

PUBLIC NOTICE AMENDMENTS

2021 FIRST SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: Joel Ferry

LONG TITLE

General Description:

This bill modifies provisions relating to public notice requirements.

Highlighted Provisions:

This bill:

- ▶ provides publishing in a newspaper of general circulation as an option to other methods of providing notice, under certain circumstances;
- ▶ limits the number of notices required to be posted under a method of posting if that posting of notice option applies; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

10-2-406 (Superseded 07/01/21), as last amended by Laws of Utah 2021, Chapters 84 and 355

10-2-406 (Effective 07/01/21), as last amended by Laws of Utah 2021, Chapters 84, 345, and 355

10-2-407 (Superseded 07/01/21), as last amended by Laws of Utah 2021, Chapters 84,



28 112, and 355
29 **10-2-407 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
30 112, 345, and 355
31 **10-2-415 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
32 and 355
33 **10-2-415 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
34 345, and 355
35 **10-2-418 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
36 and 355
37 **10-2-418 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
38 345, and 355
39 **10-2-419 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
40 and 355
41 **10-2-419 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
42 345, and 355
43 **10-2-502.5 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
44 84 and 355
45 **10-2-502.5 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
46 345, and 355
47 **10-2-703 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
48 and 355
49 **10-2-703 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
50 344, and 355
51 **10-2-708 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
52 and 355
53 **10-2-708 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
54 345, and 355
55 **10-2a-210 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
56 84, 112, and 355
57 **10-2a-210 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
58 112, 345, and 355

59 **10-2a-213 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
60 and 355

61 **10-2a-213 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
62 345, and 355

63 **10-2a-214 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
64 and 355

65 **10-2a-214 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
66 345, and 355

67 **10-2a-215 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
68 and 355

69 **10-2a-215 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
70 345, and 355

71 **10-2a-404**, as last amended by Laws of Utah 2021, Chapter 355

72 **10-2a-405 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
73 and 355

74 **10-2a-405 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
75 345, and 355

76 **10-2a-410**, as last amended by Laws of Utah 2021, Chapter 355

77 **10-18-203 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
78 and 355

79 **10-18-203 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
80 345, and 355

81 **11-14-202 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84
82 and 355

83 **11-14-202 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
84 345, and 355

85 **17B-1-643 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
86 84 and 355

87 **17B-1-643 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
88 345, and 355

89 **17B-2a-705 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters

90 84 and 355
91 **17B-2a-705 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
92 345, and 355
93 **20A-1-206**, as last amended by Laws of Utah 2021, Chapter 355
94 **20A-3a-604 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
95 84 and 355
96 **20A-3a-604 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
97 345, and 355
98 **20A-4-104 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
99 62, 84, and 355
100 **20A-4-104 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 62,
101 84, 345, and 355
102 **20A-4-304 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
103 84 and 355
104 **20A-4-304 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
105 345, and 355
106 **20A-5-101 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
107 84 and 355
108 **20A-5-101 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
109 345, and 355
110 **20A-5-403.5 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
111 84 and 355
112 **20A-5-403.5 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
113 345, and 355
114 **20A-5-405 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
115 84 and 355
116 **20A-5-405 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,
117 345, and 355
118 **20A-9-203 (Superseded 07/01/21)**, as last amended by Laws of Utah 2021, Chapters
119 84, 183, and 355
120 **20A-9-203 (Effective 07/01/21)**, as last amended by Laws of Utah 2021, Chapters 84,

121 183, 345, and 355

122

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

124 Section 1. Section **10-2-406 (Superseded 07/01/21)** is amended to read:

125 **10-2-406 (Superseded 07/01/21). Notice of certification -- Publishing and**
126 **providing notice of petition.**

127 (1) After receipt of the notice of certification from the city recorder or town clerk under
128 Subsection **10-2-405(2)(c)(i)**, the municipal legislative body shall ~~publish~~ provide notice:

129 (a) within the area proposed for annexation and the unincorporated area within 1/2 mile
130 of the area proposed for annexation, no later than 10 days after the day on which the municipal
131 legislative body receives the notice of certification:

132 (i) by posting one notice, and at least one additional notice per 2,000 population within
133 the combined area, in places within the combined area that are most likely to give notice to the
134 residents within, and the owners of real property located within, the combined area, subject to a
135 maximum of 10 notices; or

136 (ii) by mailing the notice to each residence within, and to each owner of real property
137 located within, the combined area;

138 (b) by posting notice on the Utah Public Notice Website, created in Section
139 **63A-12-201**, for three weeks, beginning no later than 10 days after the day on which the
140 municipal legislative body receives the notice of certification;

141 (c) within 20 days after the day on which the municipal legislative body receives the
142 notice of certification, by mailing written notice to each affected entity; and

143 (d) if the municipality has a website, by posting notice on the municipality's website for
144 the period of time described in Subsection (1)(b).

145 (2) The notice described in Subsection (1) shall:

146 (a) state that a petition has been filed with the municipality proposing the annexation of
147 an area to the municipality;

148 (b) state the date of the municipal legislative body's receipt of the notice of certification
149 under Subsection **10-2-405(2)(c)(i)**;

150 (c) describe the area proposed for annexation in the annexation petition;

151 (d) state that the complete annexation petition is available for inspection and copying at

152 the office of the city recorder or town clerk;

153 (e) state in conspicuous and plain terms that the municipality may grant the petition
154 and annex the area described in the petition unless, within the time required under Subsection
155 10-2-407(2)(a)(i), a written protest to the annexation petition is filed with the commission and
156 a copy of the protest delivered to the city recorder or town clerk of the proposed annexing
157 municipality;

158 (f) state the address of the commission or, if a commission has not yet been created in
159 the county, the county clerk, where a protest to the annexation petition may be filed;

160 (g) state that the area proposed for annexation to the municipality will also
161 automatically be annexed to a local district providing fire protection, paramedic, and
162 emergency services or a local district providing law enforcement service, as the case may be, as
163 provided in Section 17B-1-416, if:

164 (i) the proposed annexing municipality is entirely within the boundaries of a local
165 district:

166 (A) that provides fire protection, paramedic, and emergency services or law
167 enforcement service, respectively; and

168 (B) in the creation of which an election was not required because of Subsection
169 17B-1-214(3)(c); and

170 (ii) the area proposed to be annexed to the municipality is not already within the
171 boundaries of the local district; and

172 (h) state that the area proposed for annexation to the municipality will be automatically
173 withdrawn from a local district providing fire protection, paramedic, and emergency services or
174 a local district providing law enforcement service, as the case may be, as provided in
175 Subsection 17B-1-502(2), if:

176 (i) the petition proposes the annexation of an area that is within the boundaries of a
177 local district:

178 (A) that provides fire protection, paramedic, and emergency services or law
179 enforcement service, respectively; and

180 (B) in the creation of which an election was not required because of Subsection
181 17B-1-214(3)(c); and

182 (ii) the proposed annexing municipality is not within the boundaries of the local

183 district.

184 (3) (a) The statement required by Subsection (2)(e) shall state the deadline for filing a
185 written protest in terms of the actual date rather than by reference to the statutory citation.

186 (b) In addition to the requirements under Subsection (2), a notice under Subsection (1)
187 for a proposed annexation of an area within a county of the first class shall include a statement
188 that a protest to the annexation petition may be filed with the commission by property owners if
189 it contains the signatures of the owners of private real property that:

190 (i) is located in the unincorporated area within 1/2 mile of the area proposed for
191 annexation;

192 (ii) covers at least 25% of the private land area located in the unincorporated area
193 within 1/2 mile of the area proposed for annexation; and

194 (iii) is equal in value to at least 15% of all real property located in the unincorporated
195 area within 1/2 mile of the area proposed for annexation.

196 Section 2. Section **10-2-406 (Effective 07/01/21)** is amended to read:

197 **10-2-406 (Effective 07/01/21). Notice of certification -- Publishing and providing**
198 **notice of petition.**

199 (1) After receipt of the notice of certification from the city recorder or town clerk under
200 Subsection **10-2-405(2)(c)(i)**, the municipal legislative body shall [~~publish~~] provide notice:

201 (a) within the area proposed for annexation and the unincorporated area within 1/2 mile
202 of the area proposed for annexation, no later than 10 days after the day on which the municipal
203 legislative body receives the notice of certification:

204 (i) by posting one notice, and at least one additional notice per 2,000 population within
205 the combined area, in places within the combined area that are most likely to give notice to the
206 residents within, and the owners of real property located within, the combined area, subject to a
207 maximum of 10 notices; or

208 (ii) by mailing the notice to each residence within, and to each owner of real property
209 located within, the combined area;

210 (b) by posting notice on the Utah Public Notice Website, created in Section
211 **63A-16-601**, for three weeks, beginning no later than 10 days after the day on which the
212 municipal legislative body receives the notice of certification;

213 (c) within 20 days after the day on which the municipal legislative body receives the

214 notice of certification, by mailing written notice to each affected entity; and

215 (d) if the municipality has a website, by posting notice on the municipality's website for
216 the period of time described in Subsection (1)(b).

217 (2) The notice described in Subsection (1) shall:

218 (a) state that a petition has been filed with the municipality proposing the annexation of
219 an area to the municipality;

220 (b) state the date of the municipal legislative body's receipt of the notice of certification
221 under Subsection 10-2-405(2)(c)(i);

222 (c) describe the area proposed for annexation in the annexation petition;

223 (d) state that the complete annexation petition is available for inspection and copying at
224 the office of the city recorder or town clerk;

225 (e) state in conspicuous and plain terms that the municipality may grant the petition
226 and annex the area described in the petition unless, within the time required under Subsection
227 10-2-407(2)(a)(i), a written protest to the annexation petition is filed with the commission and
228 a copy of the protest delivered to the city recorder or town clerk of the proposed annexing
229 municipality;

230 (f) state the address of the commission or, if a commission has not yet been created in
231 the county, the county clerk, where a protest to the annexation petition may be filed;

232 (g) state that the area proposed for annexation to the municipality will also
233 automatically be annexed to a local district providing fire protection, paramedic, and
234 emergency services or a local district providing law enforcement service, as the case may be, as
235 provided in Section 17B-1-416, if:

236 (i) the proposed annexing municipality is entirely within the boundaries of a local
237 district:

238 (A) that provides fire protection, paramedic, and emergency services or law
239 enforcement service, respectively; and

240 (B) in the creation of which an election was not required because of Subsection
241 17B-1-214(3)(c); and

242 (ii) the area proposed to be annexed to the municipality is not already within the
243 boundaries of the local district; and

244 (h) state that the area proposed for annexation to the municipality will be automatically

245 withdrawn from a local district providing fire protection, paramedic, and emergency services or
246 a local district providing law enforcement service, as the case may be, as provided in
247 Subsection 17B-1-502(2), if:

248 (i) the petition proposes the annexation of an area that is within the boundaries of a
249 local district:

250 (A) that provides fire protection, paramedic, and emergency services or law
251 enforcement service, respectively; and

252 (B) in the creation of which an election was not required because of Subsection
253 17B-1-214(3)(c); and

254 (ii) the proposed annexing municipality is not within the boundaries of the local
255 district.

256 (3) (a) The statement required by Subsection (2)(e) shall state the deadline for filing a
257 written protest in terms of the actual date rather than by reference to the statutory citation.

258 (b) In addition to the requirements under Subsection (2), a notice under Subsection (1)
259 for a proposed annexation of an area within a county of the first class shall include a statement
260 that a protest to the annexation petition may be filed with the commission by property owners if
261 it contains the signatures of the owners of private real property that:

262 (i) is located in the unincorporated area within 1/2 mile of the area proposed for
263 annexation;

264 (ii) covers at least 25% of the private land area located in the unincorporated area
265 within 1/2 mile of the area proposed for annexation; and

266 (iii) is equal in value to at least 15% of all real property located in the unincorporated
267 area within 1/2 mile of the area proposed for annexation.

268 Section 3. Section 10-2-407 (Superseded 07/01/21) is amended to read:

269 **10-2-407 (Superseded 07/01/21). Protest to annexation petition -- Planning**
270 **advisory area planning commission recommendation -- Petition requirements --**
271 **Disposition of petition if no protest filed.**

272 (1) A protest to an annexation petition under Section 10-2-403 may be filed by:

273 (a) the legislative body or governing board of an affected entity;

274 (b) an owner of rural real property;

275 (c) for a proposed annexation of an area within a county of the first class, an owner of

276 private real property that:

277 (i) is located in the unincorporated area within 1/2 mile of the area proposed for
278 annexation;

279 (ii) covers at least 25% of the private land area located in the unincorporated area
280 within 1/2 mile of the area proposed for annexation; and

281 (iii) is equal in value to at least 15% of all real property located in the unincorporated
282 area within 1/2 mile of the area proposed for annexation; or

283 (d) an owner of private real property located in a mining protection area.

284 (2) Each protest under Subsection (1) shall:

285 (a) be filed:

286 (i) no later than 30 days after the municipal legislative body's receipt of the notice of
287 certification under Subsection 10-2-405(2)(c)(i); and

288 (ii) (A) in a county that has already created a commission under Section 10-2-409, with
289 the commission; or

290 (B) in a county that has not yet created a commission under Section 10-2-409, with the
291 clerk of the county in which the area proposed for annexation is located;

292 (b) state each reason for the protest of the annexation petition and, if the area proposed
293 to be annexed is located in a specified county, justification for the protest under the standards
294 established in this chapter;

295 (c) if the area proposed to be annexed is located in a specified county, contain other
296 information that the commission by rule requires or that the party filing the protest considers
297 pertinent; and

298 (d) contain the name and address of a contact person who is to receive notices sent by
299 the commission with respect to the protest proceedings.

300 (3) The party filing a protest under this section shall on the same date deliver or mail a
301 copy of the protest to the city recorder or town clerk of the proposed annexing municipality.

302 (4) Each clerk who receives a protest under Subsection (2)(a)(ii)(B) shall:

303 (a) immediately notify the county legislative body of the protest; and

304 (b) deliver the protest to the boundary commission within five days after:

305 (i) receipt of the protest, if the boundary commission has previously been created; or

306 (ii) creation of the boundary commission under Subsection 10-2-409(1)(b), if the

307 boundary commission has not previously been created.

308 (5) (a) If a protest is filed under this section:

309 (i) the municipal legislative body may, at its next regular meeting after expiration of
310 the deadline under Subsection (2)(a)(i), deny the annexation petition; or

311 (ii) if the municipal legislative body does not deny the annexation petition under
312 Subsection (5)(a)(i), the municipal legislative body may take no further action on the
313 annexation petition until after receipt of the commission's notice of its decision on the protest
314 under Section 10-2-416.

315 (b) If a municipal legislative body denies an annexation petition under Subsection
316 (5)(a)(i), the municipal legislative body shall, within five days after the denial, send notice of
317 the denial in writing to:

318 (i) the contact sponsor of the annexation petition;

319 (ii) the commission; and

320 (iii) each entity that filed a protest.

321 (6) If no timely protest is filed under this section, the municipal legislative body may,
322 subject to Subsection (7), approve the petition.

323 (7) Before approving an annexation petition under Subsection (6), the municipal
324 legislative body shall hold a public hearing and ~~[publish]~~ provide notice of the public hearing:

325 (a) (i) at least seven days before the day of the public hearing, by posting one notice,
326 and at least one additional notice per 2,000 population within the municipality and the area
327 proposed for annexation, in places within that combined area that are most likely to give notice
328 to the residents within, and the owners of real property located within, the combined area,
329 subject to a maximum of 10 notices; or

330 (ii) at least 10 days before the day of the public hearing, by mailing the notice to each
331 residence within, and to each owner of real property located within, the combined area
332 described in Subsection (7)(a)(i);

333 (b) by posting notice on the Utah Public Notice Website, created in Section
334 63A-12-201, for seven days before the day of the public hearing; and

335 (c) if the municipality has a website, by posting notice on the municipality's website for
336 seven days before the day of the public hearing.

337 Section 4. Section 10-2-407 (Effective 07/01/21) is amended to read:

338 **10-2-407 (Effective 07/01/21). Protest to annexation petition -- Planning advisory**
339 **area planning commission recommendation -- Petition requirements -- Disposition of**
340 **petition if no protest filed.**

341 (1) A protest to an annexation petition under Section 10-2-403 may be filed by:

342 (a) the legislative body or governing board of an affected entity;

343 (b) an owner of rural real property;

344 (c) for a proposed annexation of an area within a county of the first class, an owner of
345 private real property that:

346 (i) is located in the unincorporated area within 1/2 mile of the area proposed for
347 annexation;

348 (ii) covers at least 25% of the private land area located in the unincorporated area
349 within 1/2 mile of the area proposed for annexation; and

350 (iii) is equal in value to at least 15% of all real property located in the unincorporated
351 area within 1/2 mile of the area proposed for annexation; or

352 (d) an owner of private real property located in a mining protection area.

353 (2) Each protest under Subsection (1) shall:

354 (a) be filed:

355 (i) no later than 30 days after the municipal legislative body's receipt of the notice of
356 certification under Subsection 10-2-405(2)(c)(i); and

357 (ii) (A) in a county that has already created a commission under Section 10-2-409, with
358 the commission; or

359 (B) in a county that has not yet created a commission under Section 10-2-409, with the
360 clerk of the county in which the area proposed for annexation is located;

361 (b) state each reason for the protest of the annexation petition and, if the area proposed
362 to be annexed is located in a specified county, justification for the protest under the standards
363 established in this chapter;

364 (c) if the area proposed to be annexed is located in a specified county, contain other
365 information that the commission by rule requires or that the party filing the protest considers
366 pertinent; and

367 (d) contain the name and address of a contact person who is to receive notices sent by
368 the commission with respect to the protest proceedings.

369 (3) The party filing a protest under this section shall on the same date deliver or mail a
370 copy of the protest to the city recorder or town clerk of the proposed annexing municipality.

371 (4) Each clerk who receives a protest under Subsection (2)(a)(ii)(B) shall:

372 (a) immediately notify the county legislative body of the protest; and

373 (b) deliver the protest to the boundary commission within five days after:

374 (i) receipt of the protest, if the boundary commission has previously been created; or

375 (ii) creation of the boundary commission under Subsection 10-2-409(1)(b), if the
376 boundary commission has not previously been created.

377 (5) (a) If a protest is filed under this section:

378 (i) the municipal legislative body may, at its next regular meeting after expiration of
379 the deadline under Subsection (2)(a)(i), deny the annexation petition; or

380 (ii) if the municipal legislative body does not deny the annexation petition under
381 Subsection (5)(a)(i), the municipal legislative body may take no further action on the
382 annexation petition until after receipt of the commission's notice of its decision on the protest
383 under Section 10-2-416.

384 (b) If a municipal legislative body denies an annexation petition under Subsection
385 (5)(a)(i), the municipal legislative body shall, within five days after the denial, send notice of
386 the denial in writing to:

387 (i) the contact sponsor of the annexation petition;

388 (ii) the commission; and

389 (iii) each entity that filed a protest.

390 (6) If no timely protest is filed under this section, the municipal legislative body may,
391 subject to Subsection (7), approve the petition.

392 (7) Before approving an annexation petition under Subsection (6), the municipal
393 legislative body shall hold a public hearing and ~~[publish]~~ provide notice of the public hearing:

394 (a) (i) at least seven days before the day of the public hearing, by posting one notice,
395 and at least one additional notice per 2,000 population within the municipality and the area
396 proposed for annexation, in places within that combined area that are most likely to give notice
397 to the residents within, and the owners of real property located within, the combined area,
398 subject to a maximum of 10 notices; or

399 (ii) at least 10 days before the day of the public hearing, by mailing the notice to each

400 residence within, and to each owner of real property located within, the combined area
401 described in Subsection (7)(a)(i);

402 (b) by posting notice on the Utah Public Notice Website, created in Section
403 63A-16-601, for seven days before the day of the public hearing; and

404 (c) if the municipality has a website, by posting notice on the municipality's website for
405 seven days before the day of the public hearing.

406 Section 5. Section 10-2-415 (Superseded 07/01/21) is amended to read:

407 **10-2-415 (Superseded 07/01/21). Public hearing -- Notice.**

408 (1) (a) If the results of the feasibility study or supplemental feasibility study meet the
409 requirements of Subsection 10-2-416(3) with respect to a proposed annexation of an area
410 located in a county of the first class, the commission shall hold a public hearing within 30 days
411 after the day on which the commission receives the feasibility study or supplemental feasibility
412 study results.

413 (b) At the public hearing described in Subsection (1)(a), the commission shall:

414 (i) require the feasibility consultant to present the results of the feasibility study and, if
415 applicable, the supplemental feasibility study;

416 (ii) allow those present to ask questions of the feasibility consultant regarding the study
417 results; and

418 (iii) allow those present to speak to the issue of annexation.

419 (2) The commission shall ~~[publish]~~ provide notice of the public hearing described in
420 Subsection (1)(a) within the area proposed for annexation, the surrounding 1/2 mile of
421 unincorporated area, and the proposed annexing municipality:

422 (a) (i) at least two weeks before the day of the public hearing, by posting one notice,
423 and at least one additional notice per 2,000 population within the combined area, in places
424 within the combined area that are most likely to give notice of the public hearing to the
425 residents within, and the owners of real property located within, the combined area, subject to a
426 maximum of 10 notices; or

427 (ii) by mailing notice to each residence within, and to each owner of real property
428 located within, the combined area;

429 (b) by posting notice on the Utah Public Notice Website, created in Section
430 63A-12-201, for two weeks before the day of the public hearing;

431 (c) by sending written notice of the public hearing to the municipal legislative body of
432 the proposed annexing municipality, the contact sponsor on the annexation petition, each entity
433 that filed a protest, and, if a protest was filed under Subsection 10-2-407(1)(c), the contact
434 person;

435 (d) if the municipality has a website, by posting notice on the municipality's website for
436 two weeks before the day of the public hearing; and

437 (e) by posting notice on the county's website for two weeks before the day of the public
438 hearing.

439 (3) The notice described in Subsection (2) shall:

440 (a) be entitled, "notice of annexation hearing";

441 (b) state the name of the annexing municipality;

442 (c) describe the area proposed for annexation; and

443 (d) specify the following sources where an individual may obtain a copy of the
444 feasibility study conducted in relation to the proposed annexation:

445 (i) if the municipality has a website, the municipality's website;

446 (ii) a municipality's physical address; and

447 (iii) a mailing address and telephone number.

448 (4) Within 30 days after the time under Subsection 10-2-407(2) for filing a protest has
449 expired with respect to a proposed annexation of an area located in a specified county, the
450 boundary commission shall hold a hearing on all protests that were filed with respect to the
451 proposed annexation.

452 (5) At least 14 days before the date of a hearing described in Subsection (4), the
453 commission chair shall [~~publish~~] provide notice of the hearing:

454 (a) (i) by posting one notice, and at least one additional notice per 2,000 population
455 within the area proposed for annexation, in places within the area that are most likely to give
456 notice of the hearing to the residents within, and the owners of real property located within, the
457 area, subject to a maximum of 10 notices; or

458 (ii) by mailing notice to each resident within, and each owner of real property located
459 within, the area proposed for annexation;

460 (b) by posting notice on the Utah Public Notice Website, created in Section
461 63A-12-201, for 14 days before the day of the hearing;

462 (c) if the municipality has a website, by posting notice on the municipality's website for
463 two weeks before the day of the public hearing; and

464 (d) by posting notice on the county's website for two weeks before the day of the public
465 hearing.

466 (6) Each notice described in Subsection (5) shall:

467 (a) state the date, time, and place of the hearing;

468 (b) briefly summarize the nature of the protest; and

469 (c) state that a copy of the protest is on file at the commission's office.

470 (7) The commission may continue a hearing under Subsection (4) from time to time,
471 but no continued hearing may be held later than 60 days after the original hearing date.

472 (8) In considering protests, the commission shall consider whether the proposed
473 annexation:

474 (a) complies with the requirements of Sections 10-2-402 and 10-2-403 and the
475 annexation policy plan of the proposed annexing municipality;

476 (b) conflicts with the annexation policy plan of another municipality; and

477 (c) if the proposed annexation includes urban development, will have an adverse tax
478 consequence on the remaining unincorporated area of the county.

479 (9) (a) The commission shall record each hearing under this section by electronic
480 means.

481 (b) A transcription of the recording under Subsection (9)(a), the feasibility study, if
482 applicable, information received at the hearing, and the written decision of the commission
483 shall constitute the record of the hearing.

484 Section 6. Section 10-2-415 (Effective 07/01/21) is amended to read:

485 **10-2-415 (Effective 07/01/21). Public hearing -- Notice.**

486 (1) (a) If the results of the feasibility study or supplemental feasibility study meet the
487 requirements of Subsection 10-2-416(3) with respect to a proposed annexation of an area
488 located in a county of the first class, the commission shall hold a public hearing within 30 days
489 after the day on which the commission receives the feasibility study or supplemental feasibility
490 study results.

491 (b) At the public hearing described in Subsection (1)(a), the commission shall:

492 (i) require the feasibility consultant to present the results of the feasibility study and, if

493 applicable, the supplemental feasibility study;

494 (ii) allow those present to ask questions of the feasibility consultant regarding the study
495 results; and

496 (iii) allow those present to speak to the issue of annexation.

497 (2) The commission shall [~~publish~~] provide notice of the public hearing described in
498 Subsection (1)(a) within the area proposed for annexation, the surrounding 1/2 mile of
499 unincorporated area, and the proposed annexing municipality:

500 (a) (i) at least two weeks before the day of the public hearing, by posting one notice,
501 and at least one additional notice per 2,000 population within the combined area, in places
502 within the combined area that are most likely to give notice of the public hearing to the
503 residents within, and the owners of real property located within, the combined area, subject to a
504 maximum of 10 notices; or

505 (ii) by mailing notice to each residence within, and to each owner of real property
506 located within, the combined area;

507 (b) by posting notice on the Utah Public Notice Website, created in Section
508 [63A-16-601](#), for two weeks before the day of the public hearing;

509 (c) by sending written notice of the public hearing to the municipal legislative body of
510 the proposed annexing municipality, the contact sponsor on the annexation petition, each entity
511 that filed a protest, and, if a protest was filed under Subsection [10-2-407\(1\)\(c\)](#), the contact
512 person;

513 (d) if the municipality has a website, by posting notice on the municipality's website for
514 two weeks before the day of the public hearing; and

515 (e) by posting notice on the county's website for two weeks before the day of the public
516 hearing.

517 (3) The notice described in Subsection (2) shall:

518 (a) be entitled, "notice of annexation hearing";

519 (b) state the name of the annexing municipality;

520 (c) describe the area proposed for annexation; and

521 (d) specify the following sources where an individual may obtain a copy of the
522 feasibility study conducted in relation to the proposed annexation:

523 (i) if the municipality has a website, the municipality's website;

524 (ii) a municipality's physical address; and

525 (iii) a mailing address and telephone number.

526 (4) Within 30 days after the time under Subsection 10-2-407(2) for filing a protest has
527 expired with respect to a proposed annexation of an area located in a specified county, the
528 boundary commission shall hold a hearing on all protests that were filed with respect to the
529 proposed annexation.

530 (5) At least 14 days before the date of a hearing described in Subsection (4), the
531 commission chair shall ~~publish~~ provide notice of the hearing:

532 (a) (i) by posting one notice, and at least one additional notice per 2,000 population
533 within the area proposed for annexation, in places within the area that are most likely to give
534 notice of the hearing to the residents within, and the owners of real property located within, the
535 area, subject to a maximum of 10 notices; or

536 (ii) by mailing notice to each resident within, and each owner of real property located
537 within, the area proposed for annexation;

538 (b) by posting notice on the Utah Public Notice Website, created in Section
539 63A-16-601, for 14 days before the day of the hearing;

540 (c) if the municipality has a website, by posting notice on the municipality's website for
541 two weeks before the day of the public hearing; and

542 (d) by posting notice on the county's website for two weeks before the day of the public
543 hearing.

544 (6) Each notice described in Subsection (5) shall:

545 (a) state the date, time, and place of the hearing;

546 (b) briefly summarize the nature of the protest; and

547 (c) state that a copy of the protest is on file at the commission's office.

548 (7) The commission may continue a hearing under Subsection (4) from time to time,
549 but no continued hearing may be held later than 60 days after the original hearing date.

550 (8) In considering protests, the commission shall consider whether the proposed
551 annexation:

552 (a) complies with the requirements of Sections 10-2-402 and 10-2-403 and the
553 annexation policy plan of the proposed annexing municipality;

554 (b) conflicts with the annexation policy plan of another municipality; and

555 (c) if the proposed annexation includes urban development, will have an adverse tax
556 consequence on the remaining unincorporated area of the county.

557 (9) (a) The commission shall record each hearing under this section by electronic
558 means.

559 (b) A transcription of the recording under Subsection (9)(a), the feasibility study, if
560 applicable, information received at the hearing, and the written decision of the commission
561 shall constitute the record of the hearing.

562 Section 7. Section **10-2-418 (Superseded 07/01/21)** is amended to read:

563 **10-2-418 (Superseded 07/01/21). Annexation of an island or peninsula without a**
564 **petition -- Notice -- Hearing.**

565 (1) As used in Subsection (2)(b)(ii), for purposes of an annexation conducted in
566 accordance with this section of an area located within a county of the first class,
567 "municipal-type services" does not include a service provided by a municipality pursuant to a
568 contract that the municipality has with another political subdivision as "political subdivision" is
569 defined in Section [17B-1-102](#).

570 (2) Notwithstanding Subsection [10-2-402\(2\)](#), a municipality may annex an
571 unincorporated area under this section without an annexation petition if:

572 (a) for an unincorporated area within the expansion area of more than one municipality,
573 each municipality agrees to the annexation; and

574 (b) (i) (A) the area to be annexed consists of one or more unincorporated islands within
575 or unincorporated peninsulas contiguous to the municipality;

576 (B) the majority of each island or peninsula consists of residential or commercial
577 development;

578 (C) the area proposed for annexation requires the delivery of municipal-type services;
579 and

580 (D) the municipality has provided most or all of the municipal-type services to the area
581 for more than one year;

582 (ii) (A) the area to be annexed consists of one or more unincorporated islands within or
583 unincorporated peninsulas contiguous to the municipality, each of which has fewer than 800
584 residents; and

585 (B) the municipality has provided one or more municipal-type services to the area for

586 at least one year;

587 (iii) the area consists of:

588 (A) an unincorporated island within or an unincorporated peninsula contiguous to the
589 municipality; and

590 (B) for an area outside of the county of the first class proposed for annexation, no more
591 than 50 acres; or

592 (iv) (A) the area to be annexed consists only of one or more unincorporated islands in a
593 county of the second class;

594 (B) the area to be annexed is located in the expansion area of a municipality; and

595 (C) the county legislative body in which the municipality is located provides notice to
596 each property owner within the area to be annexed that the county legislative body will hold a
597 public hearing, no less than 15 days after the day on which the county legislative body provides
598 the notice, and may make a recommendation of annexation to the municipality whose
599 expansion area includes the area to be annexed after the public hearing.

600 (3) Notwithstanding Subsection 10-2-402(1)(b)(iii), a municipality may annex a
601 portion of an unincorporated island or unincorporated peninsula under this section, leaving
602 unincorporated the remainder of the unincorporated island or unincorporated peninsula, if:

603 (a) in adopting the resolution under Subsection (5)(a) the municipal legislative body
604 determines that not annexing the entire unincorporated island or unincorporated peninsula is in
605 the municipality's best interest; and

606 (b) for an annexation of one or more unincorporated islands under Subsection (2)(b),
607 the entire island of unincorporated area, of which a portion is being annexed, complies with the
608 requirement of Subsection (2)(b)(ii) relating to the number of residents.

609 (4) (a) This ~~subsection~~ Subsection (4) applies only to an annexation within a county
610 of the first class.

611 (b) A county of the first class shall agree to an annexation if the majority of private
612 property owners within the area to be annexed give written consent to the annexation, in
613 accordance with Subsection (4)(d), to the recorder of the annexing municipality.

614 (c) For purposes of Subsection (4)(b), the majority of private property owners is
615 property owners who own:

616 (i) the majority of the total private land area within the area proposed for annexation;

617 and

618 (ii) private real property equal to at least 1/2 the value of private real property within
619 the area proposed for annexation.

620 (d) A property owner consenting to annexation shall indicate the property owner's
621 consent on a form which includes language in substantially the following form:

622 "Notice: If this written consent is used to proceed with an annexation of your property
623 in accordance with Utah Code Section 10-2-418, no public election is required by law to
624 approve the annexation. If you sign this consent and later decide you do not want to support
625 the annexation of your property, you may withdraw your signature by submitting a signed,
626 written withdrawal with the recorder or clerk of [name of annexing municipality]. If you
627 choose to withdraw your signature, you must do so no later than the close of the public hearing
628 on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(d).".

629 (e) A private property owner may withdraw the property owner's signature indicating
630 consent by submitting a signed, written withdrawal with the recorder or clerk no later than the
631 close of the public hearing held in accordance with Subsection (5)(b).

632 (5) The legislative body of each municipality intending to annex an area under this
633 section shall:

634 (a) adopt a resolution indicating the municipal legislative body's intent to annex the
635 area, describing the area proposed to be annexed; and

636 (b) hold a public hearing on the proposed annexation no earlier than 30 days after the
637 adoption of the resolution described in Subsection (5)(a).

638 (6) A legislative body described in Subsection (5) shall [~~publish~~] provide notice of a
639 public hearing described in Subsection (5)(b):

640 (a) (i) at least three weeks before the day of the public hearing, by posting one notice,
641 and at least one additional notice per 2,000 population in the municipality and the area
642 proposed for annexation, in places within the combined area that are most likely to give notice
643 to the residents within, and the owners of real property located within, the combined area,
644 subject to a maximum of 10 notices; or

645 (ii) at least three weeks before the day of the public hearing, by mailing notice to each
646 residence within, and each owner of real property located within, the combined area described
647 in Subsection (6)(a)(i);

648 (b) by posting a notice on the Utah Public Notice Website, created in Section
649 63A-12-201, for three weeks before the day of the public hearing;

650 (c) by sending written notice to:

651 (i) the board of each local district and special service district whose boundaries contain
652 some or all of the area proposed for annexation; and

653 (ii) the legislative body of the county in which the area proposed for annexation is
654 located; and

655 (d) if the municipality has a website, by posting notice on the municipality's website for
656 three weeks before the day of the public hearing.

657 (7) The legislative body of the annexing municipality shall ensure that:

658 (a) each notice described in Subsection (6):

659 (i) states that the municipal legislative body has adopted a resolution indicating the
660 municipality's intent to annex the area proposed for annexation;

661 (ii) states the date, time, and place of the public hearing described in Subsection (5)(b);

662 (iii) describes the area proposed for annexation; and

663 (iv) except for an annexation that meets the requirements of Subsection (8)(b) or (c),
664 states in conspicuous and plain terms that the municipal legislative body will annex the area
665 unless, at or before the public hearing described in Subsection (5)(b), written protests to the
666 annexation are filed by the owners of private real property that:

667 (A) is located within the area proposed for annexation;

668 (B) covers a majority of the total private land area within the entire area proposed for
669 annexation; and

670 (C) is equal in value to at least 1/2 the value of all private real property within the
671 entire area proposed for annexation; and

672 (b) the first publication of the notice described in Subsection (6)(a) occurs within 14
673 days after the day on which the municipal legislative body adopts a resolution under Subsection
674 (5)(a).

675 (8) (a) Except as provided in Subsections (8)(b)(i) and (8)(c)(i), upon conclusion of the
676 public hearing described in Subsection (5)(b), the municipal legislative body may adopt an
677 ordinance approving the annexation of the area proposed for annexation under this section
678 unless, at or before the hearing, written protests to the annexation have been filed with the

679 recorder or clerk of the municipality by the owners of private real property that:

680 (i) is located within the area proposed for annexation;

681 (ii) covers a majority of the total private land area within the entire area proposed for
682 annexation; and

683 (iii) is equal in value to at least 1/2 the value of all private real property within the
684 entire area proposed for annexation.

685 (b) (i) Notwithstanding Subsection (8)(a), upon conclusion of the public hearing
686 described in Subsection (5)(b), a municipality may adopt an ordinance approving the
687 annexation of the area proposed for annexation under this section without allowing or
688 considering protests under Subsection (8)(a) if the owners of at least 75% of the total private
689 land area within the entire area proposed for annexation, representing at least 75% of the value
690 of the private real property within the entire area proposed for annexation, have consented in
691 writing to the annexation.

692 (ii) Upon the effective date under Section 10-2-425 of an annexation approved by an
693 ordinance adopted under Subsection (8)(b)(i), the area annexed is conclusively presumed to be
694 validly annexed.

695 (c) (i) Notwithstanding Subsection (8)(a), upon conclusion of the public hearing
696 described in Subsection (5)(b), a municipality may adopt an ordinance approving the
697 annexation of an area that the county legislative body proposes for annexation under this
698 section without allowing or considering protests under Subsection (8)(a) if the county
699 legislative body has formally recommended annexation to the annexing municipality and has
700 made a formal finding that:

701 (A) the area to be annexed can be more efficiently served by the municipality than by
702 the county;

703 (B) the area to be annexed is not likely to be naturally annexed by the municipality in
704 the future as the result of urban development;

705 (C) annexation of the area is likely to facilitate the consolidation of overlapping
706 functions of local government; and

707 (D) annexation of the area is likely to result in an equitable distribution of community
708 resources and obligations.

709 (ii) The county legislative body may base the finding required in Subsection

710 (8)(c)(i)(B) on:

711 (A) existing development in the area;

712 (B) natural or other conditions that may limit the future development of the area; or

713 (C) other factors that the county legislative body considers relevant.

714 (iii) A county legislative body may make the recommendation for annexation required
715 in Subsection (8)(c)(i) for only a portion of an unincorporated island if, as a result of
716 information provided at the public hearing, the county legislative body makes a formal finding
717 that it would be equitable to leave a portion of the island unincorporated.

718 (iv) If a county legislative body has made a recommendation of annexation under
719 Subsection (8)(c)(i):

720 (A) the relevant municipality is not required to proceed with the recommended
721 annexation; and

722 (B) if the relevant municipality proceeds with annexation, the municipality shall annex
723 the entire area that the county legislative body recommended for annexation.

724 (v) Upon the effective date under Section 10-2-425 of an annexation approved by an
725 ordinance adopted under Subsection (8)(c)(i), the area annexed is conclusively presumed to be
726 validly annexed.

727 (9) (a) Except as provided in Subsections (8)(b)(i) and (8)(c)(i), if protests are timely
728 filed under Subsection (8)(a), the municipal legislative body may not adopt an ordinance
729 approving the annexation of the area proposed for annexation, and the annexation proceedings
730 under this section shall be considered terminated.

731 (b) Subsection (9)(a) does not prohibit the municipal legislative body from excluding
732 from a proposed annexation under Subsection (2)(b) the property within an unincorporated
733 island regarding which protests have been filed and proceeding under Subsection (3) to annex
734 some or all of the remaining portion of the unincorporated island.

735 Section 8. Section 10-2-418 (Effective 07/01/21) is amended to read:

736 **10-2-418 (Effective 07/01/21). Annexation of an island or peninsula without a**
737 **petition -- Notice -- Hearing.**

738 (1) As used in Subsection (2)(b)(ii), for purposes of an annexation conducted in
739 accordance with this section of an area located within a county of the first class,
740 "municipal-type services" does not include a service provided by a municipality pursuant to a

741 contract that the municipality has with another political subdivision as "political subdivision" is
742 defined in Section 17B-1-102.

743 (2) Notwithstanding Subsection 10-2-402(2), a municipality may annex an
744 unincorporated area under this section without an annexation petition if:

745 (a) for an unincorporated area within the expansion area of more than one municipality,
746 each municipality agrees to the annexation; and

747 (b) (i) (A) the area to be annexed consists of one or more unincorporated islands within
748 or unincorporated peninsulas contiguous to the municipality;

749 (B) the majority of each island or peninsula consists of residential or commercial
750 development;

751 (C) the area proposed for annexation requires the delivery of municipal-type services;
752 and

753 (D) the municipality has provided most or all of the municipal-type services to the area
754 for more than one year;

755 (ii) (A) the area to be annexed consists of one or more unincorporated islands within or
756 unincorporated peninsulas contiguous to the municipality, each of which has fewer than 800
757 residents; and

758 (B) the municipality has provided one or more municipal-type services to the area for
759 at least one year;

760 (iii) the area consists of:

761 (A) an unincorporated island within or an unincorporated peninsula contiguous to the
762 municipality; and

763 (B) for an area outside of the county of the first class proposed for annexation, no more
764 than 50 acres; or

765 (iv) (A) the area to be annexed consists only of one or more unincorporated islands in a
766 county of the second class;

767 (B) the area to be annexed is located in the expansion area of a municipality; and

768 (C) the county legislative body in which the municipality is located provides notice to
769 each property owner within the area to be annexed that the county legislative body will hold a
770 public hearing, no less than 15 days after the day on which the county legislative body provides
771 the notice, and may make a recommendation of annexation to the municipality whose

772 expansion area includes the area to be annexed after the public hearing.

773 (3) Notwithstanding Subsection 10-2-402(1)(b)(iii), a municipality may annex a
774 portion of an unincorporated island or unincorporated peninsula under this section, leaving
775 unincorporated the remainder of the unincorporated island or unincorporated peninsula, if:

776 (a) in adopting the resolution under Subsection (5)(a) the municipal legislative body
777 determines that not annexing the entire unincorporated island or unincorporated peninsula is in
778 the municipality's best interest; and

779 (b) for an annexation of one or more unincorporated islands under Subsection (2)(b),
780 the entire island of unincorporated area, of which a portion is being annexed, complies with the
781 requirement of Subsection (2)(b)(ii) relating to the number of residents.

782 (4) (a) This ~~subsection~~ Subsection (4) applies only to an annexation within a county
783 of the first class.

784 (b) A county of the first class shall agree to an annexation if the majority of private
785 property owners within the area to be annexed give written consent to the annexation, in
786 accordance with Subsection (4)(d), to the recorder of the annexing municipality.

787 (c) For purposes of Subsection (4)(b), the majority of private property owners is
788 property owners who own:

789 (i) the majority of the total private land area within the area proposed for annexation;
790 and

791 (ii) private real property equal to at least 1/2 the value of private real property within
792 the area proposed for annexation.

793 (d) A property owner consenting to annexation shall indicate the property owner's
794 consent on a form which includes language in substantially the following form:

795 "Notice: If this written consent is used to proceed with an annexation of your property
796 in accordance with Utah Code Section 10-2-418, no public election is required by law to
797 approve the annexation. If you sign this consent and later decide you do not want to support
798 the annexation of your property, you may withdraw your signature by submitting a signed,
799 written withdrawal with the recorder or clerk of [name of annexing municipality]. If you
800 choose to withdraw your signature, you must do so no later than the close of the public hearing
801 on the annexation conducted in accordance with Utah Code Subsection 10-2-418(4)(d)."

802 (e) A private property owner may withdraw the property owner's signature indicating

803 consent by submitting a signed, written withdrawal with the recorder or clerk no later than the
804 close of the public hearing held in accordance with Subsection (5)(b).

805 (5) The legislative body of each municipality intending to annex an area under this
806 section shall:

807 (a) adopt a resolution indicating the municipal legislative body's intent to annex the
808 area, describing the area proposed to be annexed; and

809 (b) hold a public hearing on the proposed annexation no earlier than 30 days after the
810 adoption of the resolution described in Subsection (5)(a).

811 (6) A legislative body described in Subsection (5) shall [~~publish~~] provide notice of a
812 public hearing described in Subsection (5)(b):

813 (a) (i) at least three weeks before the day of the public hearing, by posting one notice,
814 and at least one additional notice per 2,000 population in the municipality and the area
815 proposed for annexation, in places within the combined area that are most likely to give notice
816 to the residents within, and the owners of real property located within, the combined area,
817 subject to a maximum of 10 notices; or

818 (ii) at least three weeks before the day of the public hearing, by mailing notice to each
819 residence within, and each owner of real property located within, the combined area described
820 in Subsection (6)(a)(i);

821 (b) by posting notice on the Utah Public Notice Website, created in Section
822 [63A-16-601](#), for three weeks before the day of the public hearing;

823 (c) by sending written notice to:

824 (i) the board of each local district and special service district whose boundaries contain
825 some or all of the area proposed for annexation; and

826 (ii) the legislative body of the county in which the area proposed for annexation is
827 located; and

828 (d) if the municipality has a website, by posting notice on the municipality's website for
829 three weeks before the day of the public hearing.

830 (7) The legislative body of the annexing municipality shall ensure that:

831 (a) each notice described in Subsection (6):

832 (i) states that the municipal legislative body has adopted a resolution indicating the
833 municipality's intent to annex the area proposed for annexation;

834 (ii) states the date, time, and place of the public hearing described in Subsection (5)(b);

835 (iii) describes the area proposed for annexation; and

836 (iv) except for an annexation that meets the requirements of Subsection (8)(b) or (c),

837 states in conspicuous and plain terms that the municipal legislative body will annex the area

838 unless, at or before the public hearing described in Subsection (5)(b), written protests to the

839 annexation are filed by the owners of private real property that:

840 (A) is located within the area proposed for annexation;

841 (B) covers a majority of the total private land area within the entire area proposed for

842 annexation; and

843 (C) is equal in value to at least 1/2 the value of all private real property within the

844 entire area proposed for annexation; and

845 (b) the first publication of the notice described in Subsection (6)(a) occurs within 14

846 days after the day on which the municipal legislative body adopts a resolution under Subsection

847 (5)(a).

848 (8) (a) Except as provided in Subsections (8)(b)(i) and (8)(c)(i), upon conclusion of the

849 public hearing described in Subsection (5)(b), the municipal legislative body may adopt an

850 ordinance approving the annexation of the area proposed for annexation under this section

851 unless, at or before the hearing, written protests to the annexation have been filed with the

852 recorder or clerk of the municipality by the owners of private real property that:

853 (i) is located within the area proposed for annexation;

854 (ii) covers a majority of the total private land area within the entire area proposed for

855 annexation; and

856 (iii) is equal in value to at least 1/2 the value of all private real property within the

857 entire area proposed for annexation.

858 (b) (i) Notwithstanding Subsection (8)(a), upon conclusion of the public hearing

859 described in Subsection (5)(b), a municipality may adopt an ordinance approving the

860 annexation of the area proposed for annexation under this section without allowing or

861 considering protests under Subsection (8)(a) if the owners of at least 75% of the total private

862 land area within the entire area proposed for annexation, representing at least 75% of the value

863 of the private real property within the entire area proposed for annexation, have consented in

864 writing to the annexation.

865 (ii) Upon the effective date under Section 10-2-425 of an annexation approved by an
866 ordinance adopted under Subsection (8)(b)(i), the area annexed is conclusively presumed to be
867 validly annexed.

868 (c) (i) Notwithstanding Subsection (8)(a), upon conclusion of the public hearing
869 described in Subsection (5)(b), a municipality may adopt an ordinance approving the
870 annexation of an area that the county legislative body proposes for annexation under this
871 section without allowing or considering protests under Subsection (8)(a) if the county
872 legislative body has formally recommended annexation to the annexing municipality and has
873 made a formal finding that:

874 (A) the area to be annexed can be more efficiently served by the municipality than by
875 the county;

876 (B) the area to be annexed is not likely to be naturally annexed by the municipality in
877 the future as the result of urban development;

878 (C) annexation of the area is likely to facilitate the consolidation of overlapping
879 functions of local government; and

880 (D) annexation of the area is likely to result in an equitable distribution of community
881 resources and obligations.

882 (ii) The county legislative body may base the finding required in Subsection
883 (8)(c)(i)(B) on:

884 (A) existing development in the area;

885 (B) natural or other conditions that may limit the future development of the area; or

886 (C) other factors that the county legislative body considers relevant.

887 (iii) A county legislative body may make the recommendation for annexation required
888 in Subsection (8)(c)(i) for only a portion of an unincorporated island if, as a result of
889 information provided at the public hearing, the county legislative body makes a formal finding
890 that it would be equitable to leave a portion of the island unincorporated.

891 (iv) If a county legislative body has made a recommendation of annexation under
892 Subsection (8)(c)(i):

893 (A) the relevant municipality is not required to proceed with the recommended
894 annexation; and

895 (B) if the relevant municipality proceeds with annexation, the municipality shall annex

896 the entire area that the county legislative body recommended for annexation.

897 (v) Upon the effective date under Section 10-2-425 of an annexation approved by an
898 ordinance adopted under Subsection (8)(c)(i), the area annexed is conclusively presumed to be
899 validly annexed.

900 (9) (a) Except as provided in Subsections (8)(b)(i) and (8)(c)(i), if protests are timely
901 filed under Subsection (8)(a), the municipal legislative body may not adopt an ordinance
902 approving the annexation of the area proposed for annexation, and the annexation proceedings
903 under this section shall be considered terminated.

904 (b) Subsection (9)(a) does not prohibit the municipal legislative body from excluding
905 from a proposed annexation under Subsection (2)(b) the property within an unincorporated
906 island regarding which protests have been filed and proceeding under Subsection (3) to annex
907 some or all of the remaining portion of the unincorporated island.

908 Section 9. Section 10-2-419 (Superseded 07/01/21) is amended to read:

909 **10-2-419 (Superseded 07/01/21). Boundary adjustment -- Notice and hearing --**
910 **Protest.**

911 (1) The legislative bodies of two or more municipalities having common boundaries
912 may adjust their common boundaries as provided in this section.

913 (2) The legislative body of each municipality intending to adjust a boundary that is
914 common with another municipality shall:

915 (a) adopt a resolution indicating the intent of the municipal legislative body to adjust a
916 common boundary; and

917 (b) hold a public hearing on the proposed adjustment no less than 60 days after the
918 adoption of the resolution under Subsection (2)(a).

919 (3) A legislative body described in Subsection (2) shall ~~publish~~ provide notice of a
920 public hearing described in Subsection (2)(b):

921 (a) (i) at least three weeks before the day of the public hearing, by posting one notice,
922 and at least one additional notice per 2,000 population of the municipality, in places within the
923 municipality that are most likely to give notice to residents of the municipality, subject to a
924 maximum of 10 notices; or

925 (ii) at least three weeks before the day of the public hearing, by mailing notice to each
926 residence in the municipality;

- 927 (b) by posting notice on the Utah Public Notice Website, created in Section
928 [63A-12-201](#), for three weeks before the day of the public hearing;
- 929 (c) if the proposed boundary adjustment may cause any part of real property owned by
930 the state to be within the geographic boundary of a different local governmental entity than
931 before the adjustment, by providing written notice, at least 50 days before the day of the public
932 hearing, to:
- 933 (i) the title holder of any state-owned real property described in this Subsection (3)(d);
934 and
- 935 (ii) the Utah State Developmental Center Board, created under Section [[62A-5-202.2](#)]
936 [62A-5-202.5](#), if any state-owned real property described in this Subsection (3)(d) is associated
937 with the Utah State Developmental Center; and
- 938 (d) if the municipality has a website, by posting notice on the municipality's website for
939 three weeks before the day of the public hearing.
- 940 (4) The notice described in Subsection (3) shall:
- 941 (a) state that the municipal legislative body has adopted a resolution indicating the
942 municipal legislative body's intent to adjust a boundary that the municipality has in common
943 with another municipality;
- 944 (b) describe the area proposed to be adjusted;
- 945 (c) state the date, time, and place of the public hearing described in Subsection (2)(b);
- 946 (d) state in conspicuous and plain terms that the municipal legislative body will adjust
947 the boundaries unless, at or before the public hearing described in Subsection (2)(b), a written
948 protest to the adjustment is filed by:
- 949 (i) an owner of private real property that:
- 950 (A) is located within the area proposed for adjustment;
- 951 (B) covers at least 25% of the total private land area within the area proposed for
952 adjustment; and
- 953 (C) is equal in value to at least 15% of the value of all private real property within the
954 area proposed for adjustment; or
- 955 (ii) a title holder of state-owned real property described in Subsection (3)(d);
- 956 (e) state that the area that is the subject of the boundary adjustment will, because of the
957 boundary adjustment, be automatically annexed to a local district providing fire protection,

958 paramedic, and emergency services or a local district providing law enforcement service, as the
959 case may be, as provided in Section 17B-1-416, if:

960 (i) the municipality to which the area is being added because of the boundary
961 adjustment is entirely within the boundaries of a local district:

962 (A) that provides fire protection, paramedic, and emergency services or law
963 enforcement service, respectively; and

964 (B) in the creation of which an election was not required because of Subsection
965 17B-1-214(3)(c); and

966 (ii) the municipality from which the area is being taken because of the boundary
967 adjustment is not within the boundaries of the local district; and

968 (f) state that the area proposed for annexation to the municipality will be automatically
969 withdrawn from a local district providing fire protection, paramedic, and emergency services,
970 as provided in Subsection 17B-1-502(2), if:

971 (i) the municipality to which the area is being added because of the boundary
972 adjustment is not within the boundaries of a local district:

973 (A) that provides fire protection, paramedic, and emergency services; and

974 (B) in the creation of which an election was not required because of Subsection
975 17B-1-214(3)(c); and

976 (ii) the municipality from which the area is being taken because of the boundary
977 adjustment is entirely within the boundaries of the local district.

978 (5) Upon conclusion of the public hearing described in Subsection (2)(b), the
979 municipal legislative body may adopt an ordinance approving the adjustment of the common
980 boundary unless, at or before the hearing described in Subsection (2)(b), a written protest to the
981 adjustment is filed with the city recorder or town clerk by a person described in Subsection
982 (3)(d)(i) or (ii).

983 (6) The municipal legislative body shall comply with the requirements of Section
984 10-2-425 as if the boundary adjustment were an annexation.

985 (7) (a) An ordinance adopted under Subsection (5) becomes effective when each
986 municipality involved in the boundary adjustment has adopted an ordinance under Subsection
987 (5).

988 (b) The effective date of a boundary adjustment under this section is governed by

989 Section [10-2-425](#).

990 Section 10. Section **10-2-419 (Effective 07/01/21)** is amended to read:

991 **10-2-419 (Effective 07/01/21). Boundary adjustment -- Notice and hearing --**

992 **Protest.**

993 (1) The legislative bodies of two or more municipalities having common boundaries
994 may adjust their common boundaries as provided in this section.

995 (2) The legislative body of each municipality intending to adjust a boundary that is
996 common with another municipality shall:

997 (a) adopt a resolution indicating the intent of the municipal legislative body to adjust a
998 common boundary; and

999 (b) hold a public hearing on the proposed adjustment no less than 60 days after the
1000 adoption of the resolution under Subsection (2)(a).

1001 (3) A legislative body described in Subsection (2) shall [~~publish~~] provide notice of a
1002 public hearing described in Subsection (2)(b):

1003 (a) (i) at least three weeks before the day of the public hearing, by posting one notice,
1004 and at least one additional notice per 2,000 population of the municipality, in places within the
1005 municipality that are most likely to give notice to residents of the municipality, subject to a
1006 maximum of 10 notices; or

1007 (ii) at least three weeks before the day of the public hearing, by mailing notice to each
1008 residence in the municipality;

1009 (b) by posting notice on the Utah Public Notice Website, created in Section
1010 [63A-16-601](#), for three weeks before the day of the public hearing;

1011 (c) if the proposed boundary adjustment may cause any part of real property owned by
1012 the state to be within the geographic boundary of a different local governmental entity than
1013 before the adjustment, by providing written notice, at least 50 days before the day of the public
1014 hearing, to:

1015 (i) the title holder of any state-owned real property described in this Subsection (3)(d);
1016 and

1017 (ii) the Utah State Developmental Center Board, created under Section [~~62A-5-202.2~~]
1018 [62A-5-202.5](#), if any state-owned real property described in this Subsection (3)(d) is associated
1019 with the Utah State Developmental Center; and

1020 (d) if the municipality has a website, by posting notice on the municipality's website for
1021 three weeks before the day of the public hearing.

1022 (4) The notice described in Subsection (3) shall:

1023 (a) state that the municipal legislative body has adopted a resolution indicating the
1024 municipal legislative body's intent to adjust a boundary that the municipality has in common
1025 with another municipality;

1026 (b) describe the area proposed to be adjusted;

1027 (c) state the date, time, and place of the public hearing described in Subsection (2)(b);

1028 (d) state in conspicuous and plain terms that the municipal legislative body will adjust
1029 the boundaries unless, at or before the public hearing described in Subsection (2)(b), a written
1030 protest to the adjustment is filed by:

1031 (i) an owner of private real property that:

1032 (A) is located within the area proposed for adjustment;

1033 (B) covers at least 25% of the total private land area within the area proposed for
1034 adjustment; and

1035 (C) is equal in value to at least 15% of the value of all private real property within the
1036 area proposed for adjustment; or

1037 (ii) a title holder of state-owned real property described in Subsection (3)(d);

1038 (e) state that the area that is the subject of the boundary adjustment will, because of the
1039 boundary adjustment, be automatically annexed to a local district providing fire protection,
1040 paramedic, and emergency services or a local district providing law enforcement service, as the
1041 case may be, as provided in Section [17B-1-416](#), if:

1042 (i) the municipality to which the area is being added because of the boundary
1043 adjustment is entirely within the boundaries of a local district:

1044 (A) that provides fire protection, paramedic, and emergency services or law
1045 enforcement service, respectively; and

1046 (B) in the creation of which an election was not required because of Subsection
1047 [17B-1-214\(3\)\(c\)](#); and

1048 (ii) the municipality from which the area is being taken because of the boundary
1049 adjustment is not within the boundaries of the local district; and

1050 (f) state that the area proposed for annexation to the municipality will be automatically

1051 withdrawn from a local district providing fire protection, paramedic, and emergency services,
1052 as provided in Subsection 17B-1-502(2), if:

1053 (i) the municipality to which the area is being added because of the boundary
1054 adjustment is not within the boundaries of a local district:

1055 (A) that provides fire protection, paramedic, and emergency services; and

1056 (B) in the creation of which an election was not required because of Subsection
1057 17B-1-214(3)(c); and

1058 (ii) the municipality from which the area is being taken because of the boundary
1059 adjustment is entirely within the boundaries of the local district.

1060 (5) Upon conclusion of the public hearing described in Subsection (2)(b), the
1061 municipal legislative body may adopt an ordinance approving the adjustment of the common
1062 boundary unless, at or before the hearing described in Subsection (2)(b), a written protest to the
1063 adjustment is filed with the city recorder or town clerk by a person described in Subsection
1064 (3)(d)(i) or (ii).

1065 (6) The municipal legislative body shall comply with the requirements of Section
1066 10-2-425 as if the boundary adjustment were an annexation.

1067 (7) (a) An ordinance adopted under Subsection (5) becomes effective when each
1068 municipality involved in the boundary adjustment has adopted an ordinance under Subsection
1069 (5).

1070 (b) The effective date of a boundary adjustment under this section is governed by
1071 Section 10-2-425.

1072 Section 11. Section 10-2-502.5 (Superseded 07/01/21) is amended to read:

1073 **10-2-502.5 (Superseded 07/01/21). Hearing on request for disconnection --**
1074 **Determination by municipal legislative body -- Petition in district court.**

1075 (1) No sooner than three weeks after notice is provided under Subsection 10-2-501(3),
1076 the legislative body of the municipality in which the area proposed for disconnection is located
1077 shall hold a public hearing.

1078 (2) The municipal legislative body shall provide notice of the public hearing:

1079 (a) at least seven days before the hearing date, in writing to the petitioner and to the
1080 legislative body of the county in which the area proposed for disconnection is located;

1081 (b) (i) at least seven days before the hearing date, by posting one notice, and at least

- 1082 one additional notice per 2,000 population of the municipality, in places within the
1083 municipality that are most likely to give notice to residents within, and the owners of real
1084 property located within, the municipality, subject to a maximum of 10 notices; or
- 1085 (ii) at least 10 days before the hearing date, by mailing notice to each residence within,
1086 and each owner of real property located within, the municipality;
- 1087 (c) by posting notice on the Utah Public Notice Website, created in Section
1088 [63A-12-201](#), for seven days before the hearing date; and
- 1089 (d) if the municipality has a website, by posting notice on the municipality's website for
1090 seven days before the hearing date.
- 1091 (3) In the public hearing, any person may speak and submit documents regarding the
1092 disconnection proposal.
- 1093 (4) Within 45 calendar days of the hearing, the municipal legislative body shall:
- 1094 (a) determine whether to grant the request for disconnection; and
- 1095 (b) if the municipality determines to grant the request, adopt an ordinance approving
1096 disconnection of the area from the municipality.
- 1097 (5) (a) A petition against the municipality challenging the municipal legislative body's
1098 determination under Subsection (4) may be filed in district court by:
- 1099 (i) the petitioner; or
- 1100 (ii) the county in which the area proposed for disconnection is located.
- 1101 (b) Each petition under Subsection (5)(a) shall include a copy of the request for
1102 disconnection.
- 1103 Section 12. Section **10-2-502.5 (Effective 07/01/21)** is amended to read:
- 1104 **10-2-502.5 (Effective 07/01/21). Hearing on request for disconnection --**
- 1105 **Determination by municipal legislative body -- Petition in district court.**
- 1106 (1) No sooner than three weeks after notice is provided under Subsection [10-2-501](#)(3),
1107 the legislative body of the municipality in which the area proposed for disconnection is located
1108 shall hold a public hearing.
- 1109 (2) The municipal legislative body shall provide notice of the public hearing:
- 1110 (a) at least seven days before the hearing date, in writing to the petitioner and to the
1111 legislative body of the county in which the area proposed for disconnection is located;
- 1112 (b) (i) at least seven days before the hearing date, by posting one notice, and at least

- 1113 one additional notice per 2,000 population of the municipality, in places within the
 1114 municipality that are most likely to give notice to residents within, and the owners of real
 1115 property located within, the municipality, subject to a maximum of 10 notices; or
 1116 (ii) at least 10 days before the hearing date, by mailing notice to each residence within,
 1117 and each owner of real property located within, the municipality;
- 1118 (c) by posting notice on the Utah Public Notice Website, created in Section
 1119 [63A-16-601](#), for seven days before the hearing date; and
 1120 (d) if the municipality has a website, by posting notice on the municipality's website for
 1121 seven days before the hearing date.
- 1122 (3) In the public hearing, any person may speak and submit documents regarding the
 1123 disconnection proposal.
- 1124 (4) Within 45 calendar days of the hearing, the municipal legislative body shall:
 1125 (a) determine whether to grant the request for disconnection; and
 1126 (b) if the municipality determines to grant the request, adopt an ordinance approving
 1127 disconnection of the area from the municipality.
- 1128 (5) (a) A petition against the municipality challenging the municipal legislative body's
 1129 determination under Subsection (4) may be filed in district court by:
 1130 (i) the petitioner; or
 1131 (ii) the county in which the area proposed for disconnection is located.
 1132 (b) Each petition under Subsection (5)(a) shall include a copy of the request for
 1133 disconnection.
- 1134 Section 13. Section **10-2-703 (Superseded 07/01/21)** is amended to read:
 1135 **10-2-703 (Superseded 07/01/21). Publication of notice of election.**
 1136 (1) Immediately after setting the date for the election, the court shall order for
 1137 [~~publication~~] notice to be provided of the:
 1138 (a) petition; and
 1139 (b) date the election is to be held to determine the question of dissolution.
 1140 (2) The notice described in Subsection (1) shall be [~~published~~] provided:
 1141 (a) (i) at least four weeks before the day of the election, by posting one notice, and at
 1142 least one additional notice per 2,000 population of the municipality, in places within the
 1143 municipality that are most likely to give notice to the voters in the municipality, subject to a

1144 maximum of 10 notices; or

1145 (ii) at least one month before the day of the election, by mailing notice to each
1146 registered voter in the municipality;

1147 (b) by posting notice on the Utah Public Notice Website, created in Section
1148 63A-12-201, for four weeks before the day of the election; and

1149 (c) if the municipality has a website, by posting notice on the municipality's website for
1150 four weeks before the day of the election.

1151 Section 14. Section 10-2-703 (Effective 07/01/21) is amended to read:

1152 **10-2-703 (Effective 07/01/21). Publication of notice of election.**

1153 (1) Immediately after setting the date for the election, the court shall order for
1154 [~~publication~~] notice to be provided of the:

1155 (a) petition; and

1156 (b) date the election is to be held to determine the question of dissolution.

1157 (2) The notice described in Subsection (1) shall be [~~published~~] provided:

1158 (a) (i) at least four weeks before the day of the election, by posting one notice, and at
1159 least one additional notice per 2,000 population of the municipality, in places within the
1160 municipality that are most likely to give notice to the voters in the municipality, subject to a
1161 maximum of 10 notices; or

1162 (ii) at least one month before the day of the election, by mailing notice to each
1163 registered voter in the municipality;

1164 (b) by posting notice on the Utah Public Notice Website, created in Section
1165 63A-16-601, for four weeks before the day of the election; and

1166 (c) if the municipality has a website, by posting notice on the municipality's website for
1167 four weeks before the day of the election.

1168 Section 15. Section 10-2-708 (Superseded 07/01/21) is amended to read:

1169 **10-2-708 (Superseded 07/01/21). Notice of disincorporation -- Publication and**
1170 **filing.**

1171 When a municipality has been dissolved, the clerk of the court shall [~~publish~~] provide
1172 notice of the dissolution:

1173 (1) (a) by posting one notice, and at least one additional notice per 2,000 population of
1174 the county in places within the county that are most likely to give notice to the residents within,

1175 and the owners of real property located within, the county, including the residents and owners
1176 within the municipality that is dissolved, subject to a maximum of 10 notices; or

1177 (b) by mailing notice to each residence within, and each owner of real property located
1178 within, the county;

1179 (2) by posting notice on the Utah Public Notice Website, created in Section
1180 [63A-12-201](#), for four weeks;

1181 (3) if the municipality has a website, by posting notice on the municipality's website for
1182 four weeks; and

1183 (4) by posting notice on the county's website for four weeks.

1184 Section 16. Section **10-2-708 (Effective 07/01/21)** is amended to read:

1185 **10-2-708 (Effective 07/01/21). Notice of disincorporation -- Publication and filing.**

1186 When a municipality has been dissolved, the clerk of the court shall [~~publish~~] provide
1187 notice of the dissolution:

1188 (1) (a) by posting one notice, and at least one additional notice per 2,000 population of
1189 the county in places within the county that are most likely to give notice to the residents within,
1190 and the owners of real property located within, the county, including the residents and owners
1191 within the municipality that is dissolved, subject to a maximum of 10 notices; or

1192 (b) by mailing notice to each residence within, and each owner of real property located
1193 within, the county;

1194 (2) by posting notice on the Utah Public Notice Website, created in Section
1195 [63A-16-601](#), for four weeks;

1196 (3) if the municipality has a website, by posting notice on the municipality's website for
1197 four weeks; and

1198 (4) by posting notice on the county's website for four weeks.

1199 Section 17. Section **10-2a-210 (Superseded 07/01/21)** is amended to read:

1200 **10-2a-210 (Superseded 07/01/21). Incorporation election -- Notice of election --**
1201 **Voter information pamphlet.**

1202 (1) (a) If the lieutenant governor certifies a petition under Subsection [10-2a-209\(1\)\(b\)](#),
1203 the lieutenant governor shall schedule an incorporation election for the proposed municipality
1204 described in the petition to be held on the date of the next regular general election described in
1205 Section [20A-1-201](#), or the next municipal general election described in Section [20A-1-202](#), that

1206 is at least 65 days after the day on which the lieutenant governor certifies the petition.

1207 (b) (i) The lieutenant governor shall direct the county legislative body of the county in
1208 which the proposed municipality is located to hold the election on the date that the lieutenant
1209 governor schedules under Subsection (1)(a).

1210 (ii) The county shall hold the election as directed by the lieutenant governor under
1211 Subsection (1)(b)(i).

1212 (2) The county clerk shall [~~publish~~] provide notice of the election:

1213 (a) (i) by publishing notice in a newspaper of general circulation within the area
1214 proposed to be incorporated at least once a week for three successive weeks before the election;

1215 [~~(a)(i)~~] (ii) at least three weeks before the day of the election, by posting one notice,
1216 and at least one additional notice per 2,000 population of the area proposed to be incorporated,
1217 in places within the area proposed to be incorporated that are most likely to give notice to the
1218 voters within the area proposed to be incorporated, subject to a maximum of 10 notices; or

1219 [~~(ii)~~] (iii) at least three weeks before the day of the election, by mailing notice to each
1220 registered voter in the area proposed to be incorporated;

1221 (b) by posting notice on the Utah Public Notice Website, created in Section
1222 63A-12-201, for three weeks before the day of the election;

1223 (c) if the proposed municipality has a website, by posting notice on the proposed
1224 municipality's website for three weeks before the day of the election; and

1225 (d) by posting notice on the county's website for three weeks before the day of the
1226 election.

1227 (3) (a) The notice required by Subsection (2) shall contain:

1228 (i) a statement of the contents of the petition;

1229 (ii) a description of the area proposed to be incorporated as a municipality;

1230 (iii) a statement of the date and time of the election and the location of polling places;

1231 and

1232 (iv) except as provided in Subsection (3)(b), the feasibility study summary described in
1233 Subsection 10-2a-205(3)(c) and a statement that a full copy of the study is available on the
1234 lieutenant governor's website and for inspection at the Office of the Lieutenant Governor.

1235 (b) Instead of [~~publishing~~] including the feasibility summary under Subsection
1236 (3)(a)(iv), the notice may include a statement that specifies the following sources where a

1237 registered voter in the area proposed to be incorporated may view or obtain a copy of the
1238 feasibility study:

1239 (i) the lieutenant governor's website;

1240 (ii) the physical address of the Office of the Lieutenant Governor; and

1241 (iii) a mailing address and telephone number.

1242 (4) (a) In addition to the notice required under Subsection (2), the county clerk shall
1243 publish and distribute, before the incorporation election is held, a voter information pamphlet:

1244 (i) in accordance with the procedures and requirements of Section 20A-7-402;

1245 (ii) in consultation with the lieutenant governor; and

1246 (iii) in a manner that the county clerk determines is adequate, subject to Subsections

1247 (4)(a)(i) and (ii).

1248 (b) The voter information pamphlet described in Subsection (4)(a):

1249 (i) shall inform the public of the proposed incorporation; and

1250 (ii) may include written statements, printed in the same font style and point size, from
1251 proponents and opponents of the proposed incorporation.

1252 (5) An individual may not vote in an incorporation election under this section unless
1253 the individual is a registered voter who resides, as defined in Section 20A-1-102, within the
1254 boundaries of the proposed municipality.

1255 (6) If a majority of those who vote in an incorporation election held under this section
1256 cast votes in favor of incorporation, the area shall incorporate.

1257 Section 18. Section 10-2a-210 (Effective 07/01/21) is amended to read:

1258 **10-2a-210 (Effective 07/01/21). Incorporation election -- Notice of election --**

1259 **Voter information pamphlet.**

1260 (1) (a) If the lieutenant governor certifies a petition under Subsection 10-2a-209(1)(b),
1261 the lieutenant governor shall schedule an incorporation election for the proposed municipality
1262 described in the petition to be held on the date of the next regular general election described in
1263 Section 20A-1-201, or the next municipal general election described in Section 20A-1-202, that
1264 is at least 65 days after the day on which the lieutenant governor certifies the petition.

1265 (b) (i) The lieutenant governor shall direct the county legislative body of the county in
1266 which the proposed municipality is located to hold the election on the date that the lieutenant
1267 governor schedules under Subsection (1)(a).

- 1268 (ii) The county shall hold the election as directed by the lieutenant governor under
1269 Subsection (1)(b)(i).
- 1270 (2) The county clerk shall [~~publish~~] provide notice of the election:
- 1271 (a) (i) by publishing notice in a newspaper of general circulation within the area
1272 proposed to be incorporated at least once a week for three successive weeks before the election;
1273 [~~(a)(i)] (ii) at least three weeks before the day of the election, by posting one notice,
1274 and at least one additional notice per 2,000 population of the area proposed to be incorporated,
1275 in places within the area proposed to be incorporated that are most likely to give notice to the
1276 voters within the area proposed to be incorporated, subject to a maximum of 10 notices; or
1277 [~~(ii)] (iii) at least three weeks before the day of the election, by mailing notice to each
1278 registered voter in the area proposed to be incorporated;~~~~
- 1279 (b) by posting notice on the Utah Public Notice Website, created in Section
1280 [63A-16-601](#), for three weeks before the day of the election;
- 1281 (c) if the proposed municipality has a website, by posting notice on the proposed
1282 municipality's website for three weeks before the day of the election; and
- 1283 (d) by posting notice on the county's website for three weeks before the day of the
1284 election.
- 1285 (3) (a) The notice required by Subsection (2) shall contain:
- 1286 (i) a statement of the contents of the petition;
- 1287 (ii) a description of the area proposed to be incorporated as a municipality;
- 1288 (iii) a statement of the date and time of the election and the location of polling places;
- 1289 and
- 1290 (iv) except as provided in Subsection (3)(b), the feasibility study summary described in
1291 Subsection [10-2a-205](#)(3)(c) and a statement that a full copy of the study is available on the
1292 lieutenant governor's website and for inspection at the Office of the Lieutenant Governor.
- 1293 (b) Instead of [~~publishing~~] including the feasibility summary under Subsection
1294 (3)(a)(iv), the notice may include a statement that specifies the following sources where a
1295 registered voter in area proposed to be incorporated may view or obtain a copy the feasibility
1296 study:
- 1297 (i) the lieutenant governor's website;
- 1298 (ii) the physical address of the Office of the Lieutenant Governor; and

1299 (iii) a mailing address and telephone number.

1300 (4) (a) In addition to the notice required under Subsection (2), the county clerk shall
1301 publish and distribute, before the incorporation election is held, a voter information pamphlet:

1302 (i) in accordance with the procedures and requirements of Section 20A-7-402;

1303 (ii) in consultation with the lieutenant governor; and

1304 (iii) in a manner that the county clerk determines is adequate, subject to Subsections
1305 (4)(a)(i) and (ii).

1306 (b) The voter information pamphlet described in Subsection (4)(a):

1307 (i) shall inform the public of the proposed incorporation; and

1308 (ii) may include written statements, printed in the same font style and point size, from
1309 proponents and opponents of the proposed incorporation.

1310 (5) An individual may not vote in an incorporation election under this section unless
1311 the individual is a registered voter who resides, as defined in Section 20A-1-102, within the
1312 boundaries of the proposed municipality.

1313 (6) If a majority of those who vote in an incorporation election held under this section
1314 cast votes in favor of incorporation, the area shall incorporate.

1315 Section 19. Section 10-2a-213 (Superseded 07/01/21) is amended to read:

1316 **10-2a-213 (Superseded 07/01/21). Determination of number of council members --**
1317 **Determination of election districts -- Hearings and notice.**

1318 (1) If the incorporation proposal passes, the petition sponsors shall, within 60 days
1319 after the day on which the county conducts the canvass of the election under Section
1320 10-2a-212:

1321 (a) for the incorporation of a city:

1322 (i) if the voters at the incorporation election choose the council-mayor form of
1323 government, determine the number of council members that will constitute the city council of
1324 the city; and

1325 (ii) if the voters at the incorporation election vote to elect council members by district,
1326 determine the number of council members to be elected by district and draw the boundaries of
1327 those districts, which shall be substantially equal in population; and

1328 (b) for the incorporation of any municipality:

1329 (i) determine the initial terms of the mayor and members of the municipal council so

1330 that:

1331 (A) the mayor and approximately half the members of the municipal council are
1332 elected to serve an initial term, of no less than one year, that allows the mayor's and members'
1333 successors to serve a full four-year term that coincides with the schedule established in
1334 Subsection 10-3-205(1); and

1335 (B) the remaining members of the municipal council are elected to serve an initial
1336 term, of no less than one year, that allows the members' successors to serve a full four-year
1337 term that coincides with the schedule established in Subsection 10-3-205(2); and

1338 (ii) submit in writing to the county legislative body the results of the determinations
1339 made by the sponsors under Subsections (1)(a) and (b)(i).

1340 (2) A newly incorporated town shall operate under the five-member council form of
1341 government as defined in Section 10-3b-102.

1342 (3) Before making a determination under Subsection (1)(a) or (b)(i), the petition
1343 sponsors shall hold a public hearing within the future municipality on the applicable issues
1344 described in Subsections (1)(a) and (b)(i).

1345 (4) The petition sponsors shall [~~publish~~] provide notice of the public hearing described
1346 in Subsection (3):

1347 (a) (i) at least two weeks before the day of the public hearing, by posting one notice,
1348 and at least one additional notice per 2,000 population of the future municipality, in places
1349 within the future municipality that are most likely to give notice to the residents within, and the
1350 owners of real property located within, the future municipality, subject to a maximum of 10
1351 notices; or

1352 (ii) at least two weeks before the day of the public hearing, by mailing notice to each
1353 residence within, and each owner of real property located within, the future municipality;

1354 (b) by posting notice on the Utah Public Notice Website, created in Section
1355 63A-12-201, for two weeks before the day of the public hearing;

1356 (c) if the future municipality has a website, by posting notice on the future
1357 municipality's website for two weeks before the day of the public hearing; and

1358 (d) by posting notice on the county's website for two weeks before the day of the public
1359 hearing.

1360 Section 20. Section 10-2a-213 (Effective 07/01/21) is amended to read:

1361 **10-2a-213 (Effective 07/01/21). Determination of number of council members --**
1362 **Determination of election districts -- Hearings and notice.**

1363 (1) If the incorporation proposal passes, the petition sponsors shall, within 60 days
1364 after the day on which the county conducts the canvass of the election under Section

1365 **10-2a-212:**

1366 (a) for the incorporation of a city:

1367 (i) if the voters at the incorporation election choose the council-mayor form of
1368 government, determine the number of council members that will constitute the city council of
1369 the city; and

1370 (ii) if the voters at the incorporation election vote to elect council members by district,
1371 determine the number of council members to be elected by district and draw the boundaries of
1372 those districts, which shall be substantially equal in population; and

1373 (b) for the incorporation of any municipality:

1374 (i) determine the initial terms of the mayor and members of the municipal council so
1375 that:

1376 (A) the mayor and approximately half the members of the municipal council are
1377 elected to serve an initial term, of no less than one year, that allows the mayor's and members'
1378 successors to serve a full four-year term that coincides with the schedule established in
1379 Subsection **10-3-205**(1); and

1380 (B) the remaining members of the municipal council are elected to serve an initial
1381 term, of no less than one year, that allows the members' successors to serve a full four-year
1382 term that coincides with the schedule established in Subsection **10-3-205**(2); and

1383 (ii) submit in writing to the county legislative body the results of the determinations
1384 made by the sponsors under Subsections (1)(a) and (b)(i).

1385 (2) A newly incorporated town shall operate under the five-member council form of
1386 government as defined in Section **10-3b-102**.

1387 (3) Before making a determination under Subsection (1)(a) or (b)(i), the petition
1388 sponsors shall hold a public hearing within the future municipality on the applicable issues
1389 described in Subsections (1)(a) and (b)(i).

1390 (4) The petition sponsors shall [~~publish~~] provide notice of the public hearing described
1391 in Subsection (3):

1392 (a) (i) at least two weeks before the day of the public hearing, by posting one notice,
1393 and at least one additional notice per 2,000 population of the future municipality, in places
1394 within the future municipality that are most likely to give notice to the residents within, and the
1395 owners of real property located within, the future municipality, subject to a maximum of 10
1396 notices; or

1397 (ii) at least two weeks before the day of the public hearing, by mailing notice to each
1398 residence within, and each owner of real property located within, the future municipality;

1399 (b) by posting notice on the Utah Public Notice Website, created in Section
1400 [63A-16-601](#), for two weeks before the day of the public hearing;

1401 (c) if the future municipality has a website, by posting notice on the future
1402 municipality's website for two weeks before the day of the public hearing; and

1403 (d) by posting notice on the county's website for two weeks before the day of the public
1404 hearing.

1405 Section 21. Section **10-2a-214 (Superseded 07/01/21)** is amended to read:

1406 **10-2a-214 (Superseded 07/01/21). Notice of number of commission or council**
1407 **members to be elected and of district boundaries -- Declaration of candidacy for**
1408 **municipal office.**

1409 (1) Within 20 days after the day on which a county legislative body receives the
1410 petition sponsors' determination under Subsection [10-2a-213\(1\)\(b\)\(ii\)](#), the county clerk shall
1411 ~~[publish]~~ provide a notice, in accordance with Subsection (2), ~~[notice]~~ containing:

1412 (a) the number of municipal council members to be elected for the new municipality;

1413 (b) except as provided in Subsection (3), if some or all of the municipal council
1414 members are to be elected by district, a description of the boundaries of those districts;

1415 (c) information about the deadline for an individual to file a declaration of candidacy to
1416 become a candidate for mayor or municipal council; and

1417 (d) information about the length of the initial term of each of the municipal officers.

1418 (2) The county clerk shall ~~[publish]~~ provide the notice described in Subsection (1):

1419 (a) (i) by posting one notice, and at least one additional notice per 2,000 population of
1420 the future municipality, in places within the future municipality that are most likely to give
1421 notice to the residents in the future municipality, subject to a maximum of 10 notices; or

1422 (ii) by mailing notice to each residence in the future municipality;

1423 (b) by posting notice on the Utah Public Notice Website, created in Section
1424 63A-12-201, for two weeks;

1425 (c) if the future municipality has a website, by posting notice on the future
1426 municipality's website for two weeks; and

1427 (d) by posting notice on the county's website for two weeks.

1428 (3) Instead of [~~publishing~~] including a description of the district boundaries [~~described~~
1429 ~~in~~] under Subsection (1)(b), the notice may include a statement that specifies the following
1430 sources where a resident of the future municipality may view or obtain a copy of the district
1431 boundaries:

1432 (a) the county website;

1433 (b) the physical address of the county offices; and

1434 (c) a mailing address and telephone number.

1435 (4) Notwithstanding Subsection 20A-9-203(3)(a), each individual seeking to become a
1436 candidate for mayor or municipal council of a municipality incorporating under this part shall
1437 file a declaration of candidacy with the clerk of the county in which the future municipality is
1438 located and in accordance with:

1439 (a) for an incorporation held on the date of a regular general election, the deadlines for
1440 filing a declaration of candidacy under Section 20A-9-202; or

1441 (b) for an incorporation held on the date of a municipal general election, the deadlines
1442 for filing a declaration of candidacy under Section 20A-9-203.

1443 Section 22. Section 10-2a-214 (Effective 07/01/21) is amended to read:

1444 **10-2a-214 (Effective 07/01/21). Notice of number of commission or council**
1445 **members to be elected and of district boundaries -- Declaration of candidacy for**
1446 **municipal office.**

1447 (1) Within 20 days after the day on which a county legislative body receives the
1448 petition sponsors' determination under Subsection 10-2a-213(1)(b)(ii), the county clerk shall
1449 [~~publish~~] provide a notice, in accordance with Subsection (2), [~~notice~~] containing:

1450 (a) the number of municipal council members to be elected for the new municipality;

1451 (b) except as provided in Subsection (3), if some or all of the municipal council
1452 members are to be elected by district, a description of the boundaries of those districts;

1453 (c) information about the deadline for an individual to file a declaration of candidacy to

1454 become a candidate for mayor or municipal council; and

1455 (d) information about the length of the initial term of each of the municipal officers.

1456 (2) The county clerk shall [~~publish~~] provide the notice described in Subsection (1):

1457 (a) (i) by posting one notice, and at least one additional notice per 2,000 population of

1458 the future municipality, in places within the future municipality that are most likely to give

1459 notice to the residents in the future municipality, subject to a maximum of 10 notices; or

1460 (ii) by mailing notice to each residence in the future municipality;

1461 (b) by posting notice on the Utah Public Notice Website, created in Section

1462 [63A-16-601](#), for two weeks;

1463 (c) if the future municipality has a website, by posting notice on the future

1464 municipality's website for two weeks; and

1465 (d) by posting notice on the county's website for two weeks.

1466 (3) Instead of [~~publishing~~] including a description of the district boundaries [~~described~~

1467 ~~in~~] under Subsection (1)(b), the notice may include a statement that specifies the following

1468 sources where a resident of the future municipality may view or obtain a copy of the district

1469 boundaries:

1470 (a) the county website;

1471 (b) the physical address of the county offices; and

1472 (c) a mailing address and telephone number.

1473 (4) Notwithstanding Subsection [20A-9-203](#)(3)(a), each individual seeking to become a

1474 candidate for mayor or municipal council of a municipality incorporating under this part shall

1475 file a declaration of candidacy with the clerk of the county in which the future municipality is

1476 located and in accordance with:

1477 (a) for an incorporation held on the date of a regular general election, the deadlines for

1478 filing a declaration of candidacy under Section [20A-9-202](#); or

1479 (b) for an incorporation held on the date of a municipal general election, the deadlines

1480 for filing a declaration of candidacy under Section [20A-9-203](#).

1481 Section 23. Section **10-2a-215 (Superseded 07/01/21)** is amended to read:

1482 **10-2a-215 (Superseded 07/01/21). Election of officers of new municipality --**

1483 **Primary and final election dates -- County clerk duties -- Candidate duties -- Occupation**

1484 **of office.**

- 1485 (1) For the election of municipal officers, the county legislative body shall:
- 1486 (a) unless a primary election is prohibited under Subsection 20A-9-404(2), hold a
- 1487 primary election; and
- 1488 (b) unless the election may be cancelled in accordance with Section 20A-1-206, hold a
- 1489 final election.
- 1490 (2) Each election described in Subsection (1) shall be held:
- 1491 (a) consistent with the petition sponsors' determination of the length of each council
- 1492 member's initial term; and
- 1493 (b) for the incorporation of a city:
- 1494 (i) appropriate to the form of government chosen by the voters at the incorporation
- 1495 election;
- 1496 (ii) consistent with the voters' decision about whether to elect city council members by
- 1497 district and, if applicable, consistent with the boundaries of those districts as determined by the
- 1498 petition sponsors; and
- 1499 (iii) consistent with the sponsors' determination of the number of city council members
- 1500 to be elected.
- 1501 (3) (a) Subject to Subsection (3)(b), and notwithstanding Subsection 20A-1-201.5(2),
- 1502 the primary election described in Subsection (1)(a) shall be held at the earliest of the next:
- 1503 (i) regular primary election described in Subsection 20A-1-201.5(1); or
- 1504 (ii) municipal primary election described in Section 20A-9-404.
- 1505 (b) The county shall hold the primary election, if necessary, on the next election date
- 1506 described in Subsection (3)(a) that is after the incorporation election conducted under Section
- 1507 10-2a-210.
- 1508 (4) (a) Subject to Subsection (4)(b), the county shall hold the final election described in
- 1509 Subsection (1)(b):
- 1510 (i) on the following election date that next follows the date of the incorporation
- 1511 election held under Subsection 10-2a-210(1)(a);
- 1512 (ii) a regular general election described in Section 20A-1-201; or
- 1513 (iii) a regular municipal general election under Section 20A-1-202.
- 1514 (b) The county shall hold the final election on the earliest of the next election date that
- 1515 is listed in Subsection (4)(a)(i), (ii), or (iii):

- 1516 (i) that is after a primary election; or
- 1517 (ii) if there is no primary election, that is at least:
- 1518 (A) 75 days after the incorporation election under Section 10-2a-210; and
- 1519 (B) 65 days after the candidate filing period.
- 1520 (5) The county clerk shall [~~publish~~] provide notice of an election under this section:
- 1521 (a) (i) at least two weeks before the day of the election, by posting one notice, and at
- 1522 least one additional notice per 2,000 population of the future municipality, in places within the
- 1523 future municipality that are most likely to give notice to the voters within the future
- 1524 municipality, subject to a maximum of 10 notices; or
- 1525 (ii) at least two weeks before the day of the election, by mailing notice to each
- 1526 registered voter within the future municipality;
- 1527 (b) by posting notice on the Utah Public Notice Website, created in Section
- 1528 63A-12-201, for two weeks before the day of the election;
- 1529 (c) if the future municipality has a website, by posting notice on the future
- 1530 municipality's website for two weeks before the day of the election; and
- 1531 (d) by posting notice on the county's website for two weeks before the day of the
- 1532 election.
- 1533 (6) Until the municipality is incorporated, the county clerk:
- 1534 (a) is the election officer for all purposes related to the election of municipal officers;
- 1535 (b) may, as necessary, determine appropriate deadlines, procedures, and instructions
- 1536 related to the election of municipal officers for a new municipality that are not otherwise
- 1537 contrary to law;
- 1538 (c) shall require and determine deadlines for municipal office candidates to file
- 1539 campaign financial disclosures in accordance with Section 10-3-208; and
- 1540 (d) shall ensure that the ballot for the election includes each office that is required to be
- 1541 included in the election for officers of the newly incorporated municipality, including the term
- 1542 of each office.
- 1543 (7) An individual who has filed as a candidate for an office described in this section
- 1544 shall comply with:
- 1545 (a) the campaign finance disclosure requirements described in Section 10-3-208; and
- 1546 (b) the requirements and deadlines established by the county clerk under this section.

1547 (8) Notwithstanding Section 10-3-201, the officers elected at a final election described
1548 in Subsection (4)(a) shall take office:

1549 (a) after taking the oath of office; and

1550 (b) at noon on the first Monday following the day on which the election official
1551 transmits a certificate of nomination or election under the officer's seal to each elected
1552 candidate in accordance with Subsection 20A-4-304(4)(b).

1553 Section 24. Section 10-2a-215 (Effective 07/01/21) is amended to read:

1554 **10-2a-215 (Effective 07/01/21). Election of officers of new municipality -- Primary**
1555 **and final election dates -- County clerk duties -- Candidate duties -- Occupation of office.**

1556 (1) For the election of municipal officers, the county legislative body shall:

1557 (a) unless a primary election is prohibited under Subsection 20A-9-404(2), hold a
1558 primary election; and

1559 (b) unless the election may be cancelled in accordance with Section 20A-1-206, hold a
1560 final election.

1561 (2) Each election described in Subsection (1) shall be held:

1562 (a) consistent with the petition sponsors' determination of the length of each council
1563 member's initial term; and

1564 (b) for the incorporation of a city:

1565 (i) appropriate to the form of government chosen by the voters at the incorporation
1566 election;

1567 (ii) consistent with the voters' decision about whether to elect city council members by
1568 district and, if applicable, consistent with the boundaries of those districts as determined by the
1569 petition sponsors; and

1570 (iii) consistent with the sponsors' determination of the number of city council members
1571 to be elected.

1572 (3) (a) Subject to Subsection (3)(b), and notwithstanding Subsection 20A-1-201.5(2),
1573 the primary election described in Subsection (1)(a) shall be held at the earliest of the next:

1574 (i) regular primary election described in Subsection 20A-1-201.5(1); or

1575 (ii) municipal primary election described in Section 20A-9-404.

1576 (b) The county shall hold the primary election, if necessary, on the next election date
1577 described in Subsection (3)(a) that is after the incorporation election conducted under Section

1578 10-2a-210.

1579 (4) (a) Subject to Subsection (4)(b), the county shall hold the final election described in
1580 Subsection (1)(b):

1581 (i) on the following election date that next follows the date of the incorporation

1582 election held under Subsection 10-2a-210(1)(a);

1583 (ii) a regular general election described in Section 20A-1-201; or

1584 (iii) a regular municipal general election under Section 20A-1-202.

1585 (b) The county shall hold the final election on the earliest of the next election date that
1586 is listed in Subsection (4)(a)(i), (ii), or (iii):

1587 (i) that is after a primary election; or

1588 (ii) if there is no primary election, that is at least:

1589 (A) 75 days after the incorporation election under Section 10-2a-210; and

1590 (B) 65 days after the candidate filing period.

1591 (5) The county clerk shall [~~publish~~] provide notice of an election under this section:

1592 (a) (i) at least two weeks before the day of the election, by posting one notice, and at
1593 least one additional notice per 2,000 population of the future municipality, in places within the
1594 future municipality that are most likely to give notice to the voters within the future
1595 municipality, subject to a maximum of 10 notices; or

1596 (ii) at least two weeks before the day of the election, by mailing notice to each
1597 registered voter within the future municipality;

1598 (b) by posting notice on the Utah Public Notice Website, created in Section
1599 63A-16-601, for two weeks before the day of the election;

1600 (c) if the future municipality has a website, by posting notice on the future
1601 municipality's website for two weeks before the day of the election; and

1602 (d) by posting notice on the county's website for two weeks before the day of the
1603 election.

1604 (6) Until the municipality is incorporated, the county clerk:

1605 (a) is the election officer for all purposes related to the election of municipal officers;

1606 (b) may, as necessary, determine appropriate deadlines, procedures, and instructions
1607 related to the election of municipal officers for a new municipality that are not otherwise
1608 contrary to law;

1609 (c) shall require and determine deadlines for municipal office candidates to file
1610 campaign financial disclosures in accordance with Section 10-3-208; and

1611 (d) shall ensure that the ballot for the election includes each office that is required to be
1612 included in the election for officers of the newly incorporated municipality, including the term
1613 of each office.

1614 (7) An individual who has filed as a candidate for an office described in this section
1615 shall comply with:

1616 (a) the campaign finance disclosure requirements described in Section 10-3-208; and

1617 (b) the requirements and deadlines established by the county clerk under this section.

1618 (8) Notwithstanding Section 10-3-201, the officers elected at a final election described
1619 in Subsection (4)(a) shall take office:

1620 (a) after taking the oath of office; and

1621 (b) at noon on the first Monday following the day on which the election official
1622 transmits a certificate of nomination or election under the officer's seal to each elected
1623 candidate in accordance with Subsection 20A-4-304(4)(b).

1624 Section 25. Section 10-2a-404 is amended to read:

1625 **10-2a-404. Election.**

1626 (1) (a) Notwithstanding Section 20A-1-203, a county of the first class shall hold a local
1627 special election on November 3, 2015, on the following ballot propositions:

1628 (i) for registered voters residing within a planning township:

1629 (A) whether the planning township shall be incorporated as a city or town, according to
1630 the classifications of Section 10-2-301, or as a metro township; and

1631 (B) if the planning township incorporates as a metro township, whether the metro
1632 township is included in a municipal services district; and

1633 (ii) for registered voters residing within an unincorporated island, whether the island
1634 should maintain its unincorporated status or be annexed into an eligible city.

1635 (b) (i) A metro township incorporated under this part shall be governed by the
1636 five-member council in accordance with Chapter 3b, Part 5, Metro Township Council Form of
1637 Municipal Government.

1638 (ii) A city or town incorporated under this part shall be governed by the five-member
1639 council form of government as defined in Section 10-3b-102.

1640 (2) Unless a person is a registered voter who resides, as defined in Section [20A-1-102](#),
1641 within the boundaries of a planning township or an unincorporated island, the person may not
1642 vote on the proposed incorporation or annexation.

1643 (3) The county clerk shall [~~publish~~] post notice of the election on the Utah Public
1644 Notice Website, created in Section [~~63F-1-701~~] [63A-12-201](#), for three weeks before the
1645 election.

1646 (4) The notice required by Subsection (3) shall contain:

1647 (a) for residents of a planning township:

1648 (i) a statement that the voters will vote:

1649 (A) to incorporate as a city or town, according to the classifications of Section
1650 [10-2-301](#), or as a metro township; and

1651 (B) if the planning township incorporates as a metro township, whether the metro
1652 township is included in a municipal services district;

1653 (ii) if applicable under Subsection [10-2a-405\(5\)](#), a map showing the alteration to the
1654 planning township boundaries that would be effective upon incorporation;

1655 (iii) a statement that if the residents of the planning township elect to incorporate:

1656 (A) as a metro township, the metro township shall be governed by a five-member
1657 metro township council in accordance with Chapter 3b, Part 5, Metro Township Council Form
1658 of Municipal Government; or

1659 (B) as a city or town, the city or town shall be governed by the five-member council
1660 form of government as defined in Section [10-3b-102](#); and

1661 (iv) a statement of the date and time of the election and the location of polling places;

1662 (b) for residents of an unincorporated island:

1663 (i) a statement that the voters will vote either to be annexed into an eligible city or
1664 maintain unincorporated status; and

1665 (ii) a statement of the eligible city, as determined by the county legislative body in
1666 accordance with Section [10-2a-405](#), the unincorporated island may elect to be annexed by; and

1667 (c) a statement of the date and time of the election and the location of polling places.

1668 (5) (a) In addition to the notice required under Subsection (3), the county clerk shall
1669 post at least one notice of the election per 1,000 population in conspicuous places within the
1670 planning township or unincorporated island that are most likely to give notice of the election to

1671 the voters of the proposed incorporation or annexation, subject to a maximum of 10 notices.

1672 (b) The clerk shall post the notices under Subsection (5)(a) at least seven days before
1673 the election under Subsection (1).

1674 (6) (a) In a planning township, if a majority of those casting votes within the planning
1675 township vote to:

1676 (i) incorporate as a city or town, the planning township shall incorporate as a city or
1677 town, respectively; or

1678 (ii) incorporate as a metro township, the planning township shall incorporate as a metro
1679 township.

1680 (b) If a majority of those casting votes within the planning township vote to incorporate
1681 as a metro township, and a majority of those casting votes vote to include the metro township
1682 in a municipal services district and limit the metro township's municipal powers, the metro
1683 township shall be included in a municipal services district and have limited municipal powers.

1684 (c) In an unincorporated island, if a majority of those casting a vote within the selected
1685 unincorporated island vote to:

1686 (i) be annexed by the eligible city, the area shall be annexed by the eligible city; or

1687 (ii) remain an unincorporated area, the area shall remain unincorporated.

1688 (7) The county shall, in consultation with interested parties, prepare and provide
1689 information on an annexation or incorporation subject to this part and an election held in
1690 accordance with this section.

1691 Section 26. Section **10-2a-405 (Superseded 07/01/21)** is amended to read:

1692 **10-2a-405 (Superseded 07/01/21). Duties of county legislative body -- Public**
1693 **hearing -- Notice -- Other election and incorporation issues -- Rural real property**
1694 **excluded.**

1695 (1) The legislative body of a county of the first class shall before an election described
1696 in Section [10-2a-404](#):

1697 (a) in accordance with Subsection (3), ~~publish~~ provide notice of the public hearing
1698 described in Subsection (1)(b);

1699 (b) hold a public hearing; and

1700 (c) at the public hearing, adopt a resolution:

1701 (i) identifying, including a map prepared by the county surveyor, all unincorporated

1702 islands within the county;

1703 (ii) identifying each eligible city that will annex each unincorporated island, including
1704 whether the unincorporated island may be annexed by one eligible city or divided and annexed
1705 by multiple eligible cities, if approved by the residents at an election under Section 10-2a-404;
1706 and

1707 (iii) identifying, including a map prepared by the county surveyor, the planning
1708 townships within the county and any changes to the boundaries of a planning township that the
1709 county legislative body proposes under Subsection (5).

1710 (2) The county legislative body shall exclude from a resolution adopted under
1711 Subsection (1)(c) rural real property unless the owner of the rural real property provides written
1712 consent to include the property in accordance with Subsection (7).

1713 (3) (a) The county clerk shall [~~publish~~] provide notice of the public hearing described
1714 in Subsection (1)(b):

1715 (i) by mailing notice to each owner of real property located in an unincorporated island
1716 or planning township no later than 15 days before the day of the public hearing;

1717 (ii) by posting notice on the Utah Public Notice Website, created in Section
1718 63A-12-201, for three weeks before the day of the public hearing; and

1719 (iii) by posting at least one notice of the hearing per 1,000 population in conspicuous
1720 places within the selected unincorporated island, eligible city, or planning township, as
1721 applicable, that are most likely to give notice of the hearing to the residents of the
1722 unincorporated island, eligible city, or planning township, subject to a maximum of 10 notices.

1723 (b) The clerk shall post the notices under Subsection (3)(a)(iii) at least seven days
1724 before the hearing under Subsection (1)(b).

1725 (c) The notice under Subsection (3)(a) shall include:

1726 (i) (A) for a resident of an unincorporated island, a statement that the property in the
1727 unincorporated island may be, if approved at an election under Section 10-2a-404, annexed by
1728 an eligible city, including divided and annexed by multiple cities if applicable, and the name of
1729 the eligible city or cities; or

1730 (B) for residents of a planning township, a statement that the property in the planning
1731 township shall be, pending the results of the election held under Section 10-2a-404,
1732 incorporated as a city, town, or metro township;

- 1733 (ii) the location and time of the public hearing; and
- 1734 (iii) the county website where a map may be accessed showing:
 - 1735 (A) how the unincorporated island boundaries will change if annexed by an eligible
 - 1736 city; or
 - 1737 (B) how the planning township area boundaries will change, if applicable under
 - 1738 Subsection (5), when the planning township incorporates as a metro township or as a city or
 - 1739 town.
- 1740 (d) The county clerk shall publish a map described in Subsection (3)(c)(iii) on the
- 1741 county website.
- 1742 (4) The county legislative body may, by ordinance or resolution adopted at a public
- 1743 meeting and in accordance with applicable law, resolve an issue that arises with an election
- 1744 held in accordance with this part or the incorporation and establishment of a metro township in
- 1745 accordance with this part.
- 1746 (5) (a) The county legislative body may, by ordinance or resolution adopted at a public
- 1747 meeting, change the boundaries of a planning township.
- 1748 (b) A change to a planning township boundary under this Subsection (5) is effective
- 1749 only upon the vote of the residents of the planning township at an election under Section
- 1750 [10-2a-404](#) to incorporate as a metro township or as a city or town and does not affect the
- 1751 boundaries of the planning township before the election.
- 1752 (c) The county legislative body:
 - 1753 (i) may alter a planning township boundary under Subsection (5)(a) only if the
 - 1754 alteration:
 - 1755 (A) affects less than 5% of the residents residing within the planning advisory area; and
 - 1756 (B) does not increase the area located within the planning township's boundaries; and
 - 1757 (ii) may not alter the boundaries of a planning township whose boundaries are entirely
 - 1758 surrounded by one or more municipalities.
- 1759 (6) After November 2, 2015, and before January 1, 2017, a person may not initiate an
- 1760 annexation or an incorporation process that, if approved, would change the boundaries of a
- 1761 planning township.
- 1762 (7) (a) As used in this Subsection (7), "rural real property" means an area:
 - 1763 (i) zoned primarily for manufacturing, commercial, or agricultural purposes; and

1764 (ii) that does not include residential units with a density greater than one unit per acre.

1765 (b) Unless an owner of rural real property gives written consent to a county legislative
1766 body, rural real property described in Subsection (7)(c) may not be:

1767 (i) included in a planning township identified under Subsection (1)(c); or

1768 (ii) incorporated as part of a metro township, city, or town, in accordance with this
1769 part.

1770 (c) The following rural real property is subject to an owner's written consent under
1771 Subsection (7)(b):

1772 (i) rural real property that consists of 1,500 or more contiguous acres of real property
1773 consisting of one or more tax parcels;

1774 (ii) rural real property that is not contiguous to, but used in connection with, rural real
1775 property that consists of 1,500 or more contiguous acres of real property consisting of one or
1776 more tax parcels;

1777 (iii) rural real property that is owned, managed, or controlled by a person, company, or
1778 association, including a parent, subsidiary, or affiliate related to the owner of 1,500 or more
1779 contiguous acres of rural real property consisting of one or more tax parcels; or

1780 (iv) rural real property that is located in whole or in part in one of the following as
1781 defined in Section 17-41-101:

1782 (A) an agricultural protection area;

1783 (B) an industrial protection area; or

1784 (C) a mining protection area.

1785 Section 27. Section 10-2a-405 (Effective 07/01/21) is amended to read:

1786 **10-2a-405 (Effective 07/01/21). Duties of county legislative body -- Public hearing**
1787 **-- Notice -- Other election and incorporation issues -- Rural real property excluded.**

1788 (1) The legislative body of a county of the first class shall before an election described
1789 in Section 10-2a-404:

1790 (a) in accordance with Subsection (3), ~~publish~~ provide notice of the public hearing
1791 described in Subsection (1)(b);

1792 (b) hold a public hearing; and

1793 (c) at the public hearing, adopt a resolution:

1794 (i) identifying, including a map prepared by the county surveyor, all unincorporated

1795 islands within the county;

1796 (ii) identifying each eligible city that will annex each unincorporated island, including
1797 whether the unincorporated island may be annexed by one eligible city or divided and annexed
1798 by multiple eligible cities, if approved by the residents at an election under Section 10-2a-404;
1799 and

1800 (iii) identifying, including a map prepared by the county surveyor, the planning
1801 townships within the county and any changes to the boundaries of a planning township that the
1802 county legislative body proposes under Subsection (5).

1803 (2) The county legislative body shall exclude from a resolution adopted under
1804 Subsection (1)(c) rural real property unless the owner of the rural real property provides written
1805 consent to include the property in accordance with Subsection (7).

1806 (3) (a) The county clerk shall [~~publish~~] provide notice of the public hearing described
1807 in Subsection (1)(b):

1808 (i) by mailing notice to each owner of real property located in an unincorporated island
1809 or planning township no later than 15 days before the day of the public hearing;

1810 (ii) by posting notice on the Utah Public Notice Website, created in Section
1811 63A-16-601, for three weeks before the day of the public hearing; and

1812 (iii) by posting at least one notice of the hearing per 1,000 population in conspicuous
1813 places within the selected unincorporated island, eligible city, or planning township, as
1814 applicable, that are most likely to give notice of the hearing to the residents of the
1815 unincorporated island, eligible city, or planning township, subject to a maximum of 10 notices.

1816 (b) The clerk shall post the notices under Subsection (3)(a)(iii) at least seven days
1817 before the hearing under Subsection (1)(b).

1818 (c) The notice under Subsection (3)(a) shall include:

1819 (i) (A) for a resident of an unincorporated island, a statement that the property in the
1820 unincorporated island may be, if approved at an election under Section 10-2a-404, annexed by
1821 an eligible city, including divided and annexed by multiple cities if applicable, and the name of
1822 the eligible city or cities; or

1823 (B) for residents of a planning township, a statement that the property in the planning
1824 township shall be, pending the results of the election held under Section 10-2a-404,
1825 incorporated as a city, town, or metro township;

- 1826 (ii) the location and time of the public hearing; and
- 1827 (iii) the county website where a map may be accessed showing:
- 1828 (A) how the unincorporated island boundaries will change if annexed by an eligible
- 1829 city; or
- 1830 (B) how the planning township area boundaries will change, if applicable under
- 1831 Subsection (5), when the planning township incorporates as a metro township or as a city or
- 1832 town.
- 1833 (d) The county clerk shall publish a map described in Subsection (3)(c)(iii) on the
- 1834 county website.
- 1835 (4) The county legislative body may, by ordinance or resolution adopted at a public
- 1836 meeting and in accordance with applicable law, resolve an issue that arises with an election
- 1837 held in accordance with this part or the incorporation and establishment of a metro township in
- 1838 accordance with this part.
- 1839 (5) (a) The county legislative body may, by ordinance or resolution adopted at a public
- 1840 meeting, change the boundaries of a planning township.
- 1841 (b) A change to a planning township boundary under this Subsection (5) is effective
- 1842 only upon the vote of the residents of the planning township at an election under Section
- 1843 [10-2a-404](#) to incorporate as a metro township or as a city or town and does not affect the
- 1844 boundaries of the planning township before the election.
- 1845 (c) The county legislative body:
- 1846 (i) may alter a planning township boundary under Subsection (5)(a) only if the
- 1847 alteration:
- 1848 (A) affects less than 5% of the residents residing within the planning advisory area; and
- 1849 (B) does not increase the area located within the planning township's boundaries; and
- 1850 (ii) may not alter the boundaries of a planning township whose boundaries are entirely
- 1851 surrounded by one or more municipalities.
- 1852 (6) After November 2, 2015, and before January 1, 2017, a person may not initiate an
- 1853 annexation or an incorporation process that, if approved, would change the boundaries of a
- 1854 planning township.
- 1855 (7) (a) As used in this Subsection (7), "rural real property" means an area:
- 1856 (i) zoned primarily for manufacturing, commercial, or agricultural purposes; and

1857 (ii) that does not include residential units with a density greater than one unit per acre.

1858 (b) Unless an owner of rural real property gives written consent to a county legislative
1859 body, rural real property described in Subsection (7)(c) may not be:

1860 (i) included in a planning township identified under Subsection (1)(c); or

1861 (ii) incorporated as part of a metro township, city, or town, in accordance with this
1862 part.

1863 (c) The following rural real property is subject to an owner's written consent under
1864 Subsection (7)(b):

1865 (i) rural real property that consists of 1,500 or more contiguous acres of real property
1866 consisting of one or more tax parcels;

1867 (ii) rural real property that is not contiguous to, but used in connection with, rural real
1868 property that consists of 1,500 or more contiguous acres of real property consisting of one or
1869 more tax parcels;

1870 (iii) rural real property that is owned, managed, or controlled by a person, company, or
1871 association, including a parent, subsidiary, or affiliate related to the owner of 1,500 or more
1872 contiguous acres of rural real property consisting of one or more tax parcels; or

1873 (iv) rural real property that is located in whole or in part in one of the following as
1874 defined in Section 17-41-101:

1875 (A) an agricultural protection area;

1876 (B) an industrial protection area; or

1877 (C) a mining protection area.

1878 Section 28. Section 10-2a-410 is amended to read:

1879 **10-2a-410. Determination of metro township districts -- Determination of metro**
1880 **township or city initial officer terms -- Adoption of proposed districts.**

1881 (1) (a) If a metro township with a population of 10,000 or more is incorporated in
1882 accordance with an election held under Section 10-2a-404:

1883 (i) each of the five metro township council members shall be elected by district; and

1884 (ii) the boundaries of the five council districts for election and the terms of office shall
1885 be designated and determined in accordance with this section.

1886 (b) If a metro township with a population of less than 10,000 or a town is incorporated
1887 at an election held in accordance with Section 10-2a-404, the five council members shall be

1888 elected at-large for terms as designated and determined in accordance with this section.

1889 (c) If a city is incorporated at an election held in accordance with Section [10-2a-404](#):

1890 (i) (A) the four members of the council district who are not the mayor shall be elected
1891 by district; and

1892 (B) the boundaries of the four council districts for election and the term of office shall
1893 be designated and determined in accordance with this section; and

1894 (ii) the mayor shall be elected at-large for a term designated and determined in
1895 accordance with this section.

1896 (2) (a) No later than 90 days after the election day on which the metro township, city,
1897 or town is successfully incorporated under this part, the legislative body of the county in which
1898 the metro township, city, or town is located shall adopt by resolution:

1899 (i) subject to Subsection (2)(b), for each incorporated metro township, city, or town,
1900 the council terms for a length of time in accordance with this section; and

1901 (ii) (A) for a metro township with a population of 10,000 or more, the boundaries of
1902 the five council districts; and

1903 (B) for a city, the boundaries of the four council districts.

1904 (b) (i) For each metro township, city, or town, the county legislative body shall set the
1905 initial terms of the members of the metro township council, city council, or town council so
1906 that:

1907 (A) except as provided in Subsection (2)(b)(ii), approximately half the members of the
1908 council, including the mayor in the case of a city, are elected to serve an initial term, of no less
1909 than one year, that allows their successors to serve a full four-year term that coincides with the
1910 schedule established in Subsection [10-3-205\(1\)](#); and

1911 (B) the remaining members of the council are elected to serve an initial term, of no less
1912 than one year, that allows their successors to serve a full four-year term that coincides with the
1913 schedule established in Subsection [10-3-205\(2\)](#).

1914 (ii) For a city that incorporated in a county of the first class in 2016, the term of office
1915 for the office of mayor is:

1916 (A) three years for the initial term of office; and

1917 (B) four years for each subsequent term of office.

1918 (iii) For a metro township with a population of 10,000 or more, the county legislative

1919 body shall divide the metro township into five council districts that comply with Section
1920 [10-3-205.5](#).

1921 (iv) For a city, the county legislative body shall divide the city into four council
1922 districts that comply with Section [10-3-205.5](#).

1923 (3) (a) Within 20 days of the county legislative body's adoption of a resolution under
1924 Subsection (2), the county clerk shall [~~publish~~] provide a notice, in accordance with Subsection
1925 (3)(b), [~~notice~~] containing:

1926 (i) if applicable, a description of the boundaries, as designated in the resolution, of:

1927 (A) for a metro township with a population of 10,000 or more, the metro township
1928 council districts; or

1929 (B) the city council districts;

1930 (ii) information about the deadline for filing a declaration of candidacy for those
1931 seeking to become candidates for metro township council, city council, town council, or city
1932 mayor, respectively; and

1933 (iii) information about the length of the initial term of city mayor or each of the metro
1934 township, city, or town council offices, as described in the resolution.

1935 (b) The county clerk shall [~~publish~~] provide the notice required under Subsection
1936 (3)(a):

1937 (i) by posting notice on the Utah Public Notice Website, created in Section
1938 [~~63F-1-701~~] [63A-12-201](#), for two weeks; and

1939 (ii) by posting at least one notice per 1,000 population in conspicuous places within the
1940 future metro township, city, or town that are most likely to give notice to the residents of the
1941 future metro township, city, or town, subject to a maximum of 10 notices.

1942 (c) The notice under Subsection (3)(b)(ii) shall contain the information required under
1943 Subsection (3)(a).

1944 (d) The county clerk shall post the notices under Subsection (3)(b)(ii) at least seven
1945 days before the deadline for filing a declaration of candidacy under Subsection (4).

1946 (4) A person seeking to become a candidate for metro township, city, or town council
1947 or city mayor shall, in accordance with Section [20A-9-202](#), file a declaration of candidacy with
1948 the clerk of the county in which the metro township, city, or town is located for an election
1949 described in Section [10-2a-411](#).

1950 Section 29. Section **10-18-203 (Superseded 07/01/21)** is amended to read:

1951 **10-18-203 (Superseded 07/01/21). Feasibility study on providing cable television**
1952 **or public telecommunications services -- Public hearings.**

1953 (1) If a feasibility consultant is hired under Section **10-18-202**, the legislative body of
1954 the municipality shall require the feasibility consultant to:

1955 (a) complete the feasibility study in accordance with this section;

1956 (b) submit to the legislative body by no later than 180 days from the date the feasibility
1957 consultant is hired to conduct the feasibility study:

1958 (i) the full written results of the feasibility study; and

1959 (ii) a summary of the results that is no longer than one page in length; and

1960 (c) attend the public hearings described in Subsection (4) to:

1961 (i) present the feasibility study results; and

1962 (ii) respond to questions from the public.

1963 (2) The feasibility study described in Subsection (1) shall at a minimum consider:

1964 (a) (i) if the municipality is proposing to provide cable television services to
1965 subscribers, whether the municipality providing cable television services in the manner
1966 proposed by the municipality will hinder or advance competition for cable television services
1967 in the municipality; or

1968 (ii) if the municipality is proposing to provide public telecommunications services to
1969 subscribers, whether the municipality providing public telecommunications services in the
1970 manner proposed by the municipality will hinder or advance competition for public
1971 telecommunications services in the municipality;

1972 (b) whether but for the municipality any person would provide the proposed:

1973 (i) cable television services; or

1974 (ii) public telecommunications services;

1975 (c) the fiscal impact on the municipality of:

1976 (i) the capital investment in facilities that will be used to provide the proposed:

1977 (A) cable television services; or

1978 (B) public telecommunications services; and

1979 (ii) the expenditure of funds for labor, financing, and administering the proposed:

1980 (A) cable television services; or

1981 (B) public telecommunications services;

1982 (d) the projected growth in demand in the municipality for the proposed:

1983 (i) cable television services; or

1984 (ii) public telecommunications services;

1985 (e) the projections at the time of the feasibility study and for the next five years, of a

1986 full-cost accounting for a municipality to purchase, lease, construct, maintain, or operate the

1987 facilities necessary to provide the proposed:

1988 (i) cable television services; or

1989 (ii) public telecommunications services; and

1990 (f) the projections at the time of the feasibility study and for the next five years of the

1991 revenues to be generated from the proposed:

1992 (i) cable television services; or

1993 (ii) public telecommunications services.

1994 (3) For purposes of the financial projections required under Subsections (2)(e) and (f),

1995 the feasibility consultant shall assume that the municipality will price the proposed cable

1996 television services or public telecommunications services consistent with Subsection

1997 [10-18-303](#)(5).

1998 (4) If the results of the feasibility study satisfy the revenue requirement of Subsection

1999 [10-18-202](#)(3), the legislative body, at the next regular meeting after the legislative body

2000 receives the results of the feasibility study, shall schedule at least two public hearings to be

2001 held:

2002 (a) within 60 days of the meeting at which the public hearings are scheduled;

2003 (b) at least seven days apart; and

2004 (c) for the purpose of allowing:

2005 (i) the feasibility consultant to present the results of the feasibility study; and

2006 (ii) the public to:

2007 (A) become informed about the feasibility study results; and

2008 (B) ask questions of the feasibility consultant about the results of the feasibility study.

2009 (5) (a) The municipality shall [~~publish~~] provide notice of the public hearings required

2010 under Subsection (4) by:

2011 (i) posting the notice on the Utah Public Notice Website₂ created in Section

2012 63A-12-201, for three weeks, at least three days before the first public hearing required under
2013 Subsection (4); and

2014 (ii) posting at least one notice of the hearings per 1,000 residents, in a conspicuous
2015 place within the municipality that is likely to give notice of the hearings to the greatest number
2016 of residents of the municipality, subject to a maximum of 10 notices.

2017 (b) The municipality shall post the notices at least seven days before the first public
2018 hearing required under Subsection (4) is held.

2019 Section 30. Section 10-18-203 (Effective 07/01/21) is amended to read:

2020 10-18-203 (Effective 07/01/21). Feasibility study on providing cable television or
2021 public telecommunications services -- Public hearings.

2022 (1) If a feasibility consultant is hired under Section 10-18-202, the legislative body of
2023 the municipality shall require the feasibility consultant to:

2024 (a) complete the feasibility study in accordance with this section;

2025 (b) submit to the legislative body by no later than 180 days from the date the feasibility
2026 consultant is hired to conduct the feasibility study:

2027 (i) the full written results of the feasibility study; and

2028 (ii) a summary of the results that is no longer than one page in length; and

2029 (c) attend the public hearings described in Subsection (4) to:

2030 (i) present the feasibility study results; and

2031 (ii) respond to questions from the public.

2032 (2) The feasibility study described in Subsection (1) shall at a minimum consider:

2033 (a) (i) if the municipality is proposing to provide cable television services to
2034 subscribers, whether the municipality providing cable television services in the manner
2035 proposed by the municipality will hinder or advance competition for cable television services
2036 in the municipality; or

2037 (ii) if the municipality is proposing to provide public telecommunications services to
2038 subscribers, whether the municipality providing public telecommunications services in the
2039 manner proposed by the municipality will hinder or advance competition for public
2040 telecommunications services in the municipality;

2041 (b) whether but for the municipality any person would provide the proposed:

2042 (i) cable television services; or

- 2043 (ii) public telecommunications services;
- 2044 (c) the fiscal impact on the municipality of:
- 2045 (i) the capital investment in facilities that will be used to provide the proposed:
- 2046 (A) cable television services; or
- 2047 (B) public telecommunications services; and
- 2048 (ii) the expenditure of funds for labor, financing, and administering the proposed:
- 2049 (A) cable television services; or
- 2050 (B) public telecommunications services;
- 2051 (d) the projected growth in demand in the municipality for the proposed:
- 2052 (i) cable television services; or
- 2053 (ii) public telecommunications services;
- 2054 (e) the projections at the time of the feasibility study and for the next five years, of a
- 2055 full-cost accounting for a municipality to purchase, lease, construct, maintain, or operate the
- 2056 facilities necessary to provide the proposed:
- 2057 (i) cable television services; or
- 2058 (ii) public telecommunications services; and
- 2059 (f) the projections at the time of the feasibility study and for the next five years of the
- 2060 revenues to be generated from the proposed:
- 2061 (i) cable television services; or
- 2062 (ii) public telecommunications services.
- 2063 (3) For purposes of the financial projections required under Subsections (2)(e) and (f),
- 2064 the feasibility consultant shall assume that the municipality will price the proposed cable
- 2065 television services or public telecommunications services consistent with Subsection
- 2066 [10-18-303\(5\)](#).
- 2067 (4) If the results of the feasibility study satisfy the revenue requirement of Subsection
- 2068 [10-18-202\(3\)](#), the legislative body, at the next regular meeting after the legislative body
- 2069 receives the results of the feasibility study, shall schedule at least two public hearings to be
- 2070 held:
- 2071 (a) within 60 days of the meeting at which the public hearings are scheduled;
- 2072 (b) at least seven days apart; and
- 2073 (c) for the purpose of allowing:

2074 (i) the feasibility consultant to present the results of the feasibility study; and
 2075 (ii) the public to:
 2076 (A) become informed about the feasibility study results; and
 2077 (B) ask questions of the feasibility consultant about the results of the feasibility study.
 2078 (5) (a) The municipality shall [~~publish~~] provide notice of the public hearings required
 2079 under Subsection (4) by:

2080 (i) posting the notice on the Utah Public Notice Website₂ created in Section
 2081 63A-16-601, for three weeks, at least three days before the first public hearing required under
 2082 Subsection (4); and

2083 (ii) posting at least one notice of the hearings per 1,000 residents, in a conspicuous
 2084 place within the municipality that is likely to give notice of the hearings to the greatest number
 2085 of residents of the municipality, subject to a maximum of 10 notices.

2086 (b) The municipality shall post the notices at least seven days before the first public
 2087 hearing required under Subsection (4) is held.

2088 Section 31. Section **11-14-202 (Superseded 07/01/21)** is amended to read:

2089 **11-14-202 (Superseded 07/01/21). Notice of election -- Contents -- Publication --**
 2090 **Mailing.**

2091 (1) The governing body shall [~~publish~~] provide notice of the election:

2092 (a) (i) at least 21 days before the day of the election, by posting one notice, and at least
 2093 one additional notice per 2,000 population of the local political subdivision, in places within
 2094 the local political subdivision that are most likely to give notice to the voters in the local
 2095 political subdivision, subject to a maximum of 10 notices; or

2096 (ii) at least three weeks before the day of the election, by mailing notice to each
 2097 registered voter in the local political subdivision;

2098 (b) by posting notice on the Utah Public Notice Website₂ created in Section
 2099 63A-12-201, for three weeks before the day of the election; and

2100 (c) if the local political subdivision has a website, by posting notice on the local
 2101 political subdivision's website for at least three weeks before the day of the election.

2102 (2) When the debt service on the bonds to be issued will increase the property tax
 2103 imposed upon the average value of a residence by an amount that is greater than or equal to \$15
 2104 per year, the governing body shall prepare and mail either a voter information pamphlet or a

- 2105 notification described in Subsection (8):
- 2106 (a) at least 15 days, but not more than 45 days, before the bond election;
- 2107 (b) to each household containing a registered voter who is eligible to vote on the
- 2108 bonds; and
- 2109 (c) that includes the information required by Subsections (4) and (5).
- 2110 (3) The election officer may change the location of, or establish an additional:
- 2111 (a) voting precinct polling place, in accordance with Subsection (6);
- 2112 (b) early voting polling place, in accordance with Subsection [20A-3a-603\(2\)](#); or
- 2113 (c) election day voting center, in accordance with Subsection [20A-3a-703\(2\)](#).
- 2114 (4) The notice described in Subsection (1) and the voter information pamphlet
- 2115 described in Subsection (2):
- 2116 (a) shall include, in the following order:
- 2117 (i) the date of the election;
- 2118 (ii) the hours during which the polls will be open;
- 2119 (iii) the address of the Statewide Electronic Voter Information Website and, if
- 2120 available, the address of the election officer's website, with a statement indicating that the
- 2121 election officer will post on the website the location of each polling place for each voting
- 2122 precinct, each early voting polling place, and each election day voting center, including any
- 2123 changes to the location of a polling place and the location of an additional polling place;
- 2124 (iv) a phone number that a voter may call to obtain information regarding the location
- 2125 of a polling place; and
- 2126 (v) the title and text of the ballot proposition, including the property tax cost of the
- 2127 bond described in Subsection [11-14-206\(2\)\(a\)](#); and
- 2128 (b) may include the location of each polling place.
- 2129 (5) The voter information pamphlet required by this section shall include:
- 2130 (a) the information required under Subsection (4); and
- 2131 (b) an explanation of the property tax impact, if any, of the issuance of the bonds,
- 2132 which may be based on information the governing body determines to be useful, including:
- 2133 (i) expected debt service on the bonds to be issued;
- 2134 (ii) a description of the purpose, remaining principal balance, and maturity date of any
- 2135 outstanding general obligation bonds of the issuer;

2136 (iii) funds other than property taxes available to pay debt service on general obligation
2137 bonds;

2138 (iv) timing of expenditures of bond proceeds;

2139 (v) property values; and

2140 (vi) any additional information that the governing body determines may be useful to
2141 explain the property tax impact of issuance of the bonds.

2142 (6) (a) Except as provided in Section 20A-1-308, the election officer may, after the
2143 deadlines described in Subsections (1) and (2):

2144 (i) if necessary, change the location of a voting precinct polling place; or

2145 (ii) if the election officer determines that the number of voting precinct polling places
2146 is insufficient due to the number of registered voters who are voting, designate additional
2147 voting precinct polling places.

2148 (b) Except as provided in Section 20A-1-308, if an election officer changes the
2149 location of a voting precinct polling place or designates an additional voting precinct polling
2150 place, the election officer shall, as soon as is reasonably possible, give notice of the dates,
2151 times, and location of a changed voting precinct polling place or an additional voting precinct
2152 polling place:

2153 (i) to the lieutenant governor, for posting on the Statewide Electronic Voter
2154 Information Website;

2155 (ii) by posting the information on the website of the election officer, if available; and

2156 (iii) by posting notice:

2157 (A) of a change in the location of a voting precinct polling place, at the new location
2158 and, if possible, the old location; and

2159 (B) of an additional voting precinct polling place, at the additional voting precinct
2160 polling place.

2161 (7) The governing body shall pay the costs associated with the notice required by this
2162 section.

2163 (8) (a) The governing body may mail a notice printed on a postage prepaid,
2164 preaddressed return form that a person may use to request delivery of a voter information
2165 pamphlet by mail.

2166 (b) The notice described in Subsection (8)(a) shall include:

2167 (i) the website upon which the voter information pamphlet is available; and
2168 (ii) the phone number a voter may call to request delivery of a voter information
2169 pamphlet by mail.

2170 (9) A local school board shall comply with the voter information pamphlet
2171 requirements described in Section [53G-4-603](#).

2172 Section 32. Section **11-14-202 (Effective 07/01/21)** is amended to read:

2173 **11-14-202 (Effective 07/01/21). Notice of election -- Contents -- Publication --**
2174 **Mailing.**

2175 (1) The governing body shall [~~publish~~] provide notice of the election:

2176 (a) (i) at least 21 days before the day of the election, by posting one notice, and at least
2177 one additional notice per 2,000 population of the local political subdivision, in places within
2178 the local political subdivision that are most likely to give notice to the voters in the local
2179 political subdivision, subject to a maximum of 10 notices; or

2180 (ii) at least three weeks before the day of the election, by mailing notice to each
2181 registered voter in the local political subdivision;

2182 (b) by posting notice on the Utah Public Notice Website, created in Section
2183 [63A-16-601](#), for three weeks before the day of the election; and

2184 (c) if the local political subdivision has a website, by posting notice on the local
2185 political subdivision's website for at least three weeks before the day of the election.

2186 (2) When the debt service on the bonds to be issued will increase the property tax
2187 imposed upon the average value of a residence by an amount that is greater than or equal to \$15
2188 per year, the governing body shall prepare and mail either a voter information pamphlet or a
2189 notification described in Subsection (8):

2190 (a) at least 15 days, but not more than 45 days, before the bond election;

2191 (b) to each household containing a registered voter who is eligible to vote on the
2192 bonds; and

2193 (c) that includes the information required by Subsections (4) and (5).

2194 (3) The election officer may change the location of, or establish an additional:

2195 (a) voting precinct polling place, in accordance with Subsection (6);

2196 (b) early voting polling place, in accordance with Subsection [20A-3a-603\(2\)](#); or

2197 (c) election day voting center, in accordance with Subsection [20A-3a-703\(2\)](#).

- 2198 (4) The notice described in Subsection (1) and the voter information pamphlet
2199 described in Subsection (2):
- 2200 (a) shall include, in the following order:
- 2201 (i) the date of the election;
- 2202 (ii) the hours during which the polls will be open;
- 2203 (iii) the address of the Statewide Electronic Voter Information Website and, if
2204 available, the address of the election officer's website, with a statement indicating that the
2205 election officer will post on the website the location of each polling place for each voting
2206 precinct, each early voting polling place, and each election day voting center, including any
2207 changes to the location of a polling place and the location of an additional polling place;
- 2208 (iv) a phone number that a voter may call to obtain information regarding the location
2209 of a polling place; and
- 2210 (v) the title and text of the ballot proposition, including the property tax cost of the
2211 bond described in Subsection [11-14-206\(2\)\(a\)](#); and
- 2212 (b) may include the location of each polling place.
- 2213 (5) The voter information pamphlet required by this section shall include:
- 2214 (a) the information required under Subsection (4); and
- 2215 (b) an explanation of the property tax impact, if any, of the issuance of the bonds,
2216 which may be based on information the governing body determines to be useful, including:
- 2217 (i) expected debt service on the bonds to be issued;
- 2218 (ii) a description of the purpose, remaining principal balance, and maturity date of any
2219 outstanding general obligation bonds of the issuer;
- 2220 (iii) funds other than property taxes available to pay debt service on general obligation
2221 bonds;
- 2222 (iv) timing of expenditures of bond proceeds;
- 2223 (v) property values; and
- 2224 (vi) any additional information that the governing body determines may be useful to
2225 explain the property tax impact of issuance of the bonds.
- 2226 (6) (a) Except as provided in Section [20A-1-308](#), the election officer may, after the
2227 deadlines described in Subsections (1) and (2):
- 2228 (i) if necessary, change the location of a voting precinct polling place; or

2229 (ii) if the election officer determines that the number of voting precinct polling places
2230 is insufficient due to the number of registered voters who are voting, designate additional
2231 voting precinct polling places.

2232 (b) Except as provided in Section 20A-1-308, if an election officer changes the
2233 location of a voting precinct polling place or designates an additional voting precinct polling
2234 place, the election officer shall, as soon as is reasonably possible, give notice of the dates,
2235 times, and location of a changed voting precinct polling place or an additional voting precinct
2236 polling place:

2237 (i) to the lieutenant governor, for posting on the Statewide Electronic Voter
2238 Information Website;

2239 (ii) by posting the information on the website of the election officer, if available; and

2240 (iii) by posting notice:

2241 (A) of a change in the location of a voting precinct polling place, at the new location
2242 and, if possible, the old location; and

2243 (B) of an additional voting precinct polling place, at the additional voting precinct
2244 polling place.

2245 (7) The governing body shall pay the costs associated with the notice required by this
2246 section.

2247 (8) (a) The governing body may mail a notice printed on a postage prepaid,
2248 preaddressed return form that a person may use to request delivery of a voter information
2249 pamphlet by mail.

2250 (b) The notice described in Subsection (8)(a) shall include:

2251 (i) the website upon which the voter information pamphlet is available; and

2252 (ii) the phone number a voter may call to request delivery of a voter information
2253 pamphlet by mail.

2254 (9) A local school board shall comply with the voter information pamphlet
2255 requirements described in Section 53G-4-603.

2256 Section 33. Section 17B-1-643 (Superseded 07/01/21) is amended to read:

2257 **17B-1-643 (Superseded 07/01/21). Imposing or increasing a fee for service**
2258 **provided by local district.**

2259 (1) (a) Before imposing a new fee or increasing an existing fee for a service provided

2260 by a local district, each local district board of trustees shall first hold a public hearing at which:

2261 (i) the local district shall demonstrate its need to impose or increase the fee; and

2262 (ii) any interested person may speak for or against the proposal to impose a fee or to
2263 increase an existing fee.

2264 (b) Each public hearing under Subsection (1)(a) shall be held in the evening beginning
2265 no earlier than 6 p.m.

2266 (c) A public hearing required under this Subsection (1) may be combined with a public
2267 hearing on a tentative budget required under Section 17B-1-610.

2268 (d) Except to the extent that this section imposes more stringent notice requirements,
2269 the local district board shall comply with Title 52, Chapter 4, Open and Public Meetings Act,
2270 in holding the public hearing under Subsection (1)(a).

2271 (2) (a) Each local district board shall give notice of a hearing under Subsection (1) as
2272 provided in Subsections (2)(b) and (c) or Subsection (2)(d).

2273 (b) The local district board shall:

2274 (i) post the notice required under Subsection (2)(a) on the Utah Public Notice Website
2275 [~~established~~], created in Section 63A-12-201; and

2276 (ii) post at least one of the notices required under Subsection (2)(a) per 1,000
2277 population within the local district, at places within the local district that are most likely to
2278 provide actual notice to residents within the local district, subject to a maximum of 10 notices.

2279 (c) The notice described in Subsection (2)(b) shall state that the local district board
2280 intends to impose or increase a fee for a service provided by the local district and will hold a
2281 public hearing on a certain day, time, and place fixed in the notice, which shall be not less than
2282 seven days after the day the first notice is published, for the purpose of hearing comments
2283 regarding the proposed imposition or increase of a fee and to explain the reasons for the
2284 proposed imposition or increase.

2285 (d) (i) In lieu of providing notice under Subsection (2)(b), the local district board of
2286 trustees may give the notice required under Subsection (2)(a) by mailing the notice to those
2287 within the district who:

2288 (A) will be charged the fee for a district service, if the fee is being imposed for the first
2289 time; or

2290 (B) are being charged a fee, if the fee is proposed to be increased.

2291 (ii) Each notice under Subsection (2)(d)(i) shall comply with Subsection (2)(c).

2292 (iii) A notice under Subsection (2)(d)(i) may accompany a district bill for an existing
2293 fee.

2294 (e) If the hearing required under this section is combined with the public hearing
2295 required under Section 17B-1-610, the notice required under this Subsection (2):

2296 (i) may be combined with the notice required under Section 17B-1-609; and

2297 (ii) shall be posted or mailed in accordance with the notice provisions of this section.

2298 (f) Proof that notice was given as provided in Subsection (2)(b) or (d) is prima facie
2299 evidence that notice was properly given.

2300 (g) If no challenge is made to the notice given of a hearing required by Subsection (1)
2301 within 30 days after the date of the hearing, the notice is considered adequate and proper.

2302 (3) After holding a public hearing under Subsection (1), a local district board may:

2303 (a) impose the new fee or increase the existing fee as proposed;

2304 (b) adjust the amount of the proposed new fee or the increase of the existing fee and
2305 then impose the new fee or increase the existing fee as adjusted; or

2306 (c) decline to impose the new fee or increase the existing fee.

2307 (4) This section applies to each new fee imposed and each increase of an existing fee
2308 that occurs on or after July 1, 1998.

2309 (5) (a) This section does not apply to an impact fee.

2310 (b) The imposition or increase of an impact fee is governed by Title 11, Chapter 36a,
2311 Impact Fees Act.

2312 Section 34. Section 17B-1-643 (Effective 07/01/21) is amended to read:

2313 **17B-1-643 (Effective 07/01/21). Imposing or increasing a fee for service provided**
2314 **by local district.**

2315 (1) (a) Before imposing a new fee or increasing an existing fee for a service provided
2316 by a local district, each local district board of trustees shall first hold a public hearing at which:

2317 (i) the local district shall demonstrate its need to impose or increase the fee; and

2318 (ii) any interested person may speak for or against the proposal to impose a fee or to
2319 increase an existing fee.

2320 (b) Each public hearing under Subsection (1)(a) shall be held in the evening beginning
2321 no earlier than 6 p.m.

2322 (c) A public hearing required under this Subsection (1) may be combined with a public
2323 hearing on a tentative budget required under Section 17B-1-610.

2324 (d) Except to the extent that this section imposes more stringent notice requirements,
2325 the local district board shall comply with Title 52, Chapter 4, Open and Public Meetings Act,
2326 in holding the public hearing under Subsection (1)(a).

2327 (2) (a) Each local district board shall give notice of a hearing under Subsection (1) as
2328 provided in Subsections (2)(b) and (c) or Subsection (2)(d).

2329 (b) The local district board shall:

2330 (i) post the notice required under Subsection (2)(a) on the Utah Public Notice Website
2331 [~~established~~], created in Section 63A-16-601; and

2332 (ii) post at least one of the notices required under Subsection (2)(a) per 1,000
2333 population within the local district, at places within the local district that are most likely to
2334 provide actual notice to residents within the local district, subject to a maximum of 10 notices.

2335 (c) The notice described in Subsection (2)(b) shall state that the local district board
2336 intends to impose or increase a fee for a service provided by the local district and will hold a
2337 public hearing on a certain day, time, and place fixed in the notice, which shall be not less than
2338 seven days after the day the first notice is published, for the purpose of hearing comments
2339 regarding the proposed imposition or increase of a fee and to explain the reasons for the
2340 proposed imposition or increase.

2341 (d) (i) In lieu of providing notice under Subsection (2)(b), the local district board of
2342 trustees may give the notice required under Subsection (2)(a) by mailing the notice to those
2343 within the district who:

2344 (A) will be charged the fee for a district service, if the fee is being imposed for the first
2345 time; or

2346 (B) are being charged a fee, if the fee is proposed to be increased.

2347 (ii) Each notice under Subsection (2)(d)(i) shall comply with Subsection (2)(c).

2348 (iii) A notice under Subsection (2)(d)(i) may accompany a district bill for an existing
2349 fee.

2350 (e) If the hearing required under this section is combined with the public hearing
2351 required under Section 17B-1-610, the notice required under this Subsection (2):

2352 (i) may be combined with the notice required under Section 17B-1-609; and

2353 (ii) shall be posted or mailed in accordance with the notice provisions of this section.

2354 (f) Proof that notice was given as provided in Subsection (2)(b) or (d) is prima facie
2355 evidence that notice was properly given.

2356 (g) If no challenge is made to the notice given of a hearing required by Subsection (1)
2357 within 30 days after the date of the hearing, the notice is considered adequate and proper.

2358 (3) After holding a public hearing under Subsection (1), a local district board may:

2359 (a) impose the new fee or increase the existing fee as proposed;

2360 (b) adjust the amount of the proposed new fee or the increase of the existing fee and
2361 then impose the new fee or increase the existing fee as adjusted; or

2362 (c) decline to impose the new fee or increase the existing fee.

2363 (4) This section applies to each new fee imposed and each increase of an existing fee
2364 that occurs on or after July 1, 1998.

2365 (5) (a) This section does not apply to an impact fee.

2366 (b) The imposition or increase of an impact fee is governed by Title 11, Chapter 36a,
2367 Impact Fees Act.

2368 Section 35. Section **17B-2a-705 (Superseded 07/01/21)** is amended to read:

2369 **17B-2a-705 (Superseded 07/01/21). Taxation -- Additional levy -- Election.**

2370 (1) If a mosquito abatement district board of trustees determines that the funds required
2371 during the next ensuing fiscal year will exceed the maximum amount that the district is
2372 authorized to levy under Subsection [17B-1-103\(2\)\(g\)](#), the board of trustees may call an election
2373 on a date specified in Section [20A-1-204](#) and submit to district voters the question of whether
2374 the district should be authorized to impose an additional tax to raise the necessary additional
2375 funds.

2376 (2) The board shall ~~publish~~ provide notice of the election:

2377 (a) (i) by posting one notice, and at least one additional notice per 2,000 population of
2378 the district, in places within the district that are most likely to give notice to the voters in the
2379 district, subject to a maximum of 10 notices; or

2380 (ii) at least four weeks before the day of the election, by mailing notice to each
2381 registered voter in the district;

2382 (b) by posting notice on the Utah Public Notice Website₂ created in Section
2383 [63A-12-201](#), for four weeks before the day of the election; and

2384 (c) if the district has a website, by posting notice on the district's website for four
2385 weeks before the day of the election.

2386 (3) No particular form of ballot is required, and no informalities in conducting the
2387 election may invalidate the election, if it is otherwise fairly conducted.

2388 (4) At the election each ballot shall contain the words, "Shall the district be authorized
2389 to impose an additional tax to raise the additional sum of \$ ____?"

2390 (5) The board of trustees shall canvass the votes cast at the election, and, if a majority
2391 of the votes cast are in favor of the imposition of the tax, the district is authorized to impose an
2392 additional levy to raise the additional amount of money required.

2393 Section 36. Section **17B-2a-705 (Effective 07/01/21)** is amended to read:

2394 **17B-2a-705 (Effective 07/01/21). Taxation -- Additional levy -- Election.**

2395 (1) If a mosquito abatement district board of trustees determines that the funds required
2396 during the next ensuing fiscal year will exceed the maximum amount that the district is
2397 authorized to levy under Subsection **17B-1-103(2)(g)**, the board of trustees may call an election
2398 on a date specified in Section **20A-1-204** and submit to district voters the question of whether
2399 the district should be authorized to impose an additional tax to raise the necessary additional
2400 funds.

2401 (2) The board shall [~~publish~~] provide notice of the election:

2402 (a) (i) by posting one notice, and at least one additional notice per 2,000 population of
2403 the district, in places within the district that are most likely to give notice to the voters in the
2404 district, subject to a maximum of 10 notices; or

2405 (ii) at least four weeks before the day of the election, by mailing notice to each
2406 registered voter in the district;

2407 (b) by posting notice on the Utah Public Notice Website₂ created in Section
2408 **63A-16-601**, for four weeks before the day of the election; and

2409 (c) if the district has a website, by posting notice on the district's website for four
2410 weeks before the day of the election.

2411 (3) No particular form of ballot is required, and no informalities in conducting the
2412 election may invalidate the election, if it is otherwise fairly conducted.

2413 (4) At the election each ballot shall contain the words, "Shall the district be authorized
2414 to impose an additional tax to raise the additional sum of \$ ____?"

2415 (5) The board of trustees shall canvass the votes cast at the election, and, if a majority
2416 of the votes cast are in favor of the imposition of the tax, the district is authorized to impose an
2417 additional levy to raise the additional amount of money required.

2418 Section 37. Section **20A-1-206** is amended to read:

2419 **20A-1-206. Cancellation of local election -- Municipalities -- Local districts --**
2420 **Notice.**

2421 (1) A municipal legislative body may cancel a local election if:

2422 (a) (i) (A) all municipal officers are elected in an at-large election under Subsection
2423 [10-3-205.5\(1\)](#); and

2424 (B) the number of municipal officer candidates, including any eligible write-in
2425 candidates under Section [20A-9-601](#), for the at-large municipal offices does not exceed the
2426 number of open at-large municipal offices for which the candidates have filed; or

2427 (ii) (A) the municipality has adopted an ordinance under Subsection [10-3-205.5\(2\)](#);

2428 (B) the number of municipal officer candidates, including any eligible write-in
2429 candidates under Section [20A-9-601](#), for the at-large municipal offices, if any, does not exceed
2430 the number of open at-large municipal offices for which the candidates have filed; and

2431 (C) each municipal officer candidate, including any eligible write-in candidates under
2432 Section [20A-9-601](#), in each district is unopposed;

2433 (b) there are no other municipal ballot propositions; and

2434 (c) the municipal legislative body passes, no later than 20 days before the day of the
2435 scheduled election, a resolution that cancels the election and certifies that:

2436 (i) each municipal officer candidate is:

2437 (A) unopposed; or

2438 (B) a candidate for an at-large municipal office for which the number of candidates
2439 does not exceed the number of open at-large municipal offices; and

2440 (ii) a candidate described in Subsection (1)(c)(i) is considered to be elected to office.

2441 (2) A municipal legislative body that cancels a local election in accordance with
2442 Subsection (1) shall give notice that the election is cancelled by:

2443 (a) subject to Subsection (5), posting notice on the Statewide Electronic Voter
2444 Information Website as described in Section [20A-7-801](#), for 15 consecutive days before the day
2445 of the scheduled election;

2446 (b) if the municipality has a public website, posting notice on the municipality's public
2447 website for 15 days before the day of the scheduled election;

2448 (c) if the ~~[municipality publishes a]~~ elected officials or departments of the municipality
2449 regularly publish a printed or electronic newsletter or other periodical, publishing notice in the
2450 next scheduled newsletter or other periodical published before the day of the scheduled
2451 election;

2452 (d) (i) publishing notice at least twice in a newspaper of general circulation in the
2453 municipality before the day of the scheduled election;

2454 ~~[(d)(i)]~~ (ii) at least 10 days before the day of the scheduled election, posting one
2455 notice, and at least one additional notice per 2,000 population within the municipality, in places
2456 within the municipality that are most likely to give notice to the voters in the municipality,
2457 subject to a maximum of 10 notices; or

2458 ~~[(d)(i)]~~ (iii) at least 10 days before the day of the scheduled election, mailing notice to
2459 each registered voter in the municipality; and

2460 (e) posting notice on the Utah Public Notice Website, created in Section ~~[63F-1-701]~~
2461 63A-12-201, for at least 10 days before the day of the scheduled election.

2462 (3) A local district board may cancel an election as described in Section 17B-1-306 if:

2463 (a) (i) (A) any local district officers are elected in an at-large election; and

2464 (B) the number of local district officer candidates for the at-large local district offices,
2465 including any eligible write-in candidates under Section 20A-9-601, does not exceed the
2466 number of open at-large local district offices for which the candidates have filed; or

2467 (ii) (A) the local district has divided the local district into divisions under Section
2468 17B-1-306.5;

2469 (B) the number of local district officer candidates, including any eligible write-in
2470 candidates under Section 20A-9-601, for the at-large local district offices within the local
2471 district, if any, does not exceed the number of open at-large local district offices for which the
2472 candidates have filed; and

2473 (C) each local district officer candidate, including any eligible write-in candidates
2474 under Section 20A-9-601, in each division of the local district is unopposed;

2475 (b) there are no other local district ballot propositions; and

2476 (c) the local district governing body, no later than 20 days before the day of the

2477 scheduled election, adopts a resolution that cancels the election and certifies that:

2478 (i) each local district officer candidate is:

2479 (A) unopposed; or

2480 (B) a candidate for an at-large local district office for which the number of candidates

2481 does not exceed the number of open at-large local district offices; and

2482 (ii) a candidate described in Subsection (3)(c)(i) is considered to be elected to office.

2483 (4) A local district that cancels a local election in accordance with Subsection (3) shall

2484 ~~publish~~ provide notice that the election is cancelled:

2485 (a) subject to Subsection (5), by posting notice on the Statewide Electronic Voter
2486 Information Website as described in Section ~~20A-7-801~~, for 15 consecutive days before the day
2487 of the scheduled election;

2488 (b) if the local district has a public website, by posting notice on the local district's
2489 public website for 15 days before the day of the scheduled election;

2490 (c) if the local district publishes a newsletter or other periodical, by publishing notice
2491 in the next scheduled newsletter or other periodical published before the day of the scheduled
2492 election;

2493 ~~(d) (i) by publishing notice at least twice in a newspaper of general circulation in the~~
2494 local district before the scheduled election;

2495 ~~[(d)] (ii) at least 10 days before the day of the scheduled election~~[(i)]~~, by posting one~~
2496 notice, and at least one additional notice per 2,000 population of the local district, in places
2497 within the local district that are most likely to give notice to the voters in the local district,
2498 subject to a maximum of 10 notices; or

2499 ~~[(i)] (iii) at least 10 days before the day of the scheduled election,~~ by mailing notice to
2500 each registered voter in the local district; and

2501 (e) by posting notice on the Utah Public Notice Website, created in Section
2502 ~~[63F-1-701]~~ 63A-12-201, for at least 10 days before the day of the scheduled election.

2503 (5) A municipal legislative body that posts a notice in accordance with Subsection
2504 (2)(a) or a local district that posts a notice in accordance with Subsection (4)(a) is not liable for
2505 a notice that fails to post due to technical or other error by the publisher of the Statewide
2506 Electronic Voter Information Website.

2507 Section 38. Section ~~20A-3a-604~~ **(Superseded 07/01/21)** is amended to read:

2508 **20A-3a-604 (Superseded 07/01/21). Notice of time and place of early voting.**

2509 (1) Except as provided in Section 20A-1-308 or Subsection 20A-3a-603(2), the
2510 election officer shall, at least 19 days before the date of the election, [~~publish~~] provide notice of
2511 the dates, times, and locations of early voting:

2512 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
2513 the county;

2514 [~~(a) (i)~~] (ii) by posting one notice, and at least one additional notice per 2,000
2515 population of the county, in places within the county that are most likely to give notice to the
2516 residents in the county, subject to a maximum of 10 notices; or

2517 [~~(ii)~~] (iii) by mailing notice to each registered voter in the county;

2518 (b) by posting [~~the~~] notice at each early voting polling place;

2519 (c) by posting notice on the Utah Public Notice Website, created in Section
2520 63A-12-201, for 19 days before the day of the election; and

2521 (d) by posting notice on the county's website for 19 days before the day of the election.

2522 (2) Instead of [~~publishing~~] specifying all dates, times, and locations of early voting
2523 [~~under Subsection (1), the election officer may publish a statement that specifies~~], a notice
2524 required under Subsection (1) may specify the following sources where a voter may view or
2525 obtain a copy of all dates, times, and locations of early voting:

2526 (a) the county's website;

2527 (b) the physical address of the county's offices; and

2528 (c) a mailing address and telephone number.

2529 (3) The election officer shall include in the notice described in Subsection (1):

2530 (a) the address of the Statewide Electronic Voter Information Website and, if available,
2531 the address of the election officer's website, with a statement indicating that the election officer
2532 will post on the website the location of each early voting polling place, including any changes
2533 to the location of an early voting polling place and the location of additional early voting
2534 polling places; and

2535 (b) a phone number that a voter may call to obtain information regarding the location
2536 of an early voting polling place.

2537 Section 39. Section 20A-3a-604 (Effective 07/01/21) is amended to read:

2538 **20A-3a-604 (Effective 07/01/21). Notice of time and place of early voting.**

2539 (1) Except as provided in Section 20A-1-308 or Subsection 20A-3a-603(2), the
 2540 election officer shall, at least 19 days before the date of the election, ~~[publish]~~ provide notice of
 2541 the dates, times, and locations of early voting:

2542 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
 2543 the county;

2544 ~~[(a)-(i)]~~ (ii) by posting one notice, and at least one additional notice per 2,000
 2545 population of the county, in places within the county that are most likely to give notice to the
 2546 residents in the county, subject to a maximum of 10 notices; or

2547 ~~[(ii)]~~ (iii) by mailing notice to each registered voter in the county;

2548 (b) by posting ~~[the]~~ notice at each early voting polling place;

2549 (c) by posting notice on the Utah Public Notice Website₂ created in Section
 2550 63A-16-601, for 19 days before the day of the election; and

2551 (d) by posting notice on the county's website for 19 days before the day of the election.

2552 (2) Instead of ~~[publishing]~~ specifying all dates, times, and locations of early voting
 2553 ~~[under Subsection (1), the election officer may publish a statement that specifies], a notice~~
 2554 required under Subsection (1) may specify the following sources where a voter may view or
 2555 obtain a copy of all dates, times, and locations of early voting:

2556 (a) the county's website;

2557 (b) the physical address of the county's offices; and

2558 (c) a mailing address and telephone number.

2559 (3) The election officer shall include in the notice described in Subsection (1):

2560 (a) the address of the Statewide Electronic Voter Information Website and, if available,
 2561 the address of the election officer's website, with a statement indicating that the election officer
 2562 will post on the website the location of each early voting polling place, including any changes
 2563 to the location of an early voting polling place and the location of additional early voting
 2564 polling places; and

2565 (b) a phone number that a voter may call to obtain information regarding the location
 2566 of an early voting polling place.

2567 Section 40. Section 20A-4-104 (Superseded 07/01/21) is amended to read:

2568 **20A-4-104 (Superseded 07/01/21). Counting ballots electronically.**

2569 (1) (a) Before beginning to count ballots using automatic tabulating equipment, the

2570 election officer shall test the automatic tabulating equipment to ensure that it will accurately
2571 count the votes cast for all offices and all measures.

2572 (b) The election officer shall ~~publish~~ provide public notice of the time and place of
2573 the test:

2574 (i) (A) by publishing notice at least 48 hours before the test in a newspaper of general
2575 circulation in the county, municipality, or jurisdiction where the equipment is used;

2576 ~~[(i)]~~ (B) at least 10 days before the day of the test~~[:-(A)]~~ by posting one notice, and at
2577 least one additional notice per 2,000 population of the county, municipality, or jurisdiction, in
2578 places within the county, municipality, or jurisdiction that are most likely to give notice to the
2579 voters in the county, municipality, or jurisdiction, subject to a maximum of 10 notices; or

2580 ~~[(B)]~~ (C) at least 10 days before the day of the test, by mailing notice to each registered
2581 voter in the county, municipality, or jurisdiction where the equipment is used;

2582 (ii) by posting notice on the Utah Public Notice Website, created in Section
2583 [63A-12-201](#), for four weeks before the day of the test; and

2584 (iii) if the county, municipality, or jurisdiction has a website, by posting notice on the
2585 website for four weeks before the day of the test.

2586 (c) The election officer shall conduct the test by processing a preaudited group of
2587 ballots.

2588 (d) The election officer shall ensure that:

2589 (i) a predetermined number of valid votes for each candidate and measure are recorded
2590 on the ballots;

2591 (ii) for each office, one or more ballots have votes in excess of the number allowed by
2592 law in order to test the ability of the automatic tabulating equipment to reject those votes; and

2593 (iii) a different number of valid votes are assigned to each candidate for an office, and
2594 for and against each measure.

2595 (e) If any error is detected, the election officer shall determine the cause of the error
2596 and correct it.

2597 (f) The election officer shall ensure that:

2598 (i) the automatic tabulating equipment produces an errorless count before beginning
2599 the actual counting; and

2600 (ii) the automatic tabulating equipment passes the same test at the end of the count

2601 before the election returns are approved as official.

2602 (2) (a) The election officer or the election officer's designee shall supervise and direct
2603 all proceedings at the counting center.

2604 (b) (i) Proceedings at the counting center are public and may be observed by interested
2605 persons.

2606 (ii) Only those persons authorized to participate in the count may touch any ballot or
2607 return.

2608 (c) The election officer shall deputize and administer an oath or affirmation to all
2609 persons who are engaged in processing and counting the ballots that they will faithfully
2610 perform their assigned duties.

2611 (3) If any ballot is damaged or defective so that it cannot properly be counted by the
2612 automatic tabulating equipment, the election officer shall ensure that two counting judges
2613 jointly:

2614 (a) make a true replication of the ballot with an identifying serial number;

2615 (b) substitute the replicated ballot for the damaged or defective ballot;

2616 (c) label the replicated ballot "replicated"; and

2617 (d) record the replicated ballot's serial number on the damaged or defective ballot.

2618 (4) The election officer may:

2619 (a) conduct an unofficial count before conducting the official count in order to provide
2620 early unofficial returns to the public;

2621 (b) release unofficial returns from time to time after the polls close; and

2622 (c) report the progress of the count for each candidate during the actual counting of
2623 ballots.

2624 (5) Beginning on the day after the date of the election, if an election officer releases
2625 early unofficial returns or reports the progress of the count for each candidate under Subsection
2626 (4), the election officer shall, with each release or report, disclose an estimate of the total
2627 number of voted ballots in the election officer's custody that have not yet been counted.

2628 (6) The election officer shall review and evaluate the provisional ballot envelopes and
2629 prepare any valid provisional ballots for counting as provided in Section [20A-4-107](#).

2630 (7) (a) The election officer or the election officer's designee shall:

2631 (i) separate, count, and tabulate any ballots containing valid write-in votes; and

2632 (ii) complete the standard form provided by the clerk for recording valid write-in votes.

2633 (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast
2634 more votes for an office than that voter is entitled to vote for that office, the poll workers shall
2635 count the valid write-in vote as being the obvious intent of the voter.

2636 (8) (a) The election officer shall certify the return printed by the automatic tabulating
2637 equipment, to which have been added write-in and absentee votes, as the official return of each
2638 voting precinct.

2639 (b) Upon completion of the count, the election officer shall make official returns open
2640 to the public.

2641 (9) If for any reason it becomes impracticable to count all or a part of the ballots with
2642 tabulating equipment, the election officer may direct that they be counted manually according
2643 to the procedures and requirements of this part.

2644 (10) After the count is completed, the election officer shall seal and retain the
2645 programs, test materials, and ballots as provided in Section [20A-4-202](#).

2646 Section 41. Section **20A-4-104 (Effective 07/01/21)** is amended to read:

2647 **20A-4-104 (Effective 07/01/21). Counting ballots electronically.**

2648 (1) (a) Before beginning to count ballots using automatic tabulating equipment, the
2649 election officer shall test the automatic tabulating equipment to ensure that it will accurately
2650 count the votes cast for all offices and all measures.

2651 (b) The election officer shall ~~publish~~ provide public notice of the time and place of
2652 the test:

2653 (i) (A) by publishing notice at least 48 hours before the test in a newspaper of general
2654 circulation in the county, municipality, or jurisdiction where the equipment is used;

2655 ~~[(i)] (B)~~ (B) at least 10 days before the day of the test~~[-(A)]~~, by posting one notice, and at
2656 least one additional notice per 2,000 population of the county, municipality, or jurisdiction, in
2657 places within the county, municipality, or jurisdiction that are most likely to give notice to the
2658 voters in the county, municipality, or jurisdiction, subject to a maximum of 10 notices; or

2659 ~~[(B)] (C)~~ (C) at least 10 days before the day of the test, by mailing notice to each registered
2660 voter in the county, municipality, or jurisdiction where the equipment is used;

2661 (ii) by posting notice on the Utah Public Notice Website, created in Section
2662 [63A-16-601](#), for four weeks before the day of the test; and

2663 (iii) if the county, municipality, or jurisdiction has a website, by posting notice on the
2664 website for four weeks before the day of the test.

2665 (c) The election officer shall conduct the test by processing a preaudited group of
2666 ballots.

2667 (d) The election officer shall ensure that:

2668 (i) a predetermined number of valid votes for each candidate and measure are recorded
2669 on the ballots;

2670 (ii) for each office, one or more ballots have votes in excess of the number allowed by
2671 law in order to test the ability of the automatic tabulating equipment to reject those votes; and

2672 (iii) a different number of valid votes are assigned to each candidate for an office, and
2673 for and against each measure.

2674 (e) If any error is detected, the election officer shall determine the cause of the error
2675 and correct it.

2676 (f) The election officer shall ensure that:

2677 (i) the automatic tabulating equipment produces an errorless count before beginning
2678 the actual counting; and

2679 (ii) the automatic tabulating equipment passes the same test at the end of the count
2680 before the election returns are approved as official.

2681 (2) (a) The election officer or the election officer's designee shall supervise and direct
2682 all proceedings at the counting center.

2683 (b) (i) Proceedings at the counting center are public and may be observed by interested
2684 persons.

2685 (ii) Only those persons authorized to participate in the count may touch any ballot or
2686 return.

2687 (c) The election officer shall deputize and administer an oath or affirmation to all
2688 persons who are engaged in processing and counting the ballots that they will faithfully
2689 perform their assigned duties.

2690 (3) If any ballot is damaged or defective so that it cannot properly be counted by the
2691 automatic tabulating equipment, the election officer shall ensure that two counting judges
2692 jointly:

2693 (a) make a true replication of the ballot with an identifying serial number;

- 2694 (b) substitute the replicated ballot for the damaged or defective ballot;
- 2695 (c) label the replicated ballot "replicated"; and
- 2696 (d) record the replicated ballot's serial number on the damaged or defective ballot.
- 2697 (4) The election officer may:
 - 2698 (a) conduct an unofficial count before conducting the official count in order to provide
 - 2699 early unofficial returns to the public;
 - 2700 (b) release unofficial returns from time to time after the polls close; and
 - 2701 (c) report the progress of the count for each candidate during the actual counting of
 - 2702 ballots.
- 2703 (5) Beginning on the day after the date of the election, if an election officer releases
- 2704 early unofficial returns or reports the progress of the count for each candidate under Subsection
- 2705 (4), the election officer shall, with each release or report, disclose an estimate of the total
- 2706 number of voted ballots in the election officer's custody that have not yet been counted.
- 2707 (6) The election officer shall review and evaluate the provisional ballot envelopes and
- 2708 prepare any valid provisional ballots for counting as provided in Section [20A-4-107](#).
- 2709 (7) (a) The election officer or the election officer's designee shall:
 - 2710 (i) separate, count, and tabulate any ballots containing valid write-in votes; and
 - 2711 (ii) complete the standard form provided by the clerk for recording valid write-in votes.
- 2712 (b) In counting the write-in votes, if, by casting a valid write-in vote, a voter has cast
- 2713 more votes for an office than that voter is entitled to vote for that office, the poll workers shall
- 2714 count the valid write-in vote as being the obvious intent of the voter.
- 2715 (8) (a) The election officer shall certify the return printed by the automatic tabulating
- 2716 equipment, to which have been added write-in and absentee votes, as the official return of each
- 2717 voting precinct.
- 2718 (b) Upon completion of the count, the election officer shall make official returns open
- 2719 to the public.
- 2720 (9) If for any reason it becomes impracticable to count all or a part of the ballots with
- 2721 tabulating equipment, the election officer may direct that they be counted manually according
- 2722 to the procedures and requirements of this part.
- 2723 (10) After the count is completed, the election officer shall seal and retain the
- 2724 programs, test materials, and ballots as provided in Section [20A-4-202](#).

2725 Section 42. Section **20A-4-304 (Superseded 07/01/21)** is amended to read:
2726 **20A-4-304 (Superseded 07/01/21). Declaration of results -- Canvassers' report.**
2727 (1) Each board of canvassers shall:
2728 (a) except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project,
2729 declare "elected" or "nominated" those persons who:
2730 (i) had the highest number of votes; and
2731 (ii) sought election or nomination to an office completely within the board's
2732 jurisdiction;
2733 (b) declare:
2734 (i) "approved" those ballot propositions that:
2735 (A) had more "yes" votes than "no" votes; and
2736 (B) were submitted only to the voters within the board's jurisdiction;
2737 (ii) "rejected" those ballot propositions that:
2738 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes"
2739 votes; and
2740 (B) were submitted only to the voters within the board's jurisdiction;
2741 (c) certify the vote totals for persons and for and against ballot propositions that were
2742 submitted to voters within and beyond the board's jurisdiction and transmit those vote totals to
2743 the lieutenant governor; and
2744 (d) if applicable, certify the results of each local district election to the local district
2745 clerk.
2746 (2) As soon as the result is declared, the election officer shall prepare a report of the
2747 result, which shall contain:
2748 (a) the total number of votes cast in the board's jurisdiction;
2749 (b) the names of each candidate whose name appeared on the ballot;
2750 (c) the title of each ballot proposition that appeared on the ballot;
2751 (d) each office that appeared on the ballot;
2752 (e) from each voting precinct:
2753 (i) the number of votes for each candidate;
2754 (ii) for each race conducted by instant runoff voting under Part 6, Municipal Alternate
2755 Voting Methods Pilot Project, the number of valid votes cast for each candidate for each

2756 potential ballot-counting phase and the name of the candidate excluded in each canvassing
2757 phase; and

2758 (iii) the number of votes for and against each ballot proposition;

2759 (f) the total number of votes given in the board's jurisdiction to each candidate, and for
2760 and against each ballot proposition;

2761 (g) the number of ballots that were rejected; and

2762 (h) a statement certifying that the information contained in the report is accurate.

2763 (3) The election officer and the board of canvassers shall:

2764 (a) review the report to ensure that it is correct; and

2765 (b) sign the report.

2766 (4) The election officer shall:

2767 (a) record or file the certified report in a book kept for that purpose;

2768 (b) prepare and transmit a certificate of nomination or election under the officer's seal
2769 to each nominated or elected candidate;

2770 (c) publish a copy of the certified report in accordance with Subsection (5); and

2771 (d) file a copy of the certified report with the lieutenant governor.

2772 (5) Except as provided in Subsection (6), the election officer shall, no later than seven
2773 days after the day on which the board of canvassers declares the election results, ~~[publish]~~
2774 publicize the certified report described in Subsection (2):

2775 (a) (i) by publishing notice at least once in a newspaper of general circulation within
2776 the jurisdiction;

2777 ~~[(a)-(i)]~~ (ii) by posting one notice, and at least one additional notice per 2,000
2778 population of the jurisdiction, in places within the jurisdiction that are most likely to give
2779 notice to the residents of the jurisdiction, subject to a maximum of 10 notices; or

2780 ~~[(ii)]~~ (iii) by mailing notice to each residence within the jurisdiction;

2781 (b) by posting notice on the Utah Public Notice Website, created in Section
2782 [63A-12-201](#), for one week; and

2783 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
2784 one week.

2785 (6) Instead of ~~[publishing]~~ including a copy of the entire certified report ~~[under~~
2786 Subsection (5), the election officer may publish], a notice required under Subsection (5) may

2787 contain a statement that:

2788 (a) includes the following: "The Board of Canvassers for [indicate name of
2789 jurisdiction] has prepared a report of the election results for the [indicate type and date of
2790 election]."; and

2791 (b) specifies the following sources where an individual may view or obtain a copy of
2792 the entire certified report:

2793 (i) if the jurisdiction has a website, the jurisdiction's website;

2794 (ii) the physical address for the jurisdiction; and

2795 (iii) a mailing address and telephone number.

2796 (7) When there has been a regular general or a statewide special election for statewide
2797 officers, for officers that appear on the ballot in more than one county, or for a statewide or two
2798 or more county ballot proposition, each board of canvassers shall:

2799 (a) prepare a separate report detailing the number of votes for each candidate and the
2800 number of votes for and against each ballot proposition; and

2801 (b) transmit the separate report by registered mail to the lieutenant governor.

2802 (8) In each county election, municipal election, school election, local district election,
2803 and local special election, the election officer shall transmit the reports to the lieutenant
2804 governor within 14 days after the date of the election.

2805 (9) In a regular primary election and in a presidential primary election, the board shall
2806 transmit to the lieutenant governor:

2807 (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant
2808 governor not later than the second Tuesday after the election; and

2809 (b) a complete tabulation showing voting totals for all primary races, precinct by
2810 precinct, to be mailed to the lieutenant governor on or before the third Friday following the
2811 primary election.

2812 Section 43. Section **20A-4-304 (Effective 07/01/21)** is amended to read:

2813 **20A-4-304 (Effective 07/01/21). Declaration of results -- Canvassers' report.**

2814 (1) Each board of canvassers shall:

2815 (a) except as provided in Part 6, Municipal Alternate Voting Methods Pilot Project,
2816 declare "elected" or "nominated" those persons who:

2817 (i) had the highest number of votes; and

- 2818 (ii) sought election or nomination to an office completely within the board's
- 2819 jurisdiction;
- 2820 (b) declare:
- 2821 (i) "approved" those ballot propositions that:
- 2822 (A) had more "yes" votes than "no" votes; and
- 2823 (B) were submitted only to the voters within the board's jurisdiction;
- 2824 (ii) "rejected" those ballot propositions that:
- 2825 (A) had more "no" votes than "yes" votes or an equal number of "no" votes and "yes"
- 2826 votes; and
- 2827 (B) were submitted only to the voters within the board's jurisdiction;
- 2828 (c) certify the vote totals for persons and for and against ballot propositions that were
- 2829 submitted to voters within and beyond the board's jurisdiction and transmit those vote totals to
- 2830 the lieutenant governor; and
- 2831 (d) if applicable, certify the results of each local district election to the local district
- 2832 clerk.
- 2833 (2) As soon as the result is declared, the election officer shall prepare a report of the
- 2834 result, which shall contain:
- 2835 (a) the total number of votes cast in the board's jurisdiction;
- 2836 (b) the names of each candidate whose name appeared on the ballot;
- 2837 (c) the title of each ballot proposition that appeared on the ballot;
- 2838 (d) each office that appeared on the ballot;
- 2839 (e) from each voting precinct:
- 2840 (i) the number of votes for each candidate;
- 2841 (ii) for each race conducted by instant runoff voting under Part 6, Municipal Alternate
- 2842 Voting Methods Pilot Project, the number of valid votes cast for each candidate for each
- 2843 potential ballot-counting phase and the name of the candidate excluded in each canvassing
- 2844 phase; and
- 2845 (iii) the number of votes for and against each ballot proposition;
- 2846 (f) the total number of votes given in the board's jurisdiction to each candidate, and for
- 2847 and against each ballot proposition;
- 2848 (g) the number of ballots that were rejected; and

- 2849 (h) a statement certifying that the information contained in the report is accurate.
- 2850 (3) The election officer and the board of canvassers shall:
- 2851 (a) review the report to ensure that it is correct; and
- 2852 (b) sign the report.
- 2853 (4) The election officer shall:
- 2854 (a) record or file the certified report in a book kept for that purpose;
- 2855 (b) prepare and transmit a certificate of nomination or election under the officer's seal
- 2856 to each nominated or elected candidate;
- 2857 (c) publish a copy of the certified report in accordance with Subsection (5); and
- 2858 (d) file a copy of the certified report with the lieutenant governor.
- 2859 (5) Except as provided in Subsection (6), the election officer shall, no later than seven
- 2860 days after the day on which the board of canvassers declares the election results, ~~publish~~
- 2861 publicize the certified report described in Subsection (2):
- 2862 (a) (i) by publishing notice at least once in a newspaper of general circulation within
- 2863 the jurisdiction;
- 2864 ~~[(a)-(i)]~~ (ii) by posting one notice, and at least one additional notice per 2,000
- 2865 population of the jurisdiction, in places within the jurisdiction that are most likely to give
- 2866 notice to the residents of the jurisdiction, subject to a maximum of 10 notices; or
- 2867 ~~[(ii)]~~ (iii) by mailing notice to each residence within the jurisdiction;
- 2868 (b) by posting notice on the Utah Public Notice Website, created in Section
- 2869 [63A-16-601](#), for one week; and
- 2870 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
- 2871 one week.
- 2872 (6) Instead of ~~publishing~~ including a copy of the entire certified report ~~under~~
- 2873 ~~Subsection (5), the election officer may publish~~, a notice required under Subsection (5) may
- 2874 contain a statement that:
- 2875 (a) includes the following: "The Board of Canvassers for [indicate name of
- 2876 jurisdiction] has prepared a report of the election results for the [indicate type and date of
- 2877 election]."; and
- 2878 (b) specifies the following sources where an individual may view or obtain a copy of
- 2879 the entire certified report:

- 2880 (i) if the jurisdiction has a website, the jurisdiction's website;
- 2881 (ii) the physical address for the jurisdiction; and
- 2882 (iii) a mailing address and telephone number.

2883 (7) When there has been a regular general or a statewide special election for statewide
2884 officers, for officers that appear on the ballot in more than one county, or for a statewide or two
2885 or more county ballot proposition, each board of canvassers shall:

2886 (a) prepare a separate report detailing the number of votes for each candidate and the
2887 number of votes for and against each ballot proposition; and

2888 (b) transmit the separate report by registered mail to the lieutenant governor.

2889 (8) In each county election, municipal election, school election, local district election,
2890 and local special election, the election officer shall transmit the reports to the lieutenant
2891 governor within 14 days after the date of the election.

2892 (9) In a regular primary election and in a presidential primary election, the board shall
2893 transmit to the lieutenant governor:

2894 (a) the county totals for multi-county races, to be telephoned or faxed to the lieutenant
2895 governor not later than the second Tuesday after the election; and

2896 (b) a complete tabulation showing voting totals for all primary races, precinct by
2897 precinct, to be mailed to the lieutenant governor on or before the third Friday following the
2898 primary election.

2899 Section 44. Section **20A-5-101 (Superseded 07/01/21)** is amended to read:

2900 **20A-5-101 (Superseded 07/01/21). Notice of election.**

2901 (1) On or before November 15 in the year before each regular general election year, the
2902 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

2903 (a) designates the offices to be filled at the next year's regular general election;

2904 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
2905 certifying nomination petition signatures, as applicable, under Sections [20A-9-403](#), [20A-9-407](#),
2906 and [20A-9-408](#) for those offices; and

2907 (c) contains a description of any ballot propositions to be decided by the voters that
2908 have qualified for the ballot as of that date.

2909 (2) (a) No later than seven business days after the day on which the lieutenant governor
2910 transmits the written notice described in Subsection (1), each county clerk shall ~~publish~~

2911 provide notice, in accordance with Subsection (3):

2912 ~~[(a)(i)]~~ (i) by posting notice in a conspicuous place most likely to give notice of the
2913 election to the voters in each voting precinct within the county; ~~[and]~~

2914 ~~[(ii) prepare an affidavit of the posting, showing a copy of the notice and the places
2915 where the notice was posted;]~~

2916 (ii) (A) by publishing notice in a newspaper of general circulation in the county;

2917 ~~[(b)(i)]~~ (B) by posting one notice, and at least one additional notice per 2,000
2918 population of the county, in places within the county that are most likely to give notice of the
2919 election to the voters in the county, subject to a maximum of 10 notices; or

2920 ~~[(ii)]~~ (C) by mailing notice to each registered voter in the county;

2921 ~~[(e)]~~ (iii) by posting notice on the Utah Public Notice Website, created in Section
2922 [63A-12-201](#), for seven days before the day of the election; and

2923 ~~[(d)]~~ (iv) by posting notice on the county's website for seven days before the day of the
2924 election.

2925 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a)(i),
2926 showing a copy of the notice and the places where the notice was posted.

2927 (3) The notice described in Subsection (2) shall:

2928 (a) designate the offices to be voted on in that election; and

2929 (b) identify the dates for filing a declaration of candidacy for those offices.

2930 (4) Except as provided in Subsection (6), before each election, the election officer shall
2931 give printed notice of the following information:

2932 (a) the date of election;

2933 (b) the hours during which the polls will be open;

2934 (c) the polling places for each voting precinct, early voting polling place, and election
2935 day voting center;

2936 (d) the address of the Statewide Electronic Voter Information Website and, if available,
2937 the address of the election officer's website, with a statement indicating that the election officer
2938 will post on the website any changes to the location of a polling place and the location of any
2939 additional polling place;

2940 (e) a phone number that a voter may call to obtain information regarding the location of
2941 a polling place; and

2942 (f) the qualifications for persons to vote in the election.

2943 (5) ~~[To provide the printed notice described in Subsection (4), the]~~ The election officer
2944 shall ~~[publish]~~ provide the notice described in Subsection (4):

2945 (a) (i) by publishing the notice in a newspaper of general circulation in the jurisdiction
2946 to which the election pertains, at least two days before the day of the election;

2947 ~~[(a)(i)]~~ (ii) at least two days before the day of the election, by posting one notice, and
2948 at least one additional notice per 2,000 population of the jurisdiction, in places within the
2949 jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction,
2950 subject to a maximum of 10 notices; or

2951 ~~[(ii)]~~ (iii) by mailing the notice to each registered voter who resides in the jurisdiction
2952 to which the election pertains at least five days before the day of the election;

2953 (b) by posting notice on the Utah Public Notice Website, created in Section
2954 [63A-12-201](#), for two days before the day of the election; and

2955 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
2956 two days before the day of the election.

2957 (6) Instead of including the information described in Subsection (4) in the notice, the
2958 election officer may give printed notice that:

2959 (a) is entitled "Notice of Election";

2960 (b) includes the following: "A [indicate election type] will be held in [indicate the
2961 jurisdiction] on [indicate date of election]. Information relating to the election, including
2962 polling places, polling place hours, and qualifications of voters may be obtained from the
2963 following sources:"; and

2964 (c) specifies the following sources where an individual may view or obtain the
2965 information described in Subsection (4):

2966 (i) if the jurisdiction has a website, the jurisdiction's website;

2967 (ii) the physical address of the jurisdiction offices; and

2968 (iii) a mailing address and telephone number.

2969 Section 45. Section **20A-5-101 (Effective 07/01/21)** is amended to read:

2970 **20A-5-101 (Effective 07/01/21). Notice of election.**

2971 (1) On or before November 15 in the year before each regular general election year, the
2972 lieutenant governor shall prepare and transmit a written notice to each county clerk that:

- 2973 (a) designates the offices to be filled at the next year's regular general election;
- 2974 (b) identifies the dates for filing a declaration of candidacy, and for submitting and
2975 certifying nomination petition signatures, as applicable, under Sections 20A-9-403, 20A-9-407,
2976 and 20A-9-408 for those offices; and
- 2977 (c) contains a description of any ballot propositions to be decided by the voters that
2978 have qualified for the ballot as of that date.
- 2979 (2) (a) No later than seven business days after the day on which the lieutenant governor
2980 transmits the written notice described in Subsection (1), each county clerk shall ~~[publish]~~
2981 provide notice, in accordance with Subsection (3):
- 2982 ~~[(a)(i)]~~ (i) by posting notice in a conspicuous place most likely to give notice of the
2983 election to the voters in each voting precinct within the county; ~~[and]~~
- 2984 ~~[(ii) prepare an affidavit of the posting, showing a copy of the notice and the places
2985 where the notice was posted;]~~
- 2986 (ii) (A) by publishing notice in a newspaper of general circulation in the county;
- 2987 ~~[(b)(i)]~~ (B) by posting one notice, and at least one additional notice per 2,000
2988 population of the county, in places within the county that are most likely to give notice of the
2989 election to the voters in the county, subject to a maximum of 10 notices; or
- 2990 ~~[(ii)]~~ (C) by mailing notice to each registered voter in the county;
- 2991 ~~[(c)]~~ (iii) by posting notice on the Utah Public Notice Website, created in Section
2992 63A-16-601, for seven days before the day of the election; and
- 2993 ~~[(d)]~~ (iv) by posting notice on the county's website for seven days before the day of the
2994 election.
- 2995 (b) The county clerk shall prepare an affidavit of the posting under Subsection (2)(a)(i),
2996 showing a copy of the notice and the places where the notice was posted.
- 2997 (3) The notice described in Subsection (2) shall:
- 2998 (a) designate the offices to be voted on in that election; and
- 2999 (b) identify the dates for filing a declaration of candidacy for those offices.
- 3000 (4) Except as provided in Subsection (6), before each election, the election officer shall
3001 give printed notice of the following information:
- 3002 (a) the date of election;
- 3003 (b) the hours during which the polls will be open;

3004 (c) the polling places for each voting precinct, early voting polling place, and election
3005 day voting center;

3006 (d) the address of the Statewide Electronic Voter Information Website and, if available,
3007 the address of the election officer's website, with a statement indicating that the election officer
3008 will post on the website any changes to the location of a polling place and the location of any
3009 additional polling place;

3010 (e) a phone number that a voter may call to obtain information regarding the location of
3011 a polling place; and

3012 (f) the qualifications for persons to vote in the election.

3013 (5) ~~[To provide the printed notice described in Subsection (4), the]~~ The election officer
3014 shall ~~[publish]~~ provide the notice described in Subsection (4):

3015 (a) (i) by publishing the notice in a newspaper of general circulation in the jurisdiction
3016 to which the election pertains, at least two days before the day of the election;

3017 ~~[(a) (i)]~~ (ii) at least two days before the day of the election, by posting one notice, and
3018 at least one additional notice per 2,000 population of the jurisdiction, in places within the
3019 jurisdiction that are most likely to give notice of the election to the voters in the jurisdiction,
3020 subject to a maximum of 10 notices; or

3021 ~~[(i)]~~ (iii) by mailing the notice to each registered voter who resides in the jurisdiction
3022 to which the election pertains at least five days before the day of the election;

3023 (b) by posting notice on the Utah Public Notice Website, created in Section
3024 [63A-16-601](#), for two days before the day of the election; and

3025 (c) if the jurisdiction has a website, by posting notice on the jurisdiction's website for
3026 two days before the day of the election.

3027 (6) Instead of including the information described in Subsection (4) in the notice, the
3028 election officer may give printed notice that:

3029 (a) is entitled "Notice of Election";

3030 (b) includes the following: "A [indicate election type] will be held in [indicate the
3031 jurisdiction] on [indicate date of election]. Information relating to the election, including
3032 polling places, polling place hours, and qualifications of voters may be obtained from the
3033 following sources:"; and

3034 (c) specifies the following sources where an individual may view or obtain the

3035 information described in Subsection (4):

3036 (i) if the jurisdiction has a website, the jurisdiction's website;

3037 (ii) the physical address of the jurisdiction offices; and

3038 (iii) a mailing address and telephone number.

3039 Section 46. Section **20A-5-403.5 (Superseded 07/01/21)** is amended to read:

3040 **20A-5-403.5 (Superseded 07/01/21). Ballot drop boxes.**

3041 (1) An election officer:

3042 (a) may designate ballot drop boxes for the election officer's jurisdiction; and

3043 (b) shall clearly mark each ballot drop box as an official ballot drop box for the
3044 election officer's jurisdiction.

3045 (2) Except as provided in Section **20A-1-308** or Subsection (5), the election officer
3046 shall, at least 19 days before the date of the election, [~~publish~~] provide notice of the location of
3047 each ballot drop box designated under Subsection (1):

3048 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
3049 the jurisdiction holding the election;

3050 [~~(a)(i)~~] (ii) by posting one notice, and at least one additional notice per 2,000
3051 population of the jurisdiction holding the election, in places within the jurisdiction that are
3052 most likely to give notice to the residents in the jurisdiction, subject to a maximum of 10
3053 notices; or

3054 [~~(i)~~] (iii) by mailing notice to each registered voter in the jurisdiction holding the
3055 election;

3056 (b) by posting notice on the Utah Public Notice Website, created in Section
3057 **63A-12-201**, for 19 days before the day of the election; and

3058 (c) by posting notice on the jurisdiction's website for 19 days before the day of the
3059 election.

3060 (3) Instead of [~~publishing~~] including the location of ballot drop boxes, a notice required
3061 under Subsection (2) [~~, the election officer may publish a statement that specifies~~] may specify
3062 the following sources where a voter may view or obtain a copy of all ballot drop box locations:

3063 (a) the jurisdiction's website;

3064 (b) the physical address of the jurisdiction's offices; and

3065 (c) a mailing address and telephone number.

3066 (4) The election officer shall include in the notice described in Subsection (2):
3067 (a) the address of the Statewide Electronic Voter Information Website and, if available,
3068 the address of the election officer's website, with a statement indicating that the election officer
3069 will post on the website the location of each ballot drop box, including any changes to the
3070 location of a ballot drop box and the location of additional ballot drop boxes; and

3071 (b) a phone number that a voter may call to obtain information regarding the location
3072 of a ballot drop box.

3073 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the
3074 deadline described in Subsection (2):

3075 (i) if necessary, change the location of a ballot drop box; or

3076 (ii) if the election officer determines that the number of ballot drop boxes is
3077 insufficient due to the number of registered voters who are voting, designate additional ballot
3078 drop boxes.

3079 (b) Except as provided in Section 20A-1-308, if an election officer changes the
3080 location of a ballot box or designates an additional ballot drop box location, the election officer
3081 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
3082 the additional ballot drop box location:

3083 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;

3084 (ii) by posting the information on the website of the election officer, if available; and

3085 (iii) by posting notice:

3086 (A) for a change in the location of a ballot drop box, at the new location and, if
3087 possible, the old location; and

3088 (B) for an additional ballot drop box location, at the additional ballot drop box
3089 location.

3090 (6) An election officer may, at any time, authorize two or more poll workers to remove
3091 a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.

3092 Section 47. Section 20A-5-403.5 (Effective 07/01/21) is amended to read:

3093 **20A-5-403.5 (Effective 07/01/21). Ballot drop boxes.**

3094 (1) An election officer:

3095 (a) may designate ballot drop boxes for the election officer's jurisdiction; and

3096 (b) shall clearly mark each ballot drop box as an official ballot drop box for the

3097 election officer's jurisdiction.

3098 (2) Except as provided in Section 20A-1-308 or Subsection (5), the election officer
3099 shall, at least 19 days before the date of the election, ~~[publish]~~ provide notice of the location of
3100 each ballot drop box designated under Subsection (1):

3101 (a) (i) by publishing notice in at least one issue of a newspaper of general circulation in
3102 the jurisdiction holding the election;

3103 ~~[(a) (i)]~~ (ii) by posting one notice, and at least one additional notice per 2,000
3104 population of the jurisdiction holding the election, in places within the jurisdiction that are
3105 most likely to give notice to the residents in the jurisdiction, subject to a maximum of 10
3106 notices; or

3107 ~~[(i)]~~ (iii) by mailing notice to each registered voter in the jurisdiction holding the
3108 election;

3109 (b) by posting notice on the Utah Public Notice Website, created in Section
3110 63A-16-601, for 19 days before the day of the election; and

3111 (c) by posting notice on the jurisdiction's website for 19 days before the day of the
3112 election.

3113 (3) Instead of ~~[publishing]~~ including the location of ballot drop boxes, a notice required
3114 under Subsection (2)~~[, the election officer may publish a statement that specifies]~~ may specify
3115 the following sources where a voter may view or obtain a copy of all ballot drop box locations:

3116 (a) the jurisdiction's website;

3117 (b) the physical address of the jurisdiction's offices; and

3118 (c) a mailing address and telephone number.

3119 (4) The election officer shall include in the notice described in Subsection (2):

3120 (a) the address of the Statewide Electronic Voter Information Website and, if available,
3121 the address of the election officer's website, with a statement indicating that the election officer
3122 will post on the website the location of each ballot drop box, including any changes to the
3123 location of a ballot drop box and the location of additional ballot drop boxes; and

3124 (b) a phone number that a voter may call to obtain information regarding the location
3125 of a ballot drop box.

3126 (5) (a) Except as provided in Section 20A-1-308, the election officer may, after the
3127 deadline described in Subsection (2):

3128 (i) if necessary, change the location of a ballot drop box; or
3129 (ii) if the election officer determines that the number of ballot drop boxes is
3130 insufficient due to the number of registered voters who are voting, designate additional ballot
3131 drop boxes.

3132 (b) Except as provided in Section 20A-1-308, if an election officer changes the
3133 location of a ballot box or designates an additional ballot drop box location, the election officer
3134 shall, as soon as is reasonably possible, give notice of the changed ballot drop box location or
3135 the additional ballot drop box location:

- 3136 (i) to the lieutenant governor, for posting on the Statewide Voter Information Website;
- 3137 (ii) by posting the information on the website of the election officer, if available; and
- 3138 (iii) by posting notice:

3139 (A) for a change in the location of a ballot drop box, at the new location and, if
3140 possible, the old location; and

3141 (B) for an additional ballot drop box location, at the additional ballot drop box
3142 location.

3143 (6) An election officer may, at any time, authorize two or more poll workers to remove
3144 a ballot drop box from a location, or to remove ballots from a ballot drop box for processing.

3145 Section 48. Section 20A-5-405 (**Superseded 07/01/21**) is amended to read:

3146 **20A-5-405 (Superseded 07/01/21). Election officer to provide ballots.**

3147 (1) An election officer shall:

3148 (a) provide ballots for every election of public officers in which the voters, or any of
3149 the voters, within the election officer's jurisdiction participate;

3150 (b) cause the name of every candidate whose nomination has been certified to or filed
3151 with the election officer in the manner provided by law to be included on each ballot;

3152 (c) cause any ballot proposition that has qualified for the ballot as provided by law to
3153 be included on each ballot;

3154 (d) ensure that the ballots are prepared and in the possession of the election officer
3155 before commencement of voting;

3156 (e) allow candidates and their agents and the sponsors of ballot propositions that have
3157 qualified for the official ballot to inspect the ballots;

3158 (f) cause sample ballots to be printed that are in the same form as official ballots and

3159 that contain the same information as official ballots but that are printed on different colored
3160 paper than official ballots or are identified by a watermark;

3161 (g) ensure that the sample ballots are printed and in the possession of the election
3162 officer at least seven days before commencement of voting;

3163 (h) make the sample ballots available for public inspection by:

3164 (i) posting a copy of the sample ballot in the election officer's office at least seven days
3165 before commencement of voting;

3166 (ii) mailing a copy of the sample ballot to:

3167 (A) each candidate listed on the ballot; and

3168 (B) the lieutenant governor;

3169 (iii) ~~publishing~~ publicizing a copy of the sample ballot:

3170 (A) at least seven days before the day of the election, by posting one copy of the
3171 sample ballot, and at least one additional copy of the sample ballot per 2,000 population of the
3172 jurisdiction, in places within the jurisdiction that are most likely to give notice to the voters in
3173 the jurisdiction, subject to a maximum of 10 notices; or

3174 (B) at least 10 days before the day of the election, by mailing a copy of the sample
3175 ballot to each registered voter who resides in the jurisdiction holding the election;

3176 (iv) ~~publishing~~ posting a copy of the sample ballot on the Utah Public Notice
3177 Website, created in Section [63A-12-201](#), for seven days before the day of the election; and

3178 (v) if the jurisdiction has a website, ~~publishing~~ posting a copy of the sample ballot on
3179 the jurisdiction's website for at least seven days before the day of the election;

3180 (i) deliver at least five copies of the sample ballot to poll workers for each polling
3181 place and direct them to post the sample ballots as required by Section [20A-5-102](#); and

3182 (j) print and deliver, at the expense of the jurisdiction conducting the election, enough
3183 ballots, sample ballots, and instructions to meet the voting demands of the qualified voters in
3184 each voting precinct.

3185 (2) Instead of ~~publishing~~ posting the entire sample ballot under Subsection
3186 (1)(h)(iii)(A), the election officer may ~~publish~~ post a statement that:

3187 (a) is entitled, "sample ballot";

3188 (b) includes the following: "A sample ballot for [indicate name of jurisdiction] for the
3189 upcoming [indicate type and date of election] may be obtained from the following sources:";

3190 and

3191 (c) specifies the following sources where an individual may view or obtain a copy of
3192 the sample ballot:

3193 (i) if the jurisdiction has a website, the jurisdiction's website;

3194 (ii) the physical address of the jurisdiction's offices; and

3195 (iii) a mailing address and telephone number.

3196 (3) (a) Each election officer shall, without delay, correct any error discovered in any
3197 ballot, if the correction can be made without interfering with the timely distribution of the
3198 ballots.

3199 (b) (i) If the election officer discovers an error or omission in a manual ballot, and it is
3200 not possible to correct the error or omission, the election officer shall direct the poll workers to
3201 make the necessary corrections on the manual ballots before the ballots are distributed.

3202 (ii) If the election officer discovers an error or omission in an electronic ballot and it is
3203 not possible to correct the error or omission by revising the electronic ballot, the election
3204 officer shall direct the poll workers to post notice of each error or omission with instructions on
3205 how to correct each error or omission in a prominent position at each polling booth.

3206 (c) (i) If the election officer refuses or fails to correct an error or omission in a ballot, a
3207 candidate or a candidate's agent may file a verified petition with the district court asserting that:

3208 (A) an error or omission has occurred in:

3209 (I) the publication of the name or description of a candidate;

3210 (II) the preparation or display of an electronic ballot; or

3211 (III) in the printing of sample or official manual ballots; and

3212 (B) the election officer has failed to correct or provide for the correction of the error or
3213 omission.

3214 (ii) The district court shall issue an order requiring correction of any error in a ballot or
3215 an order to show cause why the error should not be corrected if it appears to the court that the
3216 error or omission has occurred and the election officer has failed to correct or provide for the
3217 correction of the error or omission.

3218 (iii) A party aggrieved by the district court's decision may appeal the matter to the Utah
3219 Supreme Court within five days after the day on which the district court enters the decision.

3220 Section 49. Section **20A-5-405 (Effective 07/01/21)** is amended to read:

- 3221 **20A-5-405 (Effective 07/01/21). Election officer to provide ballots.**
- 3222 (1) An election officer shall:
- 3223 (a) provide ballots for every election of public officers in which the voters, or any of
- 3224 the voters, within the election officer's jurisdiction participate;
- 3225 (b) cause the name of every candidate whose nomination has been certified to or filed
- 3226 with the election officer in the manner provided by law to be included on each ballot;
- 3227 (c) cause any ballot proposition that has qualified for the ballot as provided by law to
- 3228 be included on each ballot;
- 3229 (d) ensure that the ballots are prepared and in the possession of the election officer
- 3230 before commencement of voting;
- 3231 (e) allow candidates and their agents and the sponsors of ballot propositions that have
- 3232 qualified for the official ballot to inspect the ballots;
- 3233 (f) cause sample ballots to be printed that are in the same form as official ballots and
- 3234 that contain the same information as official ballots but that are printed on different colored
- 3235 paper than official ballots or are identified by a watermark;
- 3236 (g) ensure that the sample ballots are printed and in the possession of the election
- 3237 officer at least seven days before commencement of voting;
- 3238 (h) make the sample ballots available for public inspection by:
- 3239 (i) posting a copy of the sample ballot in the election officer's office at least seven days
- 3240 before commencement of voting;
- 3241 (ii) mailing a copy of the sample ballot to:
- 3242 (A) each candidate listed on the ballot; and
- 3243 (B) the lieutenant governor;
- 3244 (iii) ~~publishing~~ publicizing a copy of the sample ballot:
- 3245 (A) at least seven days before the day of the election, by posting one copy of the
- 3246 sample ballot, and at least one additional copy of the sample ballot per 2,000 population of the
- 3247 jurisdiction, in places within the jurisdiction that are most likely to give notice to the voters in
- 3248 the jurisdiction, subject to a maximum of 10 notices; or
- 3249 (B) at least 10 days before the day of the election, by mailing a copy of the sample
- 3250 ballot to each registered voter who resides in the jurisdiction holding the election;
- 3251 (iv) ~~publishing~~ posting a copy of the sample ballot on the Utah Public Notice

3252 Website, created in Section 63A-16-601, for seven days before the day of the election; and

3253 (v) if the jurisdiction has a website, [~~publishing~~] posting a copy of the sample ballot on
3254 the jurisdiction's website for at least seven days before the day of the election;

3255 (i) deliver at least five copies of the sample ballot to poll workers for each polling
3256 place and direct them to post the sample ballots as required by Section 20A-5-102; and

3257 (j) print and deliver, at the expense of the jurisdiction conducting the election, enough
3258 ballots, sample ballots, and instructions to meet the voting demands of the qualified voters in
3259 each voting precinct.

3260 (2) Instead of [~~publishing~~] posting the entire sample ballot under Subsection
3261 (1)(h)(iii)(A), the election officer may [~~publish~~] post a statement that:

3262 (a) is entitled, "sample ballot";

3263 (b) includes the following: "A sample ballot for [indicate name of jurisdiction] for the
3264 upcoming [indicate type and date of election] may be obtained from the following sources:";
3265 and

3266 (c) specifies the following sources where an individual may view or obtain a copy of
3267 the sample ballot:

3268 (i) if the jurisdiction has a website, the jurisdiction's website;

3269 (ii) the physical address of the jurisdiction's offices; and

3270 (iii) a mailing address and telephone number.

3271 (3) (a) Each election officer shall, without delay, correct any error discovered in any
3272 ballot, if the correction can be made without interfering with the timely distribution of the
3273 ballots.

3274 (b) (i) If the election officer discovers an error or omission in a manual ballot, and it is
3275 not possible to correct the error or omission, the election officer shall direct the poll workers to
3276 make the necessary corrections on the manual ballots before the ballots are distributed.

3277 (ii) If the election officer discovers an error or omission in an electronic ballot and it is
3278 not possible to correct the error or omission by revising the electronic ballot, the election
3279 officer shall direct the poll workers to post notice of each error or omission with instructions on
3280 how to correct each error or omission in a prominent position at each polling booth.

3281 (c) (i) If the election officer refuses or fails to correct an error or omission in a ballot, a
3282 candidate or a candidate's agent may file a verified petition with the district court asserting that:

3283 (A) an error or omission has occurred in:
3284 (I) the publication of the name or description of a candidate;
3285 (II) the preparation or display of an electronic ballot; or
3286 (III) in the printing of sample or official manual ballots; and
3287 (B) the election officer has failed to correct or provide for the correction of the error or
3288 omission.

3289 (ii) The district court shall issue an order requiring correction of any error in a ballot or
3290 an order to show cause why the error should not be corrected if it appears to the court that the
3291 error or omission has occurred and the election officer has failed to correct or provide for the
3292 correction of the error or omission.

3293 (iii) A party aggrieved by the district court's decision may appeal the matter to the Utah
3294 Supreme Court within five days after the day on which the district court enters the decision.

3295 Section 50. Section **20A-9-203 (Superseded 07/01/21)** is amended to read:

3296 **20A-9-203 (Superseded 07/01/21). Declarations of candidacy -- Municipal general**
3297 **elections.**

3298 (1) An individual may become a candidate for any municipal office if:

3299 (a) the individual is a registered voter; and

3300 (b) (i) the individual has resided within the municipality in which the individual seeks
3301 to hold elective office for the 12 consecutive months immediately before the date of the
3302 election; or

3303 (ii) the territory in which the individual resides was annexed into the municipality, the
3304 individual has resided within the annexed territory or the municipality the 12 consecutive
3305 months immediately before the date of the election.

3306 (2) (a) For purposes of determining whether an individual meets the residency
3307 requirement of Subsection (1)(b)(i) in a municipality that was incorporated less than 12 months
3308 before the election, the municipality is considered to have been incorporated 12 months before
3309 the date of the election.

3310 (b) In addition to the requirements of Subsection (1), each candidate for a municipal
3311 council position shall, if elected from a district, be a resident of the council district from which
3312 the candidate is elected.

3313 (c) In accordance with Utah Constitution, Article IV, Section 6, a mentally incompetent

3314 individual, an individual convicted of a felony, or an individual convicted of treason or a crime
3315 against the elective franchise may not hold office in this state until the right to hold elective
3316 office is restored under Section [20A-2-101.3](#) or [20A-2-101.5](#).

3317 (3) (a) An individual seeking to become a candidate for a municipal office shall,
3318 regardless of the nomination method by which the individual is seeking to become a candidate:

3319 (i) except as provided in Subsection (3)(b) or Title 20A, Chapter 4, Part 6, Municipal
3320 Alternate Voting Methods Pilot Project, and subject to Subsection [20A-9-404\(3\)\(e\)](#), file a
3321 declaration of candidacy, in person with the city recorder or town clerk, during the office hours
3322 described in Section [10-3-301](#) and not later than the close of those office hours, between June 1
3323 and June 7 of any odd-numbered year; and

3324 (ii) pay the filing fee, if one is required by municipal ordinance.

3325 (b) Subject to Subsection (5)(b), an individual may designate an agent to file a
3326 declaration of candidacy with the city recorder or town clerk if:

3327 (i) the individual is located outside of the state during the entire filing period;

3328 (ii) the designated agent appears in person before the city recorder or town clerk;

3329 (iii) the individual communicates with the city recorder or town clerk using an
3330 electronic device that allows the individual and city recorder or town clerk to see and hear each
3331 other; and

3332 (iv) the individual provides the city recorder or town clerk with an email address to
3333 which the city recorder or town clerk may send the individual the copies described in
3334 Subsection (4).

3335 (c) Any resident of a municipality may nominate a candidate for a municipal office by:

3336 (i) except as provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting
3337 Methods Pilot Project, filing a nomination petition with the city recorder or town clerk during
3338 the office hours described in Section [10-3-301](#) and not later than the close of those office
3339 hours, between June 1 and June 7 of any odd-numbered year that includes signatures in support
3340 of the nomination petition of the lesser of at least:

3341 (A) 25 registered voters who reside in the municipality; or

3342 (B) 20% of the registered voters who reside in the municipality; and

3343 (ii) paying the filing fee, if one is required by municipal ordinance.

3344 (4) (a) Before the filing officer may accept any declaration of candidacy or nomination

3345 petition, the filing officer shall:

3346 (i) read to the prospective candidate or individual filing the petition the constitutional
3347 and statutory qualification requirements for the office that the candidate is seeking;

3348 (ii) require the candidate or individual filing the petition to state whether the candidate
3349 meets the requirements described in Subsection (4)(a)(i); and

3350 (iii) inform the candidate or the individual filing the petition that an individual who
3351 holds a municipal elected office may not, at the same time, hold a county elected office.

3352 (b) If the prospective candidate does not meet the qualification requirements for the
3353 office, the filing officer may not accept the declaration of candidacy or nomination petition.

3354 (c) If it appears that the prospective candidate meets the requirements of candidacy, the
3355 filing officer shall:

3356 (i) inform the candidate that the candidate's name will appear on the ballot as it is
3357 written on the declaration of candidacy;

3358 (ii) provide the candidate with a copy of the current campaign financial disclosure laws
3359 for the office the candidate is seeking and inform the candidate that failure to comply will
3360 result in disqualification as a candidate and removal of the candidate's name from the ballot;

3361 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide
3362 Electronic Voter Information Website Program and inform the candidate of the submission
3363 deadline under Subsection 20A-7-801(4)(a);

3364 (iv) provide the candidate with a copy of the pledge of fair campaign practices
3365 described under Section 20A-9-206 and inform the candidate that:

3366 (A) signing the pledge is voluntary; and

3367 (B) signed pledges shall be filed with the filing officer; and

3368 (v) accept the declaration of candidacy or nomination petition.

3369 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing
3370 officer shall:

3371 (i) accept the candidate's pledge; and

3372 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
3373 candidate's pledge to the chair of the county or state political party of which the candidate is a
3374 member.

3375 (5) (a) The declaration of candidacy shall be in substantially the following form:

3376 "I, (print name) _____, being first sworn and under penalty of perjury, say that I reside at
3377 _____ Street, City of _____, County of _____, state of Utah, Zip Code _____, Telephone Number
3378 (if any) _____; that I am a registered voter; and that I am a candidate for the office of _____
3379 (stating the term). I will meet the legal qualifications required of candidates for this office. If
3380 filing via a designated agent, I attest that I will be out of the state of Utah during the entire
3381 candidate filing period. I will file all campaign financial disclosure reports as required by law
3382 and I understand that failure to do so will result in my disqualification as a candidate for this
3383 office and removal of my name from the ballot. I request that my name be printed upon the
3384 applicable official ballots. (Signed) _____

3385 Subscribed and sworn to (or affirmed) before me by _____ on this
3386 _____(month\day\year).

3387 (Signed) _____ (Clerk or other officer qualified to administer oath)."

3388 (b) An agent designated under Subsection (3)(b) to file a declaration of candidacy may
3389 not sign the form described in Subsection (5)(a).

3390 (c) (i) A nomination petition shall be in substantially the following form:

3391 "NOMINATION PETITION

3392 The undersigned residents of (name of municipality), being registered voters, nominate
3393 (name of nominee) for the office of (name of office) for the (length of term of office)."

3394 (ii) The remainder of the petition shall contain lines and columns for the signatures of
3395 individuals signing the petition and each individual's address and phone number.

3396 (6) If the declaration of candidacy or nomination petition fails to state whether the
3397 nomination is for the two-year or four-year term, the clerk shall consider the nomination to be
3398 for the four-year term.

3399 (7) (a) The clerk shall verify with the county clerk that all candidates are registered
3400 voters.

3401 (b) Any candidate who is not registered to vote is disqualified and the clerk may not
3402 print the candidate's name on the ballot.

3403 (8) Immediately after expiration of the period for filing a declaration of candidacy, the
3404 clerk shall:

3405 (a) [~~publish~~] publicize a list of the names of the candidates as they will appear on the
3406 ballot:

3407 (i) (A) by publishing the list in at least two successive publications of a newspaper of
3408 general circulation in the municipality;

3409 ~~[(i)-(A)]~~ (B) by posting one copy of the list, and at least one additional copy of the list
3410 per 2,000 population of the municipality, in places within the municipality that are most likely
3411 to give notice to the voters in the municipality, subject to a maximum of 10 lists; or

3412 ~~[(B)]~~ (C) by mailing ~~[notice]~~ the list to each registered voter in the municipality;

3413 (ii) by posting the list on the Utah Public Notice Website₂ created in Section
3414 [63A-12-201](#), for seven days; and

3415 (iii) if the municipality has a website, by posting the list on the municipality's website
3416 for seven days; and

3417 (b) notify the lieutenant governor of the names of the candidates as they will appear on
3418 the ballot.

3419 (9) Except as provided in Subsection (10)(c), an individual may not amend a
3420 declaration of candidacy or nomination petition filed under this section after the candidate
3421 filing period ends.

3422 (10) (a) A declaration of candidacy or nomination petition that an individual files under
3423 this section is valid unless a person files a written objection with the clerk before 5 p.m. within
3424 10 days after the last day for filing.

3425 (b) If a person files an objection, the clerk shall:

3426 (i) mail or personally deliver notice of the objection to the affected candidate
3427 immediately; and

3428 (ii) decide any objection within 48 hours after the objection is filed.

3429 (c) If the clerk sustains the objection, the candidate may, before 5 p.m. within three
3430 days after the day on which the clerk sustains the objection, correct the problem for which the
3431 objection is sustained by amending the candidate's declaration of candidacy or nomination
3432 petition, or by filing a new declaration of candidacy.

3433 (d) (i) The clerk's decision upon objections to form is final.

3434 (ii) The clerk's decision upon substantive matters is reviewable by a district court if
3435 prompt application is made to the district court.

3436 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
3437 of its discretion, agrees to review the lower court decision.

3438 (11) A candidate who qualifies for the ballot under this section may withdraw as a
3439 candidate by filing a written affidavit with the municipal clerk.

3440 Section 51. Section **20A-9-203 (Effective 07/01/21)** is amended to read:

3441 **20A-9-203 (Effective 07/01/21). Declarations of candidacy -- Municipal general**
3442 **elections.**

3443 (1) An individual may become a candidate for any municipal office if:

3444 (a) the individual is a registered voter; and

3445 (b) (i) the individual has resided within the municipality in which the individual seeks
3446 to hold elective office for the 12 consecutive months immediately before the date of the
3447 election; or

3448 (ii) the territory in which the individual resides was annexed into the municipality, the
3449 individual has resided within the annexed territory or the municipality the 12 consecutive
3450 months immediately before the date of the election.

3451 (2) (a) For purposes of determining whether an individual meets the residency
3452 requirement of Subsection (1)(b)(i) in a municipality that was incorporated less than 12 months
3453 before the election, the municipality is considered to have been incorporated 12 months before
3454 the date of the election.

3455 (b) In addition to the requirements of Subsection (1), each candidate for a municipal
3456 council position shall, if elected from a district, be a resident of the council district from which
3457 the candidate is elected.

3458 (c) In accordance with Utah Constitution, Article IV, Section 6, a mentally incompetent
3459 individual, an individual convicted of a felony, or an individual convicted of treason or a crime
3460 against the elective franchise may not hold office in this state until the right to hold elective
3461 office is restored under Section [20A-2-101.3](#) or [20A-2-101.5](#).

3462 (3) (a) An individual seeking to become a candidate for a municipal office shall,
3463 regardless of the nomination method by which the individual is seeking to become a candidate:

3464 (i) except as provided in Subsection (3)(b) or Title 20A, Chapter 4, Part 6, Municipal
3465 Alternate Voting Methods Pilot Project, and subject to Subsection [20A-9-404\(3\)\(e\)](#), file a
3466 declaration of candidacy, in person with the city recorder or town clerk, during the office hours
3467 described in Section [10-3-301](#) and not later than the close of those office hours, between June 1
3468 and June 7 of any odd-numbered year; and

- 3469 (ii) pay the filing fee, if one is required by municipal ordinance.
- 3470 (b) Subject to Subsection (5)(b), an individual may designate an agent to file a
- 3471 declaration of candidacy with the city recorder or town clerk if:
- 3472 (i) the individual is located outside of the state during the entire filing period;
- 3473 (ii) the designated agent appears in person before the city recorder or town clerk;
- 3474 (iii) the individual communicates with the city recorder or town clerk using an
- 3475 electronic device that allows the individual and city recorder or town clerk to see and hear each
- 3476 other; and
- 3477 (iv) the individual provides the city recorder or town clerk with an email address to
- 3478 which the city recorder or town clerk may send the individual the copies described in
- 3479 Subsection (4).
- 3480 (c) Any resident of a municipality may nominate a candidate for a municipal office by:
- 3481 (i) except as provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting
- 3482 Methods Pilot Project, filing a nomination petition with the city recorder or town clerk during
- 3483 the office hours described in Section 10-3-301 and not later than the close of those office
- 3484 hours, between June 1 and June 7 of any odd-numbered year that includes signatures in support
- 3485 of the nomination petition of the lesser of at least:
- 3486 (A) 25 registered voters who reside in the municipality; or
- 3487 (B) 20% of the registered voters who reside in the municipality; and
- 3488 (ii) paying the filing fee, if one is required by municipal ordinance.
- 3489 (4) (a) Before the filing officer may accept any declaration of candidacy or nomination
- 3490 petition, the filing officer shall:
- 3491 (i) read to the prospective candidate or individual filing the petition the constitutional
- 3492 and statutory qualification requirements for the office that the candidate is seeking;
- 3493 (ii) require the candidate or individual filing the petition to state whether the candidate
- 3494 meets the requirements described in Subsection (4)(a)(i); and
- 3495 (iii) inform the candidate or the individual filing the petition that an individual who
- 3496 holds a municipal elected office may not, at the same time, hold a county elected office.
- 3497 (b) If the prospective candidate does not meet the qualification requirements for the
- 3498 office, the filing officer may not accept the declaration of candidacy or nomination petition.
- 3499 (c) If it appears that the prospective candidate meets the requirements of candidacy, the

3500 filing officer shall:

3501 (i) inform the candidate that the candidate's name will appear on the ballot as it is
3502 written on the declaration of candidacy;

3503 (ii) provide the candidate with a copy of the current campaign financial disclosure laws
3504 for the office the candidate is seeking and inform the candidate that failure to comply will
3505 result in disqualification as a candidate and removal of the candidate's name from the ballot;

3506 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide
3507 Electronic Voter Information Website Program and inform the candidate of the submission
3508 deadline under Subsection 20A-7-801(4)(a);

3509 (iv) provide the candidate with a copy of the pledge of fair campaign practices
3510 described under Section 20A-9-206 and inform the candidate that:

3511 (A) signing the pledge is voluntary; and

3512 (B) signed pledges shall be filed with the filing officer; and

3513 (v) accept the declaration of candidacy or nomination petition.

3514 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing
3515 officer shall:

3516 (i) accept the candidate's pledge; and

3517 (ii) if the candidate has filed for a partisan office, provide a certified copy of the
3518 candidate's pledge to the chair of the county or state political party of which the candidate is a
3519 member.

3520 (5) (a) The declaration of candidacy shall be in substantially the following form:

3521 "I, (print name) ____, being first sworn and under penalty of perjury, say that I reside at
3522 ____ Street, City of ____, County of ____, state of Utah, Zip Code ____, Telephone Number
3523 (if any) ____; that I am a registered voter; and that I am a candidate for the office of ____
3524 (stating the term). I will meet the legal qualifications required of candidates for this office. If
3525 filing via a designated agent, I attest that I will be out of the state of Utah during the entire
3526 candidate filing period. I will file all campaign financial disclosure reports as required by law
3527 and I understand that failure to do so will result in my disqualification as a candidate for this
3528 office and removal of my name from the ballot. I request that my name be printed upon the
3529 applicable official ballots. (Signed) _____

3530 Subscribed and sworn to (or affirmed) before me by ____ on this

3531 _____(month\day\year).

3532 (Signed) _____ (Clerk or other officer qualified to administer oath)."

3533 (b) An agent designated under Subsection (3)(b) to file a declaration of candidacy may
3534 not sign the form described in Subsection (5)(a).

3535 (c) (i) A nomination petition shall be in substantially the following form:

3536 "NOMINATION PETITION

3537 The undersigned residents of (name of municipality), being registered voters, nominate
3538 (name of nominee) for the office of (name of office) for the (length of term of office)."

3539 (ii) The remainder of the petition shall contain lines and columns for the signatures of
3540 individuals signing the petition and each individual's address and phone number.

3541 (6) If the declaration of candidacy or nomination petition fails to state whether the
3542 nomination is for the two-year or four-year term, the clerk shall consider the nomination to be
3543 for the four-year term.

3544 (7) (a) The clerk shall verify with the county clerk that all candidates are registered
3545 voters.

3546 (b) Any candidate who is not registered to vote is disqualified and the clerk may not
3547 print the candidate's name on the ballot.

3548 (8) Immediately after expiration of the period for filing a declaration of candidacy, the
3549 clerk shall:

3550 (a) [~~publish~~] publicize a list of the names of the candidates as they will appear on the
3551 ballot:

3552 (i) (A) by publishing the list in at least two successive publications of a newspaper of
3553 general circulation in the municipality;

3554 [~~(i)(A)~~] (B) by posting one copy of the list, and at least one additional copy of the list
3555 per 2,000 population of the municipality, in places within the municipality that are most likely
3556 to give notice to the voters in the municipality, subject to a maximum of 10 lists; or

3557 [~~(B)~~] (C) by mailing [notice] the list to each registered voter in the municipality;

3558 (ii) by posting the list on the Utah Public Notice Website, created in Section
3559 63A-16-601, for seven days; and

3560 (iii) if the municipality has a website, by posting the list on the municipality's website
3561 for seven days; and

3562 (b) notify the lieutenant governor of the names of the candidates as they will appear on
3563 the ballot.

3564 (9) Except as provided in Subsection (10)(c), an individual may not amend a
3565 declaration of candidacy or nomination petition filed under this section after the candidate
3566 filing period ends.

3567 (10) (a) A declaration of candidacy or nomination petition that an individual files under
3568 this section is valid unless a person files a written objection with the clerk before 5 p.m. within
3569 10 days after the last day for filing.

3570 (b) If a person files an objection, the clerk shall:

3571 (i) mail or personally deliver notice of the objection to the affected candidate
3572 immediately; and

3573 (ii) decide any objection within 48 hours after the objection is filed.

3574 (c) If the clerk sustains the objection, the candidate may, before 5 p.m. within three
3575 days after the day on which the clerk sustains the objection, correct the problem for which the
3576 objection is sustained by amending the candidate's declaration of candidacy or nomination
3577 petition, or by filing a new declaration of candidacy.

3578 (d) (i) The clerk's decision upon objections to form is final.

3579 (ii) The clerk's decision upon substantive matters is reviewable by a district court if
3580 prompt application is made to the district court.

3581 (iii) The decision of the district court is final unless the Supreme Court, in the exercise
3582 of its discretion, agrees to review the lower court decision.

3583 (11) A candidate who qualifies for the ballot under this section may withdraw as a
3584 candidate by filing a written affidavit with the municipal clerk.

3585 Section 52. **Effective date.**

3586 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
3587 elected to each house, this bill takes effect upon approval by the governor, or the day following
3588 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's
3589 signature, or in the case of a veto, the date of veto override.

3590 (2) The amendments to the following sections take effect on July 1, 2021:

3591 (a) Section 10-2-406 (Effective 07/01/21);

3592 (b) Section 10-2-407 (Effective 07/01/21);

- 3593 (c) Section 10-2-415 (Effective 07/01/21);
- 3594 (d) Section 10-2-418 (Effective 07/01/21);
- 3595 (e) Section 10-2-419 (Effective 07/01/21);
- 3596 (f) Section 10-2-502.5 (Effective 07/01/21);
- 3597 (g) Section 10-2-703 (Effective 07/01/21);
- 3598 (h) Section 10-2-708 (Effective 07/01/21);
- 3599 (i) Section 10-2a-210 (Effective 07/01/21);
- 3600 (j) Section 10-2a-213 (Effective 07/01/21);
- 3601 (k) Section 10-2a-214 (Effective 07/01/21);
- 3602 (l) Section 10-2a-215 (Effective 07/01/21);
- 3603 (m) Section 10-2a-405 (Effective 07/01/21);
- 3604 (n) Section 10-18-203 (Effective 07/01/21);
- 3605 (o) Section 11-14-202 (Effective 07/01/21);
- 3606 (p) Section 17B-1-643 (Effective 07/01/21);
- 3607 (q) Section 17B-2a-705 (Effective 07/01/21);
- 3608 (r) Section 20A-3a-604 (Effective 07/01/21);
- 3609 (s) Section 20A-4-104 (Effective 07/01/21);
- 3610 (t) Section 20A-4-304 (Effective 07/01/21);
- 3611 (u) Section 20A-5-101 (Effective 07/01/21);
- 3612 (v) Section 20A-5-403.5 (Effective 07/01/21);
- 3613 (w) Section 20A-5-405 (Effective 07/01/21); and
- 3614 (x) Section 20A-9-203 (Effective 07/01/21).