

SPECIAL ELECTION NOTICE TO REGISTERED VOTERS

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Glenn L. Way

AN ACT RELATING TO BONDING; MODIFYING NOTICE REQUIREMENTS FOR BOND ELECTIONS; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

11-14-3, as last amended by Chapter 3, Laws of Utah 1996, Second Special Session

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

Section 1. Section **11-14-3** is amended to read:

11-14-3. Notice of election -- Publication -- Mailing.

(1) (a) Notice of the election shall be published once a week during three consecutive weeks in a newspaper designated in accordance with Section 11-14-21, the first publication to be not less than 21 nor more than 35 days before the election.

(b) If no official newspaper is designated, the notices shall be published in a newspaper published in the municipality, or if no newspaper is published in the municipality, the notices shall be published in a newspaper having general circulation in the municipality.

(2) ~~§ [The]~~ **WHEN THE MAXIMUM AMOUNT OF BONDS TO BE ISSUED IS \$1,000,000 OR MORE, THE** § governing body shall, at least one week before the bond election, ~~h~~ **IF NOT ON A REGULAR OR MUNICIPAL PRIMARY OR GENERAL ELECTION,** ~~h~~ on a minimum three inch by five inch postcard, mail written notice of the bond election to every household containing a registered voter who is eligible to vote on the bonds.

~~[(2) Election]~~ (3) (a) Except as provided in Subsection (3)(b), election notice given for any bond election held in this state need not be posted by any persons~~[-except that in cities of the]~~.

(b) (i) In third class cities or towns where ~~[there is]~~ no newspaper is published ~~[in such city~~

28 ~~or town~~], the governing body may [~~provide~~] require that notice of a bond election [~~therein may~~]
29 be given by posting in lieu of the publication [~~of such notice and in such event notice of the bond~~
30 ~~election shall be posted by~~] requirements of Subsection (1).

31 (ii) When the governing body imposes a posting requirement, the city recorder, town clerk,
32 or other officer designated by the governing body shall post notice of the bond election in at least
33 five public places in [~~said~~] the city or town at least 21 days before the election.

34 (4) The printed, posted, and mailed notice required by this section shall § BE PAID BY THE
34a BONDING AUTHORITY AND SHALL § identify:

35 (a) the date and place of the election;

36 (b) the hours during which the polls will be open; and

37 (c) the purpose for which the bonds are to be issued, the maximum amount of bonds to be
38 issued, ^h THE ESTIMATED TOTAL INTEREST COSTS OF THE BONDS BASED ON MARKET
INTEREST

38aa RATES AT THE TIME THE NOTICE IS ISSUED, ^h ^h [~~and~~] ^h the maximum number of years to
38bb maturity of the bonds ^h , AND THE AVERAGE

38a POTENTIAL COST PER HOUSEHOLD ^h .

39 Section 2. **Effective date.**

40 If approved by two-thirds of all the members elected to each house, this act takes effect
41 upon approval by the governor, or the day following the constitutional time limit of Utah
42 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
43 date of veto override.

Legislative Review Note
as of 1-19-99 12:50 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel