

# Utah Supreme Court: Online petition signatures OK

June 22 2010, By JENNIFER DOBNER , Associated Press Writer

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(AP) -- The Utah Supreme Court said Tuesday that state election officials must accept online petition signatures to qualify individuals for the ballot.

"A signature under (Utah law) does not require a signor to physically handle a piece of paper and sign her name with a pen," justices said in a 15-page ruling issued as voters went to the polls for primary elections. "An [electronic signature](#) is sufficient to satisfy the election code."

In March, Utah Lt. Gov. Greg Bell rejected a nominating petition from Farley Anderson, an independent gubernatorial candidate, saying state law did not allow for e-signatures. Anderson had included more than 150 e-signatures on his petition.

In its unanimous ruling, the court said Bell's decision "exceeded the bounds of discretion" afforded his office. The ruling orders signatures submitted by Anderson be recounted to determine whether he qualifies for the November ballot.

"The court's opinion, which is the first of it's kind nationwide, has the potential to increase significantly the ability of independent candidates to access the general election ballots," said Darcy Goddard, legal director for the Utah chapter of the American Civil Liberties Union, which argued the case on Anderson's behalf.

Bell's office scheduled a news conference for Tuesday afternoon.

The court's ruling could also preview a showdown over the use of e-signatures to get initiatives and referendums on the ballot. Utah doesn't require signature verification for candidate petitions, but state election law requires signatures on initiative and referendum petitions to be verified by county clerks.

The verification issue wasn't addressed by the court, but Tuesday's ruling may help grass-roots groups more easily clear the initial hurdle of collecting signatures, said Steve Maxfield, who has been collecting online signatures for an initiative concerning legislative ethics.

Utah law acknowledges that electronic signatures are valid substitutes for handwritten ones, but the state attorney general's office argued that e-signatures on petitions could not be counted because election law only contemplates a paper-based system.

No other state allows for e-signatures in the election process.

Electronic signature forms require a signer to submit the same information as they would on a paper petition - name, address and birthday. Anderson used the website <https://www.i-sign.us> to collect his petition signatures. A petition is now posted there for Steven G. Mayfield, who is Anderson's running mate for lieutenant governor.

Anderson called Tuesday's ruling a historic event for all Utahans interested in the democratic process.

"I'm so well pleased I could pop a button," the 53-year-old entrepreneur said.

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Citation: Utah Supreme Court: Online petition signatures OK (2010, June 22) retrieved 27 April 2024 from <https://phys.org/news/2010-06-utah-supreme-court-online-petition.html>

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