

1

**Modifications to Election Law**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor:

2

**LONG TITLE****General Description:**

This bill modifies provisions relating to elections.

**Highlighted Provisions:**

This bill:

- requires a county clerk to coordinate with local post offices to ensure the optimal handling of ballots;
- provides that a poll watcher may observe the signature-verification process for petitions to qualify a candidate for a primary election ballot;
- makes it unlawful for a poll watcher to reveal certain information observed during the process described in the preceding paragraph;
- requires an election officer to conduct an audit of signature comparisons made for petitions to qualify a candidate for a primary election ballot;
- requires an election officer who engages in the signature-verification process for petitions to qualify a candidate for a primary election ballot to certify a certain percentage of signatures submitted beyond the required signature-gathering threshold;
- establishes a chain of custody process for signature packets circulated to qualify a candidate for a primary election ballot;
- grants rulemaking authority to the director of elections within the Office of the Lieutenant Governor; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**20A-3a-106**, as enacted by Laws of Utah 2023, Chapter 297

31 **20A-3a-202**, as last amended by Laws of Utah 2023, Chapters 56, 106 and 297

32 **20A-3a-801**, as last amended by Laws of Utah 2022, Chapters 18, 380

33 **20A-9-408**, as last amended by Laws of Utah 2023, Chapter 116

34 ENACTS:

35 **20A-9-408.3**, Utah Code Annotated 1953

---

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

38 Section 1. Section **20A-3a-106** is amended to read:

39 **20A-3a-106 . Rulemaking authority relating to conducting an election.**

40 The director of elections, within the Office of the Lieutenant Governor, may make rules,  
41 in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, establishing  
42 requirements for:

- 43 (1) a return envelope described in Subsection 20A-3a-202(4), to ensure uniformity and  
44 security of the envelopes;
- 45 (2) complying with the signature comparison audit requirements described in Section  
46 20A-3a-402.5;~~[-or]~~
- 47 (3) conducting and documenting the identity verification process described in Subsection  
48 20A-3a-401(7)(b)~~[-]~~ ; or
- 49 (4) establishing specific requirements and procedures for an election officer to:  
50 (a) perform the signature comparison audits described in Subsection 20A-9-408(9)(e); or  
51 (b) fulfill the chain of custody requirements described in Section 20A-9-408.3.

52 Section 2. Section **20A-3a-202** is amended to read:

53 **20A-3a-202 . Conducting election by mail.**

- 54 (1)(a) Except as otherwise provided for an election conducted entirely by mail under  
55 Section 20A-7-609.5, an election officer shall administer an election primarily by  
56 mail, in accordance with this section.
- 57 (b) An individual who did not provide valid voter identification at the time the voter  
58 registered to vote shall provide valid voter identification before voting.
- 59 (2) An election officer who administers an election:
- 60 (a) shall in accordance with Subsection (3), no sooner than 21 days before election day  
61 and no later than seven days before election day, mail to each active voter within a  
62 voting precinct:
- 63 (i) a manual ballot;
- 64 (ii) a return envelope;

- 65 (iii) instructions for returning the ballot that include an express notice about any  
66 relevant deadlines that the voter must meet in order for the voter's vote to be  
67 counted;
- 68 (iv) for an election administered by a county clerk, information regarding the location  
69 and hours of operation of any election day voting center at which the voter may  
70 vote or a website address where the voter may view this information;
- 71 (v) for an election administered by an election officer other than a county clerk, if the  
72 election officer does not operate a polling place or an election day voting center, a  
73 warning, on a separate page of colored paper in bold face print, indicating that if  
74 the voter fails to follow the instructions included with the ballot, the voter will be  
75 unable to vote in that election because there will be no polling place for the voting  
76 precinct on the day of the election; and
- 77 (vi) instructions on how a voter may sign up to receive electronic ballot status  
78 notifications via the ballot tracking system described in Section 20A-3a-401.5;
- 79 (b) may not mail a ballot under this section to:
- 80 (i) an inactive voter, unless the inactive voter requests a manual ballot; or  
81 (ii) a voter whom the election officer is prohibited from sending a ballot under  
82 Subsection (9)(c)(ii);
- 83 (c) shall, on the outside of the envelope in which the election officer mails the ballot,  
84 include instructions for returning the ballot if the individual to whom the election  
85 officer mails the ballot does not live at the address to which the ballot is sent;
- 86 (d) shall provide a method of accessible voting to a voter with a disability who is not  
87 able to vote by mail; and
- 88 (e) shall include, on the election officer's website and with each ballot mailed,  
89 instructions regarding how a voter described in Subsection (2)(d) may vote.
- 90 (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the  
91 manual ballot to the address:
- 92 (i) provided at the time of registration; or  
93 (ii) if, at or after the time of registration, the voter files an alternate address request  
94 form described in Subsection (3)(b), the alternate address indicated on the form.
- 95 (b) The lieutenant governor shall make available to voters an alternate address request  
96 form that permits a voter to request that the election officer mail the voter's ballot to a  
97 location other than the voter's residence.
- 98 (c) A voter shall provide the completed alternate address request form to the election

99 officer no later than 11 days before the day of the election.

100 (4) The return envelope shall include:

101 (a) the name, official title, and post office address of the election officer on the front of  
102 the envelope;

103 (b) a space where a voter may write an email address and phone number by which the  
104 election officer may contact the voter if the voter's ballot is rejected;

105 (c) a printed affidavit in substantially the following form:

106 "County of \_\_\_\_ State of \_\_\_\_

107 I, \_\_\_\_, solemnly swear that: I am a qualified resident voter of the \_\_\_\_ voting precinct  
108 in \_\_\_\_ County, Utah and that I am entitled to vote in this election. I am not a convicted felon  
109 currently incarcerated for commission of a felony.

110 \_\_\_\_\_

111 Signature of Voter"; and

112 (d) a warning that the affidavit must be signed by the individual to whom the ballot was  
113 sent and that the ballot will not be counted if the signature on the affidavit does not  
114 match the signature on file with the election officer of the individual to whom the  
115 ballot was sent.

116 (5) If the election officer determines that the voter is required to show valid voter  
117 identification, the election officer may:

118 (a) mail a ballot to the voter;

119 (b) instruct the voter to include a copy of the voter's valid voter identification with the  
120 return ballot; and

121 (c) provide instructions to the voter on how the voter may sign up to receive electronic  
122 ballot status notifications via the ballot tracking system described in Section  
123 20A-3a-401.5.

124 (6) An election officer who administers an election shall:

125 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the  
126 election; or

127 (ii) obtain the signature of each voter within the voting precinct from the county  
128 clerk; and

129 (b) maintain the signatures on file in the election officer's office.

130 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot  
131 under Section 20A-3a-401.

132 (8) A county that administers an election:

- 133 (a) shall provide at least one election day voting center in accordance with Part 7,  
134 Election Day Voting Center, and at least one additional election day voting center for  
135 every 5,000 active voters in the county who have requested to not receive a ballot by  
136 mail;
- 137 (b) shall ensure that each election day voting center operated by the county has at least  
138 one voting device that is accessible, in accordance with the Help America Vote Act  
139 of 2002, Pub. L. No. 107-252, for individuals with disabilities;
- 140 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 141 (i) the county clerk conducts early voting on at least four days;
- 142 (ii) the early voting days are within the period beginning on the date that is 14 days  
143 before the date of the election and ending on the day before the election; and
- 144 (iii) the county clerk provides notice of the reduced early voting period in accordance  
145 with Section 20A-3a-604; and
- 146 (d) is not required to pay return postage for a ballot.
- 147 (9)(a) An individual may request that the election officer not send the individual a ballot  
148 by mail in the next and subsequent elections by submitting a written request to the  
149 election officer.
- 150 (b) An individual shall submit the request described in Subsection (9)(a) to the election  
151 officer before 5 p.m. no later than 60 days before an election if the individual does  
152 not wish to receive a ballot by mail in that election.
- 153 (c) An election officer who receives a request from an individual under Subsection (9)(a):
- 154 (i) shall remove the individual's name from the list of voters who will receive a ballot  
155 by mail; and
- 156 (ii) may not send the individual a ballot by mail for:
- 157 (A) the next election, if the individual submits the request described in Subsection  
158 (9)(a) before the deadline described in Subsection (9)(b); or
- 159 (B) an election after the election described in Subsection (9)(c)(ii)(A).
- 160 (d) An individual who submits a request under Subsection (9)(a) may resume the  
161 individual's receipt of a ballot by mail by submitting a written request to the election  
162 officer.
- 163 (10) A county clerk shall, at least 90 days before an election administered by the county  
164 clerk, contact local post offices to:
- 165 (a) coordinate the handling of mail-in ballots for the upcoming election; and
- 166 (b) take measures to ensure that:

- 167 (i) ballots are clearly and properly postmarked, or otherwise marked in accordance  
168 with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was  
169 mailed; and  
170 (ii) ballots are delivered in an expeditious manner to optimize the timely receipt of  
171 ballots.

172 Section 3. Section **20A-3a-801** is amended to read:

173 **20A-3a-801 . Watchers.**

- 174 (1) As used in this section, "administering election officer" means:  
175 (a) the election officer; or  
176 (b) if the election officer is the lieutenant governor, the county clerk of the county in  
177 which an individual will act as a watcher.
- 178 (2)(a) Any individual who is registered or preregistered to vote in Utah may become a  
179 watcher in an election, including for the purpose of observing the verification of  
180 signatures gathered under Section 20A-9-403 or 20A-9-408, at any time by  
181 registering as a watcher with the administering election officer.  
182 (b) An individual who registers under Subsection (2)(a) is not required to be certified by  
183 a person under Subsection (3) in order to act as a watcher.  
184 (c) An individual who registers as a watcher shall notify the administering election  
185 officer of the dates, times, and locations that the individual intends to act as a watcher.  
186 (d) An election official may not prohibit a watcher from performing a function described  
187 in Subsection (4) because the watcher did not provide the notice described in  
188 Subsection (2)(c).  
189 (e) An administering election officer shall provide a copy of this section, or instructions  
190 on how to access an electronic copy of this section, to a watcher at the time the  
191 watcher registers under this Subsection (2).
- 192 (3)(a) A person that is a candidate whose name will appear on the ballot, a qualified  
193 write-in candidate for the election, a registered political party, or a political issues  
194 committee may certify an individual as an official watcher for the person:  
195 (i) by filing an affidavit with the administering election officer responsible to  
196 designate an individual as an official watcher for the certifying person; and  
197 (ii) if the individual registers as a watcher under Subsection (2)(a).  
198 (b) A watcher who is certified by a person under Subsection (3)(a) may not perform the  
199 same function described in Subsection (4) at the same time and in the same location  
200 as another watcher who is certified by that person.

- 201 (c) A watcher who is certified by a person under Subsection (3)(a) may designate  
202 another individual to serve in the watcher's stead during the watcher's temporary  
203 absence by filing with a poll worker an affidavit that designates the individual as a  
204 temporary replacement.
- 205 (4) A watcher may:
- 206 (a) observe the setup or takedown of a polling place;
- 207 (b) observe a voter checking in at a polling place;
- 208 (c) observe the collection, receipt, and processing of a ballot, including a provisional  
209 ballot or a ballot cast by a covered voter as defined in Section 20A-16-102;
- 210 (d) observe the transport or transmission of a ballot that is in an election official's  
211 custody;
- 212 (e) observe the opening and inspection of a manual ballot;
- 213 (f) observe ballot replication;
- 214 (g) observe the conduct of logic and accuracy testing described in Section 20A-5-802;
- 215 (h) observe ballot tabulation;
- 216 (i) observe the process of storing and securing a ballot;
- 217 (j) observe a post-election audit;
- 218 (k) observe a canvassing board meeting described in [~~Title 20A, Chapter 4, Part 3,~~  
219 ~~Canvassing Returns~~] Chapter 4, Part 3, Canvassing Returns;
- 220 (l) observe the certification of the results of an election;
- 221 (m) observe a recount; or
- 222 (n) observe signature verification[-] of:
- 223 (i) signatures on a return envelope containing a ballot; or
- 224 (ii) signatures gathered under Section 20A-9-403 or 20A-9-408.
- 225 (5) An administering election officer shall:
- 226 (a) permit uniform, nondiscriminatory access for a watcher to observe each stage of an  
227 election process;
- 228 (b) establish locations for a watcher to observe an event described in Subsection (4),  
229 other than an event described in Subsection (4)(d) or (k), from no further than six feet  
230 away; and
- 231 (c) except for a county of the fourth, fifth, or sixth class, for any ballot adjudication, or  
232 upload of votes from a voting machine or scanner, that is conducted on a computer  
233 screen, project the activity onto a screen that is large enough to be viewed by each  
234 watcher.

- 235 (6)(a) A watcher may not:
- 236 (i) record an activity described in Subsection (4) if the recording would reveal a vote
- 237 or otherwise violate a voter's privacy or a voter's right to cast a secret ballot;
- 238 (ii) interfere with an activity described in Subsection (4), except to challenge an
- 239 individual's eligibility to vote under Section 20A-3a-803;~~[-or]~~
- 240 (iii) divulge information related to the number of votes counted, tabulated, or cast for
- 241 a candidate or ballot proposition until after the election officer makes the
- 242 information public[-] ; or
- 243 (iv) divulge information related to the number of, or names of, signatures verified
- 244 under Section 20A-9-403 or 20A-9-408.

245 (b) A person who violates Subsection (6)(a)(iii) or (iv) is guilty of a third degree felony.

246 (7)(a) Notwithstanding Subsection (2)(a) or (4), in order to maintain a safe working

247 environment for an election official or to protect the safety or security of a ballot, an

248 administering election officer may take reasonable action to:

- 249 (i) limit the number of watchers at a single location;
- 250 (ii) remove a watcher for violating a provision of this section;
- 251 (iii) remove a watcher for interfering with an activity described in Subsection (4);
- 252 (iv) designate areas for a watcher to reasonably observe the activities described in
- 253 Subsection (4); or
- 254 (v) ensure that a voter's ballot secrecy is protected throughout the watching process.

255 (b) If an administering election officer limits the number of watchers at a single location

256 under Subsection [~~(6)(a)(i)~~] (7)(a)(i), the administering election officer shall give

257 preferential access to the location to a watcher designated under Subsection (3).

258 (c) An administering election officer may provide a watcher a badge that identifies the

259 watcher and require the watcher to wear the badge while acting as a watcher.

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

261 **20A-9-408 . Signature-gathering process to seek the nomination of a qualified**

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

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

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

265 the signature-gathering process described in this section.

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

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

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



- 269 described in Section 20A-9-408.5.
- 270 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection  
271 20A-9-202(4), a member of a qualified political party who, under this section, is seeking  
272 the nomination of the qualified political party for an elective office that is to be filled at  
273 the next general election shall:
- 274 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,  
275 and before gathering signatures under this section, file with the filing officer on a  
276 form approved by the lieutenant governor a notice of intent to gather signatures for  
277 candidacy that includes:
- 278 (i) the name of the member who will attempt to become a candidate for a registered  
279 political party under this section;
- 280 (ii) the name of the registered political party for which the member is seeking  
281 nomination;
- 282 (iii) the office for which the member is seeking to become a candidate;
- 283 (iv) the address and telephone number of the member; and  
284 (v) other information required by the lieutenant governor;
- 285 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in  
286 person, with the filing officer during the declaration of candidacy filing period  
287 described in Section 20A-9-201.5; and
- 288 (c) pay the filing fee.
- 289 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party  
290 who, under this section, is seeking the nomination of the qualified political party for the  
291 office of district attorney within a multicounty prosecution district that is to be filled at  
292 the next general election shall:
- 293 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,  
294 and before gathering signatures under this section, file with the filing officer on a  
295 form approved by the lieutenant governor a notice of intent to gather signatures for  
296 candidacy that includes:
- 297 (i) the name of the member who will attempt to become a candidate for a registered  
298 political party under this section;
- 299 (ii) the name of the registered political party for which the member is seeking  
300 nomination;
- 301 (iii) the office for which the member is seeking to become a candidate;
- 302 (iv) the address and telephone number of the member; and

- 303 (v) other information required by the lieutenant governor;
- 304 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in  
305 person, with the filing officer during the declaration of candidacy filing period  
306 described in Section 20A-9-201.5; and
- 307 (c) pay the filing fee.
- 308 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who  
309 files as the joint-ticket running mate of an individual who is nominated by a qualified  
310 political party, under this section, for the office of governor shall, during the declaration  
311 of candidacy filing period described in Section 20A-9-201.5, file a declaration of  
312 candidacy and submit a letter from the candidate for governor that names the lieutenant  
313 governor candidate as a joint-ticket running mate.
- 314 (6) The lieutenant governor shall ensure that the certification described in Subsection  
315 20A-9-701(1) also includes the name of each candidate nominated by a qualified  
316 political party under this section.
- 317 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is  
318 nominated by a qualified political party under this section, designate the qualified  
319 political party that nominated the candidate.
- 320 (8) A member of a qualified political party may seek the nomination of the qualified  
321 political party for an elective office by:
- 322 (a) complying with the requirements described in this section; and
- 323 (b) collecting signatures, on a form approved by the lieutenant governor that complies  
324 with Subsection 20A-9-405(3), during the period beginning on the day on which the  
325 member files a notice of intent to gather signatures and ending at 5 p.m. 14 days  
326 before the day on which the qualified political party's convention for the office is  
327 held, in the following amounts:
- 328 (i) for a statewide race, 28,000 signatures of registered voters in the state who are  
329 permitted by the qualified political party to vote for the qualified political party's  
330 candidates in a primary election;
- 331 (ii) for a congressional district race, 7,000 signatures of registered voters who are  
332 residents of the congressional district and are permitted by the qualified political  
333 party to vote for the qualified political party's candidates in a primary election;
- 334 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
335 residents of the state Senate district and are permitted by the qualified political  
336 party to vote for the qualified political party's candidates in a primary election;

- 337 (iv) for a state House district race, 1,000 signatures of registered voters who are  
338 residents of the state House district and are permitted by the qualified political  
339 party to vote for the qualified political party's candidates in a primary election;
- 340 (v) for a State Board of Education race, the lesser of:
- 341 (A) 2,000 signatures of registered voters who are residents of the State Board of  
342 Education district and are permitted by the qualified political party to vote for  
343 the qualified political party's candidates in a primary election; or
- 344 (B) 3% of the registered voters of the qualified political party who are residents of  
345 the applicable State Board of Education district; and
- 346 (vi) for a county office race, signatures of 3% of the registered voters who are  
347 residents of the area permitted to vote for the county office and are permitted by  
348 the qualified political party to vote for the qualified political party's candidates in  
349 a primary election.
- 350 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 351 (b) In order for a member of the qualified political party to qualify as a candidate for the  
352 qualified political party's nomination for an elective office under this section, using  
353 the manual candidate qualification process, the member shall:
- 354 (i) collect the signatures on a form approved by the lieutenant governor, using the  
355 same circulation and verification requirements described in Sections 20A-7-105  
356 and 20A-7-204; and
- 357 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days  
358 before the day on which the qualified political party holds the party's convention  
359 to select candidates, for the elective office, for the qualified political party's  
360 nomination.
- 361 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the  
362 election officer shall, no later than the earlier of 14 days after the day on which the  
363 election officer receives the signatures, or one day before the day on which the  
364 qualified political party holds the convention to select a nominee for the elective  
365 office to which the signature packets relate:
- 366 (i) check the name of each individual who completes the verification for a signature  
367 packet to determine whether each individual is a resident of Utah and is at least 18  
368 years old;
- 369 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not a  
370 Utah resident or who is not at least 18 years old to the attorney general and the

- 371 county attorney;
- 372 (iii) with the assistance of the county clerk as applicable, determine whether each  
373 signer is a registered voter who is qualified to sign the petition, using the same  
374 method, described in Section 20A-1-1002, used to verify a signature on a petition;  
375 and
- 376 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
377 signature packet.
- 378 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)  
379 may have the voter's signature removed from the form by, no later than three  
380 business days after the day on which the member submits the signature form to the  
381 election officer, submitting to the election officer a statement requesting that the  
382 voter's signature be removed.
- 383 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements  
384 described in Subsection 20A-1-1003(2).
- 385 (iii) With the assistance of the county clerk as applicable, the election officer shall  
386 use the procedures described in Subsection 20A-1-1003(3) to determine whether  
387 to remove an individual's signature after receiving a timely, valid statement  
388 requesting removal of the signature.
- 389 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules  
390 made under Section 20A-3a-106, conduct regular audits of signature comparisons  
391 made between signatures gathered under this section and voter signatures  
392 maintained by the election officer.
- 393 (ii) An individual who conducts an audit of signature comparisons under this section  
394 may not audit the individual's own work.
- 395 (iii) The election officer shall:
- 396 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to  
397 determine the accuracy of the comparisons made;
- 398 (B) provide additional training or staff reassignments, as needed, based on the  
399 results of an audit described in Subsection (9)(e)(i); and
- 400 (C) submit to the lieutenant governor a record of the audits performed under this  
401 Subsection (9)(e), the results of the audits, and any remedial action taken.
- 402 (f) An election officer who certifies signatures under Subsection (9)(c) shall, after  
403 certifying enough signatures to establish that a candidate has reached the applicable  
404 signature threshold described in Subsection (8), continue to certify signatures

405 submitted for the candidate in excess of the number of signatures required, until the  
406 election officer either:

- 407 (i) certifies signatures equal to 110% of the applicable signature threshold; or  
408 (ii) has reviewed all signatures submitted for the candidate before reaching an  
409 amount equal to 110% of the applicable signature threshold.

410 (10)(a) This Subsection (10) applies only to the electronic candidate qualification  
411 process.

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

- 418 (i) in accordance with Section 20A-21-201; and  
419 (ii) using progressive screens, in a format approved by the lieutenant governor, that  
420 complies with Subsection 20A-9-405(4).

421 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the  
422 election officer shall, no later than the earlier of 14 days after the day on which the  
423 election officer receives the signatures, or one day before the day on which the  
424 qualified political party holds the convention to select a nominee for the elective  
425 office to which the signature packets relate:

- 426 (i) check the name of each individual who completes the verification for a signature  
427 to determine whether each individual is a resident of Utah and is at least 18 years  
428 old; and  
429 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not  
430 a Utah resident or who is not at least 18 years old to the attorney general and the  
431 county attorney.

432 (11)(a) An individual may not gather signatures under this section until after the  
433 individual files a notice of intent to gather signatures for candidacy described in this  
434 section.

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

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

- 439 required to comply with; and
- 440 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
- 441 apply to a candidate for office in relation to the reporting requirements described
- 442 in Subsection (11)(b)(i).
- 443 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
- 444 Subsections (8) and (10)(b), the election officer shall, no later than one day before the
- 445 day on which the qualified political party holds the convention to select a nominee
- 446 for the elective office to which the signature packets relate, notify the qualified
- 447 political party and the lieutenant governor of the name of each member of the
- 448 qualified political party who qualifies as a nominee of the qualified political party,
- 449 under this section, for the elective office to which the convention relates.
- 450 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
- 451 section, the lieutenant governor shall post the notice of intent to gather signatures for
- 452 candidacy on the lieutenant governor's website in the same location that the
- 453 lieutenant governor posts a declaration of candidacy.

454 Section 5. Section **20A-9-408.3** is enacted to read:

455 **20A-9-408.3 . Signature packet chain of custody.**

456 (1) As used in this section:

457 (a) "Batch" means a grouping of all signature sheets in a signature packet:

458 (i) that is given a number to distinguish the signature packet, and the signature sheets

459 in the signature packet, from other signature packets and signature sheets in those

460 other packets, when the signature packets are first received for signature

461 verification;

462 (ii) that is kept together in the same grouping, and kept separate from other

463 groupings, throughout the signature verification process; and

464 (iii) for which a log is kept to document the chain of custody of the grouping.

465 (b) "Signature packet" means a single packet of signature sheets that are bound together

466 and circulated to gather signatures to qualify a candidate for placement on a primary

467 election ballot.

468 (2) An election officer shall preserve the chain of custody of all signature packets and

469 signature sheets in accordance with this section.

470 (3) An election officer shall, upon receipt of a signature packet:

471 (a) label the signature packet with the batch number of the signature packet;

472 (b) label each signature sheet in the signature packet with:

- 473            (i) the batch number of the signature packet; and  
474            (ii) a number identifying the specific signature sheet within the signature packet;  
475            (c) record the number of signature sheets in the signature packet; and  
476            (d) record the number of signatures in the signature packet.  
477    (4) An election officer shall:  
478            (a) maintain an accurate, updated record of:  
479            (i) signature packets that the election officer receives;  
480            (ii) signature sheets in each signature packet;  
481            (iii) signatures on each signature sheet in each signature packet;  
482            (iv) signature packets that the election officer accepts;  
483            (v) signature packets that the election officer rejects, including the reason for the  
484            rejection;  
485            (vi) signatures that the election officer certifies as valid; and  
486            (vii) signatures that the election officer does not certify as valid; and  
487            (b) maintain an accurate record of:  
488            (i) the specific signatures that the election officer certifies as valid;  
489            (ii) the specific signatures that the election officer does not certify as valid; and  
490            (iii) for each signature described in Subsection (4)(b)(ii), the reason the election  
491            officer did not certify the signature as valid.  
492    (5) The election officer shall ensure that:  
493            (a) each batch, and each signature sheet in the batch, is kept separate from other  
494            signature packets and the signature sheets in other batches;  
495            (b) a signature sheet is not separated from a batch, except as necessary to the  
496            signature-verification process;  
497            (c) if a signature sheet is separated from a batch, the batch log indicates:  
498            (i) the numbers described in Subsection (3)(b);  
499            (ii) the date and time of removal;  
500            (iii) the identity of the individual who removes the signature sheet;  
501            (iv) the reason the signature sheet is removed; and  
502            (v) where the signature sheet is placed;  
503            (d) a log is kept for each batch that includes:  
504            (i) a unique identifying code or number for the batch;  
505            (ii) the number of signature sheets in the batch and the number of signatures on each  
506            signature sheet;

- 507            (iii) the date that the batch was received; and
- 508            (iv) for each occasion that the batch, or any of the signature sheets in the batch, are
- 509            handled:
- 510            (A) the date and time that the batch or signature sheets are handled;
- 511            (B) a description of what is done with the batch or signature sheets;
- 512            (C) the identity of the individuals who handle the batch or signature sheets; and
- 513            (D) any other information required by rule made under Section 20A-3a-106;
- 514            (e) an individual who handles a batch or signature sheets does the handling in the
- 515            presence of at least one other individual;
- 516            (f) to the extent reasonably possible, the individuals who perform a specific step in
- 517            processing a batch complete the step for the entire batch; and
- 518            (g) each part of the processing of all batches is monitored by recorded video, without
- 519            audio.
- 520            (6) An election officer shall:
- 521            (a) keep the recordings described in Subsection (5)(g) until the later of:
- 522            (i) the end of the calendar year in which the election is held; or
- 523            (ii) if the election is contested, when the contest is resolved; and
- 524            (b) ensure that a camera, a video, or a recording of a video described in Subsection
- 525            (5)(g) may only be accessed:
- 526            (i) by the election officer;
- 527            (ii) by a custodian of the camera, video, or recording;
- 528            (iii) by the lieutenant governor;
- 529            (iv) by the legislative auditor general, when performing an audit; or
- 530            (v) by, or pursuant to an order of, a court of competent jurisdiction.
- 531            (7) An individual may not view a video, or a recording of a video, described in Subsection
- 532            (5)(g):
- 533            (a) unless the individual is an individual described in Subsection (6)(b); and
- 534            (b) the individual views the video to the extent necessary to:
- 535            (i) ensure compliance with Subsection (5)(g) or (6); or
- 536            (ii) investigate a concern relating to the processing of batches.
- 537            **Section 6. Effective Date.**
- 538            This bill takes effect on May 7, 2025.