Keven J. Stratton proposes the following substitute bill:

1   **Signature Collection Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael L. Kohler

Senate Sponsor: Keven J. Stratton

2
3   **LONG TITLE**

4   **General Description:**

5   This bill amends provisions related to nominations for elective office.

6   **Highlighted Provisions:**

7   This bill:

8   ‣ establishes a process for a voter to have the voter's signature removed from a petition to

9   nominate a candidate of a registered political party that is not a qualified political party

10   to elective office;

11   ‣ requires an election official to post on the lieutenant governor's website the name and date

12   of signature of each voter who signs a nomination petition;

13   ‣ prohibits an election official from removing a voter's signature from a nomination petition

14   if the election official has already verified the voter's signature;

15   ‣ requires an election official to notify the county or district attorney if a person whose

16   signature appears on a nomination petition notifies the election official that the person

17   did not sign the nomination petition;

18   ‣ describes deadlines and procedures related to the processes described above;

19   ‣ includes a coordination clause that adds an hourly deadline to Sections 20A-9-405 and

20   20A-9-408 to reflect the time computation changes made in H.B. 299, Election Code

21   Time Computation Revisions, if both bills pass and become law; and

22   ‣ makes technical and conforming changes.

23   **Money Appropriated in this Bill:**

24   None

25   **Other Special Clauses:**

26   This bill provides a coordination clause.

27   **Utah Code Sections Affected:**

28   AMENDS:

29   **20A-9-403**, as last amended by Laws of Utah 2024, Chapter 503

30   **20A-9-405**, as last amended by Laws of Utah 2022, Chapter 325

31   **20A-9-406**, as last amended by Laws of Utah 2022, Chapter 13

32   **20A-9-408**, as last amended by Laws of Utah 2023, Chapter 116

33   **20A-9-502**, as last amended by Laws of Utah 2024, Chapter 17

34   **Utah Code Sections affected by Coordination Clause:**

35   **20A-9-405**, as last amended by Laws of Utah 2022, Chapter 325

36   **20A-9-408**, as last amended by Laws of Utah 2023, Chapter 116

37   ══

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

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

40   **20A-9-403 . Regular primary elections.**

41   (1)(a) Candidates for elective office that are to be filled at the next regular general

42   election shall be nominated in a regular primary election by direct vote of the people

43   in the manner prescribed in this section. The regular primary election is held on the

44   date specified in Section 20A-1-201.5. Nothing in this section shall affect a

45   candidate's ability to qualify for a regular general election's ballot as an unaffiliated

46   candidate under Section 20A-9-501 or to participate in a regular general election as a

47   write-in candidate under Section 20A-9-601.

48   (b) Each registered political party that chooses to have the names of the registered

49   political party's candidates for elective office featured with party affiliation on the

50   ballot at a regular general election shall comply with the requirements of this section

51   and shall nominate the registered political party's candidates for elective office in the

52   manner described in this section.

53   (c) A filing officer may not permit an official ballot at a regular general election to be

54   produced or used if the ballot denotes affiliation between a registered political party

55   or any other political group and a candidate for elective office who is not nominated

56   in the manner prescribed in this section or in Subsection 20A-9-202(4).

57   (d) Unless noted otherwise, the dates in this section refer to those that occur in each

58   even-numbered year in which a regular general election will be held.

59   (2)(a) Each registered political party, in a statement filed with the lieutenant governor,

60   shall:

61   (i) either declare the registered political party's intent to participate in the next regular

62   primary election or declare that the registered political party chooses not to have

63   the names of the registered political party's candidates for elective office featured

64   on the ballot at the next regular general election; and

65   (ii) if the registered political party participates in the upcoming regular primary

66   election, identify one or more registered political parties whose members may

67   vote for the registered political party's candidates and whether individuals

68   identified as unaffiliated with a political party may vote for the registered political

69   party's candidates.

70 (b)(i) A registered political party that is a continuing political party shall file the

71   statement described in Subsection (2)(a) with the lieutenant governor no later than

72   5 p.m. on November 30 of each odd-numbered year.

73   (ii) An organization that is seeking to become a registered political party under

74   Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the

75   time that the registered political party files the petition described in Section

76   20A-8-103.

77 (3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration

78   of candidacy under Section 20A-9-202 shall appear as a candidate for elective office

79   on the regular primary ballot of the registered political party listed on the declaration

80   of candidacy only if the individual is certified by the appropriate filing officer as

81   having submitted a nomination petition that was:

82   (i) circulated and completed in accordance with Section 20A-9-405; and

83   (ii) signed by at least 2% of the registered political party's members who reside in the

84   political division of the office that the individual seeks.

85 (b)(i) A candidate for elective office shall submit signatures for a nomination petition

86   to the appropriate filing officer for verification and certification no later than 5

87   p.m. on the final day in March.

88   (ii) A candidate may supplement the candidate's submissions at any time on or before

89   the filing deadline.

90 (c)(i) The lieutenant governor shall determine for each elective office the total

91   number of signatures that must be submitted under Subsection (3)(a)(ii) or

92   20A-9-408(8) by counting the aggregate number of individuals residing in each

93   elective office's political division who have designated a particular registered

94   political party on the individuals' voter registration forms on or before November

95   15 of each odd-numbered year.

96   (ii) The lieutenant governor shall publish the determination for each elective office

97   no later than November 30 of each odd-numbered year.

98   (d) The filing officer shall:

99   (i) except as otherwise provided in Section 20A-21-201, verify signatures on [

100   nomination petitions] a nomination petition in a transparent and orderly manner,

101   no later than 14 days after the day on which a candidate submits the signatures to

102   the filing officer;

103   (ii) for [all qualifying candidates for elective office who submit nomination petitions

104   to the filing officer, issue certifications referenced] each qualifying candidate for

105   elective office who submits a nomination petition to the filing officer, issue the

106   certification described in Subsection (3)(a) no later than the deadline described in

107   Subsection 20A-9-202(1)(b);

108   (iii) consider [active and inactive voters eligible to sign nomination petitions] an

109   active voter and inactive voter eligible to sign a nomination petition;

110   (iv) consider an individual who signs a nomination petition a member of a registered

111   political party for purposes of Subsection (3)(a)(ii) if the individual has designated [

112   that] the registered political party as the individual's party membership on the

113   individual's voter registration form;[and]

114   (v) except as otherwise provided in Section 20A-21-201 and with the assistance of

115   the county clerk as applicable, use the procedures described in Section 20A-1-1002

116   to verify submitted nomination petition signatures, or use statistical sampling

117   procedures to verify submitted nomination petition signatures in accordance with

118   rules made under Subsection (3)(f)[.] ; and

119   (vi) except as provided in Subsection 20A-9-405(11), no later than five business days

120   after the day on which the signature of an individual who signs a nomination

121   petition is verified under Subsection (3)(d)(v), post the name and date of signature

122   of the individual on the lieutenant governor's website, in a conspicuous location

123   designated by the lieutenant governor, for at least 90 calendar days.

124   (e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant

125   governor may appear on the regular primary ballot of a registered political party

126   without submitting [nomination petitions] a nomination petition if the candidate files

127   a declaration of candidacy and complies with Subsection 20A-9-202(3).

128   (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

129   director of elections, within the Office of the Lieutenant Governor, may make rules

130   that:

131   (i) provide for the use of statistical sampling procedures that:

132   (A) [filing officers are] each filing officer is required to use to verify signatures

133   under Subsection (3)(d); and

134   (B) reflect a bona fide effort to determine the validity of a candidate's entire

135   submission, using widely recognized statistical sampling techniques; and

136   (ii) provide for the transparent, orderly, and timely submission, verification, and

137   certification of nomination petition signatures.

138   (g) The county clerk shall:

139   (i) review the declarations of candidacy filed by [candidates] each candidate for local

140   boards of education to determine if more than two candidates have filed for the

141   same seat;

142   (ii) place the [names of all candidates who have filed] name of each candidate who

143   filed a declaration of candidacy for a local board of education seat on the

144   nonpartisan section of the ballot if more than two candidates have filed for the

145   same seat; and

146   (iii) determine the order of the local board of education candidates' names on the

147   ballot in accordance with Section 20A-6-305.

148   (4)(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant

149   governor shall provide to [the county clerks] each county clerk:

150   (i) a list of the names of [all candidates] each candidate for federal, constitutional,

151   multi-county, single county, and county [offices who have received certifications]

152   office who has received a certification under Subsection (3)(a), along with

153   instructions on how [those names] each name shall appear on the primary election

154   ballot in accordance with Section 20A-6-305; and

155   (ii) a list of [unopposed candidates for elective office who have] each unopposed

156   candidate for elective office who has been nominated by a registered political

157   party under Subsection (5)(c) and [instruct the county clerks] instructions to

158   exclude the unopposed [candidates] candidate from the primary election ballot.

159   (b) A candidate for lieutenant governor and a candidate for governor campaigning as

160   joint-ticket running mates shall appear jointly on the primary election ballot.

161   (c) After the county clerk receives the certified list from the lieutenant governor under

162   Subsection (4)(a), the county clerk shall post or publish a primary election notice in

163   substantially the following form:

164   "Notice is given that a primary election will be held Tuesday, June ____,

165   _____(year), to nominate party candidates for the parties and candidates for nonpartisan

166   local school board positions listed on the primary ballot. The polling place for voting precinct

167   ____ is ____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.

168   Attest: county clerk."

169 (5)(a) A candidate who, at the regular primary election, receives the highest number of

170   votes cast for the office sought by the candidate is:

171   (i) nominated for that office by the candidate's registered political party; or

172   (ii) for a nonpartisan local school board position, nominated for that office.

173   (b) If two or more candidates are to be elected to the office at the regular general

174   election, those party candidates equal in number to positions to be filled who receive

175   the highest number of votes at the regular primary election are the nominees of the

176   candidates' party for those positions.

177   (c)(i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

178   (A) no individual other than the candidate receives a certification under

179   Subsection (3)(a) for the regular primary election ballot of the candidate's

180   registered political party for a particular elective office; or

181   (B) for an office where more than one individual is to be elected or nominated, the

182   number of candidates who receive certification under Subsection (3)(a) for the

183   regular primary election of the candidate's registered political party does not

184   exceed the total number of candidates to be elected or nominated for that office.

185   (ii) A candidate who is unopposed for an elective office in the regular primary

186   election of a registered political party is nominated by the party for that office

187   without appearing on the primary election ballot.

188 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary

189   election provided for by this section, and all expenses necessarily incurred in the

190   preparation for or the conduct of that primary election shall be paid out of the treasury of

191   the county or state, in the same manner as for the regular general elections.

192 (7) An individual may not file a declaration of candidacy for a registered political party of

193   which the individual is not a member, except to the extent that the registered political

194   party permits otherwise under the registered political party's bylaws.

195 *The following section is affected by a coordination clause at the end of this bill.*

196   Section 2. Section **20A-9-405** is amended to read:

197   **20A-9-405 . Nomination petitions for regular primary elections.**

198 (1) This section applies to the form and circulation of nomination petitions for regular

199   primary elections described in Subsection 20A-9-403(3)(a) and Section 20A-9-408.

200   (2) A candidate for elective office, and the agents of the candidate, may not circulate

201   nomination petitions until the candidate has submitted a declaration of candidacy in

202   accordance with Subsection 20A-9-202(1).

203   (3) For the manual candidate qualification process, the nomination petitions shall be in

204   substantially the following form:

205   (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

206   (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space

207   above that line blank for purposes of binding;

208   (c) the petition shall be headed by a caption stating the purpose of the petition and the

209   name of the proposed candidate;

210   (d) the petition shall feature the word "Warning" followed by the following statement in

211   no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone

212   to knowingly sign a nomination petition with any name other than the person's own

213   name, or more than once for the same candidate, or if the person is not registered to

214   vote in this state.";

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

216   numbered one through 10;

217   (f) the signature portion of the petition shall be divided into columns headed by the

218   following titles:

219   (i)   Registered Voter's Printed Name;

220   (ii) Signature of Registered Voter;

221   (iii) Party Affiliation of Registered Voter;

222   (iv) Birth Date or Age (Optional);

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

224   (vi) Date of Signature; and

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

226   (4) For the electronic candidate qualification process, the lieutenant governor shall design

227   an electronic form, using progressive screens, that includes:

228   (a) the following warning:

229   "Warning: It is a class A misdemeanor for anyone to knowingly sign a nomination

230   petition with any name other than the person's own name, or more than once for the same

231   candidate, or if the person is not registered to vote in this state."; and

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

233   (i) name;

234   (ii) party affiliation;

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

236   (iv) street address, city, zip code;

237   (v) date of signature;

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

239   (vii) other information required by the lieutenant governor.

240   (5) For the manual candidate qualification process, if one or more nomination petitions are

241   bound together, a page shall be bound to the nomination petition(s) that features the following

242   printed verification statement to be signed and dated by the petition circulator:

243   "Verification

244   State of Utah, County of ____

245   I, ____, of ____, hereby state that:

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

247   All the names that appear on the signature sheets bound to this page were, to the best of

248   my knowledge, signed by the persons who professed to be the persons whose names appear on

249   the signature sheets, and each of them signed the person's name on the signature sheets in my

250   presence;

251   I believe that each has printed and signed the person's name and written the person's

252   street address correctly, and that each signer is registered to vote in Utah."

253   (6) The lieutenant governor shall prepare and make public model nomination petition forms

254   and associated instructions.

255   (7) A nomination petition circulator must be at least 18 years old and a resident of the state,

256   but may affiliate with any political party.

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

258   (a) knowingly sign the nomination petition described in this section or Section

259   20A-9-408:

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

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

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

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

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

265   (ii) has not witnessed the signing by those persons whose names appear on the

266   nomination petition; or

267   (iii) knows that a person whose signature appears on the nomination petition is not

268   registered to vote in this state;

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

270   (d) pay compensation to any person to circulate a nomination petition, if the

271   compensation is based directly on the number of signatures submitted to a filing

272   officer rather than on the number of signatures verified or on some other basis.

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

274   (10) If a person whose signature appears on a nomination petition notifies a filing officer

275   that the person did not sign the nomination petition, the filing officer shall, after making

276   a reasonable attempt to determine the accuracy of the person's allegation, but no later

277   than three business days after the day on which the allegation is received, notify the

278   county or district attorney of:

279   (a) the nature of the allegation; and

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

281   (i) the person making the allegation; and

282   (ii) the person who collected the signature.

283   (11)(a) Except as provided in Subsection (12)(a), a voter who signs a nomination

284   petition may have the voter's signature removed from the petition by, no later than

285   three business days after the day on which the candidate files the petition with the

286   appropriate filing officer, submitting to the filing officer a statement requesting that

287   the voter's signature be removed.

288   (b) A statement described in Subsection (11)(a) shall comply with the requirements

289   described in Subsection 20A-1-1003(2).

290   (c) The filing officer shall use the procedures described in Subsection 20A-1-1003(3) to

291   determine whether to remove an individual's signature from a nomination petition

292   after receiving a timely, valid statement requesting removal of the signature.

293   (12)(a) A filing officer may not remove a voter's signature from a nomination petition if,

294   before the date and time that the filing officer receives the statement described in

295   Subsection (11)(a), the filing officer verifies the voter's signature under Subsection

296   20A-9-403(3)(d)(v).

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

298   (i) ensure that the voter's name and date of signature are not included in the posting

299   described in Subsection 20A-9-403(3)(d)(vi); and

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

301   petition signature totals.

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

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

304   **20A-9-406 . Qualified political party -- Requirements and exemptions.**

305   The following provisions apply to a qualified political party:

306   (1) the qualified political party shall, no later than 5 p.m. on the first Monday of October of

307   each odd-numbered year, certify to the lieutenant governor the identity of one or more

308   registered political parties whose members may vote for the qualified political party's

309   candidates and whether unaffiliated voters may vote for the qualified political party's

310   candidates;

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

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

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

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

315   (3) an individual may only seek the nomination of the qualified political party by using a

316   method described in Section 20A-9-407, Section 20A-9-408, or both;

317   (4) the qualified political party shall comply with the provisions of Sections 20A-9-407,

318   20A-9-408, and 20A-9-409;

319   (5) notwithstanding Subsection 20A-6-301(1)(a), (1)(e), or (2)(a), each election officer shall

320   ensure that a ballot described in Section 20A-6-301 includes each individual nominated

321   by a qualified political party:

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

323   (b) under the title of the qualified registered political party as designated by the qualified

324   political party in the certification described in Subsection (1), or, if none is

325   designated, then under some suitable title;

326   (6) notwithstanding Subsection 20A-6-302(1)(a), each election officer shall ensure, for

327   ballots in regular general elections, that each candidate who is nominated by the

328   qualified political party is listed by party;

329   (7) notwithstanding Subsection 20A-6-304(1)(e), each election officer shall ensure that the

330   party designation of each candidate who is nominated by the qualified political party is

331   displayed adjacent to the candidate's name on a mechanical ballot;

332   (8) "candidates for elective office," defined in Subsection 20A-9-101(1)(a), also includes an

333   individual who files a declaration of candidacy under Section 20A-9-407 or 20A-9-408

334   to run in a regular general election for a federal office, constitutional office, multicounty

335　　　　office, or county office;

336　(9)　an individual who is nominated by, or seeking the nomination of, the qualified political

337　　　　party is not required to comply with Subsection 20A-9-201(1)(c);

338　(10)　notwithstanding Subsection 20A-9-403(3), the qualified political party is entitled to

339　　　　have each of the qualified political party's candidates for elective office appear on the

340　　　　primary ballot of the qualified political party with an indication that each candidate is a

341　　　　candidate for the qualified political party;

342　(11)　notwithstanding Subsection 20A-9-403(4)(a), the lieutenant governor shall include on

343　　　　the list provided by the lieutenant governor to the county clerks:

344　　　　(a)　the names of all candidates of the qualified political party for federal, constitutional,

345　　　　　　multicounty, and county offices; and

346　　　　(b)　the names of unopposed candidates for elective office who have been nominated by

347　　　　　　the qualified political party and instruct the county clerks to exclude such candidates

348　　　　　　from the primary-election ballot;

349　(12)　notwithstanding Subsection 20A-9-403(5)(c), a candidate who is unopposed for an

350　　　　elective office in the regular primary election of the qualified political party is

351　　　　nominated by the party for that office without appearing on the primary ballot; and

352　(13)　notwithstanding the provisions of Subsections 20A-9-403(1) and (2) and Section

353　　　　20A-9-405, the qualified political party is entitled to have the names of its candidates for

354　　　　elective office featured with party affiliation on the ballot at a regular general election.

355　*The following section is affected by a coordination clause at the end of this bill.*

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

357　　　　**20A-9-408 . Signature-gathering process to seek the nomination of a qualified**

358　**political party -- Removal of signature.**

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

360　　　　is seeking the nomination of the qualified political party for an elective office through

361　　　　the signature-gathering process described in this section.

362　(2)　Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy

363　　　　for a member of a qualified political party who is nominated by, or who is seeking the

364　　　　nomination of, the qualified political party under this section shall be substantially as

365　　　　described in Section 20A-9-408.5.

366　(3)　Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection

367　　　　20A-9-202(4), a member of a qualified political party who, under this section, is seeking

368　　　　the nomination of the qualified political party for an elective office that is to be filled at

369   the next general election shall:

370   (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,

371   and before gathering signatures under this section, file with the filing officer on a

372   form approved by the lieutenant governor a notice of intent to gather signatures for

373   candidacy that includes:

374   (i) the name of the member who will attempt to become a candidate for a registered

375   political party under this section;

376   (ii) the name of the registered political party for which the member is seeking

377   nomination;

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

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

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

381   (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in

382   person, with the filing officer during the declaration of candidacy filing period

383   described in Section 20A-9-201.5; and

384   (c) pay the filing fee.

385   (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party

386   who, under this section, is seeking the nomination of the qualified political party for the

387   office of district attorney within a multicounty prosecution district that is to be filled at

388   the next general election shall:

389   (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,

390   and before gathering signatures under this section, file with the filing officer on a

391   form approved by the lieutenant governor a notice of intent to gather signatures for

392   candidacy that includes:

393   (i) the name of the member who will attempt to become a candidate for a registered

394   political party under this section;

395   (ii) the name of the registered political party for which the member is seeking

396   nomination;

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

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

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

400   (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in

401   person, with the filing officer during the declaration of candidacy filing period

402   described in Section 20A-9-201.5; and

403   (c) pay the filing fee.

404   (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who

405   files as the joint-ticket running mate of an individual who is nominated by a qualified

406   political party, under this section, for the office of governor shall, during the declaration

407   of candidacy filing period described in Section 20A-9-201.5, file a declaration of

408   candidacy and submit a letter from the candidate for governor that names the lieutenant

409   governor candidate as a joint-ticket running mate.

410   (6) The lieutenant governor shall ensure that the certification described in Subsection

411   20A-9-701(1) also includes the name of each candidate nominated by a qualified

412   political party under this section.

413   (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is

414   nominated by a qualified political party under this section, designate the qualified

415   political party that nominated the candidate.

416   (8) A member of a qualified political party may seek the nomination of the qualified

417   political party for an elective office by:

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

419   (b) collecting signatures, on a form approved by the lieutenant governor that complies

420   with Subsection 20A-9-405(3), during the period beginning on the day on which the

421   member files a notice of intent to gather signatures and ending at 5 p.m. 14 days

422   before the day on which the qualified political party's convention for the office is

423   held, in the following amounts:

424   (i) for a statewide race, 28,000 signatures of registered voters in the state who are

425   permitted by the qualified political party to vote for the qualified political party's

426   candidates in a primary election;

427   (ii) for a congressional district race, 7,000 signatures of registered voters who are

428   residents of the congressional district and are permitted by the qualified political

429   party to vote for the qualified political party's candidates in a primary election;

430   (iii) for a state Senate district race, 2,000 signatures of registered voters who are

431   residents of the state Senate district and are permitted by the qualified political

432   party to vote for the qualified political party's candidates in a primary election;

433   (iv) for a state House district race, 1,000 signatures of registered voters who are

434   residents of the state House district and are permitted by the qualified political

435   party to vote for the qualified political party's candidates in a primary election;

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

437   (A) 2,000 signatures of registered voters who are residents of the State Board of

438   Education district and are permitted by the qualified political party to vote for

439   the qualified political party's candidates in a primary election; or

440   (B) 3% of the registered voters of the qualified political party who are residents of

441   the applicable State Board of Education district; and

442   (vi) for a county office race, signatures of 3% of the registered voters who are

443   residents of the area permitted to vote for the county office and are permitted by

444   the qualified political party to vote for the qualified political party's candidates in

445   a primary election.

446   (9)(a) This Subsection (9) applies only to the manual candidate qualification process.

447   (b) In order for a member of the qualified political party to qualify as a candidate for the

448   qualified political party's nomination for an elective office under this section, using

449   the manual candidate qualification process, the member shall:

450   (i) collect the signatures on a form approved by the lieutenant governor, using the

451   same circulation and verification requirements described in [Sections 20A-7-105

452   and 20A-7-204] Section 20A-9-405; and

453   (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days

454   before the day on which the qualified political party holds the party's convention

455   to select candidates, for the elective office, for the qualified political party's

456   nomination.

457   (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the

458   election officer shall, no later than the earlier of 14 days after the day on which the

459   election officer receives the signatures, or one day before the day on which the

460   qualified political party holds the convention to select a nominee for the elective

461   office to which the signature packets relate:

462   (i) check the name of each individual who completes the verification for a signature

463   packet to determine whether each individual is a resident of Utah and is at least 18

464   years old;

465   (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not a

466   Utah resident or who is not at least 18 years old to the attorney general and the

467   county attorney;

468   (iii) with the assistance of the county clerk as applicable, determine whether each

469   signer is a registered voter who is qualified to sign the petition, using the same

470   method, described in Section 20A-1-1002, used to verify a signature on a petition;

471   and

472   (iv) certify whether each name is that of a registered voter who is qualified to sign the

473   signature packet.

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

475   business days after the day on which the signature of an individual who signs a

476   petition is verified under Subsection (9)(c)(iii), post the name and date of signature of

477   the individual on the lieutenant governor's website, in a conspicuous location

478   designated by the lieutenant governor, for at least 90 calendar days.

479   [(d)(i) A registered voter who physically signs a form under Subsections (8) and

480   (9)(b) may have the voter's signature removed from the form by, no later than

481   three business days after the day on which the member submits the signature form

482   to the election officer, submitting to the election officer a statement requesting

483   that the voter's signature be removed.]

484   [(ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements

485   described in Subsection 20A-1-1003(2).]

486   [(iii) With the assistance of the county clerk as applicable, the election officer shall

487   use the procedures described in Subsection 20A-1-1003(3) to determine whether

488   to remove an individual's signature after receiving a timely, valid statement

489   requesting removal of the signature.]

490   (10)(a) This Subsection (10) applies only to the electronic candidate qualification

491   process.

492   (b) In order for a member of the qualified political party to qualify as a candidate for the

493   qualified political party's nomination for an elective office under this section, the

494   member shall, before 5 p.m. no later than 14 days before the day on which the

495   qualified political party holds the party's convention to select candidates, for the

496   elective office, for the qualified political party's nomination, collect signatures

497   electronically:

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

499   (ii) using progressive screens, in a format approved by the lieutenant governor, that

500   complies with Subsection 20A-9-405(4).

501   (c) Upon timely receipt of the signatures described in Subsections (8) and [(9)(b)] (10)(b),

502   the election officer shall, no later than the earlier of 14 days after the day on which

503   the election officer receives the signatures, or one day before the day on which the

504   qualified political party holds the convention to select a nominee for the elective

505   office to which the signature packets relate:

506   (i) check the name of each individual who completes the verification for a signature

507   to determine whether each individual is a resident of Utah and is at least 18 years

508   old; and

509   (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not

510   a Utah resident or who is not at least 18 years old to the attorney general and the

511   county attorney.

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

513   business days after the day on which the signature of an individual who signs a

514   petition is verified under Section 20A-21-201, post the name and date of signature of

515   the individual on the lieutenant governor's website, in a conspicuous location

516   designated by the lieutenant governor, for at least 90 calendar days.

517   (11)(a) Except as provided in Subsection (12)(a), a registered voter who physically signs

518   a petition under Subsections (8) and (9)(b), or who electronically signs a petition

519   under Subsections (8) and (10)(b), may have the voter's signature removed from the

520   petition by, no later than three business days after the day on which the member of

521   the qualified political party submits the signatures to the election officer, submitting

522   to the election officer a statement requesting that the voter's signature be removed.

523   (b) A statement described in Subsection (11)(a) shall comply with the requirements

524   described in Subsection 20A-1-1003(2).

525   (c) With the assistance of the county clerk as applicable, the election officer shall use the

526   procedures described in Subsection 20A-1-1003(3) to determine whether to remove

527   an individual's signature from a petition after receiving a timely, valid statement

528   requesting removal of the signature.

529   (12)(a) An election officer may not remove a voter's signature from a petition if, before

530   the date and time that the election officer receives the statement described in

531   Subsection (11)(a), the election officer verifies the voter's signature under Subsection

532   (9)(c)(iii) or Section 20A-21-201.

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

534   (i) ensure that the voter's name and date of signature are not included in the posting

535   described in Subsection (9)(d) or (10)(d); and

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

537   totals.

538   [(11)] (13)(a) An individual may not gather signatures under this section until after the

539   individual files a notice of intent to gather signatures for candidacy described in this

540   section.

541   (b) An individual who files a notice of intent to gather signatures for candidacy,

542   described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the

543   individual files the notice of intent to gather signatures for candidacy:

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

545   required to comply with; and

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

547   apply to a candidate for office in relation to the reporting requirements described

548   in Subsection [(11)(b)(i)] (13)(b)(i).

549   (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or

550   Subsections (8) and (10)(b), the election officer shall, no later than one day before the

551   day on which the qualified political party holds the convention to select a nominee

552   for the elective office to which the signature packets relate, notify the qualified

553   political party and the lieutenant governor of the name of each member of the

554   qualified political party who qualifies as a nominee of the qualified political party,

555   under this section, for the elective office to which the convention relates.

556   (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this

557   section, the lieutenant governor shall post the notice of intent to gather signatures for

558   candidacy on the lieutenant governor's website in the same location that the

559   lieutenant governor posts a declaration of candidacy.

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

561   **20A-9-502 . Certificate of nomination -- Contents -- Circulation -- Verification --**

562   **Criminal penalty -- Removal of petition signature.**

563   (1) The candidate shall:

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

565   "State of Utah, County of _____

566   I, _____, declare my intention of becoming an unaffiliated candidate for the

567   political group designated as ____ for the office of ____. I do solemnly swear that I can

568   qualify to hold that office both legally and constitutionally if selected, and that I reside at ____

569   Street, in the city of ____, county of ____, state of _____, zip code ____, phone ____, and

570   that I am providing, or have provided, the required number of holographic signatures of

571   registered voters required by law; that as a candidate at the next election I will not knowingly

572   violate any election or campaign law; that, if filing via a designated agent for an office other

573   than president of the United States, I will be out of the state of Utah during the entire candidate

574   filing period; I will file all campaign financial disclosure reports as required by law; and I

575   understand that failure to do so will result in my disqualification as a candidate for this office

576   and removal of my name from the ballot.

577

578   _____

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

579

580   _____

       Notary Public (or other officer

581

       qualified to administer oaths)";

582   (b) for each signature packet, bind signature sheets to a copy of the certificate of

583   nomination and the circulator verification, that:

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

585   (ii) are ruled with a horizontal line 3/4 inch from the top, with the space above that

586   line blank for the purpose of binding;

587   (iii) contain the name of the proposed candidate and the words "Unaffiliated

588   Candidate Certificate of Nomination Petition" printed directly below the

589   horizontal line;

590   (iv) contain the word "Warning" printed directly under the words described in

591   Subsection (1)(b)(iii);

592   (v) contain, to the right of the word "Warning," the following statement printed in not less than

593   eight-point, single leaded type:

594   "It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination

595   signature sheet with any name other than the person's own name or more than once for the

596   same candidate or if the person is not registered to vote in this state and does not intend to

597   become registered to vote in this state before the county clerk certifies the signatures.";

598   (vi) contain the following statement directly under the statement described in Subsection

599   (1)(b)(v):

600   "Each signer says:

601   I have personally signed this petition with a holographic signature;

602   I am registered to vote in Utah or intend to become registered to vote in Utah before the
603   county clerk certifies my signature; and
604   My street address is written correctly after my name.";
605   (vii) contain horizontally ruled lines, 3/8 inch apart under the statement described in
606   Subsection (1)(b)(vi); and
607   (viii) be vertically divided into columns as follows:
608   (A) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide,
609   be headed with "For Office Use Only," and be subdivided with a light vertical
610   line down the middle;
611   (B) the next column shall be 2-1/2 inches wide, headed "Registered Voter's
612   Printed Name (must be legible to be counted)";
613   (C) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
614   Registered Voter";
615   (D) the next column shall be one inch wide, headed "Birth Date or Age
616   (Optional)";
617   (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
618   Code"; and
619   (F) at the bottom of the sheet, contain the following statement: "Birth date or age
620   information is not required, but it may be used to verify your identity with
621   voter registration records. If you choose not to provide it, your signature may
622   not be certified as a valid signature if you change your address before petition
623   signatures are certified or if the information you provide does not match your
624   voter registration records."; and
625 (c) bind a final page to one or more signature sheets that are bound together that contains,
626   except as provided by Subsection (3), the following printed statement:
627   "Verification
628   State of Utah, County of _____
629   I, _____, of _____, hereby state that:
630   I am at least 18 years old;
631   All the names that appear on the signature sheets bound to this page were signed by
632   persons who professed to be the persons whose names appear on the signature sheets, and each
633   of them signed the person's name on the signature sheets in my presence;
634   I believe that each has printed and signed the person's name and written the person's
635   street address correctly, and that each signer is registered to vote in Utah or will register to

636   vote in Utah before the county clerk certifies the signatures on the signature sheet.

637   _____

638   (Signature)   (Residence Address)   (Date)".

639   (2) An agent designated to file a certificate of nomination under Subsection 20A-9-503

640   (2)(b) or (4)(b) may not sign the form described in Subsection (1)(a).

641   (3)(a) The candidate shall circulate the nomination petition and ensure that the person in

642   whose presence each signature sheet is signed:

643   (i) is at least 18 years old; and

644   (ii) verifies each signature sheet by completing the verification bound to one or more

645   signature sheets that are bound together.

646   (b) A person may not sign the circulator verification if the person signed a signature

647   sheet bound to the verification.

648   (4)(a) It is unlawful for any person to:

649   (i) knowingly sign a certificate of nomination signature sheet:

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

651   (B) more than once for the same candidate; or

652   (C) if the person is not registered to vote in this state and does not intend to

653   become registered to vote in this state before the county clerk certifies the

654   signatures; or

655   (ii) sign the verification of a certificate of nomination signature sheet if the person:

656   (A) has not witnessed the signing by those persons whose names appear on the

657   certificate of nomination signature sheet; or

658   (B) knows that a person whose signature appears on the certificate of nomination

659   signature sheet is not registered to vote in this state and does not intend to

660   become registered to vote in this state.

661   (b) Any person violating this Subsection (4) is guilty of a class A misdemeanor.

662   (c) If a person whose signature appears on a nomination petition notifies a county clerk

663   that the person did not sign the nomination petition, the county clerk shall, after

664   making a reasonable attempt to determine the accuracy of the person's allegation, but

665   no later than three business days after the day on which the allegation is received,

666   notify the county or district attorney of:

667   (i) the nature of the allegation; and

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

669   (A) the person making the allegation; and

670   (B) the person who collected the signature.

671 (5)(a) To qualify for placement on the general election ballot, the candidate shall, no

672   earlier than the start of the declaration of candidacy period described in Section

673   20A-9-201.5 and no later than 5 p.m. on June 15 of the year in which the election

674   will be held:

675   (i) comply with Subsection 20A-9-503(1); and

676   (ii) submit each signature packet to the county clerk where the majority of the

677   signatures in the packet were collected, with signatures totaling:

678   (A) at least 1,000 registered voters residing within the state when the nomination

679   is for an office to be filled by the voters of the entire state; or

680   (B) at least 300 registered voters residing within a political division or at least 5%

681   of the registered voters residing within a political division, whichever is less,

682   when the nomination is for an office to be filled by the voters of any political

683   division smaller than the state.

684   (b) A candidate has not complied with Subsection (5)(a)(ii), unless the county clerks

685   verify that each required signature is a valid signature of a registered voter who is

686   eligible to sign the signature packet and has not signed a signature packet to nominate

687   another candidate for the same office.

688   (c) In reviewing the signature packets, the county clerk shall count and certify only those

689   persons who signed with a holographic signature, who:

690   (i) are registered voters within the political division that the candidate seeks to

691   represent; and

692   (ii) did not sign any other certificate of nomination for that office.

693   (d) The county clerk shall count and certify the number of registered voters who validly

694   signed a signature packet, no later than 30 days after the day on which the candidate

695   submits the signature packet.

696   (e) The candidate may supplement the signatures or amend the certificate of nomination

697   or declaration of candidacy at any time on or before 5 p.m. on June 15 of the year in

698   which the election will be held.

699   (f) The county clerk shall use the procedures described in Section 20A-1-1002 to

700   determine whether a signer is a registered voter who is qualified to sign the signature

701   packet.

702 (6) Except as provided in Subsection (7), the county clerk shall, no later than five business

703   days after the day on which the signature of a voter who signs a signature packet is

704   verified under Subsection (5)(b), post the name and date of signature of the voter on the

705   lieutenant governor's website, in a conspicuous location designated by the lieutenant

706   governor, for at least 90 calendar days.

707   [(6)] (7)(a) [A] Except as provided in Subsection (8)(a), a voter who signs a signature

708   packet under this section may have the voter's signature removed from the signature

709   packet by, no later than three business days after the day on which the candidate

710   submits the signature packet to the county clerk, submitting to the county clerk a

711   statement requesting that the voter's signature be removed.

712   (b) A statement described in Subsection [(6)(a)] (7)(a) shall comply with the

713   requirements described in Subsection 20A-1-1003(2).

714   (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to

715   determine whether to remove an individual's signature from a signature packet after

716   receiving a timely, valid statement requesting removal of the signature.

717   (8)(a) A county clerk may not remove a voter's signature from a petition packet if,

718   before the date and time that the county clerk receives the statement described in

719   Subsection (7)(a), the county clerk verifies the voter's signature under Subsection

720   (5)(b).

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

722   (i) ensure that the voter's name and date of signature are not included in the posting

723   described in Subsection (6); and

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

725   totals.

726   Section 6. **Effective Date.**

727   This bill takes effect on May 7, 2025.

728   Section 7. **Coordinating H.B. 374 with H.B. 299.**

729   If H.B. 374, Signature Collection Amendments, and H.B. 299, Election Code Time

730   Computation Revisions, both pass and become law, the Legislature intends that, on May 7,

731   2024:

732   (1) Subsection 20A-9-405(11)(a) enacted in H.B. 374 be amended to read:

733   "(a) Except as provided in Subsection (12)(a), a voter who signs a nomination petition

734   may have the voter's signature removed from the petition by, no later than 5 p.m. three

735   business days after the day on which the candidate files the petition with the appropriate filing

736   officer, submitting to the filing officer a statement requesting that the voter's signature be

737   removed."; and

738   (2) Subsection 20A-9-408(11)(a) enacted in H.B. 374 be amended to read:

739   "(a) Except as provided in Subsection (12)(a), a registered voter who physically signs a

740   petition under Subsections (8) and (9)(b), or who electronically signs a petition under

741   Subsections (8) and (10)(b), may have the voter's signature removed from the petition by, no

742   later than 5 p.m. three business days after the day on which the member of the qualified

743   political party submits the signatures to the election officer, submitting to the election officer a

744   statement requesting that the voter's signature be removed.".