

20A-8-103 Petition procedures -- Criminal penalty.

- (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 no later than the February 15 of the year in which the next regular general election will be held; and
 - (b) file a petition with the lieutenant governor that is signed, with a holographic signature, by at least 2,000 registered voters on or before February 15 of the year in which a regular general election will be held.
- (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 person's own name or more than once for the same party or if the person 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 persons who professed to be the persons whose names appear on the signature sheets, and each of them signed the person's name on the signature sheets in my presence;

I believe that each has printed and signed the person's name and written the person's street address correctly, and that each signer 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 person 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) A person may not sign the verification if the person signed a signature sheet bound to the verification.

(6) The lieutenant governor shall:

- (a) determine whether the required number of voters appears on the petition;
- (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 any person to:
 - (i) knowingly sign a political party registration petition:
 - (A) with any name other than the person's own name;
 - (B) more than once for the same political party; or
 - (C) if the person 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 person:
 - (A) does not meet the residency requirements of Section 20A-2-105;
 - (B) has not witnessed the signing by those persons whose names appear on the political party registration petition signature sheet; or
 - (C) knows that a person 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) Any person violating this Subsection (9) is guilty of a class A misdemeanor.

Amended by Chapter 253, 2013 General Session