



28 **Utah Code Sections Affected:**

29 AMENDS:

- 30 **20A-1-306**, as last amended by Laws of Utah 2016, Chapter 348
- 31 **20A-7-101**, as last amended by Laws of Utah 2016, Chapters 53, 176, and 365
- 32 **20A-7-203**, as last amended by Laws of Utah 2014, Chapter 329
- 33 **20A-7-204**, as last amended by Laws of Utah 2011, Chapter 315
- 34 **20A-7-205**, as last amended by Laws of Utah 2011, Chapter 17
- 35 **20A-7-206.3**, as last amended by Laws of Utah 2011, Chapter 17
- 36 **20A-7-207**, as last amended by Laws of Utah 2011, Chapter 17
- 37 **20A-7-213**, as last amended by Laws of Utah 2013, Chapter 253
- 38 **20A-7-303**, as last amended by Laws of Utah 2014, Chapter 329
- 39 **20A-7-304**, as last amended by Laws of Utah 1995, Chapter 153
- 40 **20A-7-305**, as last amended by Laws of Utah 2011, Chapter 17
- 41 **20A-7-306.3**, as last amended by Laws of Utah 2011, Chapter 17
- 42 **20A-7-307**, as last amended by Laws of Utah 2011, Chapter 17
- 43 **20A-7-312**, as last amended by Laws of Utah 2013, Chapter 253
- 44 **20A-7-503**, as last amended by Laws of Utah 2014, Chapter 329
- 45 **20A-7-504**, as last amended by Laws of Utah 2016, Chapter 365
- 46 **20A-7-505**, as last amended by Laws of Utah 2012, Chapter 72
- 47 **20A-7-506.3**, as last amended by Laws of Utah 2011, Chapter 17
- 48 **20A-7-507**, as last amended by Laws of Utah 2011, Chapter 17
- 49 **20A-7-512**, as last amended by Laws of Utah 2013, Chapter 253
- 50 **20A-7-603**, as last amended by Laws of Utah 2016, Chapter 365
- 51 **20A-7-604**, as last amended by Laws of Utah 2016, Chapter 365
- 52 **20A-7-605**, as last amended by Laws of Utah 2012, Chapter 72
- 53 **20A-7-606.3**, as last amended by Laws of Utah 2011, Chapter 17
- 54 **20A-7-607**, as last amended by Laws of Utah 2014, Chapter 396
- 55 **20A-7-612**, as last amended by Laws of Utah 2001, Chapter 20
- 56 **20A-7-613**, as last amended by Laws of Utah 2016, Chapters 350, 365, and 367
- 57 **20A-8-103**, as last amended by Laws of Utah 2013, Chapter 253
- 58 **20A-9-203**, as last amended by Laws of Utah 2014, Chapter 38

- 59            **20A-9-404**, as last amended by Laws of Utah 2013, Chapter 402
- 60            **20A-9-405**, as enacted by Laws of Utah 2014, Chapter 17
- 61            **20A-9-502**, as last amended by Laws of Utah 2013, Chapters 253 and 317
- 62            **63G-2-202**, as last amended by Laws of Utah 2016, Chapter 348
- 63            **63G-2-301**, as last amended by Laws of Utah 2014, Chapter 373
- 64            **63G-2-302**, as last amended by Laws of Utah 2016, Chapter 410

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

67            Section 1. Section **20A-1-306** is amended to read:

68            **20A-1-306. Electronic signatures.**

69            [~~Notwithstanding Title 46, Chapter 4, Uniform Electronic Transactions Act, and~~  
70 ~~Subsections 68-3-12(1)(c) and 68-3-12.5(27) and (38), an~~]

71            (1) An electronic signature may [~~not~~] be used to sign a petition to:

72            [~~(+)~~] (a) qualify a ballot proposition for the ballot under Chapter 7, Issues Submitted to  
73 the Voters;

74            [~~(2)~~] (b) organize and register a political party under Chapter 8, Political Party  
75 Formation and Procedures; or

76            [~~(3)~~] (c) qualify a candidate for the ballot under Chapter 9, Candidate Qualifications  
77 and Nominating Procedures.

78            (2) An electronic signature collected for a petition described in Subsection (1) is only  
79 valid if the signature is in the form of an individual's driver license number or state-issued  
80 identification card number.

81            Section 2. Section **20A-7-101** is amended to read:

82            **20A-7-101. Definitions.**

83            As used in this chapter:

84            (1) "Budget officer" means:

85            (a) for a county, the person designated as budget officer in Section **17-19a-203**;

86            (b) for a city, the person designated as budget officer in Subsection **10-6-106(5)**;

87            (c) for a town, the town council; or

88            (d) for a metro township, the person described in Subsection (1)(a) for the county in  
89 which the metro township is located.

90 (2) "Certified" means that the county clerk has acknowledged a signature as being the  
91 signature of a registered voter.

92 (3) "Circulation" means the process of submitting an initiative or referendum petition  
93 to legal voters for their signature.

94 (4) "Eligible voter" means a legal voter who resides in the jurisdiction of the county,  
95 city, or town that is holding an election on a ballot proposition.

96 (5) "Final fiscal impact statement" means a financial statement prepared after voters  
97 approve an initiative that contains the information required by Subsection [20A-7-202.5\(2\)](#) or  
98 [20A-7-502.5\(2\)](#).

99 (6) "Initial fiscal impact estimate" means:

100 (a) a financial statement prepared under Section [20A-7-202.5](#) after the filing of an  
101 application for an initiative petition; or

102 (b) a financial and legal statement prepared under Section [20A-7-502.5](#) or [20A-7-602.5](#)  
103 for an initiative or referendum petition.

104 (7) "Initiative" means a new law proposed for adoption by the public as provided in  
105 this chapter.

106 (8) "Initiative packet" means a copy of the initiative petition, a copy of the proposed  
107 law, and the signature sheets, all of which [~~have been bound~~] are provided together as a unit.

108 (9) "Legal signatures" means the number of signatures of legal voters that:

109 (a) meet the numerical requirements of this chapter; and

110 (b) have been certified and verified as provided in this chapter.

111 (10) "Legal voter" means a person who:

112 (a) is registered to vote; or

113 (b) becomes registered to vote before the county clerk certifies the signatures on an  
114 initiative or referendum petition.

115 (11) "Local attorney" means the county attorney, city attorney, or town attorney in  
116 whose jurisdiction a local initiative or referendum petition is circulated.

117 (12) "Local clerk" means the county clerk, city recorder, or town clerk in whose  
118 jurisdiction a local initiative or referendum petition is circulated.

119 (13) (a) "Local law" includes:

120 (i) an ordinance;

- 121 (ii) a resolution;
- 122 (iii) a master plan;
- 123 (iv) a comprehensive zoning regulation adopted by ordinance or resolution; or
- 124 (v) other legislative action of a local legislative body.
- 125 (b) "Local law" does not include an individual property zoning decision.
- 126 (14) "Local legislative body" means the legislative body of a county, city, town, or
- 127 metro township.
- 128 (15) "Local obligation law" means a local law passed by the local legislative body
- 129 regarding a bond that was approved by a majority of qualified voters in an election.
- 130 (16) "Local tax law" means a law, passed by a political subdivision with an annual or
- 131 biannual calendar fiscal year, that increases a tax or imposes a new tax.
- 132 (17) "Measure" means a proposed constitutional amendment, an initiative, or
- 133 referendum.
- 134 (18) "Referendum" means a process by which a law passed by the Legislature or by a
- 135 local legislative body is submitted or referred to the voters for their approval or rejection.
- 136 (19) "Referendum packet" means a copy of the referendum petition, a copy of the law
- 137 being submitted or referred to the voters for their approval or rejection, and the signature
- 138 sheets, all of which ~~[have been bound]~~ are provided together as a unit.
- 139 (20) (a) "Signature" means a holographic signature or an electronic signature.
- 140 ~~[(b) "Signature" does not mean an electronic signature.]~~
- 141 (21) "Signature ~~[sheets]~~ sheet" means ~~[sheets]~~ a printed sheet or an electronic form in
- 142 the form required by this chapter that ~~[are]~~ is used to collect signatures in support of an
- 143 initiative or referendum.
- 144 (22) "Sponsors" means the legal voters who support the initiative or referendum and
- 145 who sign the application for petition copies.
- 146 (23) "Sufficient" means that the signatures submitted in support of an initiative or
- 147 referendum petition have been certified and verified as required by this chapter.
- 148 (24) "Verified" means acknowledged by the person circulating the petition as required
- 149 in Sections [20A-7-205](#) and [20A-7-305](#).
- 150 Section 3. Section **20A-7-203** is amended to read:
- 151 **20A-7-203. Form of initiative petition and signature sheets.**

152 (1) (a) Each proposed initiative petition shall be [~~printed~~] created in substantially the  
153 following form:

154 "INITIATIVE PETITION To the Honorable \_\_\_\_\_, Lieutenant Governor:

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

158 Each signer says:

159 I have personally signed this petition;

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

162 [~~My~~] I have submitted my residence and post office address [~~are written~~] correctly after  
163 my name.

164 NOTICE TO SIGNERS:

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

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

169 (2) [~~Each~~] A signature sheet used to collect holographic signatures shall:

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

171 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
172 that line blank for the purpose of binding;

173 (c) contain the title of the initiative [~~printed~~] below the horizontal line;

174 (d) contain the initial fiscal impact estimate's summary statement issued under  
175 Subsection 20A-7-202.5(2)(b) by the Governor's Office of Management and Budget [~~according~~  
176 ~~to Subsection 20A-7-202.5(2)(b)~~], including any update [~~according to~~] made under Subsection  
177 20A-7-204.1(4), and the cost estimate issued under Subsection 20A-7-202.5(3) for printing and  
178 distributing information related to the initiative petition [~~according to Subsection~~  
179 20A-7-202.5(3), ~~printed or typed~~], in not less than 12-point, bold type, at the top of [~~each~~] the  
180 signature sheet under the title of the initiative;

181 (e) contain the word "Warning" [~~printed or typed~~] at the top of [~~each~~] the signature  
182 sheet under the initial fiscal impact estimate's summary statement;

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

185 "It is a class A misdemeanor for [~~anyone~~] an individual to sign [~~any~~] an initiative  
186 petition with [~~any other name than his own~~] a name other than the individual's own name, or to  
187 knowingly [~~to~~] sign [~~his~~] the individual's name more than once for the same measure, or to sign  
188 an initiative petition when [~~he~~] the individual knows [~~he~~] the individual is not a registered  
189 voter and [~~knows that he~~] does not intend to become registered to vote before the certification  
190 of the petition names by the county clerk."; and

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

192 (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch  
193 wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down  
194 the middle with the left subdivision entitled "Registered" and the right subdivision left untitled;

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

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

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

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

203 (h) spanning the sheet horizontally beneath each row on which a registered voter may  
204 submit the information described in Subsection (2)(g), contain the following statement [~~printed~~  
205 ~~or typed~~] in not less than eight-point[~~, single-leaded~~] type:

206 "By signing this petition, you are stating that you have read and understand the law  
207 proposed by this petition."; and

208 (i) at the bottom of the sheet, contain the following statement: "Birth date or age  
209 information is not required[~~;~~] but [~~it~~] may be used to verify your identity with voter registration  
210 records. If you choose not to provide [~~it~~] this information, your signature may not be verified  
211 as a valid signature if you change your address before petition signatures are verified or if the  
212 information you provide does not match your voter registration records."

213 [~~(3) The final page of each initiative packet shall contain the following printed or typed~~

214 statement:]

215 [~~"Verification]~~

216 [~~State of Utah, County of \_\_\_\_\_]~~

217 [~~I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:]~~

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

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

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

224 [~~I have not paid or given anything of value to any person who signed this petition to~~  
225 ~~encourage that person to sign it.]~~

226 [\_\_\_\_\_]

227 [~~(Name) \_\_\_\_\_ (Residence Address) \_\_\_\_\_ (Date)"~~]

228 (3) A signature sheet used to collect electronic signatures shall be an electronic form  
229 that contains:

230 (a) the title of the initiative at the top of the form;

231 (b) the initial fiscal impact estimate's summary statement issued under Subsection  
232 20A-7-202.5(2)(b) by the Governor's Office of Management and Budget, including any update  
233 made under Subsection 20A-7-204.1(4), and the cost estimate issued under Subsection  
234 20A-7-202.5(3) for printing and distributing information related to the initiative petition, in not  
235 less than 12-point, bold type, at the top of the form under the title of the initiative;

236 (c) the word "Warning" at the top of the form under the initial fiscal impact estimate's  
237 summary statement;

238 (d) to the right of the word "Warning," the following statement in not less than  
239 eight-point type:

240 "It is a class A misdemeanor for an individual to sign an initiative petition with a name,  
241 driver license number, or state-issued identification card number, other than the individual's  
242 own name, driver license number, or state-issued identification card number, or to knowingly  
243 sign an initiative petition more than once for the same measure, or to sign an initiative petition  
244 when the individual knows the individual is not a registered voter and does not intend to



245 become registered to vote before the certification of the petition names by the county clerk.";

246 (e) a space titled "Registered Voter's Name";

247 (f) a space titled "Signature of Registered Voter" in which an individual who signs the

248 petition may submit the individual's driver license number or state-issued identification card

249 number as the individual's signature;

250 (g) immediately after the space described in Subsection (3)(f), the following statement,

251 in not less than eight-point type:

252 "Your electronic signature must be in the form of your current driver license number or

253 state-issued identification card number. Submitting any other information as your electronic

254 signature will result in the disqualification of your signature. By signing this petition, you are

255 stating that you have read and understand the law proposed by this petition.";

256 (h) a space titled "Birth Date or Age (Optional)" followed by the following statement:

257 "Birth date or age information is not required, but may be used to verify your identity

258 with voter registration records. If you choose not to provide this information, your signature

259 may not be verified as a valid signature if you change your address before petition signatures

260 are verified or if the information you provide does not match your voter registration records.";

261 (i) a space titled "Street Address";

262 (j) a space titled "City"; and

263 (k) a space titled "Zip Code."

264 (4) The forms prescribed in this section are not mandatory, and, if substantially

265 followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical

266 errors.

267 Section 4. Section **20A-7-204** is amended to read:

268 **20A-7-204. Circulation requirements -- Lieutenant governor to provide sponsors**

269 **with materials -- Form of initiative packet.**

270 (1) ~~[In order to]~~ To obtain the necessary number of signatures required by this part, the

271 sponsors shall circulate initiative packets that meet the form requirements of this part.

272 (2) The lieutenant governor shall furnish to the sponsors:

273 (a) a copy of the initiative petition~~[-with]~~;

274 (b) a copy of the proposed law, including any change submitted under Subsection

275 20A-7-204.1(4); and

276           ~~[(b)]~~ (c) one printed signature sheet.

277           ~~[(3) The sponsors of the petition shall:]~~

278           ~~[(a) arrange and pay for the printing of all additional copies of the petition and~~

279 ~~signature sheets; and]~~

280           ~~[(b) ensure that the copies of the petition and signature sheets meet the form~~

281 ~~requirements of this section.]~~

282           ~~[(4) (a) The sponsors may prepare the initiative for circulation by creating multiple~~

283 ~~initiative packets:]~~

284           ~~[(b) The sponsors shall create those packets by binding]~~

285           (3) (a) Sponsors who collect holographic signatures shall:

286           (i) create each initiative packet by binding the following together at the top in a manner

287 that allows the packet to be conveniently opened for signing:

288           (A) a printed copy of the initiative petition[;];

289           (B) a printed copy of the proposed law[;]; and

290           (C) no more than 50 printed signature sheets [together at the top in such a way that the

291 packets may be conveniently opened for signing.];

292           (ii) arrange and pay for the printing of all additional copies of the petition and signature

293 sheets; and

294           (iii) ensure that the copies of the petition and signature sheets meet the form

295 requirements described in this section.

296           ~~[(e)]~~ (b) The sponsors ~~[need not]~~ are not required to attach a uniform number of

297 signature sheets to each initiative packet.

298           ~~[(5)(a)]~~ (c) (i) After the sponsors have prepared a sufficient number of initiative

299 packets, ~~[they]~~ the sponsors shall return ~~[them]~~ the initiative packets to the lieutenant governor.

300           ~~[(b)]~~ (ii) The lieutenant governor shall:

301           ~~[(i)]~~ (A) number each ~~[of the]~~ initiative ~~[packets]~~ packet and return ~~[them]~~ the initiative

302 packet to the sponsors within five ~~[working]~~ business days after the day on which the lieutenant

303 governor receives the initiative packet; and

304           ~~[(ii)]~~ (B) keep a record of the ~~[numbers]~~ number assigned to each packet.

305           (4) (a) Sponsors who collect electronic signatures shall:

306           (i) create each initiative packet by creating an electronically accessible copy of:

307           (A) the initiative petition;  
 308           (B) the proposed law; and  
 309           (C) a signature sheet; and  
 310           (ii) ensure that an individual views the initiative petition and the proposed law that is  
 311 the subject of the initiative before the individual signs the signature sheet.

312           (b) Before delivering an initiative packet to a county clerk under Section [20A-7-206](#),  
 313 the sponsors of an initiative petition who collect electronic signatures shall:

314           (i) print completed signature sheets in substantially the same form as required under  
 315 Subsection [20A-7-203\(2\)](#) for a signature sheet used to collect holographic signatures; and

316           (ii) prepare one or more printed and completed initiative packets in substantially the  
 317 same form as required under Subsection (3)(a) for an initiative packet used to collect  
 318 holographic signatures.

319           Section 5. Section **20A-7-205** is amended to read:

320           **20A-7-205. Obtaining signatures -- Verification statement -- Removal of**  
 321 **signature.**

322           (1) A [~~Utah~~] voter may sign an initiative petition if the voter is a legal voter.

323           (2) (a) The sponsors of an initiative petition shall [~~ensure that the person in whose~~  
 324 ~~presence each signature sheet was signed~~]:

325           (i) create a page containing the following printed verification statement:

326           "Verification

327           State of Utah, County of \_\_\_\_\_

328           I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

329           I am a resident of Utah and am at least 18 years of age;

330           Each signature that appears in this packet was signed by an individual who professed to  
 331 be the individual whose name is associated with the signature;

332           I believe that each individual has submitted the individual's name, signed the petition,  
 333 and submitted the individual's post office address and residence correctly, and that each signer

334 is registered to vote in Utah or intends to become registered to vote in Utah before the

335 certification of the petition names by the county clerk; and

336           I have not paid or given anything of value to any individual who signed this petition to  
 337 encourage that individual to sign it.

338

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339 (Name) (Residence Address) (Date)";

340 (ii) attach a verification statement to each initiative packet; and

341 (iii) ensure that an individual who circulates an initiative packet for the petition:

342 [(i)] (A) is at least 18 years ~~[old]~~ of age and meets the residency requirements of  
343 Section 20A-2-105; and

344 [(ii)] (B) verifies ~~[each signature sheet]~~ the initiative packet by completing the  
345 verification ~~[printed on the last page of each initiative packet]~~ statement attached to the  
346 initiative packet.

347 (b) A person may not sign the verification ~~[printed on the last page of]~~ statement  
348 attached to the initiative packet if the person signed a signature sheet in the initiative packet.

349 (3) (a) A voter who has signed an initiative petition may have the voter's signature  
350 removed from the petition by submitting to the county clerk a statement requesting that the  
351 voter's signature be removed.

352 (b) The statement shall include:

353 (i) the name of the voter;

354 (ii) the resident address at which the voter is registered to vote;

355 (iii) the last four digits of the voter's social security number;

356 (iv) the driver license or identification card number; and

357 (v) the signature of the voter.

358 (c) A voter may not submit a statement by email or other electronic means.

359 (d) ~~[In order for]~~ For the signature to be removed, the statement must be received by  
360 the county clerk before May 15.

361 (e) The county clerk shall deliver all statements received under this Subsection (3):

362 (i) with the initiative petition packets delivered to the lieutenant governor; or

363 (ii) in a supplemental delivery to the lieutenant governor for a statement submitted  
364 after the county clerk delivered the initiative packets.

365 (f) A person may only remove a signature from an initiative petition in accordance with  
366 this Subsection (3).

367 Section 6. Section **20A-7-206.3** is amended to read:

368 **20A-7-206.3. Verification of petition signatures.**

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

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

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

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

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

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

387 (2) The county clerk shall use the following procedures in determining whether ~~[or not]~~  
388 a signer is a registered voter:

389 (a) ~~[When]~~ The county clerk shall declare a signature valid if:

390 (i) a signer's name and address shown on the petition exactly match a name and address  
391 shown on the official register; and

392 (ii) (A) the signer's holographic signature appears substantially similar to the  
393 holographic signature on the statewide voter registration database~~[, the county clerk shall~~  
394 ~~declare the signature valid.]~~ for the signer; or

395 (B) the signer's electronic signature exactly matches the driver license number or  
396 state-issued identification card number on the statewide voter registration database for the  
397 signer.

398 (b) When there is no exact match of an address and a name, the county clerk shall  
399 declare the signature valid if:

400 (i) the signer's address on the petition matches the address of a person on the official  
401 register with a substantially similar name; and

402 (ii) (A) the signer's holographic signature appears substantially similar to the  
403 holographic signature on the statewide voter registration database of the person described in  
404 Subsection (2)(b)(i)[-]; or

405 (B) the signer's electronic signature exactly matches the driver license number or  
406 state-issued identification card number, for the person described in Subsection (2)(b)(i), on the  
407 statewide voter registration database.

408 (c) When there is no match of an address and a substantially similar name, the county  
409 clerk shall declare the signature valid if:

410 (i) the signer's birth date or age on the petition matches the birth date or age of a person  
411 on the official register with a substantially similar name; and

412 (ii) (A) the signer's holographic signature appears substantially similar to the  
413 holographic signature on the statewide voter registration database of the person described in  
414 Subsection (2)(c)(i)[-]; or

415 (B) the signer's electronic signature exactly matches the driver license number or  
416 state-issued identification card number, for the person described in Subsection (2)(c)(i), on the  
417 statewide voter registration database.

418 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the  
419 county clerk shall declare the signature [~~to be~~] invalid.

420 Section 7. Section **20A-7-207** is amended to read:

421 **20A-7-207. Evaluation by the lieutenant governor.**

422 (1) [~~When each~~] After receiving an initiative packet [~~is received~~] containing  
423 holographic signatures from a county clerk, the lieutenant governor shall [~~check off from the~~]  
424 record the number [~~of each initiative packet filed~~] assigned under Subsection  
425 20A-7-204(3)(c)(ii) to the initiative packet, including an indication that the lieutenant governor  
426 received the initiative packet.

427 (2) (a) After all of the initiative packets have been received by the lieutenant governor  
428 and the lieutenant governor has removed the signatures as required by Section **20A-7-206**, the  
429 lieutenant governor shall:

430 (i) count the number of the names certified by the county clerks that remain on each

431 verified signature sheet; and

432 (ii) declare the petition to be sufficient or insufficient by June 1 before the regular  
433 general election described in Subsection 20A-7-201(2)(b).

434 (b) If the total number of names counted under Subsection (2)(a)(i) equals or exceeds  
435 the number of names required by Section 20A-7-201 and the requirements of this part are met,  
436 the lieutenant governor shall mark upon the front of the petition the word "sufficient."

437 (c) If the total number of names counted under Subsection (2)(a)(i) does not equal or  
438 exceed the number of names required by Section 20A-7-201 or a requirement of this part is not  
439 met, the lieutenant governor shall mark upon the front of the petition the word "insufficient."

440 (d) The lieutenant governor shall immediately notify any one of the sponsors of the  
441 lieutenant governor's finding.

442 (3) Once a petition is declared insufficient, the sponsors may not submit additional  
443 signatures to qualify the petition for the ballot.

444 (4) (a) If the lieutenant governor refuses to accept and file any initiative petition that a  
445 sponsor believes is legally sufficient, any voter may, by June 15, apply to the supreme court for  
446 an extraordinary writ to compel the lieutenant governor to do so.

447 (b) The supreme court shall:

448 (i) determine whether or not the initiative petition is legally sufficient; and

449 (ii) certify its findings to the lieutenant governor.

450 (c) If the supreme court certifies that the initiative petition is legally sufficient, the  
451 lieutenant governor shall file it, with a verified copy of the judgment attached to it, as of the  
452 date on which it was originally offered for filing in the lieutenant governor's office.

453 (d) If the supreme court determines that any petition filed is not legally sufficient, the  
454 supreme court may enjoin the lieutenant governor and all other officers from certifying or  
455 printing the ballot title and numbers of that measure on the official ballot.

456 (5) A petition determined to be sufficient in accordance with this section is qualified  
457 for the ballot.

458 Section 8. Section 20A-7-213 is amended to read:

459 **20A-7-213. Misconduct of electors and officers -- Penalty.**

460 (1) It is unlawful for [~~any person~~] an individual to:

461 (a) sign [~~any~~] an initiative petition with:

462 (i) a name other than the ~~[person's own to any initiative petition;]~~ individual's own  
 463 name; or

464 (ii) a driver license number or state-issued identification card number other than the  
 465 individual's own driver license number or state-issued identification card number;

466 (b) knowingly sign ~~[the person's name]~~ an initiative petition more than once for the  
 467 same measure at one election;

468 (c) sign an initiative petition knowing the ~~[person]~~ individual is not a legal voter; or

469 (d) knowingly and willfully violate any provision of this part.

470 (2) It is unlawful for ~~[any person]~~ an individual to sign the verification statement for an  
 471 initiative packet knowing that:

472 (a) the ~~[person]~~ individual does not meet the residency requirements of Section  
 473 20A-2-105; or

474 ~~[(b) the person has not witnessed the signatures of those persons whose names appear~~  
 475 ~~in the initiative packet; or]~~

476 ~~[(c) one or more persons whose signatures appear]~~

477 (b) an individual whose signature appears in the initiative packet ~~[is either]:~~

478 (i) is not registered to vote ~~[in Utah; or]; and~~

479 (ii) does not intend to become registered to vote ~~[in Utah]~~ before the certification of the  
 480 petition names by the county clerk.

481 (3) It is unlawful for ~~[any]~~ a person to:

482 (a) pay a person to sign an initiative petition;

483 (b) pay a person to remove the person's signature from an initiative petition;

484 (c) accept payment to sign an initiative petition; or

485 (d) accept payment to have the person's name removed from an initiative petition.

486 (4) ~~[Any]~~ A person violating this section is guilty of a class A misdemeanor.

487 Section 9. Section **20A-7-303** is amended to read:

488 **20A-7-303. Form of referendum petition and signature sheets.**

489 (1) (a) Each proposed referendum petition shall be ~~[printed]~~ created in substantially the  
 490 following form:

491 "REFERENDUM PETITION To the Honorable \_\_\_\_\_, Lieutenant Governor:

492 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.



493 \_\_\_\_\_, entitled (title of act, and, if the petition is against less than the whole act, set forth here  
 494 the part or parts on which the referendum is sought), passed by the \_\_\_\_\_ Session of the  
 495 Legislature of the state of Utah, be referred to the people of Utah for their approval or rejection  
 496 at a regular general election or a statewide special election;

497 Each signer says:

498 I have personally signed this petition;

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

501 ~~[My]~~ I have submitted my residence and post office address ~~[are written]~~ correctly after  
 502 my name."

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

505 (2) ~~[Each]~~ A signature sheet used to collect holographic signatures shall:

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

507 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
 508 that line blank for the purpose of binding;

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

510 (d) contain the word "Warning" ~~[printed or typed]~~ at the top of ~~[each]~~ the signature  
 511 sheet under the title of the referendum;

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

514 "It is a class A misdemeanor for ~~[anyone]~~ an individual to sign ~~[any]~~ a referendum  
 515 petition with ~~[any other name than his own]~~ a name other than the individual's own name, or to  
 516 knowingly ~~[to]~~ sign ~~[his]~~ the individual's name more than once for the same measure, or to sign  
 517 a referendum petition when ~~[he]~~ the individual knows ~~[he]~~ the individual is not a registered  
 518 voter and ~~[knows that he]~~ does not intend to become registered to vote before the certification  
 519 of the petition names by the county clerk.";

520 (f) contain horizontally ruled lines, three-eighths inch apart under the "Warning"  
 521 statement required by this section; and

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

523 (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch

524 wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down  
525 the middle;

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

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

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

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

534 (h) spanning the sheet horizontally beneath each row on which a registered voter may  
535 submit the information described in Subsection (2)(g), contain the following statement [~~printed~~  
536 ~~or typed~~] in not less than eight-point[~~, single-leaded~~] type:

537 "By signing this petition, you are stating that you have read and understand the law this  
538 petition seeks to overturn."; and

539 (i) at the bottom of the sheet, contain the following statement: "Birth date or age  
540 information is not required[;] but [it] may be used to verify your identity with voter registration  
541 records. If you choose not to provide [it] this information, your signature may not be verified  
542 as a valid signature if you change your address before petition signatures are verified or if the  
543 information you provide does not match your voter registration records."

544 [~~(3) The final page of each referendum packet shall contain the following printed or~~  
545 ~~typed statement:]~~

546 [~~"Verification]~~

547 [~~State of Utah, County of \_\_\_\_\_]~~

548 [~~I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:]~~

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

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

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

555 [ \_\_\_\_\_ ]  
556 [(Name) \_\_\_\_\_ (Residence Address) \_\_\_\_\_ (Date)]

557 (3) A signature sheet used to collect electronic signatures shall be an electronic form  
558 that contains:

- 559 (a) the title of the referendum at the top of the form;
- 560 (b) the word "Warning" at the top of the form under the title of the referendum;
- 561 (c) to the right of the word "Warning," the following statement in not less than  
562 eight-point type:

563 "It is a class A misdemeanor for an individual to sign a referendum petition with a  
564 name, driver license number, or state-issued identification card number, other than the  
565 individual's own name, driver license number, or state-issued identification card number, or to  
566 knowingly sign a referendum petition more than once for the same measure, or to sign a  
567 referendum petition when the individual knows the individual is not a registered voter and does  
568 not intend to become registered to vote before the certification of the petition names by the  
569 county clerk.";

- 570 (d) a space titled "Registered Voter's Name";
- 571 (e) a space titled "Signature of Registered Voter" in which an individual who signs the  
572 petition may submit the individual's driver license number or state-issued identification card  
573 number as the individual's signature;

574 (f) immediately after the space described in Subsection (3)(e), the following statement  
575 in not less than eight-point type:

576 "Your electronic signature must be in the form of your current driver license number or  
577 state-issued identification card number. Submitting any other information as your electronic  
578 signature will result in the disqualification of your signature. By signing this petition, you are  
579 stating that you have read and understand the law this petition seeks to overturn.";

- 580 (g) a space titled "Birth Date or Age (Optional)" followed by the following statement:  
581 "Birth date or age information is not required, but may be used to verify your identity  
582 with voter registration records. If you choose not to provide this information, your signature  
583 may not be verified as a valid signature if you change your address before petition signatures  
584 are verified or if the information you provide does not match your voter registration records.";

- 585 (h) a space titled "Street Address";

586 (i) a space titled "City"; and

587 (j) a space titled "Zip Code."

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

591 Section 10. Section **20A-7-304** is amended to read:

592 **20A-7-304. Circulation requirements -- Lieutenant governor to provide sponsors**  
593 **with materials -- Form of referendum packet.**

594 (1) ~~[In order to]~~ To obtain the necessary number of signatures required by this part, the  
595 sponsors shall circulate referendum packets that meet the form requirements of this part.

596 (2) The lieutenant governor shall furnish to the sponsors:

597 (a) ~~[a]~~ one copy of the referendum petition; and

598 (b) ~~[a]~~ one printed signature sheet.

599 ~~[(3) The sponsors of the petition shall:]~~

600 ~~[(a) arrange and pay for the printing of all additional copies of the petition and~~  
601 ~~signature sheets; and]~~

602 ~~[(b) ensure that the copies of the petition and signature sheets meet the form~~  
603 ~~requirements of this section.]~~

604 ~~[(4)(a) The sponsors may prepare the referendum for circulation by creating multiple~~  
605 ~~referendum packets:]~~

606 ~~[(b) The sponsors shall create those packets by binding]~~

607 (3) (a) Sponsors who collect holographic signatures shall:

608 (i) create each referendum packet by binding the following together at the top in a  
609 manner that allows the packet to be conveniently opened for signing:

610 (A) a printed copy of the referendum petition[;];

611 (B) a printed copy of the law that is the subject of the referendum[;]; and

612 (C) no more than 50 printed signature sheets [together at the top in such a way that the  
613 packets may be conveniently opened for signing-];

614 (ii) arrange and pay for the printing of all additional copies of the petition and signature  
615 sheets; and

616 (iii) ensure that the copies of the petition and signature sheets meet the form

617 requirements described in this section.

618 ~~[(e)]~~ (b) The sponsors ~~[need not]~~ are not required to attach a uniform number of  
619 signature sheets to each referendum packet.

620 ~~[(5)(a)]~~ (c) (i) After the sponsors have prepared a sufficient number of referendum  
621 packets, [they] the sponsors shall return [them] the referendum packets to the lieutenant  
622 governor.

623 ~~[(b)]~~ (ii) The lieutenant governor shall:

624 ~~[(i)]~~ (A) number each ~~[of the]~~ referendum ~~[packets]~~ packet and return [them] the  
625 referendum packet to the sponsors within five [working] business days after the day on which  
626 the lieutenant governor receives the referendum packet; and

627 ~~[(ii)]~~ (B) keep a record of the ~~[numbers]~~ number assigned to each packet.

628 (4) (a) Sponsors who collect electronic signatures shall:

629 (i) create each referendum packet by creating an electronically accessible copy of:

630 (A) the referendum petition;

631 (B) the law that is the subject of the referendum; and

632 (C) a signature sheet; and

633 (ii) ensure that an individual views the referendum petition and the law that is the  
634 subject of the referendum before the individual signs the signature sheet.

635 (b) Before delivering a referendum packet to a county clerk under Section [20A-7-306](#),  
636 the sponsors of a referendum petition who collect electronic signatures shall:

637 (i) print completed signature sheets in substantially the same form required under  
638 Subsection [20A-7-303](#)(2) for a signature sheet used to collect holographic signatures; and

639 (ii) prepare one or more printed and completed referendum packets in substantially the  
640 same form required under Subsection (3)(a) for a referendum packet used to collect  
641 holographic signatures.

642 Section 11. Section [20A-7-305](#) is amended to read:

643 **20A-7-305. Obtaining signatures -- Verification statement -- Removal of**  
644 **signature.**

645 (1) A ~~[Utah]~~ voter may sign a referendum petition if the voter is a legal voter.

646 (2) (a) The sponsors of a referendum petition shall [ensure that the person in whose  
647 presence each signature sheet was signed]:

648 (i) create a page containing the following verification statement:

649 "Verification

650 State of Utah, County of \_\_\_\_\_

651 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

652 I am a resident of Utah and am at least 18 years of age;

653 Each signature that appears in this packet was signed by an individual who professed to  
654 be the individual whose name is associated with the signature;

655 I believe that each individual has submitted the individual's name, signed the petition,  
656 and submitted the individual's post office address and residence correctly, and that each signer  
657 is registered to vote in Utah or intends to become registered to vote in Utah before the  
658 certification of the petition names by the county clerk; and

659 I have not paid or given anything of value to any individual who signed this petition to  
660 encourage that individual to sign it.

661

662 (Name) (Residence Address) (Date)";

663 (ii) attach a verification statement to each referendum packet; and

664 (iii) ensure that an individual who circulates a referendum packet:

665 [(i)] (A) is at least 18 years [~~old~~] of age and meets the residency requirements of  
666 Section [20A-2-105](#); and

667 [(ii)] (B) verifies [~~each signature sheet~~] the referendum packet by completing the  
668 verification [~~printed on the last page of each~~] statement attached to the referendum packet.

669 (b) A person may not sign the verification [~~printed on the last page of~~] statement  
670 attached to the referendum packet if the person signed a signature sheet in the referendum  
671 packet.

672 (3) (a) (i) A voter who has signed a referendum petition may have the voter's signature  
673 removed from the petition by submitting to the county clerk a statement requesting that the  
674 voter's signature be removed.

675 (b) The statement shall include:

676 (i) the name of the voter;

677 (ii) the resident address at which the voter is registered to vote;

678 (iii) the last four digits of the voter's social security number;

- 679 (iv) the driver license or identification card number; and  
680 (v) the signature of the voter.  
681 (c) A voter may not submit a statement by email or other electronic means.  
682 (d) ~~[In order for]~~ For the signature to be removed, the statement must be received by  
683 the county clerk before the day which is 55 days after the end of the legislative session at which  
684 the law passed.  
685 (e) The county clerk shall deliver all statements received under this Subsection (3):  
686 (i) with the referendum petition packets to the lieutenant governor; or  
687 (ii) in a supplemental delivery to the lieutenant governor for a statement submitted  
688 after the county clerk delivered the referendum petition packets.  
689 (f) A person may only remove a signature from a referendum petition in accordance  
690 with this Subsection (3).

691 Section 12. Section **20A-7-306.3** is amended to read:

692 **20A-7-306.3. Verification of petition signatures.**

- 693 (1) (a) For the purposes of this section, "substantially similar name" means:  
694 (i) the given name and surname shown on the petition, or both, contain only minor  
695 spelling differences when compared to the given name and surname shown on the official  
696 register;  
697 (ii) the surname shown on the petition exactly matches the surname shown on the  
698 official register, and the given names differ only because one of the given names shown is a  
699 commonly used abbreviation or variation of the other;  
700 (iii) the surname shown on the petition exactly matches the surname shown on the  
701 official register, and the given names differ only because one of the given names shown is  
702 accompanied by a first or middle initial or a middle name which is not shown on the other  
703 record; or  
704 (iv) the surname shown on the petition exactly matches the surname shown on the  
705 official register, and the given names differ only because one of the given names shown is an  
706 alphabetically corresponding initial that has been provided in the place of a given name shown  
707 on the other record.  
708 (b) For the purposes of this section, "substantially similar name" does not mean a name  
709 having an initial or a middle name shown on the petition that does not match a different initial

710 or middle name shown on the official register.

711 (2) The county clerk shall use the following procedures in determining whether [~~or not~~]  
712 a signer is a registered voter:

713 (a) [~~When~~] The county clerk shall declare a signature valid if:

714 (i) a signer's name and address shown on the petition exactly match a name and address  
715 shown on the official register; and

716 (ii) (A) the signer's holographic signature appears substantially similar to the  
717 holographic signature on the statewide voter registration database[~~, the county clerk shall~~  
718 ~~declare the signature valid.~~] for the signer; or

719 (B) the signer's electronic signature exactly matches the driver license number or  
720 state-issued identification card number on the statewide voter registration database for the  
721 signer.

722 (b) When there is no exact match of an address and a name, the county clerk shall  
723 declare the signature valid if:

724 (i) the signer's address on the petition matches the address of a person on the official  
725 register with a substantially similar name; and

726 (ii) (A) the signer's holographic signature appears substantially similar to the  
727 holographic signature on the statewide voter registration database of the person described in  
728 Subsection (2)(b)(i)[~~;~~]; or

729 (B) the signer's electronic signature exactly matches the driver license number or  
730 state-issued identification card number, for the person described in Subsection (2)(b)(i), on the  
731 statewide voter registration database.

732 (c) When there is no match of an address and a substantially similar name, the county  
733 clerk shall declare the signature valid if:

734 (i) the signer's birth date or age on the petition matches the birth date or age of a person  
735 on the official register with a substantially similar name; and

736 (ii) (A) the signer's holographic signature appears substantially similar to the  
737 holographic signature on the statewide voter registration database of the person described in  
738 Subsection (2)(c)(i)[~~;~~]; or

739 (B) the signer's electronic signature exactly matches the driver license number or  
740 state-issued identification card number, for the person described in Subsection (2)(c)(i), on the



741 statewide voter registration database.

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

744 Section 13. Section **20A-7-307** is amended to read:

745 **20A-7-307. Evaluation by the lieutenant governor.**

746 (1) ~~[When each]~~ After receiving a referendum packet [is received] containing  
747 holographic signatures from a county clerk, the lieutenant governor shall ~~[check off from the]~~  
748 record the number [of each referendum packet filed] assigned under Subsection  
749 20A-7-304(3)(c)(ii) to the referendum packet, including an indication that the lieutenant  
750 governor received the initiative packet.

751 (2) (a) After all of the referendum packets have been received by the lieutenant  
752 governor and the lieutenant governor has removed the signatures as required by Section  
753 **20A-7-306**, the lieutenant governor shall:

754 (i) count the number of the names certified by the county clerks that remain on each  
755 verified signature sheet; and

756 (ii) declare the petition to be sufficient or insufficient no later than 60 days after the  
757 end of the legislative session at which the law passed.

758 (b) If the total number of names counted under Subsection (2)(a)(i) equals or exceeds  
759 the number of names required by Section **20A-7-301** and the requirements of this part are met,  
760 the lieutenant governor shall mark upon the front of the petition the word "sufficient."

761 (c) If the total number of names counted under Subsection (2)(a)(i) does not equal or  
762 exceed the number of names required by Section **20A-7-301** or a requirement of this part is not  
763 met, the lieutenant governor shall mark upon the front of the petition the word "insufficient."

764 (d) The lieutenant governor shall immediately notify any one of the sponsors of the  
765 lieutenant governor's finding.

766 (3) (a) If the lieutenant governor refuses to accept and file any referendum petition, any  
767 voter may apply to the supreme court for an extraordinary writ to compel the lieutenant  
768 governor to do so within 10 days after the refusal.

769 (b) If the supreme court determines that the referendum petition is legally sufficient,  
770 the lieutenant governor shall file it, with a verified copy of the judgment attached to it, as of the  
771 date on which it was originally offered for filing in the lieutenant governor's office.

772 (c) If the supreme court determines that any petition filed is not legally sufficient, the  
773 supreme court may enjoin the lieutenant governor and all other officers from certifying or  
774 printing the ballot title and numbers of that measure on the official ballot.

775 (4) A petition determined to be sufficient in accordance with this section is qualified  
776 for the ballot.

777 Section 14. Section **20A-7-312** is amended to read:

778 **20A-7-312. Misconduct of electors and officers -- Penalty.**

779 (1) It is unlawful for [~~any person~~] an individual to:

780 (a) sign [~~any~~] a referendum petition with:

781 (i) a name other than the [~~person's own to any referendum petition;~~] individual's own  
782 name; or

783 (ii) a driver license number or state-issued identification card number other than the  
784 individual's own driver license number or state-issued identification card number;

785 (b) knowingly sign [~~the person's name~~] a referendum petition more than once for the  
786 same measure at one election;

787 (c) sign a referendum petition knowing the [~~person~~] individual is not a legal voter; or

788 (d) knowingly and willfully violate any provision of this part.

789 (2) It is unlawful for [~~any person~~] an individual to sign the verification statement for a  
790 referendum packet knowing that:

791 (a) the [~~person~~] individual does not meet the residency requirements of Section

792 20A-2-105; or

793 [~~(b) the person has not witnessed the signatures of those persons whose names appear~~  
794 ~~in the referendum packet; or]~~

795 [~~(c) one or more persons whose signatures appear]~~

796 (b) an individual whose signature appears in the referendum packet [~~is either~~]:

797 (i) is not registered to vote [~~in Utah; or~~]; and

798 (ii) does not intend to become registered to vote [~~in Utah~~] before the certification of the  
799 petition names by the county clerk.

800 (3) [~~Any~~] A person violating this section is guilty of a class A misdemeanor.

801 Section 15. Section **20A-7-503** is amended to read:

802 **20A-7-503. Form of initiative petitions and signature sheets.**

803 (1) (a) Each proposed initiative petition shall be [~~printed~~] created in substantially the  
804 following form:

805 "INITIATIVE PETITION To the Honorable \_\_\_\_\_, County Clerk/City Recorder/Town  
806 Clerk:

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

811 Each signer says:

812 I have personally signed this petition;

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

815 [~~My~~] I have submitted my residence and post office address [~~are written~~] correctly after  
816 my name."

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

819 (2) [~~Each~~] A signature sheet used to collect holographic signatures shall:

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

821 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
822 that line blank for the purpose of binding;

823 (c) contain the title of the initiative [~~printed~~] below the horizontal line;

824 (d) contain the initial fiscal impact estimate's summary statement issued under  
825 Subsection 20A-7-502.5(2)(b) by the budget officer [~~according to Subsection~~  
826 20A-7-502.5(2)(b)] and the cost estimate issued under Subsection 20A-7-502.5(3) for printing  
827 and distributing information related to the initiative petition [~~according to Subsection~~  
828 20A-7-502.5(3) printed or typed], in not less than 12-point, bold type, at the top of each  
829 signature sheet under the title of the initiative;

830 (e) contain the word "Warning" [~~printed or typed~~] at the top of [~~each~~] the signature  
831 sheet under the initial fiscal impact estimate's summary statement;

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

834 "It is a class A misdemeanor for ~~[anyone]~~ an individual to sign ~~[any]~~ an initiative  
835 petition with ~~[any other name than his own]~~ a name other than the individual's own name, or to  
836 knowingly ~~[to]~~ sign ~~[his]~~ the individual's name more than once for the same measure, or to sign  
837 an initiative petition when ~~[he]~~ the individual knows ~~[he]~~ the individual is not a registered  
838 voter and ~~[knows that he]~~ does not intend to become registered to vote before the certification  
839 of the petition names by the county clerk.";

840 (g) contain horizontally ruled lines three-eighths inch apart under the "Warning"  
841 statement required by this section;

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

843 (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch  
844 wide, be headed with "For Office Use Only", and be subdivided with a light vertical line down  
845 the middle with the left subdivision entitled "Registered" and the right subdivision left untitled;

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

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

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

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

854 (i) spanning the sheet horizontally beneath each row on which a registered voter may  
855 submit the information described in Subsection (2)(h), contain the following statement ~~[printed~~  
856 ~~or typed]~~ in not less than eight-point~~[, single-leaded]~~ type:

857 "By signing this petition, you are stating that you have read and understand the law  
858 proposed by this petition."; and

859 (j) at the bottom of the sheet, contain the following statement: "Birth date or age  
860 information is not required~~[,]~~ but ~~[it]~~ may be used to verify your identity with voter registration  
861 records. If you choose not to provide ~~[it]~~ this information, your signature may not be verified  
862 as a valid signature if you change your address before petition signatures are verified or if the  
863 information you provide does not match your voter registration records."

864 ~~[(3) The final page of each initiative packet shall contain the following printed or typed~~

865 statement:]

866 [~~"Verification]~~

867 [~~State of Utah, County of \_\_\_\_\_]~~

868 [~~I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:]~~

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

870 [~~All the names that appear in this initiative packet were signed by persons who~~  
871 ~~professed to be the persons whose names appear in it, and each of them signed his name on it~~  
872 ~~in my presence;]~~

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

876 [\_\_\_\_\_]"]

877 (3) A signature sheet used to collect electronic signatures shall be an electronic form  
878 that contains:

879 (a) the title of the initiative at the top of the form;

880 (b) the initial fiscal impact estimate's summary statement issued under Subsection  
881 20A-7-502.5(2)(b) by the budget officer and the cost estimate issued under Subsection  
882 20A-7-502.5(3) for printing and distributing information related to the initiative petition, in not  
883 less than 12-point, bold type, at the top of the form under the title of the initiative;

884 (c) the word "Warning" at the top of the form under the initial fiscal impact estimate's  
885 summary statement;

886 (d) to the right of the word "Warning," the following statement in not less than  
887 eight-point type:

888 "It is a class A misdemeanor for an individual to sign an initiative petition with a name,  
889 driver license number, or state-issued identification card number, other than the individual's  
890 own name, driver license number, or state-issued identification card number, or to knowingly  
891 sign an initiative petition more than once for the same measure, or to sign an initiative petition  
892 when the individual knows the individual is not a registered voter and does not intend to  
893 become registered to vote before the certification of the petition names by the county clerk.";

894 (e) a space titled "Registered Voter's Name";

895 (f) a space titled "Signature of Registered Voter" in which an individual who signs the

896 petition may submit the individual's driver license number or state-issued identification card  
 897 number as the individual's signature;

898 (g) immediately after the space described in Subsection (3)(f), the following statement,  
 899 in not less than eight-point type:

900 "Your electronic signature must be in the form of your current driver license number or  
 901 state-issued identification card number. Submitting any other information as your electronic  
 902 signature will result in the disqualification of your signature. By signing this petition, you are  
 903 stating that you have read and understand the law proposed by this petition.";

904 (h) a space titled "Birth Date or Age (Optional)" followed by the following statement:

905 "Birth date or age information is not required, but may be used to verify your identity  
 906 with voter registration records. If you choose not to provide this information, your signature  
 907 may not be verified as a valid signature if you change your address before petition signatures  
 908 are verified or if the information you provide does not match your voter registration records.";

909 (i) a space titled "Street Address";

910 (j) a space titled "City"; and

911 (k) a space titled "Zip Code."

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

915 Section 16. Section **20A-7-504** is amended to read:

916 **20A-7-504. Circulation requirements -- Local clerk to provide sponsors with**  
 917 **materials -- Form of initiative packet.**

918 (1) ~~[In order to]~~ To obtain the necessary number of signatures required by this part, the  
 919 sponsors shall circulate initiative packets that meet the form requirements of this part.

920 (2) Within five days after the day on which a local clerk receives an application that  
 921 complies with the requirements of Section **20A-7-502**, the local clerk shall furnish to the  
 922 sponsors:

923 (a) one copy of the initiative petition; and

924 (b) one printed signature sheet.

925 ~~[(3) The sponsors of the petition shall:]~~

926 ~~[(a) arrange and pay for the printing of all additional copies of the petition and~~

927 signature sheets; and]

928 ~~[(b) ensure that the copies of the petition and signature sheets meet the form~~  
929 ~~requirements of this section.]~~

930 ~~[(4) (a) The sponsors may prepare the initiative for circulation by creating multiple~~  
931 ~~initiative packets.]~~

932 ~~[(b) The sponsors shall create those packets by binding]~~

933 (3) (a) Sponsors who collect holographic signatures shall:

934 (i) create each initiative packet by binding the following together at the top in a manner  
935 that allows the packet to be conveniently opened for signing:

936 (A) a printed copy of the initiative petition[;];

937 (B) a printed copy of the proposed law[;]; and

938 (C) no more than 50 printed signature sheets [together at the top in such a way that the  
939 packets may be conveniently opened for signing.];

940 (ii) arrange and pay for the printing of all additional copies of the petition and signature  
941 sheets; and

942 (iii) ensure that the copies of the petition and signature sheets meet the form  
943 requirements described in this section.

944 ~~[(c)] (b) The sponsors need not attach a uniform number of signature sheets to each~~  
945 ~~initiative packet.~~

946 ~~[(5) (a)] (c) (i) After the sponsors have prepared a sufficient number of initiative~~  
947 ~~packets, [they] the sponsors shall return [them] the initiative packets to the local clerk.~~

948 ~~[(b)] (ii) The local clerk shall:~~

949 ~~[(i)] (A) number each [of the initiative packets] initiative packet and return [them] the~~  
950 ~~initiative packet to the sponsors within five [working days] business days after the day on~~  
951 ~~which the local clerk receives the initiative packet; and~~

952 ~~[(ii)] (B) keep a record of the [numbers] number assigned to each packet.~~

953 (4) (a) Sponsors who collect electronic signatures shall:

954 (i) create each initiative packet by creating an electronically accessible copy of:

955 (A) the initiative petition;

956 (B) the proposed law; and

957 (C) a signature sheet; and

958 (ii) ensure that an individual views the initiative petition and the proposed law that is  
959 the subject of the initiative before the individual signs the signature sheet.

960 (b) Before delivering an initiative packet to a county clerk under Section 20A-7-506,  
961 the sponsors of an initiative petition who collect electronic signatures shall:

962 (i) print completed signature sheets in substantially the same form as required under  
963 Subsection 20A-7-503(2) for a signature sheet used to collect holographic signatures; and

964 (ii) prepare one or more printed and completed initiative packets in substantially the  
965 same form as required under Subsection (3)(a) for an initiative packet used to collect  
966 holographic signatures.

967 Section 17. Section 20A-7-505 is amended to read:

968 **20A-7-505. Obtaining signatures -- Verification statement -- Removal of**  
969 **signature.**

970 (1) ~~[Any Utah]~~ A voter may sign a local initiative petition if the voter is a legal voter  
971 and resides in the local jurisdiction.

972 (2) (a) The sponsors of a local initiative petition shall ~~[ensure that the person in whose~~  
973 ~~presence each signature sheet was signed]~~:

974 (i) create a page containing the following verification statement:

975 "Verification

976 State of Utah, County of \_\_\_\_\_

977 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

978 I am a resident of Utah and am at least 18 years of age;

979 Each signature that appears in this packet was signed by an individual who professed to  
980 be the individual whose name is associated with the signature;

981 I believe that each individual has submitted the individual's name, signed the petition,  
982 and submitted the individual's post office address and residence correctly, and that each signer  
983 is registered to vote in Utah or intends to become registered to vote in Utah before the  
984 certification of the petition names by the county clerk; and

985 I have not paid or given anything of value to any individual who signed this petition to  
986 encourage that individual to sign it.

987 \_\_\_\_\_

988 (Name) (Residence Address) (Date)";



989 (ii) attach a verification statement to each initiative packet; and  
 990 (iii) ensure that an individual who circulates an initiative packet:  
 991 [(i)] (A) is at least 18 years [old] of age and meets the residency requirements of  
 992 Section 20A-2-105; and

993 [(ii)] (B) verifies [each signature sheet] the initiative packet by completing the  
 994 verification [printed on the last page of each initiative packet] statement attached to the  
 995 initiative packet.

996 (b) A person may not sign the verification [printed on the last page of] statement  
 997 attached to the initiative packet if the person signed a signature sheet in the initiative packet.

998 (3) (a) (i) ~~[Any]~~ A voter who has signed an initiative petition may have the voter's  
 999 signature removed from the petition by submitting to the county clerk a notarized statement ~~[to~~  
 1000 ~~that effect to the local clerk]~~ requesting that the voter's signature be removed.

1001 (ii) ~~[In order for]~~ For the signature to be removed, the statement must be received by  
 1002 the ~~[local]~~ county clerk before ~~[he delivers the petition to the county clerk to be certified]~~ May  
 1003 15.

1004 (b) Upon receipt of the statement, the ~~[local]~~ county clerk shall remove the signature of  
 1005 the person submitting the statement from the initiative petition.

1006 (c) ~~[No one may remove signatures]~~ A signature may not be removed from an initiative  
 1007 petition after the petition is submitted to the county clerk to be certified.

1008 Section 18. Section **20A-7-506.3** is amended to read:

1009 **20A-7-506.3. Verification of petition signatures.**

1010 (1) (a) For the purposes of this section, "substantially similar name" means:

1011 (i) the given name and surname shown on the petition, or both, contain only minor  
 1012 spelling differences when compared to the given name and surname shown on the official  
 1013 register;

1014 (ii) the surname shown on the petition exactly matches the surname shown on the  
 1015 official register, and the given names differ only because one of the given names shown is a  
 1016 commonly used abbreviation or variation of the other;

1017 (iii) the surname shown on the petition exactly matches the surname shown on the  
 1018 official register, and the given names differ only because one of the given names shown is  
 1019 accompanied by a first or middle initial or a middle name which is not shown on the other

1020 record; or

1021 (iv) the surname shown on the petition exactly matches the surname shown on the  
1022 official register, and the given names differ only because one of the given names shown is an  
1023 alphabetically corresponding initial that has been provided in the place of a given name shown  
1024 on the other record.

1025 (b) For the purposes of this section, "substantially similar name" does not mean a name  
1026 having an initial or a middle name shown on the petition that does not match a different initial  
1027 or middle name shown on the official register.

1028 (2) The county clerk shall use the following procedures in determining whether [~~or not~~]  
1029 a signer is a registered voter:

1030 (a) [~~When~~] the county clerk shall declare a signature valid if:

1031 (i) a signer's name and address shown on the petition exactly match a name and address  
1032 shown on the official register; and

1033 (ii) (A) the signer's holographic signature appears substantially similar to the  
1034 holographic signature for the signer on the statewide voter registration database[~~the county~~  
1035 ~~clerk shall declare the signature valid.]; or~~

1036 (B) the signer's electronic signature exactly matches the driver license number or  
1037 state-issued identification card number for the signer on the statewide voter registration  
1038 database;

1039 (b) [~~When~~] when there is no exact match of an address and a name, the county clerk  
1040 shall declare the signature valid if:

1041 (i) the signer's address on the petition matches the address of a person on the official  
1042 register with a substantially similar name; and

1043 (ii) (A) the signer's holographic signature appears substantially similar to the  
1044 holographic signature on the statewide voter registration database of the person described in  
1045 Subsection (2)(b)(i)[:]; or

1046 (B) the signer's electronic signature exactly matches the driver license number or  
1047 state-issued identification card number, for the person described in Subsection (2)(b)(i), on the  
1048 statewide voter registration database;

1049 (c) [~~When~~] when there is no match of an address and a substantially similar name, the  
1050 county clerk shall declare the signature valid if:

1051 (i) the signer's birth date or age on the petition matches the birth date or age of a person  
1052 on the official register with a substantially similar name; and

1053 (ii) (A) the signer's holographic signature appears substantially similar to the  
1054 holographic signature on the statewide voter registration database of the person described in  
1055 Subsection (2)(c)(i)[-]; or

1056 (B) the signer's electronic signature exactly matches the driver license number or  
1057 state-issued identification card number, for the person described in Subsection (2)(c)(i), on the  
1058 statewide voter registration database; and

1059 (d) [~~H~~] if a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the  
1060 county clerk shall declare the signature to be invalid.

1061 Section 19. Section **20A-7-507** is amended to read:

1062 **20A-7-507. Evaluation by the local clerk.**

1063 (1) [~~When each~~] After receiving an initiative packet [~~is received~~] containing  
1064 holographic signatures from a county clerk, the local clerk shall [~~check off from the local~~  
1065 ~~clerk's~~] record the number [~~of each initiative packet filed~~] assigned under Subsection 20A-7-  
1066 504(3)(c)(ii) to the initiative packet, including an indication that the local clerk received the  
1067 initiative packet.

1068 (2) (a) After all of the initiative packets have been received by the local clerk, the local  
1069 clerk shall count the number of the names certified by the county clerk that appear on each  
1070 verified signature sheet.

1071 (b) If the total number of certified names from each verified signature sheet equals or  
1072 exceeds the number of names required by Section **20A-7-501** and the requirements of this part  
1073 are met, the local clerk shall mark upon the front of the petition the word "sufficient."

1074 (c) If the total number of certified names from each verified signature sheet does not  
1075 equal or exceed the number of names required by Section **20A-7-501** or a requirement of this  
1076 part is not met, the local clerk shall mark upon the front of the petition the word "insufficient."

1077 (d) The local clerk shall immediately notify any one of the sponsors of the local clerk's  
1078 finding.

1079 (3) If the local clerk finds the total number of certified signatures from each verified  
1080 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
1081 for a recount of the signatures appearing on the initiative petition in the presence of any

1082 sponsor.

1083 (4) Once a petition is declared insufficient, the sponsors may not submit additional  
1084 signatures to qualify the petition for the ballot.

1085 (5) (a) If the local clerk refuses to accept and file any initiative petition, any voter may  
1086 apply to the supreme court for an extraordinary writ to compel him to do so within 10 days  
1087 after the refusal.

1088 (b) If the supreme court determines that the initiative petition is legally sufficient, the  
1089 local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on  
1090 which it was originally offered for filing in the local clerk's office.

1091 (c) If the supreme court determines that any petition filed is not legally sufficient, the  
1092 supreme court may enjoin the local clerk and all other officers from certifying or printing the  
1093 ballot title and numbers of that measure on the official ballot.

1094 (6) A petition determined to be sufficient in accordance with this section is qualified  
1095 for the ballot.

1096 Section 20. Section **20A-7-512** is amended to read:

1097 **20A-7-512. Misconduct of electors and officers -- Penalty.**

1098 (1) It is unlawful for [~~any person~~] an individual to:

1099 (a) sign [~~any~~] an initiative petition with:

1100 (i) a name other than the [~~person's own to any initiative petition;~~] individual's own  
1101 name; or

1102 (ii) a driver license number or state-issued identification card number other than the  
1103 individual's own driver license number or state-issued identification card number;

1104 (b) knowingly sign [~~the person's name~~] an initiative petition more than once for the  
1105 same measure at one election;

1106 (c) sign an initiative petition knowing the [~~person~~] individual is not a legal voter; or

1107 (d) knowingly and willfully violate any provision of this part.

1108 (2) It is unlawful for [~~any person~~] an individual to sign the verification statement for an  
1109 initiative packet knowing that:

1110 (a) the [~~person~~] individual does not meet the residency requirements of Section  
1111 20A-2-105; or

1112 [~~(b) the person has not witnessed the signatures of those persons whose names appear~~]

1113 ~~in the initiative packet, or]~~

1114 ~~[(c) one or more persons whose signatures appear]~~

1115 (b) an individual whose signature appears in the initiative packet ~~[is either]:~~

1116 (i) is not registered to vote ~~[in Utah, or]; and~~

1117 (ii) does not intend to become registered to vote ~~[in Utah]~~ before the certification of the  
1118 petition names by the county clerk.

1119 (3) Any person violating this part is guilty of a class A misdemeanor.

1120 Section 21. Section **20A-7-603** is amended to read:

1121 **20A-7-603. Form of referendum petition and signature sheets.**

1122 (1) (a) Each proposed referendum petition shall be ~~[printed]~~ created in substantially the  
1123 following form:

1124 "REFERENDUM PETITION To the Honorable \_\_\_\_, County Clerk/City

1125 Recorder/Town Clerk:

1126 We, the undersigned citizens of Utah, respectfully order that (description of local law or  
1127 portion of local law being challenged), passed by the \_\_\_\_ be referred to the voters for their  
1128 approval or rejection at the regular/municipal general election to be held on  
1129 \_\_\_\_\_ (month\day\year);

1130 Each signer says:

1131 I have personally signed this petition;

1132 I am registered to vote in Utah or intend to become registered to vote in Utah before the  
1133 certification of the petition names by the county clerk; and

1134 ~~[My]~~ I have submitted my residence and post office address ~~[are written]~~ correctly after  
1135 my name."

1136 (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the  
1137 referendum to each referendum petition.

1138 (2) ~~[Each]~~ A signature sheet used to collect holographic signatures shall:

1139 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1140 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
1141 that line blank for the purpose of binding;

1142 (c) contain the title of the referendum printed below the horizontal line;

1143 (d) contain the word "Warning" ~~[printed or typed]~~ at the top of ~~[each]~~ the signature

1144 sheet under the title of the referendum;

1145 (e) contain, to the right of the word "Warning," the following statement [~~printed or~~  
1146 ~~typed~~] in not less than eight-point[~~, single-leaded~~] type:

1147 "It is a class A misdemeanor for an individual to sign a referendum petition with [~~any~~  
1148 ~~other name than~~] a name other than the individual's own name, or to knowingly sign the  
1149 individual's name more than once for the same measure, or to sign a referendum petition when  
1150 the individual knows that the individual is not a registered voter and [~~knows that the~~  
1151 ~~individual~~] does not intend to become registered to vote before the certification of the petition  
1152 names by the county clerk.";

1153 (f) contain horizontally ruled lines three-eighths inch apart under the "Warning"  
1154 statement required by this section;

1155 (g) be vertically divided into columns as follows:

1156 (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch  
1157 wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down  
1158 the middle;

1159 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed  
1160 Name (must be legible to be counted)";

1161 (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered  
1162 Voter";

1163 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";  
1164 and

1165 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip  
1166 Code";

1167 (h) spanning the sheet horizontally beneath each row on which a registered voter may  
1168 submit the information described in Subsection (2)(g), contain the following statement [~~printed~~  
1169 ~~or typed~~] in not less than eight-point[~~, single-leaded~~] type: "By signing this petition, you are  
1170 stating that you have read and understand the law this petition seeks to overturn."; and

1171 (i) at the bottom of the sheet, contain the following statement: "Birth date or age  
1172 information is not required[;] but [~~it~~] may be used to verify your identity with voter registration  
1173 records. If you choose not to provide [~~it~~] this information, your signature may not be verified  
1174 as a valid signature if you change your address before petition signatures are verified or if the

1175 information you provide does not match your voter registration records."

1176 ~~[(3) The final page of each referendum packet shall contain the following printed or~~  
1177 ~~typed statement:]~~

1178 ~~["Verification]~~

1179 ~~[State of Utah, County of \_\_\_\_\_]~~

1180 ~~[I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:]~~

1181 ~~[I am a resident of Utah and am at least 18 years old;]~~

1182 ~~[All the names that appear in this referendum packet were signed by persons who~~  
1183 ~~professed to be the persons whose names appear in it, and each of them signed his name on it~~  
1184 ~~in my presence;]~~

1185 ~~[I believe that each has printed and signed his name and written his post office address~~  
1186 ~~and residence correctly, and that each signer is registered to vote in Utah or intends to become~~  
1187 ~~registered to vote before the certification of the petition names by the county clerk.]~~

1188 ~~\_\_\_\_\_"]~~

1189 (3) A signature sheet used to collect electronic signatures shall be an electronic form  
1190 that contains:

1191 (a) the title of the referendum at the top of the form;

1192 (b) the word "Warning" at the top of the form under the title of the referendum;

1193 (c) to the right of the word "Warning," the following statement in not less than  
1194 eight-point type:

1195 "It is a class A misdemeanor for an individual to sign a referendum petition with a  
1196 name, driver license number, or state-issued identification card number, other than the  
1197 individual's own name, driver license number, or state-issued identification card number, or to  
1198 knowingly sign a referendum petition more than once for the same measure, or to sign a  
1199 referendum petition when the individual knows the individual is not a registered voter and does  
1200 not intend to become registered to vote before the certification of the petition names by the  
1201 county clerk.";

1202 (d) a space titled "Registered Voter's Name";

1203 (e) a space titled "Signature of Registered Voter" in which an individual who signs the  
1204 petition may submit the individual's driver license number or state-issued identification card  
1205 number as the individual's signature;

1206 (f) immediately under the space described in Subsection (3)(e), the following statement  
 1207 in not less than eight-point font:

1208 "Your electronic signature must be in the form of your current driver license number or  
 1209 state-issued identification card number. Submitting any other information as your electronic  
 1210 signature will result in the disqualification of your signature. By signing this petition, you are  
 1211 stating that you have read and understand the law this petition seeks to overturn.";

1212 (g) a space titled "Birth Date or Age (Optional)" followed by the following statement:

1213 "Birth date or age information is not required but may be used to verify your identity  
 1214 with voter registration records. If you choose not to provide this information, your signature  
 1215 may not be verified as a valid signature if you change your address before petition signatures  
 1216 are verified or if the information you provide does not match your voter registration records.";

1217 (h) a space titled "Street Address";

1218 (i) a space titled "City"; and

1219 (j) a space titled "Zip Code."

1220 (4) The forms prescribed in this section are not mandatory, and, if substantially  
 1221 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical  
 1222 errors.

1223 Section 22. Section **20A-7-604** is amended to read:

1224 **20A-7-604. Circulation requirements -- Local clerk to provide sponsors with**  
 1225 **materials -- Form of referendum packet.**

1226 (1) ~~[In order to]~~ To obtain the necessary number of signatures required by this part, the  
 1227 sponsors shall circulate referendum packets that meet the form requirements of this part.

1228 (2) Within five days after the day on which a local clerk receives an application that  
 1229 complies with the requirements of Section **20A-7-602**, the local clerk shall furnish to the  
 1230 sponsors:

1231 (a) ~~[five copies]~~ one copy of the referendum petition; and

1232 (b) ~~[five signature sheets.]~~ one printed signature sheet.

1233 ~~[(3) The sponsors of the petition shall:]~~

1234 ~~[(a) arrange and pay for the printing of all additional copies of the petition and~~  
 1235 ~~signature sheets; and]~~

1236 ~~[(b) ensure that the copies of the petition and signature sheets meet the form~~



1237 requirements of this section.]

1238 ~~[(4) (a) The sponsors may prepare the referendum for circulation by creating multiple~~  
1239 ~~referendum packets.]~~

1240 ~~[(b) The sponsors shall create those packets by binding]~~

1241 (3) (a) Sponsors who collect holographic signatures shall:

1242 (i) create each referendum packet by binding the following together at the top in a  
1243 manner that allows the packet to be conveniently opened for signing:

1244 (A) a printed copy of the referendum petition[;];

1245 (B) a copy of the law that is the subject of the referendum[;]; and

1246 (C) no more than 50 printed signature sheets [together at the top in such a way that the  
1247 packets may be conveniently opened for signing].

1248 ~~[(e)]~~ (b) The sponsors [need not] are not required to attach a uniform number of  
1249 signature sheets to each referendum packet.

1250 ~~[(5) (a)]~~ (c) (i) After the sponsors have prepared a sufficient number of referendum  
1251 packets, [they] the sponsors shall return [them] the referendum packets to the local clerk.

1252 ~~[(b)]~~ (ii) The local clerk shall:

1253 ~~[(i)]~~ (A) number each [of the referendum packets] referendum packet and return [them]  
1254 the referendum packet to the sponsors within five [working days] business days after the day on  
1255 which the local clerk receives the referendum packet; and

1256 ~~[(ii)]~~ (B) keep a record of the [numbers] number assigned to each packet.

1257 (4) (a) Sponsors who collect electronic signatures shall:

1258 (i) create each referendum packet by creating an electronically accessible copy of:

1259 (A) the referendum petition;

1260 (B) the law that is the subject of the referendum; and

1261 (C) a signature sheet; and

1262 (ii) ensure that an individual views the referendum petition and the law that is the  
1263 subject of the referendum before the individual signs the signature sheet.

1264 (b) Before delivering a referendum packet to a county clerk under Section [20A-7-606](#),  
1265 the sponsors of a referendum petition who collect electronic signatures shall:

1266 (i) print completed signature sheets in substantially the same form required under  
1267 Subsection [20A-7-603\(2\)](#) for a signature sheet used to collect holographic signatures; and

1268 (ii) prepare one or more printed and completed referendum packets in substantially the  
 1269 same form required under Subsection (3)(a) for a referendum packet used to collect  
 1270 holographic signatures.

1271 Section 23. Section **20A-7-605** is amended to read:

1272 **20A-7-605. Obtaining signatures -- Verification statement -- Removal of**  
 1273 **signature.**

1274 (1) ~~[Any Utah]~~ A voter may sign a local referendum petition if the voter is a legal voter  
 1275 and resides in the local jurisdiction.

1276 (2) (a) The sponsors of a local referendum petition shall ~~[ensure that the person in~~  
 1277 ~~whose presence each signature sheet was signed]~~:

1278 (i) create a page containing the following verification statement:

1279 "Verification

1280 State of Utah, County of

1281 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

1282 I am a resident of Utah and am at least 18 years of age;

1283 Each signature that appears in this packet was signed by an individual who professed to  
 1284 be the individual whose name is associated with the signature;

1285 I believe that each individual has submitted the individual's name, signed the petition,  
 1286 and submitted the individual's post office address and residence correctly, and that each signer  
 1287 is registered to vote in Utah or intends to become registered to vote in Utah before the  
 1288 certification of the petition names by the county clerk; and

1289 I have not paid or given anything of value to any individual who signed this petition to  
 1290 encourage that individual to sign it.

1291

1292 (Name) (Residence Address) (Date)";

1293 (ii) attach a verification statement to each referendum packet; and

1294 (iii) ensure that an individual who circulates a referendum packet for the petition:

1295 [(i)] (A) is at least 18 years ~~[old]~~ of age and meets the residency requirements of

1296 Section **20A-2-105**; and

1297 [(ii)] (B) verifies ~~[each signature sheet]~~ the referendum packet by completing the

1298 verification ~~[printed on the last page of each referendum packet]~~ statement attached to the

1299 referendum packet.

1300 (b) A person may not sign the verification [~~printed on the last page of~~] statement  
1301 attached to the referendum packet if the person signed a signature sheet in the referendum  
1302 packet.

1303 (3) (a) [~~Any~~] A voter who has signed a referendum petition may have the voter's  
1304 signature removed from the petition by submitting to the county clerk a notarized statement [~~to~~  
1305 ~~that effect to the local clerk~~] requesting that the voter's signature be removed.

1306 (b) Except as provided in Subsection (3)(c), upon receipt of the statement, the [~~local~~]  
1307 county clerk shall remove the signature of the person submitting the statement from the  
1308 referendum petition.

1309 (c) [~~A local clerk may not remove signatures~~] A signature may not be removed from a  
1310 referendum petition after the petition has been submitted to the county clerk to be certified.

1311 Section 24. Section **20A-7-606.3** is amended to read:

1312 **20A-7-606.3. Verification of petition signatures.**

1313 (1) (a) For the purposes of this section, "substantially similar name" means:

1314 (i) the given name and surname shown on the petition, or both, contain only minor  
1315 spelling differences when compared to the given name and surname shown on the official  
1316 register;

1317 (ii) the surname shown on the petition exactly matches the surname shown on the  
1318 official register, and the given names differ only because one of the given names shown is a  
1319 commonly used abbreviation or variation of the other;

1320 (iii) the surname shown on the petition exactly matches the surname shown on the  
1321 official register, and the given names differ only because one of the given names shown is  
1322 accompanied by a first or middle initial or a middle name which is not shown on the other  
1323 record; or

1324 (iv) the surname shown on the petition exactly matches the surname shown on the  
1325 official register, and the given names differ only because one of the given names shown is an  
1326 alphabetically corresponding initial that has been provided in the place of a given name shown  
1327 on the other record.

1328 (b) For the purposes of this section, "substantially similar name" does not mean a name  
1329 having an initial or a middle name shown on the petition that does not match a different initial

1330 or middle name shown on the official register.

1331 (2) The county clerk shall use the following procedures in determining whether [~~or not~~]  
1332 a signer is a registered voter:

1333 (a) [~~When~~] The county clerk shall declare a signature valid if:

1334 (i) a signer's name and address shown on the petition exactly match a name and address  
1335 shown on the official register; and

1336 (ii) (A) the signer's holographic signature appears substantially similar to the  
1337 holographic signature for the signer on the statewide voter registration database[~~, the county~~  
1338 ~~clerk shall declare the signature valid.]; or~~

1339 (B) the signer's electronic signature exactly matches the driver license number or  
1340 state-issued identification card number for the signer on the statewide voter registration  
1341 database.

1342 (b) When there is no exact match of an address and a name, the county clerk shall  
1343 declare the signature valid if:

1344 (i) the signer's address on the petition matches the address of a person on the official  
1345 register with a substantially similar name; and

1346 (ii) (A) the signer's holographic signature appears substantially similar to the  
1347 holographic signature on the statewide voter registration database of the person described in  
1348 Subsection (2)(b)(i)[~~;~~]; or

1349 (B) the signer's electronic signature exactly matches the driver license number or  
1350 state-issued identification card number, for the person described in Subsection (2)(b)(i), on the  
1351 statewide voter registration database.

1352 (c) When there is no match of an address and a substantially similar name, the county  
1353 clerk shall declare the signature valid if:

1354 (i) the signer's birth date or age on the petition matches the birth date or age of a person  
1355 on the official register with a substantially similar name; and

1356 (ii) (A) the signer's holographic signature appears substantially similar to the  
1357 holographic signature on the statewide voter registration database of the person described in  
1358 Subsection (2)(c)(i)[~~;~~]; or

1359 (B) the signer's electronic signature exactly matches the driver license number or  
1360 state-issued identification card number, for the person described in Subsection (2)(c)(i), on the

1361 statewide voter registration database.

1362 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county  
1363 clerk shall declare the signature to be invalid.

1364 Section 25. Section **20A-7-607** is amended to read:

1365 **20A-7-607. Evaluation by the local clerk.**

1366 (1) ~~[When each]~~ After receiving a referendum packet [is received] containing  
1367 holographic signatures from a county clerk, the local clerk shall ~~[check off from the local~~  
1368 ~~clerk's]~~ record the number ~~[of each referendum packet filed]~~ assigned under Subsection  
1369 20A-7-604(3)(c)(ii) to the referendum packet, including an indication that the local clerk  
1370 received the referendum packet.

1371 (2) Within 15 days after the day on which the local clerk receives each referendum  
1372 packet from a county clerk, the local clerk shall:

1373 (a) count the number of the names certified by the county clerks that appear on each  
1374 verified signature sheet;

1375 (b) if the total number of certified names from each verified signature sheet equals or  
1376 exceeds the number of names required by Section **20A-7-601** and the requirements of this part  
1377 are met, mark upon the front of the petition the word "sufficient";

1378 (c) if the total number of certified names from each verified signature sheet does not  
1379 equal or exceed the number of names required by Section **20A-7-601** or a requirement of this  
1380 part is not met, mark upon the front of the petition the word "insufficient"; and

1381 (d) notify any one of the sponsors of the local clerk's finding.

1382 (3) If the local clerk finds the total number of certified signatures from each verified  
1383 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
1384 for a recount of the signatures appearing on the referendum petition in the presence of any  
1385 sponsor.

1386 (4) (a) If the local clerk refuses to accept and file any referendum petition, any voter  
1387 may apply to the Supreme Court for an extraordinary writ to compel the local clerk to do so  
1388 within 10 days after the refusal.

1389 (b) If the Supreme Court determines that the referendum petition is legally sufficient,  
1390 the local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on  
1391 which it was originally offered for filing in the local clerk's office.

1392 (c) If the Supreme Court determines that any petition filed is not legally sufficient, the  
1393 Supreme Court may enjoin the local clerk and all other officers from:

1394 (i) certifying or printing the ballot title and numbers of that measure on the official  
1395 ballot for the next election; or

1396 (ii) as it relates to a local tax law that is conducted entirely by absentee ballot,  
1397 certifying, printing, or mailing the ballot title and numbers of that measure under Section  
1398 [20A-7-609.5](#).

1399 (5) A petition determined to be sufficient in accordance with this section is qualified  
1400 for the ballot.

1401 Section 26. Section [20A-7-612](#) is amended to read:

1402 **[20A-7-612. Misconduct of electors and officers -- Penalty.](#)**

1403 (1) It is unlawful for ~~[any person]~~ an individual to:

1404 (a) sign ~~[any]~~ a referendum petition with:

1405 (i) a name other than ~~[his own to any referendum petition;]~~ the individual's own name;

1406 or

1407 (ii) a driver license number or state-issued identification card number other than the  
1408 individual's own driver license number or state-issued identification card number;

1409 (b) knowingly sign ~~[his name]~~ a referendum petition more than once for the same  
1410 measure at one election;

1411 (c) sign a referendum petition knowing ~~[he]~~ the individual is not a legal voter; or

1412 (d) knowingly and willfully violate any provision of this part.

1413 (2) It is unlawful for ~~[any person]~~ an individual to sign the verification statement for a  
1414 referendum packet knowing that:

1415 (a) ~~[he]~~ the individual does not meet the residency requirements of Section [20A-2-105](#);

1416 or

1417 (b) ~~[he has not witnessed the signatures of those persons whose names appear in the~~  
1418 ~~referendum packet; or (c) one or more persons whose signatures appear]~~ an individual whose  
1419 signature appears in the referendum packet ~~[is either]~~:

1420 (i) is not registered to vote ~~[in Utah; or];~~ and

1421 (ii) does not intend to become registered to vote ~~[in Utah]~~ before the certification of the  
1422 petition names by the county clerk.

1423 (3) ~~[Any]~~ A person violating this part is guilty of a class A misdemeanor.

1424 (4) The county attorney or municipal attorney shall prosecute any violation of this  
1425 section.

1426 Section 27. Section **20A-7-613** is amended to read:

1427 **20A-7-613. Property tax referendum petition.**

1428 (1) As used in this section, "certified tax rate" means the same as that term is defined in  
1429 Section [59-2-924](#).

1430 (2) Except as provided in this section, the requirements of this part apply to a  
1431 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that  
1432 exceeds the certified tax rate.

1433 (3) Notwithstanding Subsection [20A-7-604](#)~~[(5)]~~(3)(c), the local clerk shall number  
1434 each ~~[of the referendum packets and return them]~~ referendum packet used to collect  
1435 holographic signatures and return the referendum packet to the sponsors within two ~~[working]~~  
1436 business days after the day on which the local clerk receives the referendum packet.

1437 (4) Notwithstanding Subsection [20A-7-606](#)(1), the sponsors shall deliver each signed  
1438 and verified referendum packet to the county clerk of the county in which the packet was  
1439 circulated no later than 40 days after the day on which the local clerk complies with Subsection  
1440 (3).

1441 (5) Notwithstanding Subsections [20A-7-606](#)(2) and (3), the county clerk shall take the  
1442 actions required in Subsections [20A-7-606](#)(2) and (3) within 10 working days after the day on  
1443 which the county clerk receives the signed and verified referendum packet as described in  
1444 Subsection (4).

1445 (6) The local clerk shall take the actions required by Section [20A-7-607](#) within two  
1446 ~~[working]~~ business days after the day on which the local clerk receives the referendum packets  
1447 from the county clerk.

1448 (7) Notwithstanding Subsection [20A-7-608](#)(2), the local attorney shall prepare the  
1449 ballot title within two working days after the day on which the referendum petition is declared  
1450 sufficient for submission to a vote of the people.

1451 (8) Notwithstanding Subsection [20A-7-609](#)(2)(c), a referendum that qualifies for the  
1452 ballot under this section shall appear on the ballot for the earlier of the next regular general  
1453 election or the next municipal general election unless a special election is called.

1454 (9) Notwithstanding the requirements related to absentee ballots under this title:

1455 (a) the election officer shall prepare absentee ballots for those voters who have  
1456 requested an absentee ballot as soon as possible after the ballot title is prepared as described in  
1457 Subsection (7); and

1458 (b) the election officer shall mail absentee ballots on a referendum under this section  
1459 the later of:

1460 (i) the time provided in Section 20A-3-305 or 20A-16-403; or

1461 (ii) the time that absentee ballots are prepared for mailing under this section.

1462 (10) Section 20A-7-402 does not apply to a referendum described in this section.

1463 (11) (a) If a majority of voters does not vote against imposing the tax at a rate  
1464 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing  
1465 entity's legislative body:

1466 (i) the certified tax rate for the fiscal year during which the referendum petition is filed  
1467 is its most recent certified tax rate; and

1468 (ii) the proposed increased revenues for purposes of establishing the certified tax rate  
1469 for the fiscal year after the fiscal year described in Subsection (11)(a)(i) are the proposed  
1470 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body  
1471 before the filing of the referendum petition.

1472 (b) If a majority of voters votes against imposing a tax at the rate established by the  
1473 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the  
1474 taxing entity's most recent certified tax rate.

1475 (c) If the tax rate is set in accordance with Subsection (11)(a)(ii), a taxing entity is not  
1476 required to comply with the notice and public hearing requirements of Section 59-2-919 if the  
1477 taxing entity complies with those notice and public hearing requirements before the referendum  
1478 petition is filed.

1479 (12) The ballot title shall, at a minimum, include in substantially this form the  
1480 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount  
1481 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as  
1482 budgeted, adopted, and approved by the [name of the taxing entity]".

1483 (13) A taxing entity shall pay the county the costs incurred by the county that are  
1484 directly related to meeting the requirements of this section and that the county would not have



1485 incurred but for compliance with this section.

1486 (14) (a) An election officer shall include on a ballot a referendum that has not yet  
1487 qualified for placement on the ballot, if:

1488 (i) sponsors file an application for a referendum described in this section;

1489 (ii) the ballot will be used for the election for which the sponsors are attempting to  
1490 qualify the referendum; and

1491 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after  
1492 the day on which the ballot will be printed.

1493 (b) If an election officer includes on a ballot a referendum described in Subsection  
1494 (14)(a), the ballot title shall comply with Subsection (12).

1495 (c) If an election officer includes on a ballot a referendum described in Subsection  
1496 (14)(a) that does not qualify for placement on the ballot, the election officer shall inform the  
1497 voters by any practicable method that the referendum has not qualified for the ballot and that  
1498 votes cast in relation to the referendum will not be counted.

1499 Section 28. Section **20A-8-103** is amended to read:

1500 **20A-8-103. Petition procedures -- Criminal penalty.**

1501 (1) As used in this section, [~~the proposed name or emblem of a registered political~~  
1502 ~~party is~~] "distinguishable" [~~if~~] means a reasonable person of average intelligence [~~will be~~] is  
1503 able to perceive a difference between [~~the~~] a proposed political party name or emblem and any  
1504 name or emblem currently being used by another registered political party.

1505 (2) To become a registered political party, an organization of registered voters that is  
1506 not a continuing political party shall:

1507 (a) circulate a petition seeking registered political party status beginning no earlier than  
1508 the date of the statewide canvass held after the last regular general election and ending no later  
1509 than the February 15 of the year in which the next regular general election will be held; and

1510 (b) file a petition with the lieutenant governor that is signed [~~with a holographic~~  
1511 ~~signature;~~] by at least 2,000 registered voters on or before February 15 of the year in which a  
1512 regular general election will be held.

1513 (3) [~~The petition shall~~] The first part of the petition shall:

1514 (a) identify the political party's name, which may not exceed four words, and the  
1515 emblem of the party;

1516 (b) state the process that the organization will follow to organize and adopt a  
 1517 constitution and bylaws; and

1518 (c) be signed by a filing officer, who agrees to receive communications on behalf of the  
 1519 organization.

1520 (4) After the first part described in Subsection (3), the petition shall contain a statement  
 1521 in substantially the following form:

1522 "POLITICAL PARTY REGISTRATION PETITION To the Honorable \_\_\_\_\_,  
 1523 Lieutenant Governor:

1524 We, the undersigned citizens of Utah, seek registered political party status for \_\_\_\_\_  
 1525 (name);

1526 Each signer says:

1527 I have personally signed this petition;

1528 I am registered to vote in Utah or will register to vote in Utah before the petition is  
 1529 submitted to the lieutenant governor;

1530 I am or desire to become a member of the political party; and

1531 I have submitted my residence and post office address correctly after my name."

1532 (5) (a) A petition used to collect holographic signatures shall, after the statement  
 1533 described in Subsection (4), contain signature sheets that shall:

1534 [(a)] (i) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1535 [(b)] (ii) be ruled with a horizontal line 3/4 inch from the top, with the space above that  
 1536 line blank for the purpose of binding;

1537 [(c)] (iii) contain the name of the political party and the words "Political Party  
 1538 Registration Petition" printed directly below the horizontal line;

1539 [(d)] (iv) contain the word "Warning" [printed] directly under the words described in  
 1540 Subsection [(3)(c)] (5)(a)(iii);

1541 [(e)] (v) contain, to the right of the word "Warning," the following statement [printed]  
 1542 in not less than eight-point[, single leaded] type:

1543 "It is a class A misdemeanor for [anyone] an individual to [knowingly] sign a political  
 1544 party registration petition [signature sheet] with [any] a name other than the [person's]  
 1545 individual's own name, or to knowingly sign the individual's name more than once for the same  
 1546 party, or [if the person] to sign a political party registration petition when the individual knows

1547 the individual is not a registered [~~to vote in this state~~] voter and does not intend to become  
 1548 registered to vote [~~in this state~~] before the certification of petition [~~is submitted to~~] names by  
 1549 the lieutenant governor."; and

1550 [~~(f)~~] contain the following statement directly under the statement described in  
 1551 Subsection (3)(e):

1552 [~~"POLITICAL PARTY REGISTRATION PETITION To the Honorable \_\_\_\_\_,~~  
 1553 ~~Lieutenant Governor:~~]

1554 [~~We, the undersigned citizens of Utah, seek registered political party status for \_\_\_\_\_~~  
 1555 ~~(name);~~]

1556 [~~Each signer says:~~]

1557 [~~I have personally signed this petition with a holographic signature;~~]

1558 [~~I am registered to vote in Utah or will register to vote in Utah before the petition is~~  
 1559 ~~submitted to the lieutenant governor;~~]

1560 [~~I am or desire to become a member of the political party, and]~~

1561 [~~My street address is written correctly after my name."; and]~~

1562 [~~(g)~~] (vi) be vertically divided into columns as follows:

1563 [(i)] (A) the first column shall appear at the extreme left of [~~the~~] each sheet, be 5/8 inch  
 1564 wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down  
 1565 the middle;

1566 [(ii)] (B) the next column shall be 2-1/2 inches wide, headed "Registered Voter's  
 1567 Printed Name (must be legible to be counted)";

1568 [(iii)] (C) the next column shall be 2-1/2 inches wide, headed "[~~Holographic~~] Signature  
 1569 of Registered Voter";

1570 [(iv)] (D) the next column shall be one inch wide, headed "Birth Date or Age  
 1571 (Optional)";

1572 [(v)] (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip  
 1573 Code"; and

1574 [(vi)] (F) at the bottom of [~~the~~] each sheet, contain the following statement: "Birth date  
 1575 or age information is not required[;] but [it] may be used to verify your identity with voter  
 1576 registration records. If you choose not to provide [it] this information, your signature may not  
 1577 be certified as a valid signature if you change your address before petition signatures are

1578 certified or if the information you provide does not match your voter registration records."[:]  
1579 ~~[(h) have a final page bound to one or more signature sheets that are bound together~~  
1580 ~~that contains]~~

1581 (b) (i) A petition used to collect electronic signatures shall contain an electronically  
1582 accessible copy of:

1583 (A) the information described in Subsection (3); and

1584 (B) the statement described in Subsection (4).

1585 (ii) After the statement described in Subsection (4), a petition used to collect electronic  
1586 signatures shall contain a signature sheet in electronic form that:

1587 (A) lists the name of the political party and the words "Political Party Registration  
1588 Petition" at the top of the form;

1589 (B) contains the word "Warning" directly under the words described in Subsection  
1590 (5)(b)(ii)(A);

1591 (C) contains, to the right of the word "Warning," the following statement in not less  
1592 than eight-point type:

1593 "It is a class A misdemeanor for an individual to sign a political party registration  
1594 petition with a name, driver license number, or state-issued identification card number, other  
1595 than the individual's own name, driver license number, or state-issued identification card  
1596 number, or to knowingly sign a political party registration petition more than once for the same  
1597 party, or to sign a political party registration petition when the individual knows the individual  
1598 is not a registered voter and does not intend to become registered to vote before the  
1599 certification of the petition names by the county clerk.";

1600 (D) a space titled "Registered Voter's Name";

1601 (E) a space titled "Signature of Registered Voter" for an individual signing the petition  
1602 to submit the individual's driver license number or state-issued identification card number as  
1603 the individual's signature;

1604 (F) immediately after the space described in Subsection (5)(b)(ii)(E), the following  
1605 statement in not less than eight-point type:

1606 "Your electronic signature must be in the form of your current driver license number or  
1607 state-issued identification card number. Submitting any other information as your electronic  
1608 signature will result in the disqualification of your signature.";

1609 (G) a space titled "Birth Date or Age (Optional)" followed by the following statement:

1610 "Birth date or age information is not required but may be used to verify your identity  
 1611 with voter registration records. If you choose not to provide this information, your signature  
 1612 may not be verified as a valid signature if you change your address before petition signatures  
 1613 are certified or if the information you provide does not match your voter registration records.";

1614 (H) a space titled "Street Address";

1615 (I) a space titled "City"; and

1616 (J) a space titled "Zip Code."

1617 (iii) The sponsors of a political party registration petition who collect electronic  
 1618 signatures shall ensure that an individual views the information described in Subsection (3) and  
 1619 the statement described in Subsection (4) before the individual signs the signature sheet.

1620 (iv) The sponsors of a political party registration petition who collect electronic  
 1621 signatures shall file, under Subsection (2), a printed version of the petition with the lieutenant  
 1622 governor by creating a packet that contains:

1623 (A) a cover sheet containing the information described in Subsection (3);

1624 (B) the statement described in Subsection (4);

1625 (C) signature sheets in substantially the same form required under Subsection (5)(a) for  
 1626 a signature sheet used to collect holographic signatures; and

1627 (D) a final page containing the verification statement described in Subsection (6).

1628 (6) The final page of a petition shall contain the following printed verification  
 1629 statement:

1630 "Verification

1631 State of Utah, County of \_\_\_\_\_

1632 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

1633 I am a Utah resident and am at least 18 years [~~old~~] of age;

1634 [~~All the names that appear on the signature sheets bound to this page were signed by~~  
 1635 ~~persons who professed to be the persons whose names appear on the signature sheets, and each~~  
 1636 ~~of them signed the person's name on the signature sheets in my presence;]~~

1637 [~~I believe that each has printed and signed the person's name and written the person's~~  
 1638 ~~street address correctly, and that each signer is registered to vote in Utah or will register to vote~~  
 1639 ~~in Utah before the petition is submitted to the lieutenant governor.] Each signature that appears~~

1640 in this packet was signed by an individual who professed to be the individual whose name is  
1641 associated with the signature;

1642 I believe that each individual has submitted the individual's name, signed the petition,  
1643 and submitted the individual's post office address and residence correctly, and that each signer  
1644 is registered to vote in Utah or intends to become registered to vote in Utah before the  
1645 certification of the petition names by the lieutenant governor.

1646 \_\_\_\_\_  
1647 (Signature) (Residence Address) (Date)";

1648 and]

1649 [(i) be bound to a cover sheet that:]

1650 [(i) identifies the political party's name, which may not exceed four words, and the  
1651 emblem of the party;]

1652 [(ii) states the process that the organization will follow to organize and adopt a  
1653 constitution and bylaws; and]

1654 [(iii) is signed by a filing officer, who agrees to receive communications on behalf of  
1655 the organization.];

1656 [(4)] (7) The filing officer described in Subsection (3)[(i)(iii)](c) shall ensure that [the  
1657 person in whose presence each signature sheet is signed] an individual who circulates a  
1658 signature sheet for the political party registration petition:

1659 (a) is at least 18 years [old] of age;

1660 (b) meets the residency requirements of Section 20A-2-105; and

1661 (c) verifies [each] the signature sheet by completing the verification [bound to one or  
1662 more signature sheets that are bound together] statement attached to the petition containing the  
1663 signature sheet.

1664 [(5)] (8) A person may not sign the verification statement if the person signed a  
1665 signature sheet bound to the verification statement.

1666 [(6)] (9) The lieutenant governor shall:

1667 (a) determine whether [the required number of voters appears on] a sufficient number  
1668 of voters have signed the petition;

1669 (b) review the proposed name and emblem to determine if [they are "distinguishable"  
1670 from the names and emblems of other registered political parties] the name and emblem are

1671 distinguishable; and

1672 (c) certify the lieutenant governor's findings to the filing officer described in  
1673 Subsection (3)~~[(i)(iii)]~~(c) within 30 days ~~[of the filing of the petition]~~ after the day on which  
1674 the petition is filed.

1675 ~~[(7)]~~ (10) (a) If the lieutenant governor determines that the petition meets the  
1676 requirements of this section, and that the proposed name and emblem are distinguishable, the  
1677 lieutenant governor shall authorize the filing officer described in Subsection (3)~~[(i)(iii)]~~(c) to  
1678 organize the prospective political party.

1679 (b) If the lieutenant governor finds that the name, emblem, or both are not  
1680 distinguishable from the names and emblems of other registered political parties, the lieutenant  
1681 governor shall notify the filing officer that the filing officer has seven days to submit a new  
1682 name or emblem to the lieutenant governor.

1683 ~~[(8)]~~ (11) A registered political party may not change its name or emblem during the  
1684 regular general election cycle.

1685 ~~[(9)]~~ (12) (a) It is unlawful for ~~[any person]~~ an individual to:

1686 (i) ~~[knowingly]~~ sign a political party registration petition with:

1687 (A) ~~[with any]~~ a name other than the [person's] individual's own name; or

1688 (B) a driver license number or state-issued identification card number other than the  
1689 individual's own driver license number or state-issued identification card number;

1690 ~~[(B)]~~ (ii) knowingly sign a political party registration petition more than once for the  
1691 same political party; [or]

1692 ~~[(C)]~~ (iii) sign a political party registration petition if the [person] individual knows the  
1693 individual is not [registered to vote in this state] a registered voter and does not intend to  
1694 become registered to vote [in this state] before the [petition is submitted to] verification of  
1695 petition signatures by the the lieutenant governor; or

1696 ~~[(ii)]~~ (iv) sign the verification statement of a political party registration petition  
1697 signature sheet if the [person] individual:

1698 (A) does not meet the residency requirements of Section [20A-2-105](#); or

1699 ~~[(B)]~~ has not witnessed the signing by those persons whose names appear on the  
1700 political party registration petition signature sheet; or]

1701 ~~[(C)]~~ (B) knows that [a person] an individual whose signature appears on the political

1702 party registration petition signature sheet is not registered to vote in this state and does not  
1703 intend to become registered to vote in this state before the verification of petition signatures by  
1704 the lieutenant governor.

1705 (b) [~~Any~~] A person violating this Subsection [~~(9)~~] (12) is guilty of a class A  
1706 misdemeanor.

1707 Section 29. Section **20A-9-203** is amended to read:

1708 **20A-9-203. Declarations of candidacy -- Municipal general elections.**

1709 (1) (a) (i) A person may become a candidate for any municipal office if:

1710 (A) the person is a registered voter; and

1711 (B) (I) the person has resided within the municipality in which that person seeks to  
1712 hold elective office for the 12 consecutive months immediately before the date of the election;  
1713 or

1714 (II) if the territory in which the person resides was annexed into the municipality, the  
1715 person has resided within the annexed territory or the municipality the 12 consecutive months  
1716 immediately before the date of the election.

1717 (ii) For purposes of determining whether a person meets the residency requirement of  
1718 Subsection (1)(a)(i)(B)(I) in a municipality that was incorporated less than 12 months before  
1719 the election, the municipality shall be considered to have been incorporated 12 months before  
1720 the date of the election.

1721 (b) In addition to the requirements of Subsection (1)(a), each candidate for a municipal  
1722 council position shall, if elected from a district, be a resident of the council district from which  
1723 elected.

1724 (c) In accordance with Utah Constitution Article IV, Section 6, any mentally  
1725 incompetent person, any person convicted of a felony, or any person convicted of treason or a  
1726 crime against the elective franchise may not hold office in this state until the right to hold  
1727 elective office is restored under Section [20A-2-101.3](#) or [20A-2-101.5](#).

1728 (2) (a) A person seeking to become a candidate for a municipal office shall:

1729 (i) file a declaration of candidacy, in person with the city recorder or town clerk, during  
1730 the office hours described in Section [10-3-301](#) and not later than the close of those office  
1731 hours, between June 1 and June 7 of any odd-numbered year; and

1732 (ii) pay the filing fee, if one is required by municipal ordinance.



1733 (b) Any resident of a municipality may nominate a candidate for a municipal office by:

1734 (i) filing a nomination petition with the city recorder or town clerk during the office  
1735 hours described in Section 10-3-301 and not later than the close of those office hours, between  
1736 June 1 and June 7 of any odd-numbered year; and

1737 (ii) paying the filing fee, if one is required by municipal ordinance.

1738 (3) (a) Before the filing officer may accept any declaration of candidacy or nomination  
1739 petition, the filing officer shall:

1740 (i) read to the prospective candidate or person filing the petition the constitutional and  
1741 statutory qualification requirements for the office that the candidate is seeking; and

1742 (ii) require the candidate or person filing the petition to state whether the candidate  
1743 meets those requirements.

1744 (b) If the prospective candidate does not meet the qualification requirements for the  
1745 office, the filing officer may not accept the declaration of candidacy or nomination petition.

1746 (c) If it appears that the prospective candidate meets the requirements of candidacy, the  
1747 filing officer shall:

1748 (i) inform the candidate that the candidate's name will appear on the ballot as it is  
1749 written on the declaration of candidacy;

1750 (ii) provide the candidate with a copy of the current campaign financial disclosure laws  
1751 for the office the candidate is seeking and inform the candidate that failure to comply will  
1752 result in disqualification as a candidate and removal of the candidate's name from the ballot;

1753 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide  
1754 Electronic Voter Information Website Program and inform the candidate of the submission  
1755 deadline under Subsection 20A-7-801(4)(a);

1756 (iv) provide the candidate with a copy of the pledge of fair campaign practices  
1757 described under Section 20A-9-206 and inform the candidate that:

1758 (A) signing the pledge is voluntary; and

1759 (B) signed pledges shall be filed with the filing officer; and

1760 (v) accept the declaration of candidacy or nomination petition.

1761 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing  
1762 officer shall:

1763 (i) accept the candidate's pledge; and

1764 (ii) if the candidate has filed for a partisan office, provide a certified copy of the  
1765 candidate's pledge to the chair of the county or state political party of which the candidate is a  
1766 member.

1767 (4) Notwithstanding the requirement in Subsection (2)(a)(i) to file a declaration of  
1768 candidacy in person, a person may designate an agent to file the form described in Subsection  
1769 (5) in person with the city recorder or town clerk if:

1770 (a) the person is located outside the state during the filing period because:

1771 (i) of employment with the state or the United States; or

1772 (ii) the person is a member of:

1773 (A) the active or reserve components of the Army, Navy, Air Force, Marine Corps, or  
1774 Coast Guard of the United States who is on active duty;

1775 (B) the Merchant Marine, the commissioned corps of the Public Health Service, or the  
1776 commissioned corps of the National Oceanic and Atmospheric Administration of the United  
1777 States; or

1778 (C) the National Guard on activated status;

1779 (b) the person makes the declaration of candidacy described in Subsection (5) to a  
1780 person qualified to administer an oath;

1781 (c) the person communicates with the city recorder or town clerk using an electronic  
1782 device that allows the person and the city recorder or town clerk to see and hear each other; and

1783 (d) the person provides the city recorder or town clerk with an email address to which  
1784 the filing officer may send the copies described in Subsection (3).

1785 (5) (a) The declaration of candidacy shall substantially comply with the following  
1786 form:

1787 "I, (print name) \_\_\_\_, being first sworn, say that I reside at \_\_\_\_ Street, City of \_\_\_\_,  
1788 County of \_\_\_\_, state of Utah, Zip Code \_\_\_\_, Telephone Number (if any) \_\_\_\_; that I am a  
1789 registered voter; and that I am a candidate for the office of \_\_\_\_ (stating the term). I will meet  
1790 the legal qualifications required of candidates for this office. I will file all campaign financial  
1791 disclosure reports as required by law and I understand that failure to do so will result in my  
1792 disqualification as a candidate for this office and removal of my name from the ballot. I  
1793 request that my name be printed upon the applicable official ballots. (Signed)

1794 \_\_\_\_\_

1795 Subscribed and sworn to (or affirmed) before me by \_\_\_\_ on this  
1796 \_\_\_\_\_ (month\day\year).

1797 (Signed) \_\_\_\_\_ (Clerk or other officer qualified to administer oath)"

1798 (b) An agent designated to file a declaration of candidacy under Subsection (4) may not  
1799 sign the form described in Subsection (5)(a).

1800 (6) (a) A registered voter may be nominated for municipal office by submitting a  
1801 petition signed~~[-with a holographic signature,]~~ by:

1802 (i) 25 residents of the municipality who are at least 18 years old; or

1803 (ii) 20% of the residents of the municipality who are at least 18 years old.

1804 (b) (i) The petition shall substantially conform to the following form:

1805 "NOMINATION PETITION

1806 The undersigned residents of (name of municipality) being 18 years old or older  
1807 nominate (name of nominee) to the office of \_\_\_\_ for the (two or four-year term, whichever is  
1808 applicable)."

1809 (ii) (A) [The] If the registered voter described in Subsection (6)(a) collects holographic  
1810 signatures, the remainder of the petition shall contain lines and columns for the signatures of  
1811 persons signing the petition and their addresses and telephone numbers.

1812 (B) If the registered voter described in Subsection (6)(a) collects electronic signatures,  
1813 the remainder of the petition shall contain an electronic form in which an individual who signs  
1814 the petition may submit the individual's name, address, and telephone number, and the  
1815 individual's driver license number or state-issued identification card number as the individual's  
1816 signature.

1817 (7) If the declaration of candidacy or nomination petition fails to state whether the  
1818 nomination is for the two or four-year term, the clerk shall consider the nomination to be for  
1819 the four-year term.

1820 (8) (a) The clerk shall verify with the county clerk that all candidates are registered  
1821 voters.

1822 (b) Any candidate who is not registered to vote is disqualified and the clerk may not  
1823 print the candidate's name on the ballot.

1824 (9) Immediately after expiration of the period for filing a declaration of candidacy, the  
1825 clerk shall:

- 1826 (a) cause the names of the candidates as they will appear on the ballot to be published:  
1827 (i) in at least two successive publications of a newspaper with general circulation in the  
1828 municipality; and  
1829 (ii) as required in Section 45-1-101; and  
1830 (b) notify the lieutenant governor of the names of the candidates as they will appear on  
1831 the ballot.
- 1832 (10) A declaration of candidacy or nomination petition filed under this section may not  
1833 be amended after the expiration of the period for filing a declaration of candidacy.
- 1834 (11) (a) A declaration of candidacy or nomination petition filed under this section is  
1835 valid unless a written objection is filed with the clerk within five days after the last day for  
1836 filing.
- 1837 (b) If an objection is made, the clerk shall:  
1838 (i) mail or personally deliver notice of the objection to the affected candidate  
1839 immediately; and  
1840 (ii) decide any objection within 48 hours after it is filed.
- 1841 (c) If the clerk sustains the objection, the candidate may correct the problem by  
1842 amending the declaration or petition within three days after the objection is sustained or by  
1843 filing a new declaration within three days after the objection is sustained.
- 1844 (d) (i) The clerk's decision upon objections to form is final.  
1845 (ii) The clerk's decision upon substantive matters is reviewable by a district court if  
1846 prompt application is made to the district court.
- 1847 (iii) The decision of the district court is final unless the Supreme Court, in the exercise  
1848 of its discretion, agrees to review the lower court decision.
- 1849 (12) Any person who filed a declaration of candidacy and was nominated, and any  
1850 person who was nominated by a nomination petition, may, any time up to 23 days before the  
1851 election, withdraw the nomination by filing a written affidavit with the clerk.
- 1852 Section 30. Section **20A-9-404** is amended to read:  
1853 **20A-9-404. Municipal primary elections.**  
1854 (1) (a) Except as otherwise provided in this section, candidates for municipal office in  
1855 all municipalities shall be nominated at a municipal primary election.  
1856 (b) Municipal primary elections shall be held:

1857 (i) consistent with Section 20A-1-201.5, on the second Tuesday following the first  
1858 Monday in the August before the regular municipal election; and

1859 (ii) whenever possible, at the same polling places as the regular municipal election.

1860 (2) If the number of candidates for a particular municipal office does not exceed twice  
1861 the number of persons needed to fill that office, a primary election for that office may not be  
1862 held and the candidates are considered nominated.

1863 (3) (a) For purposes of this Subsection (3), "convention" means an organized assembly  
1864 of voters or delegates.

1865 (b) (i) By ordinance adopted before the May 1 that falls before a regular municipal  
1866 election, any third, fourth, or fifth class city or town may exempt itself from a primary election  
1867 by providing that the nomination of candidates for municipal office to be voted upon at a  
1868 municipal election be nominated by a political party convention or committee.

1869 (ii) Any primary election exemption ordinance adopted under the authority of this  
1870 subsection remains in effect until repealed by ordinance.

1871 (c) (i) A convention or committee may not nominate more than one group of  
1872 candidates or have placed on the ballot more than one group of candidates for the municipal  
1873 offices to be voted upon at the municipal election.

1874 (ii) A convention or committee may nominate a person who has been nominated by a  
1875 different convention or committee.

1876 (iii) A political party may not have more than one group of candidates placed upon the  
1877 ballot and may not group the same candidates on different tickets by the same party under a  
1878 different name or emblem.

1879 (d) (i) The convention or committee shall prepare a certificate of nomination for each  
1880 person nominated.

1881 (ii) The certificate of nomination shall:

1882 (A) contain the name of the office for which each person is nominated, the name, post  
1883 office address, and, if in a city, the street number of residence and place of business, if any, of  
1884 each person nominated;

1885 (B) designate in not more than five words the political party that the convention or  
1886 committee represents;

1887 (C) contain a copy of the resolution passed at the convention that authorized the

1888 committee to make the nomination;

1889 (D) contain a statement certifying that the name of the candidate nominated by the  
1890 political party will not appear on the ballot as a candidate for any other political party;

1891 (E) be signed by the presiding officer and secretary of the convention or committee;  
1892 and

1893 (F) contain a statement identifying the residence and post office address of the  
1894 presiding officer and secretary and certifying that the presiding officer and secretary were  
1895 officers of the convention or committee and that the certificates are true to the best of their  
1896 knowledge and belief.

1897 (iii) Certificates of nomination shall be filed with the clerk not later than 80 days  
1898 before the municipal general election.

1899 (e) A committee appointed at a convention, if authorized by an enabling resolution,  
1900 may also make nominations or fill vacancies in nominations made at a convention.

1901 (f) The election ballot shall substantially comply with the form prescribed in Title 20A,  
1902 Chapter 6, Part 4, Ballot Form Requirements for Municipal Elections, but the party name shall  
1903 be included with the candidate's name.

1904 (4) (a) Any third, fourth, or fifth class city may adopt an ordinance before the May 1  
1905 that falls before the regular municipal election that:

1906 (i) exempts the city from the other methods of nominating candidates to municipal  
1907 office provided in this section; and

1908 (ii) provides for a partisan primary election method of nominating candidates as  
1909 provided in this Subsection (4).

1910 (b) (i) Any party that was a registered political party at the last regular general election  
1911 or regular municipal election is a municipal political party under this section.

1912 (ii) Any political party may qualify as a municipal political party by presenting a  
1913 petition to the city recorder that:

1914 (A) is signed~~[, with a holographic signature,]~~ by registered voters within the  
1915 municipality equal to at least 20% of the number of votes cast for all candidates for mayor in  
1916 the last municipal election at which a mayor was elected;

1917 (B) is filed with the city recorder by May 31 of any odd-numbered year;

1918 (C) is substantially similar to the form of the signature sheets described in Section

1919 20A-7-303; and

1920 (D) contains the name of the municipal political party using not more than five words.

1921 (c) (i) If the number of candidates for a particular office does not exceed twice the  
1922 number of offices to be filled at the regular municipal election, no partisan primary election for  
1923 that office shall be held and the candidates are considered to be nominated.

1924 (ii) If the number of candidates for a particular office exceeds twice the number of  
1925 offices to be filled at the regular municipal election, those candidates for municipal office shall  
1926 be nominated at a partisan primary election.

1927 (d) The clerk shall ensure that:

1928 (i) the partisan municipal primary ballot is similar to the ballot forms required by  
1929 Sections 20A-6-401 and 20A-6-401.1;

1930 (ii) the candidates for each municipal political party are listed in one or more columns  
1931 under their party name and emblem;

1932 (iii) the names of candidates of all parties are printed on the same ballot, but under  
1933 their party designation;

1934 (iv) every ballot is folded and perforated so as to separate the candidates of one party  
1935 from those of the other parties and so as to enable the elector to separate the part of the ballot  
1936 containing the names of the party of his choice from the remainder of the ballot; and

1937 (v) the side edges of all ballots are perforated so that the outside sections of the ballots,  
1938 when detached, are similar in appearance to inside sections when detached.

1939 (e) After marking a municipal primary ballot, the voter shall:

1940 (i) detach the part of the ballot containing the names of the candidates of the party he  
1941 has voted from the rest of the ballot;

1942 (ii) fold the detached part so that its face is concealed and deposit it in the ballot box;  
1943 and

1944 (iii) fold the remainder of the ballot containing the names of the candidates of the  
1945 parties for whom the elector did not vote and deposit it in the blank ballot box.

1946 (f) Immediately after the canvass, the election judges shall, without examination,  
1947 destroy the tickets deposited in the blank ballot box.

1948 Section 31. Section 20A-9-405 is amended to read:

1949 **20A-9-405. Nomination petitions for regular primary elections.**

1950 (1) This section shall apply to the form and circulation of nomination petitions for  
1951 regular primary elections described in Subsection 20A-9-403(3)(a).

1952 (2) A candidate for elective office, and the agents of the candidate, may not circulate  
1953 nomination petitions until the candidate has submitted a declaration of candidacy in accordance  
1954 with Subsection 20A-9-202(1).

1955 (3) (a) ~~[The nomination petitions]~~ A nomination petition used to collect holographic  
1956 signatures shall be in substantially the following form:

1957 ~~[(a)]~~ (i) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

1958 ~~[(b)]~~ (ii) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the  
1959 space above that line blank for purposes of binding;

1960 ~~[(c)]~~ (iii) the petition shall be headed by a caption stating the purpose of the petition  
1961 and the name of the proposed candidate;

1962 ~~[(d)]~~ (iv) the petition shall feature the word "Warning" followed by the following  
1963 statement in no less than eight-point~~[, single-leaded]~~ type: "It is a class A misdemeanor for  
1964 ~~[anyone]~~ an individual to ~~[knowingly]~~ sign a certificate of nomination ~~[signature sheet]~~ petition  
1965 with ~~[any]~~ a name other than the ~~[person's]~~ individual's own name, or to knowingly sign the  
1966 individual's name more than once for the same candidate, or to sign a nomination petition if the  
1967 ~~[person]~~ individual knows the individual is not ~~[registered to vote in this state]~~ a registered  
1968 voter and does not intend to become registered to vote ~~[in this state]~~ before signatures are  
1969 certified by a filing officer.";

1970 ~~[(e)]~~ (v) the petition shall feature 10 lines spaced one-half inch apart and consecutively  
1971 numbered one through 10;

1972 ~~[(f)]~~ (vi) the signature portion of the petition shall be divided into columns headed by  
1973 the following titles:

1974 ~~[(i)]~~ (A) Registered Voter's Printed Name;

1975 ~~[(ii)]~~ (B) Signature of Registered Voter;

1976 ~~[(iii)]~~ (C) Party Affiliation of Registered Voter;

1977 ~~[(iv)]~~ (D) Birth Date or Age (Optional);

1978 ~~[(v)]~~ (E) Street Address, City, Zip Code; and

1979 ~~[(vi)]~~ (F) Date of Signature; and

1980 (vii) the final page of the petition shall contain the statement described in Subsection



- 1981 (4).
- 1982 (b) A nomination petition used to collect electronic signatures shall be in electronic
- 1983 form and shall:
- 1984 (i) be headed by a caption stating the purpose of the petition and the name of the
- 1985 proposed candidate;
- 1986 (ii) feature the word "Warning" followed by the following statement in no less than
- 1987 eight-point type:
- 1988 "It is a class A misdemeanor for an individual to sign a nomination petition with a
- 1989 name, driver license number, or state-issued identification card number, other than the
- 1990 individual's own name, driver license number, or state-issued identification card number, or to
- 1991 knowingly sign a nomination petition more than once for the same candidate, or to sign a
- 1992 nomination petition when the individual knows the individual is not a registered voter and does
- 1993 not intend to become registered to vote before petition signatures are certified by a filing
- 1994 officer.";
- 1995 (iii) contain an electronic form containing the following:
- 1996 (A) a space titled "Registered Voter's Name";
- 1997 (B) a space titled "Signature of Registered Voter" in which an individual who signs the
- 1998 petition may submit the individual's driver license number or state-issued identification card
- 1999 number as the individual's signature;
- 2000 (C) immediately after the space described in Subsection (3)(b)(ii)(B), the following
- 2001 statement in not less than eight-point type:
- 2002 "Your electronic signature must be in the form of your current driver license number or
- 2003 state-issued identification card number. Submitting any other information as your electronic
- 2004 signature will result in the disqualification of your signature.";
- 2005 (D) a space titled "Party Affiliation of Registered Voter";
- 2006 (E) a space titled "Birth Date or Age (Optional)";
- 2007 (F) a space titled "Street Address";
- 2008 (G) a space titled "City";
- 2009 (H) a space titled "Zip Code"; and
- 2010 (I) a space titled "Date of Signature."
- 2011 (c) Before delivering a nomination petition to the appropriate filing officer as required

2012 under Subsection 20A-9-403(3), the sponsors of a nomination petition who collect electronic  
 2013 signatures shall print a completed nomination petition in substantially the same form as a  
 2014 nomination petition described in Subsection (3)(a), including the verification statement  
 2015 described in Subsection (4).

2016 ~~[(g)]~~ (d) [a] A photograph of the candidate may appear on ~~[the]~~ a nomination petition.

2017 (4) ~~[If one or more nomination petitions are bound together, a page shall be bound to~~  
 2018 ~~the nomination petition(s) that features]~~ The final page of a nomination petition shall contain  
 2019 the following printed verification statement to be signed and dated by the petition circulator:

2020 "Verification

2021 State of Utah, County of \_\_\_\_\_

2022 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state under that:

2023 I am a Utah resident and am at least 18 years ~~[old]~~ of age;

2024 ~~[All the names that appear]~~ Each signature that appears on the signature sheets bound to  
 2025 this page ~~[were]~~ was, to the best of my knowledge, signed by the ~~[persons who professed to be~~  
 2026 ~~the persons whose names appear on the signature sheets, and each of them signed the person's~~  
 2027 ~~name on the signature sheets in my presence]~~ individual who professed to be the individual  
 2028 whose name is associated with the signature;

2029 I believe that each individual has ~~[printed and signed]~~ submitted the ~~[person's]~~  
 2030 individual's name ~~[and written the person's]~~, signature, and street address correctly, and that  
 2031 each signer is registered to vote in Utah or will register to vote in Utah before the ~~[county clerk~~  
 2032 ~~certifies the signatures on the signature sheet]~~ certification of the petition names by the county  
 2033 clerk."

2034 (5) The lieutenant governor shall prepare and make public model nomination petition  
 2035 forms and associated instructions.

2036 (6) A nomination petition circulator must be at least 18 years ~~[old]~~ of age and a resident  
 2037 of the state, but may affiliate with any political party.

2038 (7) It is unlawful for ~~[any person]~~ an individual to:

2039 (a) ~~[knowingly]~~ sign the nomination petition sheet described in Subsection (3) with:

2040 (i) ~~[with any]~~ a name other than the ~~[person's]~~ individual's own name; or

2041 (ii) a driver license number or state-issued identification card number other than the  
 2042 individual's own driver license number or state-issued identification card number;

2043            [(ii)] (b) knowingly sign a nomination petition more than once for the same candidate;  
 2044 [or]

2045            [(iii)] (c) sign a nomination petition if the [person] individual knows the individual is  
 2046 not [~~registered to vote in this state~~] a registered voter and does not intend to become registered  
 2047 to vote [~~in this state prior to~~] before 5 p.m. on the final day in March;

2048            [(b)] (d) sign the verification statement of a certificate of nomination signature sheet  
 2049 described in Subsection (4) if the [person] individual:

2050            (i) does not meet the residency requirements of Section 20A-2-105; or

2051            [(ii)] ~~has not witnessed the signing by those persons whose names appear on the~~  
 2052 ~~certificate of nomination signature sheet; or]~~

2053            [(iii)] (ii) knows that [~~a person~~] an individual whose signature appears on the  
 2054 certificate of nomination signature sheet is not registered to vote in this state and does not  
 2055 intend to become registered to vote in this state before the certification of petition signatures by  
 2056 the appropriate filing officer;

2057            [(e)] (e) pay compensation to any person to sign a nomination petition; or

2058            [(f)] (f) pay compensation to any person to circulate a nomination petition, if the  
 2059 compensation is based directly on the number of signatures submitted to a filing officer rather  
 2060 than on the number of signatures verified or on some other basis.

2061            (8) Any person violating Subsection (7) is guilty of a class A misdemeanor.

2062            (9) [~~Withdrawal of petition signatures shall not be permitted~~] An individual may not  
 2063 withdraw the individual's signature from a petition.

2064            Section 32. Section **20A-9-502** is amended to read:

2065            **20A-9-502. Certificate of nomination -- Contents -- Circulation -- Verification --**  
 2066 **Criminal penalty.**

2067            (1) [~~The candidate shall:~~] A candidate for public office who does not wish to affiliate  
 2068 with a registered political party shall prepare a nomination petition in accordance with this  
 2069 section.

2070            (2) The first part of the nomination petition shall contain:

2071            (a) [~~prepare~~] a certificate of nomination in substantially the following form:

2072            "State of Utah, County of \_\_\_\_\_

2073            I, \_\_\_\_\_, declare my intention of becoming an unaffiliated candidate for the

2074 political group designated as \_\_\_\_ for the office of \_\_\_\_\_. I do solemnly swear that I can  
 2075 qualify to hold that office both legally and constitutionally if selected, and that I reside at \_\_\_\_  
 2076 Street, in the city of \_\_\_\_\_, county of \_\_\_\_\_, state of \_\_\_\_\_, zip code \_\_\_\_\_, phone \_\_\_\_\_, and  
 2077 that I am providing, or have provided, the required number of [holographic] signatures of  
 2078 registered voters required by law; that as a candidate at the next election I will not knowingly  
 2079 violate any election or campaign law; I will file all campaign financial disclosure reports as  
 2080 required by law; and I understand that failure to do so will result in my disqualification as a  
 2081 candidate for this office and removal of my name from the ballot.

2082 \_\_\_\_\_  
 2083 Subscribed and sworn to before me this \_\_\_\_\_(month/day/year).  
 2084 \_\_\_\_\_

2085 Notary Public (or other officer  
 2086 qualified to administer oaths)"; and

2087 (b) [~~bind signature sheets to the certificate that~~] the following statement directly under  
 2088 the statement described in Subsection (2)(a):

2089 "We, the undersigned citizens of Utah, seek to nominate \_\_\_\_\_ as a candidate for  
 2090 the office of \_\_\_\_\_.

2091 Each signer says:

2092 I have personally signed this petition;

2093 I am registered to vote in Utah or intend to become registered to vote in Utah before the  
 2094 certification of signatures by the county clerk; and

2095 I have submitted my residence and post office address correctly after my name."

2096 (3) (a) A petition used to collect holographic signatures shall, after the statements  
 2097 described in Subsection (2), contain signature sheets that:

2098 (i) are printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2099 (ii) are ruled with a horizontal line 3/4 inch from the top, with the space above that line  
 2100 blank for the purpose of binding;

2101 (iii) contain the name of the proposed candidate and the words "Unaffiliated Candidate  
 2102 Certificate of Nomination Petition" [~~printed~~] directly below the horizontal line;

2103 (iv) contain the word "Warning" [~~printed~~] directly under the words described in  
 2104 Subsection [~~(1)(b)(iii)~~] (3)(a)(iii);

2105 (v) contain, to the right of the word "Warning," the following statement [~~printed~~] in not  
2106 less than eight-point[~~, single leaded~~] type:

2107 "It is a class A misdemeanor for [~~anyone~~] an individual to [~~knowingly~~] sign a certificate  
2108 of nomination [~~signature sheet~~] petition with [~~any~~] a name other than the [~~person's~~] individual's  
2109 own name, or to knowingly sign the individual's name more than once for the same candidate,  
2110 or to sign a certificate of nomination petition if the [~~person~~] individual knows the individual is  
2111 not a registered [~~to vote in this state~~] voter and does not intend to become registered to vote [~~in~~  
2112 this state] before the certification of the petition names by the county clerk [~~certifies the~~  
2113 signatures].";

2114 [~~(vi) contain the following statement directly under the statement described in~~  
2115 Subsection (1)(b)(v):]

2116 [~~"Each signer says:~~

2117 [~~I have personally signed this petition with a holographic signature;~~

2118 [~~I am registered to vote in Utah or intend to become registered to vote in Utah before~~  
2119 the county clerk certifies my signature; and]

2120 [~~My street address is written correctly after my name.";~~

2121 [~~(vii)~~] (vi) contain horizontally ruled lines, 3/8 inch apart under the statement described  
2122 in Subsection [~~(1)(b)(vi)~~] (3)(a)(v); and

2123 (viii) [~~be~~] are vertically divided into columns as follows:

2124 (A) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be  
2125 headed with "For Office Use Only," and be subdivided with a light vertical line down the  
2126 middle;

2127 (B) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed  
2128 Name (must be legible to be counted)";

2129 (C) the next column shall be 2-1/2 inches wide, headed "[~~Holographic~~] Signature of  
2130 Registered Voter";

2131 (D) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

2132 (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip  
2133 Code"; and

2134 (F) at the bottom of the sheet, contain the following statement: "Birth date or age  
2135 information is not required, but [~~it~~] may be used to verify your identity with voter registration

2136 records. If you choose not to provide ~~[it]~~ this information, your signature may not be certified  
2137 as a valid signature if you change your address before petition signatures are certified or if the  
2138 information you provide does not match your voter registration records."~~]; and]~~

2139 (b) (i) A petition used to collect electronic signatures shall contain an electronically  
2140 accessible copy of the information described in Subsection (2).

2141 (ii) After the statement described in Subsection (2), a petition used to collect electronic  
2142 signatures shall, after the statements described in Subsection (2), contain a signature sheet in  
2143 electronic form that contains:

2144 (A) the name of the proposed candidate and the words "Unaffiliated Candidate  
2145 Certificate of Nomination Petition" at the top of the form;

2146 (B) the word "Warning" directly under the words described in Subsection (3)(b)(ii)(A);

2147 (C) to the right of the word "Warning," the following statement in not less than  
2148 eight-point type:

2149 "It is a class A misdemeanor for an individual to sign a nomination petition with a  
2150 name, driver license number, or state-issued identification card number, other than the  
2151 individual's own name, driver license number, or state-issued identification card number, or to  
2152 knowingly sign a nomination petition more than once for the same candidate, or to sign a  
2153 nomination petition when the individual knows the individual is not a registered voter and does  
2154 not intend to become registered to vote before the certification of the petition names by the  
2155 county clerk.";

2156 (D) a space titled "Registered Voter's Name";

2157 (E) a space titled "Signature of Registered Voter" for an individual signing the petition  
2158 to submit the individual's driver license number or state-issued identification card number as  
2159 the individual's signature;

2160 (F) immediately after the space described in Subsection (3)(b)(ii)(E), the following  
2161 statement in not less than eight-point type:

2162 "Your electronic signature must be in the form of your current driver license number or  
2163 state-issued identification card number. Submitting any other information as your electronic  
2164 signature will result in the disqualification of your signature.";

2165 (G) a space titled "Birth Date or Age (Optional)";

2166 (H) immediately after the space described in Subsection (3)(b)(ii)(G), the following

2167 statement:

2168 "Birth date or age information is not required but may be used to verify your identity  
 2169 with voter registration records. If you choose not to provide this information, your signature  
 2170 may not be certified as a valid signature if you change your address before petition signatures  
 2171 are certified or if the information you provide does not match your voter registration records.";

2172 (I) a space titled "Street Address";

2173 (J) a space titled "City"; and

2174 (K) a space titled "Zip Code."

2175 (iii) A candidate who collects electronic signatures shall ensure that an individual  
 2176 views the information described in Subsection (2) before the individual signs the signature  
 2177 sheet.

2178 (iv) A candidate who collects electronic signatures shall file under Subsection (8) a  
 2179 printed version of the nomination petition with the county clerk by creating a packet that  
 2180 contains:

2181 (A) a cover sheet with the information described in Subsection (2);

2182 (B) signature sheets in substantially the same form as required by Subsection (3)(a) for  
 2183 a signature sheet used to collect holographic signatures; and

2184 (C) a final page containing the verification statement described in Subsection (4).

2185 ~~[(c) bind a final page to one or more signature sheets that are bound together that~~  
 2186 ~~contains, except as provided by Subsection (3);]~~

2187 (4) The final page of a nomination petition shall contain the following printed  
 2188 verification statement:

2189 "Verification

2190 State of Utah, County of \_\_\_\_

2191 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

2192 I am a Utah resident and am at least 18 years ~~[old]~~ of age;

2193 ~~[All the names that appear on the signature sheets bound to this page were signed by~~  
 2194 ~~persons who professed to be the persons whose names appear on the signature sheets, and each~~  
 2195 ~~of them signed the person's name on the signature sheets in my presence;]~~

2196 ~~[I believe that each has printed and signed the person's name and written the person's~~  
 2197 ~~street address correctly, and that each signer is registered to vote in Utah or will register to vote~~

2198 ~~in Utah before the county clerk certifies the signatures on the signature sheet.]~~ Each signature  
 2199 that appears in this packet was signed by an individual who professed to be the individual  
 2200 whose name is associated with the signature;

2201 I believe that each individual has submitted the individual's name, signed the petition,  
 2202 and submitted the individual's post office address and residence correctly, and that each signer  
 2203 is registered to vote in Utah or intends to become registered to vote in Utah before the  
 2204 certification of the petition names by the county clerk.

2205 \_\_\_\_\_  
 2206 (Signature) (Residence Address) (Date)".

2207 ~~[(2)]~~ (5) An agent designated to file a certificate of nomination under Subsection  
 2208 [20A-9-503](#)(4) may not sign the ~~[form]~~ verification statement described in Subsection ~~[(1)(a)]~~  
 2209 (4).

2210 ~~[(3)]~~ (6) (a) The candidate shall ~~[circulate]~~ ensure that an individual who circulates a  
 2211 signature sheet for the nomination petition ~~[and ensure that the person in whose presence each~~  
 2212 signature sheet is signed]:

2213 (i) is at least 18 years ~~[old]~~ of age;

2214 (ii) except as provided by Subsection (3)(b), meets the residency requirements of  
 2215 Section [20A-2-105](#); and

2216 (iii) verifies each signature sheet by completing the verification ~~[bound to one or more~~  
 2217 signature sheets that are bound together] statement described in Subsection (4).

2218 (b) A person who is not a resident may sign the verification ~~[on]~~ statement of a  
 2219 nomination petition for an unaffiliated candidate for the office of president of the United  
 2220 States.

2221 (c) A person may not sign the verification statement if the person signed a signature  
 2222 sheet bound to the verification statement.

2223 ~~[(4)]~~ (7) (a) It is unlawful for ~~[any person]~~ an individual to:

2224 (i) ~~[knowingly sign a certificate of]~~ sign a nomination ~~[signature sheet]~~ petition with:

2225 (A) ~~[with any]~~ a name other than the ~~[person's]~~ individual's own name; or

2226 (B) a driver license number or state-issued identification card number other than the  
 2227 individual's own driver license number or state-issued identification card number;

2228 ~~[(B)]~~ (ii) knowingly sign a nomination petition more than once for the same candidate;



2229 [or]

2230 [~~(C)~~] (iii) sign a nomination petition if the [~~person~~] individual knows the individual is  
 2231 not [~~registered to vote in this state~~] a registered voter and does not intend to become registered  
 2232 to vote [~~in this state~~] before the [~~county clerk certifies the signatures~~] certification of petition  
 2233 names by the county clerk; or

2234 [~~(ii)~~] (iv) sign the verification [~~of a certificate of~~] statement of a nomination [signature  
 2235 sheet] petition if the person:

2236 (A) except as provided by Subsection [~~(3)~~] (6)(b), does not meet the residency  
 2237 requirements of Section 20A-2-105; or

2238 [~~(B)~~] has not witnessed the signing by those persons whose names appear on the  
 2239 certificate of nomination signature sheet; or]

2240 [~~(C)~~] (B) knows that [~~a person~~] an individual whose signature appears on the certificate  
 2241 of nomination signature sheet is not registered to vote in this state and does not intend to  
 2242 become registered to vote in this state.

2243 (b) [~~Any person~~] An individual violating this Subsection [~~(4)~~] (7) is guilty of a class A  
 2244 misdemeanor.

2245 [~~(5)~~] (8) (a) The candidate shall submit the petition and signature sheets to the county  
 2246 clerk for certification when the petition has been [~~completed~~] signed by:

2247 (i) at least 1,000 registered voters residing within the state when the nomination is for  
 2248 an office to be filled by the voters of the entire state; or

2249 (ii) [~~at least~~] when the nomination is for an office to be filled by the voters of any  
 2250 political subdivision, the lesser of at least:

2251 (A) 300 registered voters residing within [~~a~~] the political [~~division~~] subdivision; or

2252 (B) [~~at least~~] 5% of the registered voters residing within [~~a~~] the political [~~division~~;  
 2253 whichever is less, when the nomination is for an office to be filled by the voters of any political  
 2254 division smaller than the state] subdivision.

2255 (b) In reviewing the petition, the county clerk shall count and certify only those persons  
 2256 who [~~signed the petition with a holographic signature who~~]:

2257 (i) are registered voters within the political division that the candidate seeks to  
 2258 represent; and

2259 (ii) did not sign any other certificate of nomination for that office.

2260 (c) The candidate may supplement or amend the certificate of nomination at any time  
2261 on or before the filing deadline.

2262 Section 33. Section **63G-2-202** is amended to read:

2263 **63G-2-202. Access to private, controlled, and protected documents.**

2264 (1) Upon request, and except as provided in Subsection (11)(a), a governmental entity  
2265 shall disclose a private record to:

2266 (a) the subject of the record;

2267 (b) the parent or legal guardian of an unemancipated minor who is the subject of the  
2268 record;

2269 (c) the legal guardian of a legally incapacitated individual who is the subject of the  
2270 record;

2271 (d) any other individual who:

2272 (i) has a power of attorney from the subject of the record;

2273 (ii) submits a notarized release from the subject of the record or the individual's legal  
2274 representative dated no more than 90 days before the date the request is made; or

2275 (iii) if the record is a medical record described in Subsection **63G-2-302(1)(b)**, is a  
2276 health care provider, as defined in Section **26-33a-102**, if releasing the record or information in  
2277 the record is consistent with normal professional practice and medical ethics; or

2278 (e) any person to whom the record must be provided pursuant to:

2279 (i) court order as provided in Subsection (7); or

2280 (ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena  
2281 Powers.

2282 (2) (a) Upon request, a governmental entity shall disclose a controlled record to:

2283 (i) a physician, psychologist, certified social worker, insurance provider or producer, or  
2284 a government public health agency upon submission of:

2285 (A) a release from the subject of the record that is dated no more than 90 days prior to  
2286 the date the request is made; and

2287 (B) a signed acknowledgment of the terms of disclosure of controlled information as  
2288 provided by Subsection (2)(b); and

2289 (ii) any person to whom the record must be disclosed pursuant to:

2290 (A) a court order as provided in Subsection (7); or

2291 (B) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena  
2292 Powers.

2293 (b) A person who receives a record from a governmental entity in accordance with  
2294 Subsection (2)(a)(i) may not disclose controlled information from that record to any person,  
2295 including the subject of the record.

2296 (3) If there is more than one subject of a private or controlled record, the portion of the  
2297 record that pertains to another subject shall be segregated from the portion that the requester is  
2298 entitled to inspect.

2299 (4) Upon request, and except as provided in Subsection (10) or (11)(b), a governmental  
2300 entity shall disclose a protected record to:

2301 (a) the person that submitted the record;

2302 (b) any other individual who:

2303 (i) has a power of attorney from all persons, governmental entities, or political  
2304 subdivisions whose interests were sought to be protected by the protected classification; or

2305 (ii) submits a notarized release from all persons, governmental entities, or political  
2306 subdivisions whose interests were sought to be protected by the protected classification or from  
2307 their legal representatives dated no more than 90 days prior to the date the request is made;

2308 (c) any person to whom the record must be provided pursuant to:

2309 (i) a court order as provided in Subsection (7); or

2310 (ii) a legislative subpoena as provided in Title 36, Chapter 14, Legislative Subpoena  
2311 Powers; or

2312 (d) the owner of a mobile home park, subject to the conditions of Subsection  
2313 [41-1a-116\(5\)](#).

2314 (5) A governmental entity may disclose a private, controlled, or protected record to  
2315 another governmental entity, political subdivision, state, the United States, or a foreign  
2316 government only as provided by Section [63G-2-206](#).

2317 (6) Before releasing a private, controlled, or protected record, the governmental entity  
2318 shall obtain evidence of the requester's identity.

2319 (7) A governmental entity shall disclose a record pursuant to the terms of a court order  
2320 signed by a judge from a court of competent jurisdiction, provided that:

2321 (a) the record deals with a matter in controversy over which the court has jurisdiction;

- 2322 (b) the court has considered the merits of the request for access to the record;
- 2323 (c) the court has considered and, where appropriate, limited the requester's use and
- 2324 further disclosure of the record in order to protect:
  - 2325 (i) privacy interests in the case of private or controlled records;
  - 2326 (ii) business confidentiality interests in the case of records protected under Subsection
  - 2327 [63G-2-305](#)(1), (2), (40)(a)(ii), or (40)(a)(vi); and
  - 2328 (iii) privacy interests or the public interest in the case of other protected records;
- 2329 (d) to the extent the record is properly classified private, controlled, or protected, the
- 2330 interests favoring access, considering limitations thereon, are greater than or equal to the
- 2331 interests favoring restriction of access; and
- 2332 (e) where access is restricted by a rule, statute, or regulation referred to in Subsection
- 2333 [63G-2-201](#)(3)(b), the court has authority independent of this chapter to order disclosure.
- 2334 (8) (a) Except as provided in Subsection (8)(d), a governmental entity may disclose or
- 2335 authorize disclosure of private or controlled records for research purposes if the governmental
- 2336 entity:
  - 2337 (i) determines that the research purpose cannot reasonably be accomplished without
  - 2338 use or disclosure of the information to the researcher in individually identifiable form;
  - 2339 (ii) determines that:
    - 2340 (A) the proposed research is bona fide; and
    - 2341 (B) the value of the research is greater than or equal to the infringement upon personal
    - 2342 privacy;
  - 2343 (iii) (A) requires the researcher to assure the integrity, confidentiality, and security of
  - 2344 the records; and
  - 2345 (B) requires the removal or destruction of the individual identifiers associated with the
  - 2346 records as soon as the purpose of the research project has been accomplished;
  - 2347 (iv) prohibits the researcher from:
    - 2348 (A) disclosing the record in individually identifiable form, except as provided in
    - 2349 Subsection (8)(b); or
    - 2350 (B) using the record for purposes other than the research approved by the governmental
    - 2351 entity; and
    - 2352 (v) secures from the researcher a written statement of the researcher's understanding of

2353 and agreement to the conditions of this Subsection (8) and the researcher's understanding that  
2354 violation of the terms of this Subsection (8) may subject the researcher to criminal prosecution  
2355 under Section 63G-2-801.

2356 (b) A researcher may disclose a record in individually identifiable form if the record is  
2357 disclosed for the purpose of auditing or evaluating the research program and no subsequent use  
2358 or disclosure of the record in individually identifiable form will be made by the auditor or  
2359 evaluator except as provided by this section.

2360 (c) A governmental entity may require indemnification as a condition of permitting  
2361 research under this Subsection (8).

2362 (d) A governmental entity may not disclose or authorize disclosure of a private record  
2363 for research purposes as described in this Subsection (8) if the private record is a record  
2364 described in Subsection 63G-2-302(1)[~~(u)~~](v).

2365 (9) (a) Under Subsections 63G-2-201(5)(b) and 63G-2-401(6), a governmental entity  
2366 may disclose to persons other than those specified in this section records that are:

2367 (i) private under Section 63G-2-302; or

2368 (ii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for  
2369 business confidentiality has been made under Section 63G-2-309.

2370 (b) Under Subsection 63G-2-403(11)(b), the records committee may require the  
2371 disclosure to persons other than those specified in this section of records that are:

2372 (i) private under Section 63G-2-302;

2373 (ii) controlled under Section 63G-2-304; or

2374 (iii) protected under Section 63G-2-305, subject to Section 63G-2-309 if a claim for  
2375 business confidentiality has been made under Section 63G-2-309.

2376 (c) Under Subsection 63G-2-404(7), the court may require the disclosure of records  
2377 that are private under Section 63G-2-302, controlled under Section 63G-2-304, or protected  
2378 under Section 63G-2-305 to persons other than those specified in this section.

2379 (10) A record contained in the Management Information System, created in Section  
2380 62A-4a-1003, that is found to be unsubstantiated, unsupported, or without merit may not be  
2381 disclosed to any person except the person who is alleged in the report to be a perpetrator of  
2382 abuse, neglect, or dependency.

2383 (11) (a) A private record described in Subsection 63G-2-302(2)(f) may only be

2384 disclosed as provided in Subsection (1)(e).

2385 (b) A protected record described in Subsection 63G-2-305(43) may only be disclosed  
2386 as provided in Subsection (4)(c) or Section 62A-3-312.

2387 (12) (a) A private, protected, or controlled record described in Section 62A-16-301  
2388 shall be disclosed as required under:

2389 (i) Subsections 62A-16-301(1)(b), (2), and (4)(c); and

2390 (ii) Subsections 62A-16-302(1) and (6).

2391 (b) A record disclosed under Subsection (12)(a) shall retain its character as private,  
2392 protected, or controlled.

2393 Section 34. Section 63G-2-301 is amended to read:

2394 **63G-2-301. Public records.**

2395 (1) As used in this section:

2396 (a) "Business address" means a single address of a governmental agency designated for  
2397 the public to contact an employee or officer of the governmental agency.

2398 (b) "Business email address" means a single email address of a governmental agency  
2399 designated for the public to contact an employee or officer of the governmental agency.

2400 (c) "Business telephone number" means a single telephone number of a governmental  
2401 agency designated for the public to contact an employee or officer of the governmental agency.

2402 (2) The following records are public except to the extent they contain information  
2403 expressly permitted to be treated confidentially under the provisions of Subsections

2404 63G-2-201(3)(b) and (6)(a):

2405 (a) laws;

2406 (b) the name, gender, gross compensation, job title, job description, business address,  
2407 business email address, business telephone number, number of hours worked per pay period,  
2408 dates of employment, and relevant education, previous employment, and similar job  
2409 qualifications of a current or former employee or officer of the governmental entity, excluding:

2410 (i) undercover law enforcement personnel; and

2411 (ii) investigative personnel if disclosure could reasonably be expected to impair the  
2412 effectiveness of investigations or endanger any individual's safety;

2413 (c) final opinions, including concurring and dissenting opinions, and orders that are  
2414 made by a governmental entity in an administrative, adjudicative, or judicial proceeding except

2415 that if the proceedings were properly closed to the public, the opinion and order may be  
2416 withheld to the extent that they contain information that is private, controlled, or protected;

2417 (d) final interpretations of statutes or rules by a governmental entity unless classified as  
2418 protected as provided in Subsection [63G-2-305](#)(17) or (18);

2419 (e) information contained in or compiled from a transcript, minutes, or report of the  
2420 open portions of a meeting of a governmental entity as provided by Title 52, Chapter 4, Open  
2421 and Public Meetings Act, including the records of all votes of each member of the  
2422 governmental entity;

2423 (f) judicial records unless a court orders the records to be restricted under the rules of  
2424 civil or criminal procedure or unless the records are private under this chapter;

2425 (g) unless otherwise classified as private under Section [63G-2-303](#), records or parts of  
2426 records filed with or maintained by county recorders, clerks, treasurers, surveyors, zoning  
2427 commissions, the Division of Forestry, Fire, and State Lands, the School and Institutional Trust  
2428 Lands Administration, the Division of Oil, Gas, and Mining, the Division of Water Rights, or  
2429 other governmental entities that give public notice of:

2430 (i) titles or encumbrances to real property;

2431 (ii) restrictions on the use of real property;

2432 (iii) the capacity of persons to take or convey title to real property; or

2433 (iv) tax status for real and personal property;

2434 (h) records of the Department of Commerce that evidence incorporations, mergers,  
2435 name changes, and uniform commercial code filings;

2436 (i) data on individuals that would otherwise be private under this chapter if the  
2437 individual who is the subject of the record has given the governmental entity written  
2438 permission to make the records available to the public;

2439 (j) documentation of the compensation that a governmental entity pays to a contractor  
2440 or private provider;

2441 (k) summary data;

2442 (l) voter registration records, including an individual's voting history, except for a voter  
2443 registration record or those parts of a voter registration record that are classified as private  
2444 under Subsection [63G-2-302](#)(1)(j) or (k);

2445 (m) for an elected official, as defined in Section [11-47-102](#), a telephone number, if

2446 available, and email address, if available, where that elected official may be reached as required  
2447 in Title 11, Chapter 47, Access to Elected Officials;

2448 (n) for a school community council member, a telephone number, if available, and  
2449 email address, if available, where that elected official may be reached directly as required in  
2450 Section [53A-1a-108.1](#);

2451 (o) annual audited financial statements of the Utah Educational Savings Plan described  
2452 in Section [53B-8a-111](#); and

2453 (p) except as provided in Subsection [63G-2-302\(1\)\(l\)](#), an initiative packet, as defined  
2454 in Section [20A-7-101](#), and a referendum packet, as defined in Section [20A-7-101](#), after the  
2455 packet is submitted to a county clerk.

2456 (3) The following records are normally public, but to the extent that a record is  
2457 expressly exempt from disclosure, access may be restricted under Subsection [63G-2-201\(3\)\(b\)](#),  
2458 Section [63G-2-302](#), [63G-2-304](#), or [63G-2-305](#):

2459 (a) administrative staff manuals, instructions to staff, and statements of policy;

2460 (b) records documenting a contractor's or private provider's compliance with the terms  
2461 of a contract with a governmental entity;

2462 (c) records documenting the services provided by a contractor or a private provider to  
2463 the extent the records would be public if prepared by the governmental entity;

2464 (d) contracts entered into by a governmental entity;

2465 (e) any account, voucher, or contract that deals with the receipt or expenditure of funds  
2466 by a governmental entity;

2467 (f) records relating to government assistance or incentives publicly disclosed,  
2468 contracted for, or given by a governmental entity, encouraging a person to expand or relocate a  
2469 business in Utah, except as provided in Subsection [63G-2-305\(35\)](#);

2470 (g) chronological logs and initial contact reports;

2471 (h) correspondence by and with a governmental entity in which the governmental entity  
2472 determines or states an opinion upon the rights of the state, a political subdivision, the public,  
2473 or any person;

2474 (i) empirical data contained in drafts if:

2475 (i) the empirical data is not reasonably available to the requester elsewhere in similar  
2476 form; and



2477 (ii) the governmental entity is given a reasonable opportunity to correct any errors or  
2478 make nonsubstantive changes before release;

2479 (j) drafts that are circulated to anyone other than:

2480 (i) a governmental entity;

2481 (ii) a political subdivision;

2482 (iii) a federal agency if the governmental entity and the federal agency are jointly  
2483 responsible for implementation of a program or project that has been legislatively approved;

2484 (iv) a government-managed corporation; or

2485 (v) a contractor or private provider;

2486 (k) drafts that have never been finalized but were relied upon by the governmental  
2487 entity in carrying out action or policy;

2488 (l) original data in a computer program if the governmental entity chooses not to  
2489 disclose the program;

2490 (m) arrest warrants after issuance, except that, for good cause, a court may order  
2491 restricted access to arrest warrants prior to service;

2492 (n) search warrants after execution and filing of the return, except that a court, for good  
2493 cause, may order restricted access to search warrants prior to trial;

2494 (o) records that would disclose information relating to formal charges or disciplinary  
2495 actions against a past or present governmental entity employee if:

2496 (i) the disciplinary action has been completed and all time periods for administrative  
2497 appeal have expired; and

2498 (ii) the charges on which the disciplinary action was based were sustained;

2499 (p) records maintained by the Division of Forestry, Fire, and State Lands, the School  
2500 and Institutional Trust Lands Administration, or the Division of Oil, Gas, and Mining that  
2501 evidence mineral production on government lands;

2502 (q) final audit reports;

2503 (r) occupational and professional licenses;

2504 (s) business licenses; and

2505 (t) a notice of violation, a notice of agency action under Section [63G-4-201](#), or similar  
2506 records used to initiate proceedings for discipline or sanctions against persons regulated by a  
2507 governmental entity, but not including records that initiate employee discipline.

2508 (4) The list of public records in this section is not exhaustive and should not be used to  
2509 limit access to records.

2510 Section 35. Section **63G-2-302** is amended to read:

2511 **63G-2-302. Private records.**

2512 (1) The following records are private:

2513 (a) records concerning an individual's eligibility for unemployment insurance benefits,  
2514 social services, welfare benefits, or the determination of benefit levels;

2515 (b) records containing data on individuals describing medical history, diagnosis,  
2516 condition, treatment, evaluation, or similar medical data;

2517 (c) records of publicly funded libraries that when examined alone or with other records  
2518 identify a patron;

2519 (d) records received by or generated by or for:

2520 (i) the Independent Legislative Ethics Commission, except for:

2521 (A) the commission's summary data report that is required under legislative rule; and

2522 (B) any other document that is classified as public under legislative rule; or

2523 (ii) a Senate or House Ethics Committee in relation to the review of ethics complaints,  
2524 unless the record is classified as public under legislative rule;

2525 (e) records received by, or generated by or for, the Independent Executive Branch  
2526 Ethics Commission, except as otherwise expressly provided in Title 63A, Chapter 14, Review  
2527 of Executive Branch Ethics Complaints;

2528 (f) records received or generated for a Senate confirmation committee concerning  
2529 character, professional competence, or physical or mental health of an individual:

2530 (i) if, prior to the meeting, the chair of the committee determines release of the records:

2531 (A) reasonably could be expected to interfere with the investigation undertaken by the  
2532 committee; or

2533 (B) would create a danger of depriving a person of a right to a fair proceeding or  
2534 impartial hearing; and

2535 (ii) after the meeting, if the meeting was closed to the public;

2536 (g) employment records concerning a current or former employee of, or applicant for  
2537 employment with, a governmental entity that would disclose that individual's home address,  
2538 home telephone number, social security number, insurance coverage, marital status, or payroll

2539 deductions;

2540 (h) records or parts of records under Section 63G-2-303 that a current or former  
2541 employee identifies as private according to the requirements of that section;

2542 (i) that part of a record indicating a person's social security number or federal employer  
2543 identification number if provided under Section 31A-23a-104, 31A-25-202, 31A-26-202,  
2544 58-1-301, 58-55-302, 61-1-4, or 61-2f-203;

2545 (j) that part of a voter registration record identifying a voter's:

2546 (i) driver license or identification card number;

2547 (ii) social security number, or last four digits of the social security number;

2548 (iii) email address; or

2549 (iv) date of birth;

2550 (k) a voter registration record that is classified as a private record by the lieutenant  
2551 governor or a county clerk under Subsection 20A-2-104(4)(f) or 20A-2-101.1(5)(a);

2552 (l) that part of a petition that contains an individual's driver license number or  
2553 state-issued identification card number in a petition to:

2554 (i) qualify a ballot proposition for the ballot under Title 20A, Chapter 7, Issues

2555 Submitted to the Voters;

2556 (ii) organize and register a political party under Title 20A, Chapter 8, Political Party

2557 Formation and Procedures; or

2558 (iii) qualify a candidate for the ballot under Title 20A, Chapter 9, Candidate

2559 Qualifications and Nominating Procedures;

2560 ~~(+)~~ (m) a record that:

2561 (i) contains information about an individual;

2562 (ii) is voluntarily provided by the individual; and

2563 (iii) goes into an electronic database that:

2564 (A) is designated by and administered under the authority of the Chief Information  
2565 Officer; and

2566 (B) acts as a repository of information about the individual that can be electronically  
2567 retrieved and used to facilitate the individual's online interaction with a state agency;

2568 ~~(m)~~ (n) information provided to the Commissioner of Insurance under:

2569 (i) Subsection 31A-23a-115(2)(a);

2570 (ii) Subsection 31A-23a-302(3); or  
2571 (iii) Subsection 31A-26-210(3);  
2572 ~~[(t)]~~ (o) information obtained through a criminal background check under Title 11,  
2573 Chapter 40, Criminal Background Checks by Political Subdivisions Operating Water Systems;  
2574 ~~[(t)]~~ (p) information provided by an offender that is:  
2575 (i) required by the registration requirements of Title 77, Chapter 41, Sex and Kidnap  
2576 Offender Registry; and  
2577 (ii) not required to be made available to the public under Subsection 77-41-110(4);  
2578 ~~[(t)]~~ (q) a statement and any supporting documentation filed with the attorney general  
2579 in accordance with Section 34-45-107, if the federal law or action supporting the filing  
2580 involves homeland security;  
2581 ~~[(t)]~~ (r) electronic toll collection customer account information received or collected  
2582 under Section 72-6-118 and customer information described in Section 17B-2a-815 received or  
2583 collected by a public transit district, including contact and payment information and customer  
2584 travel data;  
2585 ~~[(t)]~~ (s) an email address provided by a military or overseas voter under Section  
2586 20A-16-501;  
2587 ~~[(s)]~~ (t) a completed military-overseas ballot that is electronically transmitted under  
2588 Title 20A, Chapter 16, Uniform Military and Overseas Voters Act;  
2589 ~~[(t)]~~ (u) records received by or generated by or for the Political Subdivisions Ethics  
2590 Review Commission established in Section 11-49-201, except for:  
2591 (i) the commission's summary data report that is required in Section 11-49-202; and  
2592 (ii) any other document that is classified as public in accordance with Title 11, Chapter  
2593 49, Political Subdivisions Ethics Review Commission;  
2594 ~~[(t)]~~ (v) a record described in Subsection 53A-11a-203(3) that verifies that a parent  
2595 was notified of an incident or threat; and  
2596 ~~[(t)]~~ (w) a criminal background check or credit history report conducted in accordance  
2597 with Section 63A-3-201.  
2598 (2) The following records are private if properly classified by a governmental entity:  
2599 (a) records concerning a current or former employee of, or applicant for employment  
2600 with a governmental entity, including performance evaluations and personal status information

2601 such as race, religion, or disabilities, but not including records that are public under Subsection  
2602 63G-2-301(2)(b) or 63G-2-301(3)(o) or private under Subsection (1)(b);

2603 (b) records describing an individual's finances, except that the following are public:

2604 (i) records described in Subsection 63G-2-301(2);

2605 (ii) information provided to the governmental entity for the purpose of complying with  
2606 a financial assurance requirement; or

2607 (iii) records that must be disclosed in accordance with another statute;

2608 (c) records of independent state agencies if the disclosure of those records would  
2609 conflict with the fiduciary obligations of the agency;

2610 (d) other records containing data on individuals the disclosure of which constitutes a  
2611 clearly unwarranted invasion of personal privacy;

2612 (e) records provided by the United States or by a government entity outside the state  
2613 that are given with the requirement that the records be managed as private records, if the  
2614 providing entity states in writing that the record would not be subject to public disclosure if  
2615 retained by it;

2616 (f) any portion of a record in the custody of the Division of Aging and Adult Services,  
2617 created in Section 62A-3-102, that may disclose, or lead to the discovery of, the identity of a  
2618 person who made a report of alleged abuse, neglect, or exploitation of a vulnerable adult; and

2619 (g) audio and video recordings created by a body-worn camera, as defined in Section  
2620 77-7a-103, that record sound or images inside a home or residence except for recordings that:

2621 (i) depict the commission of an alleged crime;

2622 (ii) record any encounter between a law enforcement officer and a person that results in  
2623 death or bodily injury, or includes an instance when an officer fires a weapon;

2624 (iii) record any encounter that is the subject of a complaint or a legal proceeding  
2625 against a law enforcement officer or law enforcement agency;

2626 (iv) contain an officer involved critical incident as defined in Section 76-2-408(1)(d);

2627 or

2628 (v) have been requested for reclassification as a public record by a subject or  
2629 authorized agent of a subject featured in the recording.

2630 (3) (a) As used in this Subsection (3), "medical records" means medical reports,  
2631 records, statements, history, diagnosis, condition, treatment, and evaluation.

2632 (b) Medical records in the possession of the University of Utah Hospital, its clinics,  
2633 doctors, or affiliated entities are not private records or controlled records under Section  
2634 [63G-2-304](#) when the records are sought:

2635 (i) in connection with any legal or administrative proceeding in which the patient's  
2636 physical, mental, or emotional condition is an element of any claim or defense; or

2637 (ii) after a patient's death, in any legal or administrative proceeding in which any party  
2638 relies upon the condition as an element of the claim or defense.

2639 (c) Medical records are subject to production in a legal or administrative proceeding  
2640 according to state or federal statutes or rules of procedure and evidence as if the medical  
2641 records were in the possession of a nongovernmental medical care provider.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**