on a petition;
- 463 and
- 464 (iv) certify whether each name is that of a registered voter who is qualified to sign the
- 465 signature packet.
- 466 (d) Except as provided in Subsection (11), an election officer shall, no later than five
- 467 business days after the day on which the signature of an individual who signs a
- 468 petition is verified under Subsection (9)(c)(iii), post the name and date of signature of
- 469 the individual on the lieutenant governor's website, in a conspicuous location
- 470 designated by the lieutenant governor, for at least 90 calendar days.

471 ~~[(d)(i) A registered voter who physically signs a form under Subsections (8) and~~
472 ~~(9)(b) may have the voter's signature removed from the form by, no later than~~
473 ~~three business days after the day on which the member submits the signature form~~
474 ~~to the election officer, submitting to the election officer a statement requesting~~
475 ~~that the voter's signature be removed.]~~

476 ~~[(ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements~~
477 ~~described in Subsection 20A-1-1003(2).]~~

478 ~~[(iii) With the assistance of the county clerk as applicable, the election officer shall~~
479 ~~use the procedures described in Subsection 20A-1-1003(3) to determine whether~~
480 ~~to remove an individual's signature after receiving a timely, valid statement~~
481 ~~requesting removal of the signature.]~~

482 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
483 process.

484 (b) In order for a member of the qualified political party to qualify as a candidate for the
485 qualified political party's nomination for an elective office under this section, the
486 member shall, before 5 p.m. no later than 14 days before the day on which the
487 qualified political party holds the party's convention to select candidates, for the
488 elective office, for the qualified political party's nomination, collect signatures
489 electronically:

490 (i) in accordance with Section 20A-21-201; and

491 (ii) using progressive screens, in a format approved by the lieutenant governor, that
492 complies with Subsection 20A-9-405(4).

493 (c) Upon timely receipt of the signatures described in Subsections (8) and ~~[(9)(b)]~~ (10)(b),
494 the election officer shall, no later than the earlier of 14 days after the day on which
495 the election officer receives the signatures, or one day before the day on which the
496 qualified political party holds the convention to select a nominee for the elective
497 office to which the signature packets relate:

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

501 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
502 a Utah resident or who is not at least 18 years old to the attorney general and the
503 county attorney.

504 (d) Except as provided in Subsection (11), an election officer shall, no later than five

business days after the day on which the signature of an individual who signs a petition is verified under Section 20A-21-201, post the name and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 90 calendar days.

(11)(a) Except as provided in Subsection (12)(a), a registered voter who physically signs a petition under Subsections (8) and (9)(b), or who electronically signs a petition under Subsections (8) and (10)(b), may have the voter's signature removed from the petition by, no later than three business days after the day on which the member of the qualified political party submits the signatures to the election officer, submitting to the election officer a statement requesting that the voter's signature be removed.

(b) A statement described in Subsection (11)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).

(c) With the assistance of the county clerk as applicable, the election officer shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a petition after receiving a timely, valid statement requesting removal of the signature.

(12)(a) An election officer may not remove a voter's signature from a petition if, before the date and time that the election officer receives the statement described in Subsection (11)(a), the election officer verifies the voter's signature under Subsection (9)(c)(iii) or Section 20A-21-201.

(b) An election officer who removes a voter's signature under Subsection (11) shall:

(i) ensure that the voter's name and date of signature are not included in the posting described in Subsection (9)(d) or (10)(d); and

(ii) remove the voter's signature from the signature packet and the signature packet totals.

~~[(11)]~~ (13)(a) An individual may not gather signatures under this section until after the individual files a notice of intent to gather signatures for candidacy described in this section.

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

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

(ii) subject to the same enforcement provisions, and civil and criminal penalties, that

apply to a candidate for office in relation to the reporting requirements described in Subsection [(11)(b)(i)] (13)(b)(i).

(c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or Subsections (8) and (10)(b), the election officer shall, no later than one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate, notify the qualified political party and the lieutenant governor of the name of each member of the qualified political party who qualifies as a nominee of the qualified political party, under this section, for the elective office to which the convention relates.

(d) Upon receipt of a notice of intent to gather signatures for candidacy described in this section, the lieutenant governor shall post the notice of intent to gather signatures for candidacy on the lieutenant governor's website in the same location that the lieutenant governor posts a declaration of candidacy.

Section 5. Section **20A-9-502** is amended to read:

20A-9-502 . Certificate of nomination -- Contents -- Circulation -- Verification -- Criminal penalty -- Removal of petition signature.

(1) The candidate shall:

(a) prepare a certificate of nomination in substantially the following form:

"State of Utah, County of _____

I, _____, declare my intention of becoming an unaffiliated candidate for the political group designated as ____ for the office of _____. I do solemnly swear that I can qualify to hold that office both legally and constitutionally if selected, and that I reside at _____ Street, in the city of _____, county of _____, state of _____, zip code _____, phone _____, and that I am providing, or have provided, the required number of holographic signatures of registered voters required by law; that as a candidate at the next election I will not knowingly violate any election or campaign law; that, if filing via a designated agent for an office other than president of the United States, I will be out of the state of Utah during the entire candidate filing period; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot.

Subscribed and sworn to before me this _____(month\day\year).

571

572

Notary Public (or other officer

573

qualified to administer oaths)";

574

(b) for each signature packet, bind signature sheets to a copy of the certificate of nomination and the circulator verification, that:

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576

(i) are printed on sheets of paper 8-1/2 inches long and 11 inches wide;

577

(ii) are ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for the purpose of binding;

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579

(iii) contain the name of the proposed candidate and the words "Unaffiliated Candidate Certificate of Nomination Petition" printed directly below the horizontal line;

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(iv) contain the word "Warning" printed directly under the words described in Subsection (1)(b)(iii);

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(v) contain, to the right of the word "Warning," the following statement printed in not less than eight-point, single leaded type:

585

586

"It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination signature sheet with any name other than the person's own name or more than once for the same candidate or if the person is not registered to vote in this state and does not intend to become registered to vote in this state before the county clerk certifies the signatures.";

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(vi) contain the following statement directly under the statement described in Subsection (1)(b)(v):

591

592

"Each signer says:

593

I have personally signed this petition with a holographic signature;

594

I am registered to vote in Utah or intend to become registered to vote in Utah before the county clerk certifies my signature; and

595

596

My street address is written correctly after my name.";

597

(vii) contain horizontally ruled lines, 3/8 inch apart under the statement described in Subsection (1)(b)(vi); and

598

599

(viii) be vertically divided into columns as follows:

600

(A) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be headed with "For Office Use Only," and be subdivided with a light vertical

601

- 602 line down the middle;
- 603 (B) the next column shall be 2-1/2 inches wide, headed "Registered Voter's
604 Printed Name (must be legible to be counted)";
- 605 (C) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
606 Registered Voter";
- 607 (D) the next column shall be one inch wide, headed "Birth Date or Age
608 (Optional)";
- 609 (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
610 Code"; and
- 611 (F) at the bottom of the sheet, contain the following statement: "Birth date or age
612 information is not required, but it may be used to verify your identity with
613 voter registration records. If you choose not to provide it, your signature may
614 not be certified as a valid signature if you change your address before petition
615 signatures are certified or if the information you provide does not match your
616 voter registration records."; and
- 617 (c) bind a final page to one or more signature sheets that are bound together that contains,
618 except as provided by Subsection (3), the following printed statement:
- 619 "Verification
620 State of Utah, County of ____
621 I, _____, of _____, hereby state that:
622 I am at least 18 years old;
623 All the names that appear on the signature sheets bound to this page were signed by
624 persons who professed to be the persons whose names appear on the signature sheets, and each
625 of them signed the person's name on the signature sheets in my presence;
626 I believe that each has printed and signed the person's name and written the person's
627 street address correctly, and that each signer is registered to vote in Utah or will register to
628 vote in Utah before the county clerk certifies the signatures on the signature sheet.
- 629 _____
- 630 (Signature) (Residence Address) (Date)".
- 631 (2) An agent designated to file a certificate of nomination under Subsection 20A-9-503
632 (2)(b) or (4)(b) may not sign the form described in Subsection (1)(a).
- 633 (3)(a) The candidate shall circulate the nomination petition and ensure that the person in
634 whose presence each signature sheet is signed:
635 (i) is at least 18 years old; and

- 636 (ii) verifies each signature sheet by completing the verification bound to one or more
637 signature sheets that are bound together.
- 638 (b) A person may not sign the circulator verification if the person signed a signature
639 sheet bound to the verification.
- 640 (4)(a) It is unlawful for any person to:
- 641 (i) knowingly sign a certificate of nomination signature sheet:
- 642 (A) with any name other than the person's own name;
- 643 (B) more than once for the same candidate; or
- 644 (C) if the person is not registered to vote in this state and does not intend to
645 become registered to vote in this state before the county clerk certifies the
646 signatures; or
- 647 (ii) sign the verification of a certificate of nomination signature sheet if the person:
- 648 (A) has not witnessed the signing by those persons whose names appear on the
649 certificate of nomination signature sheet; or
- 650 (B) knows that a person whose signature appears on the certificate of nomination
651 signature sheet is not registered to vote in this state and does not intend to
652 become registered to vote in this state.
- 653 (b) Any person violating this Subsection (4) is guilty of a class A misdemeanor.
- 654 (c) If a person whose signature appears on a nomination petition notifies a county clerk
655 that the person did not sign the nomination petition, the county clerk shall, after
656 making a reasonable attempt to determine the accuracy of the person's allegation, but
657 no later than three business days after the day on which the allegation is received,
658 notify the county or district attorney of:
- 659 (i) the nature of the allegation; and
- 660 (ii) the name of, and available contact information for:
- 661 (A) the person making the allegation; and
- 662 (B) the person who collected the signature.
- 663 (5)(a) To qualify for placement on the general election ballot, the candidate shall, no
664 earlier than the start of the declaration of candidacy period described in Section
665 20A-9-201.5 and no later than 5 p.m. on June 15 of the year in which the election
666 will be held:
- 667 (i) comply with Subsection 20A-9-503(1); and
- 668 (ii) submit each signature packet to the county clerk where the majority of the
669 signatures in the packet were collected, with signatures totaling:

- 670 (A) at least 1,000 registered voters residing within the state when the nomination
671 is for an office to be filled by the voters of the entire state; or
672 (B) at least 300 registered voters residing within a political division or at least 5%
673 of the registered voters residing within a political division, whichever is less,
674 when the nomination is for an office to be filled by the voters of any political
675 division smaller than the state.
- 676 (b) A candidate has not complied with Subsection (5)(a)(ii), unless the county clerks
677 verify that each required signature is a valid signature of a registered voter who is
678 eligible to sign the signature packet and has not signed a signature packet to nominate
679 another candidate for the same office.
- 680 (c) In reviewing the signature packets, the county clerk shall count and certify only those
681 persons who signed with a holographic signature, who:
682 (i) are registered voters within the political division that the candidate seeks to
683 represent; and
684 (ii) did not sign any other certificate of nomination for that office.
- 685 (d) The county clerk shall count and certify the number of registered voters who validly
686 signed a signature packet, no later than 30 days after the day on which the candidate
687 submits the signature packet.
- 688 (e) The candidate may supplement the signatures or amend the certificate of nomination
689 or declaration of candidacy at any time on or before 5 p.m. on June 15 of the year in
690 which the election will be held.
- 691 (f) The county clerk shall use the procedures described in Section 20A-1-1002 to
692 determine whether a signer is a registered voter who is qualified to sign the signature
693 packet.
- 694 (6) Except as provided in Subsection (7), the county clerk shall, no later than five business
695 days after the day on which the signature of a voter who signs a signature packet is
696 verified under Subsection (5)(b), post the name and date of signature of the voter on the
697 lieutenant governor's website, in a conspicuous location designated by the lieutenant
698 governor, for at least 90 calendar days.
- 699 ~~[(6)]~~ (7)(a) [A] Except as provided in Subsection (8)(a), a voter who signs a signature
700 packet under this section may have the voter's signature removed from the signature
701 packet by, no later than three business days after the day on which the candidate
702 submits the signature packet to the county clerk, submitting to the county clerk a
703 statement requesting that the voter's signature be removed.

(b) A statement described in Subsection [~~(6)~~(a)] (7)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).

(c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a signature packet after receiving a timely, valid statement requesting removal of the signature.

(8)(a) A county clerk may not remove a voter's signature from a petition packet if, before the date and time that the county clerk receives the statement described in Subsection (7)(a), the county clerk verifies the voter's signature under Subsection (5)(b).

(b) A county clerk who removes a voter's signature under Subsection (7) shall:

(i) ensure that the voter's name and date of signature are not included in the posting described in Subsection (6); and

(ii) remove the voter's signature from the signature packet and the signature packet totals.

Section 6. Effective Date.

This bill takes effect on May 7, 2025.