Effective 5/7/2025

20A-7-204.1 Public hearings to be held before initiative petitions are circulated -- Changes to a proposed law or an initial fiscal impact statement.

(1)

(a) After issuance of the initial fiscal impact statement by the Office of the Legislative Fiscal Analyst and before circulating initiative packets for signature statewide, sponsors of the initiative shall hold at least seven public hearings throughout Utah as follows:

(i) one in the Bear River region -- Box Elder, Cache, or Rich County;

(ii) one in the Southwest region -- Beaver, Garfield, Iron, Kane, or Washington County;

(iii) one in the Mountain region -- Summit, Utah, or Wasatch County;

(iv) one in the Central region -- Juab, Millard, Piute, Sanpete, Sevier, or Wayne County;

(v) one in the Southeast region -- Carbon, Emery, Grand, or San Juan County;

(vi) one in the Uintah Basin region -- Daggett, Duchesne, or Uintah County; and

(vii) one in the Wasatch Front region -- Davis, Morgan, Salt Lake, Tooele, or Weber County.

(b) Of the seven public hearings, the sponsors of the initiative shall hold at least two of the public hearings in a first or second class county, but not in the same county.

(c) The sponsors may not hold a public hearing described in this section until the later of:

(i) the day after the day on which a sponsor receives a copy of the initial fiscal impact statement under Subsection 20A-7-202.5(3)(b); or

(ii) if three or more sponsors file a petition for an action challenging the accuracy of the initial fiscal impact statement under Section 20A-7-202.5, the day after the day on which the action is final.

(2)

(a) The sponsors shall, before 5 p.m. at least 10 calendar days before the date of the public hearing, provide written notice of the public hearing, including the date, time, and location of the public hearing:

(i) to the lieutenant governor;

(ii) to the county clerk of each county in the region where the public hearing will be held;

(iii) each state senator, state representative, and county commission or county council member who is elected in whole or in part from the region where the public hearing will be held; and

(iv) in accordance with Section 45-1-101, for at least three calendar days before the day of the public hearing.

(b) The lieutenant governor shall post the notice described in Subsection (2)(a) on the lieutenant governor's website for at least three calendar days before the day of the public hearing.

(c) The county clerk of each county in the region where the public hearing will be held:

(i) shall post the notice described in Subsection (2)(a) for the county, as a class A notice under Section 63G-30-102, for at least three calendar days before the day of the public hearing; and

(ii) may bill the sponsors of the initiative for the cost of preparing, printing, and posting the notice described in Subsection (2)(c)(i).

(3) If the initiative proposes a tax increase, the written notice described in Subsection (2) shall include the following statement, in bold, in the same font and point size as the largest font and point size appearing in the notice:

"This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate."

(4)

(a) During the public hearing, the sponsors shall either:

(i) video tape or audio tape the public hearing; or
(ii) take comprehensive minutes of the public hearing, detailing the names and titles of each speaker and summarizing each speaker's comments.
(b) The lieutenant governor shall make copies of the tapes or minutes available to the public.
(c) For each public hearing, the sponsors shall:
(i) during the entire time that the public hearing is held, post a copy of the initial fiscal impact statement in a conspicuous location at the entrance to the room where the sponsors hold the public hearing; and
(ii) place at least 50 copies of the initial fiscal impact statement, for distribution to public hearing attendees, in a conspicuous location at the entrance to the room where the sponsors hold the public hearing.
(d) Regardless of whether an individual is present to observe or speak at a public hearing:
(i) the sponsors may not end the public hearing until at least one hour after the public hearing begins; and
(ii) the sponsors shall provide at least one hour at the public hearing that is open for public comment.

(5)
(a) Before 5 p.m. within the first business day that is at least 14 calendar days after the day on which the sponsors conduct the seventh public hearing described in Subsection (1)(a), and before circulating an initiative signature packet for signatures, the sponsors of the initiative may change the text of the proposed law if:
(i) a change to the text is:
(A) germane to the text of the proposed law filed with the lieutenant governor under Section 20A-7-202; and
(B) consistent with the requirements of Subsection 20A-7-202(5); and
(ii) each sponsor signs, attested to by a notary public, an application addendum to change the text of the proposed law.
(b)
(i) Within three business days after the day on which the lieutenant governor receives an application addendum to change the text of the proposed law for an initiative, the lieutenant governor shall submit a copy of the application addendum to the Office of the Legislative Fiscal Analyst.
(ii) The Office of the Legislative Fiscal Analyst shall:
(A) update the initial fiscal impact statement, by following the procedures and requirements of Section 20A-7-202.5 to reflect a change to the text of the proposed law; or
(B) provide written notice to the Office of the Lieutenant Governor indicating that no changes to the initial fiscal impact statement are necessary.

Amended by Chapter 448, 2025 General Session