

1 **STATEWIDE INITIATIVE PROCESS AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Merrill F. Nelson**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to signatures for a statewide initiative petition.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ amends the deadline by which an individual is required to submit a signature
13 removal request to remove the individual's signature from a statewide initiative
14 petition; and

15 ▶ clarifies that a statewide initiative petition signature that is not declared valid by a
16 county clerk may not be counted toward the petition's total signatures.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **20A-7-205**, as last amended by Laws of Utah 2011, Chapter 17

24 **20A-7-206.3**, as last amended by Laws of Utah 2011, Chapter 17

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

27 Section 1. Section **20A-7-205** is amended to read:



28 **20A-7-205. Obtaining signatures -- Verification -- Removal of signature.**
29 (1) A Utah voter may sign an initiative petition if the voter is a legal voter.
30 (2) (a) The sponsors shall ensure that the person in whose presence each signature
31 sheet was signed:
32 (i) is at least 18 years old and meets the residency requirements of Section [20A-2-105](#);
33 and
34 (ii) verifies each signature sheet by completing the verification printed on the last page
35 of each initiative packet.
36 (b) A person may not sign the verification printed on the last page of the initiative
37 packet if the person signed a signature sheet in the initiative packet.
38 (3) (a) A voter who has signed an initiative petition may have the voter's signature
39 removed from the petition by submitting to the county clerk a statement requesting that the
40 voter's signature be removed.
41 (b) The statement shall include:
42 (i) the name of the voter;
43 (ii) the resident address at which the voter is registered to vote;
44 (iii) the last four digits of the voter's Social Security number;
45 (iv) the driver license or identification card number; and
46 (v) the signature of the voter.
47 (c) A voter may not submit a statement by email or other electronic means.
48 (d) In order for the signature to be removed, the statement must be received by the
49 county clerk before ~~[May 15]~~ the deadline described in Subsection [20A-7-206\(1\)](#) for the
50 petition from which the signature is being removed.
51 (e) The county clerk shall deliver all statements received under this Subsection (3):
52 (i) with the initiative petition packets delivered to the lieutenant governor; or
53 (ii) in a supplemental delivery to the lieutenant governor for a statement submitted
54 after the county clerk delivered the initiative packets.
55 (f) A person may only remove a signature from an initiative petition in accordance with
56 this Subsection (3).
57 Section 2. Section **20A-7-206.3** is amended to read:
58 **20A-7-206.3. Verification of petition signatures.**

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

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

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

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

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

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

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

79 (a) When a signer's name and address shown on the petition exactly match a name and
80 address shown on the official register and the signer's signature appears substantially similar to
81 the signature on the statewide voter registration database, the county clerk shall declare the
82 signature valid.

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

85 (i) the address on the petition matches the address of a person on the official register
86 with a substantially similar name; and

87 (ii) the signer's signature appears substantially similar to the signature on the statewide
88 voter registration database of the person described in Subsection (2)(b)(i).

89 (c) When there is no match of an address and a substantially similar name, the county

90 clerk shall declare the signature valid if:

91 (i) the birth date or age on the petition matches the birth date or age of a person on the
92 official register with a substantially similar name; and

93 (ii) the signer's signature appears substantially similar to the signature on the statewide
94 voter registration database of the person described in Subsection (2)(c)(i).

95 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c)[~~5~~];

96 (i) the county clerk shall declare the signature [~~to be~~] invalid[-]; and

97 (ii) the lieutenant governor may not count the signature under Section [20A-7-207](#)

98 toward the number of signatures required under Section [20A-7-201](#).