

20A-7-705 Measures to be submitted to voters and referendum measures -- Preparation of argument of adoption.

- (1)
 - (a) Whenever the Legislature submits any measure to the voters or whenever an act of the Legislature is referred to the voters by referendum petition, the presiding officer of the house of origin of the measure shall appoint the sponsor of the measure or act and one member of either house who voted with the majority to pass the act or submit the measure to draft an argument for the adoption of the measure.
 - (b)
 - (i) The argument may not exceed 500 words in length.
 - (ii) If the sponsor of the measure or act desires separate arguments to be written in favor by each person appointed, separate arguments may be written but the combined length of the two arguments may not exceed 500 words.
- (2)
 - (a) If a measure or act submitted to the voters by the Legislature or by referendum petition was not adopted unanimously by the Legislature, the presiding officer of each house shall, at the same time as appointments to an argument in its favor are made, appoint one member who voted against the measure or act from their house to write an argument against the measure or act.
 - (b)
 - (i) The argument may not exceed 500 words.
 - (ii) If those members appointed to write an argument against the measure or act desire separate arguments to be written in opposition to the measure or act by each person appointed, separate arguments may be written, but the combined length of the two arguments may not exceed 500 words.
- (3)
 - (a) The legislators appointed by the presiding officer of the Senate or House of Representatives to submit arguments shall submit them to the lieutenant governor not later than the day that falls 150 days before the date of the election.
 - (b) Except as provided in Subsection (3)(d), the authors may not amend or change the arguments after they are submitted to the lieutenant governor.
 - (c) Except as provided in Subsection (3)(d), the lieutenant governor may not alter the arguments in any way.
 - (d) The lieutenant governor and the authors of an argument may jointly modify an argument after it is submitted if:
 - (i) they jointly agree that changes to the argument must be made to correct spelling or grammatical errors; and
 - (ii) the argument has not yet been submitted for typesetting.
- (4)
 - (a) If an argument for or an argument against a measure submitted to the voters by the Legislature or by referendum petition has not been filed by a member of the Legislature within the time required by this section, any voter may request the presiding officer of the house in which the measure originated for permission to prepare and file an argument for the side on which no argument has been prepared by a member of the Legislature.
 - (b)
 - (i) The presiding officer of the house of origin shall grant permission unless two or more voters request permission to submit arguments on the same side of a measure.

- (ii) If two or more voters request permission to submit arguments on the same side of a measure, the presiding officer shall designate one of the voters to write the argument.
- (c) Any argument prepared under this subsection shall be submitted to the lieutenant governor not later than the day that falls 135 days before the date of the election.
- (d) The lieutenant governor may not accept a ballot argument submitted under this section unless it is accompanied by:
 - (i) the name and address of the person submitting it, if it is submitted by an individual voter; or
 - (ii) the name and address of the organization and the names and addresses of at least two of its principal officers, if it is submitted on behalf of an organization.
- (e) Except as provided in Subsection (4)(g), the authors may not amend or change the arguments after they are submitted to the lieutenant governor.
- (f) Except as provided in Subsection (4)(g), the lieutenant governor may not alter the arguments in any way.
- (g) The lieutenant governor and the authors of an argument may jointly modify an argument after it is submitted if:
 - (i) they jointly agree that changes to the argument must be made to correct spelling or grammatical errors; and
 - (ii) the argument has not yet been submitted for typesetting.

Amended by Chapter 225, 2008 General Session