

**Superseded 5/13/2014**

**20A-1-203 Calling and purpose of special elections -- Two-thirds vote limitations.**

- (1) Statewide and local special elections may be held for any purpose authorized by law.
- (2)
  - (a) Statewide special elections shall be conducted using the procedure for regular general elections.
  - (b) Except as otherwise provided in this title, local special elections shall be conducted using the procedures for regular municipal elections.
- (3) The governor may call a statewide special election by issuing an executive order that designates:
  - (a) the date for the statewide special election; and
  - (b) the purpose for the statewide special election.
- (4) The Legislature may call a statewide special election by passing a joint or concurrent resolution that designates:
  - (a) the date for the statewide special election; and
  - (b) the purpose for the statewide special election.
- (5)
  - (a) The legislative body of a local political subdivision may call a local special election only for:
    - (i) a vote on a bond or debt issue;
    - (ii) a vote on a voted local levy authorized by Section 53A-16-110 or 53A-17a-133;
    - (iii) an initiative authorized by Chapter 7, Part 5, Local Initiatives - Procedures;
    - (iv) a referendum authorized by Chapter 7, Part 6, Local Referenda - Procedures;
    - (v) if required or authorized by federal law, a vote to determine whether or not Utah's legal boundaries should be changed;
    - (vi) a vote authorized or required by Title 59, Chapter 12, Sales and Use Tax Act;
    - (vii) a vote to elect members to school district boards for a new school district and a remaining school district, as defined in Section 53A-2-117, following the creation of a new school district under Section 53A-2-118.1;
    - (viii) an election of town officers of a newly incorporated town under Section 10-2-128;
    - (ix) an election of officers for a new city under Section 10-2-116;
    - (x) a vote on a municipality providing cable television services or public telecommunications services under Section 10-18-204;
    - (xi) a vote to create a new county under Section 17-3-1;
    - (xii) a vote on the creation of a study committee under Sections 17-52-202 and 17-52-203.5; or
    - (xiii) a vote on a special property tax under Section 53A-16-110.
  - (b) The legislative body of a local political subdivision may call a local special election by adopting an ordinance or resolution that designates:
    - (i) the date for the local special election as authorized by Section 20A-1-204; and
    - (ii) the purpose for the local special election.
  - (c) A local political subdivision may not call a local special election unless the ordinance or resolution calling a local special election under Subsection (5)(b) is adopted by a two-thirds majority of all members of the legislative body, if the local special election is for:
    - (i) a vote on a bond or debt issue as described in Subsection (5)(a)(i);
    - (ii) a vote on a voted leeway or levy program as described in Subsection (5)(a)(ii); or
    - (iii) a vote authorized or required for a sales tax issue as described in Subsection (5)(a)(vi).