

Wayne A. Harper proposes the following substitute bill:

Modifications to Election Law

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor:

LONG TITLE

General Description:

This bill modifies provisions relating to elections.

Highlighted Provisions:

This bill:

- defines terms;
- 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 a petition to qualify a candidate for a primary election ballot (candidate petition) or for a written request to remove a signature from a candidate petition;
- 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 a candidate petition;
- requires an election officer who engages in the signature-verification process for a candidate petition to certify a certain percentage of signatures submitted beyond the required signature-gathering threshold;
- addresses viewing by a candidate or a candidate's campaign representative of a complete, unredacted signature packet, or a request to remove a signature from a signature packet, relating to a candidate petition for the candidate's election race;
- provides the ability for a voter to track a candidate petition recently signed by the voter and certain information relating to verification of the signature;
- in relation to a signature packet for a candidate petition, establishes requirements for:
 - submitting the packet;
 - maintaining a chain of custody for a packet; and

- 29 • storing a packet;
- 30 ▸ grants rulemaking authority to the director of elections within the Office of the Lieutenant
- 31 Governor; and
- 32 ▸ makes technical and conforming changes.

33 **Money Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 None

37 **Utah Code Sections Affected:**

38 AMENDS:

- 39 **20A-3a-106**, as enacted by Laws of Utah 2023, Chapter 297
- 40 **20A-3a-202**, as last amended by Laws of Utah 2023, Chapters 56, 106 and 297
- 41 **20A-3a-801**, as last amended by Laws of Utah 2022, Chapters 18, 380
- 42 **20A-9-403**, as last amended by Laws of Utah 2024, Chapter 503
- 43 **20A-9-408**, as last amended by Laws of Utah 2023, Chapter 116

44 ENACTS:

- 45 **20A-9-401.1**, Utah Code Annotated 1953
- 46 **20A-9-408.1**, Utah Code Annotated 1953
- 47 **20A-9-408.2**, Utah Code Annotated 1953
- 48 **20A-9-408.3**, Utah Code Annotated 1953

49

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

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

52 **20A-3a-106 . Rulemaking authority relating to conducting an election.**

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

- 56 (1) a return envelope described in Subsection 20A-3a-202(4), to ensure uniformity and
- 57 security of the envelopes;
- 58 (2) complying with the signature comparison audit requirements described in Section
- 59 20A-3a-402.5;~~[-or]~~
- 60 (3) conducting and documenting the identity verification process described in Subsection
- 61 20A-3a-401(7)(b)~~[-]~~ ; or
- 62 (4) establishing specific requirements and procedures for an election officer to:

- 63 (a) perform the signature comparison audits described in Subsection 20A-9-408(9)(e); or
64 (b) fulfill the chain of custody requirements described in Section 20A-9-408.3.

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

66 **20A-3a-202 . Conducting election by mail.**

- 67 (1)(a) Except as otherwise provided for an election conducted entirely by mail under
68 Section 20A-7-609.5, an election officer shall administer an election primarily by
69 mail, in accordance with this section.
- 70 (b) An individual who did not provide valid voter identification at the time the voter
71 registered to vote shall provide valid voter identification before voting.
- 72 (2) An election officer who administers an election:
- 73 (a) shall in accordance with Subsection (3), no sooner than 21 days before election day
74 and no later than seven days before election day, mail to each active voter within a
75 voting precinct:
- 76 (i) a manual ballot;
- 77 (ii) a return envelope;
- 78 (iii) instructions for returning the ballot that include an express notice about any
79 relevant deadlines that the voter must meet in order for the voter's vote to be
80 counted;
- 81 (iv) for an election administered by a county clerk, information regarding the location
82 and hours of operation of any election day voting center at which the voter may
83 vote or a website address where the voter may view this information;
- 84 (v) for an election administered by an election officer other than a county clerk, if the
85 election officer does not operate a polling place or an election day voting center, a
86 warning, on a separate page of colored paper in bold face print, indicating that if
87 the voter fails to follow the instructions included with the ballot, the voter will be
88 unable to vote in that election because there will be no polling place for the voting
89 precinct on the day of the election; and
- 90 (vi) instructions on how a voter may sign up to receive electronic ballot status
91 notifications via the ballot tracking system described in Section 20A-3a-401.5;
- 92 (b) may not mail a ballot under this section to:
- 93 (i) an inactive voter, unless the inactive voter requests a manual ballot; or
94 (ii) a voter whom the election officer is prohibited from sending a ballot under
95 Subsection (9)(c)(ii);
- 96 (c) shall, on the outside of the envelope in which the election officer mails the ballot,

- 97 include instructions for returning the ballot if the individual to whom the election
98 officer mails the ballot does not live at the address to which the ballot is sent;
- 99 (d) shall provide a method of accessible voting to a voter with a disability who is not
100 able to vote by mail; and
- 101 (e) shall include, on the election officer's website and with each ballot mailed,
102 instructions regarding how a voter described in Subsection (2)(d) may vote.
- 103 (3)(a) An election officer who mails a manual ballot under Subsection (2) shall mail the
104 manual ballot to the address:
- 105 (i) provided at the time of registration; or
106 (ii) if, at or after the time of registration, the voter files an alternate address request
107 form described in Subsection (3)(b), the alternate address indicated on the form.
- 108 (b) The lieutenant governor shall make available to voters an alternate address request
109 form that permits a voter to request that the election officer mail the voter's ballot to a
110 location other than the voter's residence.
- 111 (c) A voter shall provide the completed alternate address request form to the election
112 officer no later than 11 days before the day of the election.
- 113 (4) The return envelope shall include:
- 114 (a) the name, official title, and post office address of the election officer on the front of
115 the envelope;
- 116 (b) a space where a voter may write an email address and phone number by which the
117 election officer may contact the voter if the voter's ballot is rejected;
- 118 (c) a printed affidavit in substantially the following form:
- 119 "County of ____ State of ____
120 I, ____, solemnly swear that: I am a qualified resident voter of the ____ voting precinct
121 in ____ County, Utah and that I am entitled to vote in this election. I am not a convicted felon
122 currently incarcerated for commission of a felony.
123 _____
124 Signature of Voter"; and
- 125 (d) a warning that the affidavit must be signed by the individual to whom the ballot was
126 sent and that the ballot will not be counted if the signature on the affidavit does not
127 match the signature on file with the election officer of the individual to whom the
128 ballot was sent.
- 129 (5) If the election officer determines that the voter is required to show valid voter
130 identification, the election officer may:

- 131 (a) mail a ballot to the voter;
- 132 (b) instruct the voter to include a copy of the voter's valid voter identification with the
133 return ballot; and
- 134 (c) provide instructions to the voter on how the voter may sign up to receive electronic
135 ballot status notifications via the ballot tracking system described in Section
136 20A-3a-401.5.
- 137 (6) An election officer who administers an election shall:
- 138 (a)(i) before the election, obtain the signatures of each voter qualified to vote in the
139 election; or
- 140 (ii) obtain the signature of each voter within the voting precinct from the county
141 clerk; and
- 142 (b) maintain the signatures on file in the election officer's office.
- 143 (7) Upon receipt of a returned ballot, the election officer shall review and process the ballot
144 under Section 20A-3a-401.
- 145 (8) A county that administers an election:
- 146 (a) shall provide at least one election day voting center in accordance with Part 7,
147 Election Day Voting Center, and at least one additional election day voting center for
148 every 5,000 active voters in the county who have requested to not receive a ballot by
149 mail;
- 150 (b) shall ensure that each election day voting center operated by the county has at least
151 one voting device that is accessible, in accordance with the Help America Vote Act
152 of 2002, Pub. L. No. 107-252, for individuals with disabilities;
- 153 (c) may reduce the early voting period described in Section 20A-3a-601, if:
- 154 (i) the county clerk conducts early voting on at least four days;
- 155 (ii) the early voting days are within the period beginning on the date that is 14 days
156 before the date of the election and ending on the day before the election; and
- 157 (iii) the county clerk provides notice of the reduced early voting period in accordance
158 with Section 20A-3a-604; and
- 159 (d) is not required to pay return postage for a ballot.
- 160 (9)(a) An individual may request that the election officer not send the individual a ballot
161 by mail in the next and subsequent elections by submitting a written request to the
162 election officer.
- 163 (b) An individual shall submit the request described in Subsection (9)(a) to the election
164 officer before 5 p.m. no later than 60 days before an election if the individual does

- 165 not wish to receive a ballot by mail in that election.
- 166 (c) An election officer who receives a request from an individual under Subsection (9)(a):
- 167 (i) shall remove the individual's name from the list of voters who will receive a ballot
- 168 by mail; and
- 169 (ii) may not send the individual a ballot by mail for:
- 170 (A) the next election, if the individual submits the request described in Subsection
- 171 (9)(a) before the deadline described in Subsection (9)(b); or
- 172 (B) an election after the election described in Subsection (9)(c)(ii)(A).
- 173 (d) An individual who submits a request under Subsection (9)(a) may resume the
- 174 individual's receipt of a ballot by mail by submitting a written request to the election
- 175 officer.

176 (10) A county clerk shall, at least 90 days before an election administered by the county

177 clerk, contact local post offices to:

- 178 (a) coordinate the handling of mail-in ballots for the upcoming election; and
- 179 (b) take measures to ensure that:
- 180 (i) ballots are clearly and properly postmarked, or otherwise marked in accordance
- 181 with Subsection 20A-3a-204(2)(a)(i), with the date on which the ballot was
- 182 mailed; and
- 183 (ii) ballots are delivered in an expeditious manner to optimize the timely receipt of
- 184 ballots.

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

186 **20A-3a-801 . Watchers.**

- 187 (1) As used in this section[~~-, "administering"~~] :
- 188 (a) "Administering election officer" means:
- 189 [~~(a)~~] (i) the election officer; or
- 190 [~~(b)~~] (ii) if the election officer is the lieutenant governor, the county clerk of the
- 191 county in which an individual will act as a watcher.
- 192 (b) "Candidate signature packet" means the same as that term is defined in Section
- 193 20A-9-401.1.
- 194 (c) "Election process" means each process of an election, including a process described
- 195 in Subsections (4) and (5).
- 196 (2)(a) Any individual who is registered or preregistered to vote in Utah may, at any time,
- 197 become a watcher of any election process in relation to an election[~~at any time~~] by
- 198 registering as a watcher with the administering election officer.

- 199 (b) An individual who registers under Subsection (2)(a) is not required to be certified by
200 a person under Subsection (3) in order to act as a watcher.
- 201 (c) An individual who registers as a watcher shall notify the administering election
202 officer of the dates, times, and locations that the individual intends to act as a watcher.
- 203 (d) An election official may not prohibit a watcher from performing a function described
204 in Subsection (4) because the watcher did not provide the notice described in
205 Subsection (2)(c).
- 206 (e) An administering election officer shall provide a copy of this section, or instructions
207 on how to access an electronic copy of this section, to a watcher at the time the
208 watcher registers under this Subsection (2).
- 209 (3)(a) A person that is a candidate whose name will appear on the ballot, a qualified
210 write-in candidate for the election, a registered political party, or a political issues
211 committee may certify an individual as an official watcher for the person:
- 212 (i) by filing an affidavit with the administering election officer responsible to
213 designate an individual as an official watcher for the certifying person; and
214 (ii) if the individual registers as a watcher under Subsection (2)(a).
- 215 (b) A watcher who is certified by a person under Subsection (3)(a) may not perform the
216 same function described in Subsection (4) at the same time and in the same location
217 as another watcher who is certified by that person.
- 218 (c) A watcher who is certified by a person under Subsection (3)(a) may designate
219 another individual to serve in the watcher's stead during the watcher's temporary
220 absence by filing with a poll worker an affidavit that designates the individual as a
221 temporary replacement.
- 222 (4) A watcher may:
- 223 (a) observe the setup or takedown of a polling place;
- 224 (b) observe a voter checking in at a polling place;
- 225 (c) observe the collection, receipt, and processing of a ballot, including a provisional
226 ballot or a ballot cast by a covered voter as defined in Section 20A-16-102;
- 227 (d) observe the transport or transmission of a ballot that is in an election official's
228 custody;
- 229 (e) observe the opening and inspection of a manual ballot;
- 230 (f) observe ballot replication;
- 231 (g) observe the conduct of logic and accuracy testing described in Section 20A-5-802;
- 232 (h) observe ballot tabulation;

- 233 (i) observe the process of storing and securing a ballot;
- 234 (j) observe a post-election audit;
- 235 (k) observe a canvassing board meeting described in [~~Title 20A, Chapter 4, Part 3,~~
- 236 ~~Canvassing Returns~~] Chapter 4, Part 3, Canvassing Returns;
- 237 (l) observe the certification of the results of an election;
- 238 (m) observe a recount; or
- 239 (n) observe signature verification[-] :
- 240 (i) of signatures on a return envelope containing a ballot; or
- 241 (ii) relating to a candidate signature packet.
- 242 (5) To observe signature verification relating to a candidate signature packet, a watcher may
- 243 observe:
- 244 (a) the receipt, initial review, and processing that occurs at the time an individual
- 245 submits a candidate signature packet to an election officer;
- 246 (b) all subsequent processing, handling, and securing of a candidate signature packet;
- 247 (c) verification of signatures in a candidate signature packet;
- 248 (d) the processing, handling, and securing of a written request to remove a signature
- 249 from a candidate signature packet;
- 250 (e) verification of a signature on a written request to remove a signature from a
- 251 candidate signature packet; or
- 252 (f) the removal of a signature from a candidate signature packet.
- 253 [(5)] (6) An administering election officer shall:
- 254 (a) permit uniform, nondiscriminatory access for a watcher to observe each stage of an
- 255 election process;
- 256 (b) establish locations for a watcher to observe an event described in Subsection (4) or
- 257 (5), other than an event described in Subsection (4)(d) or (k), from no further than six
- 258 feet away; and
- 259 (c) except for a county of the fourth, fifth, or sixth class, for any ballot adjudication, or
- 260 upload of votes from a voting machine or scanner, that is conducted on a computer
- 261 screen, project the activity onto a screen that is large enough to be viewed by each
- 262 watcher.
- 263 [(6)] (7)(a) A watcher may not:
- 264 (i) record an activity described in Subsection (4) if the recording would reveal a vote[
- 265 ~~or otherwise violate a voter's privacy or~~], violate a voter's right to cast a secret
- 266 ballot, or otherwise violate a voter's privacy;

- 267 (ii) record an activity described in Subsection (5), except that a watcher may take
 268 notes that do not include the name or other personal identifying information of an
 269 individual who signs a candidate signature packet or a written request to remove a
 270 signature from a candidate signature packet;
- 271 [~~(ii)~~] (iii) interfere with an activity described in Subsection (4) or (5), except to
 272 challenge an individual's eligibility to vote under Section 20A-3a-803;[-or]
- 273 [~~(iii)~~] (iv) divulge information related to the number of votes counted, tabulated, or
 274 cast for a candidate or ballot proposition until after the election officer makes the
 275 information public[-]; or
- 276 (v) divulge information related to:
- 277 (A) the number of signatures collected to qualify a candidate for placement on a
 278 primary election ballot; or
- 279 (B) the names or other personal identifying information of an individual who signs
 280 a candidate signature packet or a written request to remove a signature from a
 281 candidate signature packet.
- 282 (b) A person who violates Subsection [~~(6)(a)(iii)~~] (7)(a)(iv) or (v) is guilty of a third
 283 degree felony.
- 284 [~~(7)~~] (8)(a) Notwithstanding Subsection [~~(2)(a) or (4)~~] (2)(a), (4), or (5), in order to
 285 maintain a safe working environment for an election official or to protect the safety
 286 or security of a ballot, an administering election officer may take reasonable action to:
- 287 (i) limit the number of watchers at a single location;
- 288 (ii) remove a watcher for violating a provision of this section;
- 289 (iii) remove a watcher for interfering with an activity described in Subsection (4) or
 290 (5);
- 291 (iv) designate areas for a watcher to reasonably observe the activities described in
 292 Subsection (4) or (5); or
- 293 (v) ensure that a voter's ballot secrecy is protected throughout the watching process.
- 294 (b) If an administering election officer limits the number of watchers at a single location
 295 under Subsection [~~(6)(a)(i)~~] (8)(a)(i), the administering election officer shall give
 296 preferential access to the location to a watcher designated under Subsection (3).
- 297 (c) An administering election officer may provide a watcher a badge that identifies the
 298 watcher and require the watcher to wear the badge while acting as a watcher.
- 299 Section 4. Section **20A-9-401.1** is enacted to read:
- 300 **20A-9-401.1 . Definitions.**

301 As used in this part:

302 (1) "Candidate nomination document" means:

303 (a) a candidate signature packet; or

304 (b) a written request to remove a signature from a candidate signature packet.

305 (2) "Candidate signature packet" means a single packet of signature sheets that:

306 (a) is bound together and circulated to gather signatures to qualify a candidate for
307 placement on a primary election ballot; and

308 (b) includes a cover sheet at the front of the packet and a circulator verification sheet at
309 the end of the packet.

310 Section 5. Section **20A-9-403** is amended to read:

311 **20A-9-403 . Regular primary elections.**

312 (1)(a) Candidates for elective office that are to be filled at the next regular general
313 election shall be nominated in a regular primary election by direct vote of the people
314 in the manner prescribed in this section. The regular primary election is held on the
315 date specified in Section 20A-1-201.5. Nothing in this section shall affect a
316 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
317 candidate under Section 20A-9-501 or to participate in a regular general election as a
318 write-in candidate under Section 20A-9-601.

319 (b) Each registered political party that chooses to have the names of the registered
320 political party's candidates for elective office featured with party affiliation on the
321 ballot at a regular general election shall comply with the requirements of this section
322 and shall nominate the registered political party's candidates for elective office in the
323 manner described in this section.

324 (c) A filing officer may not permit an official ballot at a regular general election to be
325 produced or used if the ballot denotes affiliation between a registered political party
326 or any other political group and a candidate for elective office who is not nominated
327 in the manner prescribed in this section or in Subsection 20A-9-202(4).

328 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
329 even-numbered year in which a regular general election will be held.

330 (2)(a) Each registered political party, in a statement filed with the lieutenant governor,
331 shall:

332 (i) either declare the registered political party's intent to participate in the next regular
333 primary election or declare that the registered political party chooses not to have
334 the names of the registered political party's candidates for elective office featured

- 335 on the ballot at the next regular general election; and
- 336 (ii) if the registered political party participates in the upcoming regular primary
337 election, identify one or more registered political parties whose members may
338 vote for the registered political party's candidates and whether individuals
339 identified as unaffiliated with a political party may vote for the registered political
340 party's candidates.
- 341 (b)(i) A registered political party that is a continuing political party shall file the
342 statement described in Subsection (2)(a) with the lieutenant governor no later than
343 5 p.m. on November 30 of each odd-numbered year.
- 344 (ii) An organization that is seeking to become a registered political party under
345 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the
346 time that the registered political party files the petition described in Section
347 20A-8-103.
- 348 (3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration
349 of candidacy under Section 20A-9-202 shall appear as a candidate for elective office
350 on the regular primary ballot of the registered political party listed on the declaration
351 of candidacy only if the individual is certified by the appropriate filing officer as
352 having submitted a nomination petition that was:
- 353 (i) circulated and completed in accordance with Section 20A-9-405; and
- 354 (ii) signed by at least 2% of the registered political party's members who reside in the
355 political division of the office that the individual seeks.
- 356 (b)(i) A candidate for elective office shall, in accordance with Section 20A-9-408.3,
357 submit signatures for a nomination petition to the appropriate filing officer for
358 verification and certification no later than 5 p.m. on the final day in March.
- 359 (ii) A candidate may supplement the candidate's submissions at any time on or before
360 the filing deadline.
- 361 (c)(i) The lieutenant governor shall determine for each elective office the total
362 number of signatures that must be submitted under Subsection (3)(a)(ii) or
363 20A-9-408(8) by counting the aggregate number of individuals residing in each
364 elective office's political division who have designated a particular registered
365 political party on the individuals' voter registration forms on or before November
366 15 of each odd-numbered year.
- 367 (ii) The lieutenant governor shall publish the determination for each elective office
368 no later than November 30 of each odd-numbered year.

- 369 (d) The filing officer shall:
- 370 (i) except as otherwise provided in Section 20A-21-201, and in accordance with
- 371 Section 20A-9-408.3, verify signatures on nomination petitions in a transparent
- 372 and orderly manner, no later than 14 days after the day on which a candidate
- 373 submits the signatures to the filing officer;
- 374 (ii) for all qualifying candidates for elective office who submit nomination petitions
- 375 to the filing officer, issue certifications referenced in Subsection (3)(a) no later
- 376 than the deadline described in Subsection 20A-9-202(1)(b);
- 377 (iii) consider active and inactive voters eligible to sign nomination petitions;
- 378 (iv) consider an individual who signs a nomination petition a member of a registered
- 379 political party for purposes of Subsection (3)(a)(ii) if the individual has designated
- 380 that registered political party as the individual's party membership on the
- 381 individual's voter registration form; and
- 382 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of
- 383 the county clerk as applicable, use the procedures described in Section 20A-1-1002
- 384 to verify submitted nomination petition signatures, or use statistical sampling
- 385 procedures to verify submitted nomination petition signatures in accordance with
- 386 rules made under Subsection (3)(f).
- 387 (e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant
- 388 governor may appear on the regular primary ballot of a registered political party
- 389 without submitting nomination petitions if the candidate files a declaration of
- 390 candidacy and complies with Subsection 20A-9-202(3).
- 391 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
- 392 director of elections, within the Office of the Lieutenant Governor, may make rules
- 393 that:
- 394 (i) provide for the use of statistical sampling procedures that:
- 395 (A) filing officers are required to use to verify signatures under Subsection (3)(d);
- 396 and
- 397 (B) reflect a bona fide effort to determine the validity of a candidate's entire
- 398 submission, using widely recognized statistical sampling techniques; and
- 399 (ii) provide for the transparent, orderly, and timely submission, verification, and
- 400 certification of nomination petition signatures.
- 401 (g) The county clerk shall:
- 402 (i) review the declarations of candidacy filed by candidates for local boards of

403 education to determine if more than two candidates have filed for the same seat;
 404 (ii) place the names of all candidates who have filed a declaration of candidacy for a
 405 local board of education seat on the nonpartisan section of the ballot if more than
 406 two candidates have filed for the same seat; and
 407 (iii) determine the order of the local board of education candidates' names on the
 408 ballot in accordance with Section 20A-6-305.

409 (4)(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant
 410 governor shall provide to the county clerks:

411 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
 412 county, and county offices who have received certifications under Subsection (3),
 413 along with instructions on how those names shall appear on the primary election
 414 ballot in accordance with Section 20A-6-305; and

415 (ii) a list of unopposed candidates for elective office who have been nominated by a
 416 registered political party under Subsection (5)(c) and instruct the county clerks to
 417 exclude the unopposed candidates from the primary election ballot.

418 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
 419 joint-ticket running mates shall appear jointly on the primary election ballot.

420 (c) After the county clerk receives the certified list from the lieutenant governor under
 421 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
 422 substantially the following form:

423 "Notice is given that a primary election will be held Tuesday, June _____,
 424 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
 425 local school board positions listed on the primary ballot. The polling place for voting precinct
 426 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
 427 Attest: county clerk."

428 (5)(a) A candidate who, at the regular primary election, receives the highest number of
 429 votes cast for the office sought by the candidate is:

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

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

432 (b) If two or more candidates are to be elected to the office at the regular general
 433 election, those party candidates equal in number to positions to be filled who receive
 434 the highest number of votes at the regular primary election are the nominees of the
 435 candidates' party for those positions.

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

- 437 (A) no individual other than the candidate receives a certification under
438 Subsection (3) for the regular primary election ballot of the candidate's
439 registered political party for a particular elective office; or
440 (B) for an office where more than one individual is to be elected or nominated, the
441 number of candidates who receive certification under Subsection (3) for the
442 regular primary election of the candidate's registered political party does not
443 exceed the total number of candidates to be elected or nominated for that office.
- 444 (ii) A candidate who is unopposed for an elective office in the regular primary
445 election of a registered political party is nominated by the party for that office
446 without appearing on the primary election ballot.
- 447 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary
448 election provided for by this section, and all expenses necessarily incurred in the
449 preparation for or the conduct of that primary election shall be paid out of the treasury of
450 the county or state, in the same manner as for the regular general elections.
- 451 (7) An individual may not file a declaration of candidacy for a registered political party of
452 which the individual is not a member, except to the extent that the registered political
453 party permits otherwise under the registered political party's bylaws.

454 Section 6. Section **20A-9-408** is amended to read:

455 **20A-9-408 . Signature-gathering process to seek the nomination of a qualified**
456 **political party -- Removal of signature.**

- 457 (1) This section describes the requirements for a member of a qualified political party who
458 is seeking the nomination of the qualified political party for an elective office through
459 the signature-gathering process described in this section.
- 460 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
461 for a member of a qualified political party who is nominated by, or who is seeking the
462 nomination of, the qualified political party under this section shall be substantially as
463 described in Section 20A-9-408.5.
- 464 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
465 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
466 the nomination of the qualified political party for an elective office that is to be filled at
467 the next general election shall:
- 468 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,
469 and before gathering signatures under this section, file with the filing officer on a
470 form approved by the lieutenant governor a notice of intent to gather signatures for

- 471 candidacy that includes:
- 472 (i) the name of the member who will attempt to become a candidate for a registered
473 political party under this section;
- 474 (ii) the name of the registered political party for which the member is seeking
475 nomination;
- 476 (iii) the office for which the member is seeking to become a candidate;
- 477 (iv) the address and telephone number of the member; and
- 478 (v) other information required by the lieutenant governor;
- 479 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
480 person, with the filing officer during the declaration of candidacy filing period
481 described in Section 20A-9-201.5; and
- 482 (c) pay the filing fee.
- 483 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
484 who, under this section, is seeking the nomination of the qualified political party for the
485 office of district attorney within a multicounty prosecution district that is to be filled at
486 the next general election shall:
- 487 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,
488 and before gathering signatures under this section, file with the filing officer on a
489 form approved by the lieutenant governor a notice of intent to gather signatures for
490 candidacy that includes:
- 491 (i) the name of the member who will attempt to become a candidate for a registered
492 political party under this section;
- 493 (ii) the name of the registered political party for which the member is seeking
494 nomination;
- 495 (iii) the office for which the member is seeking to become a candidate;
- 496 (iv) the address and telephone number of the member; and
- 497 (v) other information required by the lieutenant governor;
- 498 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
499 person, with the filing officer during the declaration of candidacy filing period
500 described in Section 20A-9-201.5; and
- 501 (c) pay the filing fee.
- 502 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
503 files as the joint-ticket running mate of an individual who is nominated by a qualified
504 political party, under this section, for the office of governor shall, during the declaration

- 505 of candidacy filing period described in Section 20A-9-201.5, file a declaration of
506 candidacy and submit a letter from the candidate for governor that names the lieutenant
507 governor candidate as a joint-ticket running mate.
- 508 (6) The lieutenant governor shall ensure that the certification described in Subsection
509 20A-9-701(1) also includes the name of each candidate nominated by a qualified
510 political party under this section.
- 511 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is
512 nominated by a qualified political party under this section, designate the qualified
513 political party that nominated the candidate.
- 514 (8) A member of a qualified political party may seek the nomination of the qualified
515 political party for an elective office by:
- 516 (a) complying with the requirements described in this section; and
- 517 (b) collecting signatures, on a form approved by the lieutenant governor that complies
518 with Subsection 20A-9-405(3), during the period beginning on the day on which the
519 member files a notice of intent to gather signatures and ending at 5 p.m. 14 days
520 before the day on which the qualified political party's convention for the office is
521 held, in the following amounts:
- 522 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
523 permitted by the qualified political party to vote for the qualified political party's
524 candidates in a primary election;
- 525 (ii) for a congressional district race, 7,000 signatures of registered voters who are
526 residents of the congressional district and are permitted by the qualified political
527 party to vote for the qualified political party's candidates in a primary election;
- 528 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
529 residents of the state Senate district and are permitted by the qualified political
530 party to vote for the qualified political party's candidates in a primary election;
- 531 (iv) for a state House district race, 1,000 signatures of registered voters who are
532 residents of the state House district and are permitted by the qualified political
533 party to vote for the qualified political party's candidates in a primary election;
- 534 (v) for a State Board of Education race, the lesser of:
- 535 (A) 2,000 signatures of registered voters who are residents of the State Board of
536 Education district and are permitted by the qualified political party to vote for
537 the qualified political party's candidates in a primary election; or
- 538 (B) 3% of the registered voters of the qualified political party who are residents of

- 539 the applicable State Board of Education district; and
- 540 (vi) for a county office race, signatures of 3% of the registered voters who are
- 541 residents of the area permitted to vote for the county office and are permitted by
- 542 the qualified political party to vote for the qualified political party's candidates in
- 543 a primary election.
- 544 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 545 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 546 qualified political party's nomination for an elective office under this section, using
- 547 the manual candidate qualification process, the member shall:
- 548 (i) collect the signatures on a form approved by the lieutenant governor, using the
- 549 same circulation and verification requirements described in Sections 20A-7-105
- 550 and 20A-7-204; and
- 551 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election
- 552 officer before 5 p.m. no later than 14 days before the day on which the qualified
- 553 political party holds the party's convention to select candidates, for the elective
- 554 office, for the qualified political party's nomination.
- 555 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in
- 556 accordance with Section 20A-9-408.3, the election officer shall, no later than the
- 557 earlier of 14 days after the day on which the election officer receives the signatures,
- 558 or one day before the day on which the qualified political party holds the convention
- 559 to select a nominee for the elective office to which the signature packets relate:
- 560 (i) check the name of each individual who completes the verification for a signature
- 561 packet to determine whether each individual is a resident of Utah and is at least 18
- 562 years old;
- 563 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not a
- 564 Utah resident or who is not at least 18 years old to the attorney general and the
- 565 county attorney;
- 566 (iii) with the assistance of the county clerk as applicable, determine whether each
- 567 signer is a registered voter who is qualified to sign the petition, using the same
- 568 method, described in Section 20A-1-1002, used to verify a signature on a petition;
- 569 and
- 570 (iv) certify whether each name is that of a registered voter who is qualified to sign the
- 571 signature packet.
- 572 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)

- 573 may have the voter's signature removed from the form by, no later than three
574 business days after the day on which the member submits the signature form to the
575 election officer, submitting to the election officer a statement requesting that the
576 voter's signature be removed.
- 577 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
578 described in Subsection 20A-1-1003(2).
- 579 (iii) With the assistance of the county clerk as applicable, the election officer shall
580 use the procedures described in Subsection 20A-1-1003(3) to determine whether
581 to remove an individual's signature after receiving a timely, valid statement
582 requesting removal of the signature.
- 583 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules
584 made under Section 20A-3a-106, conduct regular audits of signature comparisons
585 made between signatures gathered under this section and voter signatures
586 maintained by the election officer.
- 587 (ii) An individual who conducts an audit of signature comparisons under this section
588 may not audit the individual's own work.
- 589 (iii) The election officer shall:
- 590 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to
591 determine the accuracy of the comparisons made;
- 592 (B) record the individuals who conducted the audit;
- 593 (C) record the audit results;
- 594 (D) provide additional training or staff reassignments, as needed, based on the
595 results of an audit described in Subsection (9)(e)(i); and
- 596 (E) record any remedial action taken.
- 597 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 598 (f) An election officer who certifies signatures under Subsection (9)(c) or
599 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate
600 has reached the applicable signature threshold described in Subsection (8) or
601 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the
602 candidate in excess of the number of signatures required, until the election officer
603 either:
- 604 (i) certifies signatures equal to 110% of the applicable signature threshold; or
605 (ii) has reviewed all signatures submitted for the candidate before reaching an
606 amount equal to 110% of the applicable signature threshold.

- 607 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
608 process.
- 609 (b) In order for a member of the qualified political party to qualify as a candidate for the
610 qualified political party's nomination for an elective office under this section, the
611 member shall, before 5 p.m. no later than 14 days before the day on which the
612 qualified political party holds the party's convention to select candidates, for the
613 elective office, for the qualified political party's nomination, collect signatures
614 electronically:
- 615 (i) in accordance with Section 20A-21-201; and
616 (ii) using progressive screens, in a format approved by the lieutenant governor, that
617 complies with Subsection 20A-9-405(4).
- 618 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
619 election officer shall, no later than the earlier of 14 days after the day on which the
620 election officer receives the signatures, or one day before the day on which the
621 qualified political party holds the convention to select a nominee for the elective
622 office to which the signature packets relate:
- 623 (i) check the name of each individual who completes the verification for a signature
624 to determine whether each individual is a resident of Utah and is at least 18 years
625 old; and
626 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
627 a Utah resident or who is not at least 18 years old to the attorney general and the
628 county attorney.
- 629 (11)(a) An individual may not gather signatures under this section until after the
630 individual files a notice of intent to gather signatures for candidacy described in this
631 section.
- 632 (b) An individual who files a notice of intent to gather signatures for candidacy,
633 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
634 individual files the notice of intent to gather signatures for candidacy:
- 635 (i) required to comply with the reporting requirements that a candidate for office is
636 required to comply with; and
637 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
638 apply to a candidate for office in relation to the reporting requirements described
639 in Subsection (11)(b)(i).
- 640 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or

641 Subsections (8) and (10)(b), the election officer shall, no later than one day before the
642 day on which the qualified political party holds the convention to select a nominee
643 for the elective office to which the signature packets relate, notify the qualified
644 political party and the lieutenant governor of the name of each member of the
645 qualified political party who qualifies as a nominee of the qualified political party,
646 under this section, for the elective office to which the convention relates.

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

651 Section 7. Section **20A-9-408.1** is enacted to read:

652 **20A-9-408.1 . Candidate nomination document -- Access - Limitations -- Storage.**

653 (1) Except as provided in Subsection (4)(a), notwithstanding Section 63G-2-305.5, and
654 subject to Subsection (4)(b), a candidate or an individual representing the candidate's
655 campaign may:

656 (a) view a complete, unredacted candidate signature packet submitted to an election
657 officer to:

658 (i) qualify the candidate for placement on a primary election ballot; or

659 (ii) qualify another candidate for placement on the primary election ballot for the
660 same registered political party and the same office as the candidate described in
661 Subsection (1)(a); or

662 (b) view a complete, unredacted written request to remove a signature from a candidate
663 signature packet described in Subsection (1)(a).

664 (2) No individual may view a complete, unredacted candidate nomination document, other
665 than:

666 (a) an election officer;

667 (b) a government entity or an authorized agent of a government entity, to the extent
668 necessary to fulfill a duty of the government entity or the authorized agent; or

669 (c) an individual described in Subsection (1), in accordance with the requirements of this
670 section.

671 (3) Subsection (2) does not prohibit:

672 (a) an individual whose name or other personal identifying information appears on a
673 candidate signature packet from viewing only the portion of the candidate signature
674 packet showing the name or other personal identifying information of the individual;

675 or
676 (b) an individual whose name or other personal identifying information appears on a
677 written request to remove a signature from a candidate signature packet from viewing
678 the written request.

679 (4)(a) An individual described in Subsection (1) or (3) may not view a candidate
680 nomination document after the election officer certifies the results of the primary
681 election race to which the candidate nomination document relates.

682 (b) An individual who, under Subsection (1), views a candidate nomination document
683 may not:

684 (i) make a copy, image, or other recording of the candidate nomination document; or

685 (ii) disclose a name or other information on the candidate nomination document that
686 relates to an individual whose voter registration record is classified as a private
687 record.

688 (5) After an election officer certifies the results of the primary election race to which a
689 candidate nomination document relates:

690 (a) the election officer shall seal the candidate nomination document and store the
691 candidate nomination document for 22 months; and

692 (b) no person may access or view the candidate nomination document, except:

693 (i) the lieutenant governor;

694 (ii) the legislative auditor general; or

695 (iii) as ordered by a court with jurisdiction.

696 (6) A digital listing or report of a candidate nomination document may, only to the extent
697 permitted under Section 63G-2-305.5, be disclosed before or after an election officer
698 certifies the results of the primary election race to which the candidate nomination
699 document relates.

700 Section 8. Section **20A-9-408.2** is enacted to read:

701 **20A-9-408.2 . Tracking signatures on candidate nomination petition.**

702 (1) Beginning no later than January 1, 2026, the lieutenant governor shall, on the same
703 website where a voter may track the status of a ballot returned by a voter, provide a
704 voter information regarding:

705 (a) each petition to qualify a candidate for placement on a primary election ballot that
706 the voter signed during the preceding six months;

707 (b) whether the signature was verified or rejected; and

708 (c) if the signature was rejected, the reason for the rejection.

709 (2) The lieutenant governor shall ensure that the information described in Subsection (1) is
 710 available to the voter no later than one business day after the day on which the voter's
 711 signature is verified or rejected.

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

713 **20A-9-408.3 . Submission of candidate signature packet -- Requirements for**
 714 **submission -- Signature packet chain of custody and storage.**

715 (1) To submit a candidate signature packet to an election officer, a person shall:

716 (a) label the front of each candidate signature packet with a unique, consecutive number;

717 (b) organize each candidate signature packet that is submitted at the same time in
 718 numerical order; and

719 (c) with the candidate signature packets, provide the election officer with a document
 720 containing:

721 (i) for each candidate signature packet submitted at the same time:

722 (A) the number assigned to the candidate signature packet under Subsection (1)(a);

723 and

724 (B) the number of signatures in the candidate signature packet;

725 (ii) the total number of candidate signature packets submitted at the same time;

726 (iii) the sum of all signatures on all candidate signature packets submitted at the same
 727 time;

728 (iv) a list of all individuals who collected signatures for the candidate signature
 729 packets submitted together, including for each the individual's:

730 (A) full name;

731 (B) residential address;

732 (C) phone number; and

733 (D) email address; and

734 (v) a certification that each individual described in Subsection (1)(c)(iv) was at least
 735 18 years old when the individual collected the signatures.

736 (2) If the election officer discovers that a candidate signature packet is verified by an
 737 individual who has not been disclosed under Subsection (1)(c)(iv), with all information
 738 required under Subsection (1)(c)(iv):

739 (a) the election officer shall notify the candidate;

740 (b) the candidate shall provide the information described in Subsection (1)(c)(iv) in
 741 relation to the individual no later than the first business day that is at least three
 742 calendar days after the day on which the election officer notifies the candidate under

- 743 Subsection (2)(a); and
- 744 (c) if the candidate fails to timely comply with Subsection (2)(b), the election officer
- 745 shall reject the candidate signature packet, and all candidate signature packets
- 746 collected by the same individual, that were submitted at the same time.
- 747 (3) An election officer shall reject a candidate signature packet that is not submitted in
- 748 accordance with Subsection (2).
- 749 (4) In accordance with Title 63G, Chapter 2, Government Records Access and Management
- 750 Act:
- 751 (a) the information described in Subsection (1)(c)(iv)(A) is a public record; and
- 752 (b) the information described in Subsections (1)(c)(iv)(B) through (D) is a private record.
- 753 (5) An election officer shall preserve the chain of custody of all candidate signature packets
- 754 and signature sheets in accordance with this section.
- 755 (6) An election officer shall, upon receipt of a candidate signature packet:
- 756 (a) review the candidate signature packet; and
- 757 (b) assign the candidate signature packet a unique number in the election officer's
- 758 petition processing system, to be used to track the candidate signature packet during
- 759 processing.
- 760 (7) An election officer shall ensure that, when workers review signatures in a candidate
- 761 signature packet for verification, the workers record for the candidate signature packet:
- 762 (a) the names of the workers who review signatures on the candidate signature packet;
- 763 (b) if the signature packet is reviewed additional times, the names of the workers who
- 764 conduct the review;
- 765 (c) the total number of signatures in the candidate signature packet;
- 766 (d) the total number of valid signatures in the candidate signature packet;
- 767 (e) the total number of signatures in the candidate signature packet that were rejected,
- 768 including the reasons for the rejection; and
- 769 (f) if not all signatures in the candidate signature packet are reviewed:
- 770 (i) the number of signatures that were not reviewed;
- 771 (ii) the reason the signatures were not reviewed; and
- 772 (iii) the name of the worker who pulled the candidate signature packet from further
- 773 review.
- 774 (8) An election officer shall store the candidate signature packets by:
- 775 (a) making a log of the candidate signature packets as the signature packets are placed
- 776 into storage that specifies:

777 (i) the boxes into which the candidate signature packets for a particular candidate are
778 placed; and

779 (ii) which candidate signature packet is stored in which box; and

780 (b) affixing to each box a description of the contents of the box.

781 Section 10. **Effective Date.**

782 This bill takes effect on May 7, 2025.