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## **Ballot Proposition Amendments**

## 2025 GENERAL SESSION STATE OF LITAH

	STATE OF UTAH
	Chief Sponsor: Angela Romero
]	LONG TITLE
(	General Description:
	This bill modifies provisions in the Election Code relating to certain ballot propositions.
]	Highlighted Provisions:
	This bill:
	• requires the Office of Legislative Research and General Counsel to prepare:
	• an impartial ballot title and analysis for a proposed constitutional amendment or
ć	another question submitted by the Legislature; and
	<ul> <li>an impartial analysis of a statewide initiative or referendum.</li> </ul>
]	Money Appropriated in this Bill:
	None
(	Other Special Clauses:
	None
Į	Utah Code Sections Affected:
4	AMENDS:
	20A-7-101, as last amended by Laws of Utah 2024, Third Special Session, Chapter 3
	20A-7-103, as last amended by Laws of Utah 2024, Chapter 465
	20A-7-702, as last amended by Laws of Utah 2024, Chapter 465
	20A-7-703, as last amended by Laws of Utah 2024, Chapter 465
	<b>20A-7-703.1</b> , as enacted by Laws of Utah 2024, Chapter 465
1	Be it enacted by the Legislature of the state of Utah:
	Section 1. Section <b>20A-7-101</b> is amended to read:
	20A-7-101 . Definitions.
	As used in this chapter:
(	(1) "Approved device" means a device described in Subsection 20A-21-201(4) used to
	gather signatures for the electronic initiative process, the electronic referendum process,

31 (2) "Budget officer" means:

or the electronic candidate qualification process.

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- 32 (a) for a county, the person designated as finance officer as defined in Section 17-36-3;
- 33 (b) for a city, the person designated as budget officer in Subsection 10-6-106(4); or
- 34 (c) for a town, the town council.
- 35 (3) "Certified" means that the county clerk has acknowledged a signature as being the
- 36 signature of a registered voter.
- 37 (4) "Circulation" means the process of submitting an initiative petition or a referendum
- petition to legal voters for their signature.
- 39 (5) "Electronic initiative process" means:
- 40 (a) as it relates to a statewide initiative, the process, described in Sections 20A-7-215
- and 20A-21-201, for gathering signatures; or
- 42 (b) as it relates to a local initiative, the process, described in Sections 20A-7-514 and
- 43 20A-21-201, for gathering signatures.
- 44 (6) "Electronic referendum process" means:
- 45 (a) as it relates to a statewide referendum, the process, described in Sections 20A-7-313
- and 20A-21-201, for gathering signatures; or
- 47 (b) as it relates to a local referendum, the process, described in Sections 20A-7-614 and
- 48 20A-21-201, for gathering signatures.
- 49 (7) "Eligible voter" means a legal voter who resides in the jurisdiction of the county, city, or
- town that is holding an election on a ballot proposition.
- 51 (8) "Final fiscal impact statement" means a financial statement prepared after voters
- 52 approve an initiative that contains the information required by Subsection 20A-7-202.5
- 53 (2) or 20A-7-502.5(2).
- 54 (9) "Initial fiscal impact statement" means a financial statement prepared under Section
- 55 20A-7-202.5 after the filing of a statewide initiative application.
- 56 (10) "Initial fiscal impact and legal statement" means a financial and legal statement
- 57 prepared under Section 20A-7-502.5 or 20A-7-602.5 for a local initiative or a local
- referendum.
- 59 (11) "Initiative" means a new law proposed for adoption by the public as provided in this
- 60 chapter.
- 61 (12) "Initiative application" means:
- 62 (a) for a statewide initiative, an application described in Subsection 20A-7-202(2) that
- 63 includes all the information, statements, documents, and notarized signatures
- required under Subsection 20A-7-202(2); or
- 65 (b) for a local initiative, an application described in Subsection 20A-7-502(2) that

66	includes all the information, statements, documents, and notarized signatures
67	required under Subsection 20A-7-502(2).
68	(13) "Initiative packet" means a copy of the initiative petition, a copy of the proposed law,
69	and the signature sheets, all of which have been bound together as a unit.
70	(14) "Initiative petition":
71	(a) as it relates to a statewide initiative, using the manual initiative process:
72	(i) means the form described in Subsection 20A-7-203(2)(a), petitioning for
73	submission of the initiative to the Legislature or the legal voters; and
74	(ii) if the initiative proposes a tax increase, includes the statement described in
75	Subsection 20A-7-203(2)(b);
76	(b) as it relates to a statewide initiative, using the electronic initiative process:
77	(i) means the form described in Subsections 20A-7-215(2) and (3), petitioning for
78	submission of the initiative to the Legislature or the legal voters; and
79	(ii) if the initiative proposes a tax increase, includes the statement described in
80	Subsection 20A-7-215(5)(b);
81	(c) as it relates to a local initiative, using the manual initiative process:
82	(i) means the form described in Subsection 20A-7-503(2)(a), petitioning for
83	submission of the initiative to the legislative body or the legal voters; and
84	(ii) if the initiative proposes a tax increase, includes the statement described in
85	Subsection 20A-7-503(2)(b); or
86	(d) as it relates to a local initiative, using the electronic initiative process:
87	(i) means the form described in Subsection 20A-7-514(2)(a), petitioning for
88	submission of the initiative to the legislative body or the legal voters; and
89	(ii) if the initiative proposes a tax increase, includes the statement described in
90	Subsection 20A-7-514(4)(a).
91	(15)(a) "Land use law" means a law of general applicability, enacted based on the
92	weighing of broad, competing policy considerations, that relates to the use of land,
93	including land use regulation, a general plan, a land use development code, an
94	annexation ordinance, the rezoning of a single property or multiple properties, or a
95	comprehensive zoning ordinance or resolution.
96	(b) "Land use law" does not include a land use decision, as defined in Section 10-9a-103
97	or 17-27a-103.
98	(16) "Legal signatures" means the number of signatures of legal voters that:

(a) meet the numerical requirements of this chapter; and

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- (b) have been obtained, certified, and verified as provided in this chapter.
- 101 (17) "Legal voter" means an individual who is registered to vote in Utah.
- 102 (18) "Legally referable to voters" means:
- 103 (a) for a proposed local initiative, that the proposed local initiative is legally referable to voters under Section 20A-7-502.7; or
- 105 (b) for a proposed local referendum, that the proposed local referendum is legally referable to voters under Section 20A-7-602.7.
- 107 (19) "Local attorney" means the county attorney, city attorney, or town attorney in whose jurisdiction a local initiative or referendum petition is circulated.
- 109 (20) "Local clerk" means the county clerk, city recorder, or town clerk in whose jurisdiction 110 a local initiative or referendum petition is circulated.
- 111 (21)(a) "Local law" includes:
- 112 (i) an ordinance;
- 113 (ii) a resolution;
- 114 (iii) a land use law;
- (iv) a land use regulation, as defined in Section 10-9a-103; or
- (v) other legislative action of a local legislative body.
- (b) "Local law" does not include a land use decision, as defined in Section 10-9a-103.
- 118 (22) "Local legislative body" means the legislative body of a county, city, or town.
- 119 (23) "Local obligation law" means a local law passed by the local legislative body
- regarding a bond that was approved by a majority of qualified voters in an election.
- 121 (24) "Local tax law" means a law, passed by a political subdivision with an annual or
- biannual calendar fiscal year, that increases a tax or imposes a new tax.
- 123 (25) "Manual initiative process" means the process for gathering signatures for an initiative 124 using paper signature packets that a signer physically signs.
- 125 (26) "Manual referendum process" means the process for gathering signatures for a 126 referendum using paper signature packets that a signer physically signs.
- 127 (27)(a) "Measure" means a proposed constitutional amendment, an initiative, or referendum.
- 129 (b) "Measure" does not include a ballot proposition for the creation of a new school district under Section 53G-3-301.1, 53G-3-301.3, or 53G-3-301.4.
- 131 [(28) "Presiding officers" means the president of the Senate and the speaker of the House 132 of Representatives.]
- 133 [(29)] (28) "Referendum" means a process by which a law passed by the Legislature or by a

134	local legislative body is submitted or referred to the voters for their approval or rejection.
135	[(30)] (29) "Referendum application" means:
136	(a) for a statewide referendum, an application described in Subsection 20A-7-302(2) that
137	includes all the information, statements, documents, and notarized signatures
138	required under Subsection 20A-7-302(2); or
139	(b) for a local referendum, an application described in Subsection 20A-7-602(2) that
140	includes all the information, statements, documents, and notarized signatures
141	required under Subsection 20A-7-602(2).
142	[(31)] (30) "Referendum packet" means a copy of the referendum petition, a copy of the law
143	being submitted or referred to the voters for their approval or rejection, and the signature
144	sheets, all of which have been bound together as a unit.
145	[(32)] (31) "Referendum petition" means:
146	(a) as it relates to a statewide referendum, using the manual referendum process, the
147	form described in Subsection 20A-7-303(2)(a), petitioning for submission of a law
148	passed by the Legislature to legal voters for their approval or rejection;
149	(b) as it relates to a statewide referendum, using the electronic referendum process, the
150	form described in Subsection 20A-7-313(2), petitioning for submission of a law
151	passed by the Legislature to legal voters for their approval or rejection;
152	(c) as it relates to a local referendum, using the manual referendum process, the form
153	described in Subsection 20A-7-603(2)(a), petitioning for submission of a local law to
154	legal voters for their approval or rejection; or
155	(d) as it relates to a local referendum, using the electronic referendum process, the form
156	described in Subsection 20A-7-614(2), petitioning for submission of a local law to
157	legal voters for their approval or rejection.
158	[ <del>(33)</del> ] <u>(32)</u> "Signature":
159	(a) for a statewide initiative:
160	(i) as it relates to the electronic initiative process, means an electronic signature
161	collected under Section 20A-7-215 and Subsection 20A-21-201(6)(c); or
162	(ii) as it relates to the manual initiative process:
163	(A) means a holographic signature collected physically on a signature sheet
164	described in Section 20A-7-203;
165	(B) as it relates to an individual who, due to a qualifying disability under the
166	Americans with Disabilities Act, is unable to fill out the signature sheet or to
167	sign the voter's name consistently, the initials "AV," indicating that the voter's

168	identity will be verified by an alternate verification process described in
169	Section 20A-7-106; and
170	(C) does not include an electronic signature;
171	(b) for a statewide referendum:
172	(i) as it relates to the electronic referendum process, means an electronic signature
173	collected under Section 20A-7-313 and Subsection 20A-21-201(6)(c); or
174	(ii) as it relates to the manual referendum process:
175	(A) means a holographic signature collected physically on a signature sheet
176	described in Section 20A-7-303;
177	(B) as it relates to an individual who, due to a qualifying disability under the
178	Americans with Disabilities Act, is unable to fill out the signature sheet or to
179	sign the voter's name consistently, the initials "AV," indicating that the voter's
180	identity will be verified by an alternate verification process described in
181	Section 20A-7-106; and
182	(C) does not include an electronic signature;
183	(c) for a local initiative:
184	(i) as it relates to the electronic initiative process, means an electronic signature
185	collected under Section 20A-7-514 and Subsection 20A-21-201(6)(c); or
186	(ii) as it relates to the manual initiative process:
187	(A) means a holographic signature collected physically on a signature sheet
188	described in Section 20A-7-503;
189	(B) as it relates to an individual who, due to a qualifying disability under the
190	Americans with Disabilities Act, is unable to fill out the signature sheet or to
191	sign the voter's name consistently, the initials "AV," indicating that the voter's
192	identity will be verified by an alternate verification process described in
193	Section 20A-7-106; and
194	(C) does not include an electronic signature; or
195	(d) for a local referendum:
196	(i) as it relates to the electronic referendum process, means an electronic signature
197	collected under Section 20A-7-614 and Subsection 20A-21-201(6)(c); or
198	(ii) as it relates to the manual referendum process:
199	(A) means a holographic signature collected physically on a signature sheet
200	described in Section 20A-7-603;
201	(B) as it relates to an individual who, due to a qualifying disability under the

202	Americans with Disabilities Act, is unable to fill out the signature sheet or to
203	sign the voter's name consistently, the initials "AV," indicating that the voter's
204	identity will be verified by an alternate verification process described in
205	Section 20A-7-106; and
206	(C) does not include an electronic signature.
207	[(34)] (33) "Signature sheets" means sheets in the form required by this chapter that are used
208	under the manual initiative process or the manual referendum process to collect
209	signatures in support of an initiative or referendum.
210	[(35)] (34) "Special local ballot proposition" means a local ballot proposition that is not a
211	standard local ballot proposition.
212	[(36)] (35) "Sponsors" means the legal voters who support the initiative or referendum and
213	who sign the initiative application or referendum application.
214	[(37)] (36)(a) "Standard local ballot proposition" means a local ballot proposition for an
215	initiative or a referendum.
216	(b) "Standard local ballot proposition" does not include a property tax referendum
217	described in Section 20A-7-613.
218	[(38)] (37) "Tax percentage difference" means the difference between the tax rate proposed
219	by an initiative or an initiative petition and the current tax rate.
220	[(39)] (38) "Tax percentage increase" means a number calculated by dividing the tax
221	percentage difference by the current tax rate and rounding the result to the nearest
222	thousandth.
223	[(40)] (39) "Verified" means acknowledged by the person circulating the petition as required
224	in Section 20A-7-105.
225	Section 2. Section <b>20A-7-103</b> is amended to read:
226	20A-7-103. Constitutional amendments and other questions submitted by the
227	Legislature Publication Ballot title Procedures for submission to popular vote.
228	(1) The procedures contained in this section govern when the Legislature submits a
229	proposed constitutional amendment or other question to the voters.
230	(2) The lieutenant governor shall, not more than 60 days or less than 14 days before the
231	date of the election, publish the full text of the amendment, question, or statute for the
232	state, as a class A notice under Section 63G-30-102, through the date of the election.
233	(3) The [presiding officers] Office of Legislative Research and General Counsel shall:
234	(a) entitle each proposed constitutional amendment "Constitutional Amendment" and
235	assign a letter to the constitutional amendment in accordance with the requirements

236		of Section 20A-6-107;
237		(b) entitle each proposed question "Proposition Number" with the number assigned to
238		the proposition under Section 20A-6-107 placed in the blank;
239		(c) draft and designate [a] an impartial ballot title for each proposed amendment or
240		question submitted by the Legislature that:
241		(i) summarizes the subject matter of the amendment or question; and
242		(ii) for a proposed constitutional amendment, summarizes any legislation that is
243		enacted and will become effective upon the voters' adoption of the proposed
244		constitutional amendment; and
245		(d) deliver each letter or number and ballot title to the lieutenant governor.
246	(4)	The lieutenant governor shall certify the letter or number and ballot title of each
247		amendment or question to the county clerk of each county no later than 65 days before
248		the date of the election.
249	(5)	The county clerk of each county shall:
250		(a) ensure that the letter or number and the ballot title of each amendment and question
251		prepared in accordance with this section are included in the sample ballots and
252		official ballots; and
253		(b) publish the sample ballots and official ballots as provided by law.
254		Section 3. Section <b>20A-7-702</b> is amended to read:
255		20A-7-702 . Voter information pamphlet Form Contents.
256		The voter information pamphlet shall contain the following items in this order:
257	(1)	a cover title page;
258	(2)	an introduction to the pamphlet by the lieutenant governor;
259	(3)	a table of contents;
260	(4)	a list of all candidates for constitutional offices;
261	(5)	a list of candidates for each legislative district;
262	(6)	a 100-word statement of qualifications for each candidate for the office of governor,
263		lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by the
264		candidate to the lieutenant governor's office before 5 p.m. on the first business day in
265		August before the date of the election;
266	(7)	information pertaining to all measures to be submitted to the voters, beginning a new
267		page for each measure and containing, in the following order for each measure:
268		(a) a copy of the number and ballot title of the measure;
269		(b) the final vote cast by the Legislature on the measure if it is a measure submitted by

270	the Legislature or by referendum;
271	(c)[(i) for a measure other than a measure described in Section 20A-7-103, ]the
272	impartial analysis of the measure prepared by the Office of Legislative Research
273	and General Counsel;[-or]
274	[(ii) for a measure described in Section 20A-7-103, the analysis of the measure
275	prepared by the presiding officers;]
276	(d) the arguments in favor of the measure, the rebuttal to the arguments in favor of the
277	measure, the arguments against the measure, and the rebuttal to the arguments against
278	the measure, with the name and title of the authors at the end of each argument or
279	rebuttal;
280	(e) for each constitutional amendment, a complete copy of the text of the constitutional
281	amendment, with all new language underlined, and all deleted language placed within
282	brackets;
283	(f) for each initiative qualified for the ballot:
284	(i) a copy of the initiative as certified by the lieutenant governor and a copy of the
285	initial fiscal impact statement prepared according to Section 20A-7-202.5; and
286	(ii) if the initiative proposes a tax increase, the following statement in bold type:
287	"This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
288	percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
289	increase in the current tax rate."; and
290	(g) for each referendum qualified for the ballot, a complete copy of the text of the law
291	being submitted to the voters for their approval or rejection, with all new language
292	underlined and all deleted language placed within brackets, as applicable;
293	(8) a description provided by the Judicial Performance Evaluation Commission of the
294	selection and retention process for judges, including, in the following order:
295	(a) a description of the judicial selection process;
296	(b) a description of the judicial performance evaluation process;
297	(c) a description of the judicial retention election process;
298	(d) a list of the criteria of the judicial performance evaluation and the certification
299	standards;
300	(e) the names of the judges standing for retention election; and
301	(f) for each judge:
302	(i) a list of the counties in which the judge is subject to retention election;
303	(ii) a short biography of professional qualifications and a recent photograph;

304	(iii) a narrative concerning the judge's performance;
305	(iv) for each certification standard under Section 78A-12-205, a statement identifying
306	whether, under Section 78A-12-205, the judge met the standard and, if not, the
307	manner in which the judge failed to meet the standard;
308	(v) a statement that the Judicial Performance Evaluation Commission:
309	(A) has determined that the judge meets or exceeds minimum performance
310	standards;
311	(B) has determined that the judge does not meet or exceed minimum performance
312	standards; or
313	(C) has not made a determination regarding whether the judge meets or exceeds
314	minimum performance standards;
315	(vi) any statement, described in Subsection 78A-12-206(3)(b), provided by a judge
316	whom the Judicial Performance Evaluation Commission determines does not meet
317	or exceed minimum performance standards;
318	(vii) in a bar graph, the average of responses to each survey category, displayed with
319	an identification of the minimum acceptable score as set by Section 78A-12-205
320	and the average score of all judges of the same court level; and
321	(viii) a website address that contains the Judicial Performance Evaluation
322	Commission's report on the judge's performance evaluation;
323	(9) for each judge, a statement provided by the Utah Supreme Court identifying the
324	cumulative number of informal reprimands, when consented to by the judge in
325	accordance with Title 78A, Chapter 11, Judicial Conduct Commission, formal
326	reprimands, and all orders of censure and suspension issued by the Utah Supreme Court
327	under Utah Constitution, Article VIII, Section 13, during the judge's current term and the
328	immediately preceding term, and a detailed summary of the supporting reasons for each
329	violation of the Code of Judicial Conduct that the judge has received;
330	(10) an explanation of ballot marking procedures prepared by the lieutenant governor,
331	indicating the ballot marking procedure used by each county and explaining how to
332	mark the ballot for each procedure;
333	(11) voter registration information, including information on how to obtain a ballot;
334	(12) a list of all county clerks' offices and phone numbers;
335	(13) the address of the Statewide Electronic Voter Information Website, with a statement
336	indicating that the election officer will post on the website any changes to the location of
337	a polling place and the location of any additional polling place;

338	(14) a phone number that a voter may call to obtain information regarding the location of a
339	polling place; and
340	(15) on the back cover page, a printed copy of the following statement signed by the lieutenant
341	governor:
342	"I, (print name), Lieutenant Governor of Utah, certify that the
343	measures contained in this pamphlet will be submitted to the voters of Utah at the election to
344	be held throughout the state on (date of election), and that this pamphlet is complete and
345	correct according to law.
346	SEAL
347	Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this day
348	of (month), (year)
349	(signed)
350	Lieutenant Governor"
351	Section 4. Section <b>20A-7-703</b> is amended to read:
352	20A-7-703. Analysis of initiative or referendum Determination of fiscal effects.
353	(1) The director of the Office of Legislative Research and General Counsel, after the
354	approval of the legislative general counsel as to legal sufficiency, shall:
355	(a) prepare an impartial analysis of each measure submitted to the voters by the
356	<u>Legislature or by</u> initiative or referendum petition; and
357	(b) submit the impartial analysis to the lieutenant governor no later than the day that
358	falls 90 days before the date of the election in which the measure will appear on the
359	ballot.
360	(2) The director shall ensure that the impartial analysis:
361	(a) is not more than 1,000 words long;
362	(b) is prepared in clear and concise language that will easily be understood by the
363	average voter;
364	(c) avoids the use of technical terms as much as possible;
365	(d) shows the effect of the measure on existing law;
366	(e) identifies any potential conflicts with the United States or Utah Constitutions raised
367	by the measure;
368	(f) fairly describes the operation of the measure;
369	(g) identifies the measure's fiscal effects over the time period or time periods determined
370	by the director to be most useful in understanding the estimated fiscal impact of the
371	proposed law; and

372	(h) identifies the amount of any increase or decrease in revenue or cost to state or local
373	government.
374	(3)(a) In determining the fiscal effects of a measure, the director shall confer with the
375	legislative fiscal analyst.
376	(b) The director shall consider any measure that requires implementing legislation in
377	order to take effect to have no financial effect, unless implementing legislation has
378	been enacted that will become effective upon adoption of the measure by the voters.
379	(4) If the director requests the assistance of any state department, agency, or official in
380	preparing the director's analysis, that department, agency, or official shall assist the
381	director.
382	Section 5. Section 20A-7-703.1 is amended to read:
383	20A-7-703.1 . Analysis of measure submitted to voters by Legislature
384	Determination of fiscal effects.
385	(1) The [presiding officers] Office of Legislative Research and General Counsel shall:
386	(a) prepare an impartial analysis of each measure, described in Section 20A-7-103, that
387	is submitted to the voters by the Legislature; and
388	(b) submit the impartial analysis to the lieutenant governor no later than the day that
389	falls 90 days before the date of the election in which the measure will appear on the
390	ballot.
391	(2) The [presiding officers] Office of Legislative Research and General Counsel shall ensure
392	that the analysis:
393	(a) is not more than 1,000 words long;
394	(b) is prepared in clear and concise language that will easily be understood by the
395	average voter;
396	(c) to the extent possible, avoids the use of technical terms;
397	(d) shows the effect of the measure on existing law;
398	(e) describes the measure;
399	(f) identifies the measure's fiscal effects over the time period or time periods determined
400	by the presiding officers to be most useful in understanding the estimated fiscal
401	impact of the measure; and
402	(g) identifies the amount of any increase or decrease in revenue or cost to state or local
403	government.
404	(3) The [presiding officers] Office of Legislative Research and General Counsel shall
405	analyze the measure as the measure is proposed to be adopted, without considering any

406	implementing legislation, unless the implementing legislation has been enacted and will
407	become effective upon the adoption of the measure by the voters.
408	(4)(a) In determining the fiscal effects of a measure, the [presiding officers] Office of
409	Legislative Research and General Counsel shall confer with the legislative fiscal
410	analyst.
411	(b) The [presiding officers] Office of Legislative Research and General Counsel shall
412	consider any measure that requires implementing legislation in order to take effect to
413	have no financial effect, unless implementing legislation has been enacted that will
414	become effective upon adoption of the measure by the voters.
415	(5) If the [presiding officers request] Office of Legislative Research and General Counsel
416	requests the assistance of any state department, agency, or official in preparing the
417	analysis described in this section, that department, agency, or official shall assist the [
418	presiding officers] Office of Legislative Research and General Counsel.
419	Section 1. Effective Date.
420	This bill takes effect on May 7, 2025.