Chapter 7
Issues Submitted to the Voters

Part 1
General Provisions

20A-7-101 Definitions.
As used in this chapter:
(1) "Budget officer" means:
   (a) for a county, the person designated as budget officer in Section 17-19a-203;
   (b) for a city, the person designated as budget officer in Subsection 10-6-106(4);
   (c) for a town, the town council; or
   (d) for a metro township, the person described in Subsection (1)(a) for the county in which the
       metro township is located.
(2) "Certified" means that the county clerk has acknowledged a signature as being the signature of
    a registered voter.
(3) "Circulation" means the process of submitting an initiative or referendum petition to legal voters
    for their signature.
(4) "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.
(5) "Final fiscal impact statement" means a financial statement prepared after voters approve
    an initiative that contains the information required by Subsection 20A-7-202.5(2) or
    20A-7-502.5(2).
(6) "Initial fiscal impact estimate" means:
   (a) a financial statement prepared under Section 20A-7-202.5 after the filing of an application for
       an initiative petition; or
   (b) a financial and legal statement prepared under Section 20A-7-502.5 or 20A-7-602.5 for an
       initiative or referendum petition.
(7) "Initiative" means a new law proposed for adoption by the public as provided in this chapter.
(8) "Initiative packet" means a copy of the initiative petition, a copy of the proposed law, and the
    signature sheets, all of which have been bound together as a unit.
(9) "Land use law" means a law of general applicability, enacted based on the weighing of broad,
    competing policy considerations, that relates to the use of land, including land use regulation,
    a general plan, a land use development code, an annexation ordinance, or a comprehensive
    zoning ordinance or resolution.
   (b) "Land use law" does not include a land use decision, as defined in Section 10-9a-103 or
       17-27a-103.
(10) "Legal signatures" means the number of signatures of legal voters that:
    (a) meet the numerical requirements of this chapter; and
    (b) have been obtained, certified, and verified as provided in this chapter.
(11) "Legal voter" means a person who:
    (a) is registered to vote; or
    (b) becomes registered to vote before the county clerk certifies the signatures on an initiative or
        referendum petition.
(12) "Legally referable to voters" means:
(a) for a proposed local initiative, that the proposed local initiative is legally referable to voters under Section 20A-7-502.7; or
(b) for a proposed local referendum, that the proposed local referendum is legally referable to voters under Section 20A-7-602.7.

(13) "Local attorney" means the county attorney, city attorney, or town attorney in whose jurisdiction a local initiative or referendum petition is circulated.

(14) "Local clerk" means the county clerk, city recorder, or town clerk in whose jurisdiction a local initiative or referendum petition is circulated.

(15)
(a) "Local law" includes:
   (i) an ordinance;
   (ii) a resolution;
   (iii) a land use law; or
   (iv) other legislative action of a local legislative body.
(b) "Local law" does not include an individual property zoning decision.

(16) "Local legislative body" means the legislative body of a county, city, town, or metro township.

(17) "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.

(18) "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.

(19) "Measure" means a proposed constitutional amendment, an initiative, or referendum.

(20) "Referendum" means a process by which a law passed by the Legislature or by a local legislative body is submitted or referred to the voters for their approval or rejection.

(21) "Referendum packet" means a copy of the referendum petition, a copy of the law being submitted or referred to the voters for their approval or rejection, and the signature sheets, all of which have been bound together as a unit.

(22)
(a) "Signature" means a holographic signature.
(b) "Signature" does not mean an electronic signature.

(23) "Signature sheets" means sheets in the form required by this chapter that are used to collect signatures in support of an initiative or referendum.

(24) "Special local ballot proposition" means a local ballot proposition that is not a standard local ballot proposition.

(25) "Sponsors" means the legal voters who support the initiative or referendum and who sign the application for petition copies.

(26)
(a) "Standard local ballot proposition" means a local ballot proposition for an initiative or a referendum.
(b) "Standard local ballot proposition" does not include a property tax referendum described in Section 20A-7-613.

(27) "Tax percentage difference" means the difference between the tax rate proposed by an initiative or an initiative petition and the current tax rate.

(28) "Tax percentage increase" means a number calculated by dividing the tax percentage difference by the current tax rate and rounding the result to the nearest thousandth.

(29) "Verified" means acknowledged by the person circulating the petition as required in Sections 20A-7-205 and 20A-7-305.

Amended by Chapter 136, 2019 General Session
20A-7-102 Initiatives and referenda authorized -- Restrictions.
By following the procedures and requirements of this chapter, Utah voters may, subject to the restrictions of Article VI, Sec. 1, Utah Constitution and this chapter:
(1) initiate any desired legislation and cause it to be submitted to:
   (a) the Legislature or to a vote of the people for approval or rejection if it is a proposed state law;
   or
   (b) a local legislative body or to a vote of the people if it is a local law;
(2) require any law passed by the Legislature, except those laws passed by a two-thirds vote of the members elected to each house of the Legislature, to be referred to the voters for their approval or rejection before the law takes effect; and
(3) require any law or ordinance passed by a local legislative body to be referred to the voters for their approval or rejection before the law takes effect.

20A-7-103 Constitutional amendments and other questions submitted by the Legislature -- Publication -- Ballot title -- Procedures for submission to popular vote.
(1) The procedures contained in this section govern when the Legislature submits a proposed constitutional amendment or other question to the voters.
(2) In addition to the publication in the voter information pamphlet required by Section 20A-7-702, the lieutenant governor shall, not more than 60 days or less than 14 days before the date of the election, publish the full text of the amendment, question, or statute in at least one newspaper in every county of the state where a newspaper is published.
(3) The legislative general counsel shall:
   (a) entitle each proposed constitutional amendment "Constitutional Amendment ___" and assign it a letter according to the requirements of Section 20A-6-107;
   (b) entitle each proposed question "Proposition Number ___" with the number assigned to the proposition under Section 20A-6-107 placed in the blank;
   (c) draft and designate a ballot title for each proposed amendment or question submitted by the Legislature that summarizes the subject matter of the amendment or question; and
   (d) deliver each number and title to the lieutenant governor.
(4) The lieutenant governor shall certify the number and ballot title of each amendment or question to the county clerk of each county no later than 65 days before the date of the election.
(5) The county clerk of each county shall:
   (a) ensure that both the number and title of each amendment and question is printed on the sample ballots and official ballots; and
   (b) publish them as provided by law.

Part 2
Statewide Initiatives
20A-7-201 Statewide initiatives -- Signature requirements -- Submission to the Legislature or to a vote of the people.

(1) A person seeking to have an initiative submitted to the Legislature for approval or rejection shall obtain:
   (i) legal signatures equal to 4% of the number of active voters in the state on January 1 immediately following the last regular general election; and
   (ii) from at least 26 Utah State Senate districts, legal signatures equal to 4% of the number of active voters in that district on January 1 immediately following the last regular general election.

(b) If, at any time not less than 10 days before the beginning of the next annual general session of the Legislature, immediately after the application is filed under Section 20A-7-202 and specified on the petition under Section 20A-7-203 the lieutenant governor declares sufficient any initiative petition that is signed by enough voters to meet the requirements of this Subsection (1), the lieutenant governor shall deliver a copy of the petition and the cover sheet required by Subsection (1)(c) to the president of the Senate, the speaker of the House, and the director of the Office of Legislative Research and General Counsel.

(c) In delivering a copy of the petition, the lieutenant governor shall include a cover sheet that contains:
   (i) the number of active voters in the state on January 1 immediately following the last regular general election;
   (ii) the number of active voters in each Utah State Senate district on January 1 immediately following the last regular general election;
   (iii) the total number of certified signatures received for the submitted initiative; and
   (iv) the total number of certified signatures received from each Utah State Senate district for the submitted initiative.

(2) A person seeking to have an initiative submitted to a vote of the people for approval or rejection shall obtain:
   (i) legal signatures equal to 8% of the number of active voters in the state on January 1 immediately following the last regular general election; and
   (ii) from at least 26 Utah State Senate districts, legal signatures equal to 8% of the number of active voters in that district on January 1 immediately following the last regular general election.

(b) If an initiative petition meets the requirements of this part and the lieutenant governor declares the initiative petition to be sufficient, the lieutenant governor shall submit the proposed law to a vote of the people at the next regular general election:
   (i) immediately after the application is filed under Section 20A-7-202; and
   (ii) specified on the petition under Section 20A-7-203.

(3) The lieutenant governor shall provide the following information to any interested person:
   (a) the number of active voters in the state on January 1 immediately following the last regular general election; and
   (b) for each Utah State Senate district, the number of active voters in that district on January 1 immediately following the last regular general election.

Amended by Chapter 217, 2019 General Session
20A-7-202 Statewide initiative process -- Application procedures -- Time to gather signatures -- Grounds for rejection.

(1) Persons wishing to circulate an initiative petition shall file an application with the lieutenant governor.

(2) The application shall contain:
   (a) the name and residence address of at least five sponsors of the initiative petition;
   (b) a statement indicating that each of the sponsors:
       (i) is a resident of Utah; and
       (ii) has voted in a regular general election in Utah within the last three years;
   (c) the signature of each of the sponsors, attested to by a notary public;
   (d) a copy of the proposed law that includes, in the following order:
       (i) the title of the proposed law, that clearly expresses the subject of the law;
       (ii) a description of all proposed sources of funding for the costs associated with the proposed law, including the proposed percentage of total funding from each source; and
       (iii) the text of the proposed law;
   (e) if the initiative petition proposes a tax increase, the following statement, "This initiative petition 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."; and
   (f) a statement indicating whether persons gathering signatures for the petition may be paid for doing so.

(3) The application and the application's contents are public when filed with the lieutenant governor.

(4) If the petition fails to qualify for the ballot of the election described in Subsection 20A-7-201(2) (b), the sponsors shall:
   (a) submit a new application;
   (b) obtain new signature sheets; and
   (c) collect signatures again.

(5) The lieutenant governor shall reject the application or application addendum filed under Subsection 20A-7-204.1(5) and not issue circulation sheets if:
   (a) the law proposed by the initiative is patently unconstitutional;
   (b) the law proposed by the initiative is nonsensical;
   (c) the proposed law could not become law if passed;
   (d) the proposed law contains more than one subject as evaluated in accordance with Subsection (6);
   (e) the subject of the proposed law is not clearly expressed in the law's title; or
   (f) the law proposed by the initiative is identical or substantially similar to a law proposed by an initiative for which signatures were submitted to the county clerks and lieutenant governor for certification within two years preceding the date on which the application for the new initiative is filed.

(6) To evaluate whether the proposed law contains more than one subject under Subsection (5)(d), the lieutenant governor shall apply the same standard provided in Utah Constitution, Article VI, Section 22, which prohibits a bill from passing that contains more than one subject.

Amended by Chapter 217, 2019 General Session
Amended by Chapter 275, 2019 General Session

20A-7-202.5 Initial fiscal impact estimate -- Preparation of estimate -- Challenge to estimate.
(1) Within three working days after the day on which the lieutenant governor receives an application for an initiative petition, the lieutenant governor shall submit a copy of the application to the Office of the Legislative Fiscal Analyst.

(2)

(a) The Office of the Legislative Fiscal Analyst shall prepare an unbiased, good faith estimate of the fiscal impact of the law proposed by the initiative that contains:
   (i) a dollar amount representing the total estimated fiscal impact of the proposed law;
   (ii) if the proposed law would increase or decrease taxes, a dollar amount representing the total estimated increase or decrease for each type of tax affected under the proposed law and a dollar amount representing the total estimated increase or decrease in taxes under the proposed law;
   (iii) if the proposed law would increase taxes, the tax percentage difference and the tax percentage increase;
   (iv) if the proposed law would result in the issuance or a change in the status of bonds, notes, or other debt instruments, a dollar amount representing the total estimated increase or decrease in public debt under the proposed law;
   (v) a listing of all sources of funding for the estimated costs associated with the proposed law showing each source of funding and the percentage of total funding provided from each source;
   (vi) a dollar amount representing the estimated costs or savings, if any, to state and local government entities under the proposed law;
   (vii) a concise explanation, not exceeding 100 words, of the above information and of the estimated fiscal impact, if any, under the proposed law; and
   (viii) a concise description and analysis titled "Funding Source," not to exceed 50 words, of the funding source information described in Subsection 20A-7-202(2)(d)(ii).

(b)

(i) If the proposed law is estimated to have no fiscal impact, the Office of the Legislative Fiscal Analyst shall include a summary statement in the initial fiscal impact statement in substantially the following form:
   "The Office of the Legislative Fiscal Analyst estimates that the law proposed by this initiative would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt."

(ii) If the proposed law is estimated to have a fiscal impact, the Office of the Legislative Fiscal Analyst shall include a summary statement in the initial fiscal impact estimate in substantially the following form:
   "The Office of the Legislative Fiscal Analyst estimates that the law proposed by this initiative would result in a total fiscal expense/savings of $______, which includes a (type of tax or taxes) tax increase/decrease of $______ and a $______ increase/decrease in state debt."

(iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise difficult to reasonably express in a summary statement, the Office of the Legislative Fiscal Analyst may include in the summary statement a brief explanation that identifies those factors affecting the variability or difficulty of the estimate.

(iv) If the proposed law imposes a tax increase, the Office of the Legislative Fiscal Analyst shall include a summary statement in the initial fiscal impact estimate in substantially the following form:
"This initiative petition 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."

(3) The Office of the Legislative Fiscal Analyst shall prepare an unbiased, good faith estimate of the cost of printing and distributing information related to the initiative petition in:
(a) the voter information pamphlet as required by Chapter 7, Part 7, Voter Information Pamphlet; or
(b) the newspaper, as required by Section 20A-7-702.

(4) Within 25 calendar days after the day on which the lieutenant governor delivers a copy of the application, the Office of the Legislative Fiscal Analyst shall:
(a) deliver a copy of the initial fiscal impact estimate to the lieutenant governor's office; and
(b) mail a copy of the initial fiscal impact estimate to the first five sponsors named in the initiative application.

(5)
(a)
(i) Three or more of the sponsors of the petition may, within 20 calendar days after the day on which the Governor's Office of Management and Budget delivers the initial fiscal impact estimate to the lieutenant governor's office, file a petition with the appropriate court, alleging that the initial fiscal impact estimate, taken as a whole, is an inaccurate estimate of the fiscal impact of the initiative.
(ii) After receipt of the appeal, the court shall direct the lieutenant governor to send notice of the petition to:
(A) any person or group that has filed an argument with the lieutenant governor's office for or against the measure that is the subject of the challenge; and
(B) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any issues relating to the initiative.

(b)
(i) There is a presumption that the initial fiscal impact estimate prepared by the Office of the Legislative Fiscal Analyst is based upon reasonable assumptions, uses reasonable data, and applies accepted analytical methods to present the estimated fiscal impact of the initiative.
(ii) The court may not revise the contents of, or direct the revision of, the initial fiscal impact estimate unless the plaintiffs rebut the presumption by clear and convincing evidence that establishes that the initial fiscal estimate, taken as a whole, is an inaccurate statement of the estimated fiscal impact of the initiative.
(iii) The court may refer an issue related to the initial fiscal impact estimate to a master to examine the issue and make a report in accordance with Utah Rules of Civil Procedure, Rule 53.
(c) The court shall certify to the lieutenant governor a fiscal impact estimate for the measure that meets the requirements of this section.

Amended by Chapter 255, 2019 General Session
Amended by Chapter 275, 2019 General Session

20A-7-203 Form of initiative petition and signature sheets.
(1)
(a) Each proposed initiative petition shall be printed in substantially the following form:

"INITIATIVE PETITION To the Honorable _____, Lieutenant Governor:

We, the undersigned citizens of Utah, respectfully demand that the following proposed
law be submitted to the legal voters/Legislature of Utah for their/its approval or rejection at the
regular general election/session to be held/ beginning on _________(month\day\year);

Each signer says:
I have personally signed this petition;
I am registered to vote in Utah or intend to become registered to vote in Utah before the

certification of the petition names by the county clerk; and
My residence and post office address are written correctly after my name.

NOTICE TO SIGNERS:
Public hearings to discuss this petition were held at: (list dates and locations of public

hearings.)"

(b) If the initiative petition proposes a tax increase, the following statement shall appear, in at
least 14-point, bold type, immediately following the information described in Subsection (1)(a):

"This initiative petition 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."

(c) The sponsors of an initiative shall attach a copy of the proposed law to each initiative petition.

(2) Each signature sheet shall:

(a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;
(b) be ruled with a horizontal line three-fourths inch from the top, with the space above that line
blank for the purpose of binding;
(c) contain the title of the initiative printed below the horizontal line, in at least 14-point, bold type;
(d) be vertically divided into columns as follows:
   (i) the edge of the first column shall appear .5 inch from the extreme left of the sheet, be.25 inch
   wide, and be headed, together with the second column, "For Office Use Only";
   (ii) the second column shall be .25 inch wide;
   (iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed Name (must
   be legible to be counted)"
   (iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered Voter";
   (v) the fifth column shall be .75 inch wide, headed "Date Signed";
   (vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip Code"; and
   (vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)"
(e) be horizontally divided into rows as follows:
   (i) the top of the first row, for the purpose of entering the information described in Subsection
(2)(d), shall be .5 inch high;
   (ii) the second row shall be .15 inch high and contain the following statement printed or typed in
not less than 12-point type:
"By signing this petition, you are stating that you have read and understand the law
proposed by this petition."
and
   (iii) the first and second rows shall be repeated, in order, leaving sufficient room at the bottom
   of the sheet for the information described in Subsection (2)(f); and
(f) at the bottom of the sheet, contain in the following order:
   (i) the title of the initiative, in at least 14-point, bold type;
   (ii) the initial fiscal impact estimate's summary statement issued by the Office of the Legislative
Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(b), including any update
in accordance with Subsection 20A-7-204.1(5), and the cost estimate for printing and
distributing information related to the initiative petition in accordance with Subsection 20A-7-202.5(3), in not less than 12-point, bold type;

(iii) the word "Warning," followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign an initiative petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign an initiative petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk."

(iv) the following statement: "Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be verified as a valid signature if you change your address before petition signatures are verified or if the information you provide does not match your voter registration records."; and

(v) if the initiative petition proposes a tax increase, spanning the bottom of the sheet, horizontally, in not less than 14-point, bold type, the following statement:

"This initiative petition 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."

(3) The final page of each initiative packet shall contain the following printed or typed statement:

"Verification
State of Utah, County of ____. 
I, _______________, of ___, hereby state, under penalty of perjury, that:
I am a resident of Utah and am at least 18 years old;
All the names that appear in this packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence;
I believe that each individual has printed and signed the individual's name and written the individual's post office address and residence correctly, that each signer has read and understands the law proposed by the initiative, and that each signer is registered to vote in Utah or intends to become registered to vote before the certification of the petition names by the county clerk.
Each individual who signed the packet wrote the correct date of signature next to the individual's name.
I have not paid or given anything of value to any individual who signed this petition to encourage that individual to sign it.

________________________________________________________________________
(Residence Address) (Date)"

(4) If the forms described in this section are substantially followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical errors.

Amended by Chapter 210, 2019 General Session
Amended by Chapter 275, 2019 General Session

20A-7-204 Circulation requirements -- Lieutenant governor to provide sponsors with materials.

(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall circulate initiative packets that meet the form requirements of this part.

(2) The lieutenant governor shall furnish to the sponsors:
(a) a copy of the initiative petition, with any change submitted under Subsection 20A-7-204.1(5); and
(b) one signature sheet.

(3) The sponsors of the petition shall:
(a) arrange and pay for the printing of all additional copies of the petition and signature sheets; and
(b) ensure that the copies of the petition and signature sheets meet the form requirements of this section.

(4)
(a) The sponsors may prepare the initiative for circulation by creating multiple initiative packets.
(b) The sponsors shall create those packets by binding a copy of the initiative petition, a copy of the proposed law, and no more than 50 signature sheets together at the top in such a way that the packets may be conveniently opened for signing.
(c) The sponsors need not attach a uniform number of signature sheets to each initiative packet.

(5)
(a) After the sponsors have prepared sufficient initiative packets, they shall return them to the lieutenant governor.
(b) The lieutenant governor shall:
   (i) number each of the initiative packets and return them to the sponsors within five working days; and
   (ii) keep a record of the numbers assigned to each packet.

Amended by Chapter 291, 2017 General Session

**20A-7-204.1 Public hearings to be held before initiative petitions are circulated -- Changes to an initiative and initial fiscal impact estimate.**

(1)
(a) After issuance of the initial fiscal impact estimate by the Office of the Legislative Fiscal Analyst and before circulating initiative petitions for signature statewide, sponsors of the initiative petition 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) one day after the day on which a sponsor receives a copy of the initial fiscal impact estimate under Subsection 20A-7-202.5(4)(b); or
   (ii) if three or more sponsors file a petition 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) The sponsors shall:
(a) before 5 p.m. at least three calendar days before the date of the public hearing, provide written notice of the public hearing to:
   (i) the lieutenant governor for posting on the state’s website; and
(ii) 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

(b) publish written notice of the public hearing, including the time, date, and location of the public hearing, in each county in the region where the public hearing will be held:

(i) at least three calendar days before the day of the public hearing, in a newspaper of general circulation in the county;

(B) if there is no newspaper of general circulation in the county, at least three calendar days before the day of the public hearing, by posting one copy of the notice, and at least one additional copy of the notice per 2,000 population of the county, in places within the county that are most likely to give notice to the residents of the county; or

(C) at least seven days before the day of the public hearing, by mailing notice to each residence in the county;

(ii) on the Utah Public Notice Website created in Section 63F-1-701, for at least three calendar days before the day of the public hearing;

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

(iv) on the county’s website for at least three calendar days before the day of the public hearing.

(3) If the initiative petition 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 petition 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 and, when the hearing is complete, deposit the complete audio or video tape of the meeting with the lieutenant governor; 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.

(5)

(a) Before 5 p.m. within 14 days after the day on which the sponsors conduct the seventh public hearing described in Subsection (1)(a), and before circulating an initiative petition for signatures, the sponsors of the initiative petition 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.

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(b) (i) Within three working days after the day on which the lieutenant governor receives an application addendum to change the text of the proposed law in an initiative petition, 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 update the initial fiscal impact estimate by following the procedures and requirements of Section 20A-7-202.5 to reflect a change to the text of the proposed law.

Amended by Chapter 255, 2019 General Session
Amended by Chapter 275, 2019 General Session
Amended by Chapter 275, 2019 General Session, (Coordination Clause)

20A-7-205 Obtaining signatures -- Verification -- Removal of signature.

(1) A Utah voter may sign an initiative petition if the voter is a legal voter.

(2) 

(a) The sponsors shall ensure that the individual in whose presence each signature sheet was signed:

(i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;

(ii) verifies each signature sheet by completing the verification printed on the last page of each initiative packet; and

(iii) is informed that each signer is required to read and understand the law proposed by the initiative.

(b) A person may not sign the verification printed on the last page of the initiative packet if the person signed a signature sheet in the initiative packet.

(3) 

(a) A voter who has signed an initiative petition may have the voter's signature removed from the petition by submitting to the county clerk a statement requesting that the voter's signature be removed before 5 p.m. no later than the earlier of:

(i) for an initiative packet received by the county clerk before December 1:

(A) 30 days after the day on which the voter signs the signature removal statement; or

(B) 90 days after the day on which the county clerk posts the voter's name under Subsection 20A-7-206(2)(c); or

(ii) for an initiative packet received by the county clerk on or after December 1:

(A) 30 days after the day on which the voter signs the signature removal statement; or

(B) 45 days after the day on which the county clerk posts the voter's name under Subsection 20A-7-206(3)(c);

(b) 

(i) The statement shall include:

(A) the name of the voter;

(B) the resident address at which the voter is registered to vote;

(C) the signature of the voter; and

(D) the date of the signature described in Subsection (3)(b)(i)(C).

(ii) To increase the likelihood of the voter's signature being identified and removed, the statement may include the voter's birth date or age.

(c) A voter may not submit a statement by email or other electronic means.

(d) A person may only remove a signature from an initiative petition in accordance with this Subsection (3).
(e) A county clerk shall analyze a signature, for purposes of removing a signature from an initiative petition, in accordance with Section 20A-7-206.3.

Amended by Chapter 210, 2019 General Session, (Coordination Clause)
Amended by Chapter 210, 2019 General Session
Amended by Chapter 217, 2019 General Session
Amended by Chapter 217, 2019 General Session, (Coordination Clause)
Amended by Chapter 255, 2019 General Session

20A-7-205.5 Initial disclosures -- Paid circulators.
(1) When petitions are being circulated by paid circulators, the sponsors of the initiative shall file a report with the lieutenant governor on the second Tuesday in March of the year of the regular general election and on the Tuesday before the regular general election.
(2) The report shall contain:
   (a) the names of the sponsors; and
   (b) the name of the proposed measure for which petitions are being circulated by paid circulators.

Amended by Chapter 237, 2008 General Session

20A-7-206 Submitting the initiative petition -- Certification of signatures by the county clerks -- Transfer to lieutenant governor.
(1)
   (a) In order to qualify an initiative petition for placement on the regular general election ballot, the sponsors shall deliver a signed and verified initiative packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than the earlier of:
      (i) 30 days after the day on which the first individual signs the initiative packet;
      (ii) 316 days after the day on which the application for the initiative petition is filed; or
      (iii) the February 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-202.
   (b) A sponsor may not submit an initiative packet after the deadline described in Subsection (1)(a).
(2) For an initiative packet received by the county clerk before December 1, the county clerk shall, within 30 days after the day on which the county clerk receives the packet:
   (a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-206.3;
   (b) certify on the petition whether each name is that of a registered voter;
   (c) post the name and voter identification number of each registered voter certified under Subsection (2)(b) in a conspicuous location on the county's website for at least 90 days; and
   (d) deliver the verified initiative packet to the lieutenant governor.
(3) For an initiative packet received by the county clerk on or after December 1, the county clerk shall, within 21 days after the day on which the county clerk receives the packet:
   (a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-206.3;
   (b) certify on the petition whether each name is that of a registered voter;
   (c) post the name and precinct of each registered voter certified under Subsection (2)(b) in a conspicuous location on the county's website for at least 45 days; and
   (d) deliver the verified initiative packet to the lieutenant governor.
(4) Within seven days after timely receipt of a statement described in Subsection 20A-7-205(3), the county clerk shall:
   (a) remove the voter's signature from the posting described in Subsection (2)(c) or (3)(c); and
   (b) (i) remove the voter's signature from the signature packet totals; and
        (ii) inform the lieutenant governor of the removal.

(5) The county clerk may not certify a signature under Subsection (2) or (3):
   (a) on an initiative packet that is not verified in accordance with Section 20A-7-205; or
   (b) that does not have a date of signature next to the signature.

(6) In order to qualify an initiative petition for submission to the Legislature, the sponsors shall deliver each signed and verified initiative packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than the November 15 before the next annual general session of the Legislature immediately after the application is filed under Section 20A-7-202.

(7) The county clerk may not certify a signature under Subsection (8) on an initiative packet that is not verified in accordance with Section 20A-7-205.

(8) No later than December 15 before the annual general session of the Legislature, the county clerk shall, for an initiative described in Subsection (6):
   (a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-206.3;
   (b) certify on the petition whether each name is that of a registered voter; and
   (c) deliver all of the verified initiative packets to the lieutenant governor.

(9) The sponsor or a sponsor's representative may not retrieve an initiative packet from a county clerk after the initiative packet is submitted to the county clerk.

Amended by Chapter 210, 2019 General Session, (Coordination Clause)
Amended by Chapter 210, 2019 General Session
Amended by Chapter 217, 2019 General Session
Amended by Chapter 217, 2019 General Session, (Coordination Clause)
Amended by Chapter 255, 2019 General Session

20A-7-206.3 Verification of petition signatures.
(1) As used in this section:
   (a) "Substantially similar name" means:
       (i) the given name and surname shown on the petition, or both, contain only minor spelling differences when compared to the given name and surname shown on the official register;
       (ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;
       (iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is accompanied by a first or middle initial or a middle name which is not shown on the other record; or
       (iv) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.
(b) "Substantially similar name" does not include a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.

(2) The county clerk shall use the following procedures in determining whether a signer is a registered voter:

(a) if a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the signature valid;

(b) if there is no exact match of an address and a name, the county clerk shall declare the signature valid if:

(i) the address on the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(b)(i);

(c) if there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if:

(i) the birth date or age on the petition matches the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(c)(i);

(d) if a signature is not declared valid under Subsection (2)(a),(b), or(c), the county clerk shall declare the signature to be invalid.

(3) The county clerk shall use the following procedures in determining whether to remove a signature from a petition after receiving a timely, valid statement requesting removal of the signature:

(a) if a signer's name and address shown on the statement and the petition exactly match a name and address shown on the official register and the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database, the county clerk shall remove the signature from the petition;

(b) if there is no exact match of an address and a name, the county clerk shall remove the signature from the petition if:

(i) the address on the statement and the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(b)(i);

(c) if there is no match of an address and a substantially similar name, the county clerk shall remove the signature from the petition if:

(i) the birth date or age on the statement and petition match the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(c)(i);

(d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the county clerk may not remove the signature from the petition.

Amended by Chapter 210, 2019 General Session
20A-7-207 Evaluation by the lieutenant governor.

(1) When an initiative packet is received from a county clerk, the lieutenant governor shall check off from the record the number of the initiative packet received.

(2) 
(a) The lieutenant governor shall, within 14 days after the day on which the lieutenant governor receives an initiative packet from a county clerk:
   (i) count the number of the names certified by the county clerks on each verified signature sheet; and
   (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update.
(b) The lieutenant governor shall declare the petition to be sufficient or insufficient on or before April 30 before the regular general election described in Subsection 20A-7-201(2)(b).
(c) If the total number of names certified under this Subsection (2) equals or exceeds the number of names required under Section 20A-7-201, and the requirements of this part are met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."
(d) If the total number of names certified under this Subsection (2) does not equal or exceed the number of names required under Section 20A-7-201 or a requirement of this part is not met, the lieutenant governor shall mark upon the front of the petition the word "insufficient."
(e) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant governor's finding.

(3) After a petition is declared insufficient, the sponsors may not submit additional signatures to qualify the petition for the ballot.

(4) 
(a) If the lieutenant governor refuses to accept and file an initiative petition that a sponsor believes is legally sufficient, any voter may, not later than May 15, apply to the appropriate court for an extraordinary writ to compel the lieutenant governor to accept and file the initiative petition.
(b) If the court certifies that the initiative petition is legally sufficient, the lieutenant governor shall file the initiative petition, with a verified copy of the judgment attached to the initiative petition, as of the date on which the initiative petition was originally offered for filing in the lieutenant governor's office.
(c) If the court determines that a petition filed is not legally sufficient, the court may enjoin the lieutenant governor and all other officers from certifying or printing the ballot title and numbers of that measure on the official ballot.

(5) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 210, 2019 General Session, (Coordination Clause)
Amended by Chapter 210, 2019 General Session
Amended by Chapter 217, 2019 General Session

20A-7-208 Disposition of initiative petitions by the Legislature.

(1) 
(a) Except as provided in Subsection (1)(b), when the lieutenant governor delivers an initiative petition to the Legislature, the law proposed by that initiative petition shall be either enacted or rejected without change or amendment by the Legislature.
(b) The speaker of the House and the president of the Senate may direct legislative staff to make technical corrections authorized by Section 36-12-12.
(c) If any law proposed by an initiative petition is enacted by the Legislature, the law is subject to referendum the same as other laws.
(2) If any law proposed by a petition is not enacted by the Legislature, that proposed law shall be submitted to a vote of the people at the next regular general election if:
(a) sufficient additional signatures to the petition are first obtained to bring the total number of signatures up to the number required by Subsection 20A-7-201(2); and
(b) those additional signatures are verified, certified by the county clerks, and declared sufficient by the lieutenant governor as provided in this part.

Amended by Chapter 275, 2019 General Session

20A-7-209 Ballot title -- Duties of lieutenant governor and Office of Legislative Research and General Counsel.
(1) On or before June 5 before the regular general election, the lieutenant governor shall deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of Legislative Research and General Counsel.
(2)
(a) The Office of Legislative Research and General Counsel shall:
(i) entitle each state initiative that has qualified for the ballot "Proposition Number __" and give it a number as assigned under Section 20A-6-107;
(ii) prepare an impartial ballot title for each initiative summarizing the contents of the measure; and
(iii) return each petition and ballot title to the lieutenant governor by June 26.
(b) The ballot title may be distinct from the title of the proposed law attached to the initiative petition, and shall be not more than 100 words.
(c) If the initiative proposes a tax increase, the Office of Legislative Research and General Counsel shall include the following statement, in bold, in the ballot title:
"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."
(d) For each state initiative, the official ballot shall show, in the following order:
(i) the number of the initiative as determined by the Office of Legislative Research and General Counsel;
(ii) the initial fiscal impact estimate prepared under Section 20A-7-202.5, as updated under Section 20A-7-204.1; and
(iii) the ballot title as determined by the Office of Legislative Research and General Counsel.
(3) On or before June 27, the lieutenant governor shall mail a copy of the ballot title to any sponsor of the petition.
(4)
(a)
(i) At least three of the sponsors of the petition may, on or before July 6, challenge the wording of the ballot title prepared by the Office of Legislative Research and General Counsel to the appropriate court.
(ii) After receipt of the challenge, the court shall direct the lieutenant governor to send notice of the challenge to:
(A) any person or group that has filed an argument for or against the measure that is the subject of the challenge; or
(B) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any issues relating to the initiative.

(b) There is a presumption that the ballot title prepared by the Office of Legislative Research and General Counsel is an impartial summary of the contents of the initiative.

The court may not revise the wording of the ballot title unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the ballot title is patently false or biased.

The court shall:
(i) examine the ballot title;
(ii) hear arguments; and
(iii) certify to the lieutenant governor a ballot title for the measure that meets the requirements of this section.

The lieutenant governor shall certify the title verified by the court to the county clerks to be printed on the official ballot.

Amended by Chapter 275, 2019 General Session

20A-7-210 Form of ballot -- Manner of voting.
(1) A county clerk shall ensure that the information described in Subsection 20A-7-209(2)(d) is presented, in the order required, upon the official ballot with, immediately adjacent to the information, the words "For" and "Against," each word presented with an adjacent square in which the voter may indicate the voter’s vote.

A voter desiring to vote in favor of enacting the law proposed by the initiative petition shall mark the square adjacent to the word "For," and a voter desiring to vote against enacting the law proposed by the initiative petition shall mark the square adjacent to the word "Against."

Amended by Chapter 275, 2019 General Session

20A-7-211 Return and canvass -- Conflicting measures -- Law effective on proclamation.
(1) The votes on the law proposed by the initiative petition shall be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

(2) After the state board of canvassers completes its canvass, the lieutenant governor shall certify to the governor the vote for and against the law proposed by the initiative petition.

(3) The governor shall immediately issue a proclamation that:
(i) gives the total number of votes cast in the state for and against each law proposed by an initiative petition; and
(ii) declares those laws proposed by an initiative petition that were approved by majority vote to be in full force and effect on the date described in Subsection 20A-7-212(2).

(b) When the governor believes that two proposed laws, or that parts of two proposed laws approved by the people at the same election are entirely in conflict, he shall proclaim that measure to be law that has received the greatest number of affirmative votes, regardless of the difference in the majorities which those measures have received.

(c) Within 10 days after the governor’s proclamation, any qualified voter who signed the initiative petition proposing the law that is declared by the governor to be superseded by another
Utah Code

measure approved at the same election may bring an action in the appropriate court to review the governor’s decision.

(4) Within 10 days after the day on which the court issues an order in an action described in Subsection (3)(c), the governor shall:
   (a) proclaim all those measures approved by the people as law that the court has determined are not entirely in conflict; and
   (b) of all those measures approved by the people as law that the court determines to be entirely in conflict, proclaim as law, regardless of the difference in majorities, the law that received the greatest number of affirmative votes, to be in full force and effect on the date described in Subsection 20A-7-212(2).

Amended by Chapter 206, 2019 General Session

20A-7-212 Effective date.
(1) A proposed law submitted to the Legislature by initiative petition and passed by the Legislature takes effect 60 days after the last day of the session of the Legislature in which the law passed, unless:
   (a) a later effective date is included in the proposed law; or
   (b) an earlier effective date is included in the proposed law and the proposed law passes the Legislature by a two-thirds vote of the members elected to each house of the Legislature.
(2) A proposed law submitted to the people by initiative petition that is approved by the voters at an election takes effect:
   (a) except as provided in Subsections (2)(b) through (e), on the day that is 60 days after the last day of the general session of the Legislature next following the election;
   (b) except as provided in Subsection (2)(d) or (e), if the proposed law effectuates a tax increase:
      (i) except as provided in Subsection (2)(b)(ii), January 1 of the year after the general session of the Legislature next following the election; or
      (ii) at the beginning of the applicable taxable year that begins on or after January 1 of the year after the general session of the Legislature next following the election, for a tax described in:
         (A) Title 59, Chapter 6, Mineral Production Tax Withholding;
         (B) Title 59, Chapter 7, Corporate Franchise and Income Taxes;
         (C) Title 59, Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to Pay Corporate Franchise or Income Tax Act; or
         (D) Title 59, Chapter 10, Individual Income Tax Act;
      (c) except as provided in Subsection (2)(d) or (e), if the proposed law effectuates a tax decrease:
         (i) except as provided in Subsection (2)(c)(ii), April 1 immediately following the election; or
         (ii) for a tax described in Subsection (2)(b)(ii)(A) through (D), at the beginning of the applicable taxable year that begins on or after January 1 immediately following the election;
   (d) except as provided in Subsection (2)(e), January 1 of the year after the general session of the Legislature next following the election, if the proposed law effectuates a change in a tax described in:
      (i) Title 59, Chapter 2, Property Tax Act;
      (ii) Title 59, Chapter 3, Tax Equivalent Property Act; or
      (iii) Title 59, Chapter 4, Privilege Tax; or
   (e) if the proposed law specifies a special effective date that is after the otherwise applicable effective date described in Subsections (2)(a) through (d), the date specified in the proposed law.

(3)
(a) The governor may not veto a law adopted by the people.
(b) The Legislature may amend any initiative approved by the people at any legislative session.

Amended by Chapter 206, 2019 General Session

20A-7-213 Misconduct of electors and officers -- Penalty.
(1) It is unlawful for any person to:
   (a) sign any name other than the person's own to an initiative petition or a statement described in Subsection 20A-7-205(3);
   (b) knowingly sign the person's name more than once for the same measure at one election;
   (c) knowingly indicate on an initiative packet that a person who signed the packet signed the packet on a date other than the date that the person signed the packet;
   (d) sign an initiative knowing the person is not a legal voter; or
   (e) knowingly and willfully violate any provision of this part.
(2) It is unlawful for any person to sign the verification for an initiative packet knowing that:
   (a) the person does not meet the residency requirements of Section 20A-2-105;
   (b) the signature date next to the person's name on the initiative packet is not the date that the person signed the packet;
   (c) the person has not witnessed the signatures of those persons whose names appear in the initiative packet; or
   (d) one or more persons whose signatures appear in the initiative packet is either:
      (i) not registered to vote in Utah; or
      (ii) does not intend to become registered to vote in Utah.
(3) It is unlawful for any person to:
   (a) pay a person to sign an initiative petition;
   (b) pay a person to remove the person's signature from an initiative petition;
   (c) accept payment to sign an initiative petition; or
   (d) accept payment to have the person's name removed from an initiative petition.
(4) Any person violating this section is guilty of a class A misdemeanor.

Amended by Chapter 210, 2019 General Session

20A-7-214 Fiscal review -- Repeal, amendment, or resubmission.
(1) No later than 60 days after the date of an election in which the voters approve an initiative petition, the Office of the Legislative Fiscal Analyst shall:
   (a) for each initiative approved by the voters, prepare a final fiscal impact statement, using current financial information and containing the information required by Subsection 20A-7-202.5(2); and
   (b) deliver a copy of the final fiscal impact statement to:
      (i) the president of the Senate;
      (ii) the minority leader of the Senate;
      (iii) the speaker of the House of Representatives;
      (iv) the minority leader of the House of Representatives; and
      (v) the first five sponsors listed on the initiative application.
(2) If the final fiscal impact statement exceeds the initial fiscal impact estimate by 25% or more, the Legislature shall review the final fiscal impact statement and may, in any legislative session following the election in which the voters approved the initiative petition:
   (a) repeal the law established by passage of the initiative;
(b) amend the law established by passage of the initiative; or
(c) pass a joint or concurrent resolution informing the voters that they may file an initiative petition to repeal the law enacted by the passage of the initiative.

Amended by Chapter 275, 2019 General Session

Part 3
Statewide Referenda

20A-7-301 Referendum -- Signature requirements -- Submission to voters.
(1) (a) A person seeking to have a law passed by the Legislature submitted to a vote of the people shall obtain:
   (i) legal signatures equal to 8% of the number of active voters in the state on January 1 immediately following the last regular general election; and
   (ii) from at least 15 counties, legal signatures equal to 8% of the number of active voters in that county on January 1 immediately following the last regular general election.
(b) When the lieutenant governor declares a referendum petition sufficient under this part, the governor shall issue an executive order that:
   (i) directs that the referendum be submitted to the voters at the next regular general election; or
   (ii) calls a special election according to the requirements of Section 20A-1-203 and directs that the referendum be submitted to the voters at that special election.
(2) When a referendum petition has been declared sufficient, the law that is the subject of the petition does not take effect unless and until it is approved by a vote of the people at a regular general election or a statewide special election.
(3) The lieutenant governor shall provide the following information to any interested person:
   (a) the number of active voters in the state on January 1 immediately following the last regular general election; and
   (b) for each county, the number of active voters in that county on January 1 immediately following the last regular general election.

Amended by Chapter 217, 2019 General Session

20A-7-302 Referendum process -- Application procedures.
(1) Persons wishing to circulate a referendum petition shall file an application with the lieutenant governor before 5 p.m. within five calendar days after the end of the legislative session at which the law passed.
(2) The application shall contain:
   (a) the name and residence address of at least five sponsors of the referendum petition;
   (b) a certification indicating that each of the sponsors:
      (i) is a voter; and
      (ii) has voted in a regular general election in Utah within the last three years;
   (c) the signature of each of the sponsors, attested to by a notary public; and
   (d) a copy of the law.

Amended by Chapter 255, 2019 General Session
20A-7-303 Form of referendum petition and signature sheets.

(1) Each proposed referendum petition shall be printed in substantially the following form:

"REFERENDUM PETITION To the Honorable ____, Lieutenant Governor:
We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No. ____, entitled (title of act, and, if the petition is against less than the whole act, set forth here the part or parts on which the referendum is sought), passed by the ____ Session of the Legislature of the state of Utah, be referred to the people of Utah for their approval or rejection at a regular general election or a statewide special election;

Each signer says:
I have personally signed this petition;
I am registered to vote in Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk; and
My residence and post office address are written correctly after my name."

(b) The sponsors of a referendum shall attach a copy of the law that is the subject of the referendum to each referendum petition.

(2) Each signature sheet shall:
(a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;
(b) be ruled with a horizontal line three-fourths inch from the top, with the space above that line blank for the purpose of binding;
(c) contain the title of the referendum printed below the horizontal line, in at least 14-point, bold type;
(d) contain the word "Warning" printed or typed at the top of each signature sheet under the title of the referendum;
(e) contain, to the right of the word "Warning," the following statement printed or typed in not less than eight-point, single-leaded type:
"It is a class A misdemeanor for an individual to sign a referendum petition with any other name than the individual's own name, or knowingly to sign the individual's name more than once for the same measure, or to sign a referendum petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk."
(f) contain horizontally ruled lines, three-eighths inch apart under the "Warning" statement required by this section; and
(g) be vertically divided into columns as follows:
(i) the edge of the first column shall appear .5 inch from the extreme left of the sheet, be .25 inch wide, and be headed, together with the second column, "For Office Use Only";
(ii) the second column shall be .25 inch wide;
(iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)"
(iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered Voter"
(v) the fifth column shall be .75 inch wide, headed "Date Signed"
(vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip Code"; and
(vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)"
(h) be horizontally divided into rows as follows:
(i) the top of the first row, for the purpose of entering the information described in Subsection (2)(g), shall be .5 inch high;
(ii) the second row shall be .15 inch high and contain the following statement printed or typed in not less than 12-point type:

"By signing this petition, you are stating that you have read and understand the law this petition seeks to overturn."; and

(iii) the first and second rows shall be repeated, in order, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(i); and

(i) at the bottom of the sheet, contain the following statement: "Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be verified as a valid signature if you change your address before petition signatures are verified or if the information you provide does not match your voter registration records."

(3) The final page of each referendum packet shall contain the following printed or typed statement:

"Verification
State of Utah, County of ____
I, _______________, of ____, hereby state, under penalty of perjury, that:
I am a Utah resident and am at least 18 years old;
All the names that appear in this packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence;
I believe that each individual has printed and signed the individual's name and written the individual's post office address and residence correctly, that each signer has read and understands the law that the referendum seeks to overturn, and that each signer is registered to vote in Utah or intends to become registered to vote before the certification of the petition names by the county clerk.
Each individual who signed the packet wrote the correct date of signature next to the individual's name.
I have not paid or given anything of value to any individual who signed this petition to encourage that individual to sign it.
_______________________________(Name)
(Residence Address) (Date)"

(4) If the forms described in this section are substantially followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical errors.

Amended by Chapter 210, 2019 General Session

20A-7-304 Circulation requirements -- Lieutenant governor to provide sponsors with materials.
(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall circulate referendum packets that meet the form requirements of this part.

(2) The lieutenant governor shall furnish to the sponsors:
(a) a copy of the referendum petition; and
(b) a signature sheet.

(3) The sponsors of the petition shall:
(a) arrange and pay for the printing of all additional copies of the petition and signature sheets; and
(b) ensure that the copies of the petition and signature sheets meet the form requirements of this section.
(4) The sponsors may prepare the referendum for circulation by creating multiple referendum packets.

(b) The sponsors shall create those packets by binding a copy of the referendum petition, a copy of the law that is the subject of the referendum, and no more than 50 signature sheets together at the top in such a way that the packets may be conveniently opened for signing.

(c) The sponsors need not attach a uniform number of signature sheets to each referendum packet.

(5) After the sponsors have prepared sufficient referendum packets, they shall return them to the lieutenant governor.

(b) The lieutenant governor shall:
   (i) number each of the referendum packets and return them to the sponsors within five working days; and
   (ii) keep a record of the numbers assigned to each packet.

Amended by Chapter 153, 1995 General Session

20A-7-305 Obtaining signatures -- Verification -- Removal of signature.

(1) A Utah voter may sign a referendum petition if the voter is a legal voter.

(2) The sponsors shall ensure that the individual in whose presence each signature sheet was signed:
   (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;
   (ii) verifies each signature sheet by completing the verification printed on the last page of each referendum packet; and
   (iii) is informed that each signer is required to read and understand the law that the referendum seeks to overturn.

(b) A person may not sign the verification printed on the last page of the referendum packet if the person signed a signature sheet in the referendum packet.

(3) A voter who has signed a referendum petition may have the voter's signature removed from the petition by submitting to the county clerk a statement requesting that the voter's signature be removed no later than the earlier of:
   (i) 14 days after the day on which the voter signs the statement; or
   (ii) 45 days after the day on which the county clerk posts the voter's name under Subsection 20A-7-306(3)(c).

(b) The statement shall include:
   (A) the name of the voter;
   (B) the resident address at which the voter is registered to vote;
   (C) the signature of the voter; and
   (D) the date of the signature described in Subsection (3)(b)(i)(C).

(ii) To increase the likelihood of the voter's signature being identified and removed, the statement may include the voter's birth date or age.

(c) A voter may not submit a statement by email or other electronic means.
(d) In order for the signature to be removed, the county clerk must receive the statement before 5 p.m. no later than 45 days after the day on which the county clerk posts the voter’s name under Subsection 20A-7-306(3)(c).

(e) A person may only remove a signature from a referendum petition in accordance with this Subsection (3).

(f) A county clerk shall analyze a signature, for purposes of removing a signature from a referendum petition, in accordance with Section 20A-7-206.3.

Amended by Chapter 210, 2019 General Session
Amended by Chapter 210, 2019 General Session, (Coordination Clause)
Amended by Chapter 255, 2019 General Session

20A-7-306 Submitting the referendum petition -- Certification of signatures by the county clerks -- Transfer to lieutenant governor.

(1)

(a) The sponsors shall deliver a signed and verified referendum packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than the earlier of:

(i) 14 days after the day on which the first individual signs the referendum packet; or

(ii) 40 days after the end of the legislative session at which the law passed.

(b) A sponsor may not submit a referendum packet after the deadline described in Subsection (1)(a).

(2)

(a) No later than 14 days after the day on which the county clerk receives a verified referendum packet, the county clerk shall:

(i) check the name of each individual who completes the verification on the last page of each referendum packet to determine whether the individual is a resident of Utah and is at least 18 years old; and

(ii) submit the name of each individual who is not a Utah resident or who is not at least 18 years old to the attorney general and county attorney.

(b) The county clerk may not certify a signature under Subsection (3):

(i) on a referendum packet that is not verified in accordance with Section 20A-7-305; or

(ii) that does not have a date of signature next to the signature.

(3) No later than 14 days after the day on which the county clerk receives a verified referendum packet, the county clerk shall:

(a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-306.3;

(b) certify on the referendum petition whether each name is that of a registered voter;

(c) post the name and voter identification number of each registered voter certified under Subsection (3)(b) in a conspicuous location on the county’s website for at least 45 days; and

(d) deliver the verified referendum packet to the lieutenant governor.

(4) Within two business days after timely receipt of a statement described in Subsection 20A-7-305(3), the county clerk shall:

(a) remove the voter’s signature from the posting described in Subsection (3)(c); and

(b) inform the lieutenant governor of the removal.

(5) The sponsor or a sponsor’s representative may not retrieve a referendum packet from a county clerk after the referendum packet is submitted to the county clerk.

Amended by Chapter 210, 2019 General Session
20A-7-306.3 Verification of petition signatures.

(1) For the purposes of this section, "substantially similar name" means:
   (a) the given name and surname shown on the petition, or both, contain only minor spelling
differences when compared to the given name and surname shown on the official register;
   (b) the surname shown on the petition exactly matches the surname shown on the official
register, and the given names differ only because one of the given names shown is a
commonly used abbreviation or variation of the other;
   (c) the surname shown on the petition exactly matches the surname shown on the official
register, and the given names differ only because one of the given names shown is
accompanied by a first or middle initial or a middle name which is not shown on the other
record; or
   (d) the surname shown on the petition exactly matches the surname shown on the official
register, and the given names differ only because one of the given names shown is
alphabetically corresponding initial that has been provided in the place of a given name
shown on the other record.

(b) For the purposes of this section, "substantially similar name" does not mean a name having
an initial or a middle name shown on the petition that does not match a different initial or
middle name shown on the official register.

(2) The county clerk shall use the following procedures in determining whether or not a signer is a
registered voter:
   (a) When a signer's name and address shown on the petition exactly match a name and address
shown on the official register and the signer's signature appears substantially similar to the
signature on the statewide voter registration database, the county clerk shall declare the
signature valid.
   (b) When there is no exact match of an address and a name, the county clerk shall declare the
signature valid if:
      (i) the address on the petition matches the address of a person on the official register with a
substantially similar name; and
      (ii) the signer's signature appears substantially similar to the signature on the statewide voter
registration database of the person described in Subsection (2)(b)(i).
   (c) When there is no match of an address and a substantially similar name, the county clerk shall
declare the signature valid if:
      (i) the birth date or age on the petition matches the birth date or age of a person on the official
register with a substantially similar name; and
      (ii) the signer's signature appears substantially similar to the signature on the statewide voter
registration database of the person described in Subsection (2)(c)(i).
   (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county clerk shall
declare the signature to be invalid.

20A-7-307 Evaluation by the lieutenant governor.

(1) When a referendum packet is received from a county clerk, the lieutenant governor shall check
off from the record the number of the referendum packet received.
(2) The lieutenant governor shall, within 14 days after the day on which the lieutenant governor receives a referendum packet from a county clerk:
   (i) count the number of the names certified by the county clerks on each verified signature sheet; and
   (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update.

(b) The lieutenant governor shall:
   (i) within one business day after the day on which the lieutenant governor provides the notification described in Subsection 20A-7-306(4)(b), subtract the number of signatures removed from the number of signatures certified and update the number on the lieutenant governor's website accordingly; and
   (ii) declare the petition to be sufficient or insufficient 95 days after the end of the legislative session at which the law passed.

(c) If the total number of names certified under this Subsection (2) equals or exceeds the number of names required under Section 20A-7-301, and the requirements of this part are met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."

(d) If the total number of names certified under this Subsection (2) does not equal or exceed the number of names required under Section 20A-7-301 or a requirement of this part is not met, the lieutenant governor shall mark upon the front of the petition the word "insufficient."

(e) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant governor's finding.

(f) After a petition is declared insufficient, the sponsors may not submit additional signatures to qualify the petition for the ballot.

(3) If the lieutenant governor refuses to accept and file a referendum petition, any voter may, not later than 10 days after the day on which the lieutenant governor declares the petition insufficient, apply to the appropriate court for an extraordinary writ to compel the lieutenant governor to accept and file the referendum petition.

(b) If the court determines that the referendum petition is legally sufficient, the lieutenant governor shall file the referendum petition, with a verified copy of the judgment attached to the referendum petition, as of the date on which the referendum petition was originally offered for filing in the lieutenant governor's office.

(c) If the court determines that a petition filed is not legally sufficient, the court may enjoin the lieutenant governor and all other officers from certifying or printing the ballot title and numbers of that measure on the official ballot.

(4) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 210, 2019 General Session

20A-7-308 Ballot title -- Duties of lieutenant governor and Office of Legislative Research and General Counsel.

(1) Whenever a referendum petition is declared sufficient for submission to a vote of the people, the lieutenant governor shall deliver a copy of the petition and the proposed law to the Office of Legislative Research and General Counsel.

(2) The Office of Legislative Research and General Counsel shall:
(i) entitle each state referendum that has qualified for the ballot "Proposition Number __" and give it a number as assigned under Section 20A-6-107;
(ii) prepare an impartial ballot title for the referendum summarizing the contents of the measure; and
(iii) return the petition and the ballot title to the lieutenant governor within 15 days after its receipt.
(b) The ballot title may be distinct from the title of the law that is the subject of the petition, and shall be not more than 100 words.
(c) The ballot title and the number of the measure as determined by the Office of Legislative Research and General Counsel shall be printed on the official ballot.
(3) Immediately after the Office of Legislative Research and General Counsel files a copy of the ballot title with the lieutenant governor, the lieutenant governor shall mail a copy of the ballot title to any of the sponsors of the petition.
(4)
(a) At least three of the sponsors of the petition may, within 15 days of the date the lieutenant governor mails the ballot title, challenge the wording of the ballot title prepared by the Office of Legislative Research and General Counsel to the Supreme Court.
(ii) After receipt of the appeal, the Supreme Court shall direct the lieutenant governor to send notice of the appeal to:
(A) any person or group that has filed an argument for or against the measure that is the subject of the challenge; or
(B) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any issues relating to the initiative.
(b) There is a presumption that the ballot title prepared by the Office of Legislative Research and General Counsel is an impartial summary of the contents of the referendum.
(ii) The Supreme Court may not revise the wording of the ballot title unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the ballot title is patently false or biased.
(c) The Supreme Court shall:
(i) examine the ballot title;
(ii) hear arguments; and
(iii) certify to the lieutenant governor a ballot title for the measure that meets the requirements of this section.
(d) The lieutenant governor shall certify the title verified by the Supreme Court to the county clerks to be printed on the official ballot.

Amended by Chapter 367, 2010 General Session

20A-7-309 Form of ballot -- Manner of voting.
(1) The county clerks shall ensure that the number and ballot title verified to them by the lieutenant governor are presented upon the official ballot with, immediately adjacent to them, the words "For" and "Against," each word presented with an adjacent square in which the elector may indicate the elector's vote.
(2)
(a) A voter desiring to vote in favor of the law that is the subject of the referendum shall mark the square adjacent to the word "For."
(ii) The law that is the subject of the referendum takes effect if a majority of voters mark "For."
(b) A voter desiring to vote against the law that is the subject of the referendum petition shall mark the square adjacent to the word "Against."
(ii) The law that is the subject of the referendum does not take effect if a majority of voters mark "Against."

Amended by Chapter 294, 2010 General Session

20A-7-310 Return and canvass -- Conflicting measures -- Law effective on proclamation.
(1) The votes on the law proposed by the referendum petition shall be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.
(2) After the state board of canvassers completes its canvass, the lieutenant governor shall certify to the governor the vote for and against the law proposed by the referendum petition.
(3) The governor shall immediately issue a proclamation that:
(i) gives the total number of votes cast in the state for and against each law proposed by a referendum petition; and
(ii) declares those laws proposed by a referendum petition that were approved by majority vote to be in full force and effect as the law of Utah.
(b) When the governor believes that two proposed laws, or that parts of two proposed laws approved by the people at the same election are entirely in conflict, he shall proclaim that measure to be law that has received the greatest number of affirmative votes, regardless of the difference in the majorities which those measures have received.
(4) Within 10 days after the governor's proclamation, any qualified voter who signed the referendum petition proposing the law that is declared by the governor to be superseded by another measure approved at the same election may apply to the Supreme Court to review the governor's decision.
(b) The Supreme Court shall:
(i) consider the matter and decide whether or not the proposed laws are in conflict; and
(ii) certify its decision to the governor.
(5) Within 10 days after the Supreme Court certifies its decision, the governor shall:
(a) proclaim all those measures approved by the people as law that the Supreme Court has determined are not in conflict; and
(b) of all those measures approved by the people as law that the Supreme Court has determined to be in conflict, proclaim as law the one that received the greatest number of affirmative votes, regardless of difference in majorities.

Amended by Chapter 367, 2010 General Session

20A-7-311 Effective date.
(1)
(a) Any proposed law submitted to the people by referendum petition that is approved by the voters at any election does not take effect until at least five days after the date of the official proclamation of the vote by the governor.

(b) Any act or law submitted to the people by referendum that is approved by the voters at any election takes effect on the date specified in the referendum petition.

(c) If the referendum petition does not specify an effective date, a law approved by the voters at any election takes effect five days after the date of the official proclamation of the vote by the governor.

(2)

(a) The governor may not veto a law adopted by the people.

(b) The Legislature may amend any laws approved by the people at any legislative session after the law has taken effect.

Enacted by Chapter 1, 1994 General Session

**20A-7-312 Misconduct of electors and officers -- Penalty.**

(1) It is unlawful for any person to:

(a) sign any name other than the person's own to a referendum petition;

(b) knowingly sign the person's name more than once for the same measure at one election;

(c) knowingly indicate on a referendum packet that a person who signed the packet signed the packet on a date other than the date that the person signed the packet;

(d) sign a referendum knowing the person is not a legal voter; or

(e) knowingly and willfully violate any provision of this part.

(2) It is unlawful for any person to sign the verification for a referendum packet knowing that:

(a) the person does not meet the residency requirements of Section 20A-2-105;

(b) the signature date next to the person’s name on the referendum packet is not the date that the person signed the packet;

(c) the person has not witnessed the signatures of those persons whose names appear in the referendum packet; or

(d) one or more persons whose signatures appear in the referendum packet is either:

(i) not registered to vote in Utah; or

(ii) does not intend to become registered to vote in Utah.

(3) It is unlawful for any person to:

(a) pay a person to sign a referendum petition;

(b) pay a person to remove the person’s signature from a referendum petition;

(c) accept payment to sign a referendum petition; or

(d) accept payment to have the person's name removed from a referendum petition.

(4) Any person violating this section is guilty of a class A misdemeanor.

Amended by Chapter 210, 2019 General Session

**Part 4**

**Local Initiatives and Referenda - General Provisions**

**20A-7-401.3 Voter participation areas.**

(1)
(a) Except as provided in Subsection (2):

(i) a metro township with a population of 65,000 or more, a city of the first or second class, or a county of the first or second class shall, no later than January 1, 2020, again on January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or county into eight contiguous and compact voter participation areas of substantially equal population; and

(ii) a metro township with a population of 10,000 or more, a city of the third or fourth class, or a county of the third or fourth class shall, no later than January 1, 2020, again on January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or county into four contiguous and compact voter participation areas of substantially equal population.

(b) A metro township, city, or county shall use the voter participation areas described in Subsection (1)(a) or (2)(b) for the purpose described in Sections 20A-7-501 and 20A-7-601.

(2)

(a) This section does not apply to a metro township with a population of less than 10,000, a county of the fifth or sixth class, a city of the fifth class, or a town.

(b) A metro township, city, or county that has established council districts that are not at-large districts may, regardless of the number of council districts that are not at-large districts, use the council districts as voter participation areas under this section.

Enacted by Chapter 203, 2019 General Session

20A-7-401.5 Proposition information pamphlet.

(1)

(a)

(i) Within 15 days after the day on which an eligible voter files an application to circulate an initiative petition under Section 20A-7-502 or an application to circulate a referendum petition under Section 20A-7-602:

(A) the sponsors of the proposed initiative or referendum may submit a written argument in favor of the proposed initiative or referendum to the election officer of the county or municipality to which the petition relates; and

(B) the county or municipality to which the application relates may submit a written argument in favor of, or against, the proposed initiative or referendum to the county’s or municipality’s election officer.

(ii) If a county or municipality submits more than one written argument under Subsection (1)(a)(i)(B), the election officer shall select one of the written arguments, giving preference to a written argument submitted by a member of a local legislative body if a majority of the local legislative body supports the written argument.

(b) Within one business day after the day on which an election officer receives an argument under Subsection (1)(a)(i)(A), the election officer shall provide a copy of the argument to the county or municipality described in Subsection (1)(a)(i)(B) or (1)(a)(ii), as applicable.

(c) Within one business day after the date on which an election officer receives an argument under Subsection (1)(a)(i)(B), the election officer shall provide a copy of the argument to the first three sponsors of the proposed initiative or referendum described in Subsection (1)(a)(i) (A).

(d) The sponsors of the proposed initiative or referendum may submit a revised version of the written argument described in Subsection (1)(a)(i)(A) to the election officer of the county or municipality to which the petition relates within 20 days after the day on which the eligible
voter files an application to circulate an initiative petition under Section 20A-7-502 or an application to circulate a referendum petition under Section 20A-7-602.

(e) The author of a written argument described in Subsection (1)(a)(i)(B) submitted by a county or municipality may submit a revised version of the written argument to the county's or municipality's election officer within 20 days after the day on which the eligible voter files an application to circulate an initiative petition under Section 20A-7-502 or an application to circulate a referendum petition under Section 20A-7-602.

(2)

(a) A written argument described in Subsection (1) may not exceed 500 words.

(b) Except as provided in Subsection (2)(c), a person may not modify a written argument described in Subsection (1)(d) or (e) after the written argument is submitted to the election officer.

(c) The election officer and the person that submits the written argument described in Subsection (1)(d) or (e) may jointly agree to modify the written argument to:

(i) correct factual, grammatical, or spelling errors; or

(ii) reduce the number of words to come into compliance with Subsection (2)(a).

(d) An election officer shall refuse to include a written argument in the proposition information pamphlet described in this section if the person who submits the argument:

(i) fails to negotiate, in good faith, to modify the argument in accordance with Subsection (2)(c); or

(ii) does not timely submit the written argument to the election officer.

(e) An election officer shall make a good faith effort to negotiate a modification described in Subsection (2)(c) in an expedited manner.

(3) An election officer who receives a written argument described in Subsection (1) shall prepare a proposition information pamphlet for publication that includes:

(a) a copy of the application for the proposed initiative or referendum;

(b) except as provided in Subsection (2)(d), immediately after the copy described in Subsection (3)(a), the argument prepared by the sponsors of the proposed initiative or referendum, if any;

(c) except as provided in Subsection (2)(d), immediately after the argument described in Subsection (3)(b), the argument prepared by the county or municipality, if any; and

(d) a copy of the initial fiscal impact statement and legal impact statement described in Section 20A-7-502.5 or 20A-7-602.5.

(4)

(a) A proposition information pamphlet is a draft for purposes of Title 63G, Chapter 2, Government Records Access and Management Act, until the earlier of when the election officer:

(i) complies with Subsection (4)(b); or

(ii) publishes the proposition information pamphlet under Subsection (5) or (6).

(b) Within 21 days after the day on which the eligible voter files an application to circulate an initiative petition under Section 20A-7-502, or an application to circulate a referendum petition under Section 20A-7-602, the election officer shall provide a copy of the proposition information pamphlet to the sponsors of the initiative or referendum and each individual who submitted an argument included in the proposition information pamphlet.

(5) An election officer for a municipality shall publish the proposition information pamphlet as follows:

(a) within the later of 10 days after the day on which the municipality or a court determines that the proposed initiative or referendum is legally referable to voters, or, if the election officer
modifies an argument under Subsection (2)(c), three days after the day on which the election officer and the person that submitted the argument agree on the modification:

(i) by sending the proposition information pamphlet electronically to each individual in the municipality for whom the municipality has an email address, unless the individual has indicated that the municipality is prohibited from using the individual's email address for that purpose; and

(ii) by posting the proposition information pamphlet on the Utah Public Notice Website, created in Section 63F-1-701, and the home page of the municipality's website, if the municipality has a website, until:

(A) if the sponsors of the proposed initiative or referendum do not timely deliver any verified initiative packets under Section 20A-7-506 or any verified referendum packets under Section 20A-7-606, the day after the date of the deadline for delivery of the verified initiative packets or verified referendum packets;

(B) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the number of signatures necessary to qualify the proposed initiative or referendum for placement on the ballot is insufficient and the determination is not timely appealed or is upheld after appeal; or

(C) the day after the date of the election at which the proposed initiative or referendum appears on the ballot; and

(b) if the municipality regularly mails a newsletter, utility bill, or other material to the municipality's residents, including an Internet address, where a resident may view the proposition information pamphlet, in the next mailing, for which the municipality has not begun preparation, that falls on or after the later of:

(i) 10 days after the day on which the municipality or a court determines that the proposed initiative or referendum is legally referable to voters; or

(ii) if the election officer modifies an argument under Subsection (2)(c), three days after the day on which the election officer and the person that submitted the argument agree on the modification.

(6) An election officer for a county shall, within the later of 10 days after the day on which the county or a court determines that the proposed initiative or referendum is legally referable to voters, or, if the election officer modifies an argument under Subsection (2)(c), three days after the day on which the election officer and the person that submitted the argument agree on the modification, publish the proposition information pamphlet as follows:

(a) by sending the proposition information pamphlet electronically to each individual in the county for whom the county has an email address obtained via voter registration; and

(b) by posting the proposition information pamphlet on the Utah Public Notice Website, created in Section 63F-1-701, and the home page of the county's website, until:

(i) if the sponsors of the proposed initiative or referendum do not timely deliver any verified initiative packets under Section 20A-7-506 or any verified referendum packets under Section 20A-7-606, the day after the date of the deadline for delivery of the verified initiative packets or verified referendum packets;

(ii) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the number of signatures necessary to qualify the proposed initiative or referendum for placement on the ballot is insufficient and the determination is not timely appealed or is upheld after appeal; or

(iii) the day after the date of the election at which the proposed initiative or referendum appears on the ballot.

Enacted by Chapter 203, 2019 General Session
20A-7-402 Local voter information pamphlet -- Contents -- Limitations -- Preparation --
Statement on front cover.
(1) The county or municipality that is subject to a ballot proposition shall prepare a local voter
information pamphlet that complies with the requirements of this part.

(2)
(a) Within the time requirements described in Subsection (2)(c)(i), a municipality that is subject to
a special local ballot proposition shall provide a notice that complies with the requirements of
Subsection (2)(c)(ii) to the municipality’s residents by:
(i) if the municipality regularly mails a newsletter, utility bill, or other material to the
municipality’s residents, including the notice with a newsletter, utility bill, or other material;
(ii) posting the notice, until after the deadline described in Subsection (2)(d) has passed, on:
   (A) the Utah Public Notice Website created in Section 63F-1-701; and
   (B) the home page of the municipality’s website, if the municipality has a website; and
(iii) sending the notice electronically to each individual in the municipality for whom the
municipality has an email address.
(b) A county that is subject to a special local ballot proposition shall:
   (i) send an electronic notice that complies with the requirements of Subsection (2)(c)(ii) to each
       individual in the county for whom the county has an email address; or
   (ii) until after the deadline described in Subsection (2)(d) has passed, post a notice that
       complies with the requirements of Subsection (2)(c)(ii) on:
       (A) the Utah Public Notice Website created in Section 63F-1-701; and
       (B) the home page of the county’s website.
(c) A municipality or county that mails, sends, or posts a notice under Subsection (2)(a) or (b)
shall:
   (i) mail, send, or post the notice:
       (A) not less than 90 days before the date of the election at which a special local ballot
           proposition will be voted upon; or
       (B) if the requirements of Subsection (2)(c)(i)(A) cannot be met, as soon as practicable after
           the special local ballot proposition is approved to be voted upon in an election; and
   (ii) ensure that the notice contains:
       (A) the ballot title for the special local ballot proposition;
       (B) instructions on how to file a request under Subsection (2)(d); and
       (C) the deadline described in Subsection (2)(d).
(d) To prepare a written argument for or against a special local ballot proposition, an eligible voter
shall file a request with the election officer before 5 p.m. no later than 55 days before the day
of the election at which the special local ballot proposition is to be voted on.
(e) If more than one eligible voter requests the opportunity to prepare a written argument for or
against a special local ballot proposition, the election officer shall make the final designation
in accordance with the following order of priority:
   (i) sponsors have priority in preparing an argument regarding a special local ballot proposition;
   and
   (ii) members of the local legislative body have priority over others if a majority of the local
       legislative body supports the written argument.
(f) The election officer shall grant a request described in Subsection (2)(d) or (e) no later than 67
days before the day of the election at which the ballot proposition is to be voted on.

(g)
A sponsor of a special local ballot proposition may prepare a written argument in favor of the special local ballot proposition.

Subject to Subsection (2)(e), an eligible voter opposed to the special local ballot proposition who submits a request under Subsection (2)(d) may prepare a written argument against the special local ballot proposition.

An eligible voter who submits a written argument under this section in relation to a special local ballot proposition shall:

(i) ensure that the written argument does not exceed 500 words in length, not counting the information described in Subsection (2)(h)(ii) or (iv);

(ii) list, at the end of the argument, at least one, but no more than five, names as sponsors;

(iii) submit the written argument to the election officer before 5 p.m. no later than 60 days before the election day on which the ballot proposition will be submitted to the voters;

(iv) list in the argument, immediately after the eligible voter's name, the eligible voter's residential address; and

(v) submit with the written argument the eligible voter's name, residential address, postal address, email address if available, and phone number.

An election officer shall refuse to accept and publish an argument submitted after the deadline described in Subsection (2)(h)(iii).

(3)

(a) An election officer who timely receives the written arguments in favor of and against a special local ballot proposition shall, within one business day after the day on which the election office receives both written arguments, send, via mail or email:

(i) a copy of the written argument in favor of the special local ballot proposition to the eligible voter who submitted the written argument against the special local ballot proposition; and

(ii) a copy of the written argument against the special local ballot proposition to the eligible voter who submitted the written argument in favor of the special local ballot proposition.

(b) The eligible voter who submitted a timely written argument in favor of the special local ballot proposition:

(i) may submit to the election officer a written rebuttal argument of the written argument against the special local ballot proposition;

(ii) shall ensure that the written rebuttal argument does not exceed 250 words in length, not counting the information described in Subsection (3)(h)(ii) or (iv); and

(iii) shall submit the written rebuttal argument before 5 p.m. no later than 45 days before the election day on which the special local ballot proposition will be submitted to the voters.

(c) The eligible voter who submitted a timely written argument against the special local ballot proposition:

(i) may submit to the election officer a written rebuttal argument of the written argument in favor of the special local ballot proposition;

(ii) shall ensure that the written rebuttal argument does not exceed 250 words in length, not counting the information described in Subsection (3)(h)(ii) or (iv); and

(iii) shall submit the written rebuttal argument before 5 p.m. no later than 45 days before the election day on which the special local ballot proposition will be submitted to the voters.

(d) An election officer shall refuse to accept and publish a written rebuttal argument in relation to a special local ballot proposition that is submitted after the deadline described in Subsection (3)(b)(iii) or (3)(c)(iii).

(4)

(a) Except as provided in Subsection (4)(b), in relation to a special local ballot proposition:
(i) an eligible voter may not modify a written argument or a written rebuttal argument after the eligible voter submits the written argument or written rebuttal argument to the election officer; and
(ii) a person other than the eligible voter described in Subsection (4)(a)(i) may not modify a written argument or a written rebuttal argument.

(b) The election officer, and the eligible voter who submits a written argument or written rebuttal argument in relation to a special local ballot proposition, may jointly agree to modify a written argument or written rebuttal argument in order to:
(i) correct factual, grammatical, or spelling errors; and
(ii) reduce the number of words to come into compliance with the requirements of this section.
(c) An election officer shall refuse to accept and publish a written argument or written rebuttal argument in relation to a special local ballot proposition if the eligible voter who submits the written argument or written rebuttal argument fails to negotiate, in good faith, to modify the written argument or written rebuttal argument in accordance with Subsection (4)(b).

(5) In relation to a special local ballot proposition, an election officer may designate another eligible voter to take the place of an eligible voter described in this section if the original eligible voter is, due to injury, illness, death, or another circumstance, unable to continue to fulfill the duties of an eligible voter described in this section.

(6) Sponsors whose written argument in favor of a standard local ballot proposition is included in a proposition information pamphlet under Section 20A-7-401.5:
(a) may, if a written argument against the standard local ballot proposition is included in the proposition information pamphlet, submit a written rebuttal argument to the election officer;
(b) shall ensure that the written rebuttal argument does not exceed 250 words in length; and
(c) shall submit the written rebuttal argument no later than 45 days before the election day on which the standard local ballot proposition will be submitted to the voters.

(7) A county or municipality that submitted a written argument against a standard local ballot proposition that is included in a proposition information pamphlet under Section 20A-7-401.5:
(a) may, if a written argument in favor of the standard local ballot proposition is included in the proposition information pamphlet, submit a written rebuttal argument to the election officer;
(ii) shall ensure that the written rebuttal argument does not exceed 250 words in length; and
(iii) shall submit the written rebuttal argument no later than 45 days before the election day on which the ballot proposition will be submitted to the voters.
(b) If a county or municipality submits more than one written rebuttal argument under Subsection (7)(a)(i), the election officer shall select one of the written rebuttal arguments, giving preference to a written rebuttal argument submitted by a member of a local legislative body.

(8) An election officer shall refuse to accept and publish a written rebuttal argument that is submitted after the deadline described in Subsection (6)(c) or (7)(a)(iii).
(b) Before an election officer publishes a local voter information pamphlet under this section, a written rebuttal argument is a draft for purposes of Title 63G, Chapter 2, Government Records Access and Management Act.
(c) An election officer who receives a written rebuttal argument described in this section may not, before publishing the local voter information pamphlet described in this section, disclose the written rebuttal argument, or any information contained in the written rebuttal argument, to any person who may in any way be involved in preparing an opposing rebuttal argument.
(a) Except as provided in Subsection (9)(b), a person may not modify a written rebuttal argument after the written rebuttal argument is submitted to the election officer.

(b) The election officer, and the person who submits a written rebuttal argument, may jointly agree to modify a written rebuttal argument in order to:
   (i) correct factual, grammatical, or spelling errors; or
   (ii) reduce the number of words to come into compliance with the requirements of this section.

(c) An election officer shall refuse to accept and publish a written rebuttal argument if the person who submits the written rebuttal argument:
   (i) fails to negotiate, in good faith, to modify the written rebuttal argument in accordance with Subsection (9)(b); or
   (ii) does not timely submit the written rebuttal argument to the election officer.

(d) An election officer shall make a good faith effort to negotiate a modification described in Subsection (9)(b) in an expedited manner.

(10) An election officer may designate another person to take the place of a person who submits a written rebuttal argument in relation to a standard local ballot proposition if the person is, due to injury, illness, death, or another circumstance, unable to continue to fulfill the person's duties.

(11) The local voter information pamphlet shall include a copy of the initial fiscal impact estimate and the legal impact statement prepared for each initiative under Section 20A-7-502.5.

(b) If the initiative proposes a tax increase, the local voter information pamphlet shall include the following statement in bold type:

"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."

(12) In preparing the local voter information pamphlet, the election officer shall:
   (i) ensure that the written arguments are printed on the same sheet of paper upon which the ballot proposition is also printed;
   (ii) ensure that the following statement is printed on the front cover or the heading of the first page of the printed written arguments:
      "The arguments for or against a ballot proposition are the opinions of the authors."
   (iii) pay for the printing and binding of the local voter information pamphlet; and
   (iv) not less than 15 days before, but not more than 45 days before, the election at which the ballot proposition will be voted on, distribute, by mail or carrier, to each registered voter entitled to vote on the ballot proposition:
      (A) a voter information pamphlet; or
      (B) the notice described in Subsection (12)(c).

(b) If the language of the ballot proposition exceeds 500 words in length, the election officer may summarize the ballot proposition in 500 words or less.

(ii) The summary shall state where a complete copy of the ballot proposition is available for public review.

(c) The election officer may distribute a notice printed on a postage prepaid, preaddressed return form that a person may use to request delivery of a voter information pamphlet by mail.

(ii) The notice described in Subsection (12)(c)(i) shall include:
(A) the address of the Statewide Electronic Voter Information Website authorized by Section 20A-7-801; and
(B) the phone number a voter may call to request delivery of a voter information pamphlet by mail or carrier.

Amended by Chapter 203, 2019 General Session, (Coordination Clause)
Amended by Chapter 203, 2019 General Session
Amended by Chapter 255, 2019 General Session

20A-7-405 Public meeting.
(1) A county or municipality may not discuss a proposed initiative, an initiative, a proposed referendum, or a referendum at a public meeting unless the county or municipality complies with the requirements of this section.
(2) The legislative body of a county or municipality may hold a public meeting to discuss a proposed initiative, an initiative, a proposed referendum, or a referendum if the legislative body:
(a) allows equal time, within a reasonable limit, for presentations on both sides of the proposed initiative, initiative, proposed referendum, or referendum;
(b) provides interested parties an opportunity to present oral testimony within reasonable time limits; and
(c) holds the public meeting:
   (i) during the legislative body’s normal meeting time; or
   (ii) for a meeting time other than the legislative body’s normal meeting time, beginning at or after 6 p.m.
(3) This section does not prohibit a working group meeting from being held before 6 p.m.

Enacted by Chapter 203, 2019 General Session

20A-7-406 Informational materials.
   The lieutenant governor shall create and publish to the lieutenant governor's website instructions on how a person may:
   (1) qualify a local initiative for the ballot under Part 5, Local Initiatives - Procedures; or
   (2) qualify a local referendum for the ballot under Part 6, Local Referenda - Procedures.

Enacted by Chapter 203, 2019 General Session

20A-7-407 Applicability of statute to pending processes.
(1) If a local initiative or local referendum process is pending as described in Subsection (2), that local initiative or local referendum process:
   (a) is subject to the provisions of law that were in effect on May 13, 2019; and
   (b) is not subject to the provisions of Laws of Utah 2019, Chapter 203.
(2) A local initiative or local referendum process is pending under Subsection (1) if, on or before May 13, 2019:
   (a)
      (i) sponsors have filed an application to circulate the initiative petition under Section 20A-7-502; or
      (ii) sponsors have filed an application to circulate the referendum petition under Section 20A-7-602; and
   (b) the process described in Subsection (2)(a) has not concluded.
Part 5
Local Initiatives - Procedures

20A-7-501 Initiatives -- Signature requirements -- Time requirements.
(1) As used in this section:
   (a) "Number of active voters" means the number of active voters in the county, city, or town on
       the immediately preceding January 1.
   (b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a) or (2)(b).
(2) An eligible voter seeking to have an initiative submitted to a local legislative body or to a vote of
    the people for approval or rejection shall obtain legal signatures equal to:
    (a) for a county of the first class:
        (i) 7.75% of the number of active voters in the county; and
        (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75% of the
            county's voter participation areas;
    (b) for a metro township with a population of 100,000 or more, or a city of the first class:
        (i) 7.5% of the number of active voters in the metro township or city; and
        (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75% of the
            metro township’s or city’s voter participation areas;
    (c) for a county of the second class:
        (i) 8% of the number of active voters in the county; and
        (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of the
            county's voter participation areas;
    (d) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the
        second class:
        (i) 8.25% of the number of active voters in the metro township or city; and
        (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75% of the
            metro township’s or city’s voter participation areas;
    (e) for a county of the third class:
        (i) 9.5% of the number of active voters in the county; and
        (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75% of the
            county's voter participation areas;
    (f) for a metro township with a population of 30,000 or more but less than 65,000, or a city of the
        third class:
        (i) 10% of the number of active voters in the metro township or city; and
        (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75% of the
            metro township’s or city’s voter participation areas;
    (g) for a county of the fourth class:
        (i) 11.5% of the number of active voters in the county; and
        (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the
            county's voter participation areas;
    (h) for a metro township with a population of 10,000 or more but less than 30,000, or a city of the
        fourth class:
(i) 11.5% of the number of active voters in the metro township or city; and
(ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the metro township’s or city’s voter participation areas;
(i) for a metro township with a population of 1,000 or more but less than 10,000, a city of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro township, city, or county; or
(j) for a metro township with a population of less than 1,000, a town, or a county of the sixth class, 35% of the number of active voters in the metro township, town, or county.
(3) If the total number of certified names from each verified signature sheet equals or exceeds the number of names required by this section, the clerk or recorder shall deliver the proposed law to the local legislative body at the local legislative body’s next meeting.
(4)
(a) The local legislative body shall either adopt or reject the proposed law without change or amendment within 30 days after the day on which the local legislative body receives the proposed law under Subsection (3).
(b) The local legislative body may:
(i) adopt the proposed law and refer the proposed law to the people;
(ii) adopt the proposed law without referring the proposed law to the people; or
(iii) reject the proposed law.
(c) If the local legislative body adopts the proposed law but does not refer the proposed law to the people, the proposed law is subject to referendum as with other local laws.
(d)
(i) If a county legislative body rejects a proposed law, or takes no action on a proposed law, the county clerk shall submit the proposed law to the voters of the county at the next regular general election immediately after the petition for the proposed law is filed under Section 20A-7-502.
(ii) If a local legislative body of a municipality rejects a proposed law, or takes no action on a proposed law, the municipal recorder or clerk shall submit the proposed law to the voters of the municipality at the next municipal general election immediately after the petition is filed under Section 20A-7-502.
(e)
(i) If a local legislative body rejects a proposed law, or takes no action on a proposed law, the local legislative body may adopt a competing local law.
(ii) The local legislative body shall prepare and adopt the competing local law within the 30-day period described in Subsection (4)(a).
(iii) If a local legislative body adopts a competing local law, the clerk or recorder shall refer the competing local law to the voters of the county or municipality at the same election at which the initiative proposal is submitted under Subsection (4)(d).
(f) If conflicting local laws are submitted to the people at the same election and two or more of the conflicting measures are approved by the people, the measure that receives the greatest number of affirmative votes shall control all conflicts.

Amended by Chapter 203, 2019 General Session

20A-7-502 Local initiative process -- Application procedures.
(1) An eligible voter wishing to circulate an initiative petition shall file an application with the local clerk.
(2) The application shall contain:
(a) the name and residence address of at least five sponsors of the initiative petition;
(b) a statement indicating that each of the sponsors is a registered voter;
(c) a statement indicating that each of the sponsors has voted in an election in Utah in the last three years;
(d) the signature of each of the sponsors, acknowledged by a notary public;
(e) a copy of the proposed law that includes:
   (i) the title of the proposed law, which clearly expresses the subject of the law; and
   (ii) the text of the proposed law; and
(f) if the initiative petition proposes a tax increase, the following statement, "This initiative petition 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."

(3) A proposed law submitted under this section may not contain more than one subject to the same extent a bill may not pass containing more than one subject as provided in Utah Constitution, Article VI, Section 22.

Amended by Chapter 203, 2019 General Session

20A-7-502.5 Initial fiscal and legal impact estimate -- Preparation of estimate.
(1) Within three business days after the day on which the local clerk receives an application for an initiative petition, the local clerk shall submit a copy of the proposed law to the county, city, or town's budget officer.

(2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good faith estimate of the fiscal and legal impact of the law proposed by the initiative that contains:
   (i) a dollar amount representing the total estimated fiscal impact of the proposed law;
   (ii) if the proposed law would increase or decrease taxes, a dollar amount representing the total estimated increase or decrease for each type of tax affected under the proposed law and a dollar amount representing the total estimated increase or decrease in taxes under the proposed law;
   (iii) if the proposed law would increase taxes, the tax percentage difference and the tax percentage increase;
   (iv) if the proposed law would result in the issuance or a change in the status of bonds, notes, or other debt instruments, a dollar amount representing the total estimated increase or decrease in public debt under the proposed law;
   (v) a listing of all sources of funding for the estimated costs associated with the proposed law showing each source of funding and the percentage of total funding provided from each source;
   (vi) a dollar amount representing the estimated costs or savings, if any, to state and local government entities under the proposed law;
   (vii) the proposed law's legal impact, including:
      (A) any significant effects on a person's vested property rights;
      (B) any significant effects on other laws or ordinances;
      (C) any significant legal liability the city, county, or town may incur; and
      (D) any other significant legal impact as determined by the budget officer and the legal counsel; and
   (viii) a concise explanation, not exceeding 100 words, of the above information and of the estimated fiscal impact, if any, under the proposed law.
(b) If the proposed law is estimated to have no fiscal impact, the local budget officer shall include a summary statement in the initial fiscal impact statement in substantially the following form:

"The (title of the local budget officer) estimates that the law proposed by this initiative would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt."

(ii) If the proposed law is estimated to have a fiscal impact, the local budget officer shall include a summary statement in the initial fiscal impact estimate in substantially the following form:

"The (title of the local budget officer) estimates that the law proposed by this initiative would result in a total fiscal expense/savings of $______, which includes a (type of tax or taxes) tax increase/decrease of $______ and a $______ increase/decrease in public debt."

(iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise difficult to reasonably express in a summary statement, the local budget officer may include in the summary statement a brief explanation that identifies those factors affecting the variability or difficulty of the estimate.

(iv) If the proposed law would increase taxes, the local budget officer shall include a summary statement in the initial fiscal impact statement in substantially the following form:

"This initiative petition 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."

(3) The budget officer shall prepare an unbiased, good faith estimate of the cost of printing and distributing information related to the initiative petition in the voter information pamphlet as required by Section 20A-7-402.

(4) Within 20 calendar days after the day on which the local clerk submits a copy of the proposed law under Subsection (1), the budget officer shall:

(a) deliver a copy of the initial fiscal impact estimate, including the legal impact estimate, to the local clerk's office; and

(b) mail a copy of the initial fiscal impact estimate, including the legal impact estimate, to the first three sponsors named in the application.

Amended by Chapter 203, 2019 General Session

20A-7-502.7 Referability to voters.

(1) Within 20 days after the day on which an eligible voter files an application to circulate an initiative petition under Section 20A-7-502, the county, city, town, or metro township to which the initiative pertains shall:

(a) review the proposed law in the initiative application to determine whether the law is legally referable to voters; and

(b) notify the first three sponsors, in writing, whether the proposed law is:

   (i) legally referable to voters; or
   (ii) rejected as not legally referable to voters.

(2) A proposed law in an initiative application is legally referable to voters unless:

(a) the proposed law is patently unconstitutional;

(b) the proposed law is nonsensical;

(c) the proposed law is administrative, rather than legislative, in nature;

(d) the proposed law could not become law if passed;
(e) the proposed law contains more than one subject as evaluated in accordance with Subsection 20A-7-502(3);
(f) the subject of the proposed law is not clearly expressed in the law's title;
(g) the proposed law is identical or substantially similar to a legally referable proposed law sought by an initiative application submitted to the local clerk, under Section 20A-7-502, within two years before the day on which the application for the current proposed initiative is filed; or
(h) the application for the proposed law was not timely filed or does not comply with the requirements of this part.

(3) After the end of the 20-day period described in Subsection (1), a county, city, town, or metro township may not:
   (a) reject a proposed initiative as not legally referable to voters; or
   (b) bring a legal action, other than to appeal a court decision, challenging a proposed initiative on the grounds that the proposed initiative is not legally referable to voters.

(4) If a county, city, town, or metro township rejects a proposed initiative, a sponsor of the proposed initiative may, within 10 days after the day on which a sponsor is notified under Subsection (1)(b), appeal the decision to:
   (a) district court; or
   (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

(5) If, on appeal, the court determines that the law proposed in the initiative petition is legally referable to voters, the local clerk shall comply with Subsection 20A-7-504(2) within five days after the day on which the determination, and any appeal of the determination, is final.

Enacted by Chapter 203, 2019 General Session

20A-7-503 Form of initiative petitions and signature sheets.

(a) Each proposed initiative petition shall be printed in substantially the following form:

"INITIATIVE PETITION To the Honorable _____, County Clerk/City Recorder/Town Clerk:

We, the undersigned citizens of Utah, respectfully demand that the following proposed law be submitted to: the legislative body for its approval or rejection at its next meeting; and the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes no action on it.

Each signer says:
I have personally signed this petition;
I am registered to vote in Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk; and
My residence and post office address are written correctly after my name."

(b) If the initiative petition proposes a tax increase, the following statement shall appear, in at least 14-point, bold type, immediately following the information described in Subsection (1)(a):

"This initiative petition 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."

(c) The sponsors of an initiative shall attach a copy of the proposed law to each initiative petition.

(2) Each signature sheet shall:
   (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;
   (b) be ruled with a horizontal line three-fourths inch from the top, with the space above that line blank for the purpose of binding;
(c) contain the title of the initiative printed below the horizontal line, in at least 14-point, bold type;
(d) be vertically divided into columns as follows:
   (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch wide, be
       headed with "For Office Use Only", and be subdivided with a light vertical line down the
       middle with the left subdivision entitled "Registered" and the right subdivision left untitled;
   (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed Name (must
       be legible to be counted)";
   (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered Voter";
   (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)"; and
   (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip Code";
(e) spanning the sheet horizontally beneath each row on which a registered voter may submit the
    information described in Subsection (2)(d), contain the following statement printed or typed in
    not less than eight-point type:
        "By signing this petition, you are stating that you have read and understand the law
        proposed by this petition."; and
(f) at the bottom of the sheet, contain in the following order:
   (i) the title of the initiative, in at least 14-point, bold type;
   (ii) the initial fiscal impact estimate's summary statement issued by the budget officer in
       accordance with Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and
       distributing information related to the initiative petition in accordance with Subsection
       20A-7-502.5(3), in not less than 12-point, bold type;
   (iii) the word "Warning," followed by the following statement in not less than eight-point type:
        "It is a class A misdemeanor for an individual to sign an initiative petition with a name
        other than the individual's own name, or to knowingly sign the individual's name more than
        once for the same measure, or to sign an initiative petition when the individual knows that
        the individual is not a registered voter and knows that the individual does not intend to
        become registered to vote before the certification of the petition names by the county clerk.";
   (iv) the following statement: "Birth date or age information is not required, but it may be used
       to verify your identity with voter registration records. If you choose not to provide it, your
       signature may not be verified as a valid signature if you change your address before
       petition signatures are verified or if the information you provide does not match your voter
       registration records."; and
   (v) if the initiative petition proposes a tax increase, spanning the bottom of the sheet,
       horizontally, in not less than 14-point, bold type, the following statement:
        "This initiative petition 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."
(3) The final page of each initiative packet shall contain the following printed or typed statement:
    "Verification
    State of Utah, County of ____
    I, ________________, of ____, hereby state that:
    I am a resident of Utah and am at least 18 years old;
    All the names that appear in this initiative packet were signed by the individuals who
    professed to be the individuals whose names appear in it, and each of the individuals signed
    the individual's name on it in my presence;
    I believe that each individual has printed and signed the individual's name and written
    the individual's post office address and residence correctly, and that each signer is registered
to vote in Utah or intends to become registered to vote before the certification of the petition names by the county clerk.

(4) The forms prescribed in this section are not mandatory, and, if substantially followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical errors.

Amended by Chapter 291, 2017 General Session

20A-7-504 Circulation requirements -- Local clerk to provide sponsors with materials.
(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall, after the sponsors receive the documents described in Subsections (2)(a) and (b) and Subsection 20A-7-401.5(4)(b), circulate initiative packets that meet the form requirements of this part.
(2) Within five days after the day on which a county, city, town, metro township, or court determines, in accordance with Section 20A-7-502.7, that a law proposed in an initiative petition is legally referable to voters, the local clerk shall furnish to the sponsors:
(a) one copy of the initiative petition; and
(b) one signature sheet.
(3) The sponsors of the petition shall:
(a) arrange and pay for the printing of all additional copies of the petition and signature sheets; and
(b) ensure that the copies of the petition and signature sheets meet the form requirements of this section.
(4)
(a) The sponsors may prepare the initiative for circulation by creating multiple initiative packets.
(b) The sponsors shall create those packets by binding a copy of the initiative petition, a copy of the proposed law, and no more than 50 signature sheets together at the top in such a way that the packets may be conveniently opened for signing.
(c) The sponsors need not attach a uniform number of signature sheets to each initiative packet.
(d) The sponsors shall include, with each packet, a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).

Amended by Chapter 203, 2019 General Session

20A-7-505 Obtaining signatures -- Verification -- Removal of signature.
(1) Any Utah voter may sign a local initiative petition if the voter is a legal voter and resides in the local jurisdiction.
(2)
(a) The sponsors shall ensure that the individual in whose presence each signature sheet was signed:
   (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105; and
   (ii) verifies each signature sheet by completing the verification printed on the last page of each initiative packet.
(b) An individual may not sign the verification printed on the last page of the initiative packet if the individual signed a signature sheet in the initiative packet.
(3)
(a)
(i) Any voter who has signed an initiative petition may have the voter’s signature removed from
the petition by submitting a notarized statement to that effect to the county clerk.
(ii) In order for the signature to be removed, the statement must be received by the county
clerk no later than seven days after the day on which the sponsors submit the last signature
packet to the county clerk.
(b) Upon timely receipt of the statement, the county clerk shall remove the signature of the
individual submitting the statement from the initiative petition.

Amended by Chapter 203, 2019 General Session

20A-7-506 Submitting the initiative petition -- Certification of signatures by the county clerks
-- Transfer to local clerk.
(1)
(a) The sponsors shall deliver each signed and verified initiative packet to the county clerk of the
county in which the packet was circulated before 5 p.m. the earlier of:
(i) for county initiatives:
(A) 316 days after the day on which the application is filed; or
(B) the April 15 immediately before the next regular general election immediately after the
application is filed under Section 20A-7-502; or
(ii) for municipal initiatives:
(A) 316 days after the day on which the application is filed; or
(B) the April 15 immediately before the next municipal general election immediately after the
application is filed under Section 20A-7-502.
(b) A sponsor may not submit an initiative packet after the deadline established in this Subsection
(1).
(2) The county clerk may not certify a signature under Subsection (3) on an initiative packet that is
not verified in accordance with Section 20A-7-505.
(3) No later than May 15, the county clerk shall:
(a) determine whether or not each signer is a voter according to the requirements of Section
20A-7-506.3;
(b) certify on the petition whether or not each name is that of a voter; and
(c) deliver all of the verified packets to the local clerk.

Amended by Chapter 203, 2019 General Session
Amended by Chapter 255, 2019 General Session

20A-7-506.3 Verification of petition signatures.
(1)
(a) For the purposes of this section, "substantially similar name" means:
(i) the given name and surname shown on the petition, or both, contain only minor spelling
differences when compared to the given name and surname shown on the official register;
(ii) the surname shown on the petition exactly matches the surname shown on the official
register, and the given names differ only because one of the given names shown is a
commonly used abbreviation or variation of the other;
(iii) the surname shown on the petition exactly matches the surname shown on the official
register, and the given names differ only because one of the given names shown is
accompanied by a first or middle initial or a middle name which is not shown on the other
record; or
(iv) the surname shown on the petition exactly matches the surname shown on the official
register, and the given names differ only because one of the given names shown is an
alphabetically corresponding initial that has been provided in the place of a given name
shown on the other record.
(b) For the purposes of this section, "substantially similar name" does not mean a name having
an initial or a middle name shown on the petition that does not match a different initial or
middle name shown on the official register.
(2) The county clerk shall use the following procedures in determining whether or not a signer is a
registered voter:
(a) When a signer's name and address shown on the petition exactly match a name and address
shown on the official register and the signer's signature appears substantially similar to the
signature on the statewide voter registration database, the county clerk shall declare the
signature valid.
(b) When there is no exact match of an address and a name, the county clerk shall declare the
signature valid if:
(i) the address on the petition matches the address of an individual on the official register with a
substantially similar name; and
(ii) the signer's signature appears substantially similar to the signature on the statewide voter
registration database of the individual described in Subsection (2)(b)(i).
(c) When there is no match of an address and a substantially similar name, the county clerk shall
declare the signature valid if:
(i) the birth date or age on the petition matches the birth date or age of an individual on the
official register with a substantially similar name; and
(ii) the signer's signature appears substantially similar to the signature on the statewide voter
registration database of the individual described in Subsection (2)(c)(i).
(d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the county clerk
shall declare the signature to be invalid.

Amended by Chapter 203, 2019 General Session

20A-7-507 Evaluation by the local clerk.
(1) When each initiative packet is received from a county clerk, the local clerk shall check off from
the local clerk's record the number of each initiative packet filed.
(2)
(a) After all of the initiative packets have been received by the local clerk, the local clerk shall
count the number of the names certified by the county clerk that appear on each verified
signature sheet.
(b) If the total number of certified names from each verified signature sheet equals or exceeds
the number of names required by Section 20A-7-501 and the requirements of this part are
met, the local clerk shall mark upon the front of the petition the word "sufficient."
(c) If the total number of certified names from each verified signature sheet does not equal or
exceed the number of names required by Section 20A-7-501 or a requirement of this part is
not met, the local clerk shall mark upon the front of the petition the word "insufficient."
(d) The local clerk shall immediately notify any one of the sponsors of the local clerk's finding.
(3) If the local clerk finds the total number of certified signatures from each verified signature sheet
to be insufficient, any sponsor may file a written demand with the local clerk for a recount of the
signatures appearing on the initiative petition in the presence of any sponsor.
(4) Once a petition is declared insufficient, the sponsors may not submit additional signatures to qualify the petition for the ballot.

(5) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 203, 2019 General Session

20A-7-508 Ballot title -- Duties of local clerk and local attorney.

(1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the petition and the proposed law to the local attorney.

(2) The local attorney shall:
   (a) entitle each county or municipal initiative that has qualified for the ballot "Proposition Number ___" and give it a number as assigned under Section 20A-6-107;
   (b) prepare a proposed ballot title for the initiative;
   (c) file the proposed ballot title and the numbered initiative titles with the local clerk within 20 days after the day on which an eligible voter submits the initiative petition to the local clerk; and
   (d) promptly provide notice of the filing of the proposed ballot title to:
       (i) the sponsors of the petition; and
       (ii) the local legislative body for the jurisdiction where the initiative petition was circulated.

(3) The ballot title may be distinct from the title of the proposed law attached to the initiative petition, and shall express, in not exceeding 100 words, the purpose of the measure.

   (a) In preparing a ballot title, the local attorney shall, to the best of the local attorney's ability, give a true and impartial statement of the purpose of the measure.
   (b) The ballot title may not intentionally be an argument, or likely to create prejudice, for or against the measure.
   (c) If the initiative proposes a tax increase, the local attorney shall include the following statement, in bold, in the ballot title:

       "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) Within five calendar days after the date the local attorney files a proposed ballot title under Subsection (2)(c), the local legislative body for the jurisdiction where the initiative petition was circulated and the sponsors of the petition may file written comments in response to the proposed ballot title with the local clerk.

   (a) Within five calendar days after the last date to submit written comments under Subsection (4)(a), the local attorney shall:
       (i) review any written comments filed in accordance with Subsection (4)(a);
       (ii) prepare a final ballot title that meets the requirements of Subsection (3); and
       (iii) return the petition and file the ballot title with the local clerk.

   (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall be printed on the official ballot.

(5) Immediately after the local attorney files a copy of the ballot title with the local clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the petition and the local legislative body for the jurisdiction where the initiative petition was circulated.

(6)
(a) If the ballot title furnished by the local attorney is unsatisfactory or does not comply with the requirements of this section, the decision of the local attorney may be appealed to the district court, or, if the Supreme Court has original jurisdiction, to the Supreme Court, brought by:
   (i) at least three sponsors of the initiative petition; or
   (ii) a majority of the local legislative body for the jurisdiction where the initiative petition was circulated.
(b) The court:
   (i) shall examine the measures and consider arguments; and
   (ii) may certify to the local clerk a ballot title for the measure that fulfills the intent of this section.
(c) The local clerk shall print the title certified by the court on the official ballot.

Amended by Chapter 203, 2019 General Session

20A-7-509 Form of ballot -- Manner of voting.
(1) The local clerk shall ensure that the number and ballot title are presented upon the official ballot with, immediately adjacent to them, the words "For" and "Against," each word presented with an adjacent square in which the voter may indicate the voter's vote.
(2) Voters desiring to vote in favor of enacting the law proposed by the initiative petition shall mark the square adjacent to the word "For," and voters desiring to vote against enacting the law proposed by the initiative petition shall mark the square adjacent to the word "Against."

Amended by Chapter 203, 2019 General Session

20A-7-510 Return and canvass -- Conflicting measures -- Law effective on proclamation.
(1) The votes on the law proposed by the initiative petition shall be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.
(2) After the local board of canvassers completes its canvass, the local clerk shall certify to the local legislative body the vote for and against the law proposed by the initiative petition.
(3)
   (a) The local legislative body shall immediately issue a proclamation that:
      (i) gives the total number of votes cast in the local jurisdiction for and against each law proposed by an initiative petition; and
      (ii) declares those laws proposed by an initiative petition that were approved by majority vote to be in full force and effect as the law of the local jurisdiction.
   (b) When the local legislative body determines that two proposed laws, or that parts of two proposed laws approved by the people at the same election are entirely in conflict, they shall proclaim that measure to be law that has received the greatest number of affirmative votes, regardless of the difference in the majorities which those measures have received.
   (c)
      (i) Within 10 days after the local legislative body's proclamation, any qualified voter who signed the initiative petition proposing the law that is declared by the local legislative body to be superseded by another measure approved at the same election may bring an action in district court, or, if the Supreme Court has original jurisdiction, the Supreme Court to review the decision.
      (ii) The court shall:
         (A) consider the matter and decide whether the proposed laws are entirely in conflict; and
         (B) issue an order, consistent with the court's decision, to the local legislative body.
(4) Within 10 days after the day on which the court certifies the decision, the local legislative body shall:
   (a) proclaim as law all measures approved by the people that the court determines are not in conflict; and
   (b) for the measures approved by the people as law that the court determines to be in conflict, proclaim as law the measure that received the greatest number of affirmative votes, regardless of the difference in majorities.

Amended by Chapter 203, 2019 General Session

20A-7-511 Effective date.
(1)
   (a) Any proposed law submitted to the people by initiative petition that is approved by the voters at any election takes effect on the date specified in the initiative petition.
   (b) If the initiative petition does not specify an effective date, a law approved by the voters at any election takes effect five days after the date of the official proclamation of the vote by the county legislative body.
(2) The local legislative body may amend any laws approved by the people at any meeting after the law has taken effect.

Enacted by Chapter 272, 1994 General Session

20A-7-512 Misconduct of electors and officers -- Penalty.
(1) It is unlawful for any individual to:
   (a) sign any name other than the individual's own name to any initiative petition;
   (b) sign an initiative knowing the individual is not a legal voter; or
   (c) knowingly and willfully violate any provision of this part.
(2) It is unlawful for any individual to sign the verification for an initiative packet knowing that:
   (a) the individual does not meet the residency requirements of Section 20A-2-105;
   (b) the individual has not witnessed the signatures of the individuals whose names appear in the initiative packet; or
   (c) one or more individuals whose signatures appear in the initiative packet is either:
      (i) not registered to vote in Utah; or
      (ii) does not intend to become registered to vote in Utah.
(3) An individual who violates this part is guilty of a class A misdemeanor.

Amended by Chapter 203, 2019 General Session

20A-7-513 Fiscal review -- Repeal, amendment, or resubmission.
(1) No later than 60 days after the date of an election in which the voters approve an initiative petition, the budget officer shall:
   (a) for each initiative approved by the voters, prepare a final fiscal impact statement, using current financial information and containing the information required by Subsection 20A-7-502.5(2), except for the information required by Subsection 20A-7-502.5(2)(a)(vii); and
   (b) deliver a copy of the final fiscal impact statement to:
      (i) the local legislative body of the jurisdiction where the initiative was circulated;
      (ii) the local clerk; and
      (iii) the first three sponsors listed on the initiative application.
(2) If the final fiscal impact statement exceeds the initial fiscal impact estimate by 25% or more, the local legislative body shall review the final fiscal impact statement and may, by a majority vote:
   (a) repeal the law established by passage of the initiative;
   (b) amend the law established by the passage of the initiative; or
   (c) pass a resolution informing the voters that they may file an initiative petition to repeal the law enacted by the passage of the initiative.

Amended by Chapter 203, 2019 General Session

Part 6
Local Referenda - Procedures

20A-7-601 Referenda -- General signature requirements -- Signature requirements for land use laws and subjurisdictional laws -- Time requirements.

(1) As used in this section:
   (a) "Number of active voters" means the number of active voters in the county, city, or town on the immediately preceding January 1.
   (b) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the jurisdiction of a county, city, or town that are subject to a subjurisdictional law.
   (c) (i) "Subjurisdictional law" means a local law or local obligation law passed by a local legislative body that imposes a tax or other payment obligation on property in an area that does not include all precincts and subprecincts under the jurisdiction of the county, city, town, or metro township.
      (ii) "Subjurisdictional law" does not include a land use law.
   (d) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a) or (2)(b).

(2) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local law passed by the local legislative body submitted to a vote of the people shall obtain legal signatures equal to:
   (a) for a county of the first class:
      (i) 7.75% of the number of active voters in the county; and
      (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75% of the county's voter participation areas;
   (b) for a metro township with a population of 100,000 or more, or a city of the first class:
      (i) 7.5% of the number of active voters in the metro township or city; and
      (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;
   (c) for a county of the second class:
      (i) 8% of the number of active voters in the county; and
      (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of the county's voter participation areas;
   (d) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the second class:
      (i) 8.25% of the number of active voters in the metro township or city; and
      (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;
(e) for a county of the third class:
   (i) 9.5% of the number of active voters in the county; and
   (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75% of the county's voter participation areas;

(f) for a metro township with a population of 30,000 or more but less than 65,000, or a city of the third class:
   (i) 10% of the number of active voters in the metro township or city; and
   (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(g) for a county of the fourth class:
   (i) 11.5% of the number of active voters in the county; and
   (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the county's voter participation areas;

(h) for a metro township with a population of 10,000 or more but less than 30,000, or a city of the fourth class:
   (i) 11.5% of the number of active voters in the metro township or city; and
   (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(i) for a metro township with a population of 1,000 or more but less than 10,000, a city of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro township, city, or county; or

(j) for a metro township with a population of less than 1,000, a town, or a county of the sixth class, 35% of the number of active voters in the metro township, town, or county.

(3) Except as provided in Subsection (4), an eligible voter seeking to have a land use law or local obligation law passed by the local legislative body submitted to a vote of the people shall obtain legal signatures equal to:

(a) for a county of the first, second, third, or fourth class:
   (i) 16% of the number of active voters in the county; and
   (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the county's voter participation areas;

(b) for a county of the fifth or sixth class:
   (i) 16% of the number of active voters in the county; and
   (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the county's voter participation areas;

(c) for a metro township with a population of 100,000 or more, or a city of the first class:
   (i) 15% of the number of active voters in the metro township or city; and
   (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(d) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the second class:
   (i) 16% of the number of active voters in the metro township or city; and
   (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(e) for a metro township with a population of 30,000 or more but less than 65,000, or a city of the third class:
   (i) 27.5% of the number of active voters in the metro township or city; and
   (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;
(f) for a metro township with a population of 10,000 or more but less than 30,000, or a city of the fourth class:
   (i) 29% of the number of active voters in the metro township or city; and
   (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(g) for a metro township with a population of 1,000 or more but less than 10,000, or a city of the fifth class, 35% of the number of active voters in the metro township or city; or

(h) for a metro township with a population of less than 1,000 or a town, 40% of the number of active voters in the metro township or town.

(4) A person seeking to have a subjurisdictional law passed by the local legislative body submitted to a vote of the people shall obtain legal signatures of the residents in the subjurisdiction equal to:
   (a) 10% of the number of active voters in the subjurisdiction if the number of active voters exceeds 25,000;
   (b) 12-1/2% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 25,000 but is more than 10,000;
   (c) 15% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 10,000 but is more than 2,500;
   (d) 20% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 2,500 but is more than 500;
   (e) 25% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 500 but is more than 250; and
   (f) 30% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 250.

(5)  
   (a) Sponsors of any referendum petition challenging, under Subsection (2), (3), or (4), any local law passed by a local legislative body shall file the application before 5 p.m. within seven days after the day on which the local law was passed.
   (b) Except as provided in Subsection (5)(c), when a referendum petition has been declared sufficient, the local law that is the subject of the petition does not take effect unless and until the local law is approved by a vote of the people.
   (c) When a referendum petition challenging a subjurisdictional law has been declared sufficient, the subjurisdictional law that is the subject of the petition does not take effect unless and until the subjurisdictional law is approved by a vote of the people who reside in the subjurisdiction.

(6) If the referendum passes, the local law that was challenged by the referendum is repealed as of the date of the election.

(7) Nothing in this section authorizes a local legislative body to impose a tax or other payment obligation on a subjurisdiction in order to benefit an area outside of the subjurisdiction.

Amended by Chapter 203, 2019 General Session
Amended by Chapter 255, 2019 General Session

**20A-7-602 Local referendum process -- Application procedures.**

(1) An eligible voter wishing to circulate a referendum petition shall file an application with the local clerk.

(2) The application shall contain:
   (a) the name and residence address of at least five sponsors of the referendum petition;
   (b) a certification indicating that each of the sponsors is a resident of Utah;
(c) a statement indicating that each of the sponsors has voted in an election in Utah in the last three years;
(d) the signature of each of the sponsors, acknowledged by a notary public; and
(e)
   (i) if the referendum challenges an ordinance or resolution, one copy of the law; or
   (ii) if the referendum challenges a local law that is not an ordinance or resolution, a written description of the local law, including the result of the vote on the local law.

Amended by Chapter 203, 2019 General Session

20A-7-602.5 Initial fiscal and legal impact estimate -- Preparation of estimate.
(1) Within three business days after the day on which the local clerk receives an application for a referendum petition, the local clerk shall submit a copy of the application to the county, city, or town's budget officer.
(2)
   (a) The budget officer, together with legal counsel, shall prepare an unbiased, good faith estimate of the fiscal and legal impact of repealing the law the referendum proposes to repeal that contains:
      (i) a dollar amount representing the total estimated fiscal impact of repealing the law;
      (ii) if repealing the law would increase or decrease taxes, a dollar amount representing the total estimated increase or decrease for each type of tax that would be impacted by the law's repeal and a dollar amount representing the total estimated increase or decrease in taxes that would result from the law's repeal;
      (iii) if repealing the law would result in the issuance or a change in the status of bonds, notes, or other debt instruments, a dollar amount representing the total estimated increase or decrease in public debt that would result;
      (iv) a listing of all sources of funding for the estimated costs that would be associated with the law's repeal, showing each source of funding and the percentage of total funding that would be provided from each source;
      (v) a dollar amount representing the estimated costs or savings, if any, to state and local government entities if the law were repealed;
      (vi) the legal impacts that would result from repealing the law, including:
         (A) any significant effects on a person's vested property rights;
         (B) any significant effects on other laws or ordinances;
         (C) any significant legal liability the city, county, or town may incur; and
         (D) any other significant legal impact as determined by the budget officer and the legal counsel;
      (vii) a concise explanation, not exceeding 100 words, of the above information and of the estimated fiscal impact, if any, if the law were repealed.
   (b)
      (i) If repealing the law would have no fiscal impact, the local budget officer shall include a summary statement in the initial fiscal impact statement in substantially the following form:
         "The (title of the local budget officer) estimates that repealing the law this referendum proposes to repeal would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt."
      (ii) If repealing the law is estimated to have a fiscal impact, the local budget officer shall include a summary statement describing the fiscal impact.
(iii) If the estimated fiscal impact of repealing the law is highly variable or is otherwise difficult to reasonably express in a summary statement, the local budget officer may include in the summary statement a brief explanation that identifies those factors impacting the variability or difficulty of the estimate.

(3) Within 20 calendar days after the day on which the local clerk submits a copy of the application under Subsection (1), the budget officer shall:

(a) deliver a copy of the initial fiscal impact estimate, including the legal impact estimate, to the local clerk's office; and

(b) deliver a copy of the initial fiscal impact estimate, including the legal impact estimate, to the first three sponsors named in the application.

Amended by Chapter 203, 2019 General Session

20A-7-602.7 Referability to voters of local law other than land use law.

(1) Within 20 days after the day on which an eligible voter files an application to circulate a referendum petition under Section 20A-7-602 for a local law other than a land use law, the county, city, town, or metro township to which the referendum pertains shall:

(a) review the application to determine whether the proposed referendum is legally referable to voters; and

(b) notify the first three sponsors, in writing, whether the proposed referendum is:

(i) legally referable to voters; or

(ii) rejected as not legally referable to voters.

(2) For a local law other than a land use law, a proposed referendum is legally referable to voters unless:

(a) the proposed referendum challenges an action that is administrative, rather than legislative, in nature;

(b) the proposed referendum challenges more than one law passed by the local legislative body; or

(c) the application for the proposed referendum was not timely filed or does not comply with the requirements of this part.

(3) After the end of the 20-day period described in Subsection (1), a county, city, town, or metro township may not, for a local law other than a land use law:

(a) reject a proposed referendum as not legally referable to voters; or

(b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a proposed referendum on the grounds that the proposed referendum is not legally referable to voters.

(4)

(a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a proposed referendum concerning a local law other than a land use law, a sponsor of the proposed referendum may, within 10 days after the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision to:

(i) the Supreme Court, by means of an extraordinary writ, if possible; or

(ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ under Subsection (4)(a)(i).

(b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)(a) terminates the referendum.

(5) If, on a challenge or appeal, the court determines that the proposed referendum described in Subsection (4) is legally referable to voters, the local clerk shall comply with Subsection
20A-7-604(2) within five days after the day on which the determination, and any challenge or appeal of the determination, is final.

Enacted by Chapter 203, 2019 General Session

20A-7-602.8 Referability to voters of local land use law.
(1) Within 20 days after the day on which an eligible voter files an application to circulate a referendum petition under Section 20A-7-602 for a land use law, the county, city, town, or metro township to which the referendum pertains shall:
   (a) review the application to determine whether the proposed referendum is legally referable to voters; and
   (b) notify the first three sponsors, in writing, whether the proposed referendum is:
       (i) legally referable to voters; or
       (ii) rejected as not legally referable to voters.
(2) For a land use law, a proposed referendum is legally referable to voters unless:
   (a) the proposed referendum challenges an action that is administrative, rather than legislative, in nature;
   (b) the proposed referendum challenges a land use decision, rather than a land use regulation, as those terms are defined in Section 10-9a-103 or 17-27a-103;
   (c) the proposed referendum challenges more than one law passed by the local legislative body; or
   (d) the application for the proposed referendum was not timely filed or does not comply with the requirements of this part.
(3) After the end of the 20-day period described in Subsection (1), a county, city, town, or metro township may not, for a land use law:
   (a) reject a proposed referendum as not legally referable to voters; or
   (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a proposed referendum on the grounds that the proposed referendum is not legally referable to voters.
(4)
   (a) If a county, city, town, or metro township rejects a proposed referendum concerning a land use law, a sponsor of the proposed referendum may, within seven days after the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision to:
       (i) the Supreme Court, by means of an extraordinary writ, if possible; or
       (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ under Subsection (4)(a)(i).
   (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)(a) terminates the referendum.
(5) If, on challenge or appeal, the court determines that the proposed referendum is legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(2) within five days after the day on which the determination, and any challenge or appeal of the determination, is final.

Enacted by Chapter 203, 2019 General Session

20A-7-603 Form of referendum petition and signature sheets.
(1)
   (a) Each proposed referendum petition shall be printed in substantially the following form:
"REFERENDUM PETITION To the Honorable _____, County Clerk/City Recorder/Town Clerk:

We, the undersigned citizens of Utah, respectfully order that (description of local law or portion of local law being challenged), passed by the_____ be referred to the voters for their approval or rejection at the regular/municipal general election to be held on ____________(month/day/year);

Each signer says:
I have personally signed this petition;
The date next to my signature correctly reflects the date that I actually signed the petition;
I have personally reviewed the entire statement included with this packet;
I am registered to vote in Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk; and
My residence and post office address are written correctly after my name."

(b) The sponsors of a referendum shall attach a copy of the law that is the subject of the referendum to each referendum petition.

(2) Each signature sheet shall:
(a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;
(b) be ruled with a horizontal line three-fourths inch from the top, with the space above that line blank for the purpose of binding;
(c) contain the title of the referendum printed below the horizontal line;
(d) contain the word "Warning" printed or typed at the top of each signature sheet under the title of the referendum;
(e) contain, to the right of the word "Warning," the following statement printed or typed in not less than eight-point, single-leaded type:
   "It is a class A misdemeanor for an individual to sign a referendum petition with any other name than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign a referendum petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk.";
(f) contain horizontally ruled lines three-eighths inch apart under the "Warning" statement required by this section;
(g) be vertically divided into columns as follows:
   (i) the edge of the first column shall appear .5 inch from the extreme left of the sheet, be .25 inch wide, and be headed, together with the second column, "For Office Use Only";
   (ii) the second column shall be .25 inch wide;
   (iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)"
   (iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered Voter";
   (v) the fifth column shall be .75 inch wide, headed "Date Signed";
   (vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip Code"; and
   (vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)"
(h) be horizontally divided into rows as follows:
   (i) the top of the first row, for the purpose of entering the information described in Subsection (2)(g), shall be .5 inch high;
   (ii) the second row shall be .15 inch high and contain the following statement printed or typed in not less than eight-point, single-leaded type: "By signing this petition, you are stating that you have read and understand the law this petition seeks to overturn."; and
(iii) the first and second rows shall be repeated, in order, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(i); and

(i) at the bottom of the sheet, contain the following statement: "Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be verified as a valid signature if you change your address before petition signatures are verified or if the information you provide does not match your voter registration records."

(3) The final page of each referendum packet shall contain the following printed or typed statement:

"Verification
State of Utah, County of ____
I, __________________, of ____ , hereby state that:
I am a resident of Utah and am at least 18 years old;
All the names that appear in this referendum packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence;
I did not knowingly make a misrepresentation of fact concerning the law this petition seeks to overturn;
I believe that each individual has printed and signed the individual's name and written the individual's post office address and residence correctly, and that each signer is registered to vote in Utah or intends to become registered to vote before the certification of the petition names by the county clerk.
_____________________________

(4) The forms prescribed in this section are not mandatory, and, if substantially followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical errors.

Amended by Chapter 203, 2019 General Session

20A-7-604 Circulation requirements -- Local clerk to provide sponsors with materials.
(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall, after the sponsors receive the documents described in Subsection (2) and Subsection 20A-7-401.5(4)(b), circulate referendum packets that meet the form requirements of this part.

(2) Within five days after the day on which a county, city, town, metro township, or court determines, in accordance with Section 20A-7-602.7, that a proposed referendum is legally referable to voters, the local clerk shall furnish to the sponsors a copy of the referendum petition and a signature sheet.

(3) The sponsors of the petition shall:
(a) arrange and pay for the printing of all additional copies of the petition and signature sheets; and
(b) ensure that the copies of the petition and signature sheets meet the form requirements of this section.

(4)
(a) The sponsors may prepare the referendum for circulation by creating multiple referendum packets.
(b) The sponsors shall create those packets by binding a copy of the referendum petition, a copy of the law that is the subject of the referendum, and no more than 50 signature sheets together at the top in such a way that the packets may be conveniently opened for signing.
(c) The sponsors need not attach a uniform number of signature sheets to each referendum packet.
(d) The sponsors shall include, with each packet, a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).

Amended by Chapter 203, 2019 General Session

20A-7-605 Obtaining signatures -- Verification -- Removal of signature.
(1) Any Utah voter may sign a local referendum petition if the voter is a legal voter and resides in the local jurisdiction.

(2)
(a) The sponsors shall ensure that the individual in whose presence each signature sheet was signed:
(i) is at least 18 years old and meets the residency requirements of Section 20A-2-105; and
(ii) verifies each signature sheet by completing the verification printed on the last page of each referendum packet.
(b) An individual may not sign the verification printed on the last page of the referendum packet if the individual signed a signature sheet in the referendum packet.

(3)
(a) Any voter who has signed a referendum petition may have the voter's signature removed from the petition by submitting a statement to that effect to the county clerk.
(b) Except as provided in Subsection (3)(c), upon receipt of the statement, the county clerk shall remove the signature of the individual submitting the statement from the referendum petition.
(c) A county clerk may not remove signatures from a referendum petition later than seven days after the day on which the sponsors timely submit the last signature packet to the county clerk.

(4) The sponsors of a referendum petition:
(a) shall, for each signature packet:
(i) within seven days after the day on which the first individual signs the signature packet, provide a clear, legible image of all signatures on the signature packet to the county clerk via email or other electronic means; and
(ii) immediately send a new image if the county clerk informs the sponsors that the image is not clear and legible;
(b) may not permit additional signatures on a signature packet of which the sponsors have sent an image under Subsection (4)(a); and
(c) may not submit a signature packet to the county clerk unless the sponsors timely comply with the requirements of Subsection (4)(a) in relation to the signature packet.

(5) Each person who gathers a signature removal statement described in Subsection (3):
(a) shall, within seven days after the day on which the individual signs the signature removal statement, provide a clear, legible image of the statement to the county clerk via email or other electronic means; and
(b) shall, immediately send a new image if the local clerk informs the sender that the image is not clear and legible; and
(c) may not submit a signature removal statement to the county clerk, unless the sender timely complies with the requirements of Subsections (5)(a) and (b) in relation to the signature removal statement.

(6)
(a) The county clerk shall provide to an individual, upon request:
(i) an image of a signature packet or signature removal statement with the dates of birth redacted; or
(ii) instead of providing an image described in Subsection (6)(a)(i), a document or electronic list containing the name and other information, other than the dates of birth, that appear on an image described in this Subsection (6)(a).

(b) Subject to Subsection 20A-7-606.3(3), the local clerk may begin certifying, removing, and tallying signatures upon receipt of an image described in Subsection (4) or (5).

Amended by Chapter 203, 2019 General Session

20A-7-606 Submitting the referendum petition -- Certification of signatures by the county clerks -- Transfer to local clerk.

(1) 
(a) The sponsors shall deliver each signed and verified referendum packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than 45 days after the day on which the sponsors receive the items described in Subsection 20A-7-604(2) from the local clerk.
(b) A sponsor may not submit a referendum packet after the deadline established in this Subsection (1).

(2) 
(a) No later than 15 days after the day on which a county clerk receives a referendum packet under Subsection (1)(a), the county clerk shall:
   (i) check the names of all persons completing the verification on the last page of each referendum packet to determine whether those persons are Utah residents and are at least 18 years old; and
   (ii) submit the name of each of those persons who is not a Utah resident or who is not at least 18 years old to the attorney general and county attorney.
(b) The county clerk may not certify a signature under Subsection (3) on a referendum packet that is not verified in accordance with Section 20A-7-605.

(3) No later than 30 days after the day on which a county clerk receives a referendum packet under Subsection (1)(a), the county clerk shall:
(a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-606.3;
(b) certify on the referendum petition whether each name is that of a registered voter; and
(c) deliver all of the verified referendum packets to the local clerk.

Amended by Chapter 255, 2019 General Session

20A-7-606.3 Verification of petition signatures.

(1) 
(a) For the purposes of this section, "substantially similar name" means:
   (i) the given name and surname shown on the petition, or both, contain only minor spelling differences when compared to the given name and surname shown on the official register;
   (ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;
   (iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is
accompanied by a first or middle initial or a middle name which is not shown on the other record; or

(iv) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.

(b) For the purposes of this section, "substantially similar name" does not mean a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.

(2) The county clerk shall use the following procedures in determining whether or not a signer is a registered voter:

(a) When a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the signature valid.

(b) When there is no exact match of an address and a name, the county clerk shall declare the signature valid if:

(i) the address on the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(b)(i).

(c) When there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if:

(i) the birth date or age on the petition matches the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(c)(i).

(d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county clerk shall declare the signature to be invalid.

(3) The county clerk may not provide a final verification of the signature packets submitted for a proposed referendum until eight days after the day on which a sponsor submits the final, timely signature packet to the county clerk to be certified.

Amended by Chapter 203, 2019 General Session

20A-7-607 Evaluation by the local clerk -- Determination of election for vote on referendum.

(1) When each referendum packet is received from a county clerk, the local clerk shall check off from the local clerk's record the number of each referendum packet filed.

(2) Within two days after the day on which the local clerk receives each referendum packet from a county clerk, the local clerk shall:

(a) count the number of the names certified by the county clerks that appear on each verified signature sheet;

(b) if the total number of certified names from each verified signature sheet equals or exceeds the number of names required by Section 20A-7-601 and the requirements of this part are met, mark upon the front of the petition the word "sufficient";

(c) if the total number of certified names from each verified signature sheet does not equal or exceed the number of names required by Section 20A-7-601 or a requirement of this part is not met, mark upon the front of the petition the word "insufficient"; and
(d) notify any one of the sponsors of the local clerk's finding.

(3) If the local clerk finds the total number of certified signatures from each verified signature sheet to be insufficient, any sponsor may file a written demand with the local clerk for a recount of the signatures appearing on the referendum petition in the presence of any sponsor.

(4)

(a) If the local clerk refuses to accept and file any referendum petition, any voter may apply to a court for an extraordinary writ to compel the local clerk to do so within 10 days after the refusal.

(b) If a court determines that the referendum petition is legally sufficient, the local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on which it was originally offered for filing in the local clerk's office.

(c) If a court determines that any petition filed is not legally sufficient, the court may enjoin the local clerk and all other officers from:
   (i) certifying or printing the ballot title and numbers of that measure on the official ballot for the next election; or
   (ii) as it relates to a local tax law that is conducted entirely by absentee ballot, certifying, printing, or mailing the ballot title and numbers of that measure under Section 20A-7-609.5.

(5) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

(6)

(a) If a referendum relates to legislative action taken after April 15, the election officer may not place the referendum on an election ballot until a primary election, a general election, or a special election the following year.

(b) For a referendum on a land use law, if, before August 30, the local clerk or a court determines that the total number of certified names equals or exceeds the number of signatures required in Section 20A-7-601, the election officer shall place the referendum on the election ballot for the next general election.

Amended by Chapter 203, 2019 General Session

20A-7-608 Ballot title -- Duties of local clerk and local attorney.

(1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the petition and the proposed law to the local attorney.

(2) The local attorney shall:
   (a) entitle each county or municipal referendum that has qualified for the ballot "Proposition Number __" and give it a number as assigned under Section 20A-6-107;
   (b) prepare a proposed ballot title for the referendum;
   (c) file the proposed ballot title and the numbered referendum titles with the local clerk within 20 days after the day on which an eligible voter submits the referendum petition to the local clerk;
   and
   (d) promptly provide notice of the filing of the proposed ballot title to:
      (i) the sponsors of the petition; and
      (ii) the local legislative body for the jurisdiction where the referendum petition was circulated.

(3)

(a) The ballot title may be distinct from the title of the law that is the subject of the petition, and shall express, in not exceeding 100 words, the purpose of the measure.

(b) In preparing a ballot title, the local attorney shall, to the best of the local attorney's ability, give a true and impartial statement of the purpose of the measure.
(c) The ballot title may not intentionally be an argument, or likely to create prejudice, for or against the measure.

(4)
(a) Within five calendar days after the date the local attorney files a proposed ballot title under Subsection (2)(c), the local legislative body for the jurisdiction where the referendum petition was circulated and the sponsors of the petition may file written comments in response to the proposed ballot title with the local clerk.

(b) Within five calendar days after the last date to submit written comments under Subsection (4)(a), the local attorney shall:
   (i) review any written comments filed in accordance with Subsection (4)(a);
   (ii) prepare a final ballot title that meets the requirements of Subsection (3); and
   (iii) return the petition and file the ballot title with the local clerk.

(c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall be printed on the official ballot.

(5) Immediately after the local attorney files a copy of the ballot title with the local clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the petition and the local legislative body for the jurisdiction where the referendum petition was circulated.

(6)
(a) If the ballot title furnished by the local attorney is unsatisfactory or does not comply with the requirements of this section, the decision of the local attorney may be appealed to the district court, or, if the Supreme Court has original jurisdiction, to the Supreme Court, brought by:
   (i) at least three sponsors of the referendum petition; or
   (ii) a majority of the local legislative body for the jurisdiction where the referendum petition was circulated.

(b) The court:
   (i) shall examine the measures and consider the arguments; and
   (ii) may issue an order to the local clerk that includes a ballot title for the measure that fulfills the intent of this section.

(c) The local clerk shall print the title certified by the court on the official ballot.

Amended by Chapter 203, 2019 General Session

20A-7-609 Form of ballot -- Manner of voting.

(1) The local clerk shall ensure that the number and ballot title are presented upon the official ballot with, immediately adjacent to them, the words "For" and "Against," each word presented with an adjacent square in which the elector may indicate the elector's vote.

(2)
(a) Except as provided in Subsection (2)(c)(i) or Section 20A-7-609.5, and unless the county legislative body calls a special election, the county clerk shall ensure that county referenda that have qualified for the ballot appear on the next regular general election ballot.

(b) Except as provided in Subsection (2)(c)(ii) or Section 20A-7-609.5, and unless the municipal legislative body calls a special election, the municipal recorder or clerk shall ensure that municipal referenda that have qualified for the ballot appear on the next regular municipal election ballot.

(c)
   (i) Except as provided in Section 20A-7-609.5, if a local law passes after January 30 of the year in which there is a regular general election, the county clerk shall ensure that a county referendum that has qualified for the ballot appears on the ballot at the second regular
general election immediately following the passage of the local law unless the county legislative body calls a special election.

(ii) Except as provided in Section 20A-7-609.5, if a local law passes after January 30 of the year in which there is a municipal general election, the municipal recorder or clerk shall ensure that a municipal referendum that has qualified for the ballot appears on the ballot at the second municipal general election immediately following the passage of the local law unless the municipal legislative body calls a special election.

(3)
(a) A voter desiring to vote in favor of the law that is the subject of the referendum shall mark the square adjacent to the word "For."

(ii) The law that is the subject of the referendum is effective if a majority of voters mark "For."

(b) A voter desiring to vote against the law that is the subject of the referendum petition shall mark the square following the word "Against."

(ii) The law that is the subject of the referendum is not effective if a majority of voters mark "Against."

Amended by Chapter 396, 2014 General Session

20A-7-609.5 Election on referendum challenging local tax law conducted entirely by absentee ballot.

(1) An election officer may administer an election on a referendum challenging a local tax law entirely by absentee ballot.

(2) For purposes of an election conducted under this section, the election officer shall:

(a) designate as the election day the day that is 30 days after the day on which the election officer complies with Subsection (2)(b); and

(b) within 30 days after the day on which the referendum described in Subsection (1) qualifies for the ballot, mail to each registered voter within the voting precincts to which the local tax law applies:

(i) an absentee ballot;

(ii) a statement that there will be no polling place in the voting precinct for the election;

(iii) a statement specifying the election day described in Subsection (2)(a);

(iv) a business reply mail envelope;

(v) instructions for returning the ballot that include an express notice about any relevant deadlines that the voter must meet in order for the voter's vote to be counted;

(vi) a warning, on a separate page of colored paper in boldface print, indicating that if the voter fails to follow the instructions included with the absentee ballot, the voter will be unable to vote in that election because there will be no polling place in the voting precinct on the day of the election; and

(vii) (A) a copy of the proposition information pamphlet relating to the referendum if a proposition information pamphlet relating to the referendum was published under Section 20A-7-401.5; or

(B) a website address where an individual may view a copy of the proposition information pamphlet described in Subsection (2)(b)(vii)(A).

(3) A voter who votes by absentee ballot under this section is not required to apply for an absentee ballot as required by this part.
(4) An election officer who administers an election under this section shall:
(a) (i) obtain, in person, the signatures of each voter within that voting precinct before the election; or
(ii) obtain the signature of each voter within the voting precinct from the county clerk; and
(b) maintain the signatures on file in the election officer's office.
(5)
(a) Upon receiving the returned absentee ballots under this section, the election officer shall compare the signature on each absentee ballot with the voter's signature that is maintained on file and verify that the signatures are the same.
(b) If the election officer questions the authenticity of the signature on the absentee ballot, the election officer shall immediately contact the voter to verify the signature.
(c) If the election officer determines that the signature on the absentee ballot does not match the voter's signature that is maintained on file, the election officer shall:
(i) unless the absentee ballot application deadline described in Section 20A-3-304 has passed, immediately send another absentee ballot and other voting materials as required by this section to the voter; and
(ii) disqualify the initial absentee ballot.

Amended by Chapter 203, 2019 General Session

20A-7-610 Return and canvass -- Conflicting measures -- Law effective on proclamation.
(1) The votes on the proposed law that is the subject of the referendum petition shall be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.
(2) After the local board of canvassers completes the canvass, the local clerk shall certify to the local legislative body the vote for and against the proposed law that is the subject of the referendum petition.
(3)
(a) The local legislative body shall immediately issue a proclamation that:
(i) gives the total number of votes cast in the local jurisdiction for and against each proposed law that is the subject of a referendum petition; and
(ii) declares those laws that are the subject of a referendum petition that were approved by majority vote to be in full force and effect as the law of the local jurisdiction.
(b) When the local legislative body determines that two proposed laws, or that parts of two proposed laws approved by the people at the same election are entirely in conflict, they shall proclaim that measure to be law that has received the greatest number of affirmative votes, regardless of the difference in the majorities which those measures have received.
(4)
(a) Within 10 days after the local legislative body's proclamation, any qualified voter residing in the jurisdiction for a law that is declared by the local legislative body to be superseded by another measure approved at the same election may bring an action in a district court, or, if the Supreme Court has original jurisdiction, the Supreme Court to review the decision.
(b) The court shall:
(i) consider the matter and decide whether the proposed laws are entirely in conflict; and
(ii) issue an order, consistent with the court's decision, to the local legislative body.
(5) Within 10 days after the day on which the court certifies the decision, the local legislative body shall:
(a) proclaim as law all measures approved by the people that the court determines are not in conflict; and
(b) for the measures approved by the people as law that the court determines to be in conflict, proclaim as law the measure that received the greatest number of affirmative votes, regardless of the difference in majorities.

Amended by Chapter 203, 2019 General Session

20A-7-611 Effective date.
Any proposed law submitted to the people by referendum petition that is rejected by the voters at any election is repealed as of the date of the election.

Enacted by Chapter 272, 1994 General Session

20A-7-612 Misconduct of electors and officers -- Penalty.
(1) It is unlawful for an individual to:
   (a) sign any name other than the individual's own name to any referendum petition;
   (b) sign a referendum knowing that the individual is not a legal voter;
   (c) in connection with circulating a referendum petition, represent that a document is an official government document if the individual knows or has reason to know that the document is not an official government document; or
   (d) knowingly and willfully violate any provision of this part.
(2) It is unlawful for an individual to sign the verification for a referendum packet knowing that:
   (a) the individual does not meet the residency requirements of Section 20A-2-105;
   (b) the individual has not witnessed the signatures of the individuals whose names appear in the referendum packet; or
   (c) one or more individuals whose signatures appear in the referendum packet:
      (i) is either:
          (A) not registered to vote in Utah; or
          (B) does not intend to become registered to vote in Utah; or
      (ii) appears next to an inaccurate date of signature.
(3) An individual who violates this part is guilty of a class A misdemeanor.
(4) The county attorney or municipal attorney shall prosecute any violation of this section.

Amended by Chapter 203, 2019 General Session

20A-7-613 Property tax referendum petition.
(1) As used in this section, "certified tax rate" means the same as that term is defined in Section 59-2-924.
(2) Except as provided in this section, the requirements of this part apply to a referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that exceeds the certified tax rate.
(3) Notwithstanding Subsection 20A-7-606(1), the sponsors shall deliver each signed and verified referendum packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than 40 days after the day on which the local clerk complies with Subsection 20A-7-604(2).
(4) Notwithstanding Subsections 20A-7-606(2) and (3), the county clerk shall take the actions required in Subsections 20A-7-606(2) and (3) within 10 working days after the day on which the county clerk receives the signed and verified referendum packet as described in Subsection (3).

(5) The local clerk shall take the actions required by Section 20A-7-607 within two working days after the day on which the local clerk receives the referendum packets from the county clerk.

(6) Notwithstanding Subsection 20A-7-608(2), the local attorney shall prepare the ballot title within two working days after the day on which the referendum petition is declared sufficient for submission to a vote of the people.

(7) Notwithstanding Subsection 20A-7-609(2)(c), a referendum that qualifies for the ballot under this section shall appear on the ballot for the earlier of the next regular general election or the next municipal general election unless a special election is called.

(8) Notwithstanding the requirements related to absentee ballots under this title:

(a) the election officer shall prepare absentee ballots for those voters who have requested an absentee ballot as soon as possible after the ballot title is prepared as described in Subsection (6); and

(b) the election officer shall mail absentee ballots on a referendum under this section the later of:

(i) the time provided in Section 20A-3-305 or 20A-16-403; or

(ii) the time that absentee ballots are prepared for mailing under this section.

(9) Section 20A-7-402 does not apply to a referendum described in this section.

(10)

(a) If a majority of voters does not vote against imposing the tax at a rate calculated to generate the increased revenue budgeted, adopted, and approved by the taxing entity's legislative body:

(i) the certified tax rate for the fiscal year during which the referendum petition is filed is its most recent certified tax rate; and

(ii) the proposed increased revenues for purposes of establishing the certified tax rate for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed increased revenues budgeted, adopted, and approved by the taxing entity's legislative body before the filing of the referendum petition.

(b) If a majority of voters votes against imposing a tax at the rate established by the vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the taxing entity's most recent certified tax rate.

(c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not required to comply with the notice and public hearing requirements of Section 59-2-919 if the taxing entity complies with those notice and public hearing requirements before the referendum petition is filed.

(11) The ballot title shall, at a minimum, include in substantially this form the following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as budgeted, adopted, and approved by the [name of the taxing entity]".

(12) A taxing entity shall pay the county the costs incurred by the county that are directly related to meeting the requirements of this section and that the county would not have incurred but for compliance with this section.

(13)

(a) An election officer shall include on a ballot a referendum that has not yet qualified for placement on the ballot, if:

(i) sponsors file an application for a referendum described in this section;
(ii) the ballot will be used for the election for which the sponsors are attempting to qualify the referendum; and
(iii) the deadline for qualifying the referendum for placement on the ballot occurs after the day on which the ballot will be printed.
(b) If an election officer includes on a ballot a referendum described in Subsection (13)(a), the ballot title shall comply with Subsection (11).
(c) If an election officer includes on a ballot a referendum described in Subsection (13)(a) that does not qualify for placement on the ballot, the election officer shall inform the voters by any practicable method that the referendum has not qualified for the ballot and that votes cast in relation to the referendum will not be counted.

Amended by Chapter 203, 2019 General Session
Amended by Chapter 255, 2019 General Session

Part 7
Voter Information Pamphlet

20A-7-701 Voter information pamphlet to be prepared.
(1) The lieutenant governor shall cause to be printed a voter information pamphlet designed to inform the voters of the state of the content, effect, operation, fiscal impact, and the supporting and opposing arguments of any measure submitted to the voters by the Legislature or by a statewide initiative or referendum petition.
(2) The pamphlet shall also include a separate section prepared, analyzed, and submitted by the Judicial Council describing the judicial selection and retention process.
(3) The lieutenant governor shall cause to be printed as many voter information pamphlets as needed to comply with the provisions of this chapter.
(4) Voter information pamphlets prepared in association with a local initiative or a local referendum shall be prepared in accordance with the procedures and requirements of Section 20A-7-402.

Amended by Chapter 225, 2008 General Session

20A-7-702 Voter information pamphlet -- Form -- Contents -- Distribution.
(1) The lieutenant governor shall ensure that all information submitted for publication in the voter information pamphlet is:
   (a) printed and bound in a single pamphlet;
   (b) printed in clear readable type, no less than 10 point, except that the text of any measure may be set forth in eight-point type; and
   (c) printed on a quality and weight of paper that best serves the voters.
(2) The voter information pamphlet shall contain the following items in this order:
   (a) a cover title page;
   (b) an introduction to the pamphlet by the lieutenant governor;
   (c) a table of contents;
   (d) a list of all candidates for constitutional offices;
   (e) a list of candidates for each legislative district;
   (f) a 100-word statement of qualifications for each candidate for the office of governor, lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by the candidate to
the lieutenant governor's office before 5 p.m. on the first business day in August before the
date of the election;

(g) information pertaining to all measures to be submitted to the voters, beginning a new page for
each measure and containing, in the following order for each measure:
  (i) a copy of the number and ballot title of the measure;
  (ii) the final vote cast by the Legislature on the measure if it is a measure submitted by the
      Legislature or by referendum;
  (iii) the impartial analysis of the measure prepared by the Office of Legislative Research and
      General Counsel;
  (iv) the arguments in favor of the measure, the rebuttal to the arguments in favor of the
      measure, the arguments against the measure, and the rebuttal to the arguments against the
      measure, with the name and title of the authors at the end of each argument or rebuttal;
  (v) for each constitutional amendment, a complete copy of the text of the constitutional
      amendment, with all new language underlined, and all deleted language placed within
      brackets;
  (vi) for each initiative qualified for the ballot:
      (A) a copy of the measure as certified by the lieutenant governor and a copy of the fiscal
          impact estimate prepared according to Section 20A-7-202.5; and
      (B) if the initiative proposes a tax increase, the following statement in bold type:
          "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."; and
  (vii) for each referendum qualified for the ballot, a complete copy of the text of the law being
      submitted to the voters for their approval or rejection, with all new language underlined and
      all deleted language placed within brackets, as applicable;
(h) a description provided by the Judicial Performance Evaluation Commission of the selection
    and retention process for judges, including, in the following order:
  (i) a description of the judicial selection process;
  (ii) a description of the judicial performance evaluation process;
  (iii) a description of the judicial retention election process;
  (iv) a list of the criteria of the judicial performance evaluation and the minimum performance
      standards;
  (v) the names of the judges standing for retention election; and
  (vi) for each judge:
      (A) a list of the counties in which the judge is subject to retention election;
      (B) a short biography of professional qualifications and a recent photograph;
      (C) a narrative concerning the judge's performance;
      (D) for each standard of performance, a statement identifying whether or not the judge met
          the standard and, if not, the manner in which the judge failed to meet the standard;
      (E) a statement identifying whether or not the Judicial Performance Evaluation Commission
          recommends the judge be retained or declines to make a recommendation and the
          number of votes for and against the commission's recommendation;
      (F) any statement provided by a judge who is not recommended for retention by the Judicial
          Performance Evaluation Commission under Section 78A-12-203;
      (G) in a bar graph, the average of responses to each survey category, displayed with an
          identification of the minimum acceptable score as set by Section 78A-12-205 and the
          average score of all judges of the same court level; and
(H) a website address that contains the Judicial Performance Evaluation Commission’s report on the judge’s performance evaluation;
(i) for each judge, a statement provided by the Utah Supreme Court identifying the cumulative number of informal reprimands, when consented to by the judge in accordance with Title 78A, Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of censure and suspension issued by the Utah Supreme Court under Utah Constitution, Article VIII, Section 13, during the judge’s current term and the immediately preceding term, and a detailed summary of the supporting reasons for each violation of the Code of Judicial Conduct that the judge has received;
(j) an explanation of ballot marking procedures prepared by the lieutenant governor, indicating the ballot marking procedure used by each county and explaining how to mark the ballot for each procedure;
(k) voter registration information, including information on how to obtain an absentee ballot;
(l) a list of all county clerks’ offices and phone numbers;
(m) the address of the Statewide Electronic Voter Information Website, with a statement indicating that the election officer will post on the website any changes to the location of a polling place and the location of any additional polling place;
(n) a phone number that a voter may call to obtain information regarding the location of a polling place; and
(o) on the back cover page, a printed copy of the following statement signed by the lieutenant governor:
   “I, ___________________ (print name), Lieutenant Governor of Utah, certify that the measures contained in this pamphlet will be submitted to the voters of Utah at the election to be held throughout the state on ____ (date of election), and that this pamphlet is complete and correct according to law.
   SEAL
   Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this ____ day of ____ (month), ____ (year)
   (signed) ___________________________________________
   Lieutenant Governor”

(3) No earlier than 75 days, and no later than 15 days, before the day on which voting commences, the lieutenant governor shall:
(a) distribute one copy of the voter information pamphlet to each household within the state;
(ii) distribute to each household within the state a notice:
   (A) printed on a postage prepaid, preaddressed return form that a person may use to request delivery of a voter information pamphlet by mail;
   (B) that states the address of the Statewide Electronic Voter Information Website authorized by Section 20A-7-801; and
   (C) that states the phone number a voter may call to request delivery of a voter information pamphlet by mail; or
(iii) ensure that one copy of the voter information pamphlet is placed in one issue of every newspaper of general circulation in the state;
(b) ensure that a sufficient number of printed voter information pamphlets are available for distribution as required by this section;
(c) provide voter information pamphlets to each county clerk for free distribution upon request and for placement at polling places; and
(d) ensure that the distribution of the voter information pamphlets is completed 15 days before the election.

(4) The lieutenant governor may distribute a voter information pamphlet at a location frequented by a person who cannot easily access the Statewide Electronic Voter Information Website authorized by Section 20A-7-801.

Amended by Chapter 80, 2018 General Session
Amended by Chapter 403, 2018 General Session, (Coordination Clause)

20A-7-703 Impartial analysis of measure -- Determination of fiscal effects.
(1) The director of the Office of Legislative Research and General Counsel, after the approval of the legislative general counsel as to legal sufficiency, shall:
(a) prepare an impartial analysis of each measure submitted to the voters by the Legislature or by initiative or referendum petition; and
(b) submit the impartial analysis to the lieutenant governor no later than the day that falls 90 days before the date of the election in which the measure will appear on the ballot.

(2) The director shall ensure that the impartial analysis:
(a) is not more than 1,000 words long;
(b) is prepared in clear and concise language that will easily be understood by the average voter;
(c) avoids the use of technical terms as much as possible;
(d) shows the effect of the measure on existing law;
(e) identifies any potential conflicts with the United States or Utah Constitutions raised by the measure;
(f) fairly describes the operation of the measure;
(g) identifies the measure's fiscal effects for the first full year of implementation and the first year when the last provisions to be implemented are fully effective; and
(h) identifies the amount of any increase or decrease in revenue or cost to state or local government.

(3) The director shall analyze the measure as it is proposed to be adopted without considering any implementing legislation, unless the implementing legislation has been enacted and will become effective upon the adoption of the measure by the voters.

(4)
(a) In determining the fiscal effects of a measure, the director shall confer with the legislative fiscal analyst.
(b) The director shall consider any measure that requires implementing legislation in order to take effect to have no financial effect, unless implementing legislation has been enacted that will become effective upon adoption of the measure by the voters.

(5) If the director requests the assistance of any state department, agency, or official in preparing his analysis, that department, agency, or official shall assist the director.

Amended by Chapter 334, 2012 General Session

20A-7-704 Initiative measures -- Arguments for and against -- Voters’ requests for argument -- Ballot arguments.
(1)
(a) Before 5 p.m. no later than July 1 of the regular general election year, a sponsor of any initiative petition that has been declared sufficient by the lieutenant governor may deliver to
the lieutenant governor a written notice that the sponsor intends to submit a written argument for adoption of the measure.

(b) If two or more sponsors timely submit a notice described in Subsection (1)(a), the lieutenant governor shall designate one of the sponsors to submit the argument for the sponsor's side of the measure.

(2)
(a) Before 5 p.m. no later than July 1 of the regular general election year, a member of the Legislature may deliver to the speaker of the House and the president of the Senate a written notice that the legislator intends to submit a written argument against adoption of an initiative petition that has been declared sufficient by the lieutenant governor.

(b) If two or more legislators timely submit a notice described in Subsection (2)(a), the speaker of the House and the president of the Senate shall, no later than July 5, jointly designate one of the legislators to submit the argument to the lieutenant governor.

(3) The sponsors and the legislators submitting arguments shall ensure that each argument:
(a) does not exceed 500 words in length, not counting the information described in Subsection (5); and
(b) is delivered to the lieutenant governor before 5 p.m. no later than July 10.

(4)
(a) If an argument for or against a measure to be submitted to the voters by initiative petition has not been filed within the time required under Subsection (3)(b):
(i) the Office of the Lieutenant Governor shall immediately:
(A) send an electronic notice that complies with the requirements of Subsection (4)(b) to each individual in the state for whom the Office of the Lieutenant Governor has an email address; or
(B) post a notice that complies with the requirements of Subsection (4)(b) on the home page of the lieutenant governor’s website;
(ii) any voter may, before 5 p.m. no later than July 15, deliver written notice to the lieutenant governor that the voter intends to submit a written argument for the side on which no argument has been filed; and
(iii) if two or more voters timely submit the notice described in Subsection (4)(a)(ii) in relation to the same side of a measure, the lieutenant governor shall designate one of the voters to write the argument.

(b) A notice described in Subsection (4)(a)(i) shall contain:
(i) the ballot title for the measure;
(ii) instructions on how to submit a request under Subsection (4)(a)(ii); and
(iii) the deadlines described in Subsections (4)(a)(ii) and (4)(c).

(c) Any argument prepared under this Subsection (4) shall be submitted to the lieutenant governor before 5 p.m. no later than July 20.

(5) The lieutenant governor may not accept a ballot argument submitted under this section unless the argument lists:
(a) the name and address of the individual submitting the argument, if the argument is submitted by an individual voter; or
(b) the name and address of the organization and the names and addresses of at least two of the organization's principal officers, if the argument is submitted on behalf of an organization.

(6)
(a) Except as provided in Subsection (6)(c) or (d), the authors may not amend or change the arguments after they are submitted to the lieutenant governor.
(b) Except as provided in Subsection (6)(c) or (d), the lieutenant governor may not alter the arguments in any way.

(c) The lieutenant governor and the authors of an argument described in this section may jointly modify the argument after the argument is submitted if:
   (i) the lieutenant governor and the authors jointly agree that changes to:
       (A) the argument must be made to correct spelling or grammatical errors; or
       (B) properly characterize the position of a state entity, if the argument mischaracterizes the position of a state entity; and
   (ii) the argument has not yet been submitted for typesetting.

(d) If, after the lieutenant governor determines that an argument described in this section mischaracterizes the position of a state entity, the lieutenant governor and the authors of the argument cannot jointly agree on a change to the argument, the lieutenant governor:
   (i) shall publish the argument with the mischaracterization; and
   (ii) may, immediately following the argument, publish a brief description of the position of the state entity.

Amended by Chapter 217, 2019 General Session
Amended by Chapter 255, 2019 General Session

20A-7-705 Measures to be submitted to voters and referendum measures -- Preparation of argument of adoption.

(1)
   (a) Whenever the Legislature submits any measure to the voters or whenever an act of the Legislature is referred to the voters by referendum petition, the presiding officer of the house of origin of the measure shall appoint the sponsor of the measure or act and one member of either house who voted with the majority to pass the act or submit the measure to draft an argument for the adoption of the measure.

   (b) The argument may not exceed 500 words in length, not counting the information described in Subsection (4)(e).

   (i) If the sponsor of the measure or act desires separate arguments to be written in favor by each person appointed, separate arguments may be written but the combined length of the two arguments may not exceed 500 words, not counting the information described in Subsection (4)(e).

(2)
   (a) If a measure or act submitted to the voters by the Legislature or by referendum petition was not adopted unanimously by the Legislature, the presiding officer of each house shall, at the same time as appointments to an argument in its favor are made, appoint one member who voted against the measure or act from their house to write an argument against the measure or act.

   (b) The argument may not exceed 500 words, not counting the information described in Subsection (4)(e).

   (i) If those members appointed to write an argument against the measure or act desire separate arguments to be written in opposition to the measure or act by each person appointed, separate arguments may be written, but the combined length of the two arguments may not exceed 500 words, not counting the information described in Subsection (4)(e).
(3)

(a) The legislators appointed by the presiding officer of the Senate or House of Representatives to submit arguments shall submit the arguments to the lieutenant governor not later than the day that falls 150 days before the date of the election.

(b) Except as provided in Subsection (3)(d), the authors may not amend or change the arguments after they are submitted to the lieutenant governor.

(c) Except as provided in Subsection (3)(d), the lieutenant governor may not alter the arguments in any way.

(d) The lieutenant governor and the authors of an argument may jointly modify an argument after it is submitted if:

(i) they jointly agree that changes to the argument must be made to correct spelling or grammatical errors; and

(ii) the argument has not yet been submitted for typesetting.

(4)

(a) If an argument for or an argument against a measure submitted to the voters by the Legislature or by referendum petition has not been filed by a member of the Legislature within the time required by this section:

(i) the lieutenant governor shall immediately:

(A) send an electronic notice that complies with the requirements of Subsection (4)(b) to each individual in the state for whom the Office of the Lieutenant Governor has an email address; or

(B) post a notice that complies with the requirements of Subsection (4)(b) on the home page of the lieutenant governor's website; and

(ii) any voter may, before 5 p.m. no later than seven days after the day on which the lieutenant governor provides the notice described in Subsection (4)(a)(i), submit a written request to the presiding officer of the house in which the measure originated for permission to prepare and file an argument for the side on which no argument has been filed by a member of the Legislature.

(b) A notice described in Subsection (4)(a)(i) shall contain:

(i) the ballot title for the measure;

(ii) instructions on how to submit a request under Subsection (4)(a)(ii); and

(iii) the deadlines described in Subsections (4)(a)(ii) and (4)(d).

(c)

(i) The presiding officer of the house of origin shall grant permission unless two or more voters timely request permission to submit arguments on the same side of a measure.

(ii) If two or more voters timely request permission to submit arguments on the same side of a measure, the presiding officer shall, no later than four calendar days after the day of the deadline described in Subsection (4)(a)(ii), designate one of the voters to write the argument.

(d) Any argument prepared under this Subsection (4) shall be submitted to the lieutenant governor before 5 p.m. no later than seven days after the day on which the presiding officer grants permission to submit the argument.

(e) The lieutenant governor may not accept a ballot argument submitted under this section unless the ballot argument lists:

(i) the name and address of the individual submitting the argument, if the argument is submitted by an individual voter; or
(ii) the name and address of the organization and the names and addresses of at least two of the organization's principal officers, if the argument is submitted on behalf of an organization.

(f) Except as provided in Subsection (4)(h), the authors may not amend or change the arguments after they are submitted to the lieutenant governor.

(g) Except as provided in Subsection (4)(h), the lieutenant governor may not alter the arguments in any way.

(h) The lieutenant governor and the authors of an argument may jointly modify an argument after it is submitted if:

(i) they jointly agree that changes to the argument must be made to:
   (A) correct spelling or grammatical errors; or
   (B) properly characterize the position of a state entity, if the argument mischaracterizes the position of a state entity; and

(ii) the argument has not yet been submitted for typesetting.

(i) If, after the lieutenant governor determines that an argument described in this section mischaracterizes the position of a state entity, the lieutenant governor and the authors of the argument cannot jointly agree on a change to the argument, the lieutenant governor:

(i) shall publish the argument with the mischaracterization; and

(ii) may, immediately following the argument, publish a brief description of the position of the state entity.

Amended by Chapter 217, 2019 General Session
Amended by Chapter 255, 2019 General Session

20A-7-706 Copies of arguments to be sent to opposing authors -- Rebuttal arguments.
(1) When the lieutenant governor has received the arguments for and against a measure to be submitted to the voters, the lieutenant governor shall immediately send copies of the arguments in favor of the measure to the authors of the arguments against and copies of the arguments against to the authors of the arguments in favor.

(2) The authors may prepare and submit rebuttal arguments not exceeding 250 words, not counting the information described in Subsection 20A-7-705(4)(e).

(3) (a) The rebuttal arguments shall be filed with the lieutenant governor:

   (i) for constitutional amendments and referendum petitions, before 5 p.m. no later than 120 days before the date of the election; and

   (ii) for initiatives, before 5 p.m. no later than July 30.

(b) Except as provided in Subsection (3)(d), the authors may not amend or change the rebuttal arguments after they are submitted to the lieutenant governor.

(c) Except as provided in Subsection (3)(d), the lieutenant governor may not alter the arguments in any way.

(d) The lieutenant governor and the authors of a rebuttal argument may jointly modify a rebuttal argument after it is submitted if:

   (i) they jointly agree that changes to the rebuttal argument must be made to correct spelling or grammatical errors; and

   (ii) the rebuttal argument has not yet been submitted for typesetting.

(4) The lieutenant governor shall ensure that:

(a) rebuttal arguments are printed in the same manner as the direct arguments; and

(b) each rebuttal argument follows immediately after the direct argument which it seeks to rebut.
Part 8
Statewide Electronic Voter Information Website

20A-7-801 Statewide Electronic Voter Information Website Program -- Duties of the lieutenant governor -- Content -- Duties of local election officials -- Deadlines -- Frequently asked voter questions -- Other elections.

(1) There is established the Statewide Electronic Voter Information Website Program administered by the lieutenant governor in cooperation with the county clerks for general elections and municipal authorities for municipal elections.

(2) In accordance with this section, and as resources become available, the lieutenant governor, in cooperation with county clerks, shall develop, establish, and maintain a state-provided Internet website designed to help inform the voters of the state of:
   (a) the offices and candidates up for election; and
   (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments of ballot propositions submitted to the voters.

(3) Except as provided under Subsection (6), the website shall include:
   (a) all information currently provided in the Utah voter information pamphlet under Chapter 7, Part 7, Voter Information Pamphlet, including a section prepared, analyzed, and submitted by the Judicial Council describing the judicial selection and retention process;
   (b) all information submitted by election officers under Subsection (4) on local office races, local office candidates, and local ballot propositions;
   (c) a list that contains the name of a political subdivision that operates an election day voting center under Section 20A-3-703 and the location of the election day voting center;
   (d) other information determined appropriate by the lieutenant governor that is currently being provided by law, rule, or ordinance in relation to candidates and ballot questions; and
   (e) any differences in voting method, time, or location designated by the lieutenant governor under Subsection 20A-1-308(2).

(4)
   (a) An election official shall submit the following information for each ballot label under the election official's direct responsibility under this title:
      (i) a list of all candidates for each office;
      (ii) if submitted by the candidate to the election official's office before 5 p.m. no later than 45 days before the primary election or before 5 p.m. no later than 60 days before the general election:
         (A) a statement of qualifications, not exceeding 200 words in length, for each candidate;
         (B) the following current biographical information if desired by the candidate, current:
            (I) age;
            (II) occupation;
            (III) city of residence;
            (IV) years of residence in current city; and
            (V) email address; and
         (C) a single web address where voters may access more information about the candidate and the candidate's views; and
(iii) factual information pertaining to all ballot propositions submitted to the voters, including:
   (A) a copy of the number and ballot title of each ballot proposition;
   (B) the final vote cast for each ballot proposition, if any, by a legislative body if the vote was required to place the ballot proposition on the ballot;
   (C) a complete copy of the text of each ballot proposition, with all new language underlined and all deleted language placed within brackets; and
   (D) other factual information determined helpful by the election official.
(b) The information under Subsection (4)(a) shall be submitted to the lieutenant governor no later than one business day after the deadline under Subsection (4)(a) for each general election year and each municipal election year.
(c) The lieutenant governor shall:
   (i) review the information submitted under this section, to determine compliance under this section, prior to placing it on the website;
   (ii) refuse to post information submitted under this section on the website if it is not in compliance with the provisions of this section; and
   (iii) organize, format, and arrange the information submitted under this section for the website.
(d) The lieutenant governor may refuse to include information the lieutenant governor determines is not in keeping with:
   (i) Utah voter needs;
   (ii) public decency; or
   (iii) the purposes, organization, or uniformity of the website.
(e) A refusal under Subsection (4)(d) is subject to appeal in accordance with Subsection (5).

(5)
(a) A person whose information is refused under Subsection (4), and who is aggrieved by the determination, may appeal by submitting a written notice of appeal to the lieutenant governor before 5 p.m. within 10 business days after the date of the determination. A notice of appeal submitted under this Subsection (5)(a) shall contain:
   (i) a listing of each objection to the lieutenant governor's determination; and
   (ii) the basis for each objection.
(b) The lieutenant governor shall review the notice of appeal and shall issue a written response within 10 business days after the day on which the notice of appeal is submitted.
(c) An appeal of the response of the lieutenant governor shall be made to the district court, which shall review the matter de novo.

(6)
(a) The lieutenant governor shall ensure that each voter will be able to conveniently enter the voter's address information on the website to retrieve information on which offices, candidates, and ballot propositions will be on the voter's ballot at the next general election or municipal election.
(b) The information on the website will anticipate and answer frequent voter questions including the following:
   (i) what offices are up in the current year for which the voter may cast a vote;
   (ii) who is running for what office and who is the incumbent, if any;
   (iii) what address each candidate may be reached at and how the candidate may be contacted;
   (iv) for partisan races only, what, if any, is each candidate's party affiliation;
   (v) what qualifications have been submitted by each candidate;
   (vi) where additional information on each candidate may be obtained;
   (vii) what ballot propositions will be on the ballot; and
   (viii) what judges are up for retention election.
(7) As resources are made available and in cooperation with the county clerks, the lieutenant governor may expand the electronic voter information website program to include the same information as provided under this section for special elections and primary elections.

Amended by Chapter 255, 2019 General Session