

Jerry W Stevenson proposes the following substitute bill:

Electronic Signature Collection Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: Jerry W Stevenson

LONG TITLE

General Description:

This bill amends the electronic signature gathering process.

Highlighted Provisions:

This bill:

- defines a term;
- requires the device used to electronically gather signatures for an initiative petition, a referendum petition, or a candidate nomination petition (collectively, "petition") to be capable of scanning and extracting certain data from a driver license, state identification card, or another form of valid voter identification;
 - beginning on January 1, 2028, requires the device described above to be capable of operating in an offline environment;
 - beginning on January 1, 2028, requires at least 10% of the signatures certified for a petition to be gathered using the electronic signature gathering process;
 - beginning on January 1, 2030, requires at least 50% of the signatures certified for a petition to be gathered using the electronic signature gathering process;
 - 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;
 - beginning on January 1, 2032:
 - 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
 - prohibits a person described above from gathering signatures manually;
 - clarifies electronic signature-gathering security requirements by distinguishing between baseline device security configuration standards and ongoing cyber-security procedures

29 governing system operation, monitoring, and maintenance, as established by the
30 lieutenant governor;

31 ▶ requires the lieutenant governor to submit an annual report to the Government Operations
32 Interim Committee, beginning no later than October 1, 2026, and continuing no later
33 than October 1 of each year through 2031;

34 ▶ adds a January 1, 2032 repeal date for sections related to manual signature gathering;

35 ▶ includes a coordination clause to standardize a defined term in this bill with the same
36 term in H.B. 32, Signature Gathering and Verification Amendments; and

37 ▶ makes technical and conforming changes.

38 **Money Appropriated in this Bill:**

39 None

40 **Other Special Clauses:**

41 This bill provides a coordination clause.

42 **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

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

73

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.**

77 As used in this chapter:

- 78 (1) "Approved device" means a device described in Subsection [20A-21-201(4)]
 79 20A-21-201(2) used to gather signatures for the electronic initiative process, the
 80 electronic referendum process, or the electronic candidate qualification process.
- 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
 86 signature of a registered voter.
- 87 (4) "Circulation" means the process of submitting an initiative petition or a referendum
 88 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
 91 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
 93 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
 96 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
98 20A-21-201, for gathering signatures.
- 99 (7) "Eligible voter" means a legal voter who resides in the jurisdiction of the county, city, or
100 town that is holding an election on a ballot proposition.
- 101 (8) "Final fiscal impact statement" means a financial statement prepared after voters
102 approve an initiative that contains the information required by Subsection
103 20A-7-202.5(2) or 20A-7-502.5(2).
- 104 (9) "Initial fiscal impact statement" means a financial statement prepared under Section
105 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
107 prepared under Section 20A-7-502.5 or 20A-7-602.5 for a local initiative or a local
108 referendum.
- 109 (11) "Initiative" means a new law proposed for adoption by the public as provided in this
110 chapter.
- 111 (12) "Initiative application" means:
- 112 (a) for a statewide initiative, an application described in Subsection 20A-7-202(2) that
113 includes all the information, statements, documents, and notarized signatures
114 required under Subsection 20A-7-202(2); or
- 115 (b) for a local initiative, an application described in Subsection 20A-7-502(2) that
116 includes all the information, statements, documents, and notarized signatures
117 required under Subsection 20A-7-502(2).
- 118 (13) "Initiative packet" means a copy of the initiative petition, a copy of the proposed law,
119 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
123 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
125 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
128 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
130 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
- 133 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
- 135 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
- 138 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
- 140 Subsection 20A-7-514(4)(a).
- 141 (15)(a) "Land use law" means a law of general applicability, enacted based on the
- 142 weighing of broad, competing policy considerations, that relates to the use of land,
- 143 including a land use regulation, a general plan, a land use development code, an
- 144 annexation ordinance, the rezoning of a single property or multiple properties, or a
- 145 comprehensive zoning ordinance or resolution.
- 146 (b) "Land use law" does not include a land use decision, as defined in Section 10-20-102
- 147 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
- 154 voters under Section 20A-7-502.7; or
- 155 (b) for a proposed local referendum, that the proposed local referendum is legally
- 156 referable to voters under Section 20A-7-602.7.
- 157 (19) "Local attorney" means the county attorney, city attorney, or town attorney in whose
- 158 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
- 160 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
170 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
172 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
174 using paper signature packets that a signer physically signs.
- 175 (26) "Manual referendum process" means the process for gathering signatures for a
176 referendum using paper signature packets that a signer physically signs.
- 177 (27)(a) "Measure" means a proposed constitutional amendment, an initiative, or
178 referendum.
- 179 (b) "Measure" does not include a ballot proposition for the creation of a new school
180 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
182 Representatives.
- 183 (29) "Referendum" means a process by which a law passed by the Legislature or by a local
184 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
187 includes all the information, statements, documents, and notarized signatures
188 required under Subsection 20A-7-302(2); or
- 189 (b) for a local referendum, an application described in Subsection 20A-7-602(2) that
190 includes all the information, statements, documents, and notarized signatures
191 required under Subsection 20A-7-602(2).
- 192 (31) "Referendum packet" means a copy of the referendum petition, a copy of the law being
193 submitted or referred to the voters for their approval or rejection, and the signature
194 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
197 form described in Subsection 20A-7-303(2)(a), petitioning for submission of a law
198 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
200 form described in Subsection 20A-7-313(2), petitioning for submission of a law
201 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
203 described in Subsection 20A-7-603(2)(a), petitioning for submission of a local law to
204 legal voters for their approval or rejection; or
- 205 (d) as it relates to a local referendum, using the electronic referendum process, the form
206 described in Subsection 20A-7-614(2), petitioning for submission of a local law to
207 legal voters for their approval or rejection.
- 208 (33) "Signature":
- 209 (a) for a statewide initiative:
- 210 (i) as it relates to the electronic initiative process, means an electronic signature
211 collected under Section 20A-7-215 and Subsection [~~20A-21-201(6)(e)~~]
212 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
215 described in Section 20A-7-203;
- 216 (B) as it relates to an individual who, due to a qualifying disability under the
217 Americans with Disabilities Act, is unable to fill out the signature sheet or to
218 sign the voter's name consistently, the initials "AV," indicating that the voter's
219 identity will be verified by an alternate verification process described in
220 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
224 collected under Section 20A-7-313 and Subsection [~~20A-21-201(6)(e)~~]
225 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
228 described in Section 20A-7-303;
- 229 (B) as it relates to an individual who, due to a qualifying disability under the
230 Americans with Disabilities Act, is unable to fill out the signature sheet or to
231 sign the voter's name consistently, the initials "AV," indicating that the voter's
232 identity will be verified by an alternate verification process described in

- 233 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
237 collected under Section 20A-7-514 and Subsection [20A-21-201(6)(e)]
238 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
241 described in Section 20A-7-503;
- 242 (B) as it relates to an individual who, due to a qualifying disability under the
243 Americans with Disabilities Act, is unable to fill out the signature sheet or to
244 sign the voter's name consistently, the initials "AV," indicating that the voter's
245 identity will be verified by an alternate verification process described in
246 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
250 collected under Section 20A-7-614 and Subsection [20A-21-201(6)(e)]
251 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
254 described in Section 20A-7-603;
- 255 (B) as it relates to an individual who, due to a qualifying disability under the
256 Americans with Disabilities Act, is unable to fill out the signature sheet or to
257 sign the voter's name consistently, the initials "AV," indicating that the voter's
258 identity will be verified by an alternate verification process described in
259 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
262 under the manual initiative process or the manual referendum process to collect
263 signatures in support of an initiative or referendum.
- 264 (35) "Special local ballot proposition" means a local ballot proposition that is not a standard
265 local ballot proposition.
- 266 (36) "Sponsors" means the legal voters who support the initiative or referendum and who

- 267 sign the initiative application or referendum application.
- 268 (37)(a) "Standard local ballot proposition" means a local ballot proposition for an
 269 initiative or a referendum.
- 270 (b) "Standard local ballot proposition" does not include a property tax referendum
 271 described in Section 20A-7-613.
- 272 (38) "Tax percentage difference" means the difference between the tax rate proposed by an
 273 initiative or an initiative petition and the current tax rate.
- 274 (39) "Tax percentage increase" means a number calculated by dividing the tax percentage
 275 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
 277 Section 20A-7-105.
- 278 Section 2. Section **20A-7-201** is amended to read:
- 279 **20A-7-201 . Statewide initiatives -- Signature requirements -- Submission to the**
 280 **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
 282 submitted to the Legislature for approval or rejection shall, after filing an initiative
 283 application, obtain:
- 284 (i) legal signatures equal to 4% of the number of active voters in the state on January
 285 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
 287 number of active voters in that district on January 1 immediately following the
 288 last regular general election.
- 289 (b) If, at any time not less than 10 calendar days before the beginning of the next annual
 290 general session of the Legislature, the lieutenant governor declares that an initiative
 291 petition designated under Subsection 20A-7-202(2)(c)(i) for submission to the
 292 Legislature is signed by a sufficient number of voters to meet the requirements of
 293 Subsection (1)(a), the lieutenant governor shall deliver a copy of the initiative
 294 petition, the text of the proposed law, and the cover sheet described in Subsection
 295 (1)(c) to the president of the Senate, the speaker of the House, and the director of the
 296 Office of Legislative Research and General Counsel.
- 297 (c) The lieutenant governor shall prepare a cover sheet for a petition declared sufficient
 298 under Subsection (1)(b) that contains:
- 299 (i) the number of active voters in the state on January 1 immediately following the
 300 last regular general election;

- 301 (ii) the number of active voters in each Utah State Senate district on January 1
302 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
305 district for the initiative petition.
- 306 (2)(a) [A] Subject to Section 20A-21-202, a person seeking to have an initiative
307 submitted to a vote of the people for approval or rejection shall, after filing an
308 initiative application, obtain:
- 309 (i) legal signatures equal to 8% of the number of active voters in the state on January
310 1 immediately following the last regular general election; and
311 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 8% of the
312 number of active voters in that district on January 1 immediately following the
313 last regular general election.
- 314 (b) If an initiative petition meets the requirements of this part and the lieutenant
315 governor declares that the initiative petition is signed by a sufficient number of voters
316 to meet the requirements of Subsection (2)(a), the lieutenant governor shall submit
317 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
322 regular general election; and
323 (b) for each Utah State Senate district, the number of active voters in that district on
324 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
328 initiative packet from a county clerk, the lieutenant governor shall record the number of
329 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
333 Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a
334 conspicuous location designated by the lieutenant governor:

- 335 (A) for an initiative packet received by the county clerk before December 1, for at
336 least 90 calendar days; or
- 337 (B) for an initiative packet received by the county clerk on or after December 1,
338 for at least 45 calendar days; and
- 339 (ii) update on the lieutenant governor's website the number of signatures certified as
340 of the date of the update; or
- 341 (b) in relation to the electronic initiative process:
- 342 (i) post the names, voter identification numbers, and dates of signatures described in
343 Subsection 20A-7-217(4) on the lieutenant governor's website, in a conspicuous
344 location designated by the lieutenant governor:
- 345 (A) for a signature received by the county clerk before December 1, for at least 90
346 calendar days; or
- 347 (B) for a signature received by the county clerk on or after December 1, for at
348 least 45 calendar days; and
- 349 (ii) update on the lieutenant governor's website the number of signatures certified as
350 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
353 sufficient or insufficient on April 30 before the regular general election described in
354 Subsection 20A-7-201(2)(b); or
- 355 (b) may declare the initiative petition to be insufficient before the day described in
356 Subsection (3)(a) if:
- 357 (i) in relation to the manual initiative process, the total of all valid signatures on
358 timely and lawfully submitted initiative packets that have been certified by the
359 county clerks, plus the number of signatures on timely and lawfully submitted
360 initiative packets that have not yet been evaluated for certification, is less than the
361 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
363 submitted valid signatures that have been certified by the county clerks, plus the
364 number of timely and lawfully submitted valid signatures received under
365 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
366 for certification, is less than the number of names required under Section
367 20A-7-201; or
- 368 (iii) a requirement of this part has not been met.

- 369 (4)(a) [Hf] Subject to Subsection 20A-21-202(8)(a)(i), if the total number of names
370 certified under Subsection (3) equals or exceeds the number of names required under
371 Section 20A-7-201, and the requirements of this part are met, the lieutenant governor
372 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
374 the number of names required under Section 20A-7-201 or a requirement of this part
375 is not met, the lieutenant governor shall mark upon the front of the initiative petition
376 the word "insufficient."
- 377 (c) The lieutenant governor shall immediately notify any one of the sponsors of the
378 lieutenant governor's finding.
- 379 (5) After an initiative petition is declared insufficient, a person may not submit additional
380 signatures to qualify the initiative for the ballot.
- 381 (6)(a) If the lieutenant governor refuses to declare an initiative petition sufficient that a
382 voter believes is legally sufficient, the voter may, no later than May 15, apply to the
383 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
385 governor shall mark the petition "sufficient" and consider the declaration of
386 sufficiency effective as of the date on which the initiative petition should have been
387 declared sufficient by the lieutenant governor's office.
- 388 (c) If the court determines that the initiative petition is not legally sufficient, the court
389 may enjoin the lieutenant governor and all other officers from certifying or printing
390 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
392 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
397 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
399 election;
- 400 (c) knowingly indicate that an individual who signed an initiative petition signed the
401 initiative petition on a date other than the date that the individual signed the initiative
402 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
405 any information on a signature sheet or statement described in Section 20A-7-106, if
406 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
409 the voter's direction or consent;
- 410 (iii) believes or has reason to believe that the voter does not understand the purpose
411 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
413 consent of the voter; or
- 414 (v) intentionally or knowingly enters false information on the signature sheet or
415 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
418 electronically sign the verification for a signature under Subsection [~~20A-21-201(10)~~
419 20A-21-201(8)], knowing that:
- 420 (a) the signature date associated with the individual's signature for the initiative petition
421 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
423 the individual collects or submits; or
- 424 (c) one or more individuals who signed the initiative petition are not registered to vote in
425 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
435 Legislature submitted to a vote of the people shall, after filing a referendum
436 application, obtain:

- 437 (i) legal signatures equal to 8% of the number of active voters in the state on January
438 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
440 active voters in that Senate district on January 1 immediately following the last
441 regular general election.
- 442 (b) When the lieutenant governor declares that a referendum petition is signed by a
443 sufficient number of voters to meet the requirements of Subsection (1)(a), the
444 governor shall issue an executive order that:
- 445 (i) directs that the referendum be submitted to the voters at the next regular general
446 election; or
- 447 (ii) calls a special election according to the requirements of Section 20A-1-203 and
448 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
450 sufficient number of voters, the law that is the subject of the petition does not take effect
451 unless and until it is approved by a vote of the people at a regular general election or a
452 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
455 regular general election; and
- 456 (b) for each county, the number of active voters in that Senate district on January 1
457 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.**
- 460 (1) On the day on which the lieutenant governor complies with Subsection 20A-7-304(3),
461 or provides the sponsors with access to the [website] system defined in Section
462 20A-21-101, the lieutenant governor shall post the following information together in a
463 conspicuous place on the lieutenant governor's website:
- 464 (a) the referendum petition;
- 465 (b) a copy of the law that is the subject of the referendum petition; and
- 466 (c) information describing how an individual may remove the individual's signature
467 from the referendum petition.
- 468 (2) The lieutenant governor shall:
- 469 (a) promptly update the information described in Subsection (1) if the information
470 changes; and

471 (b) maintain the information described in Subsection (1) on the lieutenant governor's
472 website until the referendum fails to qualify for the ballot or is passed or defeated at
473 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
477 referendum packet from a county clerk, the lieutenant governor shall record the number
478 of the referendum packet received.

479 (2) The county clerk shall:

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

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

485 (ii) update on the lieutenant governor's website the number of signatures certified as
486 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
489 Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous
490 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
492 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
495 sufficient or insufficient 106 calendar days after the end of the legislative session at
496 which the law passed; or

497 (b) may declare the referendum petition to be insufficient before the day described in
498 Subsection (3)(a) if:

499 (i) in relation to the manual referendum process, the total of all valid signatures on
500 timely and lawfully submitted referendum packets that have been certified by the
501 county clerks, plus the number of signatures on timely and lawfully submitted
502 referendum packets that have not yet been evaluated for certification, is less than
503 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

505 lawfully submitted valid signatures that have been certified by the county clerks,
506 plus the number of timely and lawfully submitted valid signatures received under
507 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
508 for certification, is less than the number of names required under Section
509 20A-7-301; or

510 (iii) a requirement of this part has not been met.

511 (4)(a) [Hf] Subject to Subsection 20A-7-202(8)(a)(i), if the total number of names
512 certified under Subsection (3) equals or exceeds the number of names required under
513 Section 20A-7-301, and the requirements of this part are met, the lieutenant governor
514 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
516 the number of names required under Section 20A-7-301 or a requirement of this part
517 is not met, the lieutenant governor shall mark upon the front of the referendum
518 petition the word "insufficient."

519 (c) The lieutenant governor shall immediately notify any one of the sponsors of the
520 lieutenant governor's finding.

521 (d) After a referendum petition is declared insufficient, a person may not submit
522 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
524 voter believes is legally sufficient, the voter may, no later than 10 days after the day
525 on which the lieutenant governor declares the petition insufficient, apply to the
526 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
528 lieutenant governor shall mark the referendum petition "sufficient" and consider the
529 declaration of sufficiency effective as of the date on which the referendum petition
530 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
532 court may enjoin the lieutenant governor and all other officers from certifying or
533 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
535 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
- 541 at one election;
- 542 (c) knowingly indicate that a person who signed a referendum petition signed the
- 543 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
- 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
- 547 electronically sign the verification for a signature under Subsection [20A-21-201(10)]
- 548 20A-21-201(8) knowing that:
- 549 (a) the signature date associated with the person's signature for the referendum petition
- 550 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
- 552 person collects or submits; or
- 553 (c) one or more individuals who sign the referendum petition are not registered to vote
- 554 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
- 561 any information on a signature sheet or statement described in Section 20A-7-106, if
- 562 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
- 565 the voter's direction or consent;
- 566 (iii) believes or has reason to believe that the voter does not understand the purpose
- 567 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
- 569 consent of the voter; or
- 570 (v) intentionally or knowingly enters false information on the signature sheet or
- 571 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
577 town on the immediately preceding January 1.

578 (b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)
579 or (2)(b).

580 (2) ~~[Añ]~~ Subject to Section 20A-21-202, an eligible voter seeking to have an initiative
581 submitted to a local legislative body or to a vote of the people for approval or rejection
582 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
586 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%
590 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%
594 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
598 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%
602 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%
606 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
- 610 75% of the county's voter participation areas;
- 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
- 614 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
- 616 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
- 618 town or county.
- 619 (3) If the total number of certified signatures collected for the initiative petition equals or
- 620 exceeds the number of signatures required by this section, the clerk or recorder shall
- 621 deliver the proposed law to the local legislative body at the local legislative body's next
- 622 meeting.
- 623 (4)(a) The local legislative body shall either adopt or reject the proposed law without
- 624 change or amendment within 30 calendar days after the day on which the local
- 625 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
- 631 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
- 633 proposed law, the county clerk shall submit the proposed law to the voters of the
- 634 county at the next regular general election immediately after the initiative
- 635 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
- 637 action on a proposed law, the municipal recorder or clerk shall submit the
- 638 proposed law to the voters of the municipality at the next municipal general
- 639 election immediately after the initiative application is filed under Section
- 640 20A-7-502.

- 641 (e)(i) If a local legislative body rejects a proposed law, or takes no action on a
 642 proposed law, the local legislative body may adopt a competing local law.
 643 (ii) The local legislative body shall prepare and adopt the competing local law within
 644 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
 646 shall refer the competing local law to the voters of the county or municipality at
 647 the same election at which the law proposed by initiative is submitted under
 648 Subsection (4)(d).
- 649 (f) If conflicting local laws are submitted to the people at the same election and two or
 650 more of the conflicting measures are approved by the people, the proposed law that
 651 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.**

- 654 (1) Within 20 calendar days after the day on which an eligible voter files an initiative
 655 application under Section 20A-7-502, counsel for the county, city, or town to which the
 656 initiative pertains shall:
- 657 (a) review the proposed law that is the subject of the initiative application to determine
 658 whether the law is legally referable to voters; and
 659 (b) notify the first three sponsors, in writing, whether the proposed law is:
 660 (i) legally referable to voters; or
 661 (ii) rejected as not legally referable to voters.
- 662 (2) A proposed law that is the subject of an initiative application is legally referable to
 663 voters unless:
- 664 (a) the proposed law:
 665 (i) is patently unconstitutional;
 666 (ii) is nonsensical;
 667 (iii) is administrative, rather than legislative, in nature;
 668 (iv) could not become law if passed; [Ø~~Ø~~]
 669 (v) contains more than one subject as evaluated in accordance with Subsection
 670 20A-7-502(3); or
 671 [~~(b)~~] (vi) is identical or substantially similar to a legally referable proposed law sought
 672 by an initiative application submitted to the local clerk, under Section 20A-7-502,
 673 within two years before the day on which the initiative application for the current
 674 proposed law is filed;

- 675 [(e)] (b) the subject of the proposed law is not clearly expressed in the law's title; or
 676 [(d)] (c) the initiative application was not timely filed or does not comply with the
 677 requirements of this part.
- 678 (3) After the end of the 20-calendar-day period described in Subsection (1), a county, city,
 679 or town may not:
- 680 (a) reject a proposed initiative as not legally referable to voters; or
 681 (b) bring a legal action, other than to appeal a court decision, challenging a proposed
 682 initiative on the grounds that the proposed initiative is not legally referable to voters.
- 683 (4) If a county, city, or town rejects a proposed initiative, a sponsor of the proposed
 684 initiative may, within 10 days after the day on which a sponsor is notified under
 685 Subsection (1)(b), appeal the decision to:
- 686 (a) a district court; or
 687 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.
- 688 (5) If, on appeal, the court determines that the law proposed by the initiative application is
 689 legally referable to voters, the local clerk shall comply with Subsection 20A-7-504(3), or
 690 give the sponsors access to the [website] system defined in Section 20A-21-101, within
 691 five calendar days after the day on which the determination, and any appeal of the
 692 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
 696 packet from a county clerk, the local clerk shall record the number of the initiative
 697 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
 701 Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a
 702 conspicuous location designated by the lieutenant governor, for at least 90
 703 calendar days; and
- 704 (ii) update on the local government's website the number of signatures certified as of
 705 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
 708 Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous

- 709 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
- 711 the date of the update.
- 712 (3) The local clerk:
- 713 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be
- 714 sufficient or insufficient:
- 715 (i) in relation to the manual initiative process, no later than 21 calendar days after the
- 716 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
- 718 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
- 720 Subsection (3)(a) if:
- 721 (i) in relation to the manual initiative process, the total of all valid signatures on
- 722 timely and lawfully submitted initiative packets that have been certified by the
- 723 county clerks, plus the number of signatures on timely and lawfully submitted
- 724 initiative packets that have not yet been evaluated for certification, is less than the
- 725 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
- 727 submitted valid signatures that have been certified by the county clerks, plus the
- 728 number of timely and lawfully submitted valid signatures received under
- 729 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
- 730 for certification, is less than the number of names required under Section
- 731 20A-7-501; or
- 732 (iii) a requirement of this part has not been met.
- 733 (4)(a) [Hf] Subject to Subsection 20A-21-202(8)(a)(ii), if the total number of names
- 734 certified under Subsection (3) equals or exceeds the number of names required by
- 735 Section 20A-7-501 and the requirements of this part are met, the local clerk shall
- 736 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
- 738 the number of names required by Section 20A-7-501 or a requirement of this part is
- 739 not met, the local clerk shall mark upon the front of the initiative petition the word
- 740 "insufficient."
- 741 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's
- 742 finding.

- 743 (d) After an initiative petition is declared insufficient, a person may not submit
744 additional signatures to qualify the initiative for the ballot.
- 745 (5) If the local clerk finds the total number of certified signatures for the initiative petition
746 to be insufficient, any sponsor may file a written demand with the local clerk for a
747 recount of the signatures collected for the initiative petition in the presence of any
748 sponsor.
- 749 (6) An initiative petition determined to be sufficient in accordance with this section is
750 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
755 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
757 election;
- 758 (c) knowingly indicate that an individual who signed an initiative petition signed the
759 initiative petition on a date other than the date that the individual signed the initiative
760 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
764 electronically sign the verification for a signature under Subsection [~~20A-21-201(10)~~
765 20A-21-201(8)], knowing that:
- 766 (a) the signature date associated with the individual's signature for the initiative petition
767 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
769 the individual collects or submits; or
- 770 (c) one or more individuals who signed the initiative petition are not registered to vote in
771 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
778 any information on a signature sheet or statement described in Section 20A-7-106, if
779 the individual:

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

781 (ii) believes or has reason to believe that the voter lacks the mental capacity to give
782 the voter's direction or consent;

783 (iii) believes or has reason to believe that the voter does not understand the purpose
784 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
786 consent of the voter; or

787 (v) intentionally or knowingly enters false information on the signature sheet or
788 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**

792 **requirements for land use laws, subjurisdictional laws, and transit area land use laws --**

793 **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
796 town on the immediately preceding January 1.

797 (b) "Qualifying county" means a county that has created a small public transit district, as
798 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
801 jurisdiction over the station area has satisfied the requirements of Subsection
802 10-21-203(1)(a)(i), as demonstrated by the adoption of a station area plan or
803 resolution under Subsection 10-21-203(1); or

804 (ii) a housing and transit reinvestment zone, as defined in Section 63N-3-602, created
805 within a qualifying county.

806 (d) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the
807 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
809 local legislative body that imposes a tax or other payment obligation on property
810 in an area that does not include all precincts and subprecincts under the

- 811 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
814 a qualifying transit area.
- 815 (g) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)
816 or (2)(b).
- 817 (2) [Except] Subject to Section 20A-21-202, and except as provided in Subsections (3)
818 through (5), an eligible voter seeking to have a local law passed by the local legislative
819 body submitted to a vote of the people shall, after filing a referendum application, obtain
820 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
824 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%
828 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%
832 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
836 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%
840 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%
844 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
- 848 75% of the county's voter participation areas;
- 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
- 852 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
- 854 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
- 856 town or county.
- 857 (3) ~~[Except]~~ Subject to Section 20A-21-202, and except as provided in Subsection (4) or (5),
- 858 an eligible voter seeking to have a land use law or local obligation law passed by the
- 859 local legislative body submitted to a vote of the people shall, after filing a referendum
- 860 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%
- 864 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%
- 868 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%
- 872 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%
- 876 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
 880 75% of the city's voter participation areas;
- 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%
 884 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
 888 passed by the local legislative body submitted to a vote of the people shall, after filing a
 889 referendum application, obtain legal signatures of the residents in the subjurisdiction
 890 equal to:
- 891 (a) 10% of the number of active voters in the subjurisdiction if the number of active
 892 voters exceeds 25,000;
- 893 (b) 12.5% of the number of active voters in the subjurisdiction if the number of active
 894 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
 896 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
 898 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
 900 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
 902 voters does not exceed 250.
- 903 (5) [~~A~~] Subject to Section 20A-21-202, an eligible voter seeking to have a transit area land
 904 use law passed by the local legislative body submitted to a vote of the people shall, after
 905 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
 909 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

- 913 areas;
- 914 (c) for a city of the second class:
- 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
- 917 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
- 921 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
- 925 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
- 927 town.
- 928 (6) Sponsors of any referendum petition challenging, under Subsection (2), (3), (4), or (5),
- 929 any local law passed by a local legislative body shall file the application no later than the
- 930 first business day that is at least five days after the day on which the local law was
- 931 passed.
- 932 (7) This section does not authorize a local legislative body to impose a tax or other payment
- 933 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.**
- 936 (1) Within 20 calendar days after the day on which an eligible voter files a referendum
- 937 application under Section 20A-7-602 for a local law other than a land use law, counsel
- 938 for the county, city, or town to which the referendum pertains shall:
- 939 (a) review the referendum application to determine whether the proposed referendum is
- 940 legally referable to voters; and
- 941 (b) notify the first three sponsors, in writing, whether the proposed referendum is:
- 942 (i) legally referable to voters; or
- 943 (ii) rejected as not legally referable to voters.
- 944 (2) For a local law other than a land use law, a proposed referendum is legally referable to
- 945 voters unless:
- 946 (a) the proposed referendum challenges an action that is administrative, rather than

- 947 legislative, in nature;
- 948 (b) the proposed referendum challenges more than one law passed by the local
949 legislative body; or
- 950 (c) the referendum application was not timely filed or does not comply with the
951 requirements of this part.
- 952 (3) After the end of the 20-calendar-day period described in Subsection (1), a county, city,
953 or town may not, for a local law other than a land use law:
- 954 (a) reject a proposed referendum as not legally referable to voters; or
- 955 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a
956 proposed referendum on the grounds that the proposed referendum is not legally
957 referable to voters.
- 958 (4)(a) If, under Subsection (1)(b)(ii), a county, city, or town rejects a proposed
959 referendum concerning a local law other than a land use law, a sponsor of the
960 proposed referendum may, within 10 days after the day on which a sponsor is
961 notified under Subsection (1)(b), challenge or appeal the decision to:
- 962 (i) the Supreme Court, by means of an extraordinary writ, if possible; or
- 963 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
964 under Subsection (4)(a)(i).
- 965 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)(a)
966 terminates the referendum.
- 967 (5) If, on a challenge or appeal, the court determines that the proposed referendum
968 described in Subsection (4) is legally referable to voters, the local clerk shall comply
969 with Subsection 20A-7-604(3), or give the sponsors access to the [website] system
970 defined in Section 20A-21-101, within five calendar days after the day on which the
971 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.**
- 974 (1) Within 20 calendar days after the day on which a referendum eligible voter files an
975 application under Section 20A-7-602 for a land use law, counsel for the county, city, or
976 town to which the referendum pertains shall:
- 977 (a) review the referendum application to determine whether the proposed referendum is
978 legally referable to voters; and
- 979 (b) notify the first three sponsors, in writing, whether the proposed referendum is:
- 980 (i) legally referable to voters; or

- 981 (ii) rejected as not legally referable to voters.
- 982 (2)(a) Subject to Subsection (2)(b), for a land use law, a proposed referendum is legally
983 referable to voters unless:
- 984 (i) the proposed referendum challenges an action that is administrative, rather than
985 legislative, in nature;
- 986 (ii) the proposed referendum challenges a land use decision, rather than a land use
987 regulation, as those terms are defined in Section 10-20-102 or 17-79-102;
- 988 (iii) the proposed referendum challenges more than one law passed by the local
989 legislative body; or
- 990 (iv) the referendum application was not timely filed or does not comply with the
991 requirements of this part.
- 992 (b) In addition to the limitations of Subsection (2)(a), a proposed referendum is not
993 legally referable to voters for a:
- 994 (i) municipal land use law, as defined in Section 20A-7-101, if the land use law was
995 passed by a unanimous vote of the local legislative body; or
- 996 (ii) transit area land use law, as defined in Section 20A-7-601, if the transit area land
997 use law was passed by a two-thirds vote of the local legislative body.
- 998 (3) After the end of the 20-calendar-day period described in Subsection (1), a county, city,
999 or town may not, for a land use law:
- 1000 (a) reject a proposed referendum as not legally referable to voters; or
- 1001 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a
1002 proposed referendum on the grounds that the proposed referendum is not legally
1003 referable to voters.
- 1004 (4)(a) If a county, city, or town rejects a proposed referendum concerning a land use
1005 law, a sponsor of the proposed referendum may, within seven days after the day on
1006 which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision
1007 to:
- 1008 (i) the Supreme Court, by means of an extraordinary writ, if possible; or
- 1009 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
1010 under Subsection (4)(a)(i).
- 1011 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)(a)
1012 terminates the referendum.
- 1013 (5) If, on challenge or appeal, the court determines that the proposed referendum is legally
1014 referable to voters, the local clerk shall comply with Subsection 20A-7-604(3), or give

1015 the sponsors access to the [website] system defined in Section 20A-21-101, within five
1016 calendar days after the day on which the determination, and any challenge or appeal of
1017 the determination, is final.

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

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

1020 (1) On the day on which the local clerk complies with Subsection 20A-7-604(3), or gives
1021 the sponsors access to the [website] system defined in Section 20A-21-101, the local
1022 clerk shall post the following information together in a conspicuous place on the local
1023 clerk's website:

1024 (a) the referendum petition;

1025 (b) a copy of the law that is the subject of the referendum petition; and

1026 (c) information describing how an individual may remove the individual's signature
1027 from the referendum petition.

1028 (2) The local clerk shall:

1029 (a) promptly update the information described in Subsection (1) if the information
1030 changes; and

1031 (b) maintain the information described in Subsection (1) on the local clerk's website
1032 until the referendum fails to qualify for the ballot or is passed or defeated at an
1033 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**
1036 **referendum.**

1037 (1) In relation to the manual referendum process, when the local clerk receives a
1038 referendum packet from a county clerk, the local clerk shall record the number of the
1039 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
1043 Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a
1044 conspicuous location designated by the lieutenant governor, for at least 45
1045 calendar days; and

1046 (ii) update on the local clerk's website the number of signatures certified as of the
1047 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
1050 Subsection 20A-7-616(3) on the lieutenant governor's website, in a conspicuous
1051 location designated by the lieutenant governor, for at least 45 calendar days; and
1052 (ii) update on the lieutenant governor's website the number of signatures certified as
1053 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
1056 sufficient or insufficient:
- 1057 (i) in relation to the manual referendum process, no later than 111 calendar days after
1058 the day of the deadline, described in Subsection 20A-7-105(5)(a)(iv), to submit a
1059 referendum packet to the county clerk; or
- 1060 (ii) in relation to the electronic referendum process, no later than 111 calendar days
1061 after the day of the deadline, described in Subsection 20A-7-616(2), to collect a
1062 signature; or
- 1063 (b) may declare the referendum petition to be insufficient before the day described in
1064 Subsection (3)(a) if:
- 1065 (i) in relation to the manual referendum process, the total of all valid signatures on
1066 timely and lawfully submitted referendum packets that have been certified by the
1067 county clerk, plus the number of signatures on timely and lawfully submitted
1068 referendum packets that have not yet been evaluated for certification, is less than
1069 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
1071 lawfully submitted valid signatures that have been certified by the county clerks,
1072 plus the number of timely and lawfully submitted valid signatures received under
1073 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
1074 for certification, is less than the number of names required under Section
1075 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
1078 certified under Subsection (3) equals or exceeds the number of names required under
1079 Section 20A-7-601, and the requirements of this part are met, the local clerk shall
1080 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
1082 the number of names required under Section 20A-7-601 or a requirement of this part

- 1083 is not met, the local clerk shall mark upon the front of the referendum petition the
1084 word "insufficient."
- 1085 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's
1086 finding.
- 1087 (d) After a referendum petition is declared insufficient, a person may not submit
1088 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
1090 may, no later than 10 days after the day on which the local clerk declares the
1091 referendum petition insufficient, apply to the appropriate court for an order finding
1092 the referendum petition legally sufficient.
- 1093 (b) If the court determines that the referendum petition is legally sufficient, the local
1094 clerk shall mark the referendum petition "sufficient" and consider the declaration of
1095 sufficiency effective as of the date on which the referendum petition should have
1096 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
1098 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
1100 ballot for the next election; or
- 1101 (ii) as it relates to a local tax law that is conducted entirely by mail, certifying,
1102 printing, or mailing the ballot title and numbers of that referendum under Section
1103 20A-7-609.5.
- 1104 (6) A referendum petition determined to be sufficient in accordance with this section is
1105 qualified for the ballot.
- 1106 (7)(a) Except as provided in Subsection (7)(b) or (c), if a referendum relates to
1107 legislative action taken after April 15, the election officer may not place the
1108 referendum on an election ballot until a primary election, a general election, or a
1109 special election the following year.
- 1110 (b) The election officer may place a referendum described in Subsection (7)(a) on the
1111 ballot for a special, primary, or general election held during the year that the
1112 legislative action was taken if the following agree, in writing, on a timeline to place
1113 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
1118 determines that the total number of certified names equals or exceeds the number of
1119 signatures required in Section 20A-7-601, the election officer shall place the
1120 referendum on the election ballot for:

1121 (i) the next general election; or

1122 (ii) another election, if the following agree, in writing, on a timeline to place the
1123 referendum on that ballot:

1124 (A) the affected owners, as defined in Section 10-20-102 or 17-79-102, as
1125 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
1134 election;

1135 (c) knowingly indicate that an individual who signed a referendum petition signed the
1136 referendum petition on a date other than the date that the individual signed the
1137 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
1140 official government document if the individual knows or has reason to know that the
1141 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
1144 electronically sign the verification for a signature under Subsection [20A-21-201(10)]
1145 20A-21-201(8), knowing that:

1146 (a) the signature date associated with the individual's signature for the referendum
1147 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
1150 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;
- 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
- 1157 any information on a signature sheet or statement described in Section 20A-7-106, if
- 1158 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
- 1161 the voter's direction or consent;
- 1162 (iii) believes or has reason to believe that the voter does not understand the purpose
- 1163 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
- 1165 consent of the voter; or
- 1166 (v) intentionally or knowingly enters false information on the signature sheet or
- 1167 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.**
- 1172 As used in this chapter:
- 1173 (1)(a) "Candidates for elective office" means persons who file a declaration of candidacy
- 1174 under Section 20A-9-202 to run in a regular general election for a federal office,
- 1175 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
- 1182 general, state auditor, and state treasurer.
- 1183 (3) "Continuing political party" means the same as that term is defined in Section
- 1184 20A-8-101.

- 1185 (4)(a) "County office" means an elective office where the officeholder is selected by
1186 voters entirely within one county.
- 1187 (b) "County office" does not mean:
- 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
1195 process for gathering signatures electronically to seek the nomination of a registered
1196 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;
- 1200 (b) as it relates to a qualified political party, the process, for gathering signatures
1201 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
1206 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
1212 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
1218 district offices and other elective offices selected by the voters from a political division

- 1219 entirely within one county.
- 1220 (9) "Manual candidate qualification process" means the process for gathering signatures to
1221 seek the nomination of a registered political party, using paper signature packets that a
1222 signer physically signs.
- 1223 (10)(a) "Multicounty office" means an elective office where the officeholder is selected
1224 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
1234 elected and that an officeholder represents.
- 1235 (b) "Political division" includes a county, a city, a town, a special district, a school
1236 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
1239 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
1241 present at the registered political party's convention;
- 1242 (b) does not hold the registered political party's convention before the fourth Saturday in
1243 March of an even-numbered year;
- 1244 (c) permits a member of the registered political party to seek the registered political
1245 party's nomination for any elective office by the member choosing to seek the
1246 nomination by either or both of the following methods:
- 1247 (i) seeking the nomination through the registered political party's convention process,
1248 in accordance with the provisions of Section 20A-9-407; or
- 1249 (ii) seeking the nomination by collecting signatures, in accordance with the
1250 provisions of Section 20A-9-408; and
- 1251 (d)(i) if the registered political party is a continuing political party, no later than 5
1252 p.m. on the first Monday of October of an odd-numbered year, certifies to the

1253 lieutenant governor that, for the election in the following year, the registered
1254 political party intends to nominate the registered political party's candidates in
1255 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
1257 time that the registered political party files the petition described in Section
1258 20A-8-103 that, for the next election, the registered political party intends to
1259 nominate the registered political party's candidates in accordance with the
1260 provisions of Section 20A-9-406.

1261 (14) "Signature," as it relates to a petition for a candidate to seek the nomination of a
1262 registered political party, means:

1263 (a) when using the manual candidate qualification process, a holographic signature
1264 collected physically on a nomination petition described in Subsection 20A-9-405(3);

1265 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)~~]
1268 20A-21-201(4)(c)(ii)(A); or

1269 (ii) a holographic signature collected electronically under Subsection [
1270 ~~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.

1272 Section 20. Section **20A-9-403** is amended to read:

1273 **20A-9-403 . Regular primary elections.**

1274 (1)(a) Candidates for elective office that are to be filled at the next regular general
1275 election shall be nominated in a regular primary election by direct vote of the people
1276 in the manner prescribed in this section. The regular primary election is held on the
1277 date specified in Section 20A-1-201.5. Nothing in this section shall affect a
1278 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
1279 candidate under Section 20A-9-501 or to participate in a regular general election as a
1280 write-in candidate under Section 20A-9-601.

1281 (b) Each registered political party that chooses to have the names of the registered
1282 political party's candidates for elective office featured with party affiliation on the
1283 ballot at a regular general election shall comply with the requirements of this section
1284 and shall nominate the registered political party's candidates for elective office in the
1285 manner described in this section.

1286 (c) A filing officer may not permit an official ballot at a regular general election to be

1287 produced or used if the ballot denotes affiliation between a registered political party
1288 or any other political group and a candidate for elective office who is not nominated
1289 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
1291 even-numbered year in which a regular general election will be held.

1292 (2)(a) Each registered political party, in a statement filed with the lieutenant governor,
1293 shall:

1294 (i) either declare the registered political party's intent to participate in the next regular
1295 primary election or declare that the registered political party chooses not to have
1296 the names of the registered political party's candidates for elective office featured
1297 on the ballot at the next regular general election; and

1298 (ii) if the registered political party participates in the upcoming regular primary
1299 election, identify one or more registered political parties whose members may
1300 vote for the registered political party's candidates and whether individuals
1301 identified as unaffiliated with a political party may vote for the registered political
1302 party's candidates.

1303 (b)(i) A registered political party that is a continuing political party shall file the
1304 statement described in Subsection (2)(a) with the lieutenant governor no later than
1305 5 p.m. on November 30 of each odd-numbered year.

1306 (ii) An organization that is seeking to become a registered political party under
1307 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the
1308 time that the registered political party files the petition described in Section
1309 20A-8-103.

1310 (3)(a) Except as provided in Subsection (3)(e), and subject to Section 20A-21-202, an
1311 individual who submits a declaration of candidacy under Section 20A-9-202 shall
1312 appear as a candidate for elective office on the regular primary ballot of the registered
1313 political party listed on the declaration of candidacy only if the individual is certified
1314 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
1317 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,
1319 submit signatures for a nomination petition to the appropriate filing officer for
1320 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
1322 the filing deadline.
- 1323 (c)(i) The lieutenant governor shall determine for each elective office the total
1324 number of signatures [~~that must~~] required to be submitted under Subsection
1325 (3)(a)(ii) or 20A-9-408(8) by counting the aggregate number of individuals
1326 residing in each elective office's political division who have designated a
1327 particular registered political party on the individuals' voter registration forms on
1328 or before November 15 of each odd-numbered year.
- 1329 (ii) The lieutenant governor shall publish the determination for each elective office
1330 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
1333 Section 20A-9-408.3, verify signatures on nomination petitions in a transparent
1334 and orderly manner, no later than 14 calendar days after the day on which a
1335 candidate submits the signatures to the filing officer;
- 1336 (ii) for all qualifying candidates for elective office who submit nomination petitions
1337 to the filing officer, issue certifications referenced in Subsection (3)(a) no later
1338 than the deadline described in Subsection 20A-9-202(1)(b);
- 1339 (iii) consider active and inactive voters eligible to sign nomination petitions;
- 1340 (iv) consider an individual who signs a nomination petition a member of a registered
1341 political party for purposes of Subsection (3)(a)(ii) if the individual has designated
1342 that registered political party as the individual's party membership on the
1343 individual's voter registration form; and
- 1344 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of
1345 the county clerk as applicable, use the procedures described in Section 20A-1-1002
1346 to verify submitted nomination petition signatures, or use statistical sampling
1347 procedures to verify submitted nomination petition signatures in accordance with
1348 rules made under Subsection (3)(f).
- 1349 (e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant
1350 governor may appear on the regular primary ballot of a registered political party
1351 without submitting nomination petitions if the candidate files a declaration of
1352 candidacy and complies with Subsection 20A-9-202(3).
- 1353 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1354 director of elections, within the Office of the Lieutenant Governor, may make rules

- 1355 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);
- 1358 and
- 1359 (B) reflect a bona fide effort to determine the validity of a candidate's entire
- 1360 submission, using widely recognized statistical sampling techniques; and
- 1361 (ii) provide for the transparent, orderly, and timely submission, verification, and
- 1362 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
- 1365 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
- 1367 local board of education seat on the nonpartisan section of the ballot if more than
- 1368 two candidates have filed for the same seat; and
- 1369 (iii) place the local board of education candidates' names on the ballot in accordance
- 1370 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
- 1372 governor shall provide to the county clerks:
- 1373 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
- 1374 county, and county offices who have received certifications under Subsection (3),
- 1375 along with instructions on how those names shall appear on the primary election
- 1376 ballot in accordance with Sections 20A-6-109 and 20A-6-110; and
- 1377 (ii) a list of unopposed candidates for elective office who have been nominated by a
- 1378 registered political party under Subsection (5)(c) and instruct the county clerks to
- 1379 exclude the unopposed candidates from the primary election ballot.
- 1380 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
- 1381 joint-ticket running mates shall appear jointly on the primary election ballot.
- 1382 (c) After the county clerk receives the certified list from the lieutenant governor under
- 1383 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
- 1384 substantially the following form:
- 1385 "Notice is given that a primary election will be held Tuesday, June _____,
- 1386 _____(year), to nominate party candidates for the parties and candidates for nonpartisan
- 1387 local school board positions listed on the primary ballot. The polling place for voting precinct
- 1388 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.

1389 Attest: county clerk."

1390 (5)(a) A candidate who, at the regular primary election, receives the highest number of
1391 votes cast for the office sought by the candidate is:

1392 (i) nominated for that office by the candidate's registered political party; or

1393 (ii) for a nonpartisan local school board position, nominated for that office.

1394 (b) If two or more candidates are to be elected to the office at the regular general
1395 election, those party candidates equal in number to positions to be filled who receive
1396 the highest number of votes at the regular primary election are the nominees of the
1397 candidates' party for those positions.

1398 (c)(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
1400 Subsection (3) for the regular primary election ballot of the candidate's
1401 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
1403 number of candidates who receive certification under Subsection (3) for the
1404 regular primary election of the candidate's registered political party does not
1405 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
1407 election of a registered political party is nominated by the party for that office
1408 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
1410 election provided for by this section, and all expenses necessarily incurred in the
1411 preparation for or the conduct of that primary election shall be paid out of the treasury of
1412 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
1414 which the individual is not a member, except to the extent that the registered political
1415 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**
1418 **political party -- Removal of signature.**

1419 (1) This section describes the requirements for a member of a qualified political party who
1420 is seeking the nomination of the qualified political party for an elective office through
1421 the signature-gathering process described in this section.

1422 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy

- 1423 for a member of a qualified political party who is nominated by, or who is seeking the
1424 nomination of, the qualified political party under this section shall be substantially as
1425 described in Section 20A-9-408.5.
- 1426 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
1427 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
1428 the nomination of the qualified political party for an elective office that is to be filled at
1429 the next general election shall:
- 1430 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
1431 declaration of candidacy filing period described in Section 20A-9-201.5, and before
1432 gathering signatures under this section, file with the filing officer on a form approved
1433 by the lieutenant governor a notice of intent to gather signatures for candidacy that
1434 includes:
- 1435 (i) the name of the member who will attempt to become a candidate for a registered
1436 political party under this section;
- 1437 (ii) the name of the registered political party for which the member is seeking
1438 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
1443 person, with the filing officer during the applicable declaration of candidacy filing
1444 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
1447 who, under this section, is seeking the nomination of the qualified political party for the
1448 office of district attorney within a multicounty prosecution district that is to be filled at
1449 the next general election shall:
- 1450 (a) during the applicable declaration of candidacy filing period described in Section
1451 20A-9-201.5, and before gathering signatures under this section, file with the filing
1452 officer on a form approved by the lieutenant governor a notice of intent to gather
1453 signatures for candidacy that includes:
- 1454 (i) the name of the member who will attempt to become a candidate for a registered
1455 political party under this section;
- 1456 (ii) the name of the registered political party for which the member is seeking

- 1457 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
- 1462 person, with the filing officer during the applicable declaration of candidacy filing
- 1463 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
- 1466 files as the joint-ticket running mate of an individual who is nominated by a qualified
- 1467 political party, under this section, for the office of governor shall, during the applicable
- 1468 declaration of candidacy filing period described in Section 20A-9-201.5, file a
- 1469 declaration of candidacy and submit a letter from the candidate for governor that names
- 1470 the lieutenant governor candidate as a joint-ticket running mate.
- 1471 (6) The lieutenant governor shall ensure that the certification described in Subsection
- 1472 20A-9-701(1) also includes the name of each candidate nominated by a qualified
- 1473 political party under this section.
- 1474 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is
- 1475 nominated by a qualified political party under this section, designate the qualified
- 1476 political party that nominated the candidate.
- 1477 (8) [A] Subject to Section 20A-21-202, a member of a qualified political party may seek the
- 1478 nomination of the qualified political party for an elective office by:
- 1479 (a) complying with the requirements described in this section; and
- 1480 (b) collecting signatures, on a form approved by the lieutenant governor that complies
- 1481 with Subsection 20A-9-405(3), during the period beginning on the day on which the
- 1482 member files a notice of intent to gather signatures and ending at the applicable
- 1483 deadline described in Subsection (12), in the following amounts:
- 1484 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
- 1485 permitted by the qualified political party to vote for the qualified political party's
- 1486 candidates in a primary election;
- 1487 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000
- 1488 signatures of registered voters who are residents of the congressional district and
- 1489 are permitted by the qualified political party to vote for the qualified political
- 1490 party's candidates in a primary election;

- 1491 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1492 residents of the state Senate district and are permitted by the qualified political
1493 party to vote for the qualified political party's candidates in a primary election;
- 1494 (iv) for a state House district race, 1,000 signatures of registered voters who are
1495 residents of the state House district and are permitted by the qualified political
1496 party to vote for the qualified political party's candidates in a primary election;
- 1497 (v) for a State Board of Education race, the lesser of:
1498 (A) 2,000 signatures of registered voters who are residents of the State Board of
1499 Education district and are permitted by the qualified political party to vote for
1500 the qualified political party's candidates in a primary election; or
1501 (B) 3% of the registered voters of the qualified political party who are residents of
1502 the applicable State Board of Education district; and
- 1503 (vi) for a county office race, signatures of 3% of the registered voters who are
1504 residents of the area permitted to vote for the county office and are permitted by
1505 the qualified political party to vote for the qualified political party's candidates in
1506 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
1509 qualified political party's nomination for an elective office under this section, using
1510 the manual candidate qualification process, the member shall:
1511 (i) collect the signatures on a form approved by the lieutenant governor, using the
1512 same circulation and verification requirements described in Sections 20A-7-105
1513 and 20A-7-204; and
1514 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election
1515 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
1517 accordance with Section 20A-9-408.3, the election officer shall, no later than the
1518 earlier of 14 calendar days after the day on which the election officer receives the
1519 signatures, or one day before the day on which the qualified political party holds the
1520 convention to select a nominee for the elective office to which the signature packets
1521 relate:
1522 (i) check the name of each individual who completes the verification for a signature
1523 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

- 1525 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
1527 signer is a registered voter who is qualified to sign the petition, using the same
1528 method, described in Section 20A-1-1002, used to verify a signature on a petition;
1529 and
- 1530 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1531 signature packet.
- 1532 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)
1533 may have the voter's signature removed from the form by, no later than 5 p.m.
1534 three business days after the day on which the member submits the signature form
1535 to the election officer, submitting to the election officer a statement requesting
1536 that the voter's signature be removed.
- 1537 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
1538 described in Subsection 20A-1-1003(2).
- 1539 (iii) With the assistance of the county clerk as applicable, the election officer shall
1540 use the procedures described in Subsection 20A-1-1003(3) to determine whether
1541 to remove an individual's signature after receiving a timely, valid statement
1542 requesting removal of the signature.
- 1543 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules
1544 made under Section 20A-3a-106, conduct regular audits of signature comparisons
1545 made between signatures gathered under this section and voter signatures
1546 maintained by the election officer.
- 1547 (ii) An individual who conducts an audit of signature comparisons under this section
1548 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
1551 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
1555 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

1559 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate
1560 has reached the applicable signature threshold described in Subsection (8) or
1561 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the
1562 candidate in excess of the number of signatures required, until the election officer
1563 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
1566 amount equal to 110% of the applicable signature threshold.

1567 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
1568 process.

1569 (b) In order for a member of the qualified political party to qualify as a candidate for the
1570 qualified political party's nomination for an elective office under this section, the
1571 member shall, before the deadline described in Subsection (12), collect signatures
1572 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
1575 complies with Subsection 20A-9-405(4).

1576 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
1577 election officer shall, no later than the earlier of 14 calendar days after the day on
1578 which the election officer receives the signatures, or one day before the day on which
1579 the qualified political party holds the convention to select a nominee for the elective
1580 office to which the signature packets relate:

- 1581 (i) check the name of each individual who completes the verification for a signature
1582 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
1584 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
1586 individual files a notice of intent to gather signatures for candidacy described in this
1587 section.

1588 (b) An individual who files a notice of intent to gather signatures for candidacy,
1589 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
1590 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
1592 required to comply with; and

1593 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1594 apply to a candidate for office in relation to the reporting requirements described
1595 in Subsection (11)(b)(i).

1596 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
1597 Subsections (8) and (10)(b), the election officer shall, no later than the day before the
1598 day on which the qualified political party holds the convention to select a nominee
1599 for the elective office to which the signature packets relate, notify the qualified
1600 political party and the lieutenant governor of the name of each member of the
1601 qualified political party who qualifies as a nominee of the qualified political party,
1602 under this section, for the elective office to which the convention relates.

1603 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
1604 section, the lieutenant governor shall post the notice of intent to gather signatures for
1605 candidacy on the lieutenant governor's website in the same location that the
1606 lieutenant governor posts a declaration of candidacy.

1607 (12) The deadline [~~before which~~] for a member of a qualified political party [~~must~~] to collect
1608 and submit signatures to the election officer under this section is 5 p.m. on the last
1609 business day that is at least 14 calendar days before the day on which the qualified
1610 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
1612 the nomination of a qualified political party for the office of United States representative
1613 shall:

1614 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures
1615 during the period beginning at 8 a.m. on the first business day of January and ending
1616 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
1618 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
1619 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
1620 collect 7,000 signatures of registered voters who are residents of the state and are
1621 permitted by the qualified political party to vote for the qualified political party's
1622 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 --**
1625 **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
1630 political group designated as ____ for the office of _____. I do solemnly swear that I can
1631 qualify to hold that office both legally and constitutionally if selected, and that I reside at _____
1632 Street, in the city of _____, county of _____, state of _____, zip code _____, phone _____, and
1633 that I am providing, or have provided, the required number of holographic signatures of
1634 registered voters required by law; that as a candidate at the next election I will not knowingly
1635 violate any election or campaign law; that, if filing via a designated agent for an office other
1636 than president of the United States, I will be out of the state of Utah during the entire candidate
1637 filing period; I will file all campaign financial disclosure reports as required by law; and I
1638 understand that failure to do so will result in my disqualification as a candidate for this office
1639 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
1646 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
1649 line blank for the purpose of binding;

1650 (iii) contain the name of the proposed candidate and the words "Unaffiliated
1651 Candidate Certificate of Nomination Petition" printed directly below the
1652 horizontal line;

1653 (iv) contain the word "Warning" printed directly under the words described in
1654 Subsection (1)(b)(iii);

1655 (v) contain, to the right of the word "Warning," the following statement printed in not less than

1656 eight-point, single leaded type:

1657 "It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination
1658 signature sheet with any name other than the person's own name or more than once for the
1659 same candidate or if the person is not registered to vote in this state and does not intend to
1660 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
1662 (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
1666 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
1669 Subsection (1)(b)(vi); and

1670 (viii) be vertically divided into columns as follows:

1671 (A) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide,
1672 be headed with "For Office Use Only," and be subdivided with a light vertical
1673 line down the middle;

1674 (B) the next column shall be 2-1/2 inches wide, headed "Registered Voter's
1675 Printed Name (must be legible to be counted)";

1676 (C) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
1677 Registered Voter";

1678 (D) the next column shall be one inch wide, headed "Birth Date or Age
1679 (Optional)";

1680 (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
1681 Code"; and

1682 (F) at the bottom of the sheet, contain the following statement: "Birth date or age
1683 information is not required, but it may be used to verify your identity with
1684 voter registration records. If you choose not to provide it, your signature may
1685 not be certified as a valid signature if you change your address before petition
1686 signatures are certified or if the information you provide does not match your
1687 voter registration records."; and

1688 (c) bind a final page to one or more signature sheets that are bound together that contains,
1689 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
 1695 persons who professed to be the persons whose names appear on the signature sheets, and each
 1696 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
 1698 street address correctly, and that each signer is registered to vote in Utah or will register to
 1699 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

1703 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
 1705 whose presence each signature sheet is signed:

1706 (i) is at least 18 years old; and

1707 (ii) verifies each signature sheet by completing the verification bound to one or more
 1708 signature sheets that are bound together.

1709 (b) A person may not sign the circulator verification if the person signed a signature
 1710 sheet bound to the verification.

1711 (4)(a) It is unlawful for any person to:

1712 (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
 1716 become registered to vote in this state before the county clerk certifies the
 1717 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
 1720 certificate of nomination signature sheet; or

1721 (B) knows that a person whose signature appears on the certificate of nomination
 1722 signature sheet is not registered to vote in this state and does not intend to
 1723 become registered to vote in this state.

- 1724 (b) Any person violating this Subsection (4) is guilty of a class A misdemeanor.
- 1725 (5)(a) ~~[Fø]~~ Subject to Chapter 21, Electronic Signature Gathering, to qualify for
- 1726 placement on the general election ballot, the candidate shall, no earlier than the start
- 1727 of the applicable declaration of candidacy period described in Section 20A-9-201.5
- 1728 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
- 1731 signatures in the packet were collected, with signatures totaling:
- 1732 (A) at least 1,000 registered voters residing within the state when the nomination
- 1733 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%
- 1735 of the registered voters residing within a political division, whichever is less,
- 1736 when the nomination is for an office to be filled by the voters of any political
- 1737 division smaller than the state.
- 1738 (b) A candidate has not complied with Subsection (5)(a)(ii), unless the county clerks
- 1739 verify that each required signature is a valid signature of a registered voter who is
- 1740 eligible to sign the signature packet and has not signed a signature packet to nominate
- 1741 another candidate for the same office.
- 1742 (c) In reviewing the signature packets, the county clerk shall count and certify only those
- 1743 persons who signed with a holographic signature, who:
- 1744 (i) are registered voters within the political division that the candidate seeks to
- 1745 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
- 1748 signed a signature packet, no later than 30 calendar days after the day on which the
- 1749 candidate submits the signature packet.
- 1750 (e) The candidate may supplement the signatures or amend the certificate of nomination
- 1751 or declaration of candidacy at any time on or before 5 p.m. on June 15 of the year in
- 1752 which the election will be held.
- 1753 (f) The county clerk shall use the procedures described in Section 20A-1-1002 to
- 1754 determine whether a signer is a registered voter who is qualified to sign the signature
- 1755 packet.
- 1756 (6)(a) A voter who signs a signature packet under this section may have the voter's
- 1757 signature removed from the signature packet by, no later than 5 p.m. three business

1758 days after the day on which the candidate submits the signature packet to the county
 1759 clerk, submitting to the county clerk a statement requesting that the voter's signature
 1760 be removed.

1761 (b) A statement described in Subsection (6)(a) shall comply with the requirements
 1762 described in Subsection 20A-1-1003(2).

1763 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to
 1764 determine whether to remove an individual's signature from a signature packet after
 1765 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.**

1768 As used in this chapter:

1769 (1) "Approved device" means a device described in Subsection [~~20A-21-201(4)~~]
 1770 20A-21-201(2).

1771 (2) "Candidate qualification process" means the process, described in Section 20A-9-403 or
 1772 20A-9-408, of gathering signatures to seek the nomination of a registered political party.

1773 (3) "Electronic candidate qualification process" means the same as that term is defined in
 1774 Section 20A-9-101.

1775 (4) "Electronic initiative process" means the same as that term is defined in Section
 1776 20A-7-101.

1777 (5) "Electronic referendum process" means the same as that term is defined in Section
 1778 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.

1783 [~~(6)~~] (7) "Manual candidate qualification process" means the same as that term is defined in
 1784 Section 20A-9-101.

1785 [~~(7)~~] (8) "Petition" means:

1786 (a) as it relates to the electronic initiative process or the electronic referendum process,
 1787 the electronic record that an individual signs to indicate the individual is in favor of
 1788 placing the initiative or referendum on the ballot; or

1789 (b) as it relates to electronic candidate qualification process, the electronic record that an
 1790 individual signs to indicate the individual is in favor of placing an individual's name
 1791 on the ballot to run for a particular elective office.

1792 [(8)] (9) "Signature" means:

1793 (a) as it relates to a signature gathered for an initiative or referendum, the same as that
1794 term is defined in Section 20A-7-101; or

1795 (b) as it relates to a signature gathered for the candidate qualification process, the same
1796 as that term is defined in Section 20A-9-101.

1797 [(9)] (10) [~~"Website"~~] "System" means:

1798 (a) as it relates to the electronic initiative process or the electronic referendum process,
1799 the [~~website~~] web-based or application-based interface designated by the lieutenant
1800 governor for collecting the signatures and other information relating to the electronic
1801 initiative process or the electronic referendum process; or

1802 (b) as it relates to the electronic candidate qualification process, [~~a website~~] the
1803 web-based or application-based interface designated by the lieutenant governor for
1804 collecting the signatures and other information relating to the electronic candidate
1805 qualification process.

1806 *The following section is affected by a coordination clause at the end of this bill.*

1807 Section 24. Section **20A-21-201** is amended to read:

1808 **20A-21-201 . Electronic signature gathering for an initiative, a referendum, or**
1809 **candidate qualification.**

1810 (1) Subject to Section 20A-21-202:

1811 (a) [~~After~~] after filing a petition for a statewide initiative or a statewide referendum, and
1812 before gathering signatures, the sponsors shall, after consulting with the Office of the
1813 Lieutenant Governor, sign a form provided by the Office of the Lieutenant Governor
1814 indicating whether the sponsors will gather signatures manually, electronically, or
1815 both[-] ;

1816 [(2)] (b) [~~After~~] after filing a petition for a local initiative or a local referendum, and
1817 before gathering signatures, the sponsors shall, after consulting with the local clerk's
1818 office, sign a form provided by the local clerk's office indicating whether the
1819 sponsors will gather signatures manually, electronically, or both[-] ; or

1820 [(3)] (c) [~~After~~] after a candidate files a notice of intent to gather signatures to qualify for
1821 a ballot, and before gathering signatures, the candidate shall, after consulting with the
1822 election officer, sign a form provided by the election officer indicating whether the
1823 candidate will gather signatures manually, electronically, or both.

1824 [(4)] (2) To gather a signature electronically, a signature-gatherer shall:

1825 (a) use a device provided by the signature-gatherer or a sponsor of the petition that:

- 1826 (i) is approved by the lieutenant governor;
- 1827 (ii) is capable of uploading to the system the personal identifying information relating
- 1828 to an individual who signs the petition;
- 1829 [~~(ii) (iii) except as provided in [Subsection (4)(a)(iii), does not store a signature or~~
- 1830 ~~any other information relating to an individual signing the petition in any location~~
- 1831 ~~other than the location used by the website to store the information]~~ Subsections
- 1832 (2)(a)(iv) and (v), does not, on the device, store the information described in
- 1833 Subsection (2)(a)(ii);
- 1834 [~~(iii) (iv) beginning on January 1, 2028, is capable of operating offline by~~
- 1835 ~~temporarily storing, on the device, the information described in Subsection~~
- 1836 ~~(2)(a)(ii) that would otherwise be uploaded in real time to the system;~~
- 1837 (v) [does not, on the device, store a signature or any other information relating to an
- 1838 individual signing the petition except for the minimum time necessary to upload
- 1839 information to the website] when connected to a wireless communication
- 1840 technology, does not, on the device, retain the information described in Subsection
- 1841 (2)(a)(ii) for longer than is necessary to upload the information to the system;
- 1842 [~~(iv) (vi) is capable of scanning, reading, and extracting to the device:~~
- 1843 (A) the driver license number from a driver license;
- 1844 (B) the state identification card number from a state identification card; or
- 1845 (C) an image of another form of valid voter identification;
- 1846 [~~(vii) [does not contain any applications, software, or data other than those approved~~
- 1847 ~~by the lieutenant governor] complies with device configuration and security~~
- 1848 ~~requirements established by the lieutenant governor to prevent unauthorized~~
- 1849 ~~access or interference with the electronic signature-gathering process; and~~
- 1850 [~~(v) (viii) [complies with cyber-security and other security protocols required by the~~
- 1851 ~~lieutenant governor] follows cyber-security and other security procedures required~~
- 1852 ~~by the lieutenant governor for the operation, monitoring, and maintenance of the~~
- 1853 ~~system;~~
- 1854 (b) use the approved device to securely access [~~a website] the system designated by the~~
- 1855 lieutenant governor, directly, or via an application designated by the lieutenant
- 1856 governor; and
- 1857 (c) while connected to the [~~website] system, present the approved device to an individual~~
- 1858 considering signing the petition and, while the signature-gatherer is in the physical
- 1859 presence of the individual:

- 1860 (i) wait for the individual to reach each screen presented to the individual on the
1861 approved device; and
- 1862 (ii) wait for the individual to advance to each subsequent screen by clicking on the
1863 acknowledgement at the bottom of the screen.
- 1864 [(5)] (3) Each screen shown on an approved device as part of the signature-gathering
1865 process shall appear as a continuous electronic document that, if the entire document
1866 does not appear on the screen at once, requires the individual viewing the screen to,
1867 before advancing to the next screen, scroll through the document until the individual
1868 reaches the end of the document.
- 1869 [(6)] (4) After advancing through each screen required for the petition, the signature process
1870 shall proceed as follows:
- 1871 (a) except as provided in Subsection [(6)(b)] (4)(b):
- 1872 (i) the individual desiring to sign the petition shall present the individual's driver
1873 license or state identification card to the signature-gatherer;
- 1874 (ii) the signature-gatherer shall verify that the individual pictured on the driver
1875 license or state identification card is the individual signing the petition;
- 1876 (iii) the signature-gatherer shall scan [~~or enter~~]the driver license number or state
1877 identification card number through the approved device; and
- 1878 (iv) immediately after the signature-gatherer complies with Subsection [(6)(a)(iii)]
1879 (4)(a)(iii), the [~~website~~] system shall determine whether the individual desiring to
1880 sign the petition is eligible to sign the petition;
- 1881 (b) if the individual desiring to sign the petition is unable to provide a driver license or
1882 state identification card to the signature gatherer:
- 1883 (i) the individual may present other valid voter identification;
- 1884 (ii) if the valid voter identification contains a picture of the individual, the
1885 signature-gatherer shall verify that the individual pictured is the individual signing
1886 the petition;
- 1887 (iii) if the valid voter identification does not contain a picture of the individual, the
1888 signature-gatherer shall, to the extent reasonably practicable, use the individual's
1889 address or other available means to determine whether the identification relates to
1890 the individual presenting the identification;
- 1891 (iv) the signature-gatherer shall scan an image of the valid voter identification and
1892 immediately upload the image to the [~~website~~] system; and
- 1893 (v) the individual:

- 1894 (A) shall enter the individual's address; and
- 1895 (B) may, at the discretion of the individual, enter the individual's date of birth or
- 1896 age after the individual clicks on the screen acknowledging that they have read
- 1897 and understand the following statement, "Birth date or age information is not
- 1898 required, but may be used to verify your identity with voter registration
- 1899 records. If you choose not to provide it, your signature may not be verified as a
- 1900 valid signature if you change your address before your signature is verified or
- 1901 if the information you provide does not match your voter registration records.";
- 1902 and
- 1903 (c) after completing the process described in Subsection [~~(6)(a)~~] (4)(a) or (b), the screen
- 1904 shall:
- 1905 (i) except for a petition to qualify a candidate for the ballot, give the individual
- 1906 signing the petition the opportunity to enter the individual's email address after the
- 1907 individual reads the following statement, "If you provide your email address, you
- 1908 may receive an email with additional information relating to the petition you are
- 1909 signing."; and
- 1910 (ii)(A) if the [~~website~~] system determines, under Subsection [~~(6)(a)(iv)~~] (4)(a)(iv),
- 1911 that the individual is eligible to sign the petition, permit the individual to enter
- 1912 the individual's name as the individual's electronic signature and, immediately
- 1913 after the signature-gatherer timely complies with Subsection [~~(10)~~] (8), certify the
- 1914 signature; or
- 1915 (B) if the individual provides valid voter identification under Subsection [~~(6)(b)~~]
- 1916 (4)(b), permit the individual to enter the individual's name as the individual's
- 1917 electronic signature.
- 1918 [~~(7)~~] (5) If an individual provides valid voter identification under Subsection [~~(6)(b)~~] (4)(b),
- 1919 the county clerk shall, within seven calendar days after the day on which the individual
- 1920 submits the valid voter identification, certify the signature if:
- 1921 (a) the individual is eligible to sign the petition;
- 1922 (b) the identification provided matches the information on file; and
- 1923 (c) the signature-gatherer timely complies with Subsection [~~(10)~~] (8).
- 1924 [~~(8)~~] (6) For each signature submitted under this section, the [~~website~~] system shall record:
- 1925 (a) the information identifying the individual who signs;
- 1926 (b) the date the signature was collected; and
- 1927 (c) the name of the signature-gatherer.

1928 ~~[(9)]~~ (7) An individual who is a signature-gatherer may not sign a petition unless another
 1929 individual acts as the signature-gatherer when the individual signs the petition.
 1930 ~~[(10)]~~ (8) Except for a petition for a candidate to seek the nomination of a registered political
 1931 party, each individual who gathers a signature under this section shall, within one business day
 1932 after the day on which the individual gathers a signature, electronically sign and submit the
 1933 following statement to the ~~[website]~~ system:

1934 "VERIFICATION OF SIGNATURE-GATHERER

1935 State of Utah, County of ____

1936 I, _____, of _____, hereby state, under penalty of perjury, that:

1937 I am at least 18 years old;

1938 All the signatures that I collected on [Date signatures were gathered] were signed by
 1939 individuals who professed to be the individuals whose signatures I gathered, and each of the
 1940 individuals signed the petition in my presence;

1941 I did not knowingly make a misrepresentation of fact concerning the law or proposed
 1942 law to which the petition relates;

1943 I believe that each individual has signed the individual's name and written the
 1944 individual's residence correctly, that each signer has read and understands the law to which the
 1945 petition relates, and that each signer is registered to vote in Utah;

1946 Each signature correctly reflects the date on which the individual signed the petition; and

1947 I have not paid or given anything of value to any individual who signed this petition to
 1948 encourage that individual to sign it."

1949 ~~[(11)]~~ (9) Except for a petition for a candidate to seek the nomination of a registered
 1950 political party:

1951 (a) the county clerk may not certify a signature that is not timely verified in accordance
 1952 with Subsection ~~[(10)]~~ (8); and

1953 (b) if a signature certified by a county clerk under Subsection ~~[(6)(e)(ii)(A)]~~ (4)(c)(ii)(A)
 1954 is not timely verified in accordance with Subsection ~~[(10)]~~ (8), the county clerk shall:

1955 (i) revoke the certification;

1956 (ii) remove the signature from the posting described in Subsection 20A-7-217(4),
 1957 20A-7-315(4), 20A-7-516(4), or 20A-7-616(4); and

1958 (iii) update the totals described in Subsections 20A-7-217(5)(a)(ii),
 1959 20A-7-315(5)(a)(ii), 20A-7-516(5)(a)(ii), and 20A-7-616(5)(a)(ii).

1960 ~~[(12)]~~ (10) For a petition for a candidate to seek the nomination of a registered political party,
 1961 each individual who gathers a signature under this section shall, within one business day after

1962 the day on which the individual gathers a signature, electronically sign and submit the
 1963 following statement to the lieutenant governor in the manner specified by the lieutenant
 1964 governor:

1965 "VERIFICATION OF SIGNATURE-GATHERER

1966 State of Utah, County of ____

1967 I, _____, of _____, hereby state that:

1968 I am at least 18 years old;

1969 All the signatures that I collected on [Date signatures were gathered] were signed by
 1970 individuals who professed to be the individuals whose signatures I gathered, and each of the
 1971 individuals signed the petition in my presence;

1972 I believe that each individual has signed the individual's name and written the
 1973 individual's residence correctly and that each signer is registered to vote in Utah; and

1974 Each signature correctly reflects the date on which the individual signed the petition."

1975 ~~[(13)]~~ (11) For a petition for a candidate to seek the nomination of a registered political
 1976 party, the election officer may not certify a signature that is not timely verified in
 1977 accordance with Subsection ~~[(12)]~~ (10).

1978 (12) The lieutenant governor shall submit a report regarding electronic signature gathering
 1979 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
 1982 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
 1985 office who used manual signature gathering, electronic signature gathering, or both
 1986 methods;

1987 (b) for each statewide initiative or referendum for which signatures were gathered during
 1988 the most recent reporting year, the number of petitions in which manual signature
 1989 gathering was used, electronic signature gathering was used, or both methods were
 1990 used;

1991 (c) a summary of any security threats or vulnerabilities identified by the lieutenant
 1992 governor relating to electronic signature gathering, including a description of
 1993 mitigation steps taken, if any;

1994 (d) a description of any technical issues or operational difficulties encountered in the
 1995 electronic signature gathering process that may require legislative, administrative, or

- 1996 technological remedies;
- 1997 (e) information relating to the accuracy and reliability of electronic signature
- 1998 verification, including the rate at which electronically gathered signatures were
- 1999 accepted or rejected;
- 2000 (f) any fiscal or administrative impacts on the Office of the Lieutenant Governor or the
- 2001 office of an election officer related to electronic signature gathering; and
- 2002 (g) any other information the lieutenant governor determines relevant to evaluating the
- 2003 transition from manual to electronic signature gathering.

2004 Section 25. Section **20A-21-202** is enacted to read:

2005 **20A-21-202 . Electronic signature gathering -- Phased transition -- Exclusive**

2006 **method of collecting signatures.**

- 2007 (1) Beginning on January 1, 2028, and except as provided in Subsection (6), for each
- 2008 statewide or local initiative petition, statewide or local referendum petition, and
- 2009 candidate nomination petition:
- 2010 (a) at least 10% of the signatures certified for the petition shall be signatures gathered
- 2011 using the electronic signature gathering process; and
- 2012 (b) the remaining signatures may be gathered manually or electronically.
- 2013 (2) Beginning on January 1, 2030, for each statewide or local initiative petition, statewide
- 2014 or local referendum petition, and candidate nomination petition:
- 2015 (a) at least 50% of the signatures certified for the petition shall be signatures gathered
- 2016 using the electronic signature gathering process; and
- 2017 (b) the remaining signatures may be gathered manually or electronically.
- 2018 (3) Beginning on January 1, 2032, the sponsors of a statewide or local initiative petition:
- 2019 (a) shall gather signatures using the electronic initiative process; and
- 2020 (b) may not gather signatures manually.
- 2021 (4) Beginning on January 1, 2032, the sponsors of a statewide or local referendum petition:
- 2022 (a) shall gather signatures using the electronic referendum process; and
- 2023 (b) may not gather signatures manually.
- 2024 (5) Beginning on January 1, 2032, an individual who gathers signatures for a candidate
- 2025 nomination petition:
- 2026 (a) shall gather signatures using the electronic candidate qualification process; and
- 2027 (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)
- 2029 if the lieutenant governor determines that the system is not functioning in a manner

- 2030 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
- 2033 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
- 2036 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
- 2039 website.
- 2040 (8)(a) If the sponsors of a statewide or local initiative or referendum petition fail to
- 2041 comply with Subsection (1) or (2), an election officer may not:
- 2042 (i) for a statewide initiative or referendum petition, mark the petition sufficient to
- 2043 qualify for placement on the ballot under Subsection 20A-7-207(4)(a) or
- 2044 Subsection 20A-7-307(4)(a), as applicable;
- 2045 (ii) for a local initiative or referendum petition, mark the petition sufficient to qualify
- 2046 for placement on the ballot under Subsection 20A-7-507(4)(a) or Subsection
- 2047 20A-7-607(4)(a), as applicable.
- 2048 (b) If a candidate seeking the nomination of a registered political party fails to comply
- 2049 with Subsection (1) or (2), an election officer may not certify the candidate for
- 2050 placement on the primary election ballot.
- 2051 (c) If an unaffiliated candidate fails to comply with Subsection (1) or (2), an election
- 2052 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.**
- 2055 (1) [Reserved.] Section 20A-7-105, Manual petition processes -- Obtaining signatures --
- 2056 Verification -- Submitting the petition -- Certification of signatures -- Transfer to
- 2057 lieutenant governor -- Removal of signature, is repealed January 1, 2032.
- 2058 (2) Section 20A-7-203, Manual initiative process -- Form of initiative petition and signature
- 2059 sheets, is repealed January 1, 2032.
- 2060 (3) Section 20A-7-204, Manual initiative process -- Circulation requirements -- Lieutenant
- 2061 governor to provide sponsors with materials, is repealed January 1, 2032.
- 2062 (4) Section 20A-7-303, Manual referendum process -- Form of referendum petition and
- 2063 signature sheets, is repealed January 1, 2032.

- 2064 (5) Section 20A-7-304, Manual referendum process -- Circulation requirements --
2065 Lieutenant governor to provide sponsors with materials, is repealed January 1, 2032.
- 2066 (6) Section 20A-7-503, Manual initiative process -- Form of initiative petition and signature
2067 sheet, is repealed January 1, 2032.
- 2068 (7) Section 20A-7-504, Manual initiative process -- Circulation requirements -- Local clerk
2069 to provide sponsors with materials, is repealed January 1, 2032.
- 2070 (8) Section 20A-7-603, Manual referendum process -- Form of referendum petition and
2071 signature sheet, is repealed January 1, 2032.
- 2072 (9) Section 20A-7-604, Manual referendum process -- Circulation requirements -- Local
2073 clerk to provide sponsors with materials, is repealed January 1, 2032.
- 2074 (10) Subsection 20A-9-405(3), regarding the manual candidate nomination process, is
2075 repealed January 1, 2032.
- 2076 (11) Subsection 20A-9-405(5), regarding the manual candidate nomination process, is
2077 repealed January 1, 2032.
- 2078 (12) Subsection 20A-9-408(9), regarding the manual candidate nomination process, is
2079 repealed January 1, 2032.
- 2080 (13) Section 20A-9-408.3, Submission of candidate signature packet -- Requirements for
2081 submission -- Signature packet chain of custody and storage, is repealed January 1, 2032.

2082 **Section 27. Effective Date.**

2083 This bill takes effect on May 6, 2026.

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

2085 If H.B. 223, Electronic Signature Collection Amendments, and H.B. 32, Signature
2086 Gathering and Verification Amendments, both pass and become law, the Legislature intends
2087 that, on May 6, 2026, Subsection 20A-21-201(10), enacted in H.B. 32, be amended to read:
2088 "(10) Except for a petition for a candidate to seek the nomination of a registered political
2089 party, each individual who gathers a signature under this section shall, within one business day
2090 after the day on which the individual gathers a signature, electronically sign and submit the
2091 circulator verification sheet described in Subsection 20A-1-1004(1) to the system."