

STATE OF UTAH
OFFICE OF THE LIEUTENANT GOVERNOR



DEIDRE M. HENDERSON
LIEUTENANT GOVERNOR

Office of the Utah Lieutenant Governor
350 North State Street, Suite 220
Salt Lake City, UT 84114-2325

April, 12, 2024

Mathew Tyler



Via email, hi@tylerpresident.com

Re: Process for running as an Unaffiliated Presidential Candidate in Utah

Dear Mr. Tyler:

This letter is in response to your inquiry on February 7, 2024 requesting that the Lieutenant Governor's Office waive the signature gathering, filing deadline, and filing fee requirements for running as an unaffiliated candidate for the office of U.S. President.

After reviewing your request and considering the legal citations noted, the Lieutenant Governor's Office must respectfully decline your request. The statutory signature gathering, filing fee, and filing deadline requirements are applicable to all unaffiliated candidates and do not pose an undue burden on your prospective candidacy. As noted below, almost all unaffiliated candidates accomplish these requirements through the efforts of their campaign volunteers and staff. There is no requirement that the candidate accomplish the election requirements personally.

Waiving the statutory signature gathering requirement would, in particular, fundamentally alter the candidacy and election process. The Lieutenant Governor's Office does not have authority to unilaterally waive election laws. Outlined below are the methods available to you to get on the ballot as an unaffiliated candidate for President.

Filing as an Unaffiliated Presidential Candidate in Utah

State law requires unaffiliated candidates to gather 1,000 verified signatures of registered voters in Utah to file as an unaffiliated candidate. The signature requirement applies to all unaffiliated candidates who, like all candidates for elected office, must show a modicum of support from voters in order to qualify for a spot on the ballot. Candidates who are affiliated with a party can demonstrate the required modicum of support by being nominated by party delegates through primary elections and conventions.

Unaffiliated candidates do not have to be nominated at a convention and are not subject to a primary election. Under Utah election law, all candidates, affiliated or not, equally have to demonstrate some support for their candidacy. (See Utah Code sections [20A-9-part 4 and 5](#).) As noted, the Lieutenant Governor's Office cannot unilaterally waive these statutory requirements.

While the signature gathering path to the ballot does require effort and coordination, there is no requirement that the candidate gather signatures personally. Rather, it is common practice for candidates to engage volunteers and/or paid signature gatherers to solicit and obtain the requisite number of signatures. Given the national scope of any campaign for the office of President, most campaigns will engage volunteers or others to obtain signatures in support of your candidacy.

Similarly, Utah election code accommodates candidates for President by allowing the requisite candidacy forms to be filed by mail. Accordingly, you will not have to file the certificate of nomination or signature packets in person. Rather, you may simply read the qualifications and sign the forms in front of a notary public and send your signed and notarized forms to the Lieutenant Governor's Office by a delivery service such as the U.S. Postal Service or FedEx. The address for the filing office is:

Office of the Utah Lieutenant Governor
350 North State Street, Suite 220
Salt Lake City, UT 84114-2325

The unaffiliated candidate petition form can be found on <https://vote.utah.gov/wp-content/uploads/sites/42/2023/12/Unaffiliated-Candidate-Petition-2.0.pdf>. The declaration of candidacy form for unaffiliated candidates for President can be found on <https://vote.utah.gov/wp-content/uploads/sites/42/2023/09/2024-Write-In-Declaration-of-Candidacy-for-President.docx-Google-Docs.pdf>

Unaffiliated candidate petitions are turned in to the county clerk's office where the majority of the signatures were gathered. Contact information for each county clerk office can be found on <https://vote.utah.gov/contact-your-county-election-officials/>

Filing Deadline

The deadline for unaffiliated candidates to gather and submit signatures and file their certificate of nomination has been extended to June 18, 2024 by 5:00 P.M. This is due to [SB107](#), which passed during the 2024 legislative session. This deadline applies to all unaffiliated candidates and allows several extra weeks for candidates and their supporters to obtain the signatures required.

Filing as an Unaffiliated WRITE-IN Presidential Candidate in Utah

If you cannot meet the June filing deadline, you may still run as a Write-in candidate. As you are aware, the process to run as a write-in candidate does not require signature gathering, and the deadline for filing a Declaration of Write-in candidacy is September 3, 2024 by 5:00 PM. Write-in candidates declare candidacy by submitting the form to the Lieutenant Governor's Office. The names of write-in candidates do not appear on the ballot. Rather, voters must write or type the candidate's name on the write-in line on the ballot.

Write-in candidates for president also do not have to come into the Lieutenant Governor's Office to file their forms. As with the unaffiliated candidate forms, you may submit the signed and notarized forms to our office by delivery service to the address stated above.

The 2024 Declaration of Candidacy form for an unaffiliated write-in candidate for U.S. President can also be found on

<https://vote.utah.gov/wp-content/uploads/sites/42/2023/09/2024-Write-In-Declaration-of-Candidacy-for-President.docx-Google-Docs.pdf>

Filing Fee

The filing fee for President is \$500; however, a candidate may request to have this fee waived by submitting an [affidavit of impecuniosity](#) found on the website.

Given that the statutory requirements apply to all unaffiliated candidates, and do not have to be performed by the candidate personally, the requirements do not pose an undue burden. To waive the signature gathering component would fundamentally alter the path to the ballot, essentially negating the necessary showing of a modicum of support for your candidacy. The Lieutenant Governor's Office does not have authority to waive statute in order to provide the accommodations you have requested.

Our office is willing to engage in a discussion with you about how to best accommodate your disability while staying within the confines of the law.

Thank you,



Karlee Jo Hansen

Senior Election Coordinator

Office of the Lieutenant Governor