

26 20A-11-101, as last amended by Laws of Utah 2013, Chapters 86, 170, 318, and 420
 27 20A-11-1203, as last amended by Laws of Utah 2008, Chapter 225

28

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

30 Section 1. Section 10-2-111 is amended to read:

31 **10-2-111. Incorporation election.**

32 ~~Ĥ→ [(1)(a) At the next regular general election date under Section 20A-1-201 more than 60~~
 33 ~~days after the county legislative body's receipt of the certified petition or certified modified~~
 34 ~~petition under Subsection 10-2-110(1)(b)(i), or at the next local special election held in~~
 35 ~~accordance with Section 20A-1-203 more than 65 days after the county legislative body's~~
 36 ~~receipt of the certified petition or certified modified petition under Subsection~~
 37 ~~10-2-110(1)(b)(i), the county legislative body shall hold an election on the proposed~~
 38 ~~incorporation.]~~

38a **(1)(a) Upon receipt of a certified petition under Subsection 10-2-110(1)(b)(i) or a**
 38b **certified modified petition under Subsection 10-2-110(3), the county legislative body shall**
 38c **determine and set an election date for the incorporation election that is:**

38d **(i)(A) on a general election date under Section 20A-1-201; or**

38e **(B) on a local special election date under Section 20A-1-203; and**

38f **(ii) at least 65 days after the day that the legislative body receives the certified**
 38g **petition.** ←Ĥ

39 (b) Unless a person is a registered voter who resides, as defined in Section 20A-1-102,
 40 within the boundaries of the proposed city, the person may not vote on the proposed
 41 incorporation.

42 (2) (a) The county clerk shall publish notice of the election:

43 (i) in a newspaper of general circulation within the area proposed to be incorporated at
 44 least once a week for three successive weeks; and

45 (ii) in accordance with Section 45-1-101 for three weeks.

46 (b) The notice required by Subsection (2)(a) shall contain:

47 (i) a statement of the contents of the petition;

48 (ii) a description of the area proposed to be incorporated as a city;

49 (iii) a statement of the date and time of the election and the location of polling places;

50 and

51 (iv) the feasibility study summary under Subsection 10-2-106(3)(b) and a statement
 52 that a full copy of the study is available for inspection and copying at the office of the county
 53 clerk.

54 (c) The last publication of notice required under Subsection (2)(a) shall occur at least
 55 one day but no more than seven days before the election.

56 (d) (i) In accordance with Subsection (2)(a)(i), if there is no newspaper of general

57 circulation within the proposed city, the county clerk shall post at least one notice of the
 58 election per 1,000 population in conspicuous places within the proposed city that are most
 59 likely to give notice of the election to the voters of the proposed city.

60 (ii) The clerk shall post the notices under Subsection (2)(d)(i) at least seven days before
 61 the election under Subsection (1).

62 (3) If a majority of those casting votes within the area boundaries of the proposed city
 63 vote to incorporate as a city, the area shall incorporate.

64 Section 2. Section **10-2-127** is amended to read:

65 **10-2-127. Incorporation of town -- Election to incorporate -- Ballot form.**

66 ~~Ĥ→ [(1)(a) At the next regular general election, as defined in Section 20A-1-102, more than
 67 60 days after the public hearing described in Section 10-2-126, or at the next local special
 68 election held in accordance with Section 20A-1-203 at least 65 days after the public hearing
 69 described in Section 10-2-126, the county legislative body shall hold an election on the
 70 proposed incorporation unless prohibited under the provisions of Section 10-2-126.]~~

70a (1)(a) Upon receipt of a certified petition under Subsection 10-2-110(1)(b)(i) or a
 70b certified modified petition under Subsection 10-2-110(3), the county legislative body shall
 70c determine and set an election date for the incorporation election that is:

70d (i)(A) on a general election date under Section 20A-1-201; or

70e (B) on a local special election date under Section 20A-1-203; and

70f (ii) at least 65 days after the day that the legislative body receives the certified
 70g petition. ←Ĥ

71 (b) Unless a person is a registered voter who resides, as defined in Section 20A-1-102,
 72 within the boundaries of the proposed town, the person may not vote on the proposed
 73 incorporation.

74 (2) (a) The county clerk shall publish notice of the election:

75 (i) in a newspaper of general circulation, within the area proposed to be incorporated,
 76 at least once a week for three successive weeks; and

77 (ii) in accordance with Section 45-1-101 for three weeks.

78 (b) The notice required by Subsection (2)(a) shall contain:

79 (i) a statement of the contents of the petition;

80 (ii) a description of the area proposed to be incorporated as a town;

81 (iii) a statement of the date and time of the election and the location of polling places;

82 and

83 (iv) the county Internet website address, if applicable, and the address of the county
 84 office where the feasibility study is available for review.

85 (c) The last publication of notice required under Subsection (2)(a) shall occur at least
 86 one day but no more than seven days before the election.

87 (d) (i) In accordance with Subsection (2)(a)(i), if there is no newspaper of general