

Part 5 Candidates not Affiliated with a Party

20A-9-501 Candidates not affiliated with a party -- General requirements.

- (1)
- (a) Candidates for public office who do not wish to affiliate with a registered political party may obtain a position on the ballot by following the procedures and requirements of this part.
 - (b) Upon compliance with the provisions of this part, the unaffiliated candidate is entitled to all the rights and subject to all the penalties of candidates selected by a registered political party.
- (2) A candidate who has filed a declaration of candidacy may not file a certificate of nomination as an unaffiliated candidate in the same year.
- (3) The courts shall construe this part liberally so as to give unaffiliated candidates for public office every reasonable opportunity to make their candidacy effective.

Amended by Chapter 21, 1994 General Session

20A-9-502 Certificate of nomination -- Contents -- Circulation -- Verification -- Criminal penalty -- Removal of petition signature.

- (1) The candidate shall:
- (a) prepare a certificate of nomination in substantially the following form:
"State of Utah, County of _____
I, _____, declare my intention of becoming an unaffiliated candidate for the political group designated as _____ for the office of _____. I do solemnly swear that I can qualify to hold that office both legally and constitutionally if selected, and that I reside at _____ Street, in the city of _____, county of _____, state of _____, zip code _____, phone _____, and that I am providing, or have provided, the required number of holographic signatures of registered voters required by law; that as a candidate at the next election I will not knowingly violate any election or campaign law; that, if filing via a designated agent for an office other than president of the United States, I will be out of the state of Utah during the entire candidate filing period; I will file all campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot.

Subscribed and sworn to before me this _____(month\day\year).

Notary Public (or other officer qualified to administer oaths)";

- (b) for each signature packet, bind signature sheets to a copy of the certificate of nomination and the circulator verification, that:
 - (i) are printed on sheets of paper 8.5 inches long and 11 inches wide;

- (ii) are ruled with a horizontal line .75 inches from the top, with the space above that line blank for the purpose of binding;
- (iii) contain the name of the proposed candidate and the words "Unaffiliated Candidate Certificate of Nomination Petition" printed directly below the horizontal line;
- (iv) contain the following statement, directly under the words described in Subsection (1)(b)(iii), in not less than eight-point, single leaded type:

"WARNING

It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination signature sheet with any name other than the person's own name or more than once for the same candidate 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 county clerk certifies the signatures.

WARNING TO SIGNERS WITH PRIVATE VOTER REGISTRATION RECORDS

If you sign this petition, your voter identification number and the date you signed may be publicly disclosed. This disclosure may occur even if you are an at-risk voter with a voter registration record that has been classified as a private record.";

- (v) contain the following statement directly under the statement described in Subsection (1)(b)(iv):

"Each signer says:

I have personally signed this petition with a holographic signature;

I am registered to vote in Utah or intend to become registered to vote in Utah before the county clerk certifies my signature; and

My street address is written correctly after my name.";

- (vi) contain horizontally ruled lines, .375 inches apart under the statement described in Subsection (1)(b)(v); and

- (vii) be vertically divided into columns as follows:

(A) the first column shall appear at the extreme left of the sheet, be .625 inches wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down the middle;

(B) the next column shall be 2.5 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)";

(C) the next column shall be 2.5 inches wide, headed "Holographic Signature of Registered Voter";

(D) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

(E) the final column shall be 4.375 inches wide, headed "Street Address, City, Zip Code"; and

(F) 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."; and

- (c) bind a final page to one or more signature sheets that contains the circulator verification sheet described in Subsection 20A-1-1004(1).

- (2) An agent designated to file a certificate of nomination under Subsection 20A-9-503(2)(b) or (4) (b) may not sign the form described in Subsection (1)(a).
- (3)
 - (a) The candidate shall circulate the nomination petition and ensure that the person in whose presence each signature sheet is signed:
 - (i) is at least 18 years old; and
 - (ii) verifies each signature sheet by completing the verification bound to one or more signature sheets that are bound together.
 - (b) A person may not sign the circulator verification if the person signed a signature sheet bound to the verification.
- (4)
 - (a) It is unlawful for any person to:
 - (i) knowingly sign a certificate of nomination signature sheet:
 - (A) with any name other than the person's own name;
 - (B) more than once for the same candidate; 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 county clerk certifies the signatures; or
 - (ii) sign the verification of a certificate of nomination signature sheet if the person:
 - (A) has not witnessed the signing by those persons whose names appear on the certificate of nomination signature sheet; or
 - (B) knows that a person whose signature appears on the certificate of nomination 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 (4) is guilty of a class A misdemeanor.
- (5)
 - (a) To qualify for placement on the general election ballot, the candidate shall, no earlier than the start of the applicable declaration of candidacy period described in Section 20A-9-201.5 and no later than 5 p.m. on June 15 of the year in which the election will be held:
 - (i) comply with Subsection 20A-9-503(1); and
 - (ii) submit each signature packet to the county clerk where the majority of the signatures in the packet were collected, with signatures totaling:
 - (A) at least 1,000 registered voters residing within the state when the nomination is for an office to be filled by the voters of the entire state; or
 - (B) at least 300 registered voters residing within a political division or at least 5% of the registered voters residing within a political division, whichever is less, when the nomination is for an office to be filled by the voters of any political division smaller than the state.
 - (b) A candidate has not complied with Subsection (5)(a)(ii), unless the county clerks verify that each required signature is a valid signature of a registered voter who is eligible to sign the signature packet and has not signed a signature packet to nominate another candidate for the same office.
 - (c) In reviewing the signature packets, the county clerk shall count and certify only those persons who signed with a holographic signature, who:
 - (i) are registered voters within the political division that the candidate seeks to represent; and
 - (ii) did not sign any other certificate of nomination for that office.
 - (d) The county clerk shall count and certify the number of registered voters who validly signed a signature packet, no later than 30 calendar days after the day on which the candidate submits the signature packet.

- (e) The candidate may supplement the signatures or amend the certificate of nomination or declaration of candidacy at any time on or before 5 p.m. on June 15 of the year in which the election will be held.
- (f) The county clerk shall use the procedures described in Section 20A-1-1002 to determine whether a signer is a registered voter who is qualified to sign the signature packet.
- (6)
 - (a) A voter who signs a signature packet under this section may have the voter's signature removed from the signature packet by, no later than 5 p.m. three business days after the day on which the candidate submits the signature packet to the county clerk, submitting to the county clerk a statement requesting that the voter's signature be removed.
 - (b) A statement described in Subsection (6)(a) shall comply with the requirements described in Subsection 20A-1-1003(2).
 - (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to determine whether to remove an individual's signature from a signature packet after receiving a timely, valid statement requesting removal of the signature.

Amended by Chapter 102, 2026 General Session

20A-9-503 Certificate of nomination -- Filing -- Fees.

- (1) A candidate shall, in accordance with the deadline described in Subsection 20A-9-502(5)(a):
 - (a) file the certificate of nomination and the applicable declaration of candidacy, in person unless otherwise provided in statute, with the filing officer; and
 - (b) pay the filing fee.
- (2)
 - (a) The provisions of this Subsection (2) do not apply to an individual who files a certificate of nomination and declaration of candidacy for president of the United States.
 - (b) Subject to Subsections (5) and 20A-9-502(2), an individual may designate an agent to file a certificate of nomination or declaration of candidacy with the appropriate filing officer if:
 - (i) the individual is located outside of the state during the entire filing period;
 - (ii) the designated agent appears in person before the filing officer; and
 - (iii) the individual communicates with the filing officer using an electronic device that allows the individual and filing officer to see and hear each other.
- (3)
 - (a) At the time of filing, and before accepting the certificate of nomination and declaration of candidacy, the filing officer shall read the constitutional and statutory requirements for candidacy to the candidate.
 - (b) If the candidate states that the candidate does not meet the requirements, the filing officer may not accept the certificate of nomination and declaration of candidacy.
- (4) An individual filing a certificate of nomination for president of the United States under this section:
 - (a) shall pay a filing fee of \$500; and
 - (b) may use a designated agent to file the nomination petition.
- (5) An agent designated to file a certificate of nomination under Subsection (2)(b) or (4)(b) may not sign the certificate of nomination form.

Amended by Chapter 17, 2024 General Session

20A-9-504 Unaffiliated candidates -- Governor and president of the United States.

- (1)
 - (a) Each unaffiliated candidate for governor shall, before 5 p.m. no later than June 15 of the regular general election year, select a running mate to file as an unaffiliated candidate for the office of lieutenant governor.
 - (b) The unaffiliated lieutenant governor candidate shall, before 5 p.m. no later than June 15 of the regular general election year, file as an unaffiliated candidate by following the procedures and requirements of this part.
- (2)
 - (a) Each unaffiliated candidate for president of the United States shall, before 5 p.m. no later than August 15 of a regular general election year, select a running mate to file as an unaffiliated candidate for the office of vice president of the United States.
 - (b) Before 5 p.m. no later than August 15 of a regular general election year, the unaffiliated candidate for vice president of the United States described in Subsection (2)(a) shall comply with the requirements of Subsection 20A-9-202(7).

Amended by Chapter 17, 2024 General Session