

Election Code Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor:

LONG TITLE**General Description:**

This bill amends provisions of the Election Code.

Highlighted Provisions:

This bill:

▸ standardizes language related to a voter who, after signing a petition, seeks to remove the voter's signature from the petition;

▸ clarifies the deadline for a candidate for mayor or municipal council of a newly incorporating municipality to file a declaration of candidacy;

▸ clarifies that the county clerk determines whether to remove a voter's signature from a petition for incorporation of a municipality;

▸ repeals the in-state residency requirement for a signature-gatherer who circulate a petition on behalf of:

- an organization of registered voters seeking to become a registered political party; or

- a candidate for elective office seeking the nomination of a registered or qualified political party;

▸ repeals provisions related to the in-state residency requirement described above;

▸ for a regular primary election or presidential primary election, requires a board of canvassers to immediately transmit to the lieutenant governor certain vote total information;

▸ eliminates the requirement that a board of canvasser make the transmission described above by telephone, fax, or mail;

▸ establishes a process for a voter who signs a petition on behalf of a candidate for elective office seeking the nomination of a registered political party to have the voter's signature removed from the petition; and

▸ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **10-2a-208**, as last amended by Laws of Utah 2023, Chapters 116, 224 and last amended
 35 by Coordination Clause, Laws of Utah 2023, Chapter 116

36 **10-2a-214**, as last amended by Laws of Utah 2023, Chapters 224, 435

37 **17B-1-205**, as last amended by Laws of Utah 2024, Chapter 388

38 **17B-1-506**, as last amended by Laws of Utah 2024, Chapter 388

39 **17B-1-1305**, as last amended by Laws of Utah 2023, Chapters 15, 116

40 **20A-4-304**, as last amended by Laws of Utah 2024, Chapter 503

41 **20A-8-103**, as last amended by Laws of Utah 2023, Chapter 116

42 **20A-9-405**, as last amended by Laws of Utah 2022, Chapter 325

43 **20A-9-408**, as last amended by Laws of Utah 2023, Chapter 116

44 **53G-3-301.1**, as last amended by Laws of Utah 2024, Third Special Session, Chapter 3

45

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

47 Section 1. Section **10-2a-208** is amended to read:

48 **10-2a-208 . Petition for incorporation -- Requirements and form -- Removal of**
 49 **signature.**

50 (1) At any time within one year after the day on which the county clerk completes the
 51 public hearings required under Section 10-2a-207, individuals within the proposed
 52 municipality may proceed with the incorporation process by circulating, and submitting
 53 to the county clerk, a petition for incorporation that, to be certified under Subsection
 54 10-2a-209(1)(b)(i), is required to be signed by:

55 (a) 10% of all registered voters within the area proposed to be incorporated as a
 56 municipality, as of the day on which the petition for incorporation is filed;

57 (b) if the petition for incorporation proposes the incorporation of a city, and subject to
 58 Subsection (5), 10% of all registered voters within 90% of the voting precincts within
 59 the area proposed to be incorporated as a city, as of the day on which the petition for
 60 incorporation is filed; and

61 (c) the owners of private real property that:

62 (i) is located within the proposed municipality;

63 (ii) covers at least 10% of the total private land area within the proposed
 64 municipality; and

65 (iii) on January 1 of the current year, was equal in assessed fair market value to at

66 least 7% of the assessed fair market value of all private real property within the
67 proposed municipality.

68 (2) The petition for incorporation shall:

69 (a) include the typed or printed name and current residence address of each voter who
70 signs the petition for incorporation;

71 (b) describe the area proposed to be incorporated as a municipality, as described in the
72 feasibility request or the modified feasibility request that complies with Subsection
73 10-2a-205(5)(a);

74 (c) state the proposed name for the proposed municipality;

75 (d) designate five signers of the petition for incorporation as petition sponsors, one of
76 whom is designated as the contact sponsor, with the mailing address and telephone
77 number of each;

78 (e) if the sponsors propose the incorporation of a city, state that the signers of the
79 petition for incorporation appoint the sponsors, if the incorporation measure passes,
80 to represent the signers in:

81 (i) selecting the number of commission or council members the new city will have;
82 and

83 (ii) drawing district boundaries for the election of council members, if the voters
84 decide to elect council members by district;

85 (f) be accompanied by and circulated with an accurate plat or map, prepared by a
86 licensed surveyor, showing the boundaries of the proposed municipality; and

87 (g) substantially comply with and be circulated in the following form:

88 PETITION FOR INCORPORATION OF (insert the proposed name of the proposed
89 municipality)

90 To the Honorable Lieutenant Governor and the [name of county legislative body]:

91 We, the undersigned registered voters within the area described in this petition for
92 incorporation, respectfully petition the lieutenant governor and the county legislative body to
93 submit to the registered voters residing within the area described in this petition for
94 incorporation, at the next regular general election, the question of whether the area should
95 incorporate as a municipality. Each of the undersigned affirms that each has personally signed
96 this petition for incorporation and is a registered voter who resides within the described area,
97 and that the current residence address of each is correctly written after the signer's name. The
98 area proposed to be incorporated as a municipality is described as follows:[insert an accurate
99 description of the area proposed to be incorporated].

- 100 (3)(a) Except as provided in Subsection (3)(b), a valid signature on a feasibility request
 101 described in Section 10-2a-202 or a modified feasibility request described in Section
 102 10-2a-206 may be used toward fulfilling the signature requirement described in
 103 Subsection (1) if the feasibility request notified the signer in conspicuous language
 104 that the signature, unless [~~withdrawn~~] removed, would also be used for a petition for
 105 incorporation under this section.
- 106 (b) A signature described in Subsection (3)(a) may not be used toward fulfilling the
 107 signature requirement described in Subsection (1) if the signer files with the county
 108 clerk a written [~~withdrawal~~] statement requesting removal of the signature before the
 109 petition for incorporation is filed with the county clerk under this section.
- 110 (4)(a) A voter who signs a petition for incorporation may have the voter's signature
 111 removed from the petition by, no later than three business days after the day on
 112 which the petition for incorporation is submitted to the county clerk, submitting to
 113 the county clerk a statement requesting that the voter's signature be removed.
- 114 (b) A statement described in Subsection (4)(a) shall comply with the requirements
 115 described in Subsection 20A-1-1003(2).
- 116 [~~(c) The lieutenant governor shall use the procedures described in Subsection~~
 117 ~~20A-1-1003(3) to determine whether to remove an individual's signature from a~~
 118 ~~petition after receiving a timely, valid statement requesting removal of the signature.]~~
- 119 [(~~d~~)] (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3)
 120 to determine whether to remove an individual's signature from a petition for
 121 incorporation after receiving a timely, valid statement requesting removal of the
 122 signature.
- 123 (5)(a) A signature does not qualify under Subsection (1)(b) if the signature is gathered
 124 from a voting precinct that:
- 125 (i) except in a proposed municipality that will be a city of the fifth class, is not
 126 located entirely within the boundaries of a proposed city; or
 127 (ii) includes less than 50 registered voters.
- 128 (b) A voting precinct that is not located entirely within the boundaries of the proposed
 129 city does not qualify as a voting precinct under Subsection (1)(b).
- 130 Section 2. Section **10-2a-214** is amended to read:
- 131 **10-2a-214 . Notice of number of commission or council members to be elected**
 132 **and of district boundaries -- Declaration of candidacy for municipal office.**
- 133 (1) Within 20 days after the day on which a county legislative body receives the

134 determination described in Subsection 10-2a-213(1)(b)(ii), the county clerk shall provide
135 a notice, in accordance with Subsection (2), containing:

136 (a) the number of municipal council members to be elected for the new municipality;

137 (b) except as provided in Subsection (3), if some or all of the municipal council
138 members are to be elected by district, a description of the boundaries of those
139 districts;

140 (c) information about the deadline for an individual to file a declaration of candidacy to
141 become a candidate for mayor or municipal council; and

142 (d) information about the length of the initial term of each of the municipal officers.

143 (2) The county clerk shall provide the notice described in Subsection (1) for the future
144 municipality, as a class B notice under Section 63G-30-102, for two weeks.

145 (3) Instead of including a description of the district boundaries under Subsection (1)(b), the
146 notice may include a statement that specifies the following sources where a resident of
147 the future municipality may view or obtain a copy of the district boundaries:

148 (a) the county website;

149 (b) the physical address of the county clerk's office; and

150 (c) a mailing address and telephone number.

151 (4) Notwithstanding Subsection 20A-9-203(3)(a), each individual seeking to become a
152 candidate for mayor or municipal council of a municipality incorporating under this part
153 shall file a declaration of candidacy with the clerk of the county in which the future
154 municipality is located and in accordance with:

155 (a) [~~for an incorporation~~] for an election of officers of a new municipality held on the
156 date of a regular general election, the deadlines for filing a declaration of candidacy
157 under Section 20A-9-202; or

158 (b) [~~for an incorporation~~] for an election of officers of a new municipality held on the
159 date of a municipal general election, the deadlines for filing a declaration of
160 candidacy under Section 20A-9-203.

161 Section 3. Section **17B-1-205** is amended to read:

162 **17B-1-205 . Petition and request requirements -- Removal or reinstatement of**
163 **signature.**

164 (1) Each petition and request shall:

165 (a) indicate the typed or printed name and current residence address of each property
166 owner, groundwater right owner, or registered voter signing the petition;

167 (b)(i) if it is a property owner request or petition, indicate the address of the property

- 168 as to which the owner is signing the request or petition; or
- 169 (ii) if it is a groundwater right owner request or petition, indicate the location of the
- 170 diversion of the groundwater as to which the owner is signing the groundwater
- 171 right owner request or petition;
- 172 (c) describe the entire area of the proposed special district;
- 173 (d) be accompanied by a map showing the boundaries of the entire proposed special
- 174 district;
- 175 (e) specify the service proposed to be provided by the proposed special district;
- 176 (f) if the petition or request proposes the creation of a specialized special district, specify
- 177 the type of specialized special district proposed to be created;
- 178 (g) for a proposed basic special district:
- 179 (i) state whether the members of the board of trustees will be elected or appointed or
- 180 whether some members will be elected and some appointed, as provided in
- 181 Section 17B-1-1402;
- 182 (ii) if one or more members will be elected, state the basis upon which each elected
- 183 member will be elected; and
- 184 (iii) if applicable, explain how the election or appointment of board members will
- 185 transition from one method to another based on stated milestones or events, as
- 186 provided in Section 17B-1-1402;
- 187 (h) for a proposed improvement district whose remaining area members or county
- 188 members, as those terms are defined in Section 17B-2a-404, are to be elected, state
- 189 that those members will be elected;
- 190 (i) for a proposed service area that is entirely within the unincorporated area of a single
- 191 county, state whether the initial board of trustees will be:
- 192 (i) the county legislative body;
- 193 (ii) appointed as provided in Section 17B-1-304; or
- 194 (iii) elected as provided in Section 17B-1-306;
- 195 (j) designate up to five signers of the petition or request as sponsors, one of whom shall
- 196 be designated as the contact sponsor, with the mailing address and telephone number
- 197 of each;
- 198 (k) if the petition or request is a groundwater right owner petition or request proposing
- 199 the creation of a special district to acquire a groundwater right under Section
- 200 17B-1-202, explain the anticipated method:
- 201 (i) of paying for the groundwater right acquisition; and

- 202 (ii) of addressing blowing dust created by the reduced use of water;
- 203 (l) if the petition or request is a groundwater right owner petition or request proposing
- 204 the creation of a special district to assess a groundwater right under Section
- 205 17B-1-202, explain the anticipated method:
- 206 (i) of assessing the groundwater right and securing payment of the assessment; and
- 207 (ii) of addressing blowing dust created by the reduced use of water; and
- 208 (m) for a proposed infrastructure financing district:
- 209 (i) state whether the members of the board of trustees will be elected or appointed or
- 210 whether some members will be elected and some appointed;
- 211 (ii) if one or more members will be elected, state the basis upon which each elected
- 212 member will be elected;
- 213 (iii) explain how appointed board member positions will transition to elected board
- 214 member positions based on stated milestones or events, as provided in Section
- 215 17B-2a-1303;
- 216 (iv) state whether divisions will be established within the boundary of the
- 217 infrastructure financing district so that some or all board members represent a
- 218 division rather than the district at large and, if so, describe the boundary of each
- 219 division; and
- 220 (v) if applicable, be accompanied by the governing document prepared according to
- 221 Section 17B-2a-1303.
- 222 (2)(a) Subject to Subsection (2)(b), a signer of a request or petition may [~~withdraw~~
- 223 remove or, once [~~withdrawn~~] removed, reinstate the signer's signature at any time
- 224 before the filing of the request or petition by filing a written [~~withdrawal or~~
- 225 reinstatement] statement for removal or reinstatement with:
- 226 (i) in the case of a request:
- 227 (A) the clerk of the county or the clerk or recorder of the municipality in whose
- 228 applicable area the signer's property is located, if the request is a property
- 229 owner request;
- 230 (B) the clerk of the county or the clerk or recorder of the municipality in whose
- 231 applicable area the signer's groundwater diversion point is located, if the
- 232 request is a groundwater right owner request; or
- 233 (C) the clerk of the county or the clerk or recorder of the municipality in whose
- 234 applicable area the signer resides, if the request is a registered voter request; or
- 235 (ii) in the case of a petition, the responsible clerk.

236 (b) The time for a signer of a petition for the creation of an infrastructure financing
 237 district to [~~withdraw~~] remove or reinstate the signer's signature is any time before the
 238 petition is certified under Section 17B-1-209.

239 (3)(a) A clerk of the county who receives a timely, valid written [~~withdrawal or~~
 240 ~~reinstatement~~] statement for removal or reinstatement from a signer of a registered
 241 voter request or registered voter petition shall use the procedures described in
 242 Subsection 20A-1-1003(3) to determine whether to remove or reinstate the
 243 individual's signature.

244 (b) If a municipal clerk or recorder receives a timely, valid written [~~withdrawal or~~
 245 ~~reinstatement~~] statement for removal or reinstatement from a signer of a registered
 246 voter request or registered voter petition, the clerk of the municipality's county shall
 247 assist the municipal clerk or recorder with determining whether to remove or
 248 reinstate the individual's signature using the procedures described in Subsection
 249 20A-1-1003(3).

250 Section 4. Section **17B-1-506** is amended to read:

251 **17B-1-506 . Withdrawal petition requirements -- Removal or reinstatement of**
 252 **signature.**

253 (1) Each petition under Section 17B-1-504 shall:

254 (a) indicate the typed or printed name and current address of each owner of acre-feet of
 255 water, property owner, registered voter, or authorized representative of the governing
 256 body signing the petition;

257 (b) separately group signatures by municipality and, in the case of unincorporated areas,
 258 by county;

259 (c) if it is a petition signed by the owners of land, the assessment of which is based on
 260 acre-feet of water, indicate the address of the property and the property tax
 261 identification parcel number of the property as to which the owner is signing the
 262 request;

263 (d) designate up to three signers of the petition as sponsors, or in the case of a petition
 264 filed under Subsection 17B-1-504(1)(a)(iv), designate a governmental representative
 265 as a sponsor, and in each case, designate one sponsor as the contact sponsor with the
 266 mailing address and telephone number of each;

267 (e) state the reasons for withdrawal; and

268 (f) when the petition is filed with the special district board of trustees, be accompanied
 269 by a map generally depicting the boundaries of the area proposed to be withdrawn

- 270 and a legal description of the area proposed to be withdrawn.
- 271 (2)(a) The special district may prepare an itemized list of expenses, other than attorney
272 expenses, that will necessarily be incurred by the special district in the withdrawal
273 proceeding. The itemized list of expenses may be submitted to the contact sponsor.
274 If the list of expenses is submitted to the contact sponsor within 21 days after receipt
275 of the petition, the contact sponsor on behalf of the petitioners shall be required to
276 pay the expenses to the special district within 90 days of receipt. Until funds to cover
277 the expenses are delivered to the special district, the district will have no obligation to
278 proceed with the withdrawal and the time limits on the district stated in this part will
279 be tolled. If the expenses are not paid within the 90 days, or within 90 days from the
280 conclusion of any arbitration under Subsection (2)(b), the petition requesting the
281 withdrawal shall be considered to have been withdrawn.
- 282 (b) If there is no agreement between the board of trustees of the special district and the
283 contact sponsor on the amount of expenses that will necessarily be incurred by the
284 special district in the withdrawal proceeding, either the board of trustees or the
285 contact sponsor may submit the matter to binding arbitration in accordance with Title
286 78B, Chapter 6, Part 2, Alternative Dispute Resolution Act; provided that, if the
287 parties cannot agree upon an arbitrator and the rules and procedures that will control
288 the arbitration, either party may pursue arbitration under Title 78B, Chapter 11, Utah
289 Uniform Arbitration Act.
- 290 (3)(a) A signer of a petition may [~~withdraw~~] remove or, once [~~withdrawn~~] removed,
291 reinstate the signer's signature at any time before the public hearing under Section
292 17B-1-508 by submitting a written statement requesting [~~withdrawal~~] removal or
293 reinstatement with the board of trustees of the special district in which the area
294 proposed to be withdrawn is located.
- 295 (b) A statement described in Subsection (3)(a) shall comply with the requirements
296 described in Subsection 20A-1-1003(2).
- 297 (c) As applicable and using the procedures described in Subsection 20A-1-1003(3), the
298 county clerk shall assist the board of trustees to determine whether to remove or
299 reinstate a registered voter's signature after the voter submits a timely, valid statement
300 described in Subsection (3)(a).
- 301 (4) If it reasonably appears that, if the withdrawal which is the subject of a petition filed
302 under Subsection 17B-1-504(1)(a)(i) or (ii) is granted, it will be necessary for a
303 municipality to provide to the withdrawn area the service previously supplied by the

- 304 special district, the board of trustees of the special district may, within 21 days after
305 receiving the petition, notify the contact sponsor in writing that, before it will be
306 considered by the board of trustees, the petition shall be presented to and approved by
307 the governing body of the municipality as provided in Subsection 17B-1-504(1)(a)(iv)
308 before it will be considered by the special district board of trustees. If the notice is
309 timely given to the contact sponsor, the petition shall be considered to have been
310 withdrawn until the municipality files a petition with the special district under
311 Subsection 17B-1-504(1)(a)(iv).
- 312 (5)(a) After receiving the notice required by Subsection 17B-1-504(2), unless
313 specifically allowed by law, a public entity may not make expenditures from public
314 funds to support or oppose the gathering of signatures on a petition for withdrawal.
- 315 (b) Nothing in this section prohibits a public entity from providing factual information
316 and analysis regarding a withdrawal petition to the public, so long as the information
317 grants equal access to both the opponents and proponents of the petition for
318 withdrawal.
- 319 (c) Nothing in this section prohibits a public official from speaking, campaigning,
320 contributing personal money, or otherwise exercising the public official's
321 constitutional rights.
- 322 (6) Subsections (2), (3), (4), and (5) do not apply to a petition seeking the withdrawal of an
323 area from an infrastructure financing district.
- 324 Section 5. Section **17B-1-1305** is amended to read:
- 325 **17B-1-1305 . Petition certification -- Removal or reinstatement of signature.**
- 326 (1) Within 30 days after the filing of a petition under Subsection 17B-1-1303(1)(a) or (2),
327 the clerk shall:
- 328 (a) with the assistance of officers of the county in which the special district is located
329 from whom the clerk requests assistance, determine whether the petition meets the
330 requirements of Section 17B-1-1303 and Subsection 17B-1-1304(1); and
- 331 (b)(i) if the clerk determines that the petition complies with the requirements, certify
332 the petition and mail or deliver written notification of the certification to the
333 contact sponsor; or
- 334 (ii) if the clerk determines that the petition fails to comply with any of the
335 requirements, reject the petition and mail or deliver written notification of the
336 rejection and the reasons for the rejection to the contact sponsor.
- 337 (2) For a registered voter petition, the county clerk shall determine or shall assist a board of

338 trustees or municipal clerk or recorder with determining whether a signer is a registered
339 voter using the procedures described in Section 20A-1-1002.

340 (3)(a) If the clerk rejects a petition under Subsection (1)(b)(ii), the petition may be
341 amended to correct the deficiencies for which it was rejected and then refiled.

342 (b) A valid signature on a petition that was rejected under Subsection (1)(b)(ii) may be
343 used toward fulfilling the applicable signature requirement of the petition as amended
344 under Subsection (3)(a).

345 (4) The clerk shall process an amended petition filed under Subsection (3)(a) in the same
346 manner as an original petition under Subsection (1).

347 (5)(a) A signer of a petition may [~~withdraw~~] remove or, once [~~withdrawn~~] removed,
348 reinstate the signer's signature at any time before the public hearing under Section
349 17B-1-1306 by submitting a written statement requesting [~~withdrawal~~] removal or
350 reinstatement with the clerk.

351 (b) For a registered voter petition:

352 (i) a statement described in Subsection (5)(a) shall comply with the requirements
353 described in Subsection 20A-1-1003(2); and

354 (ii) the county clerk shall determine or shall assist a board of trustees or municipal
355 clerk or recorder with determining whether to remove or reinstate the signer's
356 signature using the procedures described in Subsection 20A-1-1003(3).

357 Section 6. Section **20A-4-304** is amended to read:

358 **20A-4-304 . Declaration of results -- Canvassers' report.**

359 (1)(a) Except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project, a
360 board of canvassers shall declare "elected" or "nominated" those persons who:

361 (i) had the highest number of votes; and

362 (ii) sought election or nomination to an office completely within the board's
363 jurisdiction.

364 (b) Except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project, a
365 board of canvassers shall declare a "tie vote" if:

366 (i) two or more candidates for an office receive an equal and the highest number of
367 votes for that office; or

368 (ii) in a race for an at-large office:

369 (A) two or more candidates receive an equal number of votes; and

370 (B) a recount is necessary to determine which candidates are elected to the at-large
371 office.

- 372 (c) A board of canvassers shall declare:
- 373 (i) "approved" those ballot propositions that:
- 374 (A) had more "yes" votes than "no" votes; and
- 375 (B) were submitted only to the voters within the board's jurisdiction; or
- 376 (ii) "rejected" those ballot propositions that:
- 377 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and
- 378 "yes" votes; and
- 379 (B) were submitted only to the voters within the board's jurisdiction.
- 380 (d) A board of canvassers shall:
- 381 (i) certify the vote totals for persons and for and against ballot propositions that were
- 382 submitted to voters within and beyond the board's jurisdiction and transmit those
- 383 vote totals to the lieutenant governor; and
- 384 (ii) if applicable, certify the results of each special district election to the special
- 385 district clerk.
- 386 (2) The election officer shall submit a report to the board of canvassers that includes the
- 387 following information:
- 388 (a) the total number of votes cast in the board's jurisdiction;
- 389 (b) the names of each candidate whose name appeared on the ballot;
- 390 (c) the title of each ballot proposition that appeared on the ballot;
- 391 (d) each office that appeared on the ballot;
- 392 (e) from each voting precinct:
- 393 (i) the number of votes for each candidate;
- 394 (ii) for each race conducted by instant runoff voting under Part 6, Municipal
- 395 Alternate Voting Methods Pilot Project, the number of valid votes cast for each
- 396 candidate for each potential ballot-counting phase and the name of the candidate
- 397 excluded in each ballot-counting phase; and
- 398 (iii) the number of votes for and against each ballot proposition;
- 399 (f) the total number of votes given in the board's jurisdiction to each candidate, and for
- 400 and against each ballot proposition;
- 401 (g) standardized statistics, on a form provided by the lieutenant governor, disclosing:
- 402 (i) the number of ballots counted;
- 403 (ii) provisional ballots; and
- 404 (iii) the number of ballots rejected;
- 405 (h) a final ballot reconciliation report;

- 406 (i) other information required by law to be provided to the board of canvassers; and
407 (j) a statement certifying that the information contained in the report is accurate.
- 408 (3) The election officer and the board of canvassers shall:
- 409 (a) review the report to ensure that the report is correct; and
410 (b) sign the report.
- 411 (4) The election officer shall:
- 412 (a) record or file the certified report in a book kept for that purpose;
413 (b) prepare and transmit a certificate of nomination or election under the officer's seal to
414 each nominated or elected candidate;
415 (c) publish a copy of the certified report in accordance with Subsection (5); and
416 (d) file a copy of the certified report with the lieutenant governor.
- 417 (5) Except as provided in Subsection (6), the election officer shall, no later than seven days
418 after the day on which the board of canvassers declares the election results, publicize the
419 certified report described in Subsection (2) for the jurisdiction, as a class A notice under
420 Section 63G-30-102, for at least seven days.
- 421 (6) Instead of including a copy of the entire certified report, a notice required under
422 Subsection (5) may contain a statement that:
- 423 (a) includes the following: "The Board of Canvassers for [indicate name of jurisdiction]
424 has prepared a report of the election results for the [indicate type and date of
425 election]."; and
426 (b) specifies the following sources where an individual may view or obtain a copy of the
427 entire certified report:
- 428 (i) if the jurisdiction has a website, the jurisdiction's website;
429 (ii) the physical address for the jurisdiction; and
430 (iii) a mailing address and telephone number.
- 431 (7) When there has been a regular general or a statewide special election for statewide
432 officers, for officers that appear on the ballot in more than one county, or for a statewide
433 or two or more county ballot proposition, each board of canvassers shall:
- 434 (a) prepare a separate report detailing the number of votes for each candidate and the
435 number of votes for and against each ballot proposition; and
436 (b) transmit the separate report by registered mail to the lieutenant governor.
- 437 (8) In each county election, municipal election, school election, special district election, and
438 local special election, the election officer shall transmit the reports to the lieutenant
439 governor within 14 days after the date of the election.

- 440 (9) In a regular primary election and in a presidential primary election, [~~the board shall~~
 441 ~~transmit to the lieutenant governor]~~ the board of canvassers shall, immediately upon
 442 adjournment of the board, transmit to the lieutenant governor:
- 443 (a) the county totals for multi-county races[~~, to be telephoned or faxed to the lieutenant~~
 444 ~~governor not later than the second Tuesday after the election]; and~~
- 445 (b) a complete tabulation showing voting totals for all primary races, precinct by precinct[
 446 ~~, to be mailed to the lieutenant governor on or before the third Friday following the~~
 447 ~~primary election].~~

448 Section 7. Section **20A-8-103** is amended to read:

449 **20A-8-103 . Petition procedures -- Criminal penalty -- Removal of signature.**

- 450 (1) As used in this section, the proposed name or emblem of a registered political party is
 451 "distinguishable" if a reasonable person of average intelligence will be able to perceive a
 452 difference between the proposed name or emblem and any name or emblem currently
 453 being used by another registered political party.
- 454 (2) To become a registered political party, an organization of registered voters that is not a
 455 continuing political party shall:
- 456 (a) circulate a petition seeking registered political party status beginning no earlier than
 457 the date of the statewide canvass held after the last regular general election and
 458 ending before 5 p.m. no later than November 30 of the year before the year in which
 459 the next regular general election will be held;
- 460 (b) file a petition with the lieutenant governor that is signed, with a holographic
 461 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30
 462 of the year in which a regular general election will be held; and
- 463 (c) file, with the petition described in Subsection (2)(b), a document certifying:
- 464 (i) the identity of one or more registered political parties whose members may vote
 465 for the organization's candidates;
- 466 (ii) whether unaffiliated voters may vote for the organization's candidates; and
- 467 (iii) whether, for the next election, the organization intends to nominate the
 468 organization's candidates in accordance with the provisions of Section 20A-9-406.
- 469 (3) The petition shall:
- 470 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;
- 471 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
 472 blank for the purpose of binding;
- 473 (c) contain the name of the political party and the words "Political Party Registration

- 474 Petition" printed directly below the horizontal line;
- 475 (d) contain the word "Warning" printed directly under the words described in Subsection
- 476 (3)(c);
- 477 (e) contain, to the right of the word "Warning," the following statement printed in not less than
- 478 eight-point, single leaded type:
- 479 "It is a class A misdemeanor for anyone to knowingly sign a political party registration
- 480 petition signature sheet with any name other than the individual's own name or more than once
- 481 for the same party or if the individual is not registered to vote in this state and does not intend
- 482 to become registered to vote in this state before the petition is submitted to the lieutenant
- 483 governor.";
- 484 (f) contain the following statement directly under the statement described in Subsection (3)(e):
- 485 "POLITICAL PARTY REGISTRATION PETITION To the Honorable ____, Lieutenant
- 486 Governor:
- 487 We, the undersigned citizens of Utah, seek registered political party status for ____ (name);
- 488 Each signer says:
- 489 I have personally signed this petition with a holographic signature;
- 490 I am registered to vote in Utah or will register to vote in Utah before the petition is
- 491 submitted to the lieutenant governor;
- 492 I am or desire to become a member of the political party; and
- 493 My street address is written correctly after my name.";
- 494 (g) be vertically divided into columns as follows:
- 495 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
- 496 headed with "For Office Use Only," and be subdivided with a light vertical line
- 497 down the middle;
- 498 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
- 499 Name (must be legible to be counted)";
- 500 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of
- 501 Registered Voter";
- 502 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
- 503 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
- 504 Code"; and
- 505 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
- 506 information is not required, but it may be used to verify your identity with voter
- 507 registration records. If you choose not to provide it, your signature may not be

508 certified as a valid signature if you change your address before petition signatures
 509 are certified or if the information you provide does not match your voter
 510 registration records.";

511 (h) have a final page bound to one or more signature sheets that are bound together that
 512 contains the following printed statement:

513 "Verification

514 State of Utah, County of ____

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

516 I ~~[am a Utah resident and]~~ am at least 18 years old;

517 All the names that appear on the signature sheets bound to this page were signed by
 518 individuals who professed to be the individuals whose names appear on the signature sheets,
 519 and each individual signed the individual's name on the signature sheets in my presence;

520 I believe that each individual has printed and signed the individual's name and written the
 521 individual's street address correctly, and that each individual is registered to vote in Utah or
 522 will register to vote in Utah before the petition is submitted to the lieutenant governor.

523

524

525 (Signature) (Residence Address) (Date)"; and

526 (i) be bound to a cover sheet that:

527 (i) identifies the political party's name, which may not exceed four words, and the
 528 emblem of the party;

529 (ii) states the process that the organization will follow to organize and adopt a
 530 constitution and bylaws; and

531 (iii) is signed by a filing officer, who agrees to receive communications on behalf of
 532 the organization.

533 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual in
 534 whose presence each signature sheet is signed:

535 (a) is at least 18 years old; and

536 ~~[(b) meets the residency requirements of Section 20A-2-105; and]~~

537 ~~[(c)]~~ (b) verifies each signature sheet by completing the verification bound to one or
 538 more signature sheets that are bound together.

539 (5) An individual may not sign the verification if the individual signed a signature sheet
 540 bound to the verification.

541 (6) The lieutenant governor shall:

- 542 (a) use the procedures described in Section 20A-1-1002 to determine whether a signer is
543 a registered voter;
- 544 (b) review the proposed name and emblem to determine if they are "distinguishable"
545 from the names and emblems of other registered political parties; and
- 546 (c) certify the lieutenant governor's findings to the filing officer described in Subsection
547 (3)(i)(iii) within 30 days of the filing of the petition.

548 (7)(a) If the lieutenant governor determines that the petition meets the requirements of
549 this section, and that the proposed name and emblem are distinguishable, the
550 lieutenant governor shall authorize the filing officer described in Subsection (3)(i)(iii)
551 to organize the prospective political party.

552 (b) If the lieutenant governor finds that the name, emblem, or both are not
553 distinguishable from the names and emblems of other registered political parties, the
554 lieutenant governor shall notify the filing officer that the filing officer has seven days
555 to submit a new name or emblem to the lieutenant governor.

556 (8) A registered political party may not change its name or emblem during the regular
557 general election cycle.

558 (9)(a) It is unlawful for an individual to:

559 (i) knowingly sign a political party registration petition:

560 (A) with any name other than the individual's own name;

561 (B) more than once for the same political party; or

562 (C) if the individual is not registered to vote in this state and does not intend to
563 become registered to vote in this state before the petition is submitted to the
564 lieutenant governor; or

565 (ii) sign the verification of a political party registration petition signature sheet if the
566 individual:

567 [~~(A) does not meet the residency requirements of Section 20A-2-105;~~]

568 [~~(B)~~] (A) has not witnessed the signing by those individuals whose names appear
569 on the political party registration petition signature sheet; or

570 [~~(C)~~] (B) knows that an individual whose signature appears on the political party
571 registration petition signature sheet is not registered to vote in this state and
572 does not intend to become registered to vote in this state.

573 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.

574 (10)(a) A voter who signs a petition under this section may have the voter's signature
575 removed from the petition by, no later than three business days after the day on

576 which the petition is filed with the lieutenant governor, submitting to the lieutenant
577 governor a statement requesting that the voter's signature be removed.

578 (b) A statement described in Subsection (10)(a) shall comply with the requirements
579 described in Subsection 20A-1-1003(2).

580 (c) The lieutenant governor shall use the procedures described in Subsection
581 20A-1-1003(3) to determine whether to remove an individual's signature from a
582 petition after receiving a timely, valid statement requesting removal of the signature.

583 Section 8. Section **20A-9-405** is amended to read:

584 **20A-9-405 . Nomination petitions for regular primary elections.**

585 (1) This section applies to the form and circulation of nomination petitions for regular
586 primary elections described in Subsection 20A-9-403(3)(a).

587 (2) A candidate for elective office, and the agents of the candidate, may not circulate
588 nomination petitions until the candidate has submitted a declaration of candidacy in
589 accordance with Subsection 20A-9-202(1).

590 (3) For the manual candidate qualification process, the nomination petitions shall be in
591 substantially the following form:

592 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

593 (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space
594 above that line blank for purposes of binding;

595 (c) the petition shall be headed by a caption stating the purpose of the petition and the
596 name of the proposed candidate;

597 (d) the petition shall feature the word "Warning" followed by the following statement in
598 no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone
599 to knowingly sign a nomination petition with any name other than the person's own
600 name, or more than once for the same candidate, or if the person is not registered to
601 vote in this state.";

602 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively
603 numbered one through 10;

604 (f) the signature portion of the petition shall be divided into columns headed by the
605 following titles:

606 (i) Registered Voter's Printed Name;

607 (ii) Signature of Registered Voter;

608 (iii) Party Affiliation of Registered Voter;

609 (iv) Birth Date or Age (Optional);

- 610 (v) Street Address, City, Zip Code; and
 611 (vi) Date of Signature; and
 612 (g) a photograph of the candidate may appear on the nomination petition.
- 613 (4) For the electronic candidate qualification process, the lieutenant governor shall design
 614 an electronic form, using progressive screens, that includes:
 615 (a) the following warning:
 616 "Warning: It is a class A misdemeanor for anyone to knowingly sign a nomination petition
 617 with any name other than the person's own name, or more than once for the same candidate, or
 618 if the person is not registered to vote in this state."; and
 619 (b) the following information for each individual who signs the petition:
 620 (i) name;
 621 (ii) party affiliation;
 622 (iii) date of birth or age, (optional);
 623 (iv) street address, city, zip code;
 624 (v) date of signature;
 625 (vi) other information required under Section 20A-21-201; and
 626 (vii) other information required by the lieutenant governor.
- 627 (5) For the manual candidate qualification process, if one or more nomination petitions are
 628 bound together, a page shall be bound to the nomination petition(s) that features the following
 629 printed verification statement to be signed and dated by the petition circulator:
 630 "Verification
 631 State of Utah, County of ____
 632 I, ____, of ____, hereby state that:
 633 I [~~am a Utah resident and~~] am at least 18 years old;
 634 All the names that appear on the signature sheets bound to this page were, to the best of my
 635 knowledge, signed by the persons who professed to be the persons whose names appear on the
 636 signature sheets, and each of them signed the person's name on the signature sheets in my
 637 presence;
 638 I believe that each has printed and signed the person's name and written the person's street
 639 address correctly, and that each signer is registered to vote in Utah."
- 640 (6) The lieutenant governor shall prepare and make public model nomination petition forms
 641 and associated instructions.
- 642 (7) A nomination petition circulator[~~must be at least 18 years old and a resident of the~~
 643 ~~state, but may affiliate with any political party.~~] :

- 644 (a) must be at least 18 years old; and
- 645 (b) may affiliate with any political party.
- 646 (8) It is unlawful for any person to:
- 647 (a) knowingly sign the nomination petition described in this section or Section
- 648 20A-9-408:
- 649 (i) with any name other than the person's own name;
- 650 (ii) more than once for the same candidate; or
- 651 (iii) if the person is not registered to vote in this state;
- 652 (b) sign the verification of a signature for a nomination petition if the person:
- 653 [~~(i) does not meet the residency requirements of Section 20A-2-105;~~]
- 654 [~~(ii)~~] (i) has not witnessed the signing by those persons whose names appear on the
- 655 nomination petition; or
- 656 [~~(iii)~~] (ii) knows that a person whose signature appears on the nomination petition is
- 657 not registered to vote in this state;
- 658 (c) pay compensation to any person to sign a nomination petition; or
- 659 (d) pay compensation to any person to circulate a nomination petition, if the
- 660 compensation is based directly on the number of signatures submitted to a filing
- 661 officer rather than on the number of signatures verified or on some other basis.
- 662 (9) Any person violating Subsection (8) is guilty of a class A misdemeanor.
- 663 (10)(a) A voter who signs a nomination petition may have the voter's signature removed
- 664 from the petition by, no later than three business days after the day on which the
- 665 candidate files the petition with the appropriate filing officer, submitting to the filing
- 666 officer a statement requesting that the voter's signature be removed.
- 667 (b) A statement described in Subsection (10)(a) shall comply with the requirements
- 668 described in Subsection 20A-1-1003(2).
- 669 (c) The filing officer shall use the procedures described in Subsection 20A-1-1003(3) to
- 670 determine whether to remove an individual's signature from a nomination petition
- 671 after receiving a timely, valid statement requesting removal of the signature.
- 672 [~~(10) Withdrawal of petition signatures is prohibited.~~]
- 673 Section 9. Section **20A-9-408** is amended to read:
- 674 **20A-9-408 . Signature-gathering process to seek the nomination of a qualified**
- 675 **political party -- Removal of signature.**
- 676 (1) This section describes the requirements for a member of a qualified political party who
- 677 is seeking the nomination of the qualified political party for an elective office through

- 678 the signature-gathering process described in this section.
- 679 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of candidacy
680 for a member of a qualified political party who is nominated by, or who is seeking the
681 nomination of, the qualified political party under this section shall be substantially as
682 described in Section 20A-9-408.5.
- 683 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection
684 20A-9-202(4), a member of a qualified political party who, under this section, is seeking
685 the nomination of the qualified political party for an elective office that is to be filled at
686 the next general election shall:
- 687 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,
688 and before gathering signatures under this section, file with the filing officer on a
689 form approved by the lieutenant governor a notice of intent to gather signatures for
690 candidacy that includes:
- 691 (i) the name of the member who will attempt to become a candidate for a registered
692 political party under this section;
- 693 (ii) the name of the registered political party for which the member is seeking
694 nomination;
- 695 (iii) the office for which the member is seeking to become a candidate;
- 696 (iv) the address and telephone number of the member; and
- 697 (v) other information required by the lieutenant governor;
- 698 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
699 person, with the filing officer during the declaration of candidacy filing period
700 described in Section 20A-9-201.5; and
- 701 (c) pay the filing fee.
- 702 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political party
703 who, under this section, is seeking the nomination of the qualified political party for the
704 office of district attorney within a multicounty prosecution district that is to be filled at
705 the next general election shall:
- 706 (a) during the declaration of candidacy filing period described in Section 20A-9-201.5,
707 and before gathering signatures under this section, file with the filing officer on a
708 form approved by the lieutenant governor a notice of intent to gather signatures for
709 candidacy that includes:
- 710 (i) the name of the member who will attempt to become a candidate for a registered
711 political party under this section;

- 712 (ii) the name of the registered political party for which the member is seeking
713 nomination;
- 714 (iii) the office for which the member is seeking to become a candidate;
- 715 (iv) the address and telephone number of the member; and
- 716 (v) other information required by the lieutenant governor;
- 717 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy, in
718 person, with the filing officer during the declaration of candidacy filing period
719 described in Section 20A-9-201.5; and
- 720 (c) pay the filing fee.
- 721 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate who
722 files as the joint-ticket running mate of an individual who is nominated by a qualified
723 political party, under this section, for the office of governor shall, during the declaration
724 of candidacy filing period described in Section 20A-9-201.5, file a declaration of
725 candidacy and submit a letter from the candidate for governor that names the lieutenant
726 governor candidate as a joint-ticket running mate.
- 727 (6) The lieutenant governor shall ensure that the certification described in Subsection
728 20A-9-701(1) also includes the name of each candidate nominated by a qualified
729 political party under this section.
- 730 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who is
731 nominated by a qualified political party under this section, designate the qualified
732 political party that nominated the candidate.
- 733 (8) A member of a qualified political party may seek the nomination of the qualified
734 political party for an elective office by:
- 735 (a) complying with the requirements described in this section; and
- 736 (b) collecting signatures, on a form approved by the lieutenant governor that complies
737 with Subsection 20A-9-405(3), during the period beginning on the day on which the
738 member files a notice of intent to gather signatures and ending at 5 p.m. 14 days
739 before the day on which the qualified political party's convention for the office is
740 held, in the following amounts:
- 741 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
742 permitted by the qualified political party to vote for the qualified political party's
743 candidates in a primary election;
- 744 (ii) for a congressional district race, 7,000 signatures of registered voters who are
745 residents of the congressional district and are permitted by the qualified political

- 746 party to vote for the qualified political party's candidates in a primary election;
- 747 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
- 748 residents of the state Senate district and are permitted by the qualified political
- 749 party to vote for the qualified political party's candidates in a primary election;
- 750 (iv) for a state House district race, 1,000 signatures of registered voters who are
- 751 residents of the state House district and are permitted by the qualified political
- 752 party to vote for the qualified political party's candidates in a primary election;
- 753 (v) for a State Board of Education race, the lesser of:
- 754 (A) 2,000 signatures of registered voters who are residents of the State Board of
- 755 Education district and are permitted by the qualified political party to vote for
- 756 the qualified political party's candidates in a primary election; or
- 757 (B) 3% of the registered voters of the qualified political party who are residents of
- 758 the applicable State Board of Education district; and
- 759 (vi) for a county office race, signatures of 3% of the registered voters who are
- 760 residents of the area permitted to vote for the county office and are permitted by
- 761 the qualified political party to vote for the qualified political party's candidates in
- 762 a primary election.
- 763 (9)(a) This Subsection (9) applies only to the manual candidate qualification process.
- 764 (b) In order for a member of the qualified political party to qualify as a candidate for the
- 765 qualified political party's nomination for an elective office under this section, using
- 766 the manual candidate qualification process, the member shall:
- 767 (i) collect the signatures on a form approved by the lieutenant governor, using the
- 768 same circulation and verification requirements described in Sections 20A-7-105
- 769 and 20A-7-204; and
- 770 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days
- 771 before the day on which the qualified political party holds the party's convention
- 772 to select candidates, for the elective office, for the qualified political party's
- 773 nomination.
- 774 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the
- 775 election officer shall, no later than the earlier of 14 days after the day on which the
- 776 election officer receives the signatures, or one day before the day on which the
- 777 qualified political party holds the convention to select a nominee for the elective
- 778 office to which the signature packets relate:
- 779 (i) check the name of each individual who completes the verification for a signature

- 780 packet to determine whether each individual is ~~[a resident of Utah and is]~~ at least
781 18 years old;
- 782 (ii) submit the name of each individual described in Subsection (9)(c)(i) who ~~[is not a~~
783 ~~Utah resident or who]~~ is not at least 18 years old to the attorney general and the
784 county attorney;
- 785 (iii) with the assistance of the county clerk as applicable, determine whether each
786 signer is a registered voter who is qualified to sign the petition, using the same
787 method, described in Section 20A-1-1002, used to verify a signature on a petition;
788 and
- 789 (iv) certify whether each name is that of a registered voter who is qualified to sign the
790 signature packet.
- 791 (d)(i) A registered voter who physically signs a form under Subsections (8) and (9)(b)
792 may have the voter's signature removed from the form by, no later than three
793 business days after the day on which the member submits the signature form to the
794 election officer, submitting to the election officer a statement requesting that the
795 voter's signature be removed.
- 796 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements
797 described in Subsection 20A-1-1003(2).
- 798 (iii) With the assistance of the county clerk as applicable, the election officer shall
799 use the procedures described in Subsection 20A-1-1003(3) to determine whether
800 to remove an individual's signature after receiving a timely, valid statement
801 requesting removal of the signature.
- 802 (10)(a) This Subsection (10) applies only to the electronic candidate qualification
803 process.
- 804 (b) In order for a member of the qualified political party to qualify as a candidate for the
805 qualified political party's nomination for an elective office under this section, the
806 member shall, before 5 p.m. no later than 14 days before the day on which the
807 qualified political party holds the party's convention to select candidates, for the
808 elective office, for the qualified political party's nomination, collect signatures
809 electronically:
- 810 (i) in accordance with Section 20A-21-201; and
- 811 (ii) using progressive screens, in a format approved by the lieutenant governor, that
812 complies with Subsection 20A-9-405(4).
- 813 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the

814 election officer shall, no later than the earlier of 14 days after the day on which the
 815 election officer receives the signatures, or one day before the day on which the
 816 qualified political party holds the convention to select a nominee for the elective
 817 office to which the signature packets relate:

818 (i) check the name of each individual who completes the verification for a signature
 819 to determine whether each individual [~~is a resident of Utah and~~] is at least 18
 820 years old; and

821 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not [
 822 ~~a Utah resident or who is not~~] at least 18 years old to the attorney general and the
 823 county attorney.

824 (11)(a) An individual may not gather signatures under this section until after the
 825 individual files a notice of intent to gather signatures for candidacy described in this
 826 section.

827 (b) An individual who files a notice of intent to gather signatures for candidacy,
 828 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the
 829 individual files the notice of intent to gather signatures for candidacy:

830 (i) required to comply with the reporting requirements that a candidate for office is
 831 required to comply with; and

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

835 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or
 836 Subsections (8) and (10)(b), the election officer shall, no later than one day before the
 837 day on which the qualified political party holds the convention to select a nominee
 838 for the elective office to which the signature packets relate, notify the qualified
 839 political party and the lieutenant governor of the name of each member of the
 840 qualified political party who qualifies as a nominee of the qualified political party,
 841 under this section, for the elective office to which the convention relates.

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

846 Section 10. Section **53G-3-301.1** is amended to read:

847 **53G-3-301.1 . Creation of a new school district -- Citizens' petition -- Procedures**

848 **to be followed -- Removal or reinstatement of signature.**

849 (1) Citizens may file a petition to create a new school district in accordance with this
850 section and Section 53G-3-301.

851 (2)(a) The county clerk shall ensure that a petition described in Subsection (1) is signed
852 by registered voters residing within the geographical boundaries of the proposed new
853 school district in an amount equal to at least 10% of all votes cast within the
854 geographic boundaries of the proposed new school district for all candidates for
855 president of the United States at the last regular general election at which a president
856 of the United States was elected.

857 (b) The sponsors of a petition described in Subsection (1) shall file the petition with the
858 clerk of each county in which any part of the proposed new school district is located.

859 (c) The petition sponsors shall ensure that the petition described in Subsection (1):

860 (i) indicates the typed or printed name and current residence address of each voter
861 who signs the petition;

862 (ii) describes the proposed new school district boundaries; and

863 (iii) designates up to five signers of the petition as sponsors, designating one as the
864 contact sponsor, with the mailing address and telephone number of each.

865 (3)(a)(i) A signer of a petition described in Subsection (1) may [~~withdraw~~] remove
866 or, once removed[~~withdrawn~~], reinstate the signer's signature by filing a written
867 statement requesting [~~for withdrawal~~] removal or reinstatement with the county
868 clerk no later than three business days after the day on which the petition is filed
869 with the county clerk.

870 (ii) A statement described in Subsection (3)(a)(i) shall comply with the requirements
871 described in Subsection 20A-1-1003(2).

872 (iii) The county clerk shall use the procedures described in Subsection 20A-1-1003
873 (3) to determine whether to remove or reinstate an individual's signature from a
874 petition after receiving a timely, valid statement.

875 (b) The county clerk shall use the procedures described in Section 20A-1-1002 to
876 determine whether the petition has been signed by the required number of registered
877 voters residing within the geographical boundaries of the proposed new school
878 district.

879 (4) Within 14 days after the day on which a petition described in Subsection (1) is filed, the
880 clerk of each county with which the request or petition is filed shall:

881 (a) determine whether the petition complies with Subsections (2) and (3), as applicable,

- 882 and Section 53G-3-301; and
- 883 (b)(i) if the county clerk determines that the request or petition complies with the
- 884 applicable requirements:
- 885 (A) certify the petition and deliver the certified petition to the county legislative
- 886 body; and
- 887 (B) mail or deliver written notification of the certification to the contact sponsor;
- 888 or
- 889 (ii) if the county clerk determines that the petition fails to comply with any of the
- 890 applicable requirements, reject the petition and notify the contact sponsor in
- 891 writing of the rejection and reasons for the rejection.
- 892 (5)(a) If the county clerk fails to certify or reject a petition within the time specified in
- 893 Subsection (4), the petition is considered to be certified.
- 894 (b) If the county clerk rejects a petition, the individual who submitted the petition may
- 895 amend the petition to correct the deficiencies for which the county clerk rejected the
- 896 petition and refile the petition.
- 897 (6) Within 10 days after the day on which a county legislative body receives a certified
- 898 petition as described in Subsection (4) or (5), the county legislative body shall request
- 899 that the Legislative Audit Subcommittee consider prioritizing a feasibility study, as that
- 900 term is defined in Section 53G-3-102.
- 901 (7)(a) The county legislative body shall:
- 902 (i) provide for a 45-day public comment period to begin on the day the county
- 903 legislative body receives the study under Subsection (6); and
- 904 (ii) hold at least two public hearings, as defined in Section 10-9a-103, on the study
- 905 and recommendations.
- 906 (b) Within five business days after the day on which the public comment period ends,
- 907 the legislative body of each county with which a petition is filed shall vote on the
- 908 creation of the proposed new school district.
- 909 (c) A county legislative body approves a petition proposing a new school district if a
- 910 majority of the members of the legislative body vote in favor of the petition.
- 911 (8)(a) Within five business days after the day on which a county legislative body
- 912 approves a petition proposing a new school district under Subsection (7), the county
- 913 legislative body shall provide notice of the approval and a copy of the petition to
- 914 which the approval relates to the county clerk of each county described in Subsection
- 915 (2)(b).

916 (b) If each county described in Subsection (2)(b) approves a petition proposing a new
917 school district, the county clerks of the counties shall submit the proposal for the
918 creation of a new school district to all legal voters in the existing school district for
919 approval or rejection at the next regular general election that is at least 65 days after
920 the day on which all of the counties described in Subsection (2)(b) have complied
921 with Subsection (8)(a).

922 (c) The new school district proposed in the petition and the reorganized new school
923 district are created if a majority of the voters in the existing school district vote in
924 favor of creating the new school district.

925 Section 1. **Effective Date.**

926 This bill takes effect on May 7, 2025.