

HB0223 compared with HB0223S03

- 19 ▶ authorizes the lieutenant governor to suspend the 10% electronic signature requirement if
the electronic signature gathering system is not functioning in a manner that reasonably permits
compliance;
- 15 ▶ beginning on January 1, {2030} 2032:
- 16 • requires the sponsors of an initiative or referendum petition, or an individual who circulates a
candidate nomination petition, to gather signatures using the electronic signature gathering process; and
- 19 • prohibits a person described above from gathering signatures manually;
- 27 ▶ clarifies electronic signature-gathering security requirements by distinguishing between
baseline device security configuration standards and ongoing cyber-security procedures governing
system operation, monitoring, and maintenance, as established by the lieutenant governor;
- 31 ▶ requires the lieutenant governor to submit an annual report to the Government Operations
Interim Committee, beginning no later than October 1, 2026, and continuing no later than
October 1 of each year through 2031;
- 20 ▶ adds a January 1, 2032 repeal date for sections related to manual signature gathering; {and}
- 35 ▶ includes a coordination clause to standardize a defined term in this bill with the same term
in H.B. 32, Signature Gathering and Verification Amendments; and
- 21 ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

39 None

Other Special Clauses:

41 This bill provides a coordination clause.

Utah Code Sections Affected:

43 AMENDS:

44 20A-7-101 , as last amended by Laws of Utah 2025, First Special Session, Chapter 16

45 20A-7-201 , as last amended by Laws of Utah 2025, Chapter 448

46 20A-7-207 , as last amended by Laws of Utah 2025, Chapter 448

47 20A-7-213 , as last amended by Laws of Utah 2024, Chapter 442

48 20A-7-301 , as last amended by Laws of Utah 2023, Chapter 107

49 20A-7-304.5 , as last amended by Laws of Utah 2023, Chapter 107

50 20A-7-307 , as last amended by Laws of Utah 2025, Chapter 448

HB0223 compared with HB0223S03

- 51 **20A-7-312 , as last amended by Laws of Utah 2024, Chapter 442**

- 52 **20A-7-501 , as last amended by Laws of Utah 2025, Chapter 448**

- 53 **20A-7-502.7 , as last amended by Laws of Utah 2025, Chapter 448**
- 54 **20A-7-507 , as last amended by Laws of Utah 2025, Chapter 448**

- 55 **20A-7-512 , as last amended by Laws of Utah 2024, Chapter 442**

- 56 **20A-7-601 , as last amended by Laws of Utah 2025, First Special Session, Chapter 15**

- 57 **20A-7-602.7 , as last amended by Laws of Utah 2025, Chapter 448**
- 58 **20A-7-602.8 , as last amended by Laws of Utah 2025, First Special Session, Chapter 16**
- 59 **20A-7-604.5 , as last amended by Laws of Utah 2023, Chapter 107**
- 60 **20A-7-607 , as last amended by Laws of Utah 2025, First Special Session, Chapter 16**

- 61 **20A-7-612 , as last amended by Laws of Utah 2024, Chapter 442**

- 62 **20A-9-101 , as last amended by Laws of Utah 2023, Chapters 15, 45**

- 63 **20A-9-403 , as last amended by Laws of Utah 2025, Chapters 39, 448**

- 64 **20A-9-408 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

- 65 **20A-9-502 , as last amended by Laws of Utah 2025, Second Special Session, Chapter 2**

- 66 **20A-21-101 , as enacted by Laws of Utah 2022, Chapter 325**
- 67 **20A-21-201 , as last amended by Laws of Utah 2025, Chapters 381, 448**
- 68 **63I-1-220 , as last amended by Laws of Utah 2024, Third Special Session, Chapter 5**

69 ENACTS:

70 **20A-21-202 , Utah Code Annotated 1953**

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

72 **20A-21-201 (05/06/26) , as last amended by Laws of Utah 2025, Chapters 381, 448**

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

75 **Section 1. Section 20A-7-101 is amended to read:**

76 **20A-7-101. Definitions.**

As used in this chapter:

- 78 (1) "Approved device" means a device described in Subsection [20A-21-201(4)] 20A-21-201(2) used to gather signatures for the electronic initiative process, the electronic referendum process, or the electronic candidate qualification process.

HB0223 compared with HB0223S03

- 81 (2) "Budget officer" means:
- 82 (a) for a county, the person designated as finance officer as defined in Section 17-63-101;
- 83 (b) for a city, the person designated as budget officer in Subsection 10-6-106(4); or
- 84 (c) for a town, the town council.
- 85 (3) "Certified" means that the county clerk has acknowledged a signature as being the signature of a registered voter.
- 87 (4) "Circulation" means the process of submitting an initiative petition or a referendum petition to legal voters for their signature.
- 89 (5) "Electronic initiative process" means:
- 90 (a) as it relates to a statewide initiative, the process, described in Sections 20A-7-215 and 20A-21-201, for gathering signatures; or
- 92 (b) as it relates to a local initiative, the process, described in Sections 20A-7-514 and 20A-21-201, for gathering signatures.
- 94 (6) "Electronic referendum process" means:
- 95 (a) as it relates to a statewide referendum, the process, described in Sections 20A-7-313 and 20A-21-201, for gathering signatures; or
- 97 (b) as it relates to a local referendum, the process, described in Sections 20A-7-614 and 20A-21-201, for gathering signatures.
- 99 (7) "Eligible voter" means a legal voter who resides in the jurisdiction of the county, city, or town that is holding an election on a ballot proposition.
- 101 (8) "Final fiscal impact statement" means a financial statement prepared after voters approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or 20A-7-502.5(2).
- 104 (9) "Initial fiscal impact statement" means a financial statement prepared under Section 20A-7-202.5 after the filing of a statewide initiative application.
- 106 (10) "Initial fiscal impact and legal statement" means a financial and legal statement prepared under Section 20A-7-502.5 or 20A-7-602.5 for a local initiative or a local referendum.
- 109 (11) "Initiative" means a new law proposed for adoption by the public as provided in this chapter.
- 111 (12) "Initiative application" means:
- 112 (a) for a statewide initiative, an application described in Subsection 20A-7-202(2) that includes all the information, statements, documents, and notarized signatures required under Subsection 20A-7-202(2); or

HB0223 compared with HB0223S03

- 115 (b) for a local initiative, an application described in Subsection 20A-7-502(2) that includes all
the information, statements, documents, and notarized signatures required under Subsection
20A-7-502(2).
- 118 (13) "Initiative packet" means a copy of the initiative petition, a copy of the proposed law, and the
signature sheets, all of which have been bound together as a unit.
- 120 (14) "Initiative petition":
- 121 (a) as it relates to a statewide initiative, using the manual initiative process:
- 122 (i) means the form described in Subsection 20A-7-203(2)(a), petitioning for submission of the initiative
to the Legislature or the legal voters; and
- 124 (ii) if the initiative proposes a tax increase, includes the statement described in Subsection
20A-7-203(2)(b);
- 126 (b) as it relates to a statewide initiative, using the electronic initiative process:
- 127 (i) means the form described in Subsections 20A-7-215(2) and (3), petitioning for submission of the
initiative to the Legislature or the legal voters; and
- 129 (ii) if the initiative proposes a tax increase, includes the statement described in Subsection
20A-7-215(5)(b);
- 131 (c) as it relates to a local initiative, using the manual initiative process:
- 132 (i) means the form described in Subsection 20A-7-503(2)(a), petitioning for submission of the initiative
to the legislative body or the legal voters; and
- 134 (ii) if the initiative proposes a tax increase, includes the statement described in Subsection
20A-7-503(2)(b); or
- 136 (d) as it relates to a local initiative, using the electronic initiative process:
- 137 (i) means the form described in Subsection 20A-7-514(2)(a), petitioning for submission of the initiative
to the legislative body or the legal voters; and
- 139 (ii) if the initiative proposes a tax increase, includes the statement described in Subsection
20A-7-514(4)(a).
- 141 (15)
- (a) "Land use law" means a law of general applicability, enacted based on the weighing of broad,
competing policy considerations, that relates to the use of land, including a land use regulation,
a general plan, a land use development code, an annexation ordinance, the rezoning of a single
property or multiple properties, or a comprehensive zoning ordinance or resolution.

HB0223 compared with HB0223S03

- 146 (b) "Land use law" does not include a land use decision, as defined in Section 10-20-102 or 17-79-102.
- 148 (16) "Legal signatures" means the number of signatures of legal voters that:
- 149 (a) meet the numerical requirements of this chapter; and
- 150 (b) have been obtained, certified, and verified as provided in this chapter.
- 151 (17) "Legal voter" means an individual who is registered to vote in Utah.
- 152 (18) "Legally referable to voters" means:
- 153 (a) for a proposed local initiative, that the proposed local initiative is legally referable to voters under
Section 20A-7-502.7; or
- 155 (b) for a proposed local referendum, that the proposed local referendum is legally referable to voters
under Section 20A-7-602.7.
- 157 (19) "Local attorney" means the county attorney, city attorney, or town attorney in whose jurisdiction a
local initiative or referendum petition is circulated.
- 159 (20) "Local clerk" means the county clerk, city recorder, or town clerk in whose jurisdiction a local
initiative or referendum petition is circulated.
- 161 (21)
- (a) "Local law" includes:
- 162 (i) an ordinance;
- 163 (ii) a resolution;
- 164 (iii) a land use law;
- 165 (iv) a land use regulation, as defined in Section 10-20-102; or
- 166 (v) other legislative action of a local legislative body.
- 167 (b) "Local law" does not include a land use decision, as defined in Section 10-20-102.
- 168 (22) "Local legislative body" means the legislative body of a county, city, or town.
- 169 (23) "Local obligation law" means a local law passed by the local legislative body regarding a bond that
was approved by a majority of qualified voters in an election.
- 171 (24) "Local tax law" means a law, passed by a political subdivision with an annual or biannual calendar
fiscal year, that increases a tax or imposes a new tax.
- 173 (25) "Manual initiative process" means the process for gathering signatures for an initiative using paper
signature packets that a signer physically signs.
- 175 (26) "Manual referendum process" means the process for gathering signatures for a referendum using
paper signature packets that a signer physically signs.

HB0223 compared with HB0223S03

- 177 (27)
- (a) "Measure" means a proposed constitutional amendment, an initiative, or referendum.
- 179 (b) "Measure" does not include a ballot proposition for the creation of a new school district under
Section 53G-3-301.1, 53G-3-301.3, or 53G-3-301.4.
- 181 (28) "Presiding officers" means the president of the Senate and the speaker of the House of
Representatives.
- 183 (29) "Referendum" means a process by which a law passed by the Legislature or by a local legislative
body is submitted or referred to the voters for their approval or rejection.
- 185 (30) "Referendum application" means:
- 186 (a) for a statewide referendum, an application described in Subsection 20A-7-302(2) that includes
all the information, statements, documents, and notarized signatures required under Subsection
20A-7-302(2); or
- 189 (b) for a local referendum, an application described in Subsection 20A-7-602(2) that includes all
the information, statements, documents, and notarized signatures required under Subsection
20A-7-602(2).
- 192 (31) "Referendum packet" means a copy of the referendum petition, a copy of the law being submitted
or referred to the voters for their approval or rejection, and the signature sheets, all of which have
been bound together as a unit.
- 195 (32) "Referendum petition" means:
- 196 (a) as it relates to a statewide referendum, using the manual referendum process, the form described in
Subsection 20A-7-303(2)(a), petitioning for submission of a law passed by the Legislature to legal
voters for their approval or rejection;
- 199 (b) as it relates to a statewide referendum, using the electronic referendum process, the form described
in Subsection 20A-7-313(2), petitioning for submission of a law passed by the Legislature to legal
voters for their approval or rejection;
- 202 (c) as it relates to a local referendum, using the manual referendum process, the form described in
Subsection 20A-7-603(2)(a), petitioning for submission of a local law to legal voters for their
approval or rejection; or
- 205 (d) as it relates to a local referendum, using the electronic referendum process, the form described in
Subsection 20A-7-614(2), petitioning for submission of a local law to legal voters for their approval
or rejection.

HB0223 compared with HB0223S03

- 208 (33) "Signature":
- 209 (a) for a statewide initiative:
- 210 (i) as it relates to the electronic initiative process, means an electronic signature collected under Section
20A-7-215 and Subsection [~~20A-21-201(6)(e)~~] 20A-21-201(4)(c); or
- 213 (ii) as it relates to the manual initiative process:
- 214 (A) means a holographic signature collected physically on a signature sheet described in Section
20A-7-203;
- 216 (B) as it relates to an individual who, due to a qualifying disability under the Americans with
Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the
initials "AV," indicating that the voter's identity will be verified by an alternate verification process
described in Section 20A-7-106; and
- 221 (C) does not include an electronic signature;
- 222 (b) for a statewide referendum:
- 223 (i) as it relates to the electronic referendum process, means an electronic signature collected under
Section 20A-7-313 and Subsection [~~20A-21-201(6)(e)~~] 20A-21-201(4)(c); or
- 226 (ii) as it relates to the manual referendum process:
- 227 (A) means a holographic signature collected physically on a signature sheet described in Section
20A-7-303;
- 229 (B) as it relates to an individual who, due to a qualifying disability under the Americans with
Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the
initials "AV," indicating that the voter's identity will be verified by an alternate verification process
described in Section 20A-7-106; and
- 234 (C) does not include an electronic signature;
- 235 (c) for a local initiative:
- 236 (i) as it relates to the electronic initiative process, means an electronic signature collected under Section
20A-7-514 and Subsection [~~20A-21-201(6)(e)~~] 20A-21-201(4)(c); or
- 239 (ii) as it relates to the manual initiative process:
- 240 (A) means a holographic signature collected physically on a signature sheet described in Section
20A-7-503;
- 242 (B) as it relates to an individual who, due to a qualifying disability under the Americans with
Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the

HB0223 compared with HB0223S03

initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and

- 247 (C) does not include an electronic signature; or
248 (d) for a local referendum:
249 (i) as it relates to the electronic referendum process, means an electronic signature collected under
Section 20A-7-614 and Subsection [~~20A-21-201(6)(e)~~] 20A-21-201(4)(c); or
252 (ii) as it relates to the manual referendum process:
253 (A) means a holographic signature collected physically on a signature sheet described in Section
20A-7-603;
255 (B) as it relates to an individual who, due to a qualifying disability under the Americans with
Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the
initials "AV," indicating that the voter's identity will be verified by an alternate verification process
described in Section 20A-7-106; and
260 (C) does not include an electronic signature.
261 (34) "Signature sheets" means sheets in the form required by this chapter that are used under the manual
initiative process or the manual referendum process to collect signatures in support of an initiative
or referendum.
264 (35) "Special local ballot proposition" means a local ballot proposition that is not a standard local ballot
proposition.
266 (36) "Sponsors" means the legal voters who support the initiative or referendum and who sign the
initiative application or referendum application.
268 (37)
(a) "Standard local ballot proposition" means a local ballot proposition for an initiative or a referendum.
270 (b) "Standard local ballot proposition" does not include a property tax referendum described in Section
20A-7-613.
272 (38) "Tax percentage difference" means the difference between the tax rate proposed by an initiative or
an initiative petition and the current tax rate.
274 (39) "Tax percentage increase" means a number calculated by dividing the tax percentage difference by
the current tax rate and rounding the result to the nearest thousandth.
276 (40) "Verified" means acknowledged by the person circulating the petition as required in Section
20A-7-105.

HB0223 compared with HB0223S03

278 Section 2. Section 20A-7-201 is amended to read:

279 **20A-7-201. Statewide initiatives -- Signature requirements -- Submission to the Legislature**
or to a vote of the people.

281 (1)

(a) [A] Subject to Section 20A-21-202, a person seeking to have an initiative submitted to the Legislature for approval or rejection shall, after filing an initiative application, obtain:

284 (i) legal signatures equal to 4% of the number of active voters in the state on January 1 immediately following the last regular general election; and

286 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 4% of the number of active voters in that district on January 1 immediately following the last regular general election.

289 (b) If, at any time not less than 10 calendar days before the beginning of the next annual general session of the Legislature, the lieutenant governor declares that an initiative petition designated under Subsection 20A-7-202(2)(c)(i) for submission to the Legislature is signed by a sufficient number of voters to meet the requirements of Subsection (1)(a), the lieutenant governor shall deliver a copy of the initiative petition, the text of the proposed law, and the cover sheet described in Subsection (1)(c) to the president of the Senate, the speaker of the House, and the director of the Office of Legislative Research and General Counsel.

297 (c) The lieutenant governor shall prepare a cover sheet for a petition declared sufficient under Subsection (1)(b) that contains:

299 (i) the number of active voters in the state on January 1 immediately following the last regular general election;

301 (ii) the number of active voters in each Utah State Senate district on January 1 immediately following the last regular general election;

303 (iii) the total number of certified signatures obtained for the initiative petition; and

304 (iv) the total number of certified signatures obtained from each Utah State Senate district for the initiative petition.

306 (2)

(a) [A] Subject to Section 20A-21-202, a person seeking to have an initiative submitted to a vote of the people for approval or rejection shall, after filing an initiative application, obtain:

309 (i) legal signatures equal to 8% of the number of active voters in the state on January 1 immediately following the last regular general election; and

HB0223 compared with HB0223S03

- 311 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 8% of the number of active
voters in that district on January 1 immediately following the last regular general election.
- 314 (b) If an initiative petition meets the requirements of this part and the lieutenant governor declares
that the initiative petition is signed by a sufficient number of voters to meet the requirements of
Subsection (2)(a), the lieutenant governor shall submit the proposed law to a vote of the people at
the next regular general election:
- 318 (i) immediately after the application is filed under Section 20A-7-202; and
- 319 (ii) specified on the petition under Section 20A-7-203.
- 320 (3) The lieutenant governor shall provide the following information to any interested person:
- 321 (a) the number of active voters in the state on January 1 immediately following the last regular general
election; and
- 323 (b) for each Utah State Senate district, the number of active voters in that district on January 1
immediately following the last regular general election.
- 325 Section 3. Section 20A-7-207 is amended to read:
- 326 **20A-7-207. Evaluation by the lieutenant governor.**
- 327 (1) In relation to the manual initiative process, when the lieutenant governor receives an initiative
packet from a county clerk, the lieutenant governor shall record the number of the initiative packet
received.
- 330 (2) The county clerk shall:
- 331 (a) in relation to the manual initiative process:
- 332 (i) post the names, voter identification numbers, and dates of signatures described in Subsection
20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by
the lieutenant governor:
- 335 (A) for an initiative packet received by the county clerk before December 1, for at least 90 calendar
days; or
- 337 (B) for an initiative packet received by the county clerk on or after December 1, for at least 45 calendar
days; and
- 339 (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the
update; or
- 341 (b) in relation to the electronic initiative process:
- 342

HB0223 compared with HB0223S03

- (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-217(4) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor:
- 345 (A) for a signature received by the county clerk before December 1, for at least 90 calendar days; or
347 (B) for a signature received by the county clerk on or after December 1, for at least 45 calendar days;
and
- 349 (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update.
- 351 (3) The lieutenant governor:
- 352 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be sufficient or insufficient on April 30 before the regular general election described in Subsection 20A-7-201(2) (b); or
- 355 (b) may declare the initiative petition to be insufficient before the day described in Subsection (3)(a) if:
- 357 (i) in relation to the manual initiative process, the total of all valid signatures on timely and lawfully submitted initiative packets that have been certified by the county clerks, plus the number of signatures on timely and lawfully submitted initiative packets that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-201;
- 362 (ii) in relation to the electronic initiative process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-201; or
- 368 (iii) a requirement of this part has not been met.
- 369 (4)
- (a) [~~H~~] Subject to Subsection 20A-21-202(8)(a)(i), if the total number of names certified under Subsection (3) equals or exceeds the number of names required under Section 20A-7-201, and the requirements of this part are met, the lieutenant governor shall mark upon the front of the initiative petition the word "sufficient."
- 373 (b) If the total number of names certified under Subsection (3) does not equal or exceed the number of names required under Section 20A-7-201 or a requirement of this part is not met, the lieutenant governor shall mark upon the front of the initiative petition the word "insufficient."

HB0223 compared with HB0223S03

- 377 (c) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant
governor's finding.
- 379 (5) After an initiative petition is declared insufficient, a person may not submit additional signatures to
qualify the initiative for the ballot.
- 381 (6)
- (a) If the lieutenant governor refuses to declare an initiative petition sufficient that a voter believes is
legally sufficient, the voter may, no later than May 15, apply to the appropriate court for an order
finding the initiative petition legally sufficient.
- 384 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant governor shall
mark the petition "sufficient" and consider the declaration of sufficiency effective as of the date on
which the initiative petition should have been declared sufficient by the lieutenant governor's office.
- 388 (c) If the court determines that the initiative petition is not legally sufficient, the court may enjoin the
lieutenant governor and all other officers from certifying or printing the ballot title and numbers of
that measure on the official ballot.
- 391 (7) An initiative petition determined to be sufficient in accordance with this section is qualified for the
ballot.

393 Section 4. Section 20A-7-213 is amended to read:

394 **20A-7-213. Misconduct of electors and officers -- Penalty.**

- 395 (1) It is unlawful for an individual to:
- 396 (a) sign any name other than the individual's own to an initiative petition or a statement described in
Subsection 20A-7-105(8) or 20A-7-216(4);
- 398 (b) knowingly sign the individual's name more than once for the same initiative at one election;
- 400 (c) knowingly indicate that an individual who signed an initiative petition signed the initiative petition
on a date other than the date that the individual signed the initiative petition;
- 403 (d) sign an initiative petition knowing the individual is not a legal voter;
- 404 (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any
information on a signature sheet or statement described in Section 20A-7-106, if the individual:
- 407 (i) does not obtain the voluntary direction or consent of the voter;
- 408 (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction
or consent;

410

HB0223 compared with HB0223S03

- (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;
- 412 (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
414 (v) intentionally or knowingly enters false information on the signature sheet or statement; or
416 (f) knowingly and willfully violate any provision of this part.
- 417 (2) It is unlawful for an individual to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection [20A-21-201(10)] 20A-21-201(8), knowing that:
- 420 (a) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;
- 422 (b) the individual has not witnessed the signatures of those individuals whose signatures the individual collects or submits; or
- 424 (c) one or more individuals who signed the initiative petition are not registered to vote in Utah.
- 426 (3) It is unlawful for an individual to:
- 427 (a) pay an individual to sign an initiative petition;
- 428 (b) pay an individual to remove the individual's signature from an initiative petition;
- 429 (c) accept payment to sign an initiative petition; or
- 430 (d) accept payment to have the individual's name removed from an initiative petition.
- 431 (4) A violation of this section is a class A misdemeanor.

432 Section 5. Section 20A-7-301 is amended to read:

433 **20A-7-301. Referendum -- Signature requirements -- Submission to voters.**

- 434 (1)
- (a) [A] Subject to Section 20A-21-202, a person seeking to have a law passed by the Legislature submitted to a vote of the people shall, after filing a referendum application, obtain:
- 437 (i) legal signatures equal to 8% of the number of active voters in the state on January 1 immediately following the last regular general election; and
- 439 (ii) from at least 15 Senate districts, legal signatures equal to 8% of the number of active voters in that Senate district on January 1 immediately following the last regular general election.
- 442 (b) When the lieutenant governor declares that a referendum petition is signed by a sufficient number of voters to meet the requirements of Subsection (1)(a), the governor shall issue an executive order that:

HB0223 compared with HB0223S03

- 445 (i) directs that the referendum be submitted to the voters at the next regular general election; or
447 (ii) calls a special election according to the requirements of Section 20A-1-203 and directs that the
referendum be submitted to the voters at that special election.
- 449 (2) When the lieutenant governor declares that a referendum petition is signed by a sufficient number of
voters, the law that is the subject of the petition does not take effect unless and until it is approved
by a vote of the people at a regular general election or a statewide special election.
- 453 (3) The lieutenant governor shall provide the following information to any interested person:
454 (a) the number of active voters in the state on January 1 immediately following the last regular general
election; and
456 (b) for each county, the number of active voters in that Senate district on January 1 immediately
following the last regular general election.

458 Section 6. Section **20A-7-304.5** is amended to read:

459 **20A-7-304.5. Posting referendum information.**

- 42 (1) On the day on which the lieutenant governor complies with Subsection 20A-7-304(3), or provides
the sponsors with access to the [website] system defined in Section 20A-21-101, the lieutenant
governor shall post the following information together in a conspicuous place on the lieutenant
governor's website:
- 46 (a) the referendum petition;
47 (b) a copy of the law that is the subject of the referendum petition; and
48 (c) information describing how an individual may remove the individual's signature from the
referendum petition.
- 50 (2) The lieutenant governor shall:
51 (a) promptly update the information described in Subsection (1) if the information changes; and
53 (b) maintain the information described in Subsection (1) on the lieutenant governor's website until the
referendum fails to qualify for the ballot or is passed or defeated at an election.

474 Section 7. Section **20A-7-307** is amended to read:

475 **20A-7-307. Evaluation by the lieutenant governor.**

- 476 (1) In relation to the manual referendum process, when the lieutenant governor receives a referendum
packet from a county clerk, the lieutenant governor shall record the number of the referendum
packet received.
- 479 (2) The county clerk shall:

HB0223 compared with HB0223S03

- 480 (a) in relation to the manual referendum process:
- 481 (i) post the names, voter identification numbers, and dates of signatures described in Subsection
20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by
the lieutenant governor, for at least 45 calendar days; and
- 485 (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the
update; or
- 487 (b) in relation to the electronic referendum process:
- 488 (i) post the names, voter identification numbers, and dates of signatures described in Subsection
20A-7-315(4) on the lieutenant governor's website, in a conspicuous location designated by the
lieutenant governor, for at least 45 calendar days; and
- 491 (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the
update.
- 493 (3) The lieutenant governor:
- 494 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be sufficient or
insufficient 106 calendar days after the end of the legislative session at which the law passed; or
- 497 (b) may declare the referendum petition to be insufficient before the day described in Subsection (3)(a)
if:
- 499 (i) in relation to the manual referendum process, the total of all valid signatures on timely and lawfully
submitted referendum packets that have been certified by the county clerks, plus the number of
signatures on timely and lawfully submitted referendum packets that have not yet been evaluated for
certification, is less than the number of names required under Section 20A-7-301;
- 504 (ii) in relation to the electronic referendum process, the total of all timely and lawfully submitted valid
signatures that have been certified by the county clerks, plus the number of timely and lawfully
submitted valid signatures received under Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that
have not yet been evaluated for certification, is less than the number of names required under
Section 20A-7-301; or
- 510 (iii) a requirement of this part has not been met.
- 511 (4)
- (a) [~~H~~] Subject to Subsection 20A-7-202(8)(a)(i), if the total number of names certified under
Subsection (3) equals or exceeds the number of names required under Section 20A-7-301, and

HB0223 compared with HB0223S03

the requirements of this part are met, the lieutenant governor shall mark upon the front of the referendum petition the word "sufficient."

- 515 (b) If the total number of names certified under Subsection (3) does not equal or exceed the number
of names required under Section 20A-7-301 or a requirement of this part is not met, the lieutenant
governor shall mark upon the front of the referendum petition the word "insufficient."
- 519 (c) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant
governor's finding.
- 521 (d) After a referendum petition is declared insufficient, a person may not submit additional signatures to
qualify the referendum for the ballot.
- 523 (5)
- (a) If the lieutenant governor refuses to declare a referendum petition sufficient that a voter believes is
legally sufficient, the voter may, no later than 10 days after the day on which the lieutenant governor
declares the petition insufficient, apply to the appropriate court for an order finding the referendum
petition legally sufficient.
- 527 (b) If the court determines that the referendum petition is legally sufficient, the lieutenant governor shall
mark the referendum petition "sufficient" and consider the declaration of sufficiency effective as
of the date on which the referendum petition should have been declared sufficient by the lieutenant
governor's office.
- 531 (c) If the court determines that a referendum petition filed is not legally sufficient, the court may enjoin
the lieutenant governor and all other officers from certifying or printing the ballot title and numbers
of that measure on the official ballot.
- 534 (6) A referendum petition determined to be sufficient in accordance with this section is qualified for the
ballot.

536 Section 8. Section 20A-7-312 is amended to read:

537 **20A-7-312. Misconduct of electors and officers -- Penalty.**

- 538 (1) It is unlawful for any person to:
- 539 (a) sign any name other than the person's own to a referendum petition;
- 540 (b) knowingly sign the person's name more than once for the same referendum petition at one election;
- 542 (c) knowingly indicate that a person who signed a referendum petition signed the referendum petition
on a date other than the date that the person signed the petition;
- 544 (d) sign a referendum petition knowing the person is not a legal voter; or

HB0223 compared with HB0223S03

- 545 (e) knowingly and willfully violate any provision of this part.
- 546 (2) It is unlawful for any person to sign the verification for a referendum packet, or to electronically
sign the verification for a signature under Subsection [~~20A-21-201(10)~~] 20A-21-201(8) knowing
that:
- 549 (a) the signature date associated with the person's signature for the referendum petition is not the date
that the person signed the referendum petition;
- 551 (b) the person has not witnessed the signatures of those persons whose signatures the person collects or
submits; or
- 553 (c) one or more individuals who sign the referendum petition are not registered to vote in Utah.
- 555 (3) It is unlawful for any person to:
- 556 (a) pay a person to sign a referendum petition;
- 557 (b) pay a person to remove the person's signature from a referendum petition;
- 558 (c) accept payment to sign a referendum petition;
- 559 (d) accept payment to have the person's name removed from a referendum petition; or
- 560 (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any
information on a signature sheet or statement described in Section 20A-7-106, if the individual:
- 563 (i) does not obtain the voluntary direction or consent of the voter;
- 564 (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction
or consent;
- 566 (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the
action taken by the individual on behalf of the voter;
- 568 (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
- 570 (v) intentionally or knowingly enters false information on the signature sheet or statement.
- 572 (4) Any person violating this section is guilty of a class A misdemeanor.

573 Section 9. Section 20A-7-501 is amended to read:

574 **20A-7-501. Initiatives -- Signature requirements -- Time requirements.**

- 575 (1) As used in this section:
- 576 (a) "Number of active voters" means the number of active voters in the county, city, or town on the
immediately preceding January 1.
- 578 (b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a) or (2)(b).

580

HB0223 compared with HB0223S03

(2) [An] Subject to Section 20A-21-202, an eligible voter seeking to have an initiative submitted to a local legislative body or to a vote of the people for approval or rejection shall, after filing an initiative application, obtain legal signatures equal to:

583 (a) for a county of the first class:

584 (i) 7.75% of the number of active voters in the county; and

585 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75% of the county's voter participation areas;

587 (b) for a city of the first class:

588 (i) 7.5% of the number of active voters in the city; and

589 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75% of the city's voter participation areas;

591 (c) for a county of the second class:

592 (i) 8% of the number of active voters in the county; and

593 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of the county's voter participation areas;

595 (d) for a city of the second class:

596 (i) 8.25% of the number of active voters in the city; and

597 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75% of the city's voter participation areas;

599 (e) for a county of the third class:

600 (i) 9.5% of the number of active voters in the county; and

601 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75% of the county's voter participation areas;

603 (f) for a city of the third class:

604 (i) 10% of the number of active voters in the city; and

605 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75% of the city's voter participation areas;

607 (g) for a county of the fourth class:

608 (i) 11.5% of the number of active voters in the county; and

609 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the county's voter participation areas;

HB0223 compared with HB0223S03

- 611 (h) for a city of the fourth class:
- 612 (i) 11.5% of the number of active voters in the city; and
- 613 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the city's
voter participation areas;
- 615 (i) for a city of the fifth class or a county of the fifth class, 25% of the number of active voters in the
city or county; or
- 617 (j) for a town or a county of the sixth class, 35% of the number of active voters in the town or county.
- 619 (3) If the total number of certified signatures collected for the initiative petition equals or exceeds the
number of signatures required by this section, the clerk or recorder shall deliver the proposed law to
the local legislative body at the local legislative body's next meeting.
- 623 (4)
- (a) The local legislative body shall either adopt or reject the proposed law without change or
amendment within 30 calendar days after the day on which the local legislative body receives the
proposed law under Subsection (3).
- 626 (b) The local legislative body may:
- 627 (i) adopt the proposed law and refer the proposed law to the people;
- 628 (ii) adopt the proposed law without referring the proposed law to the people; or
- 629 (iii) reject the proposed law.
- 630 (c) If the local legislative body adopts the proposed law but does not refer the proposed law to the
people, the proposed law is subject to referendum as with other local laws.
- 632 (d)
- (i) If a county legislative body rejects a proposed law, or takes no action on a proposed law, the county
clerk shall submit the proposed law to the voters of the county at the next regular general election
immediately after the initiative application for the proposed law is filed under Section 20A-7-502.
- 636 (ii) If a local legislative body of a municipality rejects a proposed law, or takes no action on a proposed
law, the municipal recorder or clerk shall submit the proposed law to the voters of the municipality
at the next municipal general election immediately after the initiative application is filed under
Section 20A-7-502.
- 641 (e)
- (i) If a local legislative body rejects a proposed law, or takes no action on a proposed law, the local
legislative body may adopt a competing local law.

HB0223 compared with HB0223S03

- 643 (ii) The local legislative body shall prepare and adopt the competing local law within the 30-calendar-
day period described in Subsection (4)(a).
- 645 (iii) If a local legislative body adopts a competing local law, the clerk or recorder shall refer the
competing local law to the voters of the county or municipality at the same election at which the law
proposed by initiative is submitted under Subsection (4)(d).
- 649 (f) If conflicting local laws are submitted to the people at the same election and two or more of the
conflicting measures are approved by the people, the proposed law that receives the greatest number
of affirmative votes shall control all conflicts.

652 Section 10. Section **20A-7-502.7** is amended to read:

653 **20A-7-502.7. Referability to voters.**

- 58 (1) Within 20 calendar days after the day on which an eligible voter files an initiative application under
Section 20A-7-502, counsel for the county, city, or town to which the initiative pertains shall:
- 61 (a) review the proposed law that is the subject of the initiative application to determine whether the law
is legally referable to voters; and
- 63 (b) notify the first three sponsors, in writing, whether the proposed law is:
- 64 (i) legally referable to voters; or
- 65 (ii) rejected as not legally referable to voters.
- 66 (2) A proposed law that is the subject of an initiative application is legally referable to voters unless:
- 68 (a) the proposed law:
- 69 (i) is patently unconstitutional;
- 70 (ii) is nonsensical;
- 71 (iii) is administrative, rather than legislative, in nature;
- 72 (iv) could not become law if passed; ~~or~~
- 73 (v) contains more than one subject as evaluated in accordance with Subsection 20A-7-502(3); or
- 75 ~~(b)~~ (vi) is identical or substantially similar to a legally referable proposed law sought by an initiative
application submitted to the local clerk, under Section 20A-7-502, within two years before the day
on which the initiative application for the current proposed law is filed;
- 79 ~~(e)~~ (b) the subject of the proposed law is not clearly expressed in the law's title; or
- 80 ~~(d)~~ (c) the initiative application was not timely filed or does not comply with the requirements of this
part.

82

HB0223 compared with HB0223S03

(3) After the end of the 20-calendar-day period described in Subsection (1), a county, city, or town may not:

84 (a) reject a proposed initiative as not legally referable to voters; or

85 (b) bring a legal action, other than to appeal a court decision, challenging a proposed initiative on the grounds that the proposed initiative is not legally referable to voters.

87 (4) If a county, city, or town rejects a proposed initiative, a sponsor of the proposed initiative may, within 10 days after the day on which a sponsor is notified under Subsection (1)(b), appeal the decision to:

90 (a) a district court; or

91 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

92 (5) If, on appeal, the court determines that the law proposed by the initiative application is legally referable to voters, the local clerk shall comply with Subsection 20A-7-504(3), or give the sponsors access to the [website] system defined in Section 20A-21-101, within five calendar days after the day on which the determination, and any appeal of the determination, is final.

693 Section 11. Section 20A-7-507 is amended to read:

694 **20A-7-507. Evaluation by the local clerk.**

695 (1) In relation to the manual initiative process, when a local clerk receives an initiative packet from a county clerk, the local clerk shall record the number of the initiative packet received.

698 (2) The county clerk shall:

699 (a) in relation to the manual initiative process:

700 (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 90 calendar days; and

704 (ii) update on the local government's website the number of signatures certified as of the date of the update; or

706 (b) in relation to the electronic initiative process:

707 (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 90 calendar days; and

710 (ii) update on the local government's website the number of signatures certified as of the date of the update.

HB0223 compared with HB0223S03

- 712 (3) The local clerk:
- 713 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be sufficient or
insufficient:
- 715 (i) in relation to the manual initiative process, no later than 21 calendar days after the day of the
applicable deadline described in Subsection 20A-7-105(5)(a)(iii); or
- 717 (ii) in relation to the electronic initiative process, no later than 21 calendar days after the day of the
applicable deadline described in Subsection 20A-7-516(2); or
- 719 (b) may declare the initiative petition to be insufficient before the day described in Subsection (3)(a) if:
- 721 (i) in relation to the manual initiative process, the total of all valid signatures on timely and lawfully
submitted initiative packets that have been certified by the county clerks, plus the number of
signatures on timely and lawfully submitted initiative packets that have not yet been evaluated for
certification, is less than the number of names required under Section 20A-7-501;
- 726 (ii) in relation to the electronic initiative process, the total of all timely and lawfully submitted valid
signatures that have been certified by the county clerks, plus the number of timely and lawfully
submitted valid signatures received under Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that
have not yet been evaluated for certification, is less than the number of names required under
Section 20A-7-501; or
- 732 (iii) a requirement of this part has not been met.
- 733 (4)
- (a) [~~H~~] Subject to Subsection 20A-21-202(8)(a)(ii), if the total number of names certified under
Subsection (3) equals or exceeds the number of names required by Section 20A-7-501 and the
requirements of this part are met, the local clerk shall mark upon the front of the initiative petition
the word "sufficient."
- 737 (b) If the total number of names certified under Subsection (3) does not equal or exceed the number of
names required by Section 20A-7-501 or a requirement of this part is not met, the local clerk shall
mark upon the front of the initiative petition the word "insufficient."
- 741 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's finding.
- 743 (d) After an initiative petition is declared insufficient, a person may not submit additional signatures to
qualify the initiative for the ballot.
- 745

HB0223 compared with HB0223S03

(5) If the local clerk finds the total number of certified signatures for the initiative petition to be insufficient, any sponsor may file a written demand with the local clerk for a recount of the signatures collected for the initiative petition in the presence of any sponsor.

749 (6) An initiative petition determined to be sufficient in accordance with this section is qualified for the ballot.

751 Section 12. Section 20A-7-512 is amended to read:

752 **20A-7-512. Misconduct of electors and officers -- Penalty.**

753 (1) It is unlawful for any individual to:

754 (a) sign any name other than the individual's own name to an initiative petition or a statement described in Subsection 20A-7-105(8) or 20A-7-515(4);

756 (b) knowingly sign the individual's name more than once for the same initiative at one election;

758 (c) knowingly indicate that an individual who signed an initiative petition signed the initiative petition on a date other than the date that the individual signed the initiative petition;

761 (d) sign an initiative petition knowing the individual is not a legal voter; or

762 (e) knowingly and willfully violate any provision of this part.

763 (2) It is unlawful for an individual to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection [~~20A-21-201(10)~~] 20A-21-201(8), knowing that:

766 (a) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;

768 (b) the individual has not witnessed the signatures of the individuals whose signatures the individual collects or submits; or

770 (c) one or more individuals who signed the initiative petition are not registered to vote in Utah.

772 (3) It is unlawful for an individual to:

773 (a) pay an individual to sign an initiative petition;

774 (b) pay an individual to remove the individual's signature from an initiative petition;

775 (c) accept payment to sign an initiative petition;

776 (d) accept payment to have the individual's name removed from an initiative petition; or

777 (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:

780 (i) does not obtain the voluntary direction or consent of the voter;

HB0223 compared with HB0223S03

- 781 (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction
or consent;
- 783 (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the
action taken by the individual on behalf of the voter;
- 785 (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
- 787 (v) intentionally or knowingly enters false information on the signature sheet or statement.
- 789 (4) A violation of this section is a class A misdemeanor.

790 Section 13. Section 20A-7-601 is amended to read:

791 **20A-7-601. Referenda -- General signature requirements -- Signature requirements for land
use laws, subjurisdictional laws, and transit area land use laws -- Time requirements.**

- 794 (1) As used in this section:
- 795 (a) "Number of active voters" means the number of active voters in the county, city, or town on the
immediately preceding January 1.
- 797 (b) "Qualifying county" means a county that has created a small public transit district, as defined in
Section 17B-2a-802, on or before January 1, 2022.
- 799 (c) "Qualifying transit area" means:
- 800 (i) a station area, as defined in Section 10-21-101, for which the municipality with jurisdiction over the
station area has satisfied the requirements of Subsection 10-21-203(1)(a)(i), as demonstrated by the
adoption of a station area plan or resolution under Subsection 10-21-203(1); or
- 804 (ii) a housing and transit reinvestment zone, as defined in Section 63N-3-602, created within a
qualifying county.
- 806 (d) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the jurisdiction of a
county, city, or town that are subject to a subjurisdictional law.
- 808 (e)
- (i) "Subjurisdictional law" means a local law or local obligation law passed by a local legislative body
that imposes a tax or other payment obligation on property in an area that does not include all
precincts and subprecincts under the jurisdiction of the county, city, or town.
- 812 (ii) "Subjurisdictional law" does not include a land use law.
- 813 (f) "Transit area land use law" means a land use law that relates to the use of land within a qualifying
transit area.
- 815 (g) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a) or (2)(b).

HB0223 compared with HB0223S03

- 817 (2) [~~Except~~] Subject to Section 20A-21-202, and except as provided in Subsections (3) through (5), an
eligible voter seeking to have a local law passed by the local legislative body submitted to a vote of
the people shall, after filing a referendum application, obtain legal signatures equal to:
- 821 (a) for a county of the first class:
- 822 (i) 7.75% of the number of active voters in the county; and
- 823 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75% of the county's
voter participation areas;
- 825 (b) for a city of the first class:
- 826 (i) 7.5% of the number of active voters in the city; and
- 827 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75% of the city's voter
participation areas;
- 829 (c) for a county of the second class:
- 830 (i) 8% of the number of active voters in the county; and
- 831 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of the county's
voter participation areas;
- 833 (d) for a city of the second class:
- 834 (i) 8.25% of the number of active voters in the city; and
- 835 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75% of the city's
voter participation areas;
- 837 (e) for a county of the third class:
- 838 (i) 9.5% of the number of active voters in the county; and
- 839 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75% of the county's
voter participation areas;
- 841 (f) for a city of the third class:
- 842 (i) 10% of the number of active voters in the city; and
- 843 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75% of the city's voter
participation areas;
- 845 (g) for a county of the fourth class:
- 846 (i) 11.5% of the number of active voters in the county; and
- 847 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the county's
voter participation areas;

HB0223 compared with HB0223S03

- 849 (h) for a city of the fourth class:
- 850 (i) 11.5% of the number of active voters in the city; and
- 851 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the city's
voter participation areas;
- 853 (i) for a city of the fifth class or a county of the fifth class, 25% of the number of active voters in the
city or county; or
- 855 (j) for a town or a county of the sixth class, 35% of the number of active voters in the town or county.
- 857 (3) [~~Except~~] Subject to Section 20A-21-202, and except as provided in Subsection (4) or (5), an eligible
voter seeking to have a land use law or local obligation law passed by the local legislative body
submitted to a vote of the people shall, after filing a referendum application, obtain legal signatures
equal to:
- 861 (a) for a county of the first, second, third, or fourth class:
- 862 (i) 16% of the number of active voters in the county; and
- 863 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the county's
voter participation areas;
- 865 (b) for a county of the fifth or sixth class:
- 866 (i) 16% of the number of active voters in the county; and
- 867 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the county's
voter participation areas;
- 869 (c) for a city of the first class:
- 870 (i) 15% of the number of active voters in the city; and
- 871 (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75% of the city's voter
participation areas;
- 873 (d) for or a city of the second class:
- 874 (i) 16% of the number of active voters in the city; and
- 875 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the city's voter
participation areas;
- 877 (e) for a city of the third class:
- 878 (i) 27.5% of the number of active voters in the city; and
- 879 (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75% of the city's
voter participation areas;

HB0223 compared with HB0223S03

- 881 (f) for a city of the fourth class:
- 882 (i) 29% of the number of active voters in the city; and
- 883 (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75% of the city's voter participation areas;
- 885 (g) for a city of the fifth class, 35% of the number of active voters in the city; or
- 886 (h) for a town, 40% of the number of active voters in the town.
- 887 (4) [A] Subject to Section 20A-21-202, a person seeking to have a subjurisdictional law passed by the local legislative body submitted to a vote of the people shall, after filing a referendum application, obtain legal signatures of the residents in the subjurisdiction equal to:
- 891 (a) 10% of the number of active voters in the subjurisdiction if the number of active voters exceeds 25,000;
- 893 (b) 12.5% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 25,000 but is more than 10,000;
- 895 (c) 15% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 10,000 but is more than 2,500;
- 897 (d) 20% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 2,500 but is more than 500;
- 899 (e) 25% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 500 but is more than 250; and
- 901 (f) 30% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 250.
- 903 (5) [~~A~~] Subject to Section 20A-21-202, an eligible voter seeking to have a transit area land use law passed by the local legislative body submitted to a vote of the people shall, after filing a referendum application, obtain legal signatures equal to:
- 906 (a) for a county:
- 907 (i) 20% of the number of active voters in the county; and
- 908 (ii) 21% of the number of active voters in at least 75% of the county's voter participation areas;
- 910 (b) for a city of the first class:
- 911 (i) 20% of the number of active voters in the city; and
- 912 (ii) 20% of the number of active voters in at least 75% of the city's voter participation areas;
- 914 (c) for a city of the second class:

HB0223 compared with HB0223S03

- 915 (i) 20% of the number of active voters in the city; and
916 (ii) 21% of the number of active voters in at least 75% of the city's voter participation areas;
918 (d) for a city of the third class:
919 (i) 34% of the number of active voters in the city; and
920 (ii) 34% of the number of active voters in at least 75% of the city's voter participation areas;
922 (e) for a city of the fourth class:
923 (i) 36% of the number of active voters in the city; and
924 (ii) 36% of the number of active voters in at least 75% of the city's voter participation areas; or
926 (f) for a city of the fifth class or a town, 40% of the number of active voters in the city or town.
928 (6) Sponsors of any referendum petition challenging, under Subsection (2), (3), (4), or (5), any local law
passed by a local legislative body shall file the application no later than the first business day that is
at least five days after the day on which the local law was passed.
932 (7) This section does not authorize a local legislative body to impose a tax or other payment obligation
on a subjurisdiction in order to benefit an area outside of the subjurisdiction.

934 Section 14. Section **20A-7-602.7** is amended to read:

935 **20A-7-602.7. Referability to voters of local law other than land use law.**

- 99 (1) Within 20 calendar days after the day on which an eligible voter files a referendum application
under Section 20A-7-602 for a local law other than a land use law, counsel for the county, city, or
town to which the referendum pertains shall:
102 (a) review the referendum application to determine whether the proposed referendum is legally
referable to voters; and
104 (b) notify the first three sponsors, in writing, whether the proposed referendum is:
105 (i) legally referable to voters; or
106 (ii) rejected as not legally referable to voters.
107 (2) For a local law other than a land use law, a proposed referendum is legally referable to voters
unless:
109 (a) the proposed referendum challenges an action that is administrative, rather than legislative, in
nature;
111 (b) the proposed referendum challenges more than one law passed by the local legislative body; or
113 (c) the referendum application was not timely filed or does not comply with the requirements of this
part.

HB0223 compared with HB0223S03

- 115 (3) After the end of the 20-calendar-day period described in Subsection (1), a county, city, or town may
not, for a local law other than a land use law:
- 117 (a) reject a proposed referendum as not legally referable to voters; or
- 118 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a proposed
referendum on the grounds that the proposed referendum is not legally referable to voters.
- 121 (4)
- (a) If, under Subsection (1)(b)(ii), a county, city, or town rejects a proposed referendum concerning a
local law other than a land use law, a sponsor of the proposed referendum may, within 10 days after
the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision to:
- 125 (i) the Supreme Court, by means of an extraordinary writ, if possible; or
- 126 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ under
Subsection (4)(a)(i).
- 128 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)(a) terminates the
referendum.
- 130 (5) If, on a challenge or appeal, the court determines that the proposed referendum described
in Subsection (4) is legally referable to voters, the local clerk shall comply with Subsection
20A-7-604(3), or give the sponsors access to the [website] system defined in Section 20A-21-101,
within five calendar days after the day on which the determination, and any challenge or appeal of
the determination, is final.
- 972 Section 15. Section **20A-7-602.8** is amended to read:
- 973 **20A-7-602.8. Referability to voters of local land use law.**
- 137 (1) Within 20 calendar days after the day on which a referendum eligible voter files an application
under Section 20A-7-602 for a land use law, counsel for the county, city, or town to which the
referendum pertains shall:
- 140 (a) review the referendum application to determine whether the proposed referendum is legally
referable to voters; and
- 142 (b) notify the first three sponsors, in writing, whether the proposed referendum is:
- 143 (i) legally referable to voters; or
- 144 (ii) rejected as not legally referable to voters.
- 145 (2)

HB0223 compared with HB0223S03

- (a) Subject to Subsection (2)(b), for a land use law, a proposed referendum is legally referable to voters unless:
- 147 (i) the proposed referendum challenges an action that is administrative, rather than legislative, in nature;
- 149 (ii) the proposed referendum challenges a land use decision, rather than a land use regulation, as those terms are defined in Section 10-20-102 or 17-79-102;
- 151 (iii) the proposed referendum challenges more than one law passed by the local legislative body; or
- 153 (iv) the referendum application was not timely filed or does not comply with the requirements of this part.
- 155 (b) In addition to the limitations of Subsection (2)(a), a proposed referendum is not legally referable to voters for a:
- 157 (i) municipal land use law, as defined in Section 20A-7-101, if the land use law was passed by a unanimous vote of the local legislative body; or
- 159 (ii) transit area land use law, as defined in Section 20A-7-601, if the transit area land use law was passed by a two-thirds vote of the local legislative body.
- 161 (3) After the end of the 20-calendar-day period described in Subsection (1), a county, city, or town may not, for a land use law:
- 163 (a) reject a proposed referendum as not legally referable to voters; or
- 164 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a proposed referendum on the grounds that the proposed referendum is not legally referable to voters.
- 167 (4)
- (a) If a county, city, or town rejects a proposed referendum concerning a land use law, a sponsor of the proposed referendum may, within seven days after the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision to:
- 171 (i) the Supreme Court, by means of an extraordinary writ, if possible; or
- 172 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ under Subsection (4)(a)(i).
- 174 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)(a) terminates the referendum.
- 176 (5) If, on challenge or appeal, the court determines that the proposed referendum is legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(3), or give the sponsors access to the

HB0223 compared with HB0223S03

[website] system defined in Section 20A-21-101, within five calendar days after the day on which the determination, and any challenge or appeal of the determination, is final.

1018 Section 16. Section **20A-7-604.5** is amended to read:

1019 **20A-7-604.5. Posting referendum information.**

183 (1) On the day on which the local clerk complies with Subsection 20A-7-604(3), or gives the sponsors access to the [website] system defined in Section 20A-21-101, the local clerk shall post the following information together in a conspicuous place on the local clerk's website:

187 (a) the referendum petition;

188 (b) a copy of the law that is the subject of the referendum petition; and

189 (c) information describing how an individual may remove the individual's signature from the referendum petition.

191 (2) The local clerk shall:

192 (a) promptly update the information described in Subsection (1) if the information changes; and

194 (b) maintain the information described in Subsection (1) on the local clerk's website until the referendum fails to qualify for the ballot or is passed or defeated at an election.

1034 Section 17. Section 20A-7-607 is amended to read:

1035 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on referendum.**

1037 (1) In relation to the manual referendum process, when the local clerk receives a referendum packet from a county clerk, the local clerk shall record the number of the referendum packet received.

1040 (2) The county clerk shall:

1041 (a) in relation to the manual referendum process:

1042 (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 calendar days; and

1046 (ii) update on the local clerk's website the number of signatures certified as of the date of the update; or

1048 (b) in relation to the electronic referendum process:

1049 (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-616(3) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 calendar days; and

1052

HB0223 compared with HB0223S03

- (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update.
- 1054 (3) The local clerk:
- 1055 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be sufficient or insufficient:
- 1057 (i) in relation to the manual referendum process, no later than 111 calendar days after the day of the deadline, described in Subsection 20A-7-105(5)(a)(iv), to submit a referendum packet to the county clerk; or
- 1060 (ii) in relation to the electronic referendum process, no later than 111 calendar days after the day of the deadline, described in Subsection 20A-7-616(2), to collect a signature; or
- 1063 (b) may declare the referendum petition to be insufficient before the day described in Subsection (3)(a) if:
- 1065 (i) in relation to the manual referendum process, the total of all valid signatures on timely and lawfully submitted referendum packets that have been certified by the county clerk, plus the number of signatures on timely and lawfully submitted referendum packets that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-601;
- 1070 (ii) in relation to the electronic referendum process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-601; or
- 1076 (iii) a requirement of this part has not been met.
- 1077 (4)
- (a) [~~H~~] Subject to Subsection 20A-21-202(8)(a)(ii), if the total number of names certified under Subsection (3) equals or exceeds the number of names required under Section 20A-7-601, and the requirements of this part are met, the local clerk shall mark upon the front of the referendum petition the word "sufficient."
- 1081 (b) If the total number of names certified under Subsection (3) does not equal or exceed the number of names required under Section 20A-7-601 or a requirement of this part is not met, the local clerk shall mark upon the front of the referendum petition the word "insufficient."
- 1085 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's finding.

HB0223 compared with HB0223S03

- 1087 (d) After a referendum petition is declared insufficient, a person may not submit additional signatures to
qualify the referendum for the ballot.
- 1089 (5)
- (a) If the local clerk refuses to declare a referendum petition sufficient, any voter may, no later than 10
days after the day on which the local clerk declares the referendum petition insufficient, apply to the
appropriate court for an order finding the referendum petition legally sufficient.
- 1093 (b) If the court determines that the referendum petition is legally sufficient, the local clerk shall mark
the referendum petition "sufficient" and consider the declaration of sufficiency effective as of the
date on which the referendum petition should have been declared sufficient by the local clerk's
office.
- 1097 (c) If the court determines that a referendum petition filed is not legally sufficient, the court may enjoin
the local clerk and all other officers from:
- 1099 (i) certifying or printing the ballot title and numbers of that referendum on the official ballot for the next
election; or
- 1101 (ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing, or mailing the
ballot title and numbers of that referendum under Section 20A-7-609.5.
- 1104 (6) A referendum petition determined to be sufficient in accordance with this section is qualified for the
ballot.
- 1106 (7)
- (a) Except as provided in Subsection (7)(b) or (c), if a referendum relates to legislative action taken
after April 15, the election officer may not place the referendum on an election ballot until a primary
election, a general election, or a special election the following year.
- 1110 (b) The election officer may place a referendum described in Subsection (7)(a) on the ballot for a
special, primary, or general election held during the year that the legislative action was taken if the
following agree, in writing, on a timeline to place the referendum on that ballot:
- 1114 (i) the local clerk;
- 1115 (ii) the county clerk; and
- 1116 (iii) the attorney for the county or municipality that took the legislative action.
- 1117 (c) For a referendum on a land use law, if, before August 30, the local clerk or a court determines that
the total number of certified names equals or exceeds the number of signatures required in Section
20A-7-601, the election officer shall place the referendum on the election ballot for:

HB0223 compared with HB0223S03

- 1121 (i) the next general election; or
1122 (ii) another election, if the following agree, in writing, on a timeline to place the referendum on that
ballot:
1124 (A) the affected owners, as defined in Section 10-20-102 or 17-79-102, as applicable;
1126 (B) the local clerk;
1127 (C) the county clerk; and
1128 (D) the attorney for the county or municipality that took the legislative action.

1129 Section 18. Section 20A-7-612 is amended to read:

1130 **20A-7-612. Misconduct of electors and officers -- Penalty.**

- 1131 (1) It is unlawful for an individual to:
1132 (a) sign a name other than the individual's own name to any referendum petition;
1133 (b) knowingly sign the individual's name more than once for the same referendum at one election;
1135 (c) knowingly indicate that an individual who signed a referendum petition signed the referendum
petition on a date other than the date that the individual signed the referendum petition;
1138 (d) sign a referendum petition knowing that the individual is not a legal voter;
1139 (e) in connection with circulating a referendum petition, represent that a document is an official
government document if the individual knows or has reason to know that the document is not an
official government document; or
1142 (f) knowingly and willfully violate any provision of this part.
1143 (2) It is unlawful for an individual to sign the verification for a referendum packet, or to electronically
sign the verification for a signature under Subsection [~~20A-21-201(10)~~] 20A-21-201(8), knowing
that:
1146 (a) the signature date associated with the individual's signature for the referendum petition is not the
date that the individual signed the referendum petition;
1148 (b) the individual has not witnessed the signatures the individual collects or submits; or
1149 (c) one or more individuals whose signatures appear in the referendum packet is not registered to vote
in Utah.
1151 (3) It is unlawful for an individual to:
1152 (a) pay an individual to sign a referendum petition;
1153 (b) pay an individual to remove the individual's signature from a referendum petition;
1154 (c) accept payment to sign a referendum petition;

HB0223 compared with HB0223S03

- 1155 (d) accept payment to have the individual's name removed from a referendum petition; or
1156 (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any
information on a signature sheet or statement described in Section 20A-7-106, if the individual:
1159 (i) does not obtain the voluntary direction or consent of the voter;
1160 (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction
or consent;
1162 (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the
action taken by the individual on behalf of the voter;
1164 (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
1166 (v) intentionally or knowingly enters false information on the signature sheet or statement.
1168 (4) A violation of this section is a class A misdemeanor.
1169 (5) The county attorney or municipal attorney shall prosecute any violation of this section.

1170 Section 19. Section 20A-9-101 is amended to read:

1171 **20A-9-101. Definitions.**

As used in this chapter:

- 1173 (1)
(a) "Candidates for elective office" means persons who file a declaration of candidacy under Section
20A-9-202 to run in a regular general election for a federal office, constitutional office, multicounty
office, or county office.
1176 (b) "Candidates for elective office" does not mean candidates for:
1177 (i) justice or judge of court of record or not of record;
1178 (ii) presidential elector;
1179 (iii) any political party offices; and
1180 (iv) municipal or special district offices.
1181 (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney general,
state auditor, and state treasurer.
1183 (3) "Continuing political party" means the same as that term is defined in Section 20A-8-101.
1185 (4)
(a) "County office" means an elective office where the officeholder is selected by voters entirely within
one county.
1187 (b) "County office" does not mean:

HB0223 compared with HB0223S03

- 1188 (i) the office of justice or judge of any court of record or not of record;
- 1189 (ii) the office of presidential elector;
- 1190 (iii) any political party offices;
- 1191 (iv) any municipal or special district offices; and
- 1192 (v) the office of United States Senator and United States Representative.
- 1193 (5) "Electronic candidate qualification process" means:
- 1194 (a) as it relates to a registered political party that is not a qualified political party, the process for
gathering signatures electronically to seek the nomination of a registered political party, described
in:
- 1197 (i) Section 20A-9-403;
- 1198 (ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and
- 1199 (iii) Section 20A-21-201; and
- 1200 (b) as it relates to a qualified political party, the process, for gathering signatures electronically to seek
the nomination of a registered political party, described in:
- 1202 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);
- 1203 (ii) Section 20A-9-408; and
- 1204 (iii) Section 20A-21-201.
- 1205 (6) "Federal office" means an elective office for United States Senator and United States
Representative.
- 1207 (7) "Filing officer" means:
- 1208 (a) the lieutenant governor, for:
- 1209 (i) the office of United States Senator and United States Representative; and
- 1210 (ii) all constitutional offices;
- 1211 (b) for the office of a state senator, state representative, or the state school board, the lieutenant
governor or the applicable clerk described in Subsection (7)(c) or (d);
- 1213 (c) the county clerk, for county offices and local school district offices;
- 1214 (d) the county clerk in the filer's county of residence, for multicounty offices;
- 1215 (e) the city or town clerk, for municipal offices; or
- 1216 (f) the special district clerk, for special district offices.
- 1217 (8) "Local government office" includes county offices, municipal offices, and special district offices
and other elective offices selected by the voters from a political division entirely within one county.

HB0223 compared with HB0223S03

- 1220 (9) "Manual candidate qualification process" means the process for gathering signatures to seek the nomination of a registered political party, using paper signature packets that a signer physically signs.
- 1223 (10)
- (a) "Multicounty office" means an elective office where the officeholder is selected by the voters from more than one county.
- 1225 (b) "Multicounty office" does not mean:
- 1226 (i) a county office;
- 1227 (ii) a federal office;
- 1228 (iii) the office of justice or judge of any court of record or not of record;
- 1229 (iv) the office of presidential elector;
- 1230 (v) any political party offices; or
- 1231 (vi) any municipal or special district offices.
- 1232 (11) "Municipal office" means an elective office in a municipality.
- 1233 (12)
- (a) "Political division" means a geographic unit from which an officeholder is elected and that an officeholder represents.
- 1235 (b) "Political division" includes a county, a city, a town, a special district, a school district, a legislative district, and a county prosecution district.
- 1237 (13) "Qualified political party" means a registered political party that:
- 1238 (a)
- (i) permits a delegate for the registered political party to vote on a candidate nomination in the registered political party's convention remotely; or
- 1240 (ii) provides a procedure for designating an alternate delegate if a delegate is not present at the registered political party's convention;
- 1242 (b) does not hold the registered political party's convention before the fourth Saturday in March of an even-numbered year;
- 1244 (c) permits a member of the registered political party to seek the registered political party's nomination for any elective office by the member choosing to seek the nomination by either or both of the following methods:
- 1247

HB0223 compared with HB0223S03

- (i) seeking the nomination through the registered political party's convention process, in accordance with the provisions of Section 20A-9-407; or
- 1249 (ii) seeking the nomination by collecting signatures, in accordance with the provisions of Section 20A-9-408; and
- 1251 (d)
- (i) if the registered political party is a continuing political party, no later than 5 p.m. on the first Monday of October of an odd-numbered year, certifies to the lieutenant governor that, for the election in the following year, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406; or
- 1256 (ii) if the registered political party is not a continuing political party, certifies at the time that the registered political party files the petition described in Section 20A-8-103 that, for the next election, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406.
- 1261 (14) "Signature," as it relates to a petition for a candidate to seek the nomination of a registered political party, means:
- 1263 (a) when using the manual candidate qualification process, a holographic signature collected physically on a nomination petition described in Subsection 20A-9-405(3); or
- 1266 (b) when using the electronic candidate qualification process:
- 1267 (i) an electronic signature collected under Subsection [~~20A-21-201(6)(e)(ii)(A)~~] 20A-21-201(4)(c)(ii) (A); or
- 1269 (ii) a holographic signature collected electronically under Subsection [~~20A-21-201(6)(e)(ii)~~ (B)] 20A-21-201(4)(c)(ii)(B).
- 1271 (15) "Special district office" means an elected office in a special district.

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

20A-9-403. Regular primary elections.

- 1274 (1)
- (a) Candidates for elective office that are to be filled at the next regular general election shall be nominated in a regular primary election by direct vote of the people in the manner prescribed in this section. The regular primary election is held on the date specified in Section 20A-1-201.5. Nothing in this section shall affect a candidate's ability to qualify for a regular general election's ballot as an

HB0223 compared with HB0223S03

unaffiliated candidate under Section 20A-9-501 or to participate in a regular general election as a write-in candidate under Section 20A-9-601.

- 1281 (b) Each registered political party that chooses to have the names of the registered political party's candidates for elective office featured with party affiliation on the ballot at a regular general election shall comply with the requirements of this section and shall nominate the registered political party's candidates for elective office in the manner described in this section.
- 1286 (c) A filing officer may not permit an official ballot at a regular general election to be produced or used if the ballot denotes affiliation between a registered political party or any other political group and a candidate for elective office who is not nominated in the manner prescribed in this section or in Subsection 20A-9-202(4).
- 1290 (d) Unless noted otherwise, the dates in this section refer to those that occur in each even-numbered year in which a regular general election will be held.
- 1292 (2)
- 1294 (a) Each registered political party, in a statement filed with the lieutenant governor, shall:
- 1298 (i) either declare the registered political party's intent to participate in the next regular primary election or declare that the registered political party chooses not to have the names of the registered political party's candidates for elective office featured on the ballot at the next regular general election; and
- 1303 (ii) if the registered political party participates in the upcoming regular primary election, identify one or more registered political parties whose members may vote for the registered political party's candidates and whether individuals identified as unaffiliated with a political party may vote for the registered political party's candidates.
- 1306 (b)
- 1310 (i) A registered political party that is a continuing political party shall file the statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on November 30 of each odd-numbered year.
- 1310 (ii) An organization that is seeking to become a registered political party under Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered political party files the petition described in Section 20A-8-103.
- 1310 (3)

HB0223 compared with HB0223S03

(a) Except as provided in Subsection (3)(e), and subject to Section 20A-21-202, an individual who submits a declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective office on the regular primary ballot of the registered political party listed on the declaration of candidacy only if the individual is certified by the appropriate filing officer as having submitted a nomination petition that was:

1315 (i) circulated and completed in accordance with Section 20A-9-405; and

1316 (ii) signed by at least 2% of the registered political party's members who reside in the political division of the office that the individual seeks.

1318 (b)

(i) A candidate for elective office shall, in accordance with Section 20A-9-408.3, submit signatures for a nomination petition to the appropriate filing officer for verification and certification no later than 5 p.m. on March 31.

1321 (ii) A candidate may supplement the candidate's submissions at any time on or before the filing deadline.

1323 (c)

(i) The lieutenant governor shall determine for each elective office the total number of signatures [~~that must~~] required to be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting the aggregate number of individuals residing in each elective office's political division who have designated a particular registered political party on the individuals' voter registration forms on or before November 15 of each odd-numbered year.

1329 (ii) The lieutenant governor shall publish the determination for each elective office no later than November 30 of each odd-numbered year.

1331 (d) The filing officer shall:

1332 (i) except as otherwise provided in Section 20A-21-201, and in accordance with Section 20A-9-408.3, verify signatures on nomination petitions in a transparent and orderly manner, no later than 14 calendar days after the day on which a candidate submits the signatures to the filing officer;

1336 (ii) for all qualifying candidates for elective office who submit nomination petitions to the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline described in Subsection 20A-9-202(1)(b);

1339 (iii) consider active and inactive voters eligible to sign nomination petitions;

1340

HB0223 compared with HB0223S03

- (iv) consider an individual who signs a nomination petition a member of a registered political party for purposes of Subsection (3)(a)(ii) if the individual has designated that registered political party as the individual's party membership on the individual's voter registration form; and
- 1344 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of the county clerk as applicable, use the procedures described in Section 20A-1-1002 to verify submitted nomination petition signatures, or use statistical sampling procedures to verify submitted nomination petition signatures in accordance with rules made under Subsection (3)(f).
- 1349 (e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant governor may appear on the regular primary ballot of a registered political party without submitting nomination petitions if the candidate files a declaration of candidacy and complies with Subsection 20A-9-202(3).
- 1353 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the director of elections, within the Office of the Lieutenant Governor, may make rules that:
- 1356 (i) provide for the use of statistical sampling procedures that:
- 1357 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and
- 1359 (B) reflect a bona fide effort to determine the validity of a candidate's entire submission, using widely recognized statistical sampling techniques; and
- 1361 (ii) provide for the transparent, orderly, and timely submission, verification, and certification of nomination petition signatures.
- 1363 (g) The county clerk shall:
- 1364 (i) review the declarations of candidacy filed by candidates for local boards of education to determine if more than two candidates have filed for the same seat;
- 1366 (ii) place the names of all candidates who have filed a declaration of candidacy for a local board of education seat on the nonpartisan section of the ballot if more than two candidates have filed for the same seat; and
- 1369 (iii) place the local board of education candidates' names on the ballot in accordance with Sections 20A-6-109 and 20A-6-110.
- 1371 (4)
- (a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant governor shall provide to the county clerks:

1373

HB0223 compared with HB0223S03

- 1377 (i) a list of the names of all candidates for federal, constitutional, multi-county, single county, and county offices who have received certifications under Subsection (3), along with instructions on how those names shall appear on the primary election ballot in accordance with Sections 20A-6-109 and 20A-6-110; and
- 1380 (ii) a list of unopposed candidates for elective office who have been nominated by a registered political party under Subsection (5)(c) and instruct the county clerks to exclude the unopposed candidates from the primary election ballot.
- 1382 (b) A candidate for lieutenant governor and a candidate for governor campaigning as joint-ticket running mates shall appear jointly on the primary election ballot.
- 1385 (c) After the county clerk receives the certified list from the lieutenant governor under Subsection (4) (a), the county clerk shall post or publish a primary election notice in substantially the following form:
- 1385 "Notice is given that a primary election will be held Tuesday, June ____, ____ (year), to nominate party candidates for the parties and candidates for nonpartisan local school board positions listed on the primary ballot. The polling place for voting precinct ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk."
- 1390 (5)
- 1392 (a) A candidate who, at the regular primary election, receives the highest number of votes cast for the office sought by the candidate is:
- 1393 (i) nominated for that office by the candidate's registered political party; or
- 1394 (ii) for a nonpartisan local school board position, nominated for that office.
- 1398 (b) If two or more candidates are to be elected to the office at the regular general election, those party candidates equal in number to positions to be filled who receive the highest number of votes at the regular primary election are the nominees of the candidates' party for those positions.
- 1399 (c)
- 1402 (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:
- 1399 (A) no individual other than the candidate receives a certification under Subsection (3) for the regular primary election ballot of the candidate's registered political party for a particular elective office; or
- 1402 (B) for an office where more than one individual is to be elected or nominated, the number of candidates who receive certification under Subsection (3) for the regular primary election of

HB0223 compared with HB0223S03

the candidate's registered political party does not exceed the total number of candidates to be elected or nominated for that office.

1406 (ii) A candidate who is unopposed for an elective office in the regular primary election of a registered political party is nominated by the party for that office without appearing on the primary election ballot.

1409 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

1413 (7) An individual may not file a declaration of candidacy for a registered political party of which the individual is not a member, except to the extent that the registered political party permits otherwise under the registered political party's bylaws.

1416 Section 21. Section 20A-9-408 is amended to read:

1417 **20A-9-408. Signature-gathering process to seek the nomination of a qualified political party**
-- Removal of signature.

1419 (1) This section describes the requirements for a member of a qualified political party who is seeking the nomination of the qualified political party for an elective office through the signature-gathering process described in this section.

1422 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy for a member of a qualified political party who is nominated by, or who is seeking the nomination of, the qualified political party under this section shall be substantially as described in Section 20A-9-408.5.

1426 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election shall:

1430 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable declaration of candidacy filing period described in Section 20A-9-201.5, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:

1435 (i) the name of the member who will attempt to become a candidate for a registered political party under this section;

HB0223 compared with HB0223S03

- 1437 (ii) the name of the registered political party for which the member is seeking nomination;
- 1439 (iii) the office for which the member is seeking to become a candidate;
- 1440 (iv) the address and telephone number of the member; and
- 1441 (v) other information required by the lieutenant governor;
- 1442 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with
the filing officer during the applicable declaration of candidacy filing period described in Section
20A-9-201.5; and
- 1445 (c) pay the filing fee.
- 1446 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party who, under
this section, is seeking the nomination of the qualified political party for the office of district
attorney within a multicounty prosecution district that is to be filled at the next general election
shall:
- 1450 (a) during the applicable declaration of candidacy filing period described in Section 20A-9-201.5, and
before gathering signatures under this section, file with the filing officer on a form approved by the
lieutenant governor a notice of intent to gather signatures for candidacy that includes:
- 1454 (i) the name of the member who will attempt to become a candidate for a registered political party
under this section;
- 1456 (ii) the name of the registered political party for which the member is seeking nomination;
- 1458 (iii) the office for which the member is seeking to become a candidate;
- 1459 (iv) the address and telephone number of the member; and
- 1460 (v) other information required by the lieutenant governor;
- 1461 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in person, with
the filing officer during the applicable declaration of candidacy filing period described in Section
20A-9-201.5; and
- 1464 (c) pay the filing fee.
- 1465 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who files as the
joint-ticket running mate of an individual who is nominated by a qualified political party, under
this section, for the office of governor shall, during the applicable declaration of candidacy filing
period described in Section 20A-9-201.5, file a declaration of candidacy and submit a letter from the
candidate for governor that names the lieutenant governor candidate as a joint-ticket running mate.
- 1471

HB0223 compared with HB0223S03

- 1474 (6) The lieutenant governor shall ensure that the certification described in Subsection 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party under this section.
- 1477 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is nominated by a qualified political party under this section, designate the qualified political party that nominated the candidate.
- 1479 (8) [A] Subject to Section 20A-21-202, a member of a qualified political party may seek the nomination of the qualified political party for an elective office by:
- 1480 (a) complying with the requirements described in this section; and
- 1484 (b) collecting signatures, on a form approved by the lieutenant governor that complies with Subsection 20A-9-405(3), during the period beginning on the day on which the member files a notice of intent to gather signatures and ending at the applicable deadline described in Subsection (12), in the following amounts:
- 1487 (i) for a statewide race, 28,000 signatures of registered voters in the state who are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election;
- 1491 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000 signatures of registered voters who are residents of the congressional district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election;
- 1494 (iii) for a state Senate district race, 2,000 signatures of registered voters who are residents of the state Senate district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election;
- 1497 (iv) for a state House district race, 1,000 signatures of registered voters who are residents of the state House district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election;
- 1498 (v) for a State Board of Education race, the lesser of:
- 1501 (A) 2,000 signatures of registered voters who are residents of the State Board of Education district and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election; or
- 1503 (B) 3% of the registered voters of the qualified political party who are residents of the applicable State Board of Education district; and

HB0223 compared with HB0223S03

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

1507 (9)

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

1508 (b) In order for a member of the qualified political party to qualify as a candidate for the qualified political party's nomination for an elective office under this section, using the manual candidate qualification process, the member shall:

1511 (i) collect the signatures on a form approved by the lieutenant governor, using the same circulation and verification requirements described in Sections 20A-7-105 and 20A-7-204; and

1514 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election officer before the applicable deadline described in Subsection (12).

1516 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in accordance with Section 20A-9-408.3, the election officer shall, no later than the earlier of 14 calendar days after the day on which the election officer receives the signatures, or one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate:

1522 (i) check the name of each individual who completes the verification for a signature packet to determine whether each individual is at least 18 years old;

1524 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at least 18 years old to the attorney general and the county attorney;

1526 (iii) with the assistance of the county clerk as applicable, determine whether each signer is a registered voter who is qualified to sign the petition, using the same method, described in Section 20A-1-1002, used to verify a signature on a petition; and

1530 (iv) certify whether each name is that of a registered voter who is qualified to sign the signature packet.

1532 (d)

(i) A registered voter who physically signs a form under Subsections (8) and (9)(b) may have the voter's signature removed from the form by, no later than 5 p.m. three business days after the day on which the member submits the signature form to the election officer, submitting to the election officer a statement requesting that the voter's signature be removed.

1537

HB0223 compared with HB0223S03

- 1539 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements described in Subsection 20A-1-1003(2).
- 1543 (iii) With the assistance of the county clerk as applicable, the election officer shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature after receiving a timely, valid statement requesting removal of the signature.
- 1543 (e)
- (i) An election officer shall, in accordance with this Subsection (9)(e) and rules made under Section 20A-3a-106, conduct regular audits of signature comparisons made between signatures gathered under this section and voter signatures maintained by the election officer.
- 1547 (ii) An individual who conducts an audit of signature comparisons under this section may not audit the individual's own work.
- 1549 (iii) The election officer shall:
- 1550 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to determine the accuracy of the comparisons made;
- 1552 (B) record the individuals who conducted the audit;
- 1553 (C) record the audit results;
- 1554 (D) provide additional training or staff reassignments, as needed, based on the results of an audit described in Subsection (9)(e)(i); and
- 1556 (E) record any remedial action taken.
- 1557 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 1558 (f) An election officer who certifies signatures under Subsection (9)(c) or 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate has reached the applicable signature threshold described in Subsection (8) or 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the candidate in excess of the number of signatures required, until the election officer either:
- 1564 (i) certifies signatures equal to 110% of the applicable signature threshold; or
- 1565 (ii) has reviewed all signatures submitted for the candidate before reaching an amount equal to 110% of the applicable signature threshold.
- 1567 (10)
- (a) This Subsection (10) applies only to the electronic candidate qualification process.

1569

HB0223 compared with HB0223S03

- (b) In order for a member of the qualified political party to qualify as a candidate for the qualified political party's nomination for an elective office under this section, the member shall, before the deadline described in Subsection (12), collect signatures electronically:
- 1573 (i) in accordance with Section 20A-21-201; and
- 1574 (ii) using progressive screens, in a format approved by the lieutenant governor, that complies with Subsection 20A-9-405(4).
- 1576 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the election officer shall, no later than the earlier of 14 calendar days after the day on which the election officer receives the signatures, or one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate:
- 1581 (i) check the name of each individual who completes the verification for a signature to determine whether each individual is at least 18 years old; and
- 1583 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not at least 18 years old to the attorney general and the county attorney.
- 1585 (11)
- (a) An individual may not gather signatures under this section until after the individual files a notice of intent to gather signatures for candidacy described in this section.
- 1588 (b) An individual who files a notice of intent to gather signatures for candidacy, described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files the notice of intent to gather signatures for candidacy:
- 1591 (i) required to comply with the reporting requirements that a candidate for office is required to comply with; and
- 1593 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that apply to a candidate for office in relation to the reporting requirements described in Subsection (11)(b)(i).
- 1596 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or Subsections (8) and (10)(b), the election officer shall, no later than the day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate, notify the qualified political party and the lieutenant governor of the name of each member of the qualified political party who qualifies as a nominee of the qualified political party, under this section, for the elective office to which the convention relates.

1603

HB0223 compared with HB0223S03

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

1607 (12) The deadline [~~before which~~] for a member of a qualified political party [~~must~~] to collect and submit signatures to the election officer under this section is 5 p.m. on the last business day that is at least 14 calendar days before the day on which the qualified political party's convention for the office begins.

1611 (13) For the 2026 election year only, an individual who desires to gather signatures to seek the nomination of a qualified political party for the office of United States representative shall:

1614 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures during the period beginning at 8 a.m. on the first business day of January and ending at 5 p.m. on March 13, 2026; and

1617 (b) during the period beginning on the day on which the individual files the notice of intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form approved by the lieutenant governor that complies with Subsection 20A-9-405(3), collect 7,000 signatures of registered voters who are residents of the state and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election.

1623 Section 22. Section 20A-9-502 is amended to read:

1624 **20A-9-502. Certificate of nomination -- Contents -- Circulation -- Verification -- Criminal penalty -- Removal of petition signature.**

1626 (1) The candidate shall:

1627 (a) prepare a certificate of nomination in substantially the following form:

1628 "State of Utah, County of _____

1629 I, _____, declare my intention of becoming an unaffiliated candidate for the political group designated as ____ for the office of _____. I do solemnly swear that I can qualify to hold that office both legally and constitutionally if selected, and that I reside at ____ Street, in the city of _____, county of _____, state of _____, zip code _____, phone _____, and that I am providing, or have provided, the required number of holographic signatures of registered voters required by law; that as a candidate at the next election I will not knowingly violate any election or campaign law; that, if filing via a designated agent for an office other than president of the United States, I will be out of the state of Utah during the entire candidate filing period; I will file all campaign

HB0223 compared with HB0223S03

financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot.

1640

1641

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

1642

1643

Notary Public (or other officer

1644

qualified to administer oaths");

1645

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

1647

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

1648

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

1650

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

1653

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

1655

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

1657

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

1661

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

1663

"Each signer says:

1664

I have personally signed this petition with a holographic signature;

1665

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

1667

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

1668

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

1670

(viii) be vertically divided into columns as follows:

1671

HB0223 compared with HB0223S03

- (A) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down the middle;
- 1674 (B) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)";
- 1676 (C) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of Registered Voter";
- 1678 (D) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
- 1680 (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip Code"; and
- 1682 (F) at the bottom of the sheet, contain the following statement: "Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be certified as a valid signature if you change your address before petition signatures are certified or if the information you provide does not match your voter registration records."; and
- 1688 (c) bind a final page to one or more signature sheets that are bound together that contains, except as provided by Subsection (3), the following printed statement:
- 1690 "Verification
- 1691 State of Utah, County of ____
- 1692 I, _____, of _____, hereby state that:
- 1693 I am at least 18 years old;
- 1694 All the names that appear on the signature sheets bound to this page were signed by persons who professed to be the persons whose names appear on the signature sheets, and each of them signed the person's name on the signature sheets in my presence;
- 1697 I believe that each has printed and signed the person's name and written the person's street address correctly, and that each signer is registered to vote in Utah or will register to vote in Utah before the county clerk certifies the signatures on the signature sheet.
- 1700 _____
- 1701 (Signature) (Residence Address) (Date)."[:]
- 1702 (2) An agent designated to file a certificate of nomination under Subsection 20A-9-503(2)(b) or (4)(b) may not sign the form described in Subsection (1)(a).
- 1704 (3)
- (a) The candidate shall circulate the nomination petition and ensure that the person in whose presence each signature sheet is signed:

HB0223 compared with HB0223S03

- 1706 (i) is at least 18 years old; and
- 1707 (ii) verifies each signature sheet by completing the verification bound to one or more signature sheets that are bound together.
- 1709 (b) A person may not sign the circulator verification if the person signed a signature sheet bound to the verification.
- 1711 (4)
- 1712 (a) It is unlawful for any person to:
- 1713 (i) knowingly sign a certificate of nomination signature sheet:
- 1713 (A) with any name other than the person's own name;
- 1714 (B) more than once for the same candidate; or
- 1715 (C) if the person is not registered to vote in this state and does not intend to become registered to vote in this state before the county clerk certifies the signatures; or
- 1718 (ii) sign the verification of a certificate of nomination signature sheet if the person:
- 1719 (A) has not witnessed the signing by those persons whose names appear on the certificate of nomination signature sheet; or
- 1721 (B) knows that a person whose signature appears on the certificate of nomination signature sheet is not registered to vote in this state and does not intend to become registered to vote in this state.
- 1724 (b) Any person violating this Subsection (4) is guilty of a class A misdemeanor.
- 1725 (5)
- 1725 (a) ~~[To]~~ Subject to Chapter 21, Electronic Signature Gathering, to qualify for placement on the general election ballot, the candidate shall, no earlier than the start of the applicable declaration of candidacy period described in Section 20A-9-201.5 and no later than 5 p.m. on June 15 of the year in which the election will be held:
- 1729 (i) comply with Subsection 20A-9-503(1); and
- 1730 (ii) submit each signature packet to the county clerk where the majority of the signatures in the packet were collected, with signatures totaling:
- 1732 (A) at least 1,000 registered voters residing within the state when the nomination is for an office to be filled by the voters of the entire state; or
- 1734 (B) at least 300 registered voters residing within a political division or at least 5% of the registered voters residing within a political division, whichever is less, when the nomination is for an office to be filled by the voters of any political division smaller than the state.

HB0223 compared with HB0223S03

- 1738 (b) A candidate has not complied with Subsection (5)(a)(ii), unless the county clerks verify that each
required signature is a valid signature of a registered voter who is eligible to sign the signature
packet and has not signed a signature packet to nominate another candidate for the same office.
- 1742 (c) In reviewing the signature packets, the county clerk shall count and certify only those persons who
signed with a holographic signature, who:
- 1744 (i) are registered voters within the political division that the candidate seeks to represent; and
- 1746 (ii) did not sign any other certificate of nomination for that office.
- 1747 (d) The county clerk shall count and certify the number of registered voters who validly signed a
signature packet, no later than 30 calendar days after the day on which the candidate submits the
signature packet.
- 1750 (e) The candidate may supplement the signatures or amend the certificate of nomination or declaration
of candidacy at any time on or before 5 p.m. on June 15 of the year in which the election will be
held.
- 1753 (f) The county clerk shall use the procedures described in Section 20A-1-1002 to determine whether a
signer is a registered voter who is qualified to sign the signature packet.
- 1756 (6)
- (a) A voter who signs a signature packet under this section may have the voter's signature removed
from the signature packet by, no later than 5 p.m. three business days after the day on which
the candidate submits the signature packet to the county clerk, submitting to the county clerk a
statement requesting that the voter's signature be removed.
- 1761 (b) A statement described in Subsection (6)(a) shall comply with the requirements described in
Subsection 20A-1-1003(2).
- 1763 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to determine
whether to remove an individual's signature from a signature packet after receiving a timely, valid
statement requesting removal of the signature.
- 1766 Section 23. Section **20A-21-101** is amended to read:
- 1767 **20A-21-101. Definitions.**
As used in this chapter:
- 200 (1) "Approved device" means a device described in Subsection ~~[20A-21-201(4)]~~ 20A-21-201(2).
- 201 (2) "Candidate qualification process" means the process, described in Section 20A-9-403 or 20A-9-408,
of gathering signatures to seek the nomination of a registered political party.

HB0223 compared with HB0223S03

- 203 (3) "Electronic candidate qualification process" means the same as that term is defined in Section
20A-9-101.
- 205 (4) "Electronic initiative process" means the same as that term is defined in Section 20A-7-101.
- 207 (5) "Electronic referendum process" means the same as that term is defined in Section 20A-7-101.
- 1779 (6) "Electronic signature gathering process" means:
- 1780 (a) the electronic candidate qualification process;
- 1781 (b) the electronic initiative process; or
- 1782 (c) the electronic referendum process.
- 209 (6) (7) "Manual candidate qualification process" means the same as that term is defined in Section
20A-9-101.
- 211 (7) (8) "Petition" means:
- 212 (a) as it relates to the electronic initiative process or the electronic referendum process, the electronic
record that an individual signs to indicate the individual is in favor of placing the initiative or
referendum on the ballot; or
- 215 (b) as it relates to electronic candidate qualification process, the electronic record that an individual
signs to indicate the individual is in favor of placing an individual's name on the ballot to run for a
particular elective office.
- 218 (8) (9) "Signature" means:
- 219 (a) as it relates to a signature gathered for an initiative or referendum, the same as that term is defined in
Section 20A-7-101; or
- 221 (b) as it relates to a signature gathered for the candidate qualification process, the same as that term is
defined in Section 20A-9-101.
- 223 (9) (10) [~~"Website"~~] "System" means:
- 224 (a) as it relates to the electronic initiative process or the electronic referendum process, the
[~~website~~] web-based or application-based interface designated by the lieutenant governor for
collecting the signatures and other information relating to the electronic initiative process or the
electronic referendum process; or
- 228 (b) as it relates to the electronic candidate qualification process, [~~a website~~] the web-based or
application-based interface designated by the lieutenant governor for collecting the signatures and
other information relating to the electronic candidate qualification process.
- 1807 Section 24. Section **20A-21-201** is amended to read:

HB0223 compared with HB0223S03

- 1808 **20A-21-201. Electronic signature gathering for an initiative, a referendum, or candidate qualification.**
- 235 (1) Subject to Section 20A-21-202:
- 1811 (a) [After] after filing a petition for a statewide initiative or a statewide referendum, and before gathering signatures, the sponsors shall, after consulting with the Office of the Lieutenant Governor, sign a form provided by the Office of the Lieutenant Governor indicating whether the sponsors will gather signatures manually, electronically, or both~~[]~~ ;
- 239 ~~[(2)]~~ (b) [After] after filing a petition for a local initiative or a local referendum, and before gathering signatures, the sponsors shall, after consulting with the local clerk's office, sign a form provided by the local clerk's office indicating whether the sponsors will gather signatures manually, electronically, or both~~[]~~ ; or
- 243 ~~[(3)]~~ (c) [After] after a candidate files a notice of intent to gather signatures to qualify for a ballot, and before gathering signatures, the candidate shall, after consulting with the election officer, sign a form provided by the election officer indicating whether the candidate will gather signatures manually, electronically, or both.
- 247 ~~[(4)]~~ (2) To gather a signature electronically, a signature-gatherer shall:
- 248 (a) use a device provided by the signature-gatherer or a sponsor of the petition that:
- 249 (i) is approved by the lieutenant governor;
- 250 (ii) is capable of uploading to the system the personal identifying information relating to an individual who signs the petition;
- 252 ~~[(ii)]~~ (iii) except as provided in ~~[Subsection (4)(a)(iii), does not store a signature or any other information relating to an individual signing the petition in any location other than the location used by the website to store the information]~~ Subsections ~~{(4)(a)(iv)}~~ (2)(a)(iv) and (v), does not, on the device, store the information described in Subsection ~~{(4)(a)(ii)}~~ (2)(a)(ii);
- 257 ~~[(iii)]~~ (iv) beginning on January 1, 2028, is capable of operating offline by temporarily storing, on the device, the information described in Subsection ~~{(4)(a)(ii)}~~ (2)(a)(ii) that would otherwise be uploaded in real time to the system;
- 260 (v) [does not, on the device, store a signature or any other information relating to an individual signing the petition except for the minimum time necessary to upload information to the website] when connected to a wireless communication technology, does not, on the device, retain the information

HB0223 compared with HB0223S03

described in Subsection ~~{(4)(a)(ii)}~~ (2)(a)(ii) for longer than is necessary to upload the information to the system;

265 [(iv)] (vi) is capable of scanning, reading, and extracting to the device:

266 (A) the driver license number from a driver license;

267 (B) the state identification card number from a state identification card; or

268 (C) an image of another form of valid voter identification;

269 (vii) ~~[does not contain any applications, software, or data other than those approved by the lieutenant governor]~~ complies with device configuration and security requirements established by the lieutenant governor to prevent unauthorized access or interference with the electronic signature-gathering process; and

271 [(v)] (viii) ~~[complies with cyber-security and other security protocols required by the lieutenant governor]~~ follows cyber-security and other security procedures required by the lieutenant governor for the operation, monitoring, and maintenance of the system;

273 (b) use the approved device to securely access ~~[a website]~~ the system designated by the lieutenant governor, directly, or via an application designated by the lieutenant governor; and

276 (c) while connected to the ~~[website]~~ system, present the approved device to an individual considering signing the petition and, while the signature-gatherer is in the physical presence of the individual:

279 (i) wait for the individual to reach each screen presented to the individual on the approved device; and

281 (ii) wait for the individual to advance to each subsequent screen by clicking on the acknowledgement at the bottom of the screen.

283 ~~[(5)]~~ (3) Each screen shown on an approved device as part of the signature-gathering process shall appear as a continuous electronic document that, if the entire document does not appear on the screen at once, requires the individual viewing the screen to, before advancing to the next screen, scroll through the document until the individual reaches the end of the document.

288 ~~[(6)]~~ (4) After advancing through each screen required for the petition, the signature process shall proceed as follows:

290 (a) except as provided in Subsection ~~[(6)(b)]~~ (4)(b):

291 (i) the individual desiring to sign the petition shall present the individual's driver license or state identification card to the signature-gatherer;

293 (ii) the signature-gatherer shall verify that the individual pictured on the driver license or state identification card is the individual signing the petition;

HB0223 compared with HB0223S03

- 295 (iii) the signature-gatherer shall scan [~~or enter~~]the driver license number or state identification card
number through the approved device; and
- 297 (iv) immediately after the signature-gatherer complies with Subsection ~~[(6)(a)(iii)]~~ [(4)(a)(iii)], the
[website] system shall determine whether the individual desiring to sign the petition is eligible to
sign the petition;
- 300 (b) if the individual desiring to sign the petition is unable to provide a driver license or state
identification card to the signature gatherer:
- 302 (i) the individual may present other valid voter identification;
- 303 (ii) if the valid voter identification contains a picture of the individual, the signature-gatherer shall
verify that the individual pictured is the individual signing the petition;
- 306 (iii) if the valid voter identification does not contain a picture of the individual, the signature-gatherer
shall, to the extent reasonably practicable, use the individual's address or other available means to
determine whether the identification relates to the individual presenting the identification;
- 310 (iv) the signature-gatherer shall scan an image of the valid voter identification and immediately upload
the image to the [website] system; and
- 312 (v) the individual:
- 313 (A) shall enter the individual's address; and
- 314 (B) may, at the discretion of the individual, enter the individual's date of birth or age after the individual
clicks on the screen acknowledging that they have read and understand the following statement,
"Birth date or age information is not required, but may be used to verify your identity with voter
registration records. If you choose not to provide it, your signature may not be verified as a valid
signature if you change your address before your signature is verified or if the information you
provide does not match your voter registration records."; and
- 322 (c) after completing the process described in Subsection ~~[(6)(a)]~~ [(4)(a)] or (b), the screen shall:
- 323 (i) except for a petition to qualify a candidate for the ballot, give the individual signing the petition the
opportunity to enter the individual's email address after the individual reads the following statement,
"If you provide your email address, you may receive an email with additional information relating to
the petition you are signing."; and
- 328 (ii)
- (A) if the [website] system determines, under Subsection ~~[(6)(a)(iv)]~~ [(4)(a)(iv)], that the individual is
eligible to sign the petition, permit the individual to enter the individual's name as the individual's

HB0223 compared with HB0223S03

electronic signature and, immediately after the signature-gatherer timely complies with Subsection ~~[(10)]~~ (8), certify the signature; or

333 (B) if the individual provides valid voter identification under Subsection ~~[(6)(b)]~~ (4)(b), permit the individual to enter the individual's name as the individual's electronic signature.

336 ~~[(7)]~~ (5) If an individual provides valid voter identification under Subsection ~~[(6)(b)]~~ (4)(b), the county clerk shall, within seven calendar days after the day on which the individual submits the valid voter identification, certify the signature if:

339 (a) the individual is eligible to sign the petition;

340 (b) the identification provided matches the information on file; and

341 (c) the signature-gatherer timely complies with Subsection ~~[(10)]~~ (8).

342 ~~[(8)]~~ (6) For each signature submitted under this section, the [website] system shall record:

343 (a) the information identifying the individual who signs;

344 (b) the date the signature was collected; and

345 (c) the name of the signature-gatherer.

346 ~~[(9)]~~ (7) An individual who is a signature-gatherer may not sign a petition unless another individual acts as the signature-gatherer when the individual signs the petition.

348 ~~[(10)]~~ (8) Except for a petition for a candidate to seek the nomination of a registered political party, each individual who gathers a signature under this section shall, within one business day after the day on which the individual gathers a signature, electronically sign and submit the following statement to the [website] system:

352 "VERIFICATION OF SIGNATURE-GATHERER

353 State of Utah, County of ____

354 I, _____, of _____, hereby state, under penalty of perjury, that:

355 I am at least 18 years old;

356 All the signatures that I collected on [Date signatures were gathered] were signed by individuals who professed to be the individuals whose signatures I gathered, and each of the individuals signed the petition in my presence;

359 I did not knowingly make a misrepresentation of fact concerning the law or proposed law to which the petition relates;

361

HB0223 compared with HB0223S03

I believe that each individual has signed the individual's name and written the individual's residence correctly, that each signer has read and understands the law to which the petition relates, and that each signer is registered to vote in Utah;

364 Each signature correctly reflects the date on which the individual signed the petition; and

365 I have not paid or given anything of value to any individual who signed this petition to encourage that individual to sign it."

367 ~~[(11)]~~ (9) Except for a petition for a candidate to seek the nomination of a registered political party:

369 (a) the county clerk may not certify a signature that is not timely verified in accordance with Subsection ~~[(10)]~~ (8); and

371 (b) if a signature certified by a county clerk under Subsection ~~[(6)(c)(ii)(A)]~~ (4)(c)(ii)(A) is not timely verified in accordance with Subsection ~~[(10)]~~ (8), the county clerk shall:

373 (i) revoke the certification;

374 (ii) remove the signature from the posting described in Subsection 20A-7-217(4), 20A-7-315(4), 20A-7-516(4), or 20A-7-616(4); and

376 (iii) update the totals described in Subsections 20A-7-217(5)(a)(ii), 20A-7-315(5)(a)(ii), 20A-7-516(5)(a)(ii), and 20A-7-616(5)(a)(ii).

378 ~~[(12)]~~ (10) For a petition for a candidate to seek the nomination of a registered political party, each individual who gathers a signature under this section shall, within one business day after the day on which the individual gathers a signature, electronically sign and submit the following statement to the lieutenant governor in the manner specified by the lieutenant governor:

382 "VERIFICATION OF SIGNATURE-GATHERER

383 State of Utah, County of ____

384 I, _____, of _____, hereby state that:

385 I am at least 18 years old;

386 All the signatures that I collected on [Date signatures were gathered] were signed by individuals who professed to be the individuals whose signatures I gathered, and each of the individuals signed the petition in my presence;

389 I believe that each individual has signed the individual's name and written the individual's residence correctly and that each signer is registered to vote in Utah; and

391 Each signature correctly reflects the date on which the individual signed the petition."

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HB0223 compared with HB0223S03

~~[(13)]~~ (11) For a petition for a candidate to seek the nomination of a registered political party, the election officer may not certify a signature that is not timely verified in accordance with Subsection ~~[(12)]~~ (10).

- 1978 (12) The lieutenant governor shall submit a report regarding electronic signature gathering to the Government Operations Interim Committee:
- 1980 (a) no later than October 1, 2026; and
- 1981 (b) annually thereafter, no later than October 1 of each year, through and including October 1, 2031.
- 1983 (13) Each report described in Subsection (12) shall include:
- 1984 (a) for the most recent primary election cycle, the number of candidates for elective office who used manual signature gathering, electronic signature gathering, or both methods;
- 1987 (b) for each statewide initiative or referendum for which signatures were gathered during the most recent reporting year, the number of petitions in which manual signature gathering was used, electronic signature gathering was used, or both methods were used;
- 1991 (c) a summary of any security threats or vulnerabilities identified by the lieutenant governor relating to electronic signature gathering, including a description of mitigation steps taken, if any;
- 1994 (d) a description of any technical issues or operational difficulties encountered in the electronic signature gathering process that may require legislative, administrative, or technological remedies;
- 1997 (e) information relating to the accuracy and reliability of electronic signature verification, including the rate at which electronically gathered signatures were accepted or rejected;
- 2000 (f) any fiscal or administrative impacts on the Office of the Lieutenant Governor or the office of an election officer related to electronic signature gathering; and
- 2002 (g) any other information the lieutenant governor determines relevant to evaluating the transition from manual to electronic signature gathering.
- 2004 Section 25. Section **25** is enacted to read:
- 2005 **20A-21-202. Electronic signature gathering -- Phased transition -- Exclusive method of collecting signatures.**
- 2007 (1) Beginning on January 1, 2028, and except as provided in Subsection (6), for each statewide or local initiative petition, statewide or local referendum petition, and candidate nomination petition:
- 2010 (a) at least 10% of the signatures certified for the petition shall be signatures gathered using the electronic signature gathering process; and
- 2012 (b) the remaining signatures may be gathered manually or electronically.

HB0223 compared with HB0223S03

- 2013 (2) Beginning on January 1, 2030, for each statewide or local initiative petition, statewide or local referendum petition, and candidate nomination petition:
- 2015 (a) at least 50% of the signatures certified for the petition shall be signatures gathered using the electronic signature gathering process; and
- 2017 (b) the remaining signatures may be gathered manually or electronically.
- 398 (1){(3)} Beginning on January 1, {2030} 2032, the sponsors of a statewide or local initiative petition:
- 399 (a) shall gather signatures using the electronic initiative process; and
- 400 (b) may not gather signatures manually.
- 401 (2){(4)} Beginning on January 1, {2030} 2032, the sponsors {or} of a statewide or local referendum petition:
- 402 (a) shall gather signatures using the electronic referendum process; and
- 403 (b) may not gather signatures manually.
- 404 (3){(5)} Beginning on January 1, {2030} 2032, an individual who gathers signatures for a candidate nomination petition:
- 406 (a) shall gather signatures using the electronic candidate qualification process; and
- 407 (b) may not gather signatures using the manual candidate qualification process.
- 2028 (6)
- (a) The lieutenant governor may suspend the requirement described in Subsection (1) if the lieutenant governor determines that the system is not functioning in a manner that reasonably permits compliance.
- 2031 (b) A suspension under Subsection (6)(a):
- 2032 (i) applies to the entire signature gathering period applicable to the petition to which the suspension relates; and
- 2034 (ii) may not be reinstated during that period.
- 2035 (7) If the lieutenant governor suspends the requirement under Subsection (6), the lieutenant governor shall:
- 2037 (a) make the determination in writing; and
- 2038 (b) post notice of the suspension in a prominent location on the lieutenant governor's website.
- 2040 (8)
- (a) If the sponsors of a statewide or local initiative or referendum petition fail to comply with Subsection (1) or (2), an election officer may not:

HB0223 compared with HB0223S03

- 2042 (i) for a statewide initiative or referendum petition, mark the petition sufficient to qualify for placement on the ballot under Subsection 20A-7-207(4)(a) or Subsection 20A-7-307(4)(a), as applicable;
- 2045 (ii) for a local initiative or referendum petition, mark the petition sufficient to qualify for placement on the ballot under Subsection 20A-7-507(4)(a) or Subsection 20A-7-607(4)(a), as applicable.
- 2048 (b) If a candidate seeking the nomination of a registered political party fails to comply with Subsection (1) or (2), an election officer may not certify the candidate for placement on the primary election ballot.
- 2051 (c) If an unaffiliated candidate fails to comply with Subsection (1) or (2), an election officer may not certify the candidate for placement on the general election ballot.
- 2053 Section 26. Section **63I-1-220** is amended to read:
- 2054 **63I-1-220. Repeal dates: Title 20A.**
- 410 (1) [~~—Reserved.~~] Section 20A-7-105, Manual petition processes -- Obtaining signatures -- Verification -- Submitting the petition -- Certification of signatures -- Transfer to lieutenant governor -- Removal of signature, is repealed January 1, {2030} 2032.
- 413 (2) Section 20A-7-203, Manual initiative process -- Form of initiative petition and signature sheets, is repealed January 1, {2030} 2032.
- 415 (3) Section 20A-7-204, Manual initiative process -- Circulation requirements -- Lieutenant governor to provide sponsors with materials, is repealed January 1, {2030} 2032.
- 417 (4) Section 20A-7-303, Manual referendum process -- Form of referendum petition and signature sheets, is repealed January 1, {2030} 2032.
- 419 (5) Section 20A-7-304, Manual referendum process -- Circulation requirements -- Lieutenant governor to provide sponsors with materials, is repealed January 1, {2030} 2032.
- 421 (6) Section 20A-7-503, Manual initiative process -- Form of initiative petition and signature sheet, is repealed January 1, {2030} 2032.
- 423 (7) Section 20A-7-504, Manual initiative process -- Circulation requirements -- Local clerk to provide sponsors with materials, is repealed January 1, {2030} 2032.
- 425 (8) Section 20A-7-603, Manual referendum process -- Form of referendum petition and signature sheet, is repealed January 1, {2030} 2032.
- 427 (9) Section 20A-7-604, Manual referendum process -- Circulation requirements -- Local clerk to provide sponsors with materials, is repealed January 1, {2030} 2032.

HB0223 compared with HB0223S03

429 (10) Subsection 20A-9-405(3), regarding the manual candidate nomination process, is repealed January
1, {2030} 2032.

431 (11) Subsection 20A-9-405(5), regarding the manual candidate nomination process, is repealed January
1, {2030} 2032.

433 (12) Subsection 20A-9-408(9), regarding the manual candidate nomination process, is repealed January
1, {2030} 2032.

435 (13) Section 20A-9-408.3, Submission of candidate signature packet -- Requirements for submission --
Signature packet chain of custody and storage, is repealed January 1, {2030} 2032.

2082 Section 27. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2084 Section 28. **Coordinating H.B. 223 with H.B. 32.**

If H.B. 223, Electronic Signature Collection Amendments, and H.B. 32, Signature Gathering and Verification Amendments, both pass and become law, the Legislature intends that, on May 6, 2026, Subsection 20A-21-201(10), enacted in H.B. 32, be amended to read: "(10) Except for a petition for a candidate to seek the nomination of a registered political party, each individual who gathers a signature under this section shall, within one business day after the day on which the individual gathers a signature, electronically sign and submit the circulator verification sheet described in Subsection 20A-1-1004(1) to the system."

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