

33 **20A-7-613**, as last amended by Laws of Utah 2015, Chapter 258

34

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

36 Section 1. Section **20A-7-101** is amended to read:

37 **20A-7-101. Definitions.**

38 As used in this chapter:

39 (1) "Budget officer" means:

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

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

42 (c) for a town, the town council.

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

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

47 (4) "Final fiscal impact statement" means a financial statement prepared after voters
48 approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or
49 20A-7-502.5(2).

50 (5) "Initial fiscal impact estimate" means:

51 (a) a financial statement prepared under Section 20A-7-202.5 after the filing of an
52 application for an initiative petition; or

53 (b) a financial and legal statement prepared under Section 20A-7-502.5 or 20A-7-602.5
54 for an initiative or referendum petition.

55 (6) "Initiative" means a new law proposed for adoption by the public as provided in
56 this chapter.

57 (7) "Initiative packet" means a copy of the initiative petition, a copy of the proposed
58 law, and the signature sheets, all of which have been bound together as a unit.

59 (8) "Legal signatures" means the number of signatures of legal voters that:

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

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

62 (9) "Legal voter" means a person who:

63 (a) is registered to vote; or

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

66 (10) "Local attorney" means the county attorney, city attorney, or town attorney in
67 whose jurisdiction a local initiative or referendum petition is circulated.

68 (11) "Local clerk" means:

69 (a) for a county, city, or town, the county clerk, city recorder, or town clerk in whose
70 jurisdiction a local initiative or referendum petition is circulated[-]; or

71 (b) for a political subdivision, with a local legislative body described in Subsection
72 (13)(b), in whose jurisdiction a local initiative or referendum petition is circulated:

73 (i) if the political subdivision is located entirely within a town, the town clerk;

74 (ii) if Subsection (11)(b)(i) does not apply and the political subdivision is located
75 entirely within a city, the city recorder;

76 (iii) if Subsections (11)(b)(i) and (ii) do not apply and the political subdivision is
77 located entirely within a county, the county clerk; or

78 (iv) if Subsections (11)(b)(i) through (iii) do not apply, the county clerk of each county
79 in which the political subdivision is located.

80 (12) (a) "Local law" includes an ordinance, resolution, master plan, ~~and~~ any
81 comprehensive zoning regulation adopted by ordinance or resolution, or other legislative
82 action.

83 (b) "Local law" does not include an individual property zoning decision.

84 (13) "Local legislative body" means:

85 (a) the legislative body of a county, city, or town[-]; or

86 (b) a political subdivision, or a person or body within a political subdivision, with
87 authority to pass a local law.

88 (14) "Local obligation law" means a local law passed by the local legislative body
89 regarding a bond that was approved by a majority of qualified voters in an election.

90 (15) "Local tax law" means a local law, passed by a political subdivision [~~with an~~
91 ~~annual or biannual calendar fiscal year,~~] that increases a tax or imposes a new tax.

92 (16) "Measure" means a proposed constitutional amendment, an initiative, or
93 referendum.

94 (17) "Referendum" means a process by which a law passed by the Legislature or by a

95 local legislative body is submitted or referred to the voters for their approval or rejection.

96 (18) "Referendum packet" means a copy of the referendum petition, a copy of the law
97 being submitted or referred to the voters for their approval or rejection, and the signature
98 sheets, all of which have been bound together as a unit.

99 (19) (a) "Signature" means a holographic signature.

100 (b) "Signature" does not mean an electronic signature.

101 (20) "Signature sheets" means sheets in the form required by this chapter that are used
102 to collect signatures in support of an initiative or referendum.

103 (21) "Sponsors" means the legal voters who support the initiative or referendum and
104 who sign the application for petition copies.

105 (22) "Sufficient" means that the signatures submitted in support of an initiative or
106 referendum petition have been certified and verified as required by this chapter.

107 (23) "Verified" means acknowledged by the person circulating the petition as required
108 in Sections 20A-7-205 and 20A-7-305.

109 Section 2. Section **20A-7-203** is amended to read:

110 **20A-7-203. Form of initiative petition and signature sheets.**

111 (1) (a) Each proposed initiative petition shall be printed in substantially the following
112 form:

113 "INITIATIVE PETITION To the Honorable _____, Lieutenant Governor:

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

117 Each signer says:

118 I have personally signed this petition;

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

121 My residence and post office address are written correctly after my name.

122 NOTICE TO SIGNERS:

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

125 (b) The sponsors of an initiative shall attach a copy of the proposed law to each

126 initiative petition.

127 (2) Each signature sheet shall:

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

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

131 (c) contain the title of the initiative printed below the horizontal line;

132 (d) contain the initial fiscal impact estimate's summary statement issued by the
133 Governor's Office of Management and Budget according to Subsection 20A-7-202.5(2)(b),
134 including any update according to Subsection 20A-7-204.1(4), and the cost estimate for
135 printing and distributing information related to the initiative petition according to Subsection
136 20A-7-202.5(3), printed or typed in not less than 12 point, bold type, at the top of each
137 signature sheet under the title of the initiative;

138 (e) contain the word "Warning" printed or typed at the top of each signature sheet
139 under the initial fiscal impact estimate's summary statement;

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

142 "It is a class A misdemeanor for anyone to sign any initiative petition with any other
143 name than his own, or knowingly to sign his name more than once for the same measure, or to
144 sign an initiative petition when he knows he is not a registered voter and knows that he does
145 not intend to become registered to vote before the certification of the petition names by the
146 county clerk."; [~~and~~]

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

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

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

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

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

156 and

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

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

162 ["~~By signing this petition, you are stating that you have read and understand the law
163 proposed by this petition.~~"; and]

164 [(+) (h) at the bottom of the sheet, contain the following statement: "Birth date or age
165 information is not required, but it may be used to verify your identity with voter registration
166 records. If you choose not to provide it, your signature may not be verified as a valid signature
167 if you change your address before petition signatures are verified or if the information you
168 provide does not match your voter registration records."

169 (3) The final page of each initiative packet shall contain the following printed or typed
170 statement:

171 "Verification

172 State of Utah, County of _____

173 I, _____, of _____, hereby state that:

174 I am a resident of Utah and am at least 18 years old;

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

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

180 I have not paid or given anything of value to any person who signed this petition to
181 encourage that person to sign it.

182 _____
183 (Name) (Residence Address) (Date)"

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

187 Section 3. Section **20A-7-303** is amended to read:

188 **20A-7-303. Form of referendum petition and signature sheets.**

189 (1) (a) Each proposed referendum petition shall be printed in substantially the
190 following form:

191 "REFERENDUM PETITION To the Honorable ____, Lieutenant Governor:

192 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.
193 ____, entitled (title of act, and, if the petition is against less than the whole act, set forth here
194 the part or parts on which the referendum is sought), passed by the ____ Session of the
195 Legislature of the state of Utah, be referred to the people of Utah for their approval or rejection
196 at a regular general election or a statewide special election;

197 Each signer says:

198 I have personally signed this petition;

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

201 My residence and post office address are written correctly after my name."

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

204 (2) Each signature sheet shall:

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

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

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

209 (d) contain the word "Warning" printed or typed at the top of each signature sheet
210 under the title of the referendum;

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

213 "It is a class A misdemeanor for anyone to sign any referendum petition with any other
214 name than his own, or knowingly to sign his name more than once for the same measure, or to
215 sign a referendum petition when he knows he is not a registered voter and knows that he does
216 not intend to become registered to vote before the certification of the petition names by the
217 county clerk.";

218 (f) contain horizontally ruled lines, three-eighths inch apart under the "Warning"

219 statement required by this section; ~~and~~

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

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

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

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

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

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

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

235 ~~["By signing this petition, you are stating that you have read and understand the law this
236 petition seeks to overturn."; and]~~

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

242 (3) The final page of each referendum packet shall contain the following printed or
243 typed statement:

244 "Verification

245 State of Utah, County of ____

246 I, _____, of _____, hereby state that:

247 I am a Utah resident and am at least 18 years old;

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

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

253 _____
254 (Name) (Residence Address) (Date)"

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

258 Section 4. Section **20A-7-503** is amended to read:

259 **20A-7-503. Form of initiative petitions and signature sheets.**

260 (1) (a) Each proposed initiative petition shall be printed in substantially the following
261 form:

262 "INITIATIVE PETITION To the Honorable _____, County Clerk/City Recorder/Town
263 Clerk:

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

268 Each signer says:

269 I have personally signed this petition;

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

272 My residence and post office address are written correctly after my name."

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

275 (2) Each signature sheet shall:

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

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

279 (c) contain the title of the initiative printed below the horizontal line;

280 (d) contain the initial fiscal impact estimate's summary statement issued by the budget

281 officer according to Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and
282 distributing information related to the initiative petition according to Subsection
283 20A-7-502.5(3) printed or typed in not less than 12-point, bold type, at the top of each
284 signature sheet under the title of the initiative;

285 (e) contain the word "Warning" printed or typed at the top of each signature sheet
286 under the initial fiscal impact estimate's summary statement;

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

289 "It is a class A misdemeanor for anyone to sign any initiative petition with any other
290 name than his own, or knowingly to sign his name more than once for the same measure, or to
291 sign an initiative petition when he knows he is not a registered voter and knows that he does
292 not intend to become registered to vote before the certification of the petition names by the
293 county clerk.";

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

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

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

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

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

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

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

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

311 ~~["By signing this petition, you are stating that you have read and understand the law~~

312 ~~proposed by this petition."; and]~~

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

318 (3) The final page of each initiative packet shall contain the following printed or typed
319 statement:

320 "Verification

321 State of Utah, County of _____

322 I, _____, of _____, hereby state that:

323 I am a resident of Utah and am at least 18 years old;

324 All the names that appear in this initiative packet were signed by persons who professed
325 to be the persons whose names appear in it, and each of them signed his name on it in my
326 presence;

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

330 _____ "

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

334 Section 5. Section **20A-7-504** is amended to read:

335 **20A-7-504. Circulation requirements -- Local clerk to provide sponsors with**
336 **materials.**

337 (1) In order to obtain the necessary number of signatures required by this part, the
338 sponsors shall circulate initiative packets that meet the form requirements of this part.

339 (2) ~~[The]~~ Within five days after the day on which a local clerk receives an application
340 that complies with the requirements of Section 20A-7-502, the local clerk shall furnish to the
341 sponsors:

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

343 (b) one signature sheet.

344 (3) The sponsors of the petition shall:

345 (a) arrange and pay for the printing of all additional copies of the petition and signature
346 sheets; and

347 (b) ensure that the copies of the petition and signature sheets meet the form
348 requirements of this section.

349 (4) (a) The sponsors may prepare the initiative for circulation by creating multiple
350 initiative packets.

351 (b) The sponsors shall create those packets by binding a copy of the initiative petition,
352 a copy of the proposed law, and no more than 50 signature sheets together at the top in such a
353 way that the packets may be conveniently opened for signing.

354 (c) The sponsors need not attach a uniform number of signature sheets to each
355 initiative packet.

356 (5) (a) After the sponsors have prepared sufficient initiative packets, they shall return
357 them to the local clerk.

358 (b) The local clerk shall:

359 (i) number each of the initiative packets and return them to the sponsors within five
360 working days; and

361 (ii) keep a record of the numbers assigned to each packet.

362 Section 6. Section **20A-7-603** is amended to read:

363 **20A-7-603. Form of referendum petition and signature sheets.**

364 (1) (a) Each proposed referendum petition shall be printed in substantially the
365 following form:

366 "REFERENDUM PETITION To the Honorable ____, County Clerk/City
367 Recorder/Town Clerk:

368 We, the undersigned citizens of Utah, respectfully order that Ordinance No. ____,
369 entitled (title of ordinance, and, if the petition is against less than the whole ordinance, set forth
370 here the part or parts on which the referendum is sought), passed by the ____ be referred to the
371 voters for their approval or rejection at the regular/municipal general election to be held on
372 _____(month\day\year);

373 Each signer says:

374 I have personally signed this petition;

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

377 My residence and post office address are written correctly after my name."

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

380 (2) Each signature sheet shall:

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

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

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

385 (d) contain the word "Warning" printed or typed at the top of each signature sheet
386 under the title of the referendum;

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

389 "It is a class A misdemeanor for anyone to sign any referendum petition with any other
390 name than his own, or knowingly to sign his name more than once for the same measure, or to
391 sign a referendum petition when he knows he is not a registered voter and knows that he does
392 not intend to become registered to vote before the certification of the petition names by the
393 county clerk.";

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

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

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

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

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

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

405 and

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

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

411 ["By signing this petition, you are stating that you have read and understand the law this
412 petition seeks to overturn."; and]

413 [(†) (h) at the bottom of the sheet, contain the following statement: "Birth date or age
414 information is not required, but it may be used to verify your identity with voter registration
415 records. If you choose not to provide it, your signature may not be verified as a valid signature
416 if you change your address before petition signatures are verified or if the information you
417 provide does not match your voter registration records."

418 (3) The final page of each referendum packet shall contain the following printed or
419 typed statement:

420 "Verification

421 State of Utah, County of ____

422 I, _____, of _____, hereby state that:

423 I am a resident of Utah and am at least 18 years old;

424 All the names that appear in this referendum packet were signed by persons who
425 professed to be the persons whose names appear in it, and each of them signed his name on it
426 in my presence;

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

430 _____"

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

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

435 **20A-7-604. Circulation requirements -- Local clerk to provide sponsors with**

436 **materials.**

437 (1) In order to obtain the necessary number of signatures required by this part, the
438 sponsors shall circulate referendum packets that meet the form requirements of this part.

439 (2) ~~The~~ Within five days after the day on which a local clerk receives an application
440 that complies with the requirements of Section 20A-7-602, the local clerk shall furnish to the
441 sponsors:

442 (a) five copies of the referendum petition; and

443 (b) five signature sheets.

444 (3) The sponsors of the petition shall:

445 (a) arrange and pay for the printing of all additional copies of the petition and signature
446 sheets; and

447 (b) ensure that the copies of the petition and signature sheets meet the form
448 requirements of this section.

449 (4) (a) The sponsors may prepare the referendum for circulation by creating multiple
450 referendum packets.

451 (b) The sponsors shall create those packets by binding a copy of the referendum
452 petition, a copy of the law that is the subject of the referendum, and no more than 50 signature
453 sheets together at the top in such a way that the packets may be conveniently opened for
454 signing.

455 (c) The sponsors need not attach a uniform number of signature sheets to each
456 referendum packet.

457 (5) (a) After the sponsors have prepared sufficient referendum packets, they shall
458 return them to the local clerk.

459 (b) The local clerk shall:

460 (i) number each of the referendum packets and return them to the sponsors within five
461 working days; and

462 (ii) keep a record of the numbers assigned to each packet.

463 Section 8. Section **20A-7-606** is amended to read:

464 **20A-7-606. Submitting the referendum petition -- Certification of signatures by**
465 **the county clerks -- Transfer to local clerk.**

466 (1) (a) The sponsors shall deliver each signed and verified referendum packet to the

467 county clerk of the county in which the packet was circulated no later than 45 days after the day
 468 on which the ~~[local law is passed]~~ sponsors receive the items described in Subsection
 469 20A-7-604(2) from the local clerk.

470 (b) A sponsor may not submit a referendum packet after the deadline established in this
 471 Subsection (1).

472 (2) (a) No later than 15 days after the day on which a county clerk receives a
 473 referendum packet under Subsection (1)(a), the county clerk shall:

474 (i) check the names of all persons completing the verification on the last page of each
 475 referendum packet to determine whether those persons are Utah residents and are at least 18
 476 years old; and

477 (ii) submit the name of each of those persons who is not a Utah resident or who is not
 478 at least 18 years old to the attorney general and county attorney.

479 (b) The county clerk may not certify a signature under Subsection (3) on a referendum
 480 packet that is not verified in accordance with Section 20A-7-605.

481 (3) No later than 30 days after the day on which a county clerk receives a referendum
 482 packet under Subsection (1)(a), the county clerk shall:

483 (a) determine whether each signer is a registered voter according to the requirements of
 484 Section 20A-7-606.3;

485 (b) certify on the referendum petition whether each name is that of a registered voter;
 486 and

487 (c) deliver all of the verified referendum packets to the local clerk.

488 Section 9. Section **20A-7-613** is amended to read:

489 **20A-7-613. Property tax referendum petition.**

490 (1) As used in this section ~~[-(a) "Certified], "certified tax rate" [is-as] means the same~~
 491 as that term is defined in Subsection 59-2-924(3)(a).

492 ~~[(b) "Fiscal year taxing entity" means a taxing entity that operates under a fiscal year~~
 493 ~~that begins on July 1 and ends on June 30.]~~

494 (2) Except as provided in this section, the requirements of this part apply to a
 495 referendum petition challenging a ~~[fiscal year taxing entity's]~~ local legislative body's vote to
 496 impose a tax rate that exceeds the certified tax rate.

497 (3) Notwithstanding Subsection 20A-7-604(5), the local clerk shall number each of the

498 referendum packets and return them to the sponsors within two working days.

499 (4) Notwithstanding Subsection 20A-7-606(1), the sponsors shall deliver each signed
500 and verified referendum packet to the county clerk of the county in which the packet was
501 circulated no later than 40 days after the day on which the local clerk complies with Subsection
502 (3).

503 (5) Notwithstanding Subsections 20A-7-606(2) and (3), the county clerk shall take the
504 actions required in Subsections 20A-7-606(2) and (3) within 10 working days after the day on
505 which the county clerk receives the signed and verified referendum packet as described in
506 Subsection (4).

507 (6) The local clerk shall take the actions required by Section 20A-7-607 within two
508 working days after the day on which the local clerk receives the referendum packets from the
509 county clerk.

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

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

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

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

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

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

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

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

525 (11) (a) If a majority of voters does not vote against imposing the tax at a rate
526 calculated to generate the increased revenue budgeted, adopted, and approved by the [~~fiscal~~
527 ~~year taxing entity's~~] local legislative body:

528 (i) the certified tax rate for the fiscal year during which the referendum petition is filed

529 is its most recent certified tax rate; and

530 (ii) the proposed increased revenues for purposes of establishing the certified tax rate
531 for the fiscal year after the fiscal year described in Subsection (11)(a)(i) are the proposed
532 increased revenues budgeted, adopted, and approved by the [~~fiscal year taxing entity's~~] local
533 legislative body before the filing of the referendum petition.

534 (b) If a majority of voters votes against imposing a tax at the rate established by the
535 vote of the [~~fiscal year taxing entity's~~] local legislative body, the certified tax rate for the [~~fiscal~~
536 ~~year taxing entity is its~~] political subdivision is the political subdivision's most recent certified
537 tax rate.

538 (c) If the tax rate is set in accordance with Subsection (11)(a)(ii), a [~~fiscal year taxing~~
539 ~~entity~~] political subdivision is not required to comply with the notice and public hearing
540 requirements of Section 59-2-919 if the [~~fiscal year taxing entity~~] political subdivision
541 complies with those notice and public hearing requirements before the referendum petition is
542 filed.

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

548 (13) A [~~fiscal year taxing entity~~] political subdivision shall pay the county the costs
549 incurred by the county that are directly related to meeting the requirements of this section and
550 that the county would not have incurred but for compliance with this section.

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

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

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

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

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

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

Legislative Review Note
Office of Legislative Research and General Counsel