

Representative Neal B. Hendrickson proposes the following substitute bill:

1 **INITIATIVE AND REFERENDUM - SIGNATURE**

2 **VERIFICATION PROCEDURES**

3 2007 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Neal B. Hendrickson**

6 Senate Sponsor: _____

8 **LONG TITLE**

9 **General Description:**

10 This bill establishes uniform standards for signature verification on initiative and
11 referendum petitions.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ establishes uniform standards for determining whether a signer's signature on an
15 initiative or referendum petition is valid or not;
- 16 ▶ provides for the optional placement of birth date or age information on referendum
17 petitions; and
- 18 ▶ provides a statement on each signature sheet that:
- 19 • explains how the age or birth date information will be used; and
 - 20 • states that age and birth date information is optional.

21 **Monies Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**



26 AMENDS:

27 **20A-7-203**, as last amended by Chapters 80 and 236, Laws of Utah 2005

28 **20A-7-206.3**, as enacted by Chapter 80, Laws of Utah 2005

29 **20A-7-303**, as last amended by Chapter 3, Laws of Utah 2000

30 **20A-7-306**, as last amended by Chapter 3, Laws of Utah 2000

31 **20A-7-503**, as last amended by Chapter 236, Laws of Utah 2005

32 **20A-7-506.3**, as enacted by Chapter 236, Laws of Utah 2005

33 **20A-7-603**, as last amended by Chapters 3 and 75, Laws of Utah 2000

34 **20A-7-606**, as last amended by Chapter 3, Laws of Utah 2000

35 ENACTS:

36 **20A-7-306.3**, Utah Code Annotated 1953

37 **20A-7-606.3**, Utah Code Annotated 1953



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

40 Section 1. Section **20A-7-203** is amended to read:

41 **20A-7-203. Form of initiative petition and signature sheets.**

42 (1) (a) Each proposed initiative petition shall be printed in substantially the following
43 form:

44 "INITIATIVE PETITION To the Honorable _____, Lieutenant Governor:

45 We, the undersigned citizens of Utah, respectfully demand that the following proposed
46 law be submitted to the legal voters/Legislature of Utah for their/its approval or rejection at the
47 regular general election/session to be held/ beginning on _____(month\day\year);

48 Each signer says:

49 I have personally signed this petition;

50 I am registered to vote in Utah or intend to become registered to vote in Utah before the
51 certification of the petition names by the county clerk; and

52 My residence and post office address are written correctly after my name.

53 NOTICE TO SIGNERS:

54 Public hearings to discuss this petition were held at: (list dates and locations of public
55 hearings.)"

56 (b) The sponsors of an initiative shall attach a copy of the proposed law to each

57 initiative petition.

58 (2) Each signature sheet shall:

59 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

60 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line

61 blank for the purpose of binding;

62 (c) contain the title of the initiative printed below the horizontal line;

63 (d) contain the initial fiscal impact estimate's summary statement issued by the
64 Governor's Office of Planning and Budget according to Subsection 20A-7-202.5(2)(b), printed
65 or typed in not less than 12-point, bold type, at the top of each signature sheet under the title of
66 the initiative;

67 (e) contain the word "Warning" printed or typed at the top of each signature sheet
68 under the initial fiscal impact estimate's summary statement;

69 (f) contain, to the right of the word "Warning," the following statement printed or
70 typed in not less than eight-point, single leaded type:

71 "It is a class A misdemeanor for anyone to sign any initiative petition with any other
72 name than his own, or knowingly to sign his name more than once for the same measure, or to
73 sign an initiative petition when he knows he is not a registered voter and knows that he does
74 not intend to become registered to vote before the certification of the petition names by the
75 county clerk."; and

76 (g) be vertically divided into columns as follows:

77 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
78 headed with "For Office Use Only," and be subdivided with a light vertical line down the
79 middle with the left subdivision entitled "Registered" and the right subdivision left untitled;

80 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
81 Name (must be legible to be counted)";

82 (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered
83 Voter";

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

85 [~~and~~]

86 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
87 Code"[:]; and

88 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
89 information is not required, but it may be used to verify your identity with voter registration
90 records. If you choose not to provide it, your signature may not be verified as a valid signature
91 if you change your address before petition signatures are verified or if the information you
92 provide does not match your voter registration records."

93 (3) The final page of each initiative packet shall contain the following printed or typed
94 statement:

95 "Verification

96 State of Utah, County of ____

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

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

99 All the names that appear in this packet were signed by persons who professed to be the
100 persons whose names appear in it, and each of them signed his name on it in my presence;

101 I believe that each has printed and signed his name and written his post office address
102 and residence correctly, and that each signer is registered to vote in Utah or intends to become
103 registered to vote before the certification of the petition names by the county clerk.

104 I have not paid or given anything of value to any person who signed this petition to
105 encourage that person to sign it.

106 _____
107 (Name) (Residence Address) (Date)"

108 (4) The forms prescribed in this section are not mandatory, and, if substantially
109 followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical
110 errors.

111 Section 2. Section **20A-7-206.3** is amended to read:

112 **20A-7-206.3. Verification of petition signatures.**

113 (1) (a) For the purposes of this section, "substantially similar name" means:

114 (i) the given name and surname shown on the petition, or both, contain only minor
115 spelling differences when compared to the given name and surname shown on the official
116 register;

117 (ii) the surname shown on the petition exactly matches the surname shown on the
118 official register, and the given names differ only because one of the given names shown is a

119 commonly used abbreviation or variation of the other;

120 (iii) the surname shown on the petition exactly matches the surname shown on the
121 official register, and the given names differ only because one of the given names shown is
122 accompanied by a first or middle initial or a middle name which is not shown on the other
123 record; or

124 (iv) the surname shown on the petition exactly matches the surname shown on the
125 official register, and the given names differ only because one of the given names shown is an
126 alphabetically corresponding initial that has been provided in the place of a given name shown
127 on the other record.

128 (b) For the purposes of this section, "substantially similar name" does not mean a name
129 having an initial or a middle name shown on the petition that does not match a different initial
130 or middle name shown on the official register.

131 (2) The county clerk shall use the following procedures in determining whether or not a
132 signer is a registered voter:

133 (a) When a signer's name and address shown on the petition exactly match a name and
134 address shown on the official register, the county clerk shall declare the signature valid.

135 (b) When there is no exact match of an address and a name, the county clerk shall
136 declare the signature valid if the address on the petition matches the address of a person on the
137 official register with a substantially similar name.

138 (c) When there is no match of an address and a substantially similar name, the county
139 clerk shall declare the signature valid if the birth date or age on the petition matches the birth
140 date or age of a person on the official register with a substantially similar name.

141 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the
142 county clerk shall declare the signature to be invalid.

143 Section 3. Section **20A-7-303** is amended to read:

144 **20A-7-303. Form of referendum petition and signature sheets.**

145 (1) (a) Each proposed referendum petition shall be printed in substantially the
146 following form:

147 "REFERENDUM PETITION To the Honorable ____, Lieutenant Governor:

148 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.
149 ____, entitled (title of act, and, if the petition is against less than the whole act, set forth here

150 the part or parts on which the referendum is sought), passed by the ____ Session of the
151 Legislature of the state of Utah, be referred to the people of Utah for their approval or rejection
152 at a regular general election or a statewide special election;

153 Each signer says:

154 I have personally signed this petition;

155 I am registered to vote in Utah or intend to become registered to vote in Utah before the
156 certification of the petition names by the county clerk; and

157 My residence and post office address are written correctly after my name."

158 (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the
159 referendum to each referendum petition.

160 (2) Each signature sheet shall:

161 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

162 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
163 blank for the purpose of binding;

164 (c) contain the title of the referendum printed below the horizontal line;

165 (d) contain the word "Warning" printed or typed at the top of each signature sheet
166 under the title of the referendum;

167 (e) contain, to the right of the word "Warning," the following statement printed or
168 typed in not less than eight-point, single leaded type:

169 "It is a class A misdemeanor for anyone to sign any referendum petition with any other
170 name than his own, or knowingly to sign his name more than once for the same measure, or to
171 sign a referendum petition when he knows he is not a registered voter and knows that he does
172 not intend to become registered to vote before the certification of the petition names by the
173 county clerk.";

174 (f) contain horizontally ruled lines, 3/8 inch apart under the "Warning" statement
175 required by this section; and

176 (g) be vertically divided into columns as follows:

177 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
178 headed with "For Office Use Only," and be subdivided with a light vertical line down the
179 middle;

180 (ii) the next column shall be [~~three~~] 2-1/2 inches wide, headed "Registered Voter's

181 Printed Name (must be legible to be counted)";

182 (iii) the next column shall be [~~three~~] 2-1/2 inches wide, headed "Signature of

183 Registered Voter"; [~~and~~]

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

185 [~~(iv)~~] (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
186 Code"[-]; and

187 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
188 information is not required, but it may be used to verify your identity with voter registration
189 records. If you choose not to provide it, your signature may not be verified as a valid signature
190 if you change your address before petition signatures are verified or if the information you
191 provide does not match your voter registration records."

192 (3) The final page of each referendum packet shall contain the following printed or
193 typed statement:

194 "Verification

195 State of Utah, County of _____

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

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

198 All the names that appear in this packet were signed by persons who professed to be the
199 persons whose names appear in it, and each of them signed his name on it in my presence;

200 I believe that each has printed and signed his name and written his post office address
201 and residence correctly, and that each signer is registered to vote in Utah or intends to become
202 registered to vote before the certification of the petition names by the county clerk.

203

204

205 _____
(Name) (Residence Address) (Date)"

206 (4) The forms prescribed in this section are not mandatory, and, if substantially
207 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical
208 errors.

209 Section 4. Section **20A-7-306** is amended to read:

210 **20A-7-306. Submitting the referendum petition -- Certification of signatures by**
211 **the county clerks -- Transfer to lieutenant governor.**

212 (1) No later than 40 days after the end of the legislative session at which the law
213 passed, the sponsors shall deliver each signed and verified referendum packet to the county
214 clerk of the county in which the packet was circulated.

215 (2) No later than 55 days after the end of the legislative session at which the law
216 passed, the county clerk shall:

217 (a) check the names of all persons completing the verification on the back of each
218 signature sheet to determine whether or not those persons are Utah residents and are at least 18
219 years old; and

220 (b) submit the name of each of those persons who is not a Utah resident or who is not
221 at least 18 years old to the attorney general and county attorney.

222 (3) No later than 55 days after the end of the legislative session at which the law
223 passed, the county clerk shall:

224 (a) ~~[check all the names of the signers against the official registers to]~~ determine
225 whether or not ~~[the]~~ each signer is a registered voter according to the requirements of Section
226 20A-7-306.3;

227 (b) certify on the referendum petition whether or not each name is that of a registered
228 voter; and

229 (c) deliver all of the referendum packets to the lieutenant governor.

230 Section 5. Section **20A-7-306.3** is enacted to read:

231 **20A-7-306.3. Verification of petition signatures.**

232 (1) (a) For the purposes of this section, "substantially similar name" means:

233 (i) the given name and surname shown on the petition, or both, contain only minor
234 spelling differences when compared to the given name and surname shown on the official
235 register;

236 (ii) the surname shown on the petition exactly matches the surname shown on the
237 official register, and the given names differ only because one of the given names shown is a
238 commonly used abbreviation or variation of the other;

239 (iii) the surname shown on the petition exactly matches the surname shown on the
240 official register, and the given names differ only because one of the given names shown is
241 accompanied by a first or middle initial or a middle name which is not shown on the other
242 record; or

243 (iv) the surname shown on the petition exactly matches the surname shown on the
244 official register, and the given names differ only because one of the given names shown is an
245 alphabetically corresponding initial that has been provided in the place of a given name shown
246 on the other record.

247 (b) For the purposes of this section, "substantially similar name" does not mean a
248 name having an initial or a middle name shown on the petition that does not match a different
249 initial or middle name shown on the official register.

250 (2) The county clerk shall use the following procedures in determining whether or not a
251 signer is a registered voter:

252 (a) When a signer's name and address shown on the petition exactly match a name and
253 address shown on the official register, the county clerk shall declare the signature valid.

254 (b) When there is no exact match of an address and a name, the county clerk shall
255 declare the signature valid if the address on the petition matches the address of a person on the
256 official register with a substantially similar name.

257 (c) When there is no match of an address and a substantially similar name, the county
258 clerk shall declare the signature valid if the birth date or age on the petition matches the birth
259 date or age of a person on the official register with a substantially similar name.

260 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county
261 clerk shall declare the signature to be invalid.

262 Section 6. Section **20A-7-503** is amended to read:

263 **20A-7-503. Form of initiative petitions and signature sheets.**

264 (1) (a) Each proposed initiative petition shall be printed in substantially the following
265 form:

266 "INITIATIVE PETITION To the Honorable _____, County Clerk/City Recorder/Town
267 Clerk:

268 We, the undersigned citizens of Utah, respectfully demand that the following proposed
269 law be submitted to: the legislative body for its approval or rejection at its next meeting; and
270 the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes
271 no action on it.

272 Each signer says:

273 I have personally signed this petition;

274 I am registered to vote in Utah or intend to become registered to vote in Utah before the
275 certification of the petition names by the county clerk; and

276 My residence and post office address are written correctly after my name."

277 (b) The sponsors of an initiative shall attach a copy of the proposed law to each
278 initiative petition.

279 (2) Each signature sheet shall:

280 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

281 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
282 blank for the purpose of binding;

283 (c) contain the title of the initiative printed below the horizontal line;

284 (d) contain the initial fiscal impact estimate's summary statement issued by the budget
285 officer according to Subsection 20A-7-502.5(2)(b) printed or typed in not less than 12-point,
286 bold type, at the top of each signature sheet under the title of the initiative;

287 (e) contain the word "Warning" printed or typed at the top of each signature sheet
288 under the initial fiscal impact estimate's summary statement;

289 (f) contain, to the right of the word "Warning," the following statement printed or
290 typed in not less than eight-point, single leaded type:

291 "It is a class A misdemeanor for anyone to sign any initiative petition with any other
292 name than his own, or knowingly to sign his name more than once for the same measure, or to
293 sign an initiative petition when he knows he is not a registered voter and knows that he does
294 not intend to become registered to vote before the certification of the petition names by the
295 county clerk.";

296 (g) contain horizontally ruled lines, 3/8 inch apart under the "Warning" statement
297 required by this section;

298 (h) be vertically divided into columns as follows:

299 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
300 headed with "For Office Use Only", and be subdivided with a light vertical line down the
301 middle with the left subdivision entitled "Registered" and the right subdivision left untitled;

302 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
303 Name (must be legible to be counted)";

304 (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered

305 Voter";

306 (iv) the next column shall be one inch wide, headed "Birth Date or Age"; [~~and~~]

307 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
308 Code"; and

309 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
310 information is not required, but it may be used to verify your identity with voter registration
311 records. If you choose not to provide it, your signature may not be verified as a valid signature
312 if you change your address before petition signatures are verified or if the information you
313 provide does not match your voter registration records;" and

314 (i) contain the following statement, printed or typed upon the back of each sheet:

315 "Verification

316 State of Utah, County of ____

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

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

319 All the names that appear on this sheet were signed by persons who professed to be the
320 persons whose names appear in it, and each of them signed his name on it in my presence;

321 I believe that each has printed and signed his name and written his post office address
322 and residence correctly, and that each signer is registered to vote in Utah or intends to become
323 registered to vote before the certification of the petition names by the county clerk.

324 _____"

325 (3) The forms prescribed in this section are not mandatory, and, if substantially
326 followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical
327 errors.

328 Section 7. Section **20A-7-506.3** is amended to read:

329 **20A-7-506.3. Verification of petition signatures.**

330 (1) (a) For the purposes of this section, "substantially similar name" means:

331 (i) the given name and surname shown on the petition, or both, contain only minor
332 spelling differences when compared to the given name and surname shown on the official
333 register;

334 (ii) the surname shown on the petition exactly matches the surname shown on the
335 official register, and the given names differ only because one of the given names shown is a

336 commonly used abbreviation or variation of the other;

337 (iii) the surname shown on the petition exactly matches the surname shown on the
338 official register, and the given names differ only because one of the given names shown is
339 accompanied by a first or middle initial or a middle name which is not shown on the other
340 record; or

341 (iv) the surname shown on the petition exactly matches the surname shown on the
342 official register, and the given names differ only because one of the given names shown is an
343 alphabetically corresponding initial that has been provided in the place of a given name shown
344 on the other record.

345 (b) For the purposes of this section, "substantially similar name" does not mean a name
346 having an initial or a middle name shown on the petition that does not match a different initial
347 or middle name shown on the official register.

348 (2) The county clerk shall use the following procedures in determining whether or not a
349 signer is a registered voter:

350 (a) When a signer's name and address shown on the petition exactly match a name and
351 address shown on the official register, the county clerk shall declare the signature valid.

352 (b) When there is no exact match of an address and a name, the county clerk shall
353 declare the signature valid if the address on the petition matches the address of a person on the
354 official register with a substantially similar name.

355 (c) When there is no match of an address and a substantially similar name, the county
356 clerk shall declare the signature valid if the birth date or age on the petition matches the birth
357 date or age of a person on the official register with a substantially similar name.

358 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the
359 county clerk shall declare the signature to be invalid.

360 Section 8. Section **20A-7-603** is amended to read:

361 **20A-7-603. Form of referendum petition and signature sheets.**

362 (1) (a) Each proposed referendum petition shall be printed in substantially the
363 following form:

364 "REFERENDUM PETITION To the Honorable ____, County Clerk/City
365 Recorder/Town Clerk:

366 We, the undersigned citizens of Utah, respectfully order that Ordinance No. ____,

367 entitled (title of ordinance, and, if the petition is against less than the whole ordinance, set forth
368 here the part or parts on which the referendum is sought), passed by the ____ be referred to the
369 voters for their approval or rejection at the regular/municipal general election to be held on
370 _____(month\day\year);

371 Each signer says:

372 I have personally signed this petition;

373 I am registered to vote in Utah or intend to become registered to vote in Utah before the
374 certification of the petition names by the county clerk; and

375 My residence and post office address are written correctly after my name."

376 (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the
377 referendum to each referendum petition.

378 (2) Each signature sheet shall:

379 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

380 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line
381 blank for the purpose of binding;

382 (c) contain the title of the referendum printed below the horizontal line;

383 (d) contain the word "Warning" printed or typed at the top of each signature sheet
384 under the title of the referendum;

385 (e) contain, to the right of the word "Warning," the following statement printed or
386 typed in not less than eight-point, single leaded type:

387 "It is a class A misdemeanor for anyone to sign any referendum petition with any other
388 name than his own, or knowingly to sign his name more than once for the same measure, or to
389 sign a referendum petition when he knows he is not a registered voter and knows that he does
390 not intend to become registered to vote before the certification of the petition names by the
391 county clerk.";

392 (f) contain horizontally ruled lines, 3/8 inch apart under the "Warning" statement
393 required by this section;

394 (g) be vertically divided into columns as follows:

395 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be
396 headed with "For Office Use Only," and be subdivided with a light vertical line down the
397 middle;

398 (ii) the next column shall be [~~three~~] 2-1/2 inches wide, headed "Registered Voter's
399 Printed Name (must be legible to be counted)";

400 (iii) the next column shall be [~~three~~] 2-1/2 inches wide, headed "Signature of
401 Registered Voter"; [~~and~~]

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

403 [~~(iv)~~] (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
404 Code"; and

405 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age
406 information is not required, but it may be used to verify your identity with voter registration
407 records. If you choose not to provide it, your signature may not be verified as a valid signature
408 if you change your address before petition signatures are verified or if the information you
409 provide does not match your voter registration records;" and

410 (h) contain the following statement, printed or typed upon the back of each sheet:

411 "Verification

412 State of Utah, County of _____

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

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

415 All the names that appear on this sheet were signed by persons who professed to be the
416 persons whose names appear in it, and each of them signed his name on it in my presence;

417 I believe that each has printed and signed his name and written his post office address
418 and residence correctly, and that each signer is registered to vote in Utah or intends to become
419 registered to vote before the certification of the petition names by the county clerk.

420 _____"

421 (3) The forms prescribed in this section are not mandatory, and, if substantially
422 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical
423 errors.

424 Section 9. Section **20A-7-606** is amended to read:

425 **20A-7-606. Submitting the referendum petition -- Certification of signatures by**
426 **the county clerks -- Transfer to local clerk.**

427 (1) No later than 120 days before any regular general election for county referenda, or
428 municipal general election for local referenda, the sponsors shall deliver each signed and

429 verified referendum packet to the county clerk of the county in which the packet was
430 circulated.

431 (2) No later than 90 days before any general election, the county clerk shall:

432 (a) check the names of all persons completing the verification on the back of each
433 signature sheet to determine whether or not those persons are Utah residents and are at least 18
434 years old; and

435 (b) submit the name of each of those persons who is not a Utah resident or who is not
436 at least 18 years old to the attorney general and county attorney.

437 (3) No later than 60 days before any general election, the county clerk shall:

438 (a) ~~[check all the names of the signers against the official registers to]~~ determine
439 whether or not ~~[the]~~ each signer is a registered voter according to the requirements of Section
440 20A-7-606.3;

441 (b) certify on the referendum petition whether or not each name is that of a registered
442 voter; and

443 (c) deliver all of the referendum packets to the local clerk.

444 Section 10. Section **20A-7-606.3** is enacted to read:

445 **20A-7-606.3. Verification of petition signatures.**

446 (1) (a) For the purposes of this section, "substantially similar name" means:

447 (i) the given name and surname shown on the petition, or both, contain only minor
448 spelling differences when compared to the given name and surname shown on the official
449 register;

450 (ii) the surname shown on the petition exactly matches the surname shown on the
451 official register, and the given names differ only because one of the given names shown is a
452 commonly used abbreviation or variation of the other;

453 (iii) the surname shown on the petition exactly matches the surname shown on the
454 official register, and the given names differ only because one of the given names shown is
455 accompanied by a first or middle initial or a middle name which is not shown on the other
456 record; or

457 (iv) the surname shown on the petition exactly matches the surname shown on the
458 official register, and the given names differ only because one of the given names shown is an
459 alphabetically corresponding initial that has been provided in the place of a given name shown

460 on the other record.

461 (b) For the purposes of this section, "substantially similar name" does not mean a
462 name having an initial or a middle name shown on the petition that does not match a different
463 initial or middle name shown on the official register.

464 (2) The county clerk shall use the following procedures in determining whether or not a
465 signer is a registered voter:

466 (a) When a signer's name and address shown on the petition exactly match a name and
467 address shown on the official register, the county clerk shall declare the signature valid.

468 (b) When there is no exact match of an address and a name, the county clerk shall
469 declare the signature valid if the address on the petition matches the address of a person on the
470 official register with a substantially similar name.

471 (c) When there is no match of an address and a substantially similar name, the county
472 clerk shall declare the signature valid if the birth date or age on the petition matches the birth
473 date or age of a person on the official register with a substantially similar name.

474 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county
475 clerk shall declare the signature to be invalid.

**H.B. 63 1st Sub. (Buff) - Initiative and Referendum - Signature Verification
Procedures**

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

1/29/2007, 8:34:12 AM, Lead Analyst: Ricks, G.

Office of the Legislative Fiscal Analyst