

**20A-7-207 Evaluation by the lieutenant governor.**

- (1) When each initiative packet is received from a county clerk, the lieutenant governor shall check off from the record the number of each initiative packet filed.
- (2)
  - (a) After all of the initiative packets have been received by the lieutenant governor and the lieutenant governor has removed the signatures as required by Section 20A-7-206, the lieutenant governor shall:
    - (i) count the number of the names certified by the county clerks that remain on each verified signature sheet; and
    - (ii) declare the petition to be sufficient or insufficient by June 1 before the regular general election described in Subsection 20A-7-201(2)(b).
  - (b) If the total number of names counted under Subsection (2)(a)(i) equals or exceeds the number of names required by Section 20A-7-201 and the requirements of this part are met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."
  - (c) If the total number of names counted under Subsection (2)(a)(i) does not equal or exceed the number of names required by Section 20A-7-201 or a requirement of this part is not met, the lieutenant governor shall mark upon the front of the petition the word "insufficient."
  - (d) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant governor's finding.
- (3) Once a petition is declared insufficient, the sponsors may not submit additional signatures to qualify the petition for the ballot.
- (4)
  - (a) If the lieutenant governor refuses to accept and file any initiative petition that a sponsor believes is legally sufficient, any voter may, by June 15, apply to the supreme court for an extraordinary writ to compel the lieutenant governor to do so.
  - (b) The supreme court shall:
    - (i) determine whether or not the initiative petition is legally sufficient; and
    - (ii) certify its findings to the lieutenant governor.
  - (c) If the supreme court certifies that the initiative petition is legally sufficient, the lieutenant governor shall file it, with a verified copy of the judgment attached to it, as of the date on which it was originally offered for filing in the lieutenant governor's office.
  - (d) If the supreme court determines that any petition filed is not legally sufficient, the supreme court may enjoin the lieutenant governor and all other officers from certifying or printing the ballot title and numbers of that measure on the official ballot.
- (5) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 17, 2011 General Session