

Effective 5/13/2014

Superseded 5/10/2016

59-1-1604 Arguments for and against a ballot proposition -- Rebuttal arguments -- Posting arguments.

- (1)
 - (a) The governing body of a taxing entity shall submit to the election officer an argument in favor of a ballot proposition.
 - (b)
 - (i) Any eligible voter may submit to the election officer an argument against the ballot proposition.
 - (ii) If two or more eligible voters wish to submit an argument under Subsection (1)(b)(i), the election officer shall designate one of the eligible voters to submit the argument described in Subsection (1)(b)(i).
 - (c)
 - (i) Subject to Subsection (1)(c)(ii), the election officer shall ensure that each argument submitted under this Subsection (1):
 - (A) does not exceed 500 words in length; and
 - (B) is submitted not less than 60 days before the determination date.
 - (ii) The election officer shall ensure that each argument submitted under Subsection (1)(b)(ii) is submitted not less than 50 days before the determination date.
- (2)
 - (a) When the election officer has received the arguments in favor of and against a ballot proposition, the election officer shall immediately send, via email or mail:
 - (i) a copy of the argument in favor of the ballot proposition to the author of the argument against the ballot proposition; and
 - (ii) a copy of the argument against the ballot proposition to the author of the argument in favor of the ballot proposition.
 - (b)
 - (i) The author of the argument in favor of the ballot proposition may submit to the election officer a rebuttal argument directed to the argument against the ballot proposition.
 - (ii) The author of the argument against the ballot proposition may submit to the election officer a rebuttal argument directed to the argument in favor of the ballot proposition.
 - (c) The election officer shall ensure that each rebuttal argument submitted under Subsection (2)
 - (b):
 - (i) does not exceed 250 words in length; and
 - (ii) is submitted not less than 40 days before the determination date.
 - (d)
 - (i) An author of an argument described in Subsection (1) may designate a person to submit a rebuttal argument described in this Subsection (2).
 - (ii) A person designated in Subsection (2)(d)(i) shall be an eligible voter.
- (3) A person submitting an argument under this section shall provide the election officer with:
 - (a) the person's name and address; and
 - (b) an email address by which the person may be contacted.
- (4)
 - (a) Except as provided in Subsection (4)(c), an author may not amend or change an argument or rebuttal argument after the argument or rebuttal argument is submitted to the election officer.
 - (b) Except as provided in Subsection (4)(c), the election officer may not alter an argument or rebuttal argument in any way.

- (c) The election officer and an author of an argument may jointly modify an argument or a rebuttal argument after the argument or rebuttal argument is submitted if the election officer and the author jointly agree that changes to the argument or rebuttal argument must be made to correct spelling, factual, or grammatical errors.
- (5) The governing body of a taxing entity shall:
- (a) post the arguments and rebuttal arguments on the Statewide Electronic Voter Information Website as described in Section 20A-7-801 for 30 consecutive days before the determination date;
 - (b) if a taxing entity has a public website, post all arguments and rebuttal arguments in a prominent place on the taxing entity's public website for 30 consecutive days before the determination date; and
 - (c) if the taxing entity publishes a newsletter or other periodical, post all arguments and rebuttal arguments in the next scheduled newsletter or other periodical published before the determination date.
- (6) For purposes of posting an argument and rebuttal argument under Subsection (5), the governing body of a taxing entity shall ensure that:
- (a) a rebuttal argument is posted in the same manner as a direct argument;
 - (b) each rebuttal argument follows immediately after the direct argument that it seeks to rebut; and
 - (c) information regarding the public meeting required by Section 59-1-1605 follows immediately after the posted arguments, including the date, time, and place of the public meeting.