

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 terms;
- requires the device used to electronically gather signatures for an initiative petition, referendum petition, or candidate nomination 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 an initiative or referendum petition to be gathered using the electronic signature gathering process;
 - beginning on January 1, 2030, requires at least 50% of the signatures certified for an initiative or referendum petition to be gathered using the electronic signature gathering process;
 - authorizes the lieutenant governor to suspend the 10% requirement described above 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 to gather signatures using the electronic signature gathering process; and
 - prohibits the sponsors of an initiative or referendum petition from gathering signatures manually;

- 29 ▸ clarifies electronic signature-gathering security requirements by distinguishing between
30 baseline device security configuration standards and ongoing cyber-security procedures
31 governing system operation, monitoring, and maintenance, as established by the
32 lieutenant governor;
- 33 ▸ requires the lieutenant governor to submit an annual report to the Government Operations
34 Interim Committee, beginning no later than October 1, 2026, and continuing no later
35 than October 1 of each year through 2031;
- 36 ▸ adds a January 1, 2032 repeal date for certain sections related to manual signature
37 gathering;
- 38 ▸ includes a coordination clause to standardize a defined term in this bill with the same
39 term in H.B. 32, Signature Gathering and Verification Amendments; and
- 40 ▸ makes technical and conforming changes.

41 Money Appropriated in this Bill:

42 None

43 Other Special Clauses:

44 This bill provides a coordination clause.

45 Utah Code Sections Affected:**46 AMENDS:**

- 47 **20A-7-101**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16
48 **20A-7-201**, as last amended by Laws of Utah 2025, Chapter 448
49 **20A-7-207**, as last amended by Laws of Utah 2025, Chapter 448
50 **20A-7-213**, as last amended by Laws of Utah 2024, Chapter 442
51 **20A-7-301**, as last amended by Laws of Utah 2023, Chapter 107
52 **20A-7-304.5**, as last amended by Laws of Utah 2023, Chapter 107
53 **20A-7-307**, as last amended by Laws of Utah 2025, Chapter 448
54 **20A-7-312**, as last amended by Laws of Utah 2024, Chapter 442
55 **20A-7-501**, as last amended by Laws of Utah 2025, Chapter 448
56 **20A-7-502.7**, as last amended by Laws of Utah 2025, Chapter 448
57 **20A-7-507**, as last amended by Laws of Utah 2025, Chapter 448
58 **20A-7-512**, as last amended by Laws of Utah 2024, Chapter 442
59 **20A-7-601**, as last amended by Laws of Utah 2025, First Special Session, Chapter 15
60 **20A-7-602.7**, as last amended by Laws of Utah 2025, Chapter 448
61 **20A-7-602.8**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16
62 **20A-7-604.5**, as last amended by Laws of Utah 2023, Chapter 107

63 **20A-7-607**, as last amended by Laws of Utah 2025, First Special Session, Chapter 16
 64 **20A-7-612**, as last amended by Laws of Utah 2024, Chapter 442
 65 **20A-9-101**, as last amended by Laws of Utah 2023, Chapters 15, 45
 66 **20A-9-403**, as last amended by Laws of Utah 2025, Chapters 39, 448
 67 **20A-9-408**, as last amended by Laws of Utah 2025, Second Special Session, Chapter 2
 68 **20A-21-101**, as enacted by Laws of Utah 2022, Chapter 325
 69 **20A-21-201**, as last amended by Laws of Utah 2025, Chapters 381, 448
 70 **63I-1-220**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

71 ENACTS:

72 **20A-21-202**, Utah Code Annotated 1953

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

74 **20A-21-201 (05/06/26)**, as last amended by Laws of Utah 2025, Chapters 381, 448

75

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

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

78 **20A-7-101 . Definitions.**

79 As used in this chapter:

- 80 (1) "Approved device" means a device described in Subsection [20A-21-201(4)]
 81 20A-21-201(2) used to gather signatures for the electronic initiative process, the
 82 electronic referendum process, or the electronic candidate qualification process.
- 83 (2) "Budget officer" means:
 84 (a) for a county, the person designated as finance officer as defined in Section 17-63-101;
 85 (b) for a city, the person designated as budget officer in Subsection 10-6-106(4); or
 86 (c) for a town, the town council.
- 87 (3) "Certified" means that the county clerk has acknowledged a signature as being the
 88 signature of a registered voter.
- 89 (4) "Circulation" means the process of submitting an initiative petition or a referendum
 90 petition to legal voters for their signature.
- 91 (5) "Electronic initiative process" means:
 92 (a) as it relates to a statewide initiative, the process, described in Sections 20A-7-215
 93 and 20A-21-201, for gathering signatures; or
 94 (b) as it relates to a local initiative, the process, described in Sections 20A-7-514 and
 95 20A-21-201, for gathering signatures.
- 96 (6) "Electronic referendum process" means:

- 97 (a) as it relates to a statewide referendum, the process, described in Sections 20A-7-313
98 and 20A-21-201, for gathering signatures; or
- 99 (b) as it relates to a local referendum, the process, described in Sections 20A-7-614 and
100 20A-21-201, for gathering signatures.
- 101 (7) "Eligible voter" means a legal voter who resides in the jurisdiction of the county, city, or
102 town that is holding an election on a ballot proposition.
- 103 (8) "Final fiscal impact statement" means a financial statement prepared after voters
104 approve an initiative that contains the information required by Subsection
105 20A-7-202.5(2) or 20A-7-502.5(2).
- 106 (9) "Initial fiscal impact statement" means a financial statement prepared under Section
107 20A-7-202.5 after the filing of a statewide initiative application.
- 108 (10) "Initial fiscal impact and legal statement" means a financial and legal statement
109 prepared under Section 20A-7-502.5 or 20A-7-602.5 for a local initiative or a local
110 referendum.
- 111 (11) "Initiative" means a new law proposed for adoption by the public as provided in this
112 chapter.
- 113 (12) "Initiative application" means:
- 114 (a) for a statewide initiative, an application described in Subsection 20A-7-202(2) that
115 includes all the information, statements, documents, and notarized signatures
116 required under Subsection 20A-7-202(2); or
- 117 (b) for a local initiative, an application described in Subsection 20A-7-502(2) that
118 includes all the information, statements, documents, and notarized signatures
119 required under Subsection 20A-7-502(2).
- 120 (13) "Initiative packet" means a copy of the initiative petition, a copy of the proposed law,
121 and the signature sheets, all of which have been bound together as a unit.
- 122 (14) "Initiative petition":
- 123 (a) as it relates to a statewide initiative, using the manual initiative process:
- 124 (i) means the form described in Subsection 20A-7-203(2)(a), petitioning for
125 submission of the initiative to the Legislature or the legal voters; and
- 126 (ii) if the initiative proposes a tax increase, includes the statement described in
127 Subsection 20A-7-203(2)(b);
- 128 (b) as it relates to a statewide initiative, using the electronic initiative process:
- 129 (i) means the form described in Subsections 20A-7-215(2) and (3), petitioning for
130 submission of the initiative to the Legislature or the legal voters; and

- 131 (ii) if the initiative proposes a tax increase, includes the statement described in
132 Subsection 20A-7-215(5)(b);
- 133 (c) as it relates to a local initiative, using the manual initiative process:
- 134 (i) means the form described in Subsection 20A-7-503(2)(a), petitioning for
135 submission of the initiative to the legislative body or the legal voters; and
- 136 (ii) if the initiative proposes a tax increase, includes the statement described in
137 Subsection 20A-7-503(2)(b); or
- 138 (d) as it relates to a local initiative, using the electronic initiative process:
- 139 (i) means the form described in Subsection 20A-7-514(2)(a), petitioning for
140 submission of the initiative to the legislative body or the legal voters; and
- 141 (ii) if the initiative proposes a tax increase, includes the statement described in
142 Subsection 20A-7-514(4)(a).
- 143 (15)(a) "Land use law" means a law of general applicability, enacted based on the
144 weighing of broad, competing policy considerations, that relates to the use of land,
145 including a land use regulation, a general plan, a land use development code, an
146 annexation ordinance, the rezoning of a single property or multiple properties, or a
147 comprehensive zoning ordinance or resolution.
- 148 (b) "Land use law" does not include a land use decision, as defined in Section 10-20-102
149 or 17-79-102.
- 150 (16) "Legal signatures" means the number of signatures of legal voters that:
- 151 (a) meet the numerical requirements of this chapter; and
- 152 (b) have been obtained, certified, and verified as provided in this chapter.
- 153 (17) "Legal voter" means an individual who is registered to vote in Utah.
- 154 (18) "Legally referable to voters" means:
- 155 (a) for a proposed local initiative, that the proposed local initiative is legally referable to
156 voters under Section 20A-7-502.7; or
- 157 (b) for a proposed local referendum, that the proposed local referendum is legally
158 referable to voters under Section 20A-7-602.7.
- 159 (19) "Local attorney" means the county attorney, city attorney, or town attorney in whose
160 jurisdiction a local initiative or referendum petition is circulated.
- 161 (20) "Local clerk" means the county clerk, city recorder, or town clerk in whose jurisdiction
162 a local initiative or referendum petition is circulated.
- 163 (21)(a) "Local law" includes:
- 164 (i) an ordinance;

- 165 (ii) a resolution;
- 166 (iii) a land use law;
- 167 (iv) a land use regulation, as defined in Section 10-20-102; or
- 168 (v) other legislative action of a local legislative body.
- 169 (b) "Local law" does not include a land use decision, as defined in Section 10-20-102.
- 170 (22) "Local legislative body" means the legislative body of a county, city, or town.
- 171 (23) "Local obligation law" means a local law passed by the local legislative body
- 172 regarding a bond that was approved by a majority of qualified voters in an election.
- 173 (24) "Local tax law" means a law, passed by a political subdivision with an annual or
- 174 biannual calendar fiscal year, that increases a tax or imposes a new tax.
- 175 (25) "Manual initiative process" means the process for gathering signatures for an initiative
- 176 using paper signature packets that a signer physically signs.
- 177 (26) "Manual referendum process" means the process for gathering signatures for a
- 178 referendum using paper signature packets that a signer physically signs.
- 179 (27)(a) "Measure" means a proposed constitutional amendment, an initiative, or
- 180 referendum.
- 181 (b) "Measure" does not include a ballot proposition for the creation of a new school
- 182 district under Section 53G-3-301.1, 53G-3-301.3, or 53G-3-301.4.
- 183 (28) "Presiding officers" means the president of the Senate and the speaker of the House of
- 184 Representatives.
- 185 (29) "Referendum" means a process by which a law passed by the Legislature or by a local
- 186 legislative body is submitted or referred to the voters for their approval or rejection.
- 187 (30) "Referendum application" means:
- 188 (a) for a statewide referendum, an application described in Subsection 20A-7-302(2) that
- 189 includes all the information, statements, documents, and notarized signatures
- 190 required under Subsection 20A-7-302(2); or
- 191 (b) for a local referendum, an application described in Subsection 20A-7-602(2) that
- 192 includes all the information, statements, documents, and notarized signatures
- 193 required under Subsection 20A-7-602(2).
- 194 (31) "Referendum packet" means a copy of the referendum petition, a copy of the law being
- 195 submitted or referred to the voters for their approval or rejection, and the signature
- 196 sheets, all of which have been bound together as a unit.
- 197 (32) "Referendum petition" means:
- 198 (a) as it relates to a statewide referendum, using the manual referendum process, the

- 199 form described in Subsection 20A-7-303(2)(a), petitioning for submission of a law
200 passed by the Legislature to legal voters for their approval or rejection;
- 201 (b) as it relates to a statewide referendum, using the electronic referendum process, the
202 form described in Subsection 20A-7-313(2), petitioning for submission of a law
203 passed by the Legislature to legal voters for their approval or rejection;
- 204 (c) as it relates to a local referendum, using the manual referendum process, the form
205 described in Subsection 20A-7-603(2)(a), petitioning for submission of a local law to
206 legal voters for their approval or rejection; or
- 207 (d) as it relates to a local referendum, using the electronic referendum process, the form
208 described in Subsection 20A-7-614(2), petitioning for submission of a local law to
209 legal voters for their approval or rejection.
- 210 (33) "Signature":
- 211 (a) for a statewide initiative:
- 212 (i) as it relates to the electronic initiative process, means an electronic signature
213 collected under Section 20A-7-215 and Subsection [~~20A-21-201(6)(e)~~]
214 20A-21-201(4)(c); or
- 215 (ii) as it relates to the manual initiative process:
- 216 (A) means a holographic signature collected physically on a signature sheet
217 described in Section 20A-7-203;
- 218 (B) as it relates to an individual who, due to a qualifying disability under the
219 Americans with Disabilities Act, is unable to fill out the signature sheet or to
220 sign the voter's name consistently, the initials "AV," indicating that the voter's
221 identity will be verified by an alternate verification process described in
222 Section 20A-7-106; and
- 223 (C) does not include an electronic signature;
- 224 (b) for a statewide referendum:
- 225 (i) as it relates to the electronic referendum process, means an electronic signature
226 collected under Section 20A-7-313 and Subsection [~~20A-21-201(6)(e)~~]
227 20A-21-201(4)(c); or
- 228 (ii) as it relates to the manual referendum process:
- 229 (A) means a holographic signature collected physically on a signature sheet
230 described in Section 20A-7-303;
- 231 (B) as it relates to an individual who, due to a qualifying disability under the
232 Americans with Disabilities Act, is unable to fill out the signature sheet or to

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

236 (C) does not include an electronic signature;

237 (c) for a local initiative:

238 (i) as it relates to the electronic initiative process, means an electronic signature
239 collected under Section 20A-7-514 and Subsection [~~20A-21-201(6)(e)~~]
240 20A-21-201(4)(c); or

241 (ii) as it relates to the manual initiative process:

242 (A) means a holographic signature collected physically on a signature sheet
243 described in Section 20A-7-503;

244 (B) as it relates to an individual who, due to a qualifying disability under the
245 Americans with Disabilities Act, is unable to fill out the signature sheet or to
246 sign the voter's name consistently, the initials "AV," indicating that the voter's
247 identity will be verified by an alternate verification process described in
248 Section 20A-7-106; and

249 (C) does not include an electronic signature; or

250 (d) for a local referendum:

251 (i) as it relates to the electronic referendum process, means an electronic signature
252 collected under Section 20A-7-614 and Subsection [~~20A-21-201(6)(e)~~]
253 20A-21-201(4)(c); or

254 (ii) as it relates to the manual referendum process:

255 (A) means a holographic signature collected physically on a signature sheet
256 described in Section 20A-7-603;

257 (B) as it relates to an individual who, due to a qualifying disability under the
258 Americans with Disabilities Act, is unable to fill out the signature sheet or to
259 sign the voter's name consistently, the initials "AV," indicating that the voter's
260 identity will be verified by an alternate verification process described in
261 Section 20A-7-106; and

262 (C) does not include an electronic signature.

263 (34) "Signature sheets" means sheets in the form required by this chapter that are used
264 under the manual initiative process or the manual referendum process to collect
265 signatures in support of an initiative or referendum.

266 (35) "Special local ballot proposition" means a local ballot proposition that is not a standard

- 267 local ballot proposition.
- 268 (36) "Sponsors" means the legal voters who support the initiative or referendum and who
269 sign the initiative application or referendum application.
- 270 (37)(a) "Standard local ballot proposition" means a local ballot proposition for an
271 initiative or a referendum.
- 272 (b) "Standard local ballot proposition" does not include a property tax referendum
273 described in Section 20A-7-613.
- 274 (38) "Tax percentage difference" means the difference between the tax rate proposed by an
275 initiative or an initiative petition and the current tax rate.
- 276 (39) "Tax percentage increase" means a number calculated by dividing the tax percentage
277 difference by the current tax rate and rounding the result to the nearest thousandth.
- 278 (40) "Verified" means acknowledged by the person circulating the petition as required in
279 Section 20A-7-105.
- 280 Section 2. Section **20A-7-201** is amended to read:
- 281 **20A-7-201 . Statewide initiatives -- Signature requirements -- Submission to the**
282 **Legislature or to a vote of the people.**
- 283 (1)(a) [A] Subject to Section 20A-21-202, a person seeking to have an initiative
284 submitted to the Legislature for approval or rejection shall, after filing an initiative
285 application, obtain:
- 286 (i) legal signatures equal to 4% of the number of active voters in the state on January
287 1 immediately following the last regular general election; and
- 288 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 4% of the
289 number of active voters in that district on January 1 immediately following the
290 last regular general election.
- 291 (b) If, at any time not less than 10 calendar days before the beginning of the next annual
292 general session of the Legislature, the lieutenant governor declares that an initiative
293 petition designated under Subsection 20A-7-202(2)(c)(i) for submission to the
294 Legislature is signed by a sufficient number of voters to meet the requirements of
295 Subsection (1)(a), the lieutenant governor shall deliver a copy of the initiative
296 petition, the text of the proposed law, and the cover sheet described in Subsection
297 (1)(c) to the president of the Senate, the speaker of the House, and the director of the
298 Office of Legislative Research and General Counsel.
- 299 (c) The lieutenant governor shall prepare a cover sheet for a petition declared sufficient
300 under Subsection (1)(b) that contains:

- 301 (i) the number of active voters in the state on January 1 immediately following the
302 last regular general election;
- 303 (ii) the number of active voters in each Utah State Senate district on January 1
304 immediately following the last regular general election;
- 305 (iii) the total number of certified signatures obtained for the initiative petition; and
306 (iv) the total number of certified signatures obtained from each Utah State Senate
307 district for the initiative petition.
- 308 (2)(a) [A] Subject to Section 20A-21-202, a person seeking to have an initiative
309 submitted to a vote of the people for approval or rejection shall, after filing an
310 initiative application, obtain:
- 311 (i) legal signatures equal to 8% of the number of active voters in the state on January
312 1 immediately following the last regular general election; and
- 313 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 8% of the
314 number of active voters in that district on January 1 immediately following the
315 last regular general election.
- 316 (b) If an initiative petition meets the requirements of this part and the lieutenant
317 governor declares that the initiative petition is signed by a sufficient number of voters
318 to meet the requirements of Subsection (2)(a), the lieutenant governor shall submit
319 the proposed law to a vote of the people at the next regular general election:
- 320 (i) immediately after the application is filed under Section 20A-7-202; and
321 (ii) specified on the petition under Section 20A-7-203.
- 322 (3) The lieutenant governor shall provide the following information to any interested person:
- 323 (a) the number of active voters in the state on January 1 immediately following the last
324 regular general election; and
- 325 (b) for each Utah State Senate district, the number of active voters in that district on
326 January 1 immediately following the last regular general election.
- 327 Section 3. Section **20A-7-207** is amended to read:
- 328 **20A-7-207 . Evaluation by the lieutenant governor.**
- 329 (1) In relation to the manual initiative process, when the lieutenant governor receives an
330 initiative packet from a county clerk, the lieutenant governor shall record the number of
331 the initiative packet received.
- 332 (2) The county clerk shall:
- 333 (a) in relation to the manual initiative process:
- 334 (i) post the names, voter identification numbers, and dates of signatures described in

- 335 Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a
336 conspicuous location designated by the lieutenant governor:
- 337 (A) for an initiative packet received by the county clerk before December 1, for at
338 least 90 calendar days; or
- 339 (B) for an initiative packet received by the county clerk on or after December 1,
340 for at least 45 calendar days; and
- 341 (ii) update on the lieutenant governor's website the number of signatures certified as
342 of the date of the update; or
- 343 (b) in relation to the electronic initiative process:
- 344 (i) post the names, voter identification numbers, and dates of signatures described in
345 Subsection 20A-7-217(4) on the lieutenant governor's website, in a conspicuous
346 location designated by the lieutenant governor:
- 347 (A) for a signature received by the county clerk before December 1, for at least 90
348 calendar days; or
- 349 (B) for a signature received by the county clerk on or after December 1, for at
350 least 45 calendar days; and
- 351 (ii) update on the lieutenant governor's website the number of signatures certified as
352 of the date of the update.
- 353 (3) The lieutenant governor:
- 354 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be
355 sufficient or insufficient on April 30 before the regular general election described in
356 Subsection 20A-7-201(2)(b); or
- 357 (b) may declare the initiative petition to be insufficient before the day described in
358 Subsection (3)(a) if:
- 359 (i) in relation to the manual initiative process, the total of all valid signatures on
360 timely and lawfully submitted initiative packets that have been certified by the
361 county clerks, plus the number of signatures on timely and lawfully submitted
362 initiative packets that have not yet been evaluated for certification, is less than the
363 number of names required under Section 20A-7-201;
- 364 (ii) in relation to the electronic initiative process, the total of all timely and lawfully
365 submitted valid signatures that have been certified by the county clerks, plus the
366 number of timely and lawfully submitted valid signatures received under
367 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
368 for certification, is less than the number of names required under Section

369 20A-7-201; or

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

371 (4)(a) [H] Subject to Subsection 20A-21-202(7)(a), if the total number of names certified
372 under Subsection (3) equals or exceeds the number of names required under Section
373 20A-7-201, and the requirements of this part are met, the lieutenant governor shall
374 mark upon the front of the initiative petition the word "sufficient."

375 (b) If the total number of names certified under Subsection (3) does not equal or exceed
376 the number of names required under Section 20A-7-201 or a requirement of this part
377 is not met, the lieutenant governor shall mark upon the front of the initiative petition
378 the word "insufficient."

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

381 (5) After an initiative petition is declared insufficient, a person may not submit additional
382 signatures to qualify the initiative for the ballot.

383 (6)(a) If the lieutenant governor refuses to declare an initiative petition sufficient that a
384 voter believes is legally sufficient, the voter may, no later than May 15, apply to the
385 appropriate court for an order finding the initiative petition legally sufficient.

386 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant
387 governor shall mark the petition "sufficient" and consider the declaration of
388 sufficiency effective as of the date on which the initiative petition should have been
389 declared sufficient by the lieutenant governor's office.

390 (c) If the court determines that the initiative petition is not legally sufficient, the court
391 may enjoin the lieutenant governor and all other officers from certifying or printing
392 the ballot title and numbers of that measure on the official ballot.

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

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

396 **20A-7-213 . Misconduct of electors and officers -- Penalty.**

397 (1) It is unlawful for an individual to:

398 (a) sign any name other than the individual's own to an initiative petition or a statement
399 described in Subsection 20A-7-105(8) or 20A-7-216(4);

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

402 (c) knowingly indicate that an individual who signed an initiative petition signed the

403 initiative petition on a date other than the date that the individual signed the initiative
404 petition;

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

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

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

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

412 (iii) believes or has reason to believe that the voter does not understand the purpose
413 or nature of the action taken by the individual on behalf of the voter;

414 (iv) intentionally or knowingly deceives the voter into providing the direction or
415 consent of the voter; or

416 (v) intentionally or knowingly enters false information on the signature sheet or
417 statement; or

418 (f) knowingly and willfully violate any provision of this part.

419 (2) It is unlawful for an individual to sign the verification for an initiative packet, or to
420 electronically sign the verification for a signature under Subsection [20A-21-201(10)]
421 20A-21-201(8), knowing that:

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

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

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

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

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

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

431 (c) accept payment to sign an initiative petition; or

432 (d) accept payment to have the individual's name removed from an initiative petition.

433 (4) A violation of this section is a class A misdemeanor.

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

435 **20A-7-301 . Referendum -- Signature requirements -- Submission to voters.**

436 (1)(a) [A] Subject to Section 20A-21-202, a person seeking to have a law passed by the

- 437 Legislature submitted to a vote of the people shall, after filing a referendum
438 application, obtain:
- 439 (i) legal signatures equal to 8% of the number of active voters in the state on January
440 1 immediately following the last regular general election; and
 - 441 (ii) from at least 15 Senate districts, legal signatures equal to 8% of the number of
442 active voters in that Senate district on January 1 immediately following the last
443 regular general election.
- 444 (b) When the lieutenant governor declares that a referendum petition is signed by a
445 sufficient number of voters to meet the requirements of Subsection (1)(a), the
446 governor shall issue an executive order that:
- 447 (i) directs that the referendum be submitted to the voters at the next regular general
448 election; or
 - 449 (ii) calls a special election according to the requirements of Section 20A-1-203 and
450 directs that the referendum be submitted to the voters at that special election.
- 451 (2) When the lieutenant governor declares that a referendum petition is signed by a
452 sufficient number of voters, the law that is the subject of the petition does not take effect
453 unless and until it is approved by a vote of the people at a regular general election or a
454 statewide special election.
- 455 (3) The lieutenant governor shall provide the following information to any interested person:
- 456 (a) the number of active voters in the state on January 1 immediately following the last
457 regular general election; and
 - 458 (b) for each county, the number of active voters in that Senate district on January 1
459 immediately following the last regular general election.
- 460 Section 6. Section **20A-7-304.5** is amended to read:
- 461 **20A-7-304.5 . Posting referendum information.**
- 462 (1) On the day on which the lieutenant governor complies with Subsection 20A-7-304(3),
463 or provides the sponsors with access to the [website] system defined in Section
464 20A-21-101, the lieutenant governor shall post the following information together in a
465 conspicuous place on the lieutenant governor's website:
 - 466 (a) the referendum petition;
 - 467 (b) a copy of the law that is the subject of the referendum petition; and
 - 468 (c) information describing how an individual may remove the individual's signature
469 from the referendum petition.
 - 470 (2) The lieutenant governor shall:

- 471 (a) promptly update the information described in Subsection (1) if the information
472 changes; and
- 473 (b) maintain the information described in Subsection (1) on the lieutenant governor's
474 website until the referendum fails to qualify for the ballot or is passed or defeated at
475 an election.

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

477 **20A-7-307 . Evaluation by the lieutenant governor.**

- 478 (1) In relation to the manual referendum process, when the lieutenant governor receives a
479 referendum packet from a county clerk, the lieutenant governor shall record the number
480 of the referendum packet received.
- 481 (2) The county clerk shall:
- 482 (a) in relation to the manual referendum process:
- 483 (i) post the names, voter identification numbers, and dates of signatures described in
484 Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a
485 conspicuous location designated by the lieutenant governor, for at least 45
486 calendar days; and
- 487 (ii) update on the lieutenant governor's website the number of signatures certified as
488 of the date of the update; or
- 489 (b) in relation to the electronic referendum process:
- 490 (i) post the names, voter identification numbers, and dates of signatures described in
491 Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous
492 location designated by the lieutenant governor, for at least 45 calendar days; and
- 493 (ii) update on the lieutenant governor's website the number of signatures certified as
494 of the date of the update.
- 495 (3) The lieutenant governor:
- 496 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be
497 sufficient or insufficient 106 calendar days after the end of the legislative session at
498 which the law passed; or
- 499 (b) may declare the referendum petition to be insufficient before the day described in
500 Subsection (3)(a) if:
- 501 (i) in relation to the manual referendum process, the total of all valid signatures on
502 timely and lawfully submitted referendum packets that have been certified by the
503 county clerks, plus the number of signatures on timely and lawfully submitted
504 referendum packets that have not yet been evaluated for certification, is less than

- 505 the number of names required under Section 20A-7-301;
- 506 (ii) in relation to the electronic referendum process, the total of all timely and
- 507 lawfully submitted valid signatures that have been certified by the county clerks,
- 508 plus the number of timely and lawfully submitted valid signatures received under
- 509 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
- 510 for certification, is less than the number of names required under Section
- 511 20A-7-301; or
- 512 (iii) a requirement of this part has not been met.
- 513 (4)(a) [H] Subject to Subsection 20A-21-202(7)(a), if the total number of names certified
- 514 under Subsection (3) equals or exceeds the number of names required under Section
- 515 20A-7-301, and the requirements of this part are met, the lieutenant governor shall
- 516 mark upon the front of the referendum petition the word "sufficient."
- 517 (b) If the total number of names certified under Subsection (3) does not equal or exceed
- 518 the number of names required under Section 20A-7-301 or a requirement of this part
- 519 is not met, the lieutenant governor shall mark upon the front of the referendum
- 520 petition the word "insufficient."
- 521 (c) The lieutenant governor shall immediately notify any one of the sponsors of the
- 522 lieutenant governor's finding.
- 523 (d) After a referendum petition is declared insufficient, a person may not submit
- 524 additional signatures to qualify the referendum for the ballot.
- 525 (5)(a) If the lieutenant governor refuses to declare a referendum petition sufficient that a
- 526 voter believes is legally sufficient, the voter may, no later than 10 days after the day
- 527 on which the lieutenant governor declares the petition insufficient, apply to the
- 528 appropriate court for an order finding the referendum petition legally sufficient.
- 529 (b) If the court determines that the referendum petition is legally sufficient, the
- 530 lieutenant governor shall mark the referendum petition "sufficient" and consider the
- 531 declaration of sufficiency effective as of the date on which the referendum petition
- 532 should have been declared sufficient by the lieutenant governor's office.
- 533 (c) If the court determines that a referendum petition filed is not legally sufficient, the
- 534 court may enjoin the lieutenant governor and all other officers from certifying or
- 535 printing the ballot title and numbers of that measure on the official ballot.
- 536 (6) A referendum petition determined to be sufficient in accordance with this section is
- 537 qualified for the ballot.
- 538 Section 8. Section **20A-7-312** is amended to read:

539 **20A-7-312 . Misconduct of electors and officers -- Penalty.**

- 540 (1) It is unlawful for any person to:
- 541 (a) sign any name other than the person's own to a referendum petition;
- 542 (b) knowingly sign the person's name more than once for the same referendum petition
- 543 at one election;
- 544 (c) knowingly indicate that a person who signed a referendum petition signed the
- 545 referendum petition on a date other than the date that the person signed the petition;
- 546 (d) sign a referendum petition knowing the person is not a legal voter; or
- 547 (e) knowingly and willfully violate any provision of this part.
- 548 (2) It is unlawful for any person to sign the verification for a referendum packet, or to
- 549 electronically sign the verification for a signature under Subsection [20A-21-201(10)]
- 550 20A-21-201(8) knowing that:
- 551 (a) the signature date associated with the person's signature for the referendum petition
- 552 is not the date that the person signed the referendum petition;
- 553 (b) the person has not witnessed the signatures of those persons whose signatures the
- 554 person collects or submits; or
- 555 (c) one or more individuals who sign the referendum petition are not registered to vote
- 556 in Utah.
- 557 (3) It is unlawful for any person to:
- 558 (a) pay a person to sign a referendum petition;
- 559 (b) pay a person to remove the person's signature from a referendum petition;
- 560 (c) accept payment to sign a referendum petition;
- 561 (d) accept payment to have the person's name removed from a referendum petition; or
- 562 (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter
- 563 any information on a signature sheet or statement described in Section 20A-7-106, if
- 564 the individual:
- 565 (i) does not obtain the voluntary direction or consent of the voter;
- 566 (ii) believes or has reason to believe that the voter lacks the mental capacity to give
- 567 the voter's direction or consent;
- 568 (iii) believes or has reason to believe that the voter does not understand the purpose
- 569 or nature of the action taken by the individual on behalf of the voter;
- 570 (iv) intentionally or knowingly deceives the voter into providing the direction or
- 571 consent of the voter; or
- 572 (v) intentionally or knowingly enters false information on the signature sheet or

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statement.

(4) Any person violating this section is guilty of a class A misdemeanor.

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

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

(1) As used in this section:

(a) "Number of active voters" means the number of active voters in the county, city, or town on the immediately preceding January 1.

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

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

(a) for a county of the first class:

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

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

(b) for a city of the first class:

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

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

(c) for a county of the second class:

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

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

(d) for a city of the second class:

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

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

(e) for a county of the third class:

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

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

(f) for a city of the third class:

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

- 607 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%
608 of the city's voter participation areas;
- 609 (g) for a county of the fourth class:
- 610 (i) 11.5% of the number of active voters in the county; and
611 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least
612 75% of the county's voter participation areas;
- 613 (h) for a city of the fourth class:
- 614 (i) 11.5% of the number of active voters in the city; and
615 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least
616 75% of the city's voter participation areas;
- 617 (i) for a city of the fifth class or a county of the fifth class, 25% of the number of active
618 voters in the city or county; or
- 619 (j) for a town or a county of the sixth class, 35% of the number of active voters in the
620 town or county.
- 621 (3) If the total number of certified signatures collected for the initiative petition equals or
622 exceeds the number of signatures required by this section, the clerk or recorder shall
623 deliver the proposed law to the local legislative body at the local legislative body's next
624 meeting.
- 625 (4)(a) The local legislative body shall either adopt or reject the proposed law without
626 change or amendment within 30 calendar days after the day on which the local
627 legislative body receives the proposed law under Subsection (3).
- 628 (b) The local legislative body may:
- 629 (i) adopt the proposed law and refer the proposed law to the people;
630 (ii) adopt the proposed law without referring the proposed law to the people; or
631 (iii) reject the proposed law.
- 632 (c) If the local legislative body adopts the proposed law but does not refer the proposed
633 law to the people, the proposed law is subject to referendum as with other local laws.
- 634 (d)(i) If a county legislative body rejects a proposed law, or takes no action on a
635 proposed law, the county clerk shall submit the proposed law to the voters of the
636 county at the next regular general election immediately after the initiative
637 application for the proposed law is filed under Section 20A-7-502.
- 638 (ii) If a local legislative body of a municipality rejects a proposed law, or takes no
639 action on a proposed law, the municipal recorder or clerk shall submit the
640 proposed law to the voters of the municipality at the next municipal general

641 election immediately after the initiative application is filed under Section
642 20A-7-502.

643 (e)(i) If a local legislative body rejects a proposed law, or takes no action on a
644 proposed law, the local legislative body may adopt a competing local law.
645 (ii) The local legislative body shall prepare and adopt the competing local law within
646 the 30-calendar-day period described in Subsection (4)(a).

647 (iii) If a local legislative body adopts a competing local law, the clerk or recorder
648 shall refer the competing local law to the voters of the county or municipality at
649 the same election at which the law proposed by initiative is submitted under
650 Subsection (4)(d).

651 (f) If conflicting local laws are submitted to the people at the same election and two or
652 more of the conflicting measures are approved by the people, the proposed law that
653 receives the greatest number of affirmative votes shall control all conflicts.

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

655 **20A-7-502.7 . Referability to voters.**

656 (1) Within 20 calendar days after the day on which an eligible voter files an initiative
657 application under Section 20A-7-502, counsel for the county, city, or town to which the
658 initiative pertains shall:

659 (a) review the proposed law that is the subject of the initiative application to determine
660 whether the law is legally referable to voters; and

661 (b) notify the first three sponsors, in writing, whether the proposed law is:

662 (i) legally referable to voters; or

663 (ii) rejected as not legally referable to voters.

664 (2) A proposed law that is the subject of an initiative application is legally referable to
665 voters unless:

666 (a) the proposed law:

667 (i) is patently unconstitutional;

668 (ii) is nonsensical;

669 (iii) is administrative, rather than legislative, in nature;

670 (iv) could not become law if passed; [or]

671 (v) contains more than one subject as evaluated in accordance with Subsection

672 20A-7-502(3); or

673 [~~b~~] (vi) is identical or substantially similar to a legally referable proposed law sought
674 by an initiative application submitted to the local clerk, under Section 20A-7-502,

675 within two years before the day on which the initiative application for the current
676 proposed law is filed;

677 ~~[(e)]~~ (b) the subject of the proposed law is not clearly expressed in the law's title; or

678 ~~[(d)]~~ (c) the initiative application was not timely filed or does not comply with the
679 requirements of this part.

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

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

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

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

688 (a) a district court; or

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

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

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

696 **20A-7-507 . Evaluation by the local clerk.**

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

700 (2) The county clerk shall:

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

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

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

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

- 709 (i) post the names, voter identification numbers, and dates of signatures described in
710 Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous
711 location designated by the lieutenant governor, for at least 90 calendar days; and
712 (ii) update on the local government's website the number of signatures certified as of
713 the date of the update.
- 714 (3) The local clerk:
- 715 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be
716 sufficient or insufficient:
- 717 (i) in relation to the manual initiative process, no later than 21 calendar days after the
718 day of the applicable deadline described in Subsection 20A-7-105(5)(a)(iii); or
719 (ii) in relation to the electronic initiative process, no later than 21 calendar days after
720 the day of the applicable deadline described in Subsection 20A-7-516(2); or
- 721 (b) may declare the initiative petition to be insufficient before the day described in
722 Subsection (3)(a) if:
- 723 (i) in relation to the manual initiative process, the total of all valid signatures on
724 timely and lawfully submitted initiative packets that have been certified by the
725 county clerks, plus the number of signatures on timely and lawfully submitted
726 initiative packets that have not yet been evaluated for certification, is less than the
727 number of names required under Section 20A-7-501;
- 728 (ii) in relation to the electronic initiative process, the total of all timely and lawfully
729 submitted valid signatures that have been certified by the county clerks, plus the
730 number of timely and lawfully submitted valid signatures received under
731 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
732 for certification, is less than the number of names required under Section
733 20A-7-501; or
- 734 (iii) a requirement of this part has not been met.
- 735 (4)(a) [~~Hf~~] Subject to Subsection 20A-21-202(7)(b), if the total number of names certified
736 under Subsection (3) equals or exceeds the number of names required by Section
737 20A-7-501 and the requirements of this part are met, the local clerk shall mark upon
738 the front of the initiative petition the word "sufficient."
- 739 (b) If the total number of names certified under Subsection (3) does not equal or exceed
740 the number of names required by Section 20A-7-501 or a requirement of this part is
741 not met, the local clerk shall mark upon the front of the initiative petition the word
742 "insufficient."

743 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's
744 finding.

745 (d) After an initiative petition is declared insufficient, a person may not submit
746 additional signatures to qualify the initiative for the ballot.

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

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

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

754 **20A-7-512 . Misconduct of electors and officers -- Penalty.**

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

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

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

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

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

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

765 (2) It is unlawful for an individual to sign the verification for an initiative packet, or to
766 electronically sign the verification for a signature under Subsection [20A-21-201(10)]
767 20A-21-201(8), knowing that:

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

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

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

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

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

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

- 777 (c) accept payment to sign an initiative petition;
- 778 (d) accept payment to have the individual's name removed from an initiative petition; or
- 779 (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter
- 780 any information on a signature sheet or statement described in Section 20A-7-106, if
- 781 the individual:
- 782 (i) does not obtain the voluntary direction or consent of the voter;
- 783 (ii) believes or has reason to believe that the voter lacks the mental capacity to give
- 784 the voter's direction or consent;
- 785 (iii) believes or has reason to believe that the voter does not understand the purpose
- 786 or nature of the action taken by the individual on behalf of the voter;
- 787 (iv) intentionally or knowingly deceives the voter into providing the direction or
- 788 consent of the voter; or
- 789 (v) intentionally or knowingly enters false information on the signature sheet or
- 790 statement.

791 (4) A violation of this section is a class A misdemeanor.

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

793 **20A-7-601 . Referenda -- General signature requirements -- Signature**

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

795 **Time requirements.**

796 (1) As used in this section:

- 797 (a) "Number of active voters" means the number of active voters in the county, city, or
- 798 town on the immediately preceding January 1.
- 799 (b) "Qualifying county" means a county that has created a small public transit district, as
- 800 defined in Section 17B-2a-802, on or before January 1, 2022.
- 801 (c) "Qualifying transit area" means:
- 802 (i) a station area, as defined in Section 10-21-101, for which the municipality with
- 803 jurisdiction over the station area has satisfied the requirements of Subsection
- 804 10-21-203(1)(a)(i), as demonstrated by the adoption of a station area plan or
- 805 resolution under Subsection 10-21-203(1); or
- 806 (ii) a housing and transit reinvestment zone, as defined in Section 63N-3-602, created
- 807 within a qualifying county.
- 808 (d) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the
- 809 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.
- 810 (e)(i) "Subjurisdictional law" means a local law or local obligation law passed by a

- 811 local legislative body that imposes a tax or other payment obligation on property
812 in an area that does not include all precincts and subprecincts under the
813 jurisdiction of the county, city, or town.
- 814 (ii) "Subjurisdictional law" does not include a land use law.
- 815 (f) "Transit area land use law" means a land use law that relates to the use of land within
816 a qualifying transit area.
- 817 (g) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)
818 or (2)(b).
- 819 (2) [~~Except~~] Subject to Section 20A-21-202, and except as provided in Subsections (3)
820 through (5), an eligible voter seeking to have a local law passed by the local legislative
821 body submitted to a vote of the people shall, after filing a referendum application, obtain
822 legal signatures equal to:
- 823 (a) for a county of the first class:
- 824 (i) 7.75% of the number of active voters in the county; and
825 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least
826 75% of the county's voter participation areas;
- 827 (b) for a city of the first class:
- 828 (i) 7.5% of the number of active voters in the city; and
829 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%
830 of the city's voter participation areas;
- 831 (c) for a county of the second class:
- 832 (i) 8% of the number of active voters in the county; and
833 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75%
834 of the county's voter participation areas;
- 835 (d) for a city of the second class:
- 836 (i) 8.25% of the number of active voters in the city; and
837 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least
838 75% of the city's voter participation areas;
- 839 (e) for a county of the third class:
- 840 (i) 9.5% of the number of active voters in the county; and
841 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%
842 of the county's voter participation areas;
- 843 (f) for a city of the third class:
- 844 (i) 10% of the number of active voters in the city; and

- 845 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%
846 of the city's voter participation areas;
- 847 (g) for a county of the fourth class:
- 848 (i) 11.5% of the number of active voters in the county; and
- 849 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least
850 75% of the county's voter participation areas;
- 851 (h) for a city of the fourth class:
- 852 (i) 11.5% of the number of active voters in the city; and
- 853 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least
854 75% of the city's voter participation areas;
- 855 (i) for a city of the fifth class or a county of the fifth class, 25% of the number of active
856 voters in the city or county; or
- 857 (j) for a town or a county of the sixth class, 35% of the number of active voters in the
858 town or county.
- 859 (3) [~~Except~~] Subject to Section 20A-21-202, and except as provided in Subsection (4) or (5),
860 an eligible voter seeking to have a land use law or local obligation law passed by the
861 local legislative body submitted to a vote of the people shall, after filing a referendum
862 application, obtain legal signatures equal to:
- 863 (a) for a county of the first, second, third, or fourth class:
- 864 (i) 16% of the number of active voters in the county; and
- 865 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
866 of the county's voter participation areas;
- 867 (b) for a county of the fifth or sixth class:
- 868 (i) 16% of the number of active voters in the county; and
- 869 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
870 of the county's voter participation areas;
- 871 (c) for a city of the first class:
- 872 (i) 15% of the number of active voters in the city; and
- 873 (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75%
874 of the city's voter participation areas;
- 875 (d) for or a city of the second class:
- 876 (i) 16% of the number of active voters in the city; and
- 877 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
878 of the city's voter participation areas;

- 879 (e) for a city of the third class:
- 880 (i) 27.5% of the number of active voters in the city; and
- 881 (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least
- 882 75% of the city's voter participation areas;
- 883 (f) for a city of the fourth class:
- 884 (i) 29% of the number of active voters in the city; and
- 885 (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75%
- 886 of the city's voter participation areas;
- 887 (g) for a city of the fifth class, 35% of the number of active voters in the city; or
- 888 (h) for a town, 40% of the number of active voters in the town.
- 889 (4) [A] Subject to Section 20A-21-202, a person seeking to have a subjurisdictional law
- 890 passed by the local legislative body submitted to a vote of the people shall, after filing a
- 891 referendum application, obtain legal signatures of the residents in the subjurisdiction
- 892 equal to:
- 893 (a) 10% of the number of active voters in the subjurisdiction if the number of active
- 894 voters exceeds 25,000;
- 895 (b) 12.5% of the number of active voters in the subjurisdiction if the number of active
- 896 voters does not exceed 25,000 but is more than 10,000;
- 897 (c) 15% of the number of active voters in the subjurisdiction if the number of active
- 898 voters does not exceed 10,000 but is more than 2,500;
- 899 (d) 20% of the number of active voters in the subjurisdiction if the number of active
- 900 voters does not exceed 2,500 but is more than 500;
- 901 (e) 25% of the number of active voters in the subjurisdiction if the number of active
- 902 voters does not exceed 500 but is more than 250; and
- 903 (f) 30% of the number of active voters in the subjurisdiction if the number of active
- 904 voters does not exceed 250.
- 905 (5) [~~A~~] Subject to Section 20A-21-202, an eligible voter seeking to have a transit area land
- 906 use law passed by the local legislative body submitted to a vote of the people shall, after
- 907 filing a referendum application, obtain legal signatures equal to:
- 908 (a) for a county:
- 909 (i) 20% of the number of active voters in the county; and
- 910 (ii) 21% of the number of active voters in at least 75% of the county's voter
- 911 participation areas;
- 912 (b) for a city of the first class:

- 913 (i) 20% of the number of active voters in the city; and
914 (ii) 20% of the number of active voters in at least 75% of the city's voter participation
915 areas;
- 916 (c) for a city of the second class:
917 (i) 20% of the number of active voters in the city; and
918 (ii) 21% of the number of active voters in at least 75% of the city's voter participation
919 areas;
- 920 (d) for a city of the third class:
921 (i) 34% of the number of active voters in the city; and
922 (ii) 34% of the number of active voters in at least 75% of the city's voter participation
923 areas;
- 924 (e) for a city of the fourth class:
925 (i) 36% of the number of active voters in the city; and
926 (ii) 36% of the number of active voters in at least 75% of the city's voter participation
927 areas; or
- 928 (f) for a city of the fifth class or a town, 40% of the number of active voters in the city or
929 town.
- 930 (6) Sponsors of any referendum petition challenging, under Subsection (2), (3), (4), or (5),
931 any local law passed by a local legislative body shall file the application no later than the
932 first business day that is at least five days after the day on which the local law was
933 passed.
- 934 (7) This section does not authorize a local legislative body to impose a tax or other payment
935 obligation on a subjurisdiction in order to benefit an area outside of the subjurisdiction.
- 936 Section 14. Section **20A-7-602.7** is amended to read:
937 **20A-7-602.7 . Referability to voters of local law other than land use law.**
- 938 (1) Within 20 calendar days after the day on which an eligible voter files a referendum
939 application under Section 20A-7-602 for a local law other than a land use law, counsel
940 for the county, city, or town to which the referendum pertains shall:
941 (a) review the referendum application to determine whether the proposed referendum is
942 legally referable to voters; and
943 (b) notify the first three sponsors, in writing, whether the proposed referendum is:
944 (i) legally referable to voters; or
945 (ii) rejected as not legally referable to voters.
- 946 (2) For a local law other than a land use law, a proposed referendum is legally referable to

- 947 voters unless:
- 948 (a) the proposed referendum challenges an action that is administrative, rather than
949 legislative, in nature;
- 950 (b) the proposed referendum challenges more than one law passed by the local
951 legislative body; or
- 952 (c) the referendum application was not timely filed or does not comply with the
953 requirements of this part.
- 954 (3) After the end of the 20-calendar-day period described in Subsection (1), a county, city,
955 or town may not, for a local law other than a land use law:
- 956 (a) reject a proposed referendum as not legally referable to voters; or
957 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a
958 proposed referendum on the grounds that the proposed referendum is not legally
959 referable to voters.
- 960 (4)(a) If, under Subsection (1)(b)(ii), a county, city, or town rejects a proposed
961 referendum concerning a local law other than a land use law, a sponsor of the
962 proposed referendum may, within 10 days after the day on which a sponsor is
963 notified under Subsection (1)(b), challenge or appeal the decision to:
- 964 (i) the Supreme Court, by means of an extraordinary writ, if possible; or
965 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
966 under Subsection (4)(a)(i).
- 967 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)(a)
968 terminates the referendum.
- 969 (5) If, on a challenge or appeal, the court determines that the proposed referendum
970 described in Subsection (4) is legally referable to voters, the local clerk shall comply
971 with Subsection 20A-7-604(3), or give the sponsors access to the [website] system
972 defined in Section 20A-21-101, within five calendar days after the day on which the
973 determination, and any challenge or appeal of the determination, is final.
- 974 Section 15. Section **20A-7-602.8** is amended to read:
- 975 **20A-7-602.8 . Referability to voters of local land use law.**
- 976 (1) Within 20 calendar days after the day on which a referendum eligible voter files an
977 application under Section 20A-7-602 for a land use law, counsel for the county, city, or
978 town to which the referendum pertains shall:
- 979 (a) review the referendum application to determine whether the proposed referendum is
980 legally referable to voters; and

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

1015 (5) If, on challenge or appeal, the court determines that the proposed referendum is legally
 1016 referable to voters, the local clerk shall comply with Subsection 20A-7-604(3), or give
 1017 the sponsors access to the [website] system defined in Section 20A-21-101, within five
 1018 calendar days after the day on which the determination, and any challenge or appeal of
 1019 the determination, is final.

1020 Section 16. Section **20A-7-604.5** is amended to read:

1021 **20A-7-604.5 . Posting referendum information.**

1022 (1) On the day on which the local clerk complies with Subsection 20A-7-604(3), or gives
 1023 the sponsors access to the [website] system defined in Section 20A-21-101, the local
 1024 clerk shall post the following information together in a conspicuous place on the local
 1025 clerk's website:

- 1026 (a) the referendum petition;
- 1027 (b) a copy of the law that is the subject of the referendum petition; and
- 1028 (c) information describing how an individual may remove the individual's signature
 1029 from the referendum petition.

1030 (2) The local clerk shall:

- 1031 (a) promptly update the information described in Subsection (1) if the information
 1032 changes; and
- 1033 (b) maintain the information described in Subsection (1) on the local clerk's website
 1034 until the referendum fails to qualify for the ballot or is passed or defeated at an
 1035 election.

1036 Section 17. Section **20A-7-607** is amended to read:

1037 **20A-7-607 . Evaluation by the local clerk -- Determination of election for vote on**
 1038 **referendum.**

1039 (1) In relation to the manual referendum process, when the local clerk receives a
 1040 referendum packet from a county clerk, the local clerk shall record the number of the
 1041 referendum packet received.

1042 (2) The county clerk shall:

- 1043 (a) in relation to the manual referendum process:
 - 1044 (i) post the names, voter identification numbers, and dates of signatures described in
 1045 Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a
 1046 conspicuous location designated by the lieutenant governor, for at least 45
 1047 calendar days; and
 - 1048 (ii) update on the local clerk's website the number of signatures certified as of the

- 1049 date of the update; or
- 1050 (b) in relation to the electronic referendum process:
- 1051 (i) post the names, voter identification numbers, and dates of signatures described in
- 1052 Subsection 20A-7-616(3) on the lieutenant governor's website, in a conspicuous
- 1053 location designated by the lieutenant governor, for at least 45 calendar days; and
- 1054 (ii) update on the lieutenant governor's website the number of signatures certified as
- 1055 of the date of the update.
- 1056 (3) The local clerk:
- 1057 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be
- 1058 sufficient or insufficient:
- 1059 (i) in relation to the manual referendum process, no later than 111 calendar days after
- 1060 the day of the deadline, described in Subsection 20A-7-105(5)(a)(iv), to submit a
- 1061 referendum packet to the county clerk; or
- 1062 (ii) in relation to the electronic referendum process, no later than 111 calendar days
- 1063 after the day of the deadline, described in Subsection 20A-7-616(2), to collect a
- 1064 signature; or
- 1065 (b) may declare the referendum petition to be insufficient before the day described in
- 1066 Subsection (3)(a) if:
- 1067 (i) in relation to the manual referendum process, the total of all valid signatures on
- 1068 timely and lawfully submitted referendum packets that have been certified by the
- 1069 county clerk, plus the number of signatures on timely and lawfully submitted
- 1070 referendum packets that have not yet been evaluated for certification, is less than
- 1071 the number of names required under Section 20A-7-601;
- 1072 (ii) in relation to the electronic referendum process, the total of all timely and
- 1073 lawfully submitted valid signatures that have been certified by the county clerks,
- 1074 plus the number of timely and lawfully submitted valid signatures received under
- 1075 Subsection [~~20A-21-201(6)(b)~~] 20A-21-201(4)(b) that have not yet been evaluated
- 1076 for certification, is less than the number of names required under Section
- 1077 20A-7-601; or
- 1078 (iii) a requirement of this part has not been met.
- 1079 (4)(a) [H] Subject to Subsection 20A-21-202(7)(b), if the total number of names certified
- 1080 under Subsection (3) equals or exceeds the number of names required under Section
- 1081 20A-7-601, and the requirements of this part are met, the local clerk shall mark upon
- 1082 the front of the referendum petition the word "sufficient."

- 1083 (b) If the total number of names certified under Subsection (3) does not equal or exceed
1084 the number of names required under Section 20A-7-601 or a requirement of this part
1085 is not met, the local clerk shall mark upon the front of the referendum petition the
1086 word "insufficient."
- 1087 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's
1088 finding.
- 1089 (d) After a referendum petition is declared insufficient, a person may not submit
1090 additional signatures to qualify the referendum for the ballot.
- 1091 (5)(a) If the local clerk refuses to declare a referendum petition sufficient, any voter
1092 may, no later than 10 days after the day on which the local clerk declares the
1093 referendum petition insufficient, apply to the appropriate court for an order finding
1094 the referendum petition legally sufficient.
- 1095 (b) If the court determines that the referendum petition is legally sufficient, the local
1096 clerk shall mark the referendum petition "sufficient" and consider the declaration of
1097 sufficiency effective as of the date on which the referendum petition should have
1098 been declared sufficient by the local clerk's office.
- 1099 (c) If the court determines that a referendum petition filed is not legally sufficient, the
1100 court may enjoin the local clerk and all other officers from:
- 1101 (i) certifying or printing the ballot title and numbers of that referendum on the official
1102 ballot for the next election; or
- 1103 (ii) as it relates to a local tax law that is conducted entirely by mail, certifying,
1104 printing, or mailing the ballot title and numbers of that referendum under Section
1105 20A-7-609.5.
- 1106 (6) A referendum petition determined to be sufficient in accordance with this section is
1107 qualified for the ballot.
- 1108 (7)(a) Except as provided in Subsection (7)(b) or (c), if a referendum relates to
1109 legislative action taken after April 15, the election officer may not place the
1110 referendum on an election ballot until a primary election, a general election, or a
1111 special election the following year.
- 1112 (b) The election officer may place a referendum described in Subsection (7)(a) on the
1113 ballot for a special, primary, or general election held during the year that the
1114 legislative action was taken if the following agree, in writing, on a timeline to place
1115 the referendum on that ballot:
- 1116 (i) the local clerk;

- 1117 (ii) the county clerk; and
1118 (iii) the attorney for the county or municipality that took the legislative action.
- 1119 (c) For a referendum on a land use law, if, before August 30, the local clerk or a court
1120 determines that the total number of certified names equals or exceeds the number of
1121 signatures required in Section 20A-7-601, the election officer shall place the
1122 referendum on the election ballot for:
- 1123 (i) the next general election; or
1124 (ii) another election, if the following agree, in writing, on a timeline to place the
1125 referendum on that ballot:
- 1126 (A) the affected owners, as defined in Section 10-20-102 or 17-79-102, as
1127 applicable;
1128 (B) the local clerk;
1129 (C) the county clerk; and
1130 (D) the attorney for the county or municipality that took the legislative action.

1131 Section 18. Section **20A-7-612** is amended to read:

1132 **20A-7-612 . Misconduct of electors and officers -- Penalty.**

- 1133 (1) It is unlawful for an individual to:
- 1134 (a) sign a name other than the individual's own name to any referendum petition;
1135 (b) knowingly sign the individual's name more than once for the same referendum at one
1136 election;
1137 (c) knowingly indicate that an individual who signed a referendum petition signed the
1138 referendum petition on a date other than the date that the individual signed the
1139 referendum petition;
1140 (d) sign a referendum petition knowing that the individual is not a legal voter;
1141 (e) in connection with circulating a referendum petition, represent that a document is an
1142 official government document if the individual knows or has reason to know that the
1143 document is not an official government document; or
1144 (f) knowingly and willfully violate any provision of this part.
- 1145 (2) It is unlawful for an individual to sign the verification for a referendum packet, or to
1146 electronically sign the verification for a signature under Subsection [~~20A-21-201(10)~~
1147 20A-21-201(8)], knowing that:
- 1148 (a) the signature date associated with the individual's signature for the referendum
1149 petition is not the date that the individual signed the referendum petition;
1150 (b) the individual has not witnessed the signatures the individual collects or submits; or

- 1151 (c) one or more individuals whose signatures appear in the referendum packet is not
1152 registered to vote in Utah.
- 1153 (3) It is unlawful for an individual to:
- 1154 (a) pay an individual to sign a referendum petition;
- 1155 (b) pay an individual to remove the individual's signature from a referendum petition;
- 1156 (c) accept payment to sign a referendum petition;
- 1157 (d) accept payment to have the individual's name removed from a referendum petition; or
- 1158 (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter
1159 any information on a signature sheet or statement described in Section 20A-7-106, if
1160 the individual:
- 1161 (i) does not obtain the voluntary direction or consent of the voter;
- 1162 (ii) believes or has reason to believe that the voter lacks the mental capacity to give
1163 the voter's direction or consent;
- 1164 (iii) believes or has reason to believe that the voter does not understand the purpose
1165 or nature of the action taken by the individual on behalf of the voter;
- 1166 (iv) intentionally or knowingly deceives the voter into providing the direction or
1167 consent of the voter; or
- 1168 (v) intentionally or knowingly enters false information on the signature sheet or
1169 statement.
- 1170 (4) A violation of this section is a class A misdemeanor.
- 1171 (5) The county attorney or municipal attorney shall prosecute any violation of this section.
- 1172 Section 19. Section **20A-9-101** is amended to read:
- 1173 **20A-9-101 . Definitions.**
- 1174 As used in this chapter:
- 1175 (1)(a) "Candidates for elective office" means persons who file a declaration of candidacy
1176 under Section 20A-9-202 to run in a regular general election for a federal office,
1177 constitutional office, multicounty office, or county office.
- 1178 (b) "Candidates for elective office" does not mean candidates for:
- 1179 (i) justice or judge of court of record or not of record;
- 1180 (ii) presidential elector;
- 1181 (iii) any political party offices; and
- 1182 (iv) municipal or special district offices.
- 1183 (2) "Constitutional office" means the state offices of governor, lieutenant governor, attorney
1184 general, state auditor, and state treasurer.

- 1185 (3) "Continuing political party" means the same as that term is defined in Section
1186 20A-8-101.
- 1187 (4)(a) "County office" means an elective office where the officeholder is selected by
1188 voters entirely within one county.
- 1189 (b) "County office" does not mean:
- 1190 (i) the office of justice or judge of any court of record or not of record;
1191 (ii) the office of presidential elector;
1192 (iii) any political party offices;
1193 (iv) any municipal or special district offices; and
1194 (v) the office of United States Senator and United States Representative.
- 1195 (5) "Electronic candidate qualification process" means:
- 1196 (a) as it relates to a registered political party that is not a qualified political party, the
1197 process for gathering signatures electronically to seek the nomination of a registered
1198 political party, described in:
- 1199 (i) Section 20A-9-403;
1200 (ii) Section 20A-9-405, except Subsections 20A-9-405(3) and (5); and
1201 (iii) Section 20A-21-201; and
- 1202 (b) as it relates to a qualified political party, the process, for gathering signatures
1203 electronically to seek the nomination of a registered political party, described in:
- 1204 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);
1205 (ii) Section 20A-9-408; and
1206 (iii) Section 20A-21-201.
- 1207 (6) "Federal office" means an elective office for United States Senator and United States
1208 Representative.
- 1209 (7) "Filing officer" means:
- 1210 (a) the lieutenant governor, for:
- 1211 (i) the office of United States Senator and United States Representative; and
1212 (ii) all constitutional offices;
- 1213 (b) for the office of a state senator, state representative, or the state school board, the
1214 lieutenant governor or the applicable clerk described in Subsection (7)(c) or (d);
- 1215 (c) the county clerk, for county offices and local school district offices;
1216 (d) the county clerk in the filer's county of residence, for multicounty offices;
1217 (e) the city or town clerk, for municipal offices; or
1218 (f) the special district clerk, for special district offices.

- 1219 (8) "Local government office" includes county offices, municipal offices, and special
1220 district offices and other elective offices selected by the voters from a political division
1221 entirely within one county.
- 1222 (9) "Manual candidate qualification process" means the process for gathering signatures to
1223 seek the nomination of a registered political party, using paper signature packets that a
1224 signer physically signs.
- 1225 (10)(a) "Multicounty office" means an elective office where the officeholder is selected
1226 by the voters from more than one county.
- 1227 (b) "Multicounty office" does not mean:
- 1228 (i) a county office;
- 1229 (ii) a federal office;
- 1230 (iii) the office of justice or judge of any court of record or not of record;
- 1231 (iv) the office of presidential elector;
- 1232 (v) any political party offices; or
- 1233 (vi) any municipal or special district offices.
- 1234 (11) "Municipal office" means an elective office in a municipality.
- 1235 (12)(a) "Political division" means a geographic unit from which an officeholder is
1236 elected and that an officeholder represents.
- 1237 (b) "Political division" includes a county, a city, a town, a special district, a school
1238 district, a legislative district, and a county prosecution district.
- 1239 (13) "Qualified political party" means a registered political party that:
- 1240 (a)(i) permits a delegate for the registered political party to vote on a candidate
1241 nomination in the registered political party's convention remotely; or
- 1242 (ii) provides a procedure for designating an alternate delegate if a delegate is not
1243 present at the registered political party's convention;
- 1244 (b) does not hold the registered political party's convention before the fourth Saturday in
1245 March of an even-numbered year;
- 1246 (c) permits a member of the registered political party to seek the registered political
1247 party's nomination for any elective office by the member choosing to seek the
1248 nomination by either or both of the following methods:
- 1249 (i) seeking the nomination through the registered political party's convention process,
1250 in accordance with the provisions of Section 20A-9-407; or
- 1251 (ii) seeking the nomination by collecting signatures, in accordance with the
1252 provisions of Section 20A-9-408; and

- 1253 (d)(i) if the registered political party is a continuing political party, no later than 5
1254 p.m. on the first Monday of October of an odd-numbered year, certifies to the
1255 lieutenant governor that, for the election in the following year, the registered
1256 political party intends to nominate the registered political party's candidates in
1257 accordance with the provisions of Section 20A-9-406; or
- 1258 (ii) if the registered political party is not a continuing political party, certifies at the
1259 time that the registered political party files the petition described in Section
1260 20A-8-103 that, for the next election, the registered political party intends to
1261 nominate the registered political party's candidates in accordance with the
1262 provisions of Section 20A-9-406.
- 1263 (14) "Signature," as it relates to a petition for a candidate to seek the nomination of a
1264 registered political party, means:
- 1265 (a) when using the manual candidate qualification process, a holographic signature
1266 collected physically on a nomination petition described in Subsection 20A-9-405(3);
1267 or
- 1268 (b) when using the electronic candidate qualification process:
- 1269 (i) an electronic signature collected under Subsection [~~20A-21-201(6)(c)(ii)(A)~~]
1270 20A-21-201(4)(c)(ii)(A); or
- 1271 (ii) a holographic signature collected electronically under Subsection [
1272 ~~20A-21-201(6)(c)(ii)(B)~~] 20A-21-201(4)(c)(ii)(B).
- 1273 (15) "Special district office" means an elected office in a special district.
1274 Section 20. Section **20A-9-403** is amended to read:
1275 **20A-9-403 . Regular primary elections.**
- 1276 (1)(a) Candidates for elective office that are to be filled at the next regular general
1277 election shall be nominated in a regular primary election by direct vote of the people
1278 in the manner prescribed in this section. The regular primary election is held on the
1279 date specified in Section 20A-1-201.5. Nothing in this section shall affect a
1280 candidate's ability to qualify for a regular general election's ballot as an unaffiliated
1281 candidate under Section 20A-9-501 or to participate in a regular general election as a
1282 write-in candidate under Section 20A-9-601.
- 1283 (b) Each registered political party that chooses to have the names of the registered
1284 political party's candidates for elective office featured with party affiliation on the
1285 ballot at a regular general election shall comply with the requirements of this section
1286 and shall nominate the registered political party's candidates for elective office in the

- 1287 manner described in this section.
- 1288 (c) A filing officer may not permit an official ballot at a regular general election to be
1289 produced or used if the ballot denotes affiliation between a registered political party
1290 or any other political group and a candidate for elective office who is not nominated
1291 in the manner prescribed in this section or in Subsection 20A-9-202(4).
- 1292 (d) Unless noted otherwise, the dates in this section refer to those that occur in each
1293 even-numbered year in which a regular general election will be held.
- 1294 (2)(a) Each registered political party, in a statement filed with the lieutenant governor,
1295 shall:
- 1296 (i) either declare the registered political party's intent to participate in the next regular
1297 primary election or declare that the registered political party chooses not to have
1298 the names of the registered political party's candidates for elective office featured
1299 on the ballot at the next regular general election; and
- 1300 (ii) if the registered political party participates in the upcoming regular primary
1301 election, identify one or more registered political parties whose members may
1302 vote for the registered political party's candidates and whether individuals
1303 identified as unaffiliated with a political party may vote for the registered political
1304 party's candidates.
- 1305 (b)(i) A registered political party that is a continuing political party shall file the
1306 statement described in Subsection (2)(a) with the lieutenant governor no later than
1307 5 p.m. on November 30 of each odd-numbered year.
- 1308 (ii) An organization that is seeking to become a registered political party under
1309 Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the
1310 time that the registered political party files the petition described in Section
1311 20A-8-103.
- 1312 (3)(a) Except as provided in Subsection (3)(e), an individual who submits a declaration
1313 of candidacy under Section 20A-9-202 shall appear as a candidate for elective office
1314 on the regular primary ballot of the registered political party listed on the declaration
1315 of candidacy only if the individual is certified by the appropriate filing officer as
1316 having submitted a nomination petition that was:
- 1317 (i) circulated and completed in accordance with Section 20A-9-405; and
- 1318 (ii) signed by at least 2% of the registered political party's members who reside in the
1319 political division of the office that the individual seeks.
- 1320 (b)(i) A candidate for elective office shall, in accordance with Section 20A-9-408.3,

- 1321 submit signatures for a nomination petition to the appropriate filing officer for
1322 verification and certification no later than 5 p.m. on March 31.
- 1323 (ii) A candidate may supplement the candidate's submissions at any time on or before
1324 the filing deadline.
- 1325 (c)(i) The lieutenant governor shall determine for each elective office the total
1326 number of signatures [~~that must~~] required to be submitted under Subsection
1327 (3)(a)(ii) or 20A-9-408(8) by counting the aggregate number of individuals
1328 residing in each elective office's political division who have designated a
1329 particular registered political party on the individuals' voter registration forms on
1330 or before November 15 of each odd-numbered year.
- 1331 (ii) The lieutenant governor shall publish the determination for each elective office
1332 no later than November 30 of each odd-numbered year.
- 1333 (d) The filing officer shall:
- 1334 (i) except as otherwise provided in Section 20A-21-201, and in accordance with
1335 Section 20A-9-408.3, verify signatures on nomination petitions in a transparent
1336 and orderly manner, no later than 14 calendar days after the day on which a
1337 candidate submits the signatures to the filing officer;
- 1338 (ii) for all qualifying candidates for elective office who submit nomination petitions
1339 to the filing officer, issue certifications referenced in Subsection (3)(a) no later
1340 than the deadline described in Subsection 20A-9-202(1)(b);
- 1341 (iii) consider active and inactive voters eligible to sign nomination petitions;
- 1342 (iv) consider an individual who signs a nomination petition a member of a registered
1343 political party for purposes of Subsection (3)(a)(ii) if the individual has designated
1344 that registered political party as the individual's party membership on the
1345 individual's voter registration form; and
- 1346 (v) except as otherwise provided in Section 20A-21-201 and with the assistance of
1347 the county clerk as applicable, use the procedures described in Section 20A-1-1002
1348 to verify submitted nomination petition signatures, or use statistical sampling
1349 procedures to verify submitted nomination petition signatures in accordance with
1350 rules made under Subsection (3)(f).
- 1351 (e) Notwithstanding any other provision in this Subsection (3), a candidate for lieutenant
1352 governor may appear on the regular primary ballot of a registered political party
1353 without submitting nomination petitions if the candidate files a declaration of
1354 candidacy and complies with Subsection 20A-9-202(3).

- 1355 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1356 director of elections, within the Office of the Lieutenant Governor, may make rules
1357 that:
- 1358 (i) provide for the use of statistical sampling procedures that:
- 1359 (A) filing officers are required to use to verify signatures under Subsection (3)(d);
1360 and
1361 (B) reflect a bona fide effort to determine the validity of a candidate's entire
1362 submission, using widely recognized statistical sampling techniques; and
- 1363 (ii) provide for the transparent, orderly, and timely submission, verification, and
1364 certification of nomination petition signatures.
- 1365 (g) The county clerk shall:
- 1366 (i) review the declarations of candidacy filed by candidates for local boards of
1367 education to determine if more than two candidates have filed for the same seat;
- 1368 (ii) place the names of all candidates who have filed a declaration of candidacy for a
1369 local board of education seat on the nonpartisan section of the ballot if more than
1370 two candidates have filed for the same seat; and
- 1371 (iii) place the local board of education candidates' names on the ballot in accordance
1372 with Sections 20A-6-109 and 20A-6-110.
- 1373 (4)(a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant
1374 governor shall provide to the county clerks:
- 1375 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
1376 county, and county offices who have received certifications under Subsection (3),
1377 along with instructions on how those names shall appear on the primary election
1378 ballot in accordance with Sections 20A-6-109 and 20A-6-110; and
- 1379 (ii) a list of unopposed candidates for elective office who have been nominated by a
1380 registered political party under Subsection (5)(c) and instruct the county clerks to
1381 exclude the unopposed candidates from the primary election ballot.
- 1382 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
1383 joint-ticket running mates shall appear jointly on the primary election ballot.
- 1384 (c) After the county clerk receives the certified list from the lieutenant governor under
1385 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
1386 substantially the following form:
- 1387 "Notice is given that a primary election will be held Tuesday, June _____,
1388 _____(year), to nominate party candidates for the parties and candidates for nonpartisan

1389 local school board positions listed on the primary ballot. The polling place for voting precinct
1390 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.

1391 Attest: county clerk."

1392 (5)(a) A candidate who, at the regular primary election, receives the highest number of
1393 votes cast for the office sought by the candidate is:

1394 (i) nominated for that office by the candidate's registered political party; or

1395 (ii) for a nonpartisan local school board position, nominated for that office.

1396 (b) If two or more candidates are to be elected to the office at the regular general
1397 election, those party candidates equal in number to positions to be filled who receive
1398 the highest number of votes at the regular primary election are the nominees of the
1399 candidates' party for those positions.

1400 (c)(i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

1401 (A) no individual other than the candidate receives a certification under
1402 Subsection (3) for the regular primary election ballot of the candidate's
1403 registered political party for a particular elective office; or

1404 (B) for an office where more than one individual is to be elected or nominated, the
1405 number of candidates who receive certification under Subsection (3) for the
1406 regular primary election of the candidate's registered political party does not
1407 exceed the total number of candidates to be elected or nominated for that office.

1408 (ii) A candidate who is unopposed for an elective office in the regular primary
1409 election of a registered political party is nominated by the party for that office
1410 without appearing on the primary election ballot.

1411 (6) The expense of providing all ballots, blanks, or other supplies to be used at any primary
1412 election provided for by this section, and all expenses necessarily incurred in the
1413 preparation for or the conduct of that primary election shall be paid out of the treasury of
1414 the county or state, in the same manner as for the regular general elections.

1415 (7) An individual may not file a declaration of candidacy for a registered political party of
1416 which the individual is not a member, except to the extent that the registered political
1417 party permits otherwise under the registered political party's bylaws.

1418 Section 21. Section **20A-9-408** is amended to read:

1419 **20A-9-408 . Signature-gathering process to seek the nomination of a qualified**
1420 **political party -- Removal of signature.**

1421 (1) This section describes the requirements for a member of a qualified political party who
1422 is seeking the nomination of the qualified political party for an elective office through

- 1423 the signature-gathering process described in this section.
- 1424 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
1425 for a member of a qualified political party who is nominated by, or who is seeking the
1426 nomination of, the qualified political party under this section shall be substantially as
1427 described in Section 20A-9-408.5.
- 1428 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
1429 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
1430 the nomination of the qualified political party for an elective office that is to be filled at
1431 the next general election shall:
- 1432 (a) except to the extent otherwise provided in Subsection (13)(a), during the applicable
1433 declaration of candidacy filing period described in Section 20A-9-201.5, and before
1434 gathering signatures under this section, file with the filing officer on a form approved
1435 by the lieutenant governor a notice of intent to gather signatures for candidacy that
1436 includes:
- 1437 (i) the name of the member who will attempt to become a candidate for a registered
1438 political party under this section;
- 1439 (ii) the name of the registered political party for which the member is seeking
1440 nomination;
- 1441 (iii) the office for which the member is seeking to become a candidate;
- 1442 (iv) the address and telephone number of the member; and
- 1443 (v) other information required by the lieutenant governor;
- 1444 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
1445 person, with the filing officer during the applicable declaration of candidacy filing
1446 period described in Section 20A-9-201.5; and
- 1447 (c) pay the filing fee.
- 1448 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
1449 who, under this section, is seeking the nomination of the qualified political party for the
1450 office of district attorney within a multicounty prosecution district that is to be filled at
1451 the next general election shall:
- 1452 (a) during the applicable declaration of candidacy filing period described in Section
1453 20A-9-201.5, and before gathering signatures under this section, file with the filing
1454 officer on a form approved by the lieutenant governor a notice of intent to gather
1455 signatures for candidacy that includes:
- 1456 (i) the name of the member who will attempt to become a candidate for a registered

- 1457 political party under this section;
- 1458 (ii) the name of the registered political party for which the member is seeking
1459 nomination;
- 1460 (iii) the office for which the member is seeking to become a candidate;
- 1461 (iv) the address and telephone number of the member; and
- 1462 (v) other information required by the lieutenant governor;
- 1463 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
1464 person, with the filing officer during the applicable declaration of candidacy filing
1465 period described in Section 20A-9-201.5; and
- 1466 (c) pay the filing fee.
- 1467 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
1468 files as the joint-ticket running mate of an individual who is nominated by a qualified
1469 political party, under this section, for the office of governor shall, during the applicable
1470 declaration of candidacy filing period described in Section 20A-9-201.5, file a
1471 declaration of candidacy and submit a letter from the candidate for governor that names
1472 the lieutenant governor candidate as a joint-ticket running mate.
- 1473 (6) The lieutenant governor shall ensure that the certification described in Subsection
1474 20A-9-701(1) also includes the name of each candidate nominated by a qualified
1475 political party under this section.
- 1476 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is
1477 nominated by a qualified political party under this section, designate the qualified
1478 political party that nominated the candidate.
- 1479 (8) A member of a qualified political party may seek the nomination of the qualified
1480 political party for an elective office by:
- 1481 (a) complying with the requirements described in this section; and
- 1482 (b) collecting signatures, on a form approved by the lieutenant governor that complies
1483 with Subsection 20A-9-405(3), during the period beginning on the day on which the
1484 member files a notice of intent to gather signatures and ending at the applicable
1485 deadline described in Subsection (12), in the following amounts:
- 1486 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
1487 permitted by the qualified political party to vote for the qualified political party's
1488 candidates in a primary election;
- 1489 (ii) except as provided in Subsection (13)(b), for a congressional district race, 7,000
1490 signatures of registered voters who are residents of the congressional district and

- 1491 are permitted by the qualified political party to vote for the qualified political
1492 party's candidates in a primary election;
- 1493 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
1494 residents of the state Senate district and are permitted by the qualified political
1495 party to vote for the qualified political party's candidates in a primary election;
- 1496 (iv) for a state House district race, 1,000 signatures of registered voters who are
1497 residents of the state House district and are permitted by the qualified political
1498 party to vote for the qualified political party's candidates in a primary election;
- 1499 (v) for a State Board of Education race, the lesser of:
- 1500 (A) 2,000 signatures of registered voters who are residents of the State Board of
1501 Education district and are permitted by the qualified political party to vote for
1502 the qualified political party's candidates in a primary election; or
- 1503 (B) 3% of the registered voters of the qualified political party who are residents of
1504 the applicable State Board of Education district; and
- 1505 (vi) for a county office race, signatures of 3% of the registered voters who are
1506 residents of the area permitted to vote for the county office and are permitted by
1507 the qualified political party to vote for the qualified political party's candidates in
1508 a primary election.
- 1509 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 1510 (b) In order for a member of the qualified political party to qualify as a candidate for the
1511 qualified political party's nomination for an elective office under this section, using
1512 the manual candidate qualification process, the member shall:
- 1513 (i) collect the signatures on a form approved by the lieutenant governor, using the
1514 same circulation and verification requirements described in Sections 20A-7-105
1515 and 20A-7-204; and
- 1516 (ii) in accordance with Section 20A-9-408.3, submit the signatures to the election
1517 officer before the applicable deadline described in Subsection (12).
- 1518 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), and in
1519 accordance with Section 20A-9-408.3, the election officer shall, no later than the
1520 earlier of 14 calendar days after the day on which the election officer receives the
1521 signatures, or one day before the day on which the qualified political party holds the
1522 convention to select a nominee for the elective office to which the signature packets
1523 relate:
- 1524 (i) check the name of each individual who completes the verification for a signature

- 1525 packet to determine whether each individual is at least 18 years old;
- 1526 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not at
1527 least 18 years old to the attorney general and the county attorney;
- 1528 (iii) with the assistance of the county clerk as applicable, determine whether each
1529 signer is a registered voter who is qualified to sign the petition, using the same
1530 method, described in Section 20A-1-1002, used to verify a signature on a petition;
1531 and
- 1532 (iv) certify whether each name is that of a registered voter who is qualified to sign the
1533 signature packet.
- 1534 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)
1535 may have the voter's signature removed from the form by, no later than 5 p.m.
1536 three business days after the day on which the member submits the signature form
1537 to the election officer, submitting to the election officer a statement requesting
1538 that the voter's signature be removed.
- 1539 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
1540 described in Subsection 20A-1-1003(2).
- 1541 (iii) With the assistance of the county clerk as applicable, the election officer shall
1542 use the procedures described in Subsection 20A-1-1003(3) to determine whether
1543 to remove an individual's signature after receiving a timely, valid statement
1544 requesting removal of the signature.
- 1545 (e)(i) An election officer shall, in accordance with this Subsection (9)(e) and rules
1546 made under Section 20A-3a-106, conduct regular audits of signature comparisons
1547 made between signatures gathered under this section and voter signatures
1548 maintained by the election officer.
- 1549 (ii) An individual who conducts an audit of signature comparisons under this section
1550 may not audit the individual's own work.
- 1551 (iii) The election officer shall:
- 1552 (A) audit 1% of all signature comparisons described in Subsection (9)(e)(i) to
1553 determine the accuracy of the comparisons made;
- 1554 (B) record the individuals who conducted the audit;
- 1555 (C) record the audit results;
- 1556 (D) provide additional training or staff reassignments, as needed, based on the
1557 results of an audit described in Subsection (9)(e)(i); and
- 1558 (E) record any remedial action taken.

- 1559 (iv) The audit results described in Subsection (9)(e)(iii)(C) are a public record.
- 1560 (f) An election officer who certifies signatures under Subsection (9)(c) or
- 1561 20A-9-403(3)(d) shall, after certifying enough signatures to establish that a candidate
- 1562 has reached the applicable signature threshold described in Subsection (8) or
- 1563 20A-9-403(3)(a), as applicable, continue to certify signatures submitted for the
- 1564 candidate in excess of the number of signatures required, until the election officer
- 1565 either:
- 1566 (i) certifies signatures equal to 110% of the applicable signature threshold; or
- 1567 (ii) has reviewed all signatures submitted for the candidate before reaching an
- 1568 amount equal to 110% of the applicable signature threshold.
- 1569 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
- 1570 process.
- 1571 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 1572 qualified political party's nomination for an elective office under this section, the
- 1573 member shall, before the deadline described in Subsection (12), collect signatures
- 1574 electronically:
- 1575 (i) in accordance with Section 20A-21-201; and
- 1576 (ii) using progressive screens, in a format approved by the lieutenant governor, that
- 1577 complies with Subsection 20A-9-405(4).
- 1578 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
- 1579 election officer shall, no later than the earlier of 14 calendar days after the day on
- 1580 which the election officer receives the signatures, or one day before the day on which
- 1581 the qualified political party holds the convention to select a nominee for the elective
- 1582 office to which the signature packets relate:
- 1583 (i) check the name of each individual who completes the verification for a signature
- 1584 to determine whether each individual is at least 18 years old; and
- 1585 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not
- 1586 at least 18 years old to the attorney general and the county attorney.
- 1587 (11)(a) An individual may not gather signatures under this section until after the
- 1588 individual files a notice of intent to gather signatures for candidacy described in this
- 1589 section.
- 1590 (b) An individual who files a notice of intent to gather signatures for candidacy,
- 1591 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
- 1592 individual files the notice of intent to gather signatures for candidacy:

- 1593 (i) required to comply with the reporting requirements that a candidate for office is
1594 required to comply with; and
- 1595 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that
1596 apply to a candidate for office in relation to the reporting requirements described
1597 in Subsection (11)(b)(i).
- 1598 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
1599 Subsections (8) and (10)(b), the election officer shall, no later than the day before the
1600 day on which the qualified political party holds the convention to select a nominee
1601 for the elective office to which the signature packets relate, notify the qualified
1602 political party and the lieutenant governor of the name of each member of the
1603 qualified political party who qualifies as a nominee of the qualified political party,
1604 under this section, for the elective office to which the convention relates.
- 1605 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this
1606 section, the lieutenant governor shall post the notice of intent to gather signatures for
1607 candidacy on the lieutenant governor's website in the same location that the
1608 lieutenant governor posts a declaration of candidacy.
- 1609 (12) The deadline [~~before which~~] for a member of a qualified political party [~~must~~] to collect
1610 and submit signatures to the election officer under this section is 5 p.m. on the last
1611 business day that is at least 14 calendar days before the day on which the qualified
1612 political party's convention for the office begins.
- 1613 (13) For the 2026 election year only, an individual who desires to gather signatures to seek
1614 the nomination of a qualified political party for the office of United States representative
1615 shall:
- 1616 (a) in accordance with Subsection (3)(a), file a notice of intent to gather signatures
1617 during the period beginning at 8 a.m. on the first business day of January and ending
1618 at 5 p.m. on March 13, 2026; and
- 1619 (b) during the period beginning on the day on which the individual files the notice of
1620 intent to gather signatures and ending at 5 p.m. on March 13, 2026, on a form
1621 approved by the lieutenant governor that complies with Subsection 20A-9-405(3),
1622 collect 7,000 signatures of registered voters who are residents of the state and are
1623 permitted by the qualified political party to vote for the qualified political party's
1624 candidates in a primary election.

1625 Section 22. Section **20A-21-101** is amended to read:

1626 **20A-21-101 . Definitions.**

1627 As used in this chapter:

- 1628 (1) "Approved device" means a device described in Subsection [~~20A-21-201(4)~~
1629 20A-21-201(2)].
- 1630 (2) "Candidate qualification process" means the process, described in Section 20A-9-403 or
1631 20A-9-408, of gathering signatures to seek the nomination of a registered political party.
- 1632 (3) "Electronic candidate qualification process" means the same as that term is defined in
1633 Section 20A-9-101.
- 1634 (4) "Electronic initiative process" means the same as that term is defined in Section
1635 20A-7-101.
- 1636 (5) "Electronic referendum process" means the same as that term is defined in Section
1637 20A-7-101.
- 1638 (6)(a) "Electronic signature gathering process" means:
1639 (i) the electronic initiative process; or
1640 (ii) the electronic referendum process.
- 1641 (b) "Electronic signature gathering process" does not include the electronic candidate
1642 qualification process.
- 1643 [~~(6)~~] (7) "Manual candidate qualification process" means the same as that term is defined in
1644 Section 20A-9-101.
- 1645 [~~(7)~~] (8) "Petition" means:
1646 (a) as it relates to the electronic initiative process or the electronic referendum process,
1647 the electronic record that an individual signs to indicate the individual is in favor of
1648 placing the initiative or referendum on the ballot; or
1649 (b) as it relates to electronic candidate qualification process, the electronic record that an
1650 individual signs to indicate the individual is in favor of placing an individual's name
1651 on the ballot to run for a particular elective office.
- 1652 [~~(8)~~] (9) "Signature" means:
1653 (a) as it relates to a signature gathered for an initiative or referendum, the same as that
1654 term is defined in Section 20A-7-101; or
1655 (b) as it relates to a signature gathered for the candidate qualification process, the same
1656 as that term is defined in Section 20A-9-101.
- 1657 [~~(9)~~] (10) [~~"Website"~~] "System" means:
1658 (a) as it relates to the electronic initiative process or the electronic referendum process,
1659 the [~~website~~] web-based or application-based interface designated by the lieutenant
1660 governor for collecting the signatures and other information relating to the electronic

1661 initiative process or the electronic referendum process; or
 1662 (b) as it relates to the electronic candidate qualification process, ~~[a website]~~ the
 1663 web-based or application-based interface designated by the lieutenant governor for
 1664 collecting the signatures and other information relating to the electronic candidate
 1665 qualification process.

1666 *The following section is affected by a coordination clause at the end of this bill.*

1667 Section 23. Section **20A-21-201** is amended to read:

1668 **20A-21-201 . Electronic signature gathering for an initiative, a referendum, or**
 1669 **candidate qualification.**

1670 (1) Subject to Section 20A-21-202:

1671 (a) ~~[After]~~ after filing a petition for a statewide initiative or a statewide referendum, and
 1672 before gathering signatures, the sponsors shall, after consulting with the Office of the
 1673 Lieutenant Governor, sign a form provided by the Office of the Lieutenant Governor
 1674 indicating whether the sponsors will gather signatures manually, electronically, or
 1675 both~~[-]~~ ;

1676 ~~[(2)]~~ (b) ~~[After]~~ after filing a petition for a local initiative or a local referendum, and
 1677 before gathering signatures, the sponsors shall, after consulting with the local clerk's
 1678 office, sign a form provided by the local clerk's office indicating whether the
 1679 sponsors will gather signatures manually, electronically, or both~~[-]~~ ; or

1680 ~~[(3)]~~ (c) ~~[After]~~ after a candidate files a notice of intent to gather signatures to qualify for
 1681 a ballot, and before gathering signatures, the candidate shall, after consulting with the
 1682 election officer, sign a form provided by the election officer indicating whether the
 1683 candidate will gather signatures manually, electronically, or both.

1684 ~~[(4)]~~ (2) To gather a signature electronically, a signature-gatherer shall:

1685 (a) use a device provided by the signature-gatherer or a sponsor of the petition that:

1686 (i) is approved by the lieutenant governor;

1687 (ii) is capable of uploading to the system the personal identifying information relating
 1688 to an individual who signs the petition;

1689 ~~[(ii)]~~ (iii) except as provided in ~~[Subsection (4)(a)(iii), does not store a signature or~~
 1690 ~~any other information relating to an individual signing the petition in any location~~
 1691 ~~other than the location used by the website to store the information]~~ Subsections
 1692 (2)(a)(iv) and (v), does not, on the device, store the information described in

1693 Subsection (2)(a)(ii);

1694 ~~[(iii)]~~ (iv) beginning on January 1, 2028, is capable of operating offline by

- 1695 temporarily storing, on the device, the information described in Subsection
1696 (2)(a)(ii) that would otherwise be uploaded in real time to the system;
- 1697 ~~(v) [does not, on the device, store a signature or any other information relating to an~~
1698 ~~individual signing the petition except for the minimum time necessary to upload~~
1699 ~~information to the website] when connected to a wireless communication~~
1700 ~~technology, does not, on the device, retain the information described in Subsection~~
1701 ~~(2)(a)(ii) for longer than is necessary to upload the information to the system;~~
1702 ~~[(iv)] (vi) is capable of scanning, reading, and extracting to the device:~~
1703 ~~(A) the driver license number from a driver license;~~
1704 ~~(B) the state identification card number from a state identification card; or~~
1705 ~~(C) an image of another form of valid voter identification;~~
1706 ~~(vii) [does not contain any applications, software, or data other than those approved~~
1707 ~~by the lieutenant governor] complies with device configuration and security~~
1708 ~~requirements established by the lieutenant governor to prevent unauthorized~~
1709 ~~access or interference with the electronic signature-gathering process; and~~
1710 ~~[(v)] (viii) [~~complies with cyber-security and other security protocols required by the~~~~
1711 ~~lieutenant governor] follows cyber-security and other security procedures required~~
1712 ~~by the lieutenant governor for the operation, monitoring, and maintenance of the~~
1713 ~~system;~~
- 1714 (b) use the approved device to securely access ~~[a website]~~ the system designated by the
1715 lieutenant governor, directly, or via an application designated by the lieutenant
1716 governor; and
- 1717 (c) while connected to the ~~[website]~~ system, present the approved device to an individual
1718 considering signing the petition and, while the signature-gatherer is in the physical
1719 presence of the individual:
- 1720 (i) wait for the individual to reach each screen presented to the individual on the
1721 approved device; and
- 1722 (ii) wait for the individual to advance to each subsequent screen by clicking on the
1723 acknowledgement at the bottom of the screen.
- 1724 ~~[(5)]~~ (3) Each screen shown on an approved device as part of the signature-gathering
1725 process shall appear as a continuous electronic document that, if the entire document
1726 does not appear on the screen at once, requires the individual viewing the screen to,
1727 before advancing to the next screen, scroll through the document until the individual
1728 reaches the end of the document.

- 1729 [(6)] (4) After advancing through each screen required for the petition, the signature process
1730 shall proceed as follows:
- 1731 (a) except as provided in Subsection [(6)(b)] (4)(b):
- 1732 (i) the individual desiring to sign the petition shall present the individual's driver
1733 license or state identification card to the signature-gatherer;
- 1734 (ii) the signature-gatherer shall verify that the individual pictured on the driver
1735 license or state identification card is the individual signing the petition;
- 1736 (iii) the signature-gatherer shall scan [~~or enter~~]the driver license number or state
1737 identification card number through the approved device; and
- 1738 (iv) immediately after the signature-gatherer complies with Subsection [(6)(a)(iii)]
1739 (4)(a)(iii), the [~~website~~] system shall determine whether the individual desiring to
1740 sign the petition is eligible to sign the petition;
- 1741 (b) if the individual desiring to sign the petition is unable to provide a driver license or
1742 state identification card to the signature gatherer:
- 1743 (i) the individual may present other valid voter identification;
- 1744 (ii) if the valid voter identification contains a picture of the individual, the
1745 signature-gatherer shall verify that the individual pictured is the individual signing
1746 the petition;
- 1747 (iii) if the valid voter identification does not contain a picture of the individual, the
1748 signature-gatherer shall, to the extent reasonably practicable, use the individual's
1749 address or other available means to determine whether the identification relates to
1750 the individual presenting the identification;
- 1751 (iv) the signature-gatherer shall scan an image of the valid voter identification and
1752 immediately upload the image to the [~~website~~] system; and
- 1753 (v) the individual:
- 1754 (A) shall enter the individual's address; and
- 1755 (B) may, at the discretion of the individual, enter the individual's date of birth or
1756 age after the individual clicks on the screen acknowledging that they have read
1757 and understand the following statement, "Birth date or age information is not
1758 required, but may be used to verify your identity with voter registration
1759 records. If you choose not to provide it, your signature may not be verified as a
1760 valid signature if you change your address before your signature is verified or
1761 if the information you provide does not match your voter registration records.";
- 1762 and

1763 (c) after completing the process described in Subsection [~~(6)(a)~~] (4)(a) or (b), the screen
1764 shall:

1765 (i) except for a petition to qualify a candidate for the ballot, give the individual
1766 signing the petition the opportunity to enter the individual's email address after the
1767 individual reads the following statement, "If you provide your email address, you
1768 may receive an email with additional information relating to the petition you are
1769 signing."; and

1770 (ii)(A) if the [~~website~~] system determines, under Subsection [~~(6)(a)(iv)~~] (4)(a)(iv),
1771 that the individual is eligible to sign the petition, permit the individual to enter
1772 the individual's name as the individual's electronic signature and, immediately
1773 after the signature-gatherer timely complies with Subsection [~~(10)~~] (8), certify the
1774 signature; or

1775 (B) if the individual provides valid voter identification under Subsection [~~(6)(b)~~]
1776 (4)(b), permit the individual to enter the individual's name as the individual's
1777 electronic signature.

1778 [~~(7)~~] (5) If an individual provides valid voter identification under Subsection [~~(6)(b)~~] (4)(b),
1779 the county clerk shall, within seven calendar days after the day on which the individual
1780 submits the valid voter identification, certify the signature if:

- 1781 (a) the individual is eligible to sign the petition;
1782 (b) the identification provided matches the information on file; and
1783 (c) the signature-gatherer timely complies with Subsection [~~(10)~~] (8).

1784 [~~(8)~~] (6) For each signature submitted under this section, the [~~website~~] system shall record:

- 1785 (a) the information identifying the individual who signs;
1786 (b) the date the signature was collected; and
1787 (c) the name of the signature-gatherer.

1788 [~~(9)~~] (7) An individual who is a signature-gatherer may not sign a petition unless another
1789 individual acts as the signature-gatherer when the individual signs the petition.

1790 [~~(10)~~] (8) Except for a petition for a candidate to seek the nomination of a registered political
1791 party, each individual who gathers a signature under this section shall, within one business day
1792 after the day on which the individual gathers a signature, electronically sign and submit the
1793 following statement to the [~~website~~] system:

1794 "VERIFICATION OF SIGNATURE-GATHERER

1795 State of Utah, County of ____

1796 I, _____, of _____, hereby state, under penalty of perjury, that:

1797 I am at least 18 years old;

1798 All the signatures that I collected on [Date signatures were gathered] were signed by
1799 individuals who professed to be the individuals whose signatures I gathered, and each of the
1800 individuals signed the petition in my presence;

1801 I did not knowingly make a misrepresentation of fact concerning the law or proposed
1802 law to which the petition relates;

1803 I believe that each individual has signed the individual's name and written the
1804 individual's residence correctly, that each signer has read and understands the law to which the
1805 petition relates, and that each signer is registered to vote in Utah;

1806 Each signature correctly reflects the date on which the individual signed the petition; and

1807 I have not paid or given anything of value to any individual who signed this petition to
1808 encourage that individual to sign it."

1809 ~~[(11)]~~ (9) Except for a petition for a candidate to seek the nomination of a registered
1810 political party:

1811 (a) the county clerk may not certify a signature that is not timely verified in accordance
1812 with Subsection ~~[(10)]~~ (8); and

1813 (b) if a signature certified by a county clerk under Subsection ~~[(6)(c)(ii)(A)]~~ (4)(c)(ii)(A)
1814 is not timely verified in accordance with Subsection ~~[(10)]~~ (8), the county clerk shall:

1815 (i) revoke the certification;

1816 (ii) remove the signature from the posting described in Subsection 20A-7-217(4),
1817 20A-7-315(4), 20A-7-516(4), or 20A-7-616(4); and

1818 (iii) update the totals described in Subsections 20A-7-217(5)(a)(ii),
1819 20A-7-315(5)(a)(ii), 20A-7-516(5)(a)(ii), and 20A-7-616(5)(a)(ii).

1820 ~~[(12)]~~ (10) For a petition for a candidate to seek the nomination of a registered political party,
1821 each individual who gathers a signature under this section shall, within one business day after
1822 the day on which the individual gathers a signature, electronically sign and submit the
1823 following statement to the lieutenant governor in the manner specified by the lieutenant
1824 governor:

1825 "VERIFICATION OF SIGNATURE-GATHERER

1826 State of Utah, County of _____

1827 I, _____, of _____, hereby state that:

1828 I am at least 18 years old;

1829 All the signatures that I collected on [Date signatures were gathered] were signed by
1830 individuals who professed to be the individuals whose signatures I gathered, and each of the

1831 individuals signed the petition in my presence;

1832 I believe that each individual has signed the individual's name and written the
1833 individual's residence correctly and that each signer is registered to vote in Utah; and

1834 Each signature correctly reflects the date on which the individual signed the petition."

1835 ~~[(13)]~~ (11) For a petition for a candidate to seek the nomination of a registered political
1836 party, the election officer may not certify a signature that is not timely verified in
1837 accordance with Subsection ~~[(12)]~~ (10).

1838 (12) The lieutenant governor shall submit a report regarding electronic signature gathering
1839 to the Government Operations Interim Committee:

1840 (a) no later than October 1, 2026; and

1841 (b) annually thereafter, no later than October 1 of each year, through and including
1842 October 1, 2031.

1843 (13) Each report described in Subsection (12) shall include:

1844 (a) for the most recent primary election cycle, the number of candidates for elective
1845 office who used manual signature gathering, electronic signature gathering, or both
1846 methods;

1847 (b) for each statewide initiative or referendum for which signatures were gathered during
1848 the most recent reporting year, the number of petitions in which manual signature
1849 gathering was used, electronic signature gathering was used, or both methods were
1850 used;

1851 (c) a summary of any security threats or vulnerabilities identified by the lieutenant
1852 governor relating to electronic signature gathering, including a description of
1853 mitigation steps taken, if any;

1854 (d) a description of any technical issues or operational difficulties encountered with
1855 electronic signature gathering that may require legislative, administrative, or
1856 technological remedies;

1857 (e) information relating to the accuracy and reliability of electronic signature
1858 verification, including the rate at which electronically gathered signatures were
1859 accepted or rejected;

1860 (f) any fiscal or administrative impacts on the Office of the Lieutenant Governor or the
1861 office of an election officer related to electronic signature gathering; and

1862 (g) any other information the lieutenant governor determines relevant to evaluating the
1863 transition from manual to electronic signature gathering for initiative and referendum
1864 petitions.

1865 Section 24. Section **20A-21-202** is enacted to read:

1866 **20A-21-202 . Electronic signature gathering -- Phased transition -- Initiative and**
1867 **Referendum -- Exclusive method of collecting signatures.**

- 1868 (1) Beginning on January 1, 2028, and except as provided in Subsection (5), for each
1869 statewide or local initiative or referendum petition:
- 1870 (a) at least 10% of the signatures certified for the petition shall be signatures gathered
1871 using the electronic signature gathering process; and
1872 (b) the remaining signatures may be gathered manually or electronically.
- 1873 (2) Beginning on January 1, 2030, for each statewide or local initiative or referendum
1874 petition:
- 1875 (a) at least 50% of the signatures certified for the petition shall be signatures gathered
1876 using the electronic signature gathering process; and
1877 (b) the remaining signatures may be gathered manually or electronically.
- 1878 (3) Beginning on January 1, 2032, the sponsors of a statewide or local initiative petition:
- 1879 (a) shall gather signatures using the electronic initiative process; and
1880 (b) may not gather signatures manually.
- 1881 (4) Beginning on January 1, 2032, the sponsors of a statewide or local referendum petition:
- 1882 (a) shall gather signatures using the electronic referendum process; and
1883 (b) may not gather signatures manually.
- 1884 (5)(a) The lieutenant governor may suspend the requirement described in Subsection (1)
1885 if the lieutenant governor determines that the system is not functioning in a manner
1886 that reasonably permits compliance.
- 1887 (b) A suspension under Subsection (5)(a):
- 1888 (i) applies to the entire signature gathering period applicable to the initiative or
1889 referendum petition to which the suspension relates; and
1890 (ii) may not be reinstated during that period.
- 1891 (6) If the lieutenant governor suspends the requirement under Subsection (5), the lieutenant
1892 governor shall:
- 1893 (a) make the determination in writing; and
1894 (b) post notice of the suspension in a prominent location on the lieutenant governor's
1895 website.
- 1896 (7) If the sponsors of a statewide or local initiative or referendum petition fail to comply
1897 with Subsection (1) or (2), an election officer may not:
- 1898 (a) for a statewide initiative or referendum petition, mark the petition sufficient to

1899 qualify for placement on the ballot under Subsection 20A-7-207(4)(a) or Subsection
 1900 20A-7-307(4)(a), as applicable;
 1901 (b) for a local initiative or referendum petition, mark the petition sufficient to qualify for
 1902 placement on the ballot under Subsection 20A-7-507(4)(a) or Subsection
 1903 20A-7-607(4)(a), as applicable.

1904 Section 25. Section **63I-1-220** is amended to read:

1905 **63I-1-220 . Repeal dates: Title 20A.**

1906 (1) [Reserved.] Section 20A-7-105, Manual petition processes -- Obtaining signatures --
 1907 Verification -- Submitting the petition -- Certification of signatures -- Transfer to
 1908 lieutenant governor -- Removal of signature, is repealed January 1, 2032.

1909 (2) Section 20A-7-203, Manual initiative process -- Form of initiative petition and signature
 1910 sheets, is repealed January 1, 2032.

1911 (3) Section 20A-7-204, Manual initiative process -- Circulation requirements -- Lieutenant
 1912 governor to provide sponsors with materials, is repealed January 1, 2032.

1913 (4) Section 20A-7-303, Manual referendum process -- Form of referendum petition and
 1914 signature sheets, is repealed January 1, 2032.

1915 (5) Section 20A-7-304, Manual referendum process -- Circulation requirements --
 1916 Lieutenant governor to provide sponsors with materials, is repealed January 1, 2032.

1917 (6) Section 20A-7-503, Manual initiative process -- Form of initiative petition and signature
 1918 sheet, is repealed January 1, 2032.

1919 (7) Section 20A-7-504, Manual initiative process -- Circulation requirements -- Local clerk
 1920 to provide sponsors with materials, is repealed January 1, 2032.

1921 (8) Section 20A-7-603, Manual referendum process -- Form of referendum petition and
 1922 signature sheet, is repealed January 1, 2032.

1923 (9) Section 20A-7-604, Manual referendum process -- Circulation requirements -- Local
 1924 clerk to provide sponsors with materials, is repealed January 1, 2032.

1925 Section 26. **Effective Date.**

1926 This bill takes effect on May 6, 2026.

1927 Section 27. **Coordinating H.B. 223 with H.B. 32.**

1928 If H.B. 223, Electronic Signature Collection Amendments, and H.B. 32, Signature
 1929 Gathering and Verification Amendments, both pass and become law, the Legislature intends
 1930 that, on May 6, 2026, Subsection 20A-21-201(10), enacted in H.B. 32, be amended to read:

1931 "(10) Except for a petition for a candidate to seek the nomination of a registered political
 1932 party, each individual who gathers a signature under this section shall, within one business day

_1933 after the day on which the individual gathers a signature, electronically sign and submit the
_1934 circulator verification sheet described in Subsection 20A-1-1004(1) to the system."