

1 **VOTER INFORMATION PAMPHLET**

2 **AMENDMENTS**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Carl R. Saunders**

6 AN ACT RELATING TO ELECTIONS; ALLOWING ARGUMENTS SUBMITTED FOR THE
7 VOTER INFORMATION PAMPHLET TO BE MODIFIED UNDER CERTAIN
8 CIRCUMSTANCES; AND MAKING TECHNICAL CORRECTIONS.

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

10 AMENDS:

11 **20A-7-705**, as enacted by Chapter 1 and last amended by Chapter 153, Laws of Utah 1995

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

13 Section 1. Section **20A-7-705** is amended to read:

14 **20A-7-705. Measures to be submitted to voters and referendum measures --**

15 **Preparation of argument of adoption.**

16 (1) (a) Whenever the Legislature submits any measure to the voters or whenever an act of
17 the Legislature is referred to the voters by referendum petition, the presiding officer of the house
18 of origin of the measure shall appoint the sponsor of the measure or act and one member of either
19 house who voted with the majority to pass the act or submit the measure to draft an argument for
20 the adoption of the measure.

21 (b) (i) The argument may not exceed 500 words in length.

22 (ii) If the sponsor of the measure or act desires separate arguments to be written in favor
23 by each person appointed, separate arguments may be written but the combined length of the two
24 arguments may not exceed 500 words.

25 (2) (a) If a measure or act submitted to the voters by the Legislature or by referendum
26 petition was not adopted unanimously by the Legislature, the presiding officer of each house
27 shall, at the same time as appointments to an argument in its favor are made, appoint one

28 member who voted against the measure or act from their house to write an argument against
29 the measure or act.

30 (b) (i) The argument may not exceed 500 words.

31 (ii) If those members appointed to write an argument against the measure or act desire
32 separate arguments to be written in opposition to the measure or act by each person appointed,
33 separate arguments may be written, but the combined length of the two arguments may not
34 exceed 500 words.

35 (3) (a) The legislators appointed by the presiding officer of the Senate or House of
36 Representatives to submit arguments shall submit them to the lieutenant governor not later than
37 June 1.

38 (b) [~~The~~] Except as provided in Subsection (3)(d), the authors may not amend or
39 change the arguments after they are submitted to the lieutenant governor.

40 (c) [~~The~~] Except as provided in Subsection (3)(d), the lieutenant governor may not alter
41 the arguments in any way.

42 (d) The lieutenant governor and the authors of an argument may jointly modify an
43 argument after it is submitted if they agree that a statement or other portion of the argument is
44 demonstrably inaccurate.

45 (4) (a) If an argument for or an argument against a measure submitted to the voters by
46 the Legislature or by referendum petition has not been filed by a member of the Legislature
47 within the time required by this section, any voter may request the presiding officer of the
48 house in which the measure originated for permission to prepare and file an argument for the
49 side on which no argument has been prepared by a member of the Legislature.

50 (b) (i) The presiding officer of the house of origin shall grant permission unless two or
51 more voters request permission to submit arguments on the same side of a measure.

52 (ii) If two or more voters request permission to submit arguments on the same side of a
53 measure, the presiding officer shall designate one of the voters to write the argument.

54 (c) Any argument prepared under this subsection shall be submitted to the lieutenant
55 governor not later than June 15.

56 (d) The lieutenant governor may not accept a ballot argument submitted under this
57 section unless it is accompanied by:

58 (i) the name and address of the person submitting it, if it is submitted by an individual

59 voter; or
60 (ii) the name and address of the organization and the names and addresses of at least
61 two of its principal officers, if it is submitted on behalf of an organization.

Legislative Review Note
as of 1-29-99 9:32 AM

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

Office of Legislative Research and General Counsel