

**17-52-206 Election on recommended optional plan -- Resolution or petition to submit plan to voters.**

- (1)
  - (a) The county legislative body shall hold an election on an optional plan recommended in a study committee report filed under Subsection 17-52-303(3)(d) if:
    - (i) the county or district attorney has completed the review of the recommended optional plan and has submitted the attorney's report to the county clerk as provided in Section 17-52-204;
    - (ii) the recommended optional plan may, under Subsection 17-52-204(3), be the subject of a resolution or petition under this Subsection (1); and
    - (iii) after the county or district attorney has submitted the attorney's report under Section 17-52-204:
      - (A) the county legislative body adopts a resolution to submit the recommended optional plan to voters; or
      - (B) a petition is filed with the county clerk that:
        - (I) is 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;
        - (II) designates 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
        - (III) requests that the recommended optional plan be submitted to voters.
  - (b) The process for certifying a petition filed under Subsection (1)(a)(iii)(B) shall be the same as that provided in Subsection 17-52-203(3).
- (2) Each election under Subsection (1) shall be held at the next regular general or municipal general election date that is no less than two months after:
  - (a) the county legislative body's adoption of a resolution under Subsection (1)(a)(iii)(A); or
  - (b) certification of a petition filed under Subsection (1)(a)(iii)(B).
- (3) The county clerk shall prepare the ballot for each election under Subsection (1) so that the question on the ballot states substantially as follows:

"Shall \_\_\_\_\_ County adopt the alternate form of government known as the \_\_\_\_(insert the proposed form of government)\_\_\_ that has been recommended by the study committee?"
- (4) The county clerk shall:
  - (a) cause the complete text of the proposed optional plan to be published in a newspaper of general circulation within the county at least once during two different calendar weeks within the 30-day period immediately before the date of the election under Subsection (1); and
  - (b) make a complete copy of the optional plan and the study committee report available free of charge to any member of the public who requests a copy.

Amended by Chapter 37, 2013 General Session