Candidate Name Modifications

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Pitcher

House Sponsor: Christine F. Watkins

LONG TITLE

General Description:

This bill addresses the appearance of a candidate's name on a ballot.

Highlighted Provisions:

This bill:

- modifies the conditions and requirements for a ballot to list a candidate using a variation of the candidate's name or a nickname.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-6-109, as enacted by Laws of Utah 2025, Chapter 39

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

Section 1. Section **20A-6-109** is amended to read:

20A-6-109 . Appearance of candidate's name on ballot -- Name variations -- Appeal.

(1) As used in this section:

(a) "Variation of a candidate's name" means a name:

(i) that varies from the candidate's legal first name followed by the candidate's legal surname; and

(ii) by which the candidate is known in the county in which the candidate resides.

(b) "Variation of a candidate's name" includes the following, if the candidate is known by the variation in the county in which the candidate resides:

(i) using the candidate's legal middle name in addition to, or instead of, the candidate's legal first name;

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(ii) using the initial or initials of a legal first name or a legal middle name instead of the full name;

(iii) a variation of the order of a candidate's names or initials, if the names or initials are permitted under this section;

(iv) adding a suffix that is a true representation of the candidate, including Junior, Jr., Senior, Sr., or I, II, or III;

(v) using another surname by which the candidate is known in the county where the candidate resides, either in place of, or in addition to, the candidate's legal surname, including:

(A) the candidate's maiden last name;

(B) the last name of the candidate's spouse; or

(C) the last name of a parent or step-parent of the candidate;

(vi) using a common nickname of the legal first name, or of the legal middle name, of the candidate, by which the candidate is known; or

(vii) using a nickname, other than a nickname described in Subsection (1)(b)(vi):

(A) in place of the candidate's legal first name or legal middle name; or

(B) in addition to the candidate's name.

[~~(1)~~] (2) Except as [~~otherwise provided in this section~~] provided in Subsection (3), an election officer shall ensure that a candidate's name appears on the ballot with the candidate's legal first name, followed by the candidate's legal surname.

[~~(2) An election officer shall place on the ballot a candidate's legal middle name, or a common derivative of the candidate's legal middle name, in place of the candidate's legal first name, if:~~]

[~~(a) the candidate normally uses the candidate's legal middle name, or the common derivative, instead of the candidate's legal first name; and~~]

[~~(b) no later than 5 p.m. on the day on which the applicable declaration of candidacy period ends, the candidate files with the election officer:~~]

[~~(i) a request that the election officer place on the ballot the candidate's legal middle name, or a common derivative of the candidate's legal middle name, instead of the candidate's legal first name, specifying the candidate's legal middle name, or the common derivative of the candidate's legal middle name;~~]

[~~(ii) an affidavit signed by the candidate in which the candidate states, under penalty of perjury, that the candidate is generally known by acquaintances in the candidate's county of residence by the legal middle name, or the common~~

~~derivative of the legal middle name, specified in the request described in Subsection (2)(b)(i), and stated in the affidavit, instead of the candidate's legal first name; and~~]

[~~(iii) an affidavit signed by five residents of the candidate's county of residence who are not immediate family members of the candidate stating, under penalty of perjury, that the candidate is generally known by acquaintances in the candidate's county of residence by the legal middle name, or the common derivative of the legal middle name, specified in the request described in Subsection (2)(b)(i), and stated in the affidavit, instead of the candidate's legal first name.~~]

[~~(3) Subject to Subsection (4), an election officer shall place a candidate's nickname on a ballot, if:~~]

[~~(a) the election officer determines that the nickname:~~]

[~~(i) does not imply that the candidate is an individual other than the candidate, regardless of whether the individual is living or deceased;~~]

[~~(ii) does not constitute a slogan;~~]

[~~(iii) does not associate the candidate with an economic, religious, political, or other group, issue, or opinion;~~]

[~~(iv) is not offensive, profane, or spurious; and~~]

[~~(v) is not a title, rank, degree, certification, job description, or similar designation; and~~]

[~~(b) no later than 5 p.m. on the day on which the applicable declaration of candidacy period ends, the candidate files with the election officer:~~]

[~~(i) a request that the election officer place the candidate's nickname on the ballot, specifying the desired nickname and, in accordance with Subsection (4), the desired placement of the nickname;~~]

[~~(ii) an affidavit signed by the candidate in which the candidate states, under penalty of perjury, that the candidate:~~]

[~~(A) is generally known by acquaintances in the candidate's county of residence by the nickname specified in the request described in Subsection (3)(b)(i) and stated in the affidavit; and~~]

[~~(B) is not using the nickname to gain an advantage on the ballot; and~~]

[~~(iii) an affidavit signed by five residents of the candidate's county of residence who are not immediate family members of the candidate stating, under penalty of perjury, that the candidate is generally known by acquaintances in the candidate's

~~county of residence by the nickname specified in the request described in Subsection (3)(b)(i) and stated in the affidavit.~~]

[~~(4) If, under Subsection (3), an election officer places a candidate's nickname on the ballot, the candidate may choose one of the following:~~]

[~~(a) to place the nickname on the ballot before or after the candidate's legal first name;~~]

[~~(b) to place the nickname on the ballot before or after the candidate's legal middle name, if the candidate's legal middle name appears on the ballot under Subsection (2) or (7); or~~]

[~~(c) to place the nickname on the ballot in place of the candidate's legal first name.~~]

[~~(5) An election officer may, without requiring compliance with Subsection (3), approve a written request filed with the election officer no later than 5 p.m. on the day on which the applicable declaration of candidacy period ends, to:~~]

[~~(a) place on the ballot a nickname instead of a legal first name, if the nickname is a common derivative of the legal first name;~~]

[~~(b) place on the ballot the first initial of a legal middle name between a legal first name, or a common derivative of the legal first name, and a legal last name; or~~]

[~~(c) place on the ballot the first initial of a legal first name before a legal middle name, or a common derivative of the legal middle name, if the candidate's legal middle name, or a common derivative of the legal middle name, appears on the ballot under Subsection (2) or (7).~~]

(3) An election officer shall place a variation of the candidate's name on the ballot if, no later than 5 p.m. on the day on which the applicable declaration of candidacy period ends:

(a) the candidate requests, in writing, that the variation appear on the ballot;

(b) for a variation of the candidate's name described in Subsection (1)(b)(v), the candidate submits, with the request described in Subsection (3)(a), an affidavit signed by the candidate in which the candidate states, under penalty of perjury, that the variation of the candidate's name:

(i) is a name by which the candidate is known in the county where the candidate resides; and

(ii) is:

(A) the candidate's maiden last name;

(B) the last name of the candidate's spouse; or

(C) the last name of a parent or step-parent of the candidate; or

(c) for a variation of the candidate's name that is a nickname described in Subsection (1)(b)(vii):

(i) the candidate submits, with the request described in Subsection (3)(a):

(A) an affidavit signed by the candidate in which the candidate states, under penalty of perjury, that the candidate is generally known by the nickname in the county where the candidate resides; and

(B) an affidavit signed by five residents of the candidate's county of residence who are not immediate family members of the candidate stating, under penalty of perjury, that the candidate is generally known by the nickname in the county where the candidate resides; and

(ii) the election officer determines that the nickname:

(A) does not imply that the candidate is an individual other than the candidate, regardless of whether the individual is living or deceased;

(B) does not constitute a slogan;

(C) does not associate the candidate with an economic, religious, political, or other group, issue, or opinion;

(D) is not offensive, profane, or spurious;

(E) is not a title, rank, degree, certification, job description, or similar designation; and

(F) is not being used to gain the candidate an unfair political advantage.

[~~(6)~~] (4)(a) An election officer shall approve or reject a request filed under Subsection [~~(2)(b), (3)(b), or (5)~~] (3)(a) within five business days after the day on which the election officer receives the request.

(b) Failure by an election officer to timely comply with Subsection [~~(6)(a)~~] (4)(a) is considered a rejection of the request.

(c) If an election officer rejects a request described in Subsection [~~(6)(a)~~] (4)(a) or fails to timely comply with Subsection [~~(6)(a)~~] (4)(a), the candidate may, within five days after the day of the rejection or, if the election officer fails to timely comply with Subsection [~~(6)(a)~~] (4)(a), within five days after the day of the deadline described in Subsection [~~(6)(a)~~] (4)(a), appeal the rejection to a court with jurisdiction.

[~~(7)~~] (5) If two or more candidates for the same office have the same or similar names, the election officer may do one of the following, to the extent the election officer determines necessary, to differentiate between the candidates:

(a) for one or more of the candidates, include the candidate's legal middle name, in

addition to the candidate's legal first name and legal last name; or

(b) negotiate another manner of differentiation with the candidates who have the same or similar names.

[~~(8)~~] (6) Regardless of whether an election officer approves placement of a variation of a candidate's name on the ballot[~~in a manner other than the candidate's legal first name followed by the candidate's legal last name~~], the candidate's legal name will be used to determine the order of placement on the ballot under Section 20A-6-110.

Section 2. **Effective Date.**

This bill takes effect on May 6, 2026.