

17-52-203 Registered voter initiation of adoption of optional plan -- Procedure.

- (1) Registered voters of a county may initiate the process of adopting an optional plan by filing a petition for the establishment of a study committee as provided in Section 17-52-301.
- (2) Each petition under Subsection (1) shall:
 - (a) be signed by registered voters residing in the county equal in number to at least 10% of the total number of votes cast in the county at the most recent election for president of the United States;
 - (b) designate up to five of the petition signers as sponsors, one of whom shall be designated as the contact sponsor, with the mailing address and telephone number of each; and
 - (c) be filed in the office of the clerk of the county in which the petition signers reside.
- (3)
 - (a) Within 30 days of the filing of a petition under Subsection (1) or an amended or supplemental petition under Subsection (3)(b), the county clerk shall:
 - (i) determine whether the petition or amended or supplemental petition has been signed by the required number of registered voters; and
 - (ii)
 - (A) if so, certify the petition or amended or supplemental petition and deliver it to the county legislative body and notify in writing the contact sponsor of the certification; or
 - (B) if not, reject the petition or the amended or supplemental petition and notify in writing the county legislative body and the contact sponsor of the rejection and the reasons for the rejection.
 - (b) If a county clerk rejects a petition or an amended or supplemental petition under Subsection (3)(a)(ii)(B), the petition may be amended or supplemented or an amended or supplemental petition may be further amended or supplemented with additional signatures and refiled within 20 days of the date of rejection.
- (4) With the unanimous approval of petition sponsors, a petition filed under Subsection (1) may be withdrawn at any time within 90 days after petition certification but no later than 45 days before an election under Section 17-52-206 if:
 - (a) the petition notified signers in conspicuous language that the petition sponsors are authorized to withdraw the petition; and
 - (b) there are at least three sponsors of the petition.

Amended by Chapter 37, 2013 General Session

Amended by Chapter 134, 2013 General Session