

1                   **STATE SCHOOL BOARD CANDIDATE AMENDMENTS**

2                                   2021 GENERAL SESSION

3                                   STATE OF UTAH

4                   **Chief Sponsor: Kathleen A. Riebe**

5                   House Sponsor: \_\_\_\_\_

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7 **LONG TITLE**

8 **General Description:**

9           This bill reduces the number of signatures needed for an individual to appear on a  
10 regular primary election ballot.

11 **Highlighted Provisions:**

12           This bill:

13           ▶ reduces the number of signatures needed for an individual to appear on the regular  
14 primary election ballot for a qualified political party.

15 **Money Appropriated in this Bill:**

16           None

17 **Other Special Clauses:**

18           None

19 **Utah Code Sections Affected:**

20 AMENDS:

21           **20A-9-408**, as last amended by Laws of Utah 2019, First Special Session, Chapter 4

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

24           Section 1. Section **20A-9-408** is amended to read:

25           **20A-9-408. Signature-gathering process to seek the nomination of a qualified**  
26 **political party.**

27           (1) This section describes the requirements for a member of a qualified political party



28 who is seeking the nomination of the qualified political party for an elective office through the  
29 signature-gathering process described in this section.

30 (2) Notwithstanding Subsection 20A-9-201(7)(a), the form of the declaration of  
31 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
32 the nomination of, the qualified political party under this section shall be substantially as  
33 described in Section 20A-9-408.5.

34 (3) Notwithstanding Subsection 20A-9-202(1)(a), and except as provided in Subsection  
35 20A-9-202(4), a member of a qualified political party who, under this section, is seeking the  
36 nomination of the qualified political party for an elective office that is to be filled at the next  
37 general election shall:

38 (a) within the period beginning on January 1 before the next regular general election  
39 and ending at 5 p.m. on the third Thursday in March of the same year, and before gathering  
40 signatures under this section, file with the filing officer on a form approved by the lieutenant  
41 governor a notice of intent to gather signatures for candidacy that includes:

42 (i) the name of the member who will attempt to become a candidate for a registered  
43 political party under this section;

44 (ii) the name of the registered political party for which the member is seeking  
45 nomination;

46 (iii) the office for which the member is seeking to become a candidate;

47 (iv) the address and telephone number of the member; and

48 (v) other information required by the lieutenant governor;

49 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,  
50 in person, with the filing officer on or after the second Friday in March and before 5 p.m. on  
51 the third Thursday in March before the next regular general election; and

52 (c) pay the filing fee.

53 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political  
54 party who, under this section, is seeking the nomination of the qualified political party for the  
55 office of district attorney within a multicounty prosecution district that is to be filled at the next  
56 general election shall:

57 (a) on or after January 1 before the next regular general election, and before gathering  
58 signatures under this section, file with the filing officer on a form approved by the lieutenant

59 governor a notice of intent to gather signatures for candidacy that includes:

60 (i) the name of the member who will attempt to become a candidate for a registered  
61 political party under this section;

62 (ii) the name of the registered political party for which the member is seeking  
63 nomination;

64 (iii) the office for which the member is seeking to become a candidate;

65 (iv) the address and telephone number of the member; and

66 (v) other information required by the lieutenant governor;

67 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,  
68 in person, with the filing officer on or after the second Friday in March and before 5 p.m. on  
69 the third Thursday in March before the next regular general election; and

70 (c) pay the filing fee.

71 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate  
72 who files as the joint-ticket running mate of an individual who is nominated by a qualified  
73 political party, under this section, for the office of governor shall, before the deadline described  
74 in Subsection 20A-9-202(1)(b)(i) or (ii), file a declaration of candidacy and submit a letter  
75 from the candidate for governor that names the lieutenant governor candidate as a joint-ticket  
76 running mate.

77 (6) The lieutenant governor shall ensure that the certification described in Subsection  
78 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party  
79 under this section.

80 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who  
81 is nominated by a qualified political party under this section, designate the qualified political  
82 party that nominated the candidate.

83 (8) A member of a qualified political party may seek the nomination of the qualified  
84 political party for an elective office by:

85 (a) complying with the requirements described in this section; and

86 (b) collecting signatures, on a form approved by the lieutenant governor, during the  
87 period beginning on January 1 of an even-numbered year and ending at 5 p.m. 14 days before  
88 the day on which the qualified political party's convention for the office is held, in the  
89 following amounts:

90 (i) for a statewide race, 28,000 signatures of registered voters in the state who are  
91 permitted by the qualified political party to vote for the qualified political party's candidates in  
92 a primary election;

93 (ii) for a congressional district race, 7,000 signatures of registered voters who are  
94 residents of the congressional district and are permitted by the qualified political party to vote  
95 for the qualified political party's candidates in a primary election;

96 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
97 residents of the state Senate district and are permitted by the qualified political party to vote for  
98 the qualified political party's candidates in a primary election;

99 (iv) for a state House district race, 1,000 signatures of registered voters who are  
100 residents of the state House district and are permitted by the qualified political party to vote for  
101 the qualified political party's candidates in a primary election;

102 (v) for a State Board of Education race, the lesser of:

103 (A) [~~2,000~~] 500 signatures of registered voters who are residents of the State Board of  
104 Education district and are permitted by the qualified political party to vote for the qualified  
105 political party's candidates in a primary election; or

106 (B) 3% of the registered voters of the qualified political party who are residents of the  
107 applicable State Board of Education district; and

108 (vi) for a county office race, signatures of 3% of the registered voters who are residents  
109 of the area permitted to vote for the county office and are permitted by the qualified political  
110 party to vote for the qualified political party's candidates in a primary election.

111 (9) (a) In order for a member of the qualified political party to qualify as a candidate  
112 for the qualified political party's nomination for an elective office under this section, the  
113 member shall:

114 (i) collect the signatures on a form approved by the lieutenant governor, using the same  
115 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

116 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days  
117 before the day on which the qualified political party holds the party's convention to select  
118 candidates, for the elective office, for the qualified political party's nomination.

119 (b) An individual may not gather signatures under this section until after the individual  
120 files a notice of intent to gather signatures for candidacy described in this section.

121 (c) An individual who files a notice of intent to gather signatures for candidacy,  
122 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files  
123 the notice of intent to gather signatures for candidacy:

124 (i) required to comply with the reporting requirements that a candidate for office is  
125 required to comply with; and

126 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
127 apply to a candidate for office in relation to the reporting requirements described in Subsection  
128 (9)(c)(i).

129 (d) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the  
130 election officer shall, no later than the earlier of 14 days after the day on which the election  
131 officer receives the signatures, or one day before the day on which the qualified political party  
132 holds the convention to select a nominee for the elective office to which the signature packets  
133 relate:

134 (i) check the name of each individual who completes the verification for a signature  
135 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

136 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a  
137 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

138 (iii) determine whether each signer is a registered voter who is qualified to sign the  
139 petition, using the same method, described in Section [20A-7-206.3](#), used to verify a signature  
140 on a petition; and

141 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
142 signature packet.

143 (e) Upon timely receipt of the signatures described in Subsections (8) and (9)(a), the  
144 election officer shall, no later than one day before the day on which the qualified political party  
145 holds the convention to select a nominee for the elective office to which the signature packets  
146 relate, notify the qualified political party and the lieutenant governor of the name of each  
147 member of the qualified political party who qualifies as a nominee of the qualified political  
148 party, under this section, for the elective office to which the convention relates.

149 (f) Upon receipt of a notice of intent to gather signatures for candidacy described in  
150 this section, the lieutenant governor shall post the notice of intent to gather signatures for  
151 candidacy on the lieutenant governor's website in the same location that the lieutenant governor

152 posts a declaration of candidacy.