

Part 1

Formation of Political Parties Recognized by the State

20A-8-101 Definitions.

As used in this chapter:

- (1) "Continuing political party" means an organization of voters that:
 - (a) participated in the last regular general election; and
 - (b) in at least one of the last two regular general elections, polled a total vote for any of its candidates for any office equal to 2% or more of the total votes cast for all candidates for the United States House of Representatives in the same regular general election.
- (2) "County political party" means, for each registered political party, all of the persons within a single county who, under definitions established by the county political party, are members of the registered political party.
- (3) "Newly registered political party" means a statewide organization of voters that has complied with the petition and organizing procedures of this chapter to become a registered political party.
- (4) "Public institution of higher education" means the same as that term is defined in Section 53B-16-301.
- (5) "Registered political party" means an organization of voters that:
 - (a)
 - (i) participated in the last regular general election; and
 - (ii) in at least one of the last two regular general elections, polled a total vote for any of its candidates for any office equal to 2% or more of the total votes cast for all candidates for the United States House of Representatives in the same regular general election; or
 - (b) has complied with the petition and organizing procedures of this chapter.
- (6) "State political party" means, for each registered political party, all of the persons in Utah who, under definitions established by the state political party, are members of the registered political party.

Amended by Chapter 68, 2023 General Session

20A-8-102 Organization of newly registered political parties -- Rights.

- (1) Any organization of voters whose organization did not participate in the last regular general election, or whose organization polled a total vote equivalent to less than 2% of the total vote cast for all candidates for the United States House of Representatives for any of its candidates in both of the last two regular general elections shall comply with the requirements of this chapter to become a registered political party.
- (2)
 - (a) Unless an organization of registered voters is a registered political party under this chapter, it may not place the names of candidates representing that organization upon the primary and regular general election ballots under the common organization name.
 - (b) Nothing in this subsection prohibits an organization of voters from qualifying candidates as independent candidates or as write-in candidates.

Amended by Chapter 292, 2012 General Session

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

- (1) As used in this section, the proposed name or emblem of a registered political party is "distinguishable" if a reasonable person of average intelligence will be able to perceive a difference between the proposed name or emblem and any name or emblem currently being used by another registered political party.
- (2) To become a registered political party, an organization of registered voters that is not a continuing political party shall:
 - (a) circulate a petition seeking registered political party status beginning no earlier than the date of the statewide canvass held after the last regular general election and ending before 5 p.m. no later than November 30 of the year before the year in which the next regular general election will be held;
 - (b) file a petition with the lieutenant governor that is signed, with a holographic signature, by at least 2,000 registered voters before 5 p.m. no later than November 30 of the year in which a regular general election will be held; and
 - (c) file, with the petition described in Subsection (2)(b), a document certifying:
 - (i) the identity of one or more registered political parties whose members may vote for the organization's candidates;
 - (ii) whether unaffiliated voters may vote for the organization's candidates; and
 - (iii) whether, for the next election, the organization intends to nominate the organization's candidates in accordance with the provisions of Section 20A-9-406.
- (3) The petition shall:
 - (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;
 - (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for the purpose of binding;
 - (c) contain the name of the political party and the words "Political Party Registration Petition" printed directly below the horizontal line;
 - (d) contain the word "Warning" printed directly under the words described in Subsection (3)(c);
 - (e) contain, to the right of the word "Warning," the following statement printed in not less than eight-point, single leaded type:

"It is a class A misdemeanor for anyone to knowingly sign a political party registration petition signature sheet with any name other than the individual's own name or more than once for the same party or if the individual is not registered to vote in this state and does not intend to become registered to vote in this state before the petition is submitted to the lieutenant governor.";
 - (f) contain the following statement directly under the statement described in Subsection (3)(e):

"POLITICAL PARTY REGISTRATION PETITION To the Honorable _____, Lieutenant Governor:
We, the undersigned citizens of Utah, seek registered political party status for _____ (name);
Each signer says:
I have personally signed this petition with a holographic signature;
I am registered to vote in Utah or will register to vote in Utah before the petition is submitted to the lieutenant governor;
I am or desire to become a member of the political party; and
My street address is written correctly after my name.";
 - (g) be vertically divided into columns as follows:
 - (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down the middle;

- (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)";
 - (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of Registered Voter";
 - (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
 - (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip Code"; and
 - (vi) at the bottom of the sheet, contain the following statement: "Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be certified as a valid signature if you change your address before petition signatures are certified or if the information you provide does not match your voter registration records.";
- (h) have a final page bound to one or more signature sheets that are bound together that contains the following printed statement:

"Verification

State of Utah, County of _____

I, _____, of _____, hereby state that:

I am a Utah resident and am at least 18 years old;

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

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

(Signature)

(Residence Address)

(Date)"; and

- (i) be bound to a cover sheet that:
- (i) identifies the political party's name, which may not exceed four words, and the emblem of the party;
 - (ii) states the process that the organization will follow to organize and adopt a constitution and bylaws; and
 - (iii) is signed by a filing officer, who agrees to receive communications on behalf of the organization.
- (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual in whose presence each signature sheet is signed:
- (a) is at least 18 years old;
 - (b) meets the residency requirements of Section 20A-2-105; and
 - (c) verifies each signature sheet by completing the verification bound to one or more signature sheets that are bound together.
- (5) An individual may not sign the verification if the individual signed a signature sheet bound to the verification.
- (6) The lieutenant governor shall:
- (a) use the procedures described in Section 20A-1-1002 to determine whether a signer is a registered voter;
 - (b) review the proposed name and emblem to determine if they are "distinguishable" from the names and emblems of other registered political parties; and
 - (c) certify the lieutenant governor's findings to the filing officer described in Subsection (3)(i)(iii) within 30 days of the filing of the petition.

- (7)
- (a) If the lieutenant governor determines that the petition meets the requirements of this section, and that the proposed name and emblem are distinguishable, the lieutenant governor shall authorize the filing officer described in Subsection (3)(i)(iii) to organize the prospective political party.
 - (b) If the lieutenant governor finds that the name, emblem, or both are not distinguishable from the names and emblems of other registered political parties, the lieutenant governor shall notify the filing officer that the filing officer has seven days to submit a new name or emblem to the lieutenant governor.
- (8) A registered political party may not change its name or emblem during the regular general election cycle.
- (9)
- (a) It is unlawful for an individual to:
 - (i) knowingly sign a political party registration petition:
 - (A) with any name other than the individual's own name;
 - (B) more than once for the same political party; or
 - (C) if the individual is not registered to vote in this state and does not intend to become registered to vote in this state before the petition is submitted to the lieutenant governor; or
 - (ii) sign the verification of a political party registration petition signature sheet if the individual:
 - (A) does not meet the residency requirements of Section 20A-2-105;
 - (B) has not witnessed the signing by those individuals whose names appear on the political party registration petition signature sheet; or
 - (C) knows that an individual whose signature appears on the political party registration petition signature sheet is not registered to vote in this state and does not intend to become registered to vote in this state.
 - (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.
- (10)
- (a) A voter who signs a petition under this section may have the voter's signature removed from the petition by, no later than three business days after the day on which the petition is filed with the lieutenant governor, submitting to the lieutenant governor a statement requesting that the voter's signature be removed.
 - (b) A statement described in Subsection (10)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).
 - (c) The lieutenant governor shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a petition after receiving a timely, valid statement requesting removal of the signature.

Amended by Chapter 116, 2023 General Session

20A-8-106 Organization as a political party -- Certification procedures.

- (1) Before 5 p.m. no later than March 1 of the regular general election year, the prospective political party's officers or governing board shall file the names of the party officers or governing board with the lieutenant governor.
- (2) After reviewing the information and determining that all proper procedures have been completed, the lieutenant governor shall:
 - (a) issue a certificate naming the organization as a registered political party in Utah and designating its official name; and
 - (b) inform each county clerk that the organization is a registered political party in Utah.

- (3) All election officers and state officials shall consider the organization to be and shall treat the organization as a registered political party.
- (4) The newly registered political party shall comply with all the provisions of Utah law governing political parties.
- (5)
 - (a) If the newly registered political party does not hold a national party convention, the governing board of the political party may designate the names of the party's candidates for the offices of President and Vice President of the United States and the names of the party's presidential electors to the lieutenant governor before 5 p.m. no later than August 15.
 - (b) If the party chooses to designate names, the governing board shall certify those names.

Amended by Chapter 255, 2019 General Session