

BALLOT PROPOSITION AMENDMENTS

2024 FOURTH SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Jordan D. Teuscher

LONG TITLE

General Description:

This bill amends election provisions regarding a proposed constitutional amendment.

Highlighted Provisions:

This bill:

- ▶ establishes an expedited timeline for:
 - placing a proposed constitutional amendment on the ballot for voter consideration; and
 - providing and posting certain information in relation to the proposed constitutional amendment;
- ▶ amends requirements and procedures relating to the ballot title, analysis, and arguments for a proposed constitutional amendment;
- ▶ makes conforming changes; and
- ▶ provides for repeal of the provisions of this bill.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-2-220, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5



28 ENACTS:

29 [20A-7-103.1](#), Utah Code Annotated 1953

30

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

32 Section 1. Section [20A-7-103.1](#) is enacted to read:

33 **[20A-7-103.1](#). Constitutional amendments proposed during specified timeframe --**

34 **Ballot title -- Analysis -- Arguments -- Publication.**

35 If, after August 1, 2024, and before September 1, 2024, the Legislature passes a

36 resolution proposing an amendment to the Utah Constitution:

37 (1) the presiding officers shall submit the information and ballot title described in

38 Subsection [20A-7-103\(3\)](#) to the lieutenant governor no later than:

39 (a) September 1, 2024, if the effective date of this bill is on or before September 1,

40 2024; or

41 (b) three calendar days after the effective date of this bill, if the effective date of this

42 bill is after September 1, 2024;

43 (2) notwithstanding Subsection [20A-7-103\(4\)](#), the lieutenant governor shall certify the

44 letter or number and ballot title of each amendment or question to the county clerk of each

45 county no later than the deadline described in Subsection (1);

46 (3) the presiding officers shall:

47 (a) in accordance with Subsections [20A-7-703.1\(2\)](#) through (5), prepare an analysis for

48 the proposed amendment for publication in the voter information pamphlet; and

49 (b) notwithstanding Subsection [20A-7-703.1\(1\)\(b\)](#), submit the analysis to the

50 lieutenant governor no later than October 1, 2024;

51 (4) Sections [20A-7-705](#) and [20A-7-706](#) do not apply in relation to the proposed

52 amendment;

53 (5) no later than the day after the effective date of this bill:

54 (a) the president of the Senate may appoint a member of the Senate who voted in favor

55 of the proposed amendment, and the speaker of the House of Representatives may appoint one

56 member of the House of Representatives who voted in favor of the proposed amendment, to

57 jointly draft an argument in favor of the proposed amendment; and

58 (b) the minority leader of the Senate may appoint a member of the Senate who voted

59 against the proposed amendment, and the minority leader of the House of Representatives may
60 appoint one member of the House of Representatives who voted against the proposed
61 amendment, to jointly draft an argument against the proposed amendment;

62 (6) an argument described in Subsection (5)(a) or (b) may not exceed 1,000 words, not
63 counting the names and titles of the authors;

64 (7) the authors appointed to submit an argument shall submit the argument to the
65 lieutenant governor no later than seven days after the effective date of this bill;

66 (8) except as provided in Subsection (10), the authors of an argument may not modify
67 the argument after submission;

68 (9) except as provided in Subsection (10), the lieutenant governor may not modify an
69 argument in any way;

70 (10) the lieutenant governor and the authors of an argument may jointly modify the
71 argument after submission if:

72 (a) the modifications are made to correct spelling or grammatical errors or to correct a
73 mischaracterization described in Subsection (17);

74 (b) the lieutenant governor and the authors jointly agree on the modifications; and

75 (c) the argument has not been submitted for typesetting;

76 (11) when the lieutenant governor has received both the argument for the proposed
77 amendment, if any, and the argument against the proposed amendment, if any, the lieutenant
78 governor shall immediately send a copy of the argument in favor of the proposed amendment,
79 if any, to the authors of the argument against the proposed amendment, if any, and a copy of
80 the argument against the proposed amendment, if any, to the authors of the argument in favor
81 of the proposed amendment, if any;

82 (12) the authors who timely submit an argument under Subsection (7):

83 (a) may prepare and submit a rebuttal argument not exceeding 250 words, not counting
84 the names and titles of the authors; and

85 (b) shall file the rebuttal argument with the lieutenant governor within seven days after
86 the day on which the lieutenant governor sends copies of the arguments under Subsection (11);

87 (13) except as provided in Subsection (15), the authors of a rebuttal argument may not
88 modify the rebuttal argument after submission;

89 (14) except as provided in Subsection (15), the lieutenant governor may not modify a

90 rebuttal argument in any way;

91 (15) the lieutenant governor and the authors of a rebuttal argument may jointly modify
92 the rebuttal argument after submission, if:

93 (a) the modifications are made to correct spelling or grammatical errors or to correct a
94 mischaracterization described in Subsection (17);

95 (b) the lieutenant governor and the authors jointly agree on the modifications; and

96 (c) the rebuttal argument has not been submitted for typesetting;

97 (16) the lieutenant governor shall ensure that:

98 (a) a rebuttal argument is printed in the same manner as a direct argument; and

99 (b) each rebuttal argument follows immediately after the direct argument which the
100 rebuttal argument seeks to rebut;

101 (17) if, after the lieutenant governor determines that an argument or a rebuttal
102 argument mischaracterizes the position of a state entity, the lieutenant governor and the authors
103 of the argument or rebuttal argument cannot jointly agree on a modification to correct the
104 mischaracterization, the lieutenant governor:

105 (a) shall publish the argument or rebuttal argument with the mischaracterization; and

106 (b) may, immediately following the argument or rebuttal argument, publish a brief
107 description of the position of the state entity;

108 (18) notwithstanding Subsection 20A-7-103(4), the lieutenant governor shall certify the
109 letter or number and ballot title of each amendment or question to the county clerk of each
110 county no later than the deadline described in Subsection (1); and

111 (19) the deadline described in Subsection 20A-7-801(4)(b) does not apply to the ballot
112 title, analysis, arguments, rebuttal arguments, descriptions, or other items described in this
113 section.

114 Section 2. Section **63I-2-220** is amended to read:

115 **63I-2-220. Repeal dates: Title 20A.**

116 (1) Section 20A-7-103.1, Constitutional amendments proposed during specified
117 timeframe -- Analysis -- Arguments -- Publication, is repealed July 1, 2025.

118 (2) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is
119 repealed January 1, 2026.

120 Section 3. **Effective date.**

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