

Chapter 7 Issues Submitted to the Voters

Part 1 General Provisions

20A-7-101 Definitions.

As used in this chapter:

- (1) "Approved device" means a device described in Subsection 20A-21-201(4) used to gather signatures for the electronic initiative process, the electronic referendum process, or the electronic candidate qualification process.
- (2) "Budget officer" means:
 - (a) for a county, the person designated as finance officer as defined in Section 17-36-3;
 - (b) for a city, the person designated as budget officer in Subsection 10-6-106(4); or
 - (c) for a town, the town council.
- (3) "Certified" means that the county clerk has acknowledged a signature as being the signature of a registered voter.
- (4) "Circulation" means the process of submitting an initiative petition or a referendum petition to legal voters for their signature.
- (5) "Electronic initiative process" means:
 - (a) as it relates to a statewide initiative, the process, described in Sections 20A-7-215 and 20A-21-201, for gathering signatures; or
 - (b) as it relates to a local initiative, the process, described in Sections 20A-7-514 and 20A-21-201, for gathering signatures.
- (6) "Electronic referendum process" means:
 - (a) as it relates to a statewide referendum, the process, described in Sections 20A-7-313 and 20A-21-201, for gathering signatures; or
 - (b) as it relates to a local referendum, the process, described in Sections 20A-7-614 and 20A-21-201, for gathering signatures.
- (7) "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.
- (8) "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).
- (9) "Initial fiscal impact statement" means
a financial statement prepared under Section 20A-7-202.5 after the filing of a statewide initiative application.
- (10) "Initial fiscal impact and legal statement" means a financial and legal statement prepared under Section 20A-7-502.5 or 20A-7-602.5 for a local initiative or a local referendum.
- (11) "Initiative" means a new law proposed for adoption by the public as provided in this chapter.
- (12) "Initiative application" means:
 - (a) for a statewide initiative, an application described in Subsection 20A-7-202(2) that includes all the information, statements, documents, and notarized signatures required under Subsection 20A-7-202(2); or
 - (b) for a local initiative, an application described in Subsection 20A-7-502(2) that includes all the information, statements, documents, and notarized signatures required under Subsection 20A-7-502(2).

- (13) "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.
- (14) "Initiative petition":
- (a) as it relates to a statewide initiative, using the manual initiative process:
 - (i) means the form described in Subsection 20A-7-203(2)(a), petitioning for submission of the initiative to the Legislature or the legal voters; and
 - (ii) if the initiative proposes a tax increase, includes the statement described in Subsection 20A-7-203(2)(b);
 - (b) as it relates to a statewide initiative, using the electronic initiative process:
 - (i) means the form described in Subsections 20A-7-215(2) and (3), petitioning for submission of the initiative to the Legislature or the legal voters; and
 - (ii) if the initiative proposes a tax increase, includes the statement described in Subsection 20A-7-215(5)(b);
 - (c) as it relates to a local initiative, using the manual initiative process:
 - (i) means the form described in Subsection 20A-7-503(2)(a), petitioning for submission of the initiative to the legislative body or the legal voters; and
 - (ii) if the initiative proposes a tax increase, includes the statement described in Subsection 20A-7-503(2)(b); or
 - (d) as it relates to a local initiative, using the electronic initiative process:
 - (i) means the form described in Subsection 20A-7-514(2)(a), petitioning for submission of the initiative to the legislative body or the legal voters; and
 - (ii) if the initiative proposes a tax increase, includes the statement described in Subsection 20A-7-514(4)(a).
- (15)
- (a) "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, the rezoning of a single property or multiple properties, 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.
- (16) "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.
- (17) "Legal voter" means an individual who is registered to vote in Utah.
- (18) "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.
- (19) "Local attorney" means the county attorney, city attorney, or town attorney in whose jurisdiction a local initiative or referendum petition is circulated.
- (20) "Local clerk" means the county clerk, city recorder, or town clerk in whose jurisdiction a local initiative or referendum petition is circulated.
- (21)
- (a) "Local law" includes:
 - (i) an ordinance;
 - (ii) a resolution;
 - (iii) a land use law;

- (iv) a land use regulation, as defined in Section 10-9a-103; or
- (v) other legislative action of a local legislative body.
- (b) "Local law" does not include a land use decision, as defined in Section 10-9a-103.
- (22) "Local legislative body" means the legislative body of a county, city, or town.
- (23) "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.
- (24) "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.
- (25) "Manual initiative process" means the process for gathering signatures for an initiative using paper signature packets that a signer physically signs.
- (26) "Manual referendum process" means the process for gathering signatures for a referendum using paper signature packets that a signer physically signs.
- (27) "Measure" means a proposed constitutional amendment, an initiative, or referendum.
- (28) "Presiding officers" means the president of the Senate and the speaker of the House of Representatives.
- (29) "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.
- (30) "Referendum application" means:
 - (a) for a statewide referendum, an application described in Subsection 20A-7-302(2) that includes all the information, statements, documents, and notarized signatures required under Subsection 20A-7-302(2); or
 - (b) for a local referendum, an application described in Subsection 20A-7-602(2) that includes all the information, statements, documents, and notarized signatures required under Subsection 20A-7-602(2).
- (31) "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.
- (32) "Referendum petition" means:
 - (a) as it relates to a statewide referendum, using the manual referendum process, the form described in Subsection 20A-7-303(2)(a), petitioning for submission of a law passed by the Legislature to legal voters for their approval or rejection;
 - (b) as it relates to a statewide referendum, using the electronic referendum process, the form described in Subsection 20A-7-313(2), petitioning for submission of a law passed by the Legislature to legal voters for their approval or rejection;
 - (c) as it relates to a local referendum, using the manual referendum process, the form described in Subsection 20A-7-603(2)(a), petitioning for submission of a local law to legal voters for their approval or rejection; or
 - (d) as it relates to a local referendum, using the electronic referendum process, the form described in Subsection 20A-7-614(2), petitioning for submission of a local law to legal voters for their approval or rejection.
- (33) "Signature":
 - (a) for a statewide initiative:
 - (i) as it relates to the electronic initiative process, means an electronic signature collected under Section 20A-7-215 and Subsection 20A-21-201(6)(c); or
 - (ii) as it relates to the manual initiative process:
 - (A) means a holographic signature collected physically on a signature sheet described in Section 20A-7-203;

- (B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and
- (C) does not include an electronic signature;
- (b) for a statewide referendum:
 - (i) as it relates to the electronic referendum process, means an electronic signature collected under Section 20A-7-313 and Subsection 20A-21-201(6)(c); or
 - (ii) as it relates to the manual referendum process:
 - (A) means a holographic signature collected physically on a signature sheet described in Section 20A-7-303;
 - (B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and
 - (C) does not include an electronic signature;
- (c) for a local initiative:
 - (i) as it relates to the electronic initiative process, means an electronic signature collected under Section 20A-7-514 and Subsection 20A-21-201(6)(c); or
 - (ii) as it relates to the manual initiative process:
 - (A) means a holographic signature collected physically on a signature sheet described in Section 20A-7-503;
 - (B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and
 - (C) does not include an electronic signature; or
- (d) for a local referendum:
 - (i) as it relates to the electronic referendum process, means an electronic signature collected under Section 20A-7-614 and Subsection 20A-21-201(6)(c); or
 - (ii) as it relates to the manual referendum process:
 - (A) means a holographic signature collected physically on a signature sheet described in Section 20A-7-603;
 - (B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and
 - (C) does not include an electronic signature.
- (34) "Signature sheets" means sheets in the form required by this chapter that are used under the manual initiative process or the manual referendum process to collect signatures in support of an initiative or referendum.
- (35) "Special local ballot proposition" means a local ballot proposition that is not a standard local ballot proposition.
- (36) "Sponsors" means the legal voters who support the initiative or referendum and who sign the initiative application or referendum application.
- (37)
 - (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.
- (38) "Tax percentage difference" means the difference between the tax rate proposed by an initiative or an initiative petition and the current tax rate.
- (39) "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.
- (40) "Verified" means acknowledged by the person circulating the petition as required in Section 20A-7-105.

Amended by Chapter 438, 2024 General Session

Amended by Chapter 442, 2024 General Session

Amended by Chapter 465, 2024 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.

Amended by Chapter 272, 1994 General Session

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) 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 for the state, as a class A notice under Section 63G-30-102, through the date of the election.
- (3) The presiding officers shall:
 - (a) entitle each proposed constitutional amendment "Constitutional Amendment ___" and assign a letter to the constitutional amendment in accordance with 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:
 - (i) summarizes the subject matter of the amendment or question; and
 - (ii) for a proposed constitutional amendment, summarizes any legislation that is enacted and will become effective upon the voters' adoption of the proposed constitutional amendment; and
 - (d) deliver each letter or number and ballot title to the lieutenant governor.

- (4) The lieutenant governor shall certify the letter or 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 the letter or number and the ballot title of each amendment and question prepared in accordance with this section are included in the sample ballots and official ballots; and
 - (b) publish the sample ballots and official ballots as provided by law.

Amended by Chapter 465, 2024 General Session

20A-7-104 Signature gatherers -- Payments -- Badges -- Information -- Requirement to provide initiative or referendum for reading.

- (1) A person may not pay a person to gather signatures under this chapter based on a rate per signature, on a rate per verified signature, or on the initiative or referendum qualifying for the ballot.
- (2) A person that pays a person to gather signatures under this section shall base the payment solely on an hourly rate.
- (3) A person may not accept payment made in violation of this section.
- (4) An individual who is paid to gather signatures for a petition described in this chapter shall, while gathering signatures, wear a badge on the front of the individual's torso that complies with the following, ensuring that the information on the badge is clearly visible to the individual from whom a signature is sought:
 - (a) the badge shall be printed in black ink on white cardstock and laminated; and
 - (b) the information on the badge shall be in at least 24-point type and include the following information:
 - (i) an identification number that is unique to the individual gathering signatures, assigned by:
 - (A) for a statewide initiative or referendum, the lieutenant governor; or
 - (B) for a local initiative or referendum, the local clerk;
 - (ii) the title of the initiative or referendum;
 - (iii) the words "Paid Signature Gatherer"; and
 - (iv) the name of the entity paying the signature gatherer.
- (5) An individual who gathers signatures under this chapter shall offer a paper document to each individual who signs the petition that:
 - (a) is printed in black ink on white paper, white cardstock, or a white sticker, in at least 12-point type; and
 - (b)
 - (i) for an initiative, includes the name of the initiative and the following statement:

"You may view the initiative, its fiscal impact, and information on removing your signature from the petition at [list a uniform resource locator that links directly to the information described in Section 20A-7-202.7 or 20A-7-502.6, as applicable]."; or
 - (ii) for a referendum, includes the name of the referendum and the following statement:

"You may view the referendum and information on removing your signature from the petition at [list a uniform resource locator that links directly to the information described in Section 20A-7-304.5 or 20A-7-604.5, as applicable]."
- (6) An individual who gathers signatures under this chaptershall, before collecting a signature from an individual, present to the individual a printed or digital copy of the initiative or referendum and wait for the individual to read the initiative or referendum.
- (7) A person who violates this section is guilty of a class B misdemeanor.

Amended by Chapter 442, 2024 General Session

20A-7-105 Manual petition processes -- Obtaining signatures -- Verification -- Submitting the petition -- Certification of signatures -- Transfer to lieutenant governor -- Removal of signature.

- (1) This section applies only to the manual initiative process and the manual referendum process.
- (2) As used in this section:
 - (a) "Local petition" means:
 - (i) a manual local initiative petition described in Part 5, Local Initiatives - Procedures; or
 - (ii) a manual local referendum petition described in Part 6, Local Referenda - Procedures.
 - (b) "Packet" means an initiative packet or referendum packet.
 - (c) "Petition" means a local petition or statewide petition.
 - (d) "Statewide petition" means:
 - (i) a manual statewide initiative petition described in Part 2, Statewide Initiatives; or
 - (ii) a manual statewide referendum petition described in Part 3, Statewide Referenda.
- (3)
 - (a) A Utah voter may sign a statewide petition if the voter is a legal voter.
 - (b) A Utah voter may sign a local petition if the voter:
 - (i) is a legal voter; and
 - (ii) resides in the local jurisdiction.
- (4)
 - (a) The sponsors shall ensure that the individual in whose presence each signature sheet was signed:
 - (i) is at least 18 years old;
 - (ii) verifies each signature sheet by completing the verification printed on the last page of each packet; and
 - (iii) is informed that each signer is required to read and understand:
 - (A) for an initiative petition, the law proposed by the initiative; or
 - (B) for a referendum petition, the law that the referendum seeks to overturn.
 - (b) An individual may not sign the verification printed on the last page of a packet if the individual signed a signature sheet in the packet.
- (5)
 - (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified 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) for a statewide initiative:
 - (A) 30 days after the day on which the first individual signs the initiative packet;
 - (B) 316 days after the day on which the application for the initiative petition is filed; or
 - (C) the February 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-202;
 - (ii) for a statewide referendum:
 - (A) 30 days after the day on which the first individual signs the referendum packet; or
 - (B) 40 days after the day on which the legislative session at which the law passed ends;
 - (iii) for a local initiative:
 - (A) 30 days after the day on which the first individual signs the initiative packet;
 - (B) 316 days after the day on which the application is filed;

- (C) the April 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-502, if the local initiative is a county initiative; or
 - (D) the April 15 immediately before the next municipal general election immediately after the application is filed under Section 20A-7-502, if the local initiative is a municipal initiative; or
 - (iv) for a local referendum:
 - (A) 30 days after the day on which the first individual signs the referendum packet; or
 - (B) 45 days after the day on which the sponsors receive the items described in Subsection 20A-7-604(3) from the local clerk.
 - (b) A person may not submit a packet after the applicable deadline described in Subsection (5)
 - (a).
 - (c) Before delivering an initiative packet to the county clerk under this Subsection (5), the sponsors shall send an email to each individual who provides a legible, valid email address on the signature sheet that includes the following:
 - (i) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature"; and
 - (ii) the body of the email shall include the following statement in 12-point type:
 - "You signed a petition for the following initiative:
[insert title of initiative]
To access a copy of the initiative petition, the initiative, the fiscal impact statement, and information on the deadline for removing your signature from the petition, please visit the following link: [insert a uniform resource locator that takes the individual directly to the page on the lieutenant governor's or county clerk's website that includes the information referred to in the email]."
 - (d) When the sponsors submit the last initiative packet to the county clerk, the sponsors shall submit to the county clerk:
 - (i) a list containing:
 - (A) the name and email address of each individual the sponsors sent, or caused to be sent, the email described in Subsection (5)(c); and
 - (B) the date the email was sent;
 - (ii) a copy of the email described in Subsection (5)(c); and
 - (iii) the following written verification, completed and signed by each of the sponsors:
 - "Verification of initiative sponsor State of Utah, County of _____, I, _____, of _____, hereby state, under penalty of perjury, that:
I am a sponsor of the initiative petition entitled _____; and
I sent, or caused to be sent, to each individual who provided a legible, valid email address on a signature sheet submitted to the county clerk in relation to the initiative petition, the email described in Utah Code Subsection 20A-7-105(5)(c).

- (Name) (Residence Address) (Date)".
- (e) Signatures gathered for an initiative petition are not valid if the sponsors do not comply with Subsection (5)(c) or (d).
- (6)
 - (a) Within 21 days after the day on which the county clerk receives the packet, the county clerk shall:
 - (i) use the procedures described in Section 20A-1-1002 to determine whether each signer is a legal voter and, as applicable, the jurisdiction where the signer is registered to vote;
 - (ii) for a statewide initiative or a statewide referendum:

- (A) certify on the petition whether each name is that of a legal voter;
 - (B) post the name, voter identification number, and date of signature of each legal voter certified under Subsection (6)(a)(ii)(A) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor; and
 - (C) deliver the verified packet to the lieutenant governor;
- (iii) for a local initiative or a local referendum:
- (A) certify on the petition whether each name is that of a legal voter who is registered in the jurisdiction to which the initiative or referendum relates;
 - (B) post the name, voter identification number, and date of signature of each legal voter certified under Subsection (6)(a)(iii)(A) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor; and
 - (C) deliver the verified packet to the local clerk.
- (b) For a local initiative or local referendum, the local clerk shall post a link in a conspicuous location on the local government's website to the posting described in Subsection (6)(a)(iii)(B):
- (i) for a local initiative, during the period of time described in Subsection 20A-7-507(3)(a); or
 - (ii) for a local referendum, during the period of time described in Subsection 20A-7-607(2)(a)(i).
- (7) The county clerk may not certify a signature under Subsection (6):
- (a) on a packet that is not verified in accordance with Subsection (4); or
 - (b) that does not have a date of signature next to the signature.
- (8)
- (a) A voter who signs a statewide 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 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 lieutenant governor posts the voter's name under Subsection 20A-7-207(2); 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 lieutenant governor posts the voter's name under Subsection 20A-7-207(2).
 - (b) A voter who signs a statewide 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) 30 days after the day on which the voter signs the statement requesting removal; or
 - (ii) 45 days after the day on which the lieutenant governor posts the voter's name under Subsection 20A-7-307(2).
 - (c) A voter who signs a local 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 no later than the earlier of:
 - (i) 30 days after the day on which the voter signs the signature removal statement;
 - (ii) 90 days after the day on which the local clerk posts the voter's name under Subsection 20A-7-507(2);
 - (iii) 316 days after the day on which the application is filed; or
 - (iv)
 - (A) for a county initiative, April 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-502; or

- (B) for a municipal initiative, April 15 immediately before the next municipal general election immediately after the application is filed under Section 20A-7-502.
- (d) A voter who signs a local 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) 30 days after the day on which the voter signs the statement requesting removal; or
 - (ii) 45 days after the day on which the local clerk posts the voter's name under Subsection 20A-7-607(2)(a).
- (e) A statement described in this Subsection (8) shall comply with the requirements described in Subsection 20A-1-1003(2).
- (f) In order for the signature to be removed, the county clerk must receive the statement described in this Subsection (8) before 5 p.m. no later than the applicable deadline described in this Subsection (8).
- (g) A county clerk shall analyze a signature, for purposes of removing a signature from a petition, in accordance with Subsection 20A-1-1003(3).
- (9)
 - (a) If the county clerk timely receives a statement requesting signature removal under Subsection (8) and determines that the signature should be removed from the petition under Subsection 20A-1-1003(3), the county clerk shall:
 - (i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (6)(a)(ii)(B) or (iii)(B); and
 - (ii) remove the voter's signature from the signature packets and signature packet totals.
 - (b) The county clerk shall comply with Subsection (9)(a) before the later of:
 - (i) the deadline described in Subsection (6)(a); or
 - (ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection (8).
- (10) A person may not retrieve a packet from a county clerk, or make any alterations or corrections to a packet, after the packet is submitted to the county clerk.

20A-7-105 Manual petition processes -- Obtaining signatures -- Verification -- Submitting the petition -- Certification of signatures -- Transfer to lieutenant governor -- Removal of signature.

- (1) This section applies only to the manual initiative process and the manual referendum process.
- (2) As used in this section:
 - (a) "Local petition" means:
 - (i) a manual local initiative petition described in Part 5, Local Initiatives - Procedures; or
 - (ii) a manual local referendum petition described in Part 6, Local Referenda - Procedures.
 - (b) "Packet" means an initiative packet or referendum packet.
 - (c) "Petition" means a local petition or statewide petition.
 - (d) "Statewide petition" means:
 - (i) a manual statewide initiative petition described in Part 2, Statewide Initiatives; or
 - (ii) a manual statewide referendum petition described in Part 3, Statewide Referenda.
- (3)
 - (a) A Utah voter may sign a statewide petition if the voter is a legal voter.
 - (b) A Utah voter may sign a local petition if the voter:
 - (i) is a legal voter; and
 - (ii) resides in the local jurisdiction.

- (4)
- (a) The sponsors shall ensure that the individual in whose presence each signature sheet was signed:
 - (i) is at least 18 years old;
 - (ii) verifies each signature sheet by completing the verification printed on the last page of each packet; and
 - (iii) is informed that each signer is required to read and understand:
 - (A) for an initiative petition, the law proposed by the initiative; or
 - (B) for a referendum petition, the law that the referendum seeks to overturn.
 - (b) An individual may not sign the verification printed on the last page of a packet if the individual signed a signature sheet in the packet.
- (5)
- (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified 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) for a statewide initiative:
 - (A) 30 days after the day on which the first individual signs the initiative packet;
 - (B) 316 days after the day on which the application for the initiative petition is filed; or
 - (C) the February 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-202;
 - (ii) for a statewide referendum:
 - (A) 30 days after the day on which the first individual signs the referendum packet; or
 - (B) 40 days after the day on which the legislative session at which the law passed ends;
 - (iii) for a local initiative:
 - (A) 30 days after the day on which the first individual signs the initiative packet;
 - (B) 316 days after the day on which the application is filed;
 - (C) the April 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-502, if the local initiative is a county initiative; or
 - (D) the April 15 immediately before the next municipal general election immediately after the application is filed under Section 20A-7-502, if the local initiative is a municipal initiative; or
 - (iv) for a local referendum:
 - (A) 30 days after the day on which the first individual signs the referendum packet; or
 - (B) 45 days after the day on which the sponsors receive the items described in Subsection 20A-7-604(3) from the local clerk.
 - (b) A person may not submit a packet after the applicable deadline described in Subsection (5) (a).
 - (c) Before delivering an initiative packet to the county clerk under this Subsection (5), the sponsors shall send an email to each individual who provides a legible, valid email address on the signature sheet that includes the following:
 - (i) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature"; and
 - (ii) the body of the email shall include the following statement in 12-point type:
 - "You signed a petition for the following initiative:
 - [insert title of initiative]
 - To access a copy of the initiative petition, the initiative, the fiscal impact statement, and information on the deadline for removing your signature from the petition, please visit the following link: [insert a uniform resource locator that takes the individual directly to the

page on the lieutenant governor's or county clerk's website that includes the information referred to in the email]."

- (d) For a statewide initiative, the sponsors shall, no later than 5 p.m. on the day on which the sponsors submit the last initiative packet to the county clerk, submit to the lieutenant governor:
 - (i) a list containing:
 - (A) the name and email address of each individual the sponsors sent, or caused to be sent, the email described in Subsection (5)(c); and
 - (B) the date the email was sent;
 - (ii) a copy of the email described in Subsection (5)(c); and
 - (iii) the following written verification, completed and signed by each of the sponsors:

"Verification of initiative sponsor State of Utah, County of _____, I, _____, of _____, hereby state, under penalty of perjury, that:

I am a sponsor of the initiative petition entitled _____; and

I sent, or caused to be sent, to each individual who provided a legible, valid email address on a signature sheet submitted to the county clerk in relation to the initiative petition, the email described in Utah Code Subsection 20A-7-105(5)(c).

 (Name) (Residence Address) (Date)".

- (e) For a local initiative, the sponsors shall, no later than 5 p.m. on the day on which the sponsors submit the last initiative packet to the local clerk, submit to the local clerk the items described in Subsection (5)(d).
 - (f) Signatures gathered for an initiative petition are not valid if the sponsors do not comply with Subsection (5)(c), (d), or (e).
- (6)
- (a) Within 21 days after the day on which the county clerk receives the packet, the county clerk shall:
 - (i) use the procedures described in Section 20A-1-1002, or 20A-7-106 if applicable, to determine whether each signer is a legal voter and, as applicable, the jurisdiction where the signer is registered to vote;
 - (ii) for a statewide initiative or a statewide referendum:
 - (A) certify on the petition whether each name is that of a legal voter;
 - (B) post the name, voter identification number, and date of signature of each legal voter certified under Subsection (6)(a)(ii)(A) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor; and
 - (C) deliver the verified packet to the lieutenant governor;
 - (iii) for a local initiative or a local referendum:
 - (A) certify on the petition whether each name is that of a legal voter who is registered in the jurisdiction to which the initiative or referendum relates;
 - (B) post the name, voter identification number, and date of signature of each legal voter certified under Subsection (6)(a)(iii)(A) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor; and
 - (C) deliver the verified packet to the local clerk.
 - (b) For a local initiative or local referendum, the local clerk shall post a link in a conspicuous location on the local government's website to the posting described in Subsection (6)(a)(iii) (B):
 - (i) for a local initiative, during the period of time described in Subsection 20A-7-507(3)(a); or
 - (ii) for a local referendum, during the period of time described in Subsection 20A-7-607(2)(a)(i).

- (7) The county clerk may not certify a signature under Subsection (6):
- (a) on a packet that is not verified in accordance with Subsection (4); or
 - (b) that does not have a date of signature next to the signature.
- (8)
- (a) A voter who signs a statewide initiative petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed 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 lieutenant governor posts the voter's name under Subsection 20A-7-207(2); 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 lieutenant governor posts the voter's name under Subsection 20A-7-207(2).
 - (b) A voter who signs a statewide referendum petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed no later than the earlier of:
 - (i) 30 days after the day on which the voter signs the statement requesting removal; or
 - (ii) 45 days after the day on which the lieutenant governor posts the voter's name under Subsection 20A-7-307(2).
 - (c) A voter who signs a local initiative petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed no later than the earlier of:
 - (i) 30 days after the day on which the voter signs the signature removal statement;
 - (ii) 90 days after the day on which the local clerk posts the voter's name under Subsection 20A-7-507(2);
 - (iii) 316 days after the day on which the application is filed; or
 - (iv)
 - (A) for a county initiative, April 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-502; or
 - (B) for a municipal initiative, April 15 immediately before the next municipal general election immediately after the application is filed under Section 20A-7-502.
 - (d) A voter who signs a local referendum petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed no later than the earlier of:
 - (i) 30 days after the day on which the voter signs the statement requesting removal; or
 - (ii) 45 days after the day on which the local clerk posts the voter's name under Subsection 20A-7-607(2)(a).
 - (e) In order for the signature to be removed, the county clerk must receive the statement described in this Subsection (8) before 5 p.m. no later than the applicable deadline described in this Subsection (8).
 - (f) A county clerk shall analyze a signature, for purposes of removing a signature from a petition, in accordance with Subsection 20A-1-1003(3).
- (9)
- (a) If the county clerk timely receives a statement requesting signature removal under Subsection (8) and determines that the signature should be removed from the petition under Subsection 20A-1-1003(3), the county clerk shall:

- (i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (6)(a)(ii)(B) or (iii)(B); and
- (ii) remove the voter's signature from the signature packets and signature packet totals.
- (b) The county clerk shall comply with Subsection (9)(a) before the later of:
 - (i) the deadline described in Subsection (6)(a); or
 - (ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection (8).
- (10) A person may not retrieve a packet from a county clerk, or make any alterations or corrections to a packet, after the packet is submitted to the county clerk.

Amended by Chapter 442, 2024 General Session

Amended by Chapter 465, 2024 General Session

20A-7-106 Petition signature or removal for an individual with a disability.

- (1) If a voter who desires to sign a petition is, due to a qualifying disability under the Americans with Disabilities Act, unable to fill out the signature sheet or to sign the voter's name consistently, the voter may:
 - (a) inform the individual gathering signatures that, due to a qualifying disability under the Americans with Disabilities Act, the voter is unable to fill out the signature sheet or to sign the voter's name consistently; and
 - (b) direct the individual gathering signatures to:
 - (i) fill out the form on the signature sheet with the information provided by the voter; and
 - (ii) in place of the registered voter's signature:
 - (A) place the initials "AV" to indicate that the county clerk must use an alternate verification process to verify the validity of the voter's signature; and
 - (B) place next to the initials described in Subsection (1)(b)(ii)(A) a phone number, email address, or other method that the county clerk may use to contact the voter to verify the identity of the voter.
- (2) If a voter who desires to remove the voter's signature from a petition is, due to a qualifying disability under the Americans with Disabilities Act, unable to sign the voter's name consistently, the voter may, instead of signing the statement described in Section 20A-1-1003:
 - (a) place the initials "AV" to indicate that the county clerk must use an alternate verification process to verify the validity of the voter's signature; and
 - (b) include in the statement a phone number, email address, or other method that the county clerk may use to contact the voter to verify the identity of the voter.
- (3) The alternate verification process described in this section includes:
 - (a) the process described in Subsection 20A-3a-401(7)(b); or
 - (b) another process established by rule, made by the director of elections within the Office of the Lieutenant Governor, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Enacted by Chapter 442, 2024 General Session

Part 2
Statewide Initiatives

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

- (1)
 - (a) A person seeking to have an initiative submitted to the Legislature for approval or rejection shall, after filing an initiative application, 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, the lieutenant governor declares that an initiative petition designated under Subsection 20A-7-202(2)(c)(i) for submission to the Legislature is signed by a sufficient number of voters to meet the requirements of Subsection (1)(a), the lieutenant governor shall deliver a copy of the initiative petition, the text of the proposed law, and the cover sheet described in 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) The lieutenant governor shall prepare a cover sheet for a petition declared sufficient under Subsection (1)(b) 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 obtained for the initiative petition; and
 - (iv) the total number of certified signatures obtained from each Utah State Senate district for the initiative petition.
- (2)
 - (a) A person seeking to have an initiative submitted to a vote of the people for approval or rejection shall, after filing an initiative application, 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 that the initiative petition is signed by a sufficient number of voters to meet the requirements of Subsection (2)(a), 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 107, 2023 General Session

20A-7-202 Statewide initiative process -- Initiative application procedures -- Time to gather signatures -- Grounds for rejection.

- (1) Individuals wishing to circulate an initiative petition shall file an initiative application with the lieutenant governor.
- (2) The initiative application shall include:
 - (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 registered to vote in Utah;
 - (c) a statement indicating whether the initiative will be presented to:
 - (i) the Legislature under Subsection 20A-7-201(1); or
 - (ii) a vote of the people under Subsection 20A-7-201(2);
 - (d) the signature of each of the sponsors, attested to by a notary public;
 - (e) 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;
 - (f) if the initiative proposes a tax increase, the following statement, "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
 - (g) a statement indicating whether persons gathering signatures for the initiative petition may be paid for gathering signatures.
- (3)
 - (a) An individual's status as a resident, under Subsection (2), is determined in accordance with Section 20A-2-105.
 - (b) The initiative application and the initiative application's contents are public when filed with the lieutenant governor.
- (4) If the initiative 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 initiative application;
 - (b) obtain new signature sheets; and
 - (c) collect signatures again.
- (5) The lieutenant governor shall reject an initiative application or an initiative application addendum filed under Subsection 20A-7-204.1(5) and not issue signature sheets if:
 - (a) the proposed law:
 - (i) is patently unconstitutional;
 - (ii) is nonsensical;
 - (iii) could not become law if passed;
 - (iv) contains more than one subject as evaluated in accordance with Subsection (6); or
 - (v) 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 initiative application for the new initiative is filed; or
 - (b) the subject of the proposed law is not clearly expressed in the law's title.
- (6) To evaluate whether the proposed law contains more than one subject under Subsection (5)(a)(iv), 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 107, 2023 General Session

20A-7-202.5 Initial fiscal impact statement -- Preparation of statement -- Challenge to statement.

- (1) Within three working days after the day on which the lieutenant governor receives an initiative application, the lieutenant governor shall submit a copy of the initiative application to the Office of the Legislative Fiscal Analyst.
- (2)
 - (a) The Office of the Legislative Fiscal Analyst shall prepare an unbiased, good faith initial fiscal impact statement for the proposed law, not exceeding 100 words plus 100 words per revenue source created or impacted by the proposed law, that contains:
 - (i) a description of the total estimated fiscal impact of the proposed law over the time period or time periods determined by the Office of the Legislative Fiscal Analyst to be most useful in understanding the estimated fiscal impact of the proposed law;
 - (ii) if the proposed law would increase taxes, decrease taxes, or impose a new tax, a dollar amount representing the total estimated increase or decrease for each type of tax affected under the proposed law, a dollar amount showing the estimated amount of a new tax, and a dollar amount representing the total estimated increase or decrease in taxes under the proposed law;
 - (iii) if the proposed law would increase a particular tax or tax rate, the tax percentage difference and the tax percentage increase for each tax or tax rate increased;
 - (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 dollar amount representing the estimated cost or savings, if any, to state or local government entities under the proposed law;
 - (vi) if the proposed law would increase costs to state government, a listing of all sources of funding for the estimated costs; and
 - (vii) a concise description and analysis titled "Funding Source," not to exceed 100 words for each funding source, of the funding source information described in Subsection 20A-7-202(2)(e)(ii).
 - (b) 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."
- (3) Within 25 calendar days after the day on which the lieutenant governor delivers a copy of the initiative application, the Office of the Legislative Fiscal Analyst shall:
 - (a) send a copy of the initial fiscal impact statement to the lieutenant governor's office; and
 - (b) send a copy of the initial fiscal impact statement to the first five sponsors named in the initiative application.
- (4)
 - (a)
 - (i) Three or more of the sponsors of the initiative petition may, within 20 calendar days after the day on which the Office of the Legislative Fiscal Analyst delivers the initial fiscal impact statement to the lieutenant governor's office, file a petition with the appropriate court, alleging that the initial fiscal impact statement, 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 filed with the court to:
 - (A) any person or group that has filed an argument with the lieutenant governor's office for or against the initiative 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 statement 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 statement unless the plaintiffs rebut the presumption by clear and convincing evidence that establishes that the initial fiscal impact statement, 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 statement 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 statement for the initiative that meets the requirements of this section.

Amended by Chapter 442, 2024 General Session

20A-7-202.7 Posting initiative information.

- (1) Within one business day after the day on which the lieutenant governor receives the initial fiscal impact statement under Subsection 20A-7-202.5(3)(a), the lieutenant governor shall post the following information together in a conspicuous place on the lieutenant governor's website:
 - (a) the initiative application;
 - (b) the initiative petition;
 - (c) the text of the proposed law;
 - (d) the initial fiscal impact statement; and
 - (e) information describing how an individual may remove the individual's signature from the initiative petition.
- (2) The lieutenant governor shall:
 - (a) promptly update the information described in Subsection (1) if the information changes; and
 - (b) maintain the information described in Subsection (1) on the lieutenant governor's website until the initiative fails to qualify for the ballot or is passed or defeated at an election.

Amended by Chapter 107, 2023 General Session

20A-7-203 Manual initiative process -- Form of initiative petition and signature sheets.

- (1) This section applies only to the manual initiative process.
- (2)
 - (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 initiative petition;

The date next to my signature correctly reflects the date that I actually signed the initiative petition;

I have personally reviewed the entire statement included with this packet;

I am registered to vote in Utah; and

My residence and post office address are written correctly after my name.

NOTICE TO SIGNERS:

Public hearings to discuss this initiative were held at: (list dates and locations of public hearings.)".

- (b) If the initiative proposes a tax increase, the following statement shall appear, in at least 14-point, bold type, immediately following the information described in Subsection (2)(a):
"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."
- (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the proposed law to each initiative petition.
- (3) Each initiative 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) include the title of the initiative printed below the horizontal line, in at least 14-point, bold type;
 - (d) include a table immediately below the title of the initiative, and beginning .5 inch from the left side of the paper, as follows:
 - (i) the first column shall be .5 inch wide and include three rows;
 - (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;
 - (iii) the second row of the first column shall be .35 inch tall;
 - (iv) the third row of the first column shall be .5 inch tall;
 - (v) the second column shall be 2.75 inches wide;
 - (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
 - (vii) the second row of the second column shall be .5 inch tall;
 - (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
 - (ix) the fourth row of the second column shall be .5 inch tall;
 - (x) the third column shall be 2.75 inches wide;
 - (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
 - (xii) the second row of the third column shall be .5 inch tall;
 - (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
 - (xiv) the fourth row of the third column shall be .5 inch tall;
 - (xv) the fourth column shall be one inch wide;

- (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
- (xvii) the second row of the fourth column shall be .5 inch tall;
- (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
- (xix) the fourth row of the third column shall be .5 inch tall; and
- (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following statement, "By signing this initiative petition, you are stating that you have read and understand the law proposed by this initiative petition." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (3)(f); and
- (f) at the bottom of the sheet, include in the following order:
 - (i) the words "Fiscal Impact of" followed by the title of the initiative, in at least 12-point, bold type;
 - (ii) except as provided in Subsection (5), the initial fiscal impact statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection 20A-7-204.1(5), in not less than 12-point type;
 - (iii) if the initiative proposes a tax increase, the following statement in 12-point, 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
 - (iv) the word "Warning," in 12-point, bold type, 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 initiative petition, or to sign an initiative petition when the individual knows that the individual is not a registered voter.

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."
- (4) The final page of each initiative packet shall contain the following printed or typed statement:

Verification of signature collector
State of Utah, County of ____
I, _____, of _____, hereby state, under penalty of perjury, that:
I am at least 18 years old;
All the names that appear in this initiative 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 proposed by the initiative;
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.
Each individual who signed the initiative 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 initiative packet to encourage that individual to sign it.

- | (Name) | (Residence Address) | (Date) |
|---|---------------------|--------|
| (5) If the initial fiscal impact statement described in Subsection (3)(f)(ii), as updated in accordance with Subsection 20A-7-204.1(5), exceeds 200 words, the Office of the Legislative Fiscal Analyst shall prepare a shorter summary statement, for the purpose of inclusion on an initiative signature sheet, that does not exceed 200 words. | | |
| (6) If the forms described in this section are substantially followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical errors. | | |

20A-7-203 Manual initiative process -- Form of initiative petition and signature sheets.

- (1) This section applies only to the manual initiative process.
- (2)
 - (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 initiative petition or, if I am an individual with a qualifying disability, I have signed this initiative petition by directing the signature gatherer to enter the initials "AV" as my signature;

The date next to my signature correctly reflects the date that I actually signed the initiative petition;

I have personally read the entire statement included with this packet;

I am registered to vote in Utah; and

My residence and post office address are written correctly after my name.

NOTICE TO SIGNERS:

Public hearings to discuss this initiative were held at: (list dates and locations of public hearings.)".
 - (b) If the initiative proposes a tax increase, the following statement shall appear, in at least 14-point, bold type, immediately following the information described in Subsection (2)(a):

"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."
 - (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the proposed law to each initiative petition.
- (3) Each initiative 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) include the title of the initiative printed below the horizontal line, in at least 14-point, bold type;
 - (d) include a table immediately below the title of the initiative, and beginning .5 inch from the left side of the paper, as follows:
 - (i) the first column shall be .5 inch wide and include three rows;

- (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;
- (iii) the second row of the first column shall be .35 inch tall;
- (iv) the third row of the first column shall be .5 inch tall;
- (v) the second column shall be 2.75 inches wide;
- (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
- (vii) the second row of the second column shall be .5 inch tall;
- (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
- (ix) the fourth row of the second column shall be .5 inch tall;
- (x) the third column shall be 2.75 inches wide;
- (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
- (xii) the second row of the third column shall be .5 inch tall;
- (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
- (xiv) the fourth row of the third column shall be .5 inch tall;
- (xv) the fourth column shall be one inch wide;
- (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
- (xvii) the second row of the fourth column shall be .5 inch tall;
- (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
- (xix) the fourth row of the third column shall be .5 inch tall; and
- (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following statement, "By signing this initiative petition, you are stating that you have read and understand the law proposed by this initiative petition." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (3)(f); and
- (f) at the bottom of the sheet, include in the following order:
 - (i) the words "Fiscal Impact of" followed by the title of the initiative, in at least 12-point, bold type;
 - (ii) except as provided in Subsection (5), the initial fiscal impact statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection 20A-7-204.1(5), in not less than 12-point type;
 - (iii) if the initiative proposes a tax increase, the following statement in 12-point, 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
 - (iv) the word "Warning," in 12-point, bold type, 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 initiative petition, or to sign an initiative petition when the individual knows that the individual is not a registered voter.

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."

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

Verification of signature collector

State of Utah, County of _____

I, _____, of _____, hereby state, under penalty of perjury, that:

I am at least 18 years old;

All the names that appear in this initiative 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 or, in the case of an individual with a qualifying disability, I have signed this initiative petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature;

I certify that, for each individual whose signature is represented in this initiative packet by the initials "AV":

I obtained the individual's voluntary direction or consent to sign the initiative petition on the individual's behalf;

I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

I do not believe, or have reason to believe, that the individual did not understand the purpose or nature of my signing the initiative petition on the individual's behalf;

I did not intentionally or knowingly deceive the individual into directing me to, or consenting for me to, sign the initiative petition on the individual's behalf; and

I did not intentionally or knowingly enter false information on the signature sheet;

I did not knowingly make a misrepresentation of fact concerning the law proposed by the initiative;

I believe that each individual's name, post office address, and residence is written correctly, that each signer has read the law proposed by the initiative, and that each signer is registered to vote in Utah;

The correct date of signature appears next to each individual's name; and

I have not paid or given anything of value to any individual who signed this initiative packet to encourage that individual to sign it.

(Name)

(Residence Address)

(Date)

(5) If the initial fiscal impact statement described in Subsection (3)(f)(ii), as updated in accordance with Subsection 20A-7-204.1(5), exceeds 200 words, the Office of the Legislative Fiscal Analyst shall prepare a shorter summary statement, for the purpose of inclusion on an initiative signature sheet, that does not exceed 200 words.

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

Amended by Chapter 442, 2024 General Session

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

(1) This section applies only to the manual initiative process.

- (2) In order to obtain the necessary number of signatures required by this part, the sponsors or an agent of the sponsors shall, after the sponsors receive the documents described in Subsection (3), circulate initiative packets that meet the form requirements of this part.
- (3) The lieutenant governor shall provide the sponsors with a copy of the initiative petition and a signature sheet within three days after the day on which the following conditions are fulfilled:
- (a) the sponsors hold the final hearing required under Section 20A-7-204.1;
 - (b) the sponsors provide to the Office of the Lieutenant Governor the video tape, audio tape, or comprehensive minutes described in Subsection 20A-7-204.1(4) for each public hearing described in Section 20A-7-204.1;
 - (c)
 - (i) the sponsors give written notice to the Office of the Lieutenant Governor that the sponsors waive the opportunity to change the text of the proposed law under Subsection 20A-7-204.1(5);
 - (ii) the deadline, described in Subsection 20A-7-204.1(5)(a), for changing the text of the proposed law passes without the sponsors filing an application addendum in accordance with Subsection 20A-7-204.1(5); or
 - (iii) if the sponsors file an application addendum in accordance with Subsection 20A-7-204.1(5), the Office of the Legislative Fiscal Analyst provides to the Office of the Lieutenant Governor:
 - (A) an updated initial fiscal impact statement, in accordance with Subsection 20A-7-204.1(5)(b); or
 - (B) a written notice indicating that no changes to the initial fiscal impact statement are necessary;
 - (d)
 - (i) the sponsors give written notice to the Office of the Lieutenant Governor that the sponsors waive the opportunity to:
 - (A) challenge the initial fiscal impact statement in court; and
 - (B) if applicable, challenge the updated initial fiscal impact statement in court;
 - (ii) the deadline, described in Subsection 20A-7-202.5(4)(a)(i), for:
 - (A) challenging the initial fiscal impact statement in court passes without the sponsors filing a petition to challenge; and
 - (B) if applicable, challenging the updated initial fiscal impact statement in court passes without the sponsors filing a petition to challenge; or
 - (iii) if the sponsors timely file a petition challenging the initial fiscal impact statement in court or, if applicable, the updated initial fiscal impact statement in court, and the court's decision becomes final; and
 - (e) the sponsors sign an agreement, under Subsection (6)(a), with the Office of the Lieutenant Governor specifying the range of numbers that the sponsors will use to number the initiative packets.
- (4) The sponsors of the initiative shall:
- (a) arrange and pay for the printing of all documents that are part of the initiative packets; and
 - (b) ensure that the initiative packets and the documents described in Subsection (4)(a) meet the requirements of this part.
- (5)
- (a) The sponsors or an agent of the sponsors may prepare the initiative packets for circulation by creating multiple initiative packets.
 - (b) The sponsors or an agent of the sponsors shall create the initiative packets by binding a copy of the initiative petition with the text of the proposed law, including any modification made

under Subsection 20A-7-204.1(5) and no more than 50 signature sheets together at the top in a manner that the initiative packets may be conveniently opened for signing.

(c) An initiative packet is not required to have a uniform number of signature sheets.

- (6)
- (a) The sponsors or an agent of the sponsors shall, before gathering signatures:
 - (i) contact the lieutenant governor's office to receive a range of numbers that the sponsors may use to number initiative packets;
 - (ii) sign an agreement with the Office of the Lieutenant Governor, specifying the range of numbers that the sponsors will use to number the initiative packets; and
 - (iii) number each initiative packet, sequentially, within the range of numbers provided by the lieutenant governor's office, starting with the lowest number in the range.
 - (b) The sponsors or an agent of the sponsors may not:
 - (i) number an initiative packet in a manner not directed by the lieutenant governor's office; or
 - (ii) circulate or submit an initiative packet that is not numbered in the manner directed by the lieutenant governor's office.

Amended by Chapter 442, 2024 General Session

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

- (1)
- (a) After issuance of the initial fiscal impact statement by the Office of the Legislative Fiscal Analyst and before circulating initiative packets for signature statewide, sponsors of the initiative shall hold at least seven public hearings throughout Utah as follows:
 - (i) one in the Bear River region -- Box Elder, Cache, or Rich County;
 - (ii) one in the Southwest region -- Beaver, Garfield, Iron, Kane, or Washington County;
 - (iii) one in the Mountain region -- Summit, Utah, or Wasatch County;
 - (iv) one in the Central region -- Juab, Millard, Piute, Sanpete, Sevier, or Wayne County;
 - (v) one in the Southeast region -- Carbon, Emery, Grand, or San Juan County;
 - (vi) one in the Uintah Basin region -- Daggett, Duchesne, or Uintah County; and
 - (vii) one in the Wasatch Front region -- Davis, Morgan, Salt Lake, Tooele, or Weber County.
 - (b) Of the seven public hearings, the sponsors of the initiative shall hold at least two of the public hearings in a first or second class county, but not in the same county.
 - (c) The sponsors may not hold a public hearing described in this section until the later of:
 - (i) one day after the day on which a sponsor receives a copy of the initial fiscal impact statement under Subsection 20A-7-202.5(3)(b); or
 - (ii) if three or more sponsors file a petition for an action challenging the accuracy of the initial fiscal impact statement under Section 20A-7-202.5, the day after the day on which the action is final.
- (2)
- (a) The sponsors shall, before 5 p.m. at least 10 calendar days before the date of the public hearing, provide written notice of the public hearing, including the date, time, and location of the public hearing:
 - (i) to the lieutenant governor;
 - (ii) to the county clerk of each county in the region where the public hearing will be held;
 - (iii) each state senator, state representative, and county commission or county council member who is elected in whole or in part from the region where the public hearing will be held; and

- (iv) in accordance with Section 45-1-101, for at least three calendar days before the day of the public hearing.
- (b) The lieutenant governor shall post the notice described in Subsection (2)(a) on the lieutenant governor's website for at least three days before the day of the public hearing.
- (c) The county clerk of each county in the region where the public hearing will be held:
 - (i) shall post the notice described in Subsection (2)(a) for the county, as a class A notice under Section 63G-30-102, for at least three days before the day of the public hearing; and
 - (ii) may bill the sponsors of the initiative for the cost of preparing, printing, and posting the notice described in Subsection (2)(c)(i).
- (3) If the initiative proposes a tax increase, the written notice described in Subsection (2) shall include the following statement, in bold, in the same font and point size as the largest font and point size appearing in the notice:

"This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate."
- (4)
 - (a) During the public hearing, the sponsors shall either:
 - (i) video tape or audio tape the public hearing; or
 - (ii) take comprehensive minutes of the public hearing, detailing the names and titles of each speaker and summarizing each speaker's comments.
 - (b) The lieutenant governor shall make copies of the tapes or minutes available to the public.
 - (c) For each public hearing, the sponsors shall:
 - (i) during the entire time that the public hearing is held, post a copy of the initial fiscal impact statement in a conspicuous location at the entrance to the room where the sponsors hold the public hearing; and
 - (ii) place at least 50 copies of the initial fiscal impact statement, for distribution to public hearing attendees, in a conspicuous location at the entrance to the room where the sponsors hold the public hearing.
 - (d) Regardless of whether an individual is present to observe or speak at a public hearing:
 - (i) the sponsors may not end the public hearing until at least one hour after the public hearing begins; and
 - (ii) the sponsors shall provide at least one hour at the public hearing that is open for public comment.
- (5)
 - (a) Before 5 p.m. within 14 days after the day on which the sponsors conduct the seventh public hearing described in Subsection (1)(a), and before circulating an initiative signature packet for signatures, the sponsors of the initiative may change the text of the proposed law if:
 - (i) a change to the text is:
 - (A) germane to the text of the proposed law filed with the lieutenant governor under Section 20A-7-202; and
 - (B) consistent with the requirements of Subsection 20A-7-202(5); and
 - (ii) each sponsor signs, attested to by a notary public, an application addendum to change the text of the proposed law.
 - (b)
 - (i) Within three working days after the day on which the lieutenant governor receives an application addendum to change the text of the proposed law for an initiative, the lieutenant governor shall submit a copy of the application addendum to the Office of the Legislative Fiscal Analyst.

(ii) The Office of the Legislative Fiscal Analyst shall:

- (A) update the initial fiscal impact statement, by following the procedures and requirements of Section 20A-7-202.5 to reflect a change to the text of the proposed law ; or
- (B) provide written notice to the Office of the Lieutenant Governor indicating that no changes to the initial fiscal impact statement are necessary.

Amended by Chapter 107, 2023 General Session

Amended by Chapter 107, 2023 General Session, (Coordination Clause)

Amended by Chapter 435, 2023 General Session

20A-7-206.1 Provisions relating only to process for submitting an initiative to the Legislature for approval or rejection.

- (1) This section relates only to the process, described in Subsection 20A-7-201(1), for submitting an initiative to the Legislature for approval or rejection.
- (2) Notwithstanding Section 20A-7-105, in order to qualify an initiative petition for submission to the Legislature, the sponsors, or an agent of the sponsors, shall deliver each signed and verified initiative packet to the county clerk of the county in which the initiative packet was circulated before 5 p.m. no later than November 15 before the next annual general session of the Legislature immediately after the initiative application is filed under Section 20A-7-202.
- (3) Notwithstanding Section 20A-7-105, no later than December 15 before the annual general session of the Legislature, the county clerk shall, for an initiative for submission to the Legislature:
 - (a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-105;
 - (b) certify on the initiative packet whether each name is that of a registered voter; and
 - (c) deliver the verified packets to the lieutenant governor.
- (4) The county clerk may not certify a signature under Subsection (3) on an initiative packet that is not verified in accordance with Section 20A-7-105.
- (5) A person may not retrieve an initiative packet from a county clerk, or make any alterations or corrections to an initiative packet, after the initiative packet is submitted to the county clerk.

Amended by Chapter 107, 2023 General Session

Amended by Chapter 116, 2023 General Session

20A-7-207 Evaluation by the lieutenant governor.

- (1) In relation to the manual initiative process, when the lieutenant governor receives an initiative packet from a county clerk, the lieutenant governor shall record the number of the initiative packet received.
- (2) The county clerk shall:
 - (a) in relation to the manual initiative process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor:
 - (A) for an initiative packet received by the county clerk before December 1, for at least 90 days; or
 - (B) for an initiative packet received by the county clerk on or after December 1, for at least 45 days; and

- (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update; or
- (b) in relation to the electronic initiative process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-217(4) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor:
 - (A) for a signature received by the county clerk before December 1, for at least 90 days; or
 - (B) for a signature received by the county clerk on or after December 1, for at least 45 days;and
 - (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update.
- (3) The lieutenant governor:
 - (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be sufficient or insufficient on April 30 before the regular general election described in Subsection 20A-7-201(2)(b); or
 - (b) may declare the initiative petition to be insufficient before the day described in Subsection (3)(a) if:
 - (i) in relation to the manual initiative process, the total of all valid signatures on timely and lawfully submitted initiative packets that have been certified by the county clerks, plus the number of signatures on timely and lawfully submitted initiative packets that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-201;
 - (ii) in relation to the electronic initiative process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b) that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-201; or
 - (iii) a requirement of this part has not been met.
- (4)
 - (a) If the total number of names certified under Subsection (3) 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 initiative petition the word "sufficient."
 - (b) If the total number of names certified under Subsection (3) 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 initiative petition the word "insufficient."
 - (c) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant governor's finding.
- (5) After an initiative petition is declared insufficient, a person may not submit additional signatures to qualify the initiative for the ballot.
- (6)
 - (a) If the lieutenant governor refuses to declare an initiative petition sufficient that a voter believes is legally sufficient, the voter may, no later than May 15, apply to the appropriate court for an order finding the initiative petition legally sufficient.
 - (b) If the court determines that the initiative petition is legally sufficient, the lieutenant governor shall mark the petition "sufficient" and consider the declaration of sufficiency effective as of the date on which the initiative petition should have been declared sufficient by the lieutenant governor's office.

- (c) If the court determines that the initiative petition 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.
- (7) An initiative petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 107, 2023 General Session
Amended by Chapter 116, 2023 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 an initiative 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 Section 20A-7-105 and this part.

Amended by Chapter 107, 2023 General Session
Amended by Chapter 116, 2023 General Session

20A-7-209 Short title and summary of initiative -- 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 statewide initiative that has qualified for the ballot "Proposition Number ___" and give it a number as assigned under Section 20A-6-107;
 - (ii) prepare for each initiative:
 - (A) an impartial short title, not exceeding 25 words, that generally describes the subject of the initiative; and
 - (B) an impartial summary of the contents of the initiative, not exceeding 125 words; and
 - (iii) provide each short title, and summary to the lieutenant governor on or before June 26.
 - (b) The short title and summary may be distinct from the title of the proposed law.
 - (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 summary:

"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) Subject to Subsection (4), for each statewide initiative, the official ballot shall show, in the following order:
 - (i) the number of the initiative, determined in accordance with Section 20A-6-107;
 - (ii) the short title;
 - (iii) except as provided in Subsection (2)(e):
 - (A) the summary;
 - (B) the text of the proposed law; and
 - (C) a link to a location on the lieutenant governor's website where a voter may review additional information relating to each initiative, including the information described in Subsection 20A-7-202(2), the initial fiscal impact statement described in Section 20A-7-202.5, as updated under Section 20A-7-204.1, and the arguments relating to the initiative that are included in the voter information pamphlet; and
 - (iv) the initial fiscal impact statement prepared under Section 20A-7-202.5, as updated under Section 20A-7-204.1.
 - (e) Unless the information described in Subsection (2)(d)(iii) is shown on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes the short title and summary for each initiative on the ballot and a link to a location on the lieutenant governor's website where a voter may review the additional information described in Subsection (2)(d)(iii)(C).
 - (f) Unless the information described in Subsection (2)(d)(iii) for all initiatives on the ballot, and the information described in Subsection 20A-7-308(2)(c)(iii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."
- (3) On or before June 27, the lieutenant governor shall send a copy of the short title and summary 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 short title and summary 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 initiative 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 individual designated to receive notice about any issues relating to the initiative.
 - (b)
 - (i) There is a presumption that the short title prepared by the Office of Legislative Research and General Counsel is an impartial description of the contents of the initiative.
 - (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the short title is false or biased.
 - (iii) There is a presumption that the summary prepared by the Office of Legislative Research and General Counsel is an impartial summary of the contents of the initiative.

- (iv) The court may not revise the wording of the summary unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the summary is false or biased.
- (c) The court shall:
 - (i) examine the short title and summary;
 - (ii) hear arguments; and
 - (iii) enter an order consistent with the requirements of this section.
- (d) The lieutenant governor shall, in accordance with the court's order, certify the short title and summary to the county clerks for inclusion in the ballot or ballot proposition insert, as required by this section.

Amended by Chapter 442, 2024 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, as 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.
- (2) 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 45, 2023 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 the canvass, the lieutenant governor shall certify to the governor the vote for and against the law proposed by the initiative petition.
- (3)
 - (a) 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 are 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, the governor shall proclaim as law the initiative that receives the greatest number of affirmative votes, regardless of the difference in the majorities which those initiatives receive.
 - (c) Within 10 days after the day of 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 initiative 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 as law all initiatives approved by the people that the court determines are not entirely in conflict; and
 - (b) of the initiatives approved by the people that the court determines to be entirely in conflict, proclaim as law, regardless of the difference in majorities, the law that receives 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 107, 2023 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 an individual to:

- (a) sign any name other than the individual's own to an initiative petition or a statement described in Subsection 20A-7-105(8) or 20A-7-216(4);
 - (b) knowingly sign the individual's name more than once for the same initiative at one election;
 - (c) knowingly indicate that an individual who signed an initiative petition signed the initiative petition on a date other than the date that the individual signed the initiative petition;
 - (d) sign an initiative petition knowing the individual is not a legal voter; or
 - (e) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for an individual to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(10), knowing that:
- (a) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;
 - (b) the individual has not witnessed the signatures of those individuals whose signatures the individual collects or submits; or
 - (c) one or more individuals who signed the initiative petition are not registered to vote in Utah.
- (3) It is unlawful for an individual to:
- (a) pay an individual to sign an initiative petition;
 - (b) pay an individual to remove the individual's signature from an initiative petition;
 - (c) accept payment to sign an initiative petition; or
 - (d) accept payment to have the individual's name removed from an initiative petition.
- (4) A violation of this section is a class A misdemeanor.

20A-7-213 Misconduct of electors and officers -- Penalty.

- (1) It is unlawful for an individual to:
- (a) sign any name other than the individual's own to an initiative petition or a statement described in Subsection 20A-7-105(8) or 20A-7-216(4);
 - (b) knowingly sign the individual's name more than once for the same initiative at one election;
 - (c) knowingly indicate that an individual who signed an initiative petition signed the initiative petition on a date other than the date that the individual signed the initiative petition;
 - (d) sign an initiative petition knowing the individual is not a legal voter;
 - (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:
 - (i) does not obtain the voluntary direction or consent of the voter;
 - (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction or consent;
 - (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;
 - (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
 - (v) intentionally or knowingly enters false information on the signature sheet or statement; or
 - (f) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for an individual to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(10), knowing that:
- (a) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;
 - (b) the individual has not witnessed the signatures of those individuals whose signatures the individual collects or submits; or

- (c) one or more individuals who signed the initiative petition are not registered to vote in Utah.
- (3) It is unlawful for an individual to:
 - (a) pay an individual to sign an initiative petition;
 - (b) pay an individual to remove the individual's signature from an initiative petition;
 - (c) accept payment to sign an initiative petition; or
 - (d) accept payment to have the individual's name removed from an initiative petition.
- (4) A violation of this section is a class A misdemeanor.

Amended by Chapter 442, 2024 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, 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 estimate in the initial fiscal impact statement 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 approve the initiative:
 - (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 passage of the initiative.

Amended by Chapter 107, 2023 General Session

20A-7-215 Electronic initiative process -- Form of initiative petition -- Circulation requirements -- Signature collection.

- (1) This section applies only to the electronic initiative process.
- (2)
 - (a) The first screen presented on the approved device shall include the following statement:

"This INITIATIVE PETITION is addressed to the Honorable _____, Lieutenant Governor:
The citizens of Utah who sign this petition 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)."
 - (b) An individual may not advance to the second screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."
- (3)
 - (a) The second screen presented on the approved device shall include the following statement:

"Public hearings to discuss this initiative were held at: (list dates and locations of public hearings.)".

- (b) An individual may not advance to the third screen until the individual clicks a link at the bottom of the second screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."
- (4)
 - (a) The third screen presented on the approved device shall include the title of proposed law, described in Subsection 20A-7-202(2)(e)(i), followed by the entire text of the proposed law.
 - (b) An individual may not advance to the fourth screen until the individual clicks a link at the bottom of the third screen stating, "By clicking here, I attest that I have read and understand the entire text of the proposed law."
- (5) Subsequent screens shall be presented on the device in the following order, with the individual viewing the device being required, before advancing to the next screen, to click a link at the bottom of the screen with the following statement: "By clicking here, I attest that I have read and understand the information presented on this screen":
 - (a) 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;
 - (b)
 - (i) if the initiative proposes a tax increase, the following statement, "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."; or
 - (ii) if the initiative does not propose a tax increase, the following statement, "This initiative does not propose a tax increase.";
 - (c) the initial fiscal impact statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection 20A-7-204.1(6);
 - (d) a statement indicating whether persons gathering signatures for the initiative petition may be paid for gathering signatures; and
 - (e) the following statement, followed by links where the individual may click "yes" or "no":
 - "I have personally read the entirety of each statement presented on this device;
 - I am personally signing this initiative petition;
 - I am registered to vote in Utah; and
 - All information I enter on this device, including my residence and post office address, is accurate.
- 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 initiative petition, or to sign an initiative petition when the individual knows that the individual is not a registered voter.
- WARNING
 - Even if your voter registration record is classified as private, your name, voter identification number, and date of signature in relation to signing this initiative petition will be made public.
 - Do you wish to continue and sign this initiative petition?"
- (6)
 - (a) If the individual clicks "no" in response to the question described in Subsection (5)(e), the next screen shall include the following statement, "Thank you for your time. Please return this device to the signature-gatherer."

- (b) If the individual clicks "yes" in response to the question described in Subsection (5)(e), the website, or the application that accesses the website, shall take the signature-gatherer and the individual signing the initiative petition through the signature process described in Section 20A-21-201.

Amended by Chapter 442, 2024 General Session

20A-7-216 Electronic initiative process -- Obtaining signatures -- Request to remove signature.

- (1) This section applies to the electronic initiative process.
- (2) A Utah voter may sign an initiative petition if the voter is a legal voter.
- (3) The sponsors shall ensure that the signature-gatherer who collects a signature from an individual:
 - (a) verifies that the individual is at least 18 years old and meets the residency requirements of Section 20A-2-105; and
 - (b) is informed that each signer is required to read and understand the law proposed by the initiative.
- (4) A voter who signs an initiative petition may have the voter's signature removed from the initiative petition by, in accordance with Section 20A-1-1003, 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:
 - (a) for an electronic signature gathered before December 1:
 - (i) 30 days after the day on which the voter signs the signature removal statement; or
 - (ii) 90 days after the day on which the county clerk posts the voter's name under Subsection 20A-7-217(4); or
 - (b) for an electronic signature gathered on or after December 1:
 - (i) 30 days after the day on which the voter signs the signature removal statement; or
 - (ii) 45 days after the day on which the county clerk posts the voter's name under Subsection 20A-7-217(4).
- (5)
 - (a) A voter may not submit a signature removal statement described in Subsection (4) by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section 20A-21-201.
 - (b) A person may only remove an electronic signature from an initiative petition in accordance with this section.
 - (c) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from an initiative petition, in accordance with Subsection 20A-1-1003(3).

Amended by Chapter 442, 2024 General Session

20A-7-217 Electronic initiative process -- Collecting signatures -- Email notification -- Removal of signatures.

- (1) This section applies only to the electronic initiative process.
- (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:
 - (a) 316 days after the day on which the initiative application is filed; or
 - (b) the February 15 immediately before the next regular general election immediately after the initiative application is filed under Section 20A-7-202.

- (3) The lieutenant governor shall send to each individual who provides a valid email address during the signature-gathering process an email that includes the following:
 - (a) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature"; and
 - (b) the body of the email shall include the following statement in 12-point type:

"You signed a petition for the following initiative:
[insert title of initiative]
To access a copy of the initiative petition, the text of the law proposed by the initiative, the fiscal impact statement, and information on the deadline for removing your signature from the initiative petition, please visit the following link: [insert a uniform resource locator that takes the individual directly to the page on the lieutenant governor's website that includes the information referred to in the email]."
- (4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs an initiative petition is certified under Section 20A-21-201, post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor.
- (5)
 - (a) If the county clerk timely receives a statement requesting signature removal under Subsection 20A-7-216(4), the county clerk shall:
 - (i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (4); and
 - (ii) remove the voter's signature from the initiative petition and the initiative petition signature totals.
 - (b) The county clerk shall comply with Subsection (5)(a) before the later of:
 - (i) the deadline described in Subsection (4); or
 - (ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection 20A-7-216(4).

Amended by Chapter 107, 2023 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, after filing a referendum application, 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 Senate districts, legal signatures equal to 8% of the number of active voters in that Senate district on January 1 immediately following the last regular general election.
 - (b) When the lieutenant governor declares that a referendum petition is signed by a sufficient number of voters to meet the requirements of Subsection (1)(a), 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 the lieutenant governor declares that a referendum petition is signed by a sufficient number of voters, 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 Senate district on January 1 immediately following the last regular general election.

Amended by Chapter 107, 2023 General Session

20A-7-302 Referendum process -- Application procedures.

- (1) Individuals wishing to circulate a referendum petition shall file a referendum application with the lieutenant governor before 5 p.m. within five calendar days after the day on which the legislative session at which the law passed ends.
- (2) The referendum application shall include:
 - (a) the name and residence address of at least five sponsors of the referendum petition;
 - (b) a statement indicating that each of the sponsors is registered to vote in Utah;
 - (c) a statement indicating whether persons gathering signatures for the referendum petition may be paid for gathering signatures;
 - (d) the signature of each of the sponsors, attested to by a notary public; and
 - (e) a copy of the law that is the subject of the proposed referendum.

Amended by Chapter 107, 2023 General Session

20A-7-303 Manual referendum process -- Form of referendum petition and signature sheets.

- (1) This section applies only to the manual referendum process.
- (2)
 - (a) 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 Legislature of the state of Utah during the _____ Session, 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 referendum petition;
The date next to my signature correctly reflects the date that I actually signed the referendum petition;
I have personally reviewed the entire statement included with this referendum packet;
I am registered to vote in Utah; and
My residence and post office address are written correctly after my name."
 - (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the law that is the subject of the referendum to each referendum petition.
- (3) Each referendum 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) include the title of the referendum printed below the horizontal line, in at least 14-point, bold type;
- (d) include a table immediately below the title of the referendum, and beginning .5 inch from the left side of the paper, as follows:
 - (i) the first column shall be .5 inch wide and include three rows;
 - (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;
 - (iii) the second row of the first column shall be .35 inch tall;
 - (iv) the third row of the first column shall be .5 inch tall;
 - (v) the second column shall be 2.75 inches wide;
 - (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
 - (vii) the second row of the second column shall be .5 inch tall;
 - (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
 - (ix) the fourth row of the second column shall be .5 inch tall;
 - (x) the third column shall be 2.75 inches wide;
 - (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
 - (xii) the second row of the third column shall be .5 inch tall;
 - (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
 - (xiv) the fourth row of the third column shall be .5 inch tall;
 - (xv) the fourth column shall be one inch wide;
 - (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
 - (xvii) the second row of the fourth column shall be .5 inch tall;
 - (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
 - (xix) the fourth row of the third column shall be .5 inch tall; and
 - (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words "By signing this referendum petition, you are stating that you have read and understand the law that this referendum petition seeks to overturn." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (3)(f); and
- (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign a referendum 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 referendum petition, or to sign a referendum petition when the individual knows that the individual is not a registered voter.

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."

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

Verification of signature collector

State of Utah, County of _____

I, _____, of _____, hereby state, under penalty of perjury, that:

I 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, 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.

Each individual who signed the referendum 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 referendum packet to encourage that individual to sign it.

(Name)

(Residence Address)

(Date).

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

20A-7-303 Manual referendum process -- Form of referendum petition and signature sheets.

(1) This section applies only to the manual referendum process.

(2)

(a) 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 Legislature of the state of Utah during the _____ Session, 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 referendum petition or, if I am an individual with a qualifying disability, I have signed this referendum petition by directing the signature gatherer to enter the initials "AV" as my signature;

The date next to my signature correctly reflects the date that I actually signed the referendum petition;

I have personally read the entire statement included with this referendum packet;

I am registered to vote in Utah; and

My residence and post office address are written correctly after my name."

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

(3) Each referendum 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) include the title of the referendum printed below the horizontal line, in at least 14-point, bold type;
- (d) include a table immediately below the title of the referendum, and beginning .5 inch from the left side of the paper, as follows:
 - (i) the first column shall be .5 inch wide and include three rows;
 - (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;
 - (iii) the second row of the first column shall be .35 inch tall;
 - (iv) the third row of the first column shall be .5 inch tall;
 - (v) the second column shall be 2.75 inches wide;
 - (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
 - (vii) the second row of the second column shall be .5 inch tall;
 - (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
 - (ix) the fourth row of the second column shall be .5 inch tall;
 - (x) the third column shall be 2.75 inches wide;
 - (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
 - (xii) the second row of the third column shall be .5 inch tall;
 - (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
 - (xiv) the fourth row of the third column shall be .5 inch tall;
 - (xv) the fourth column shall be one inch wide;
 - (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
 - (xvii) the second row of the fourth column shall be .5 inch tall;
 - (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
 - (xix) the fourth row of the third column shall be .5 inch tall; and
 - (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words "By signing this referendum petition, you are stating that you have read and understand the law that this referendum petition seeks to overturn." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (3)(f); and
- (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign a referendum 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 referendum petition, or to sign a referendum petition when the individual knows that the individual is not a registered voter.

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."

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

Verification of signature collector

State of Utah, County of _____

I, _____, of _____, hereby state, under penalty of perjury, that:

I 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 or, in the case of an individual with a qualifying disability, I have signed this referendum petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature;

I certify that, for each individual whose signature is represented in this referendum packet by the initials "AV":

I obtained the individual's voluntary direction or consent to sign the referendum petition on the individual's behalf;

I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

I do not believe, or have reason to believe, that the individual did not understand the purpose or nature of my signing the referendum petition on the individual's behalf;

I did not intentionally or knowingly deceive the individual into directing me to, or consenting for me to, sign the referendum petition on the individual's behalf; and

I did not intentionally or knowingly enter false information on the signature sheet;

I did not knowingly make a misrepresentation of fact concerning the law this petition seeks to overturn;

I believe that each individual's name, post office address, and residence is written correctly, that each signer has read the law that the referendum seeks to overturn, and that each signer is registered to vote in Utah;

The correct date of signature appears next to each individual's name; and

I have not paid or given anything of value to any individual who signed this referendum packet to encourage that individual to sign it.

(Name)

(Residence Address)

(Date).

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

Amended by Chapter 442, 2024 General Session

20A-7-304 Manual referendum process -- Circulation requirements -- Lieutenant governor to provide sponsors with materials.

(1) This section applies only to the manual referendum process.

(2) In order to obtain the necessary number of signatures required by this part, the sponsors or an agent of the sponsors shall, after the sponsors receive the documents described in Subsection (3), circulate referendum packets that meet the form requirements of this part.

(3) The lieutenant governor shall provide the sponsors with a copy of the referendum petition and

a signature sheet within three days after the day on which the sponsors sign an agreement, under Subsection (6)(a), with the Office of the Lieutenant Governor specifying the range of numbers that the sponsors will use to number the referendum packets.

- (4) The sponsors of the referendum petition shall:
 - (a) arrange and pay for the printing of all documents that are part of the referendum packets; and
 - (b) ensure that the referendum packets and the documents described in Subsection (4)(a) meet the form requirements of this section.
- (5)
 - (a) The sponsors or an agent of the sponsors may prepare the referendum packets for circulation by creating multiple referendum packets.
 - (b) The sponsors or an agent of the sponsors shall create referendum packets by binding a copy of the referendum petition with the text of the law that is the subject of the referendum and no more than 50 signature sheets together at the top in a manner that the referendum packets may be conveniently opened for signing.
 - (c) A referendum packet is not required to have a uniform number of signature sheets.
- (6)
 - (a) The sponsors or an agent of the sponsors shall, before gathering signatures:
 - (i) contact the lieutenant governor's office to receive a range of numbers that the sponsors may use to number referendum packets;
 - (ii) sign an agreement with the Office of the Lieutenant Governor, specifying the range of numbers that the sponsor will use to number the referendum packets; and
 - (iii) number each referendum packet, sequentially, within the range of numbers provided by the lieutenant governor's office, starting with the lowest number in the range.
 - (b) The sponsors or an agent of the sponsors may not:
 - (i) number a referendum packet in a manner not directed by the lieutenant governor's office; or
 - (ii) circulate or submit a referendum packet that is not numbered in the manner directed by the lieutenant governor's office.

Amended by Chapter 107, 2023 General Session

20A-7-304.5 Posting referendum information.

- (1) On the day on which the lieutenant governor complies with Subsection 20A-7-304(3), or provides the sponsors with access to the website defined in Section 20A-21-101, the lieutenant governor shall post the following information together in a conspicuous place on the lieutenant governor's website:
 - (a) the referendum petition;
 - (b) a copy of the law that is the subject of the referendum petition; and
 - (c) information describing how an individual may remove the individual's signature from the referendum petition.
- (2) The lieutenant governor shall:
 - (a) promptly update the information described in Subsection (1) if the information changes; and
 - (b) maintain the information described in Subsection (1) on the lieutenant governor's website until the referendum fails to qualify for the ballot or is passed or defeated at an election.

Amended by Chapter 107, 2023 General Session

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

- (1) In relation to the manual referendum process, when the lieutenant governor receives a referendum packet from a county clerk, the lieutenant governor shall record the number of the referendum packet received.
- (2) The county clerk shall:
 - (a) in relation to the manual referendum process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 days; and
 - (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update; or
 - (b) in relation to the electronic referendum process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 days; and
 - (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update.
- (3) The lieutenant governor:
 - (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be sufficient or insufficient 106 days after the end of the legislative session at which the law passed; or
 - (b) may declare the referendum petition to be insufficient before the day described in Subsection (3)(a) if:
 - (i) in relation to the manual referendum process, the total of all valid signatures on timely and lawfully submitted referendum packets that have been certified by the county clerks, plus the number of signatures on timely and lawfully submitted referendum packets that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-301;
 - (ii) in relation to the electronic referendum process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b) that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-301; or
 - (iii) a requirement of this part has not been met.
- (4)
 - (a) If the total number of names certified under Subsection (3) 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 referendum petition the word "sufficient."
 - (b) If the total number of names certified under Subsection (3) 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 referendum petition the word "insufficient."
 - (c) The lieutenant governor shall immediately notify any one of the sponsors of the lieutenant governor's finding.
 - (d) After a referendum petition is declared insufficient, a person may not submit additional signatures to qualify the referendum for the ballot.
- (5)
 - (a) If the lieutenant governor refuses to declare a referendum petition sufficient that a voter believes is legally sufficient, the voter may, no later than 10 days after the day on which the

lieutenant governor declares the petition insufficient, apply to the appropriate court for an order finding the referendum petition legally sufficient.

- (b) If the court determines that the referendum petition is legally sufficient, the lieutenant governor shall mark the referendum petition "sufficient" and consider the declaration of sufficiency effective as of the date on which the referendum petition should have been declared sufficient by the lieutenant governor's office.
 - (c) If the court determines that a referendum 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.
- (6) A referendum petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 107, 2023 General Session

Amended by Chapter 116, 2023 General Session

Amended by Chapter 116, 2023 General Session, (Coordination Clause)

20A-7-308 Short title and summary of referendum -- 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 referendum petition and the law to which the referendum relates to the Office of Legislative Research and General Counsel.
- (2)
 - (a) The Office of Legislative Research and General Counsel shall:
 - (i) entitle each statewide referendum that qualifies for the ballot "Proposition Number ___" and assign a number to the referendum in accordance with Section 20A-6-107;
 - (ii) prepare for each referendum:
 - (A) an impartial short title, not exceeding 25 words, that generally describes the law to which the referendum relates; and
 - (B) an impartial summary of the contents of the law to which the referendum relates, not exceeding 125 words; and
 - (iii) submit the short title and summary to the lieutenant governor within 15 days after the day on which the Office of Legislative Research and General Counsel receives the petition under Subsection (1).
 - (b) The short title and summary may be distinct from the title of the law that is the subject of the referendum.
 - (c) Subject to Subsection (4), for each statewide referendum, the official ballot shall show, in the following order:
 - (i) the number of the referendum, determined in accordance with Section 20A-6-107;
 - (ii) the short title; and
 - (iii) except as provided in Subsection (2)(d):
 - (A) the summary;
 - (B) a copy of the law; and
 - (C) a link to a location on the lieutenant governor's website where a voter may review additional information relating to each referendum, including the information described in Subsection 20A-7-302(2) and the arguments relating to the referendum that are included in the voter information pamphlet.
 - (d) Unless the information described in Subsection (2)(c)(iii) is shown on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes

the short title and summary for each referendum on the ballot and a link to a location on the lieutenant governor's website where a voter may review the additional information described in Subsection (2)(c)(iii)(C).

- (e) Unless the information described in Subsection 20A-7-209(2)(d)(iii) for all initiatives on the ballot, and the information described in Subsection (2)(c)(iii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."
- (3) Immediately after the Office of Legislative Research and General Counsel submits the short title and summary to the lieutenant governor, the lieutenant governor shall mail or email a copy of the short title and summary to any of the sponsors of the referendum petition.
- (4)
 - (a)
 - (i) At least three of the sponsors of the referendum petition may, within 15 days after the day on which the lieutenant governor sends the short title and summary, challenge the wording of the short title and summary prepared by the Office of Legislative Research and General Counsel to the appropriate court.
 - (ii) After receipt of the appeal, the 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 law to which the referendum relates; 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 referendum.
 - (b)
 - (i) There is a presumption that the short title prepared by the Office of Legislative Research and General Counsel is an impartial description of the contents of the referendum.
 - (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the short title is false or biased.
 - (iii) There is a presumption that the summary prepared by the Office of Legislative Research and General Counsel is an impartial summary of the contents of the law to which the referendum relates.
 - (iv) The court may not revise the wording of the summary unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the summary is false or biased.
 - (c) The court shall:
 - (i) examine the short title and summary;
 - (ii) hear arguments; and
 - (iii) enter an order consistent with the requirements of this section.
 - (d) The lieutenant governor shall, in accordance with the court's order, certify the short title and summary to the county clerks for inclusion in the ballot or ballot proposition insert, as required by this section.

Amended by Chapter 442, 2024 General Session

20A-7-309 Form of ballot -- Manner of voting.

- (1) A county clerk shall ensure that the number and ballot title certified by the lieutenant governor are presented upon the official ballot with, immediately adjacent to the number and ballot title, the words "For" and "Against," each word presented with an adjacent square in which a voter may indicate the voter's vote.
- (2)
 - (a)
 - (i) 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)
 - (i) A voter desiring to vote against the law that is the subject of the referendum 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 107, 2023 General Session

20A-7-310 Return and canvass -- Conflicting measures.

- (1) The votes on the 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 state board of canvassers completes its canvass, the lieutenant governor shall certify to the governor the vote for and against the law that is the subject of the referendum petition.
- (3)
 - (a) The governor shall immediately issue a proclamation that:
 - (i) gives the total number of votes cast in the state for and against each law that is the subject of a referendum petition; and
 - (ii) declares those laws that are the subject of a referendum petition that are approved by majority vote to be in full force and effect as the law of Utah on the effective date described in Section 20A-7-311.
 - (b) When the governor determines that two laws, or that parts of two laws approved by the people at the same election are entirely in conflict, the governor shall proclaim to be law the law that received the greatest number of affirmative votes, regardless of the difference in the majorities which those approved laws received.
- (4)
 - (a) Within 10 days after the day on which the governor issues the proclamation described in Subsection (3), any qualified voter who signed the referendum petition for the law that is declared by the governor to be superseded by another law approved at the same election may apply to the appropriate court to review the governor's decision.
 - (b) The court shall:
 - (i) consider the matter and decide whether the approved laws are in conflict; and
 - (ii) enter an order consistent with the court's decision.
- (5) Within 10 days after the day on which the court enters an order described in Subsection (4)(b)(ii), the governor shall:
 - (a) proclaim as law all those laws approved by the people that the court determines are not in conflict; and
 - (b) of all those laws approved by the people as law that the court determines to be in conflict, proclaim as law the one that receives the greatest number of affirmative votes, regardless of difference in majorities.

Amended by Chapter 107, 2023 General Session

20A-7-311 Temporary stay -- Effective date -- Effect of repeal by Legislature.

- (1) If, at the time during the counting period described in Section 20A-7-307, the lieutenant governor determines that, at that point in time, an adequate number of signatures are certified to comply with the signature requirements, the lieutenant governor shall:
 - (a) issue an order temporarily staying the law from going into effect; and
 - (b) continue the process of certifying signatures and removing signatures as required by this part.
- (2) The temporary stay described in Subsection (1) remains in effect, regardless of whether a future count falls below the signature threshold, until the day on which:
 - (a) if the lieutenant governor declares the referendum petition insufficient, five days after the day on which the lieutenant governor declares the referendum petition insufficient; or
 - (b) if the lieutenant governor declares the referendum petition sufficient, the day on which governor issues the proclamation described in Section 20A-7-310.
- (3) A law submitted to the people by referendum that is approved by the voters at an election takes effect the later of:
 - (a) five days after the date of the official proclamation of the vote by the governor; or
 - (b) the effective date specified in the approved law.
- (4) If, after the lieutenant governor issues a temporary stay order under Subsection (1)(a), the lieutenant governor declares the referendum petition insufficient, the law that is the subject of the referendum petition takes effect the later of:
 - (a) five days after the day on which the lieutenant governor declares the referendum petition insufficient; or
 - (b) the effective date specified in the law that is the subject of the referendum petition.
- (5)
 - (a) The governor may not veto a law approved by the people.
 - (b) The Legislature may amend any laws approved by the people at any legislative session after the people approve the law.
- (6) If the Legislature repeals a law challenged by referendum petition under this part, the referendum petition is void and no further action on the referendum petition is required.

Amended by Chapter 107, 2023 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 referendum petition at one election;
 - (c) knowingly indicate that a person who signed a referendum petition signed the referendum petition on a date other than the date that the person signed the petition;
 - (d) sign a referendum petition 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, or to electronically sign the verification for a signature under Subsection 20A-21-201(10) knowing that:
 - (a) the signature date associated with the person's signature for the referendum petition is not the date that the person signed the referendum petition;

- (b) the person has not witnessed the signatures of those persons whose signatures the person collects or submits; or
 - (c) one or more individuals who sign the referendum petition are not 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.

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 referendum petition at one election;
 - (c) knowingly indicate that a person who signed a referendum petition signed the referendum petition on a date other than the date that the person signed the petition;
 - (d) sign a referendum petition 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, or to electronically sign the verification for a signature under Subsection 20A-21-201(10) knowing that:
- (a) the signature date associated with the person's signature for the referendum petition is not the date that the person signed the referendum petition;
 - (b) the person has not witnessed the signatures of those persons whose signatures the person collects or submits; or
 - (c) one or more individuals who sign the referendum petition are not 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;
 - (d) accept payment to have the person's name removed from a referendum petition; or
 - (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:
 - (i) does not obtain the voluntary direction or consent of the voter;
 - (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction or consent;
 - (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;
 - (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
 - (v) intentionally or knowingly enters false information on the signature sheet or statement.
- (4) Any person violating this section is guilty of a class A misdemeanor.

Amended by Chapter 442, 2024 General Session

20A-7-313 Electronic referendum process -- Form of referendum petition -- Circulation requirements -- Signature collection.

(1) This section applies only to the electronic referendum process.

(2)

(a) The first screen presented on the approved device shall include the following statement:

"This REFERENDUM PETITION is addressed to the Honorable _____, Lieutenant Governor:

The citizens of Utah who sign this petition 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 Legislature of the state of Utah during the _____ Session, be referred to the people of Utah for their approval or rejection at a regular general election or a statewide special election."

(b) An individual may not advance to the second screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."

(3)

(a) The second screen presented on the approved device shall include the entire text of the law that is the subject of the referendum petition.

(b) An individual may not advance to the third screen until the individual clicks a link at the bottom of the second screen stating, "By clicking here, I attest that I have read and understand the entire text of the law that is the subject of the referendum petition."

(4)

(a) The third screen presented on the approved device shall include a statement indicating whether persons gathering signatures for the referendum petition may be paid for gathering signatures.

(b) An individual may not advance to the fourth screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."

(5) The fourth screen presented on the approved device shall include the following statement, followed by links where the individual may click "yes" or "no":

"I have personally read the entirety of each statement presented on this device;

I am personally signing this referendum petition;

I am registered to vote in Utah; and

All information I enter on this device, including my residence and post office address, is accurate.

It is a class A misdemeanor for an individual to sign a referendum 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 referendum petition, or to sign a referendum petition when the individual knows that the individual is not a registered voter.

WARNING

Even if your voter registration record is classified as private, your name, voter identification number, and date of signature in relation to signing this referendum petition will be made public.

Do you wish to continue and sign this referendum petition?"

(6)

(a) If the individual clicks "no" in response to the question described in Subsection (5), the next screen shall include the following statement, "Thank you for your time. Please return this device to the signature-gatherer."

- (b) If the individual clicks "yes" in response to the question described in Subsection (5), the website, or the application that accesses the website, shall take the signature-gatherer and the individual signing the referendum petition through the signature process described in Section 20A-21-201.

Amended by Chapter 442, 2024 General Session

20A-7-314 Electronic referendum process -- Obtaining signatures -- Request to remove signature.

- (1) This section applies to the electronic referendum process.
- (2) A Utah voter may sign a referendum petition if the voter is a legal voter.
- (3) The sponsors shall ensure that the signature-gatherer who collects a signature from an individual:
 - (a) verifies that the individual is at least 18 years old and meets the residency requirements of Section 20A-2-105; and
 - (b) is informed that each signer is required to read and understand the law that is the subject of the referendum petition.
- (4) A voter who signs a referendum petition may have the voter's signature removed from the referendum petition by, in accordance with Section 20A-1-1003, 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:
 - (a) 30 days after the day on which the voter signs the statement requesting removal; or
 - (b) 45 days after the day on which the lieutenant governor posts the voter's name under Subsection 20A-7-315(4).
- (5)
 - (a) A voter may not submit a signature removal statement described in Subsection (4) by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section 20A-21-201.
 - (b) A person may only remove an electronic signature from a referendum petition in accordance with this section.
 - (c) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from a referendum petition, in accordance with Subsection 20A-1-1003(3).

Amended by Chapter 442, 2024 General Session

20A-7-315 Electronic referendum process -- Collecting signatures -- Removal of signatures.

- (1) This section applies only to the electronic referendum process.
- (2) A signature-gatherer may not collect a signature after 5 p.m., 40 days after the day on which the legislative session at which the law passed ends.
- (3) The lieutenant governor shall send to each individual who provides a valid email address during the signature-gathering process an email that includes the following:
 - (a) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature"; and
 - (b) the body of the email shall include the following statement in 12-point type:
 - "You signed a petition for the following referendum:
[insert title of referendum]
To access a copy of the referendum petition, the law that is the subject of the referendum petition, and information on the deadline for removing your signature from the

referendum petition, please visit the following link: [insert a uniform resource locator that takes the individual directly to the page on the lieutenant governor's website that includes the information referred to in the email]."

- (4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs a referendum petition is certified under Section 20A-21-201, post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor.
- (5)
 - (a) If the county clerk timely receives a statement requesting signature removal under Subsection 20A-7-314(4), the county clerk shall:
 - (i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (4); and
 - (ii) remove the voter's signature from the referendum petition and the signature totals.
 - (b) The county clerk shall comply with Subsection (5)(a) before the later of:
 - (i) the deadline described in Subsection (4); or
 - (ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection 20A-7-314(4).

Amended by Chapter 107, 2023 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 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 city or county into eight contiguous and compact voter participation areas of substantially equal population; and
 - (ii) 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 city or county into four contiguous and compact voter participation areas of substantially equal population.
 - (b) A 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 county of the fifth or sixth class, a city of the fifth class, or a town.
 - (b) A 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.

Amended by Chapter 438, 2024 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 63A-16-601, 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 or an agent of the sponsors do not timely deliver any verified initiative packets or any verified referendum packets under Section 20A-7-105, 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 63A-16-601, and the home page of the county's website, until:
 - (i) if the sponsors of the proposed initiative or referendum or an agent of the sponsors do not timely deliver any verified initiative packets or any verified referendum packets under Section 20A-7-105, 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.

Amended by Chapter 116, 2023 General Session

20A-7-402 Local voter information pamphlet -- Notice -- 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 publishing the notice for the municipality, as a class A notice under Section 63G-30-102, for the time period set under Subsection (2)(c)(i).
 - (b) A county that is subject to a special local ballot proposition shall publish a notice that complies with the requirements of Subsection (2)(c)(ii) for the county, as a class A notice under Section 63G-30-102.
 - (c) A municipality or county that publishes a notice under Subsection (2)(a) or (b) shall:
 - (i) publish 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 64 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 60 days before the day of the election at which the ballot proposition is to be voted on.
 - (g)
 - (i) A sponsor of a special local ballot proposition may prepare a written argument in favor of the special local ballot proposition.
 - (ii) 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.
 - (h) 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 55 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.
 - (i) 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 (2)(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 (2)(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) 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:
 - (i) 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)
- (a) 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.
- (9)
- (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)
- (a) 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)
- (a) 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)
 - (i) 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)
 - (i) 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 435, 2023 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

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, after filing an initiative application, 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 city of the first class:
 - (i) 7.5% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75% of the 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 city of the second class:
 - (i) 8.25% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75% of the 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 city of the third class:
 - (i) 10% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75% of the 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 city of the fourth class:
 - (i) 11.5% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the city's voter participation areas;
 - (i) for a city of the fifth class or a county of the fifth class, 25% of the number of active voters in the city or county; or

- (j) for a town or a county of the sixth class, 35% of the number of active voters in the town or county.
- (3) If the total number of certified signatures collected for the initiative petition equals or exceeds the number of signatures 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 initiative application 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 initiative application 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 law proposed by initiative 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 proposed law that receives the greatest number of affirmative votes shall control all conflicts.

Amended by Chapter 438, 2024 General Session

20A-7-502 Local initiative process -- Application procedures.

- (1) Individuals wishing to circulate an initiative petition shall file an initiative application with the local clerk.
- (2) The initiative application shall include:
 - (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 registered to vote in Utah;
 - (c) the signature of each of the sponsors, acknowledged by a notary public;
 - (d) a copy of the proposed law that includes:
 - (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 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 initiative petition may be paid for gathering signatures.
- (3) A proposed law submitted under this section may not contain more than one subject to the same extent that a bill may not pass containing more than one subject as provided in Utah Constitution, Article VI, Section 22.

Amended by Chapter 107, 2023 General Session

20A-7-502.5 Initial fiscal and legal impact statement -- Preparation of statement.

- (1) Within three business days after the day on which the local clerk receives an initiative application, the local clerk shall submit a copy of the initiative 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 initial fiscal and legal impact statement for the proposed law 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 information described in this Subsection (2)(a) and of the estimated fiscal impact, if any, under the proposed law.
 - (b)

- (i) 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 and legal 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 and legal statement 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 and legal statement in substantially the following form:

"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."
- (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) send a copy of the initial fiscal impact and legal statement to the local clerk's office; and
 - (b) send a copy of the initial fiscal impact and legal statement to the first three sponsors named in the initiative application.

Amended by Chapter 442, 2024 General Session

20A-7-502.6 Posting initiative information.

- (1) Within one business day after the day on which the local clerk's office receives the initial fiscal impact and legal statement under Subsection 20A-7-502.5(4)(a), the local clerk shall post the following information together in a conspicuous place on the local clerk's website:
- (a) the initiative application;
 - (b) the initiative petition;
 - (c) the text of the proposed law;
 - (d) the initial fiscal impact and legal statement; and
 - (e) information describing how an individual may remove the individual's signature from the initiative petition.
- (2) The local clerk shall:
- (a) promptly update the information described in Subsection (1) if the information changes; and
 - (b) maintain the information described in Subsection (1) on the local clerk's website until the initiative fails to qualify for the ballot or is passed or defeated at an election.

Amended by Chapter 107, 2023 General Session

20A-7-502.7 Referability to voters.

- (1) Within 20 days after the day on which an eligible voter files an initiative application under Section 20A-7-502, counsel for the county, city, or town to which the initiative pertains shall:
 - (a) review the proposed law that is the subject of 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 that is the subject of an initiative application is legally referable to voters unless:
 - (a) the proposed law:
 - (i) is patently unconstitutional;
 - (ii) is nonsensical;
 - (iii) is administrative, rather than legislative, in nature;
 - (iv) could not become law if passed;
 - (v) contains more than one subject as evaluated in accordance with Subsection 20A-7-502(3);or
 - (b) 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 initiative application for the current proposed law is filed;
 - (c) the subject of the proposed law is not clearly expressed in the law's title; or
 - (d) the initiative application 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, or town 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, or town 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 by the initiative application is legally referable to voters, the local clerk shall comply with Subsection 20A-7-504(3), or give the sponsors access to the website defined in Section 20A-21-101, within five days after the day on which the determination, and any appeal of the determination, is final.

Amended by Chapter 438, 2024 General Session

20A-7-503 Manual initiative process -- Form of initiative petition and signature sheet.

- (1) This section applies only to the manual initiative process.
- (2)
 - (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 initiative 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; and

My residence and post office address are written correctly after my name."

- (b) If the initiative proposes a tax increase, the following statement shall appear, in at least 14-point, bold type, immediately following the information described in Subsection (2)(a):

"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."
 - (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the proposed law to each initiative petition.
- (3) Each initiative 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) include the title of the initiative printed below the horizontal line, in at least 14-point, bold type;
 - (d) include a table immediately below the title of the initiative, and beginning .5 inch from the left side of the paper, as follows:
 - (i) the first column shall be .5 inch wide and include three rows;
 - (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;
 - (iii) the second row of the first column shall be .35 inch tall;
 - (iv) the third row of the first column shall be .5 inch tall;
 - (v) the second column shall be 2.75 inches wide;
 - (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
 - (vii) the second row of the second column shall be .5 inch tall;
 - (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
 - (ix) the fourth row of the second column shall be .5 inch tall;
 - (x) the third column shall be 2.75 inches wide;
 - (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
 - (xii) the second row of the third column shall be .5 inch tall;
 - (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
 - (xiv) the fourth row of the third column shall be .5 inch tall;
 - (xv) the fourth column shall be one inch wide;
 - (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
 - (xvii) the second row of the fourth column shall be .5 inch tall;
 - (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;

- (xix) the fourth row of the third column shall be .5 inch tall; and
- (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words "By signing this initiative petition, you are stating that you have read and understand the law proposed by this initiative petition." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (3)(f); and

(f) at the bottom of the sheet, include in the following order:

- (i) the words "Fiscal and legal impact of" followed by the title of the initiative, in at least 12-point, bold type;
- (ii) the summary statement in the initial fiscal impact and legal 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) if the initiative proposes a tax increase, the following statement in 12-point, 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

- (iv) the word "Warning," in 12-point, bold type, 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 initiative petition, or to sign an initiative petition when the individual knows that the individual is not a registered voter.

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."

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

"Verification of signature collector

State of Utah, County of _____

I, _____, of _____, hereby state, under penalty of perjury, that:

I 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 did not knowingly make a misrepresentation of fact concerning the law proposed by the initiative;

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.

(Name)

(Residence Address)

(Date)

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)".

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

20A-7-503 Manual initiative process -- Form of initiative petition and signature sheet.

- (1) This section applies only to the manual initiative process.

(2)

- (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 initiative petition or, if I am an individual with a qualifying disability, I have signed this initiative petition by directing the signature gatherer to enter the initials "AV" as my signature;

The date next to my signature correctly reflects the date that I actually signed the petition;

I have personally read the entire statement included with this packet;

I am registered to vote in Utah; and

My residence and post office address are written correctly after my name."

- (b) If the initiative proposes a tax increase, the following statement shall appear, in at least 14-point, bold type, immediately following the information described in Subsection (2)(a):

"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."

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

- (3) Each initiative 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) include the title of the initiative printed below the horizontal line, in at least 14-point, bold type;

- (d) include a table immediately below the title of the initiative, and beginning .5 inch from the left side of the paper, as follows:

- (i) the first column shall be .5 inch wide and include three rows;

- (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;

- (iii) the second row of the first column shall be .35 inch tall;

- (iv) the third row of the first column shall be .5 inch tall;

- (v) the second column shall be 2.75 inches wide;

- (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

- (vii) the second row of the second column shall be .5 inch tall;
 - (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
 - (ix) the fourth row of the second column shall be .5 inch tall;
 - (x) the third column shall be 2.75 inches wide;
 - (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
 - (xii) the second row of the third column shall be .5 inch tall;
 - (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
 - (xiv) the fourth row of the third column shall be .5 inch tall;
 - (xv) the fourth column shall be one inch wide;
 - (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
 - (xvii) the second row of the fourth column shall be .5 inch tall;
 - (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
 - (xix) the fourth row of the third column shall be .5 inch tall; and
 - (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words "By signing this initiative petition, you are stating that you have read and understand the law proposed by this initiative petition." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (3)(f); and
- (f) at the bottom of the sheet, include in the following order:
- (i) the words "Fiscal and legal impact of" followed by the title of the initiative, in at least 12-point, bold type;
 - (ii) the summary statement in the initial fiscal impact and legal 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) if the initiative proposes a tax increase, the following statement in 12-point, 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
 - (iv) the word "Warning," in 12-point, bold type, 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 initiative petition, or to sign an initiative petition when the individual knows that the individual is not a registered voter.
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."
- (4) The final page of each initiative packet shall contain the following printed or typed statement:
- "Verification of signature collector
State of Utah, County of _____
I, _____, of _____, hereby state, under penalty of perjury, that:

I 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 or, in the case of an individual with a qualifying disability, I have signed this initiative petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature;

I certify that, for each individual whose signature is represented in this initiative packet by the initials "AV":

I obtained the individual's voluntary direction or consent to sign the initiative petition on the individual's behalf;

I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

I do not believe, or have reason to believe, that the individual did not understand the purpose or nature of my signing the initiative petition on the individual's behalf;

I did not intentionally or knowingly deceive the individual into directing me to, or consenting for me to, sign the initiative petition on the individual's behalf; and

I did not intentionally or knowingly enter false information on the signature sheet;

I did not knowingly make a misrepresentation of fact concerning the law proposed by the initiative; and

I believe that each individual's name, post office address, and residence is written correctly, that each signer has read the law proposed by the initiative, and that each signer is registered to vote in Utah.

(Name)

(Residence Address)

(Date)

The correct date of signature appears next to each 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)".

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

Amended by Chapter 442, 2024 General Session

20A-7-504 Manual initiative process -- Circulation requirements -- Local clerk to provide sponsors with materials.

- (1) This section applies only to the manual initiative process.
- (2) In order to obtain the necessary number of signatures required by this part, the sponsors or an agent of the sponsors shall, after the sponsors receive the documents described in Subsections (3) and 20A-7-401.5(4)(b), circulate initiative packets that meet the form requirements of this part.
- (3) Within five days after the day on which a county, city, town, 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 provide to the sponsors:
 - (a) a copy of the initiative petition;

- (b) a signature sheet; and
 - (c) a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b)
- (4) The sponsors of the initiative shall:
- (a) arrange and pay for the printing of all documents that are part of the initiative packets; and
 - (b) ensure that the initiative packets and the documents described in Subsection (4)(a) meet the requirements of this part.
- (5)
- (a) The sponsors or an agent of the sponsors may prepare the initiative packets for circulation by creating multiple initiative packets.
 - (b) The sponsors or an agent of the sponsors shall create initiative packets by binding a copy of the initiative petition with the text of the proposed law and no more than 50 signature sheets together at the top in a manner that the initiative packets may be conveniently opened for signing.
 - (c) An initiative packet is not required to have a uniform number of signature sheets.
 - (d) The sponsors or an agent of the sponsors shall include, with each initiative packet, a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).
- (6)
- (a) The sponsors or an agent of the sponsors shall, before gathering signatures:
 - (i) contact the county clerk to receive a range of numbers that the sponsors may use to number initiative packets; and
 - (ii) number each initiative packet, sequentially, within the range of numbers provided by the county clerk, starting with the lowest number in the range.
 - (b) The sponsors or an agent of the sponsors may not:
 - (i) number an initiative packet in a manner not directed by the county clerk; or
 - (ii) circulate or submit an initiative packet that is not numbered in the manner directed by the county clerk.
 - (c) The county clerk shall keep a record of the number range provided under Subsection (6)(a).

Amended by Chapter 438, 2024 General Session

Amended by Chapter 442, 2024 General Session

20A-7-507 Evaluation by the local clerk.

- (1) In relation to the manual initiative process, when a local clerk receives an initiative packet from a county clerk, the local clerk shall record the number of the initiative packet received.
- (2) The county clerk shall:
 - (a) in relation to the manual initiative process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 90 days; and
 - (ii) update on the local government's website the number of signatures certified as of the date of the update; or
 - (b) in relation to the electronic initiative process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 90 days; and

- (ii) update on the local government's website the number of signatures certified as of the date of the update.
- (3) The local clerk:
 - (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be sufficient or insufficient:
 - (i) in relation to the manual initiative process, no later than 21 days after the day of the applicable deadline described in Subsection 20A-7-105(5)(a)(iii); or
 - (ii) in relation to the electronic initiative process, no later than 21 days after the day of the applicable deadline described in Subsection 20A-7-516(2); or
 - (b) may declare the initiative petition to be insufficient before the day described in Subsection (3)(a) if:
 - (i) in relation to the manual initiative process, the total of all valid signatures on timely and lawfully submitted initiative packets that have been certified by the county clerks, plus the number of signatures on timely and lawfully submitted initiative packets that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-501;
 - (ii) in relation to the electronic initiative process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b) that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-501; or
 - (iii) a requirement of this part has not been met.
- (4)
 - (a) If the total number of names certified under Subsection (3) 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 initiative petition the word "sufficient."
 - (b) If the total number of names certified under Subsection (3) 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 initiative petition the word "insufficient."
 - (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's finding.
 - (d) After an initiative petition is declared insufficient, a person may not submit additional signatures to qualify the initiative for the ballot.
- (5) If the local clerk finds the total number of certified signatures for the initiative petition to be insufficient, any sponsor may file a written demand with the local clerk for a recount of the signatures collected for the initiative petition in the presence of any sponsor.
- (6) An initiative petition determined to be sufficient in accordance with this section is qualified for the ballot.

Amended by Chapter 107, 2023 General Session
Amended by Chapter 116, 2023 General Session

20A-7-508 Short title and summary of initiative -- Duties of local clerk and local attorney.

- (1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the initiative 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 for each initiative:

- (i) an impartial short title, not exceeding 25 words, that generally describes the subject of the initiative; and
 - (ii) an impartial summary of the contents of the initiative, not exceeding 125 words;
 - (c) file the proposed short title, summary, 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 short title and summary to:
 - (i) the sponsors of the initiative; and
 - (ii) the local legislative body for the jurisdiction where the initiative petition was circulated.
- (3)
- (a) The short title and summary may be distinct from the title of the proposed law.
 - (b) In preparing a short title, the local attorney shall, to the best of the local attorney's ability, give a true and impartial description of the subject of the initiative.
 - (c) In preparing a summary, the local attorney shall, to the best of the local attorney's ability, give a true and impartial summary of the contents of the initiative.
 - (d) The short title and summary may not intentionally be an argument, or likely to create prejudice, for or against the initiative.
 - (e) If the initiative proposes a tax increase, the local attorney shall include the following statement, in bold, in the summary:

"This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate."
- (4)
- (a) Within five calendar days after the date the local attorney files a proposed short title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where the initiative petition was circulated and the sponsors of the initiative may file written comments in response to the proposed short title and summary 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 short title and summary that meets the requirements of Subsection (3); and
 - (iii) return the initiative petition and file the short title and summary with the local clerk.
 - (c) Subject to Subsection (6), for each county or municipal initiative, the following shall be printed on the official ballot:
 - (i) the short title; and
 - (ii) except as provided in Subsection (4)(d):
 - (A) the summary;
 - (B) a copy of the proposed law; and
 - (C) a link to a location on the election officer's website where a voter may review additional information relating to each initiative, including the information described in Subsection 20A-7-502(2), the initial fiscal impact and legal statement described in Section 20A-7-502.5, as updated, and the arguments relating to the initiative that are included in the local voter information pamphlet.
 - (d) Unless the information described in Subsection (4)(c)(ii) is printed on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes the short title and summary for each initiative on the ballot and a link to a location on the election officer's website where a voter may review the additional information described in Subsection (4)(c)(ii)(C).

- (e) Unless the information described in Subsection (4)(c)(ii) for all initiatives on the ballot, and the information described in Subsection 20A-7-608(4)(c)(ii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."
- (5) Immediately after the local attorney files a copy of the short title and summary with the local clerk, the local clerk shall send a copy of the short title and summary to the sponsors of the initiative and the local legislative body for the jurisdiction where the initiative petition was circulated.
- (6)
 - (a) If the short title or summary 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 appropriate court by:
 - (i) at least three sponsors of the initiative; 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 short title and summary and consider arguments; and
 - (ii) enter an order consistent with the requirements of this section.
 - (c) The local clerk shall include the short title and summary in the ballot or ballot proposition insert, as required by this section.

Amended by Chapter 442, 2024 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 the 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 are 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, the local

legislative body shall proclaim as law the initiative that received the greatest number of affirmative votes, regardless of the difference in the majorities which those initiatives have received.

- (c)
 - (i) Within 10 days after the day on which the local legislative body issues the 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 initiative approved at the same election may bring an action in the appropriate 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 enters an order under Subsection (3)(c)(ii), the local legislative body shall:
 - (a) proclaim as law all initiatives approved by the people that the court determines are not in conflict; and
 - (b) for the initiatives approved by the people as law that the court determines to be in conflict, proclaim as law the initiative that received the greatest number of affirmative votes, regardless of the difference in majorities.

Amended by Chapter 107, 2023 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 an initiative petition or a statement described in Subsection 20A-7-105(8) or 20A-7-515(4);
 - (b) knowingly sign the individual's name more than once for the same initiative at one election;
 - (c) knowingly indicate that an individual who signed an initiative petition signed the initiative petition on a date other than the date that the individual signed the initiative petition;
 - (d) sign an initiative petition knowing the individual is not a legal voter; or
 - (e) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for an individual to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(10), knowing that:
 - (a) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;
 - (b) the individual has not witnessed the signatures of the individuals whose signatures the individual collects or submits; or

- (c) one or more individuals who signed the initiative petition are not registered to vote in Utah.
- (3) It is unlawful for an individual to:
 - (a) pay an individual to sign an initiative petition;
 - (b) pay an individual to remove the individual's signature from an initiative petition;
 - (c) accept payment to sign an initiative petition; or
 - (d) accept payment to have the individual's name removed from an initiative petition.
- (4) A violation of this section is a class A misdemeanor.

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 an initiative petition or a statement described in Subsection 20A-7-105(8) or 20A-7-515(4);
 - (b) knowingly sign the individual's name more than once for the same initiative at one election;
 - (c) knowingly indicate that an individual who signed an initiative petition signed the initiative petition on a date other than the date that the individual signed the initiative petition;
 - (d) sign an initiative petition knowing the individual is not a legal voter; or
 - (e) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for an individual to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(10), knowing that:
 - (a) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;
 - (b) the individual has not witnessed the signatures of the individuals whose signatures the individual collects or submits; or
 - (c) one or more individuals who signed the initiative petition are not registered to vote in Utah.
- (3) It is unlawful for an individual to:
 - (a) pay an individual to sign an initiative petition;
 - (b) pay an individual to remove the individual's signature from an initiative petition;
 - (c) accept payment to sign an initiative petition;
 - (d) accept payment to have the individual's name removed from an initiative petition; or
 - (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:
 - (i) does not obtain the voluntary direction or consent of the voter;
 - (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction or consent;
 - (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;
 - (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
 - (v) intentionally or knowingly enters false information on the signature sheet or statement.
- (4) A violation of this section is a class A misdemeanor.

Amended by Chapter 442, 2024 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, 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 estimate in the initial fiscal impact and legal statement 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 passage of the initiative.

Amended by Chapter 107, 2023 General Session

20A-7-514 Electronic initiative process -- Form of initiative petition -- Circulation requirements -- Signature collection.

- (1) This section applies only to the electronic initiative process.
- (2)
 - (a) The first screen presented on the approved device shall include the following statement:

"This INITIATIVE PETITION is addressed to the Honorable _____, County Clerk/City Recorder/Town Clerk:
The citizens of Utah who sign this petition 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."
 - (b) An individual may not advance to the second screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."
- (3)
 - (a) The second screen presented on the approved device shall include the title of proposed law, described in Subsection 20A-7-502(2)(d)(i), followed by the entire text of the proposed law.
 - (b) An individual may not advance to the third screen until the individual clicks a link at the bottom of the second screen stating, "By clicking here, I attest that I have read and understand the entire text of the proposed law."
- (4) Subsequent screens shall be presented on the device in the following order, with the individual viewing the device being required, before advancing to the next screen, to click a link at the bottom of the screen with the following statement, "By clicking here, I attest that I have read and understand the information presented on this screen."
 - (a)
 - (i) if the initiative proposes a tax increase, the following statement, "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."; or
 - (ii) if the initiative does not propose a tax increase, the following statement, "This initiative does not propose a tax increase.";

- (b) the summary statement from the initial fiscal impact and legal 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);
- (c) a statement indicating whether persons gathering signatures for the initiative petition may be paid for gathering signatures; and
- (d) the following statement, followed by links where the individual may click "yes" or "no":
 - "I have personally read the entirety of each statement presented on this device;
 - I am personally signing this petition;
 - I am registered to vote in Utah; and
 - All information I enter on this device, including my residence and post office address, is accurate.

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 initiative petition, or to sign an initiative petition when the individual knows that the individual is not a registered voter.

WARNING

Even if your voter registration record is classified as private, your name, voter identification number, and date of signature in relation to signing this initiative petition will be made public.

Do you wish to continue and sign this initiative petition?"

- (5)
 - (a) If the individual clicks "no" in response to the question described in Subsection (4)(d), the next screen shall include the following statement, "Thank you for your time. Please return this device to the signature-gatherer."
 - (b) If the individual clicks "yes" in response to the question described in Subsection (4)(d), the website, or the application that accesses the website, shall take the signature-gatherer and the individual signing the petition through the signature process described in Section 20A-21-201.

Amended by Chapter 442, 2024 General Session

20A-7-515 Electronic initiative process -- Obtaining signatures -- Request to remove signature.

- (1) This section applies to the electronic initiative process.
- (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and resides in the local jurisdiction.
- (3) The sponsors shall ensure that the signature-gatherer who collects a signature from an individual:
 - (a) verifies that the individual is at least 18 years old and meets the residency requirements of Section 20A-2-105; and
 - (b) is informed that each signer is required to read and understand the law proposed by the initiative.
- (4)
 - (a) A voter who signs an initiative petition may have the voter's signature removed from the initiative petition by, in accordance with Section 20A-1-1003, 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) 30 days after the day on which the voter signs the signature removal statement;
- (ii) 90 days after the day on which the local clerk posts the voter's name under Subsection 20A-7-516(4);
- (iii) 316 days after the day on which the initiative application is filed; or
- (iv)
 - (A) for a county initiative, April 15 immediately before the next regular general election immediately after the initiative application is filed under Section 20A-7-502; or
 - (B) for a municipal initiative, April 15 immediately before the next municipal general election immediately after the initiative application is filed under Section 20A-7-502.
- (b) A voter may not submit a signature removal statement described in Subsection (4)(a) by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section 20A-21-201.
- (c) A person may only remove an electronic signature from an initiative petition in accordance with this section.
- (d) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from an initiative petition, in accordance with Subsection 20A-1-1003(3).

Amended by Chapter 442, 2024 General Session

20A-7-516 Electronic initiative process -- Collecting signatures -- Email notification -- Removal of signatures.

- (1) This section applies only to the electronic initiative process.
- (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:
 - (a) 316 days after the day on which the initiative application is filed; or
 - (b)
 - (i) for a county initiative, April 15 immediately before the next regular general election immediately after the initiative application is filed under Section 20A-7-502; or
 - (ii) for a municipal initiative, April 15 immediately before the next municipal general election immediately after the initiative application is filed under Section 20A-7-502.
- (3) The local clerk shall send to each individual who provides a valid email address during the signature-gathering process an email that includes the following:
 - (a) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature"; and
 - (b) the body of the email shall include the following statement in 12-point type:

"You signed a petition for the following initiative:
[insert title of initiative]
To access a copy of the initiative petition, the text of the law proposed by the initiative, the initial fiscal impact and legal statement, and information on the deadline for removing your signature from the initiative petition, please visit the following link: [insert a uniform resource locator that takes the individual directly to the page on the lieutenant governor's website that includes the information referred to in the email]."
- (4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs an initiative petition is certified under Section 20A-21-201, post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor.
- (5)

- (a) If the local clerk timely receives a statement requesting signature removal under Subsection 20A-7-515(4), the local clerk shall:
 - (i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (4); and
 - (ii) remove the voter's signature from the initiative petition and the initiative petition signature totals.
- (b) The local clerk shall comply with Subsection (5)(a) before the later of:
 - (i) the deadline described in Subsection (4); or
 - (ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection 20A-7-515(4).

Amended by Chapter 107, 2023 General Session

Part 6 Local Referenda - Procedures

20A-7-601 Referenda -- General signature requirements -- Signature requirements for land use laws, subjurisdictional laws, and transit area land use 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) "Qualifying county" means a county that has created a small public transit district, as defined in Section 17B-2a-802, on or before January 1, 2022.
 - (c) "Qualifying transit area" means:
 - (i) a station area, as defined in Section 10-9a-403.1, for which the municipality with jurisdiction over the station area has satisfied the requirements of Subsection 10-9a-403.1(2)(a)(i), as demonstrated by the adoption of a station area plan or resolution under Subsection 10-9a-403.1(2); or
 - (ii) a housing and transit reinvestment zone, as defined in Section 63N-3-602, created within a qualifying county.
 - (d) "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.
 - (e)
 - (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, or town.
 - (ii) "Subjurisdictional law" does not include a land use law.
 - (f) "Transit area land use law" means a land use law that relates to the use of land within a qualifying transit area.
 - (g) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a) or (2)(b).
- (2) Except as provided in Subsections (3) through (5), an eligible voter seeking to have a local law passed by the local legislative body submitted to a vote of the people shall, after filing a referendum application, 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 city of the first class:
 - (i) 7.5% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75% of the 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 city of the second class:
 - (i) 8.25% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75% of the 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 city of the third class:
 - (i) 10% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75% of the 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 city of the fourth class:
 - (i) 11.5% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75% of the city's voter participation areas;
 - (i) for a city of the fifth class or a county of the fifth class, 25% of the number of active voters in the city or county; or
 - (j) for a town or a county of the sixth class, 35% of the number of active voters in the town or county.
- (3) Except as provided in Subsection (4) or (5), 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, after filing a referendum application, 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 city of the first class:
 - (i) 15% of the number of active voters in the city; and

- (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75% of the city's voter participation areas;
- (d) for or a city of the second class:
 - (i) 16% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the city's voter participation areas;
- (e) for a city of the third class:
 - (i) 27.5% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75% of the city's voter participation areas;
- (f) for a city of the fourth class:
 - (i) 29% of the number of active voters in the city; and
 - (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75% of the city's voter participation areas;
- (g) for a city of the fifth class, 35% of the number of active voters in the city; or
- (h) for a town, 40% of the number of active voters in the town.
- (4) A person seeking to have a subjurisdictional law passed by the local legislative body submitted to a vote of the people shall, after filing a referendum application, 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) An eligible voter seeking to have a transit area land use law passed by the local legislative body submitted to a vote of the people shall, after filing a referendum application, obtain legal signatures equal to:
 - (a) for a county:
 - (i) 20% of the number of active voters in the county; and
 - (ii) 21% of the number of active voters in at least 75% of the county's voter participation areas;
 - (b) for a city of the first class:
 - (i) 20% of the number of active voters in the city; and
 - (ii) 20% of the number of active voters in at least 75% of the city's voter participation areas;
 - (c) for a city of the second class:
 - (i) 20% of the number of active voters in the city; and
 - (ii) 21% of the number of active voters in at least 75% of the city's voter participation areas;
 - (d) for a city of the third class:
 - (i) 34% of the number of active voters in the city; and
 - (ii) 34% of the number of active voters in at least 75% of the city's voter participation areas;
 - (e) for a city of the fourth class:
 - (i) 36% of the number of active voters in the city; and

- (ii) 36% of the number of active voters in at least 75% of the city's voter participation areas; or
 - (f) for a city of the fifth class or a town, 40% of the number of active voters in the city or town.
- (6) Sponsors of any referendum petition challenging, under Subsection (2), (3), (4), or (5), any local law passed by a local legislative body shall file the application before 5 p.m. within five days after the day on which the local law was passed.
- (7) Nothing in this section authorizes a local legislative body to impose a tax or other payment obligation on a jurisdiction in order to benefit an area outside of the jurisdiction.

Amended by Chapter 427, 2024 General Session

Amended by Chapter 438, 2024 General Session

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

- (1) Individuals wishing to circulate a referendum petition shall file a referendum application with the local clerk.
- (2) The referendum application shall include:
- (a) the name and residence address of at least five sponsors of the referendum petition;
 - (b) a statement indicating that each of the sponsors is registered to vote in Utah;
 - (c) a statement indicating whether persons gathering signatures for the referendum petition may be paid for gathering signatures;
 - (d) the signature of each of the sponsors, acknowledged by a notary public; and
 - (e)
 - (i) if the referendum challenges an ordinance or resolution, a copy of the ordinance or resolution; 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 107, 2023 General Session

20A-7-602.5 Initial fiscal and legal impact statement -- Preparation of statement.

- (1) Within three business days after the day on which the local clerk receives a referendum application, the local clerk shall submit a copy of the referendum 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 initial fiscal and legal impact statement for 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; and
 - (vii) a concise explanation, not exceeding 100 words, of the information described in this Subsection (2)(a) 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 and legal 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 in the initial fiscal and legal impact 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) send a copy of the initial fiscal impact and legal statement to the local clerk's office; and
 - (b) send a copy of the initial fiscal impact and legal statement to the first three sponsors named in the referendum application.

Amended by Chapter 442, 2024 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 a referendum application under Section 20A-7-602 for a local law other than a land use law, counsel for the county, city, or town to which the referendum pertains shall:
 - (a) review the referendum 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 referendum application 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, or town 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, or town 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(3), or give the sponsors access to the website defined in Section 20A-21-101, within five days after the day on which the determination, and any challenge or appeal of the determination, is final.

Amended by Chapter 438, 2024 General Session

20A-7-602.8 Referability to voters of local land use law.

- (1) Within 20 days after the day on which a referendum eligible voter files an application under Section 20A-7-602 for a land use law, counsel for the county, city, or town to which the referendum pertains shall:
 - (a) review the referendum 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)
 - (a) Subject to Subsection (2)(b), for a land use law, a proposed referendum is legally referable to voters unless:
 - (i) the proposed referendum challenges an action that is administrative, rather than legislative, in nature;
 - (ii) 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;
 - (iii) the proposed referendum challenges more than one law passed by the local legislative body; or
 - (iv) the referendum application was not timely filed or does not comply with the requirements of this part.
 - (b) In addition to the limitations of Subsection (2)(a), a proposed referendum is not legally referable to voters for a:

- (i) municipal land use law, as defined in Section 20A-7-101, if the land use law was passed by a unanimous vote of the local legislative body; or
 - (ii) transit area land use law, as defined in Section 20A-7-601, if the transit area land use law was passed by a two-thirds vote of the local legislative body.
- (3) After the end of the 20-day period described in Subsection (1), a county, city, or town 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, or town 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(3), or give the sponsors access to the website defined in Section 20A-21-101, within five days after the day on which the determination, and any challenge or appeal of the determination, is final.

Amended by Chapter 438, 2024 General Session

20A-7-603 Manual referendum process -- Form of referendum petition and signature sheet.

- (1) This section applies only to the manual referendum process.
- (2)
- (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 referendum 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; and

My residence and post office address are written correctly after my name."
 - (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the law that is the subject of the referendum to each referendum petition.
- (3) Each referendum 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) include the title of the referendum printed below the horizontal line, in at least 14-point type;
(d) include a table immediately below the title of the referendum, and beginning .5 inch from the left side of the paper, as follows:

- (i) the first column shall be .5 inch wide and include three rows;
- (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;
- (iii) the second row of the first column shall be .35 inch tall;
- (iv) the third row of the first column shall be .5 inch tall;
- (v) the second column shall be 2.75 inches wide;
- (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
- (vii) the second row of the second column shall be .5 inch tall;
- (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
- (ix) the fourth row of the second column shall be .5 inch tall;
- (x) the third column shall be 2.75 inches wide;
- (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
- (xii) the second row of the third column shall be .5 inch tall;
- (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
- (xiv) the fourth row of the third column shall be .5 inch tall;
- (xv) the fourth column shall be one inch wide;
- (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
- (xvii) the second row of the fourth column shall be .5 inch tall;
- (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
- (xix) the fourth row of the third column shall be .5 inch tall; and
- (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words, "By signing this referendum petition, you are stating that you have read and understand the law that this referendum petition seeks to overturn." in 12-point type;

(e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet or the information described in Subsection (3)(f); and
(f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign a referendum 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 referendum petition, or to sign a referendum petition when the individual knows that the individual is not a registered voter.

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."

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

"Verification of signature collector
State of Utah, County of _____

I, _____, of _____, hereby state, under penalty of perjury, that:

I 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 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, 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.

(Name)

(Residence Address)

(Date)

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 referendum packet to encourage that individual to sign it.

(Name)

(Residence Address)

(Date)".

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

20A-7-603 Manual referendum process -- Form of referendum petition and signature sheet.

(1) This section applies only to the manual referendum process.

(2)

(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 referendum petition or, if I am an individual with a qualifying disability, I have signed this referendum petition by directing the signature gatherer to enter the initials "AV" as my signature;

The date next to my signature correctly reflects the date that I actually signed the petition;

I have personally read the entire statement included with this packet;

I am registered to vote in Utah; and

My residence and post office address are written correctly after my name."

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

(3) Each referendum 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) include the title of the referendum printed below the horizontal line, in at least 14-point type;
- (d) include a table immediately below the title of the referendum, and beginning .5 inch from the left side of the paper, as follows:
 - (i) the first column shall be .5 inch wide and include three rows;
 - (ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;
 - (iii) the second row of the first column shall be .35 inch tall;
 - (iv) the third row of the first column shall be .5 inch tall;
 - (v) the second column shall be 2.75 inches wide;
 - (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
 - (vii) the second row of the second column shall be .5 inch tall;
 - (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
 - (ix) the fourth row of the second column shall be .5 inch tall;
 - (x) the third column shall be 2.75 inches wide;
 - (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
 - (xii) the second row of the third column shall be .5 inch tall;
 - (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
 - (xiv) the fourth row of the third column shall be .5 inch tall;
 - (xv) the fourth column shall be one inch wide;
 - (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
 - (xvii) the second row of the fourth column shall be .5 inch tall;
 - (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
 - (xix) the fourth row of the third column shall be .5 inch tall; and
 - (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words, "By signing this referendum petition, you are stating that you have read and understand the law that this referendum petition seeks to overturn." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet or the information described in Subsection (3)(f); and
- (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign a referendum 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 referendum petition, or to sign a referendum petition when the individual knows that the individual is not a registered voter.

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."

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

"Verification of signature collector

State of Utah, County of _____

I, _____, of _____, hereby state, under penalty of perjury, that:

I 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 or, in the case of an individual with a qualifying disability, I have signed this referendum petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature;

I certify that, for each individual whose signature is represented in this referendum packet by the initials "AV":

I obtained the individual's voluntary direction or consent to sign the referendum petition on the individual's behalf;

I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

I do not believe, or have reason to believe, that the individual did not understand the purpose or nature of my signing the referendum petition on the individual's behalf;

I did not intentionally or knowingly deceive the individual into directing me to, or consenting for me to, sign the referendum petition on the individual's behalf; and

I did not intentionally or knowingly enter false information on the signature sheet;

I did not knowingly make a misrepresentation of fact concerning the law this petition seeks to overturn; and

I believe that each individual's name, post office address, and residence is written correctly, that each signer has read the law that the referendum seeks to overturn, and that each signer is registered to vote in Utah.

(Name)

(Residence Address)

(Date)

The correct date of signature appears next to each individual's name.

I have not paid or given anything of value to any individual who signed this referendum packet to encourage that individual to sign it.

(Name)

(Residence Address)

(Date)".

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

Amended by Chapter 442, 2024 General Session

20A-7-604 Manual referendum process -- Circulation requirements -- Local clerk to provide sponsors with materials.

(1) This section applies only to the manual referendum process.

(2) In order to obtain the necessary number of signatures required by this part, the sponsors or an agent of the sponsors shall, after the sponsors receive the documents described in Subsections

- (3) and 20A-7-401.5(4)(b), circulate referendum packets that meet the form requirements of this part.
- (3) Within five days after the day on which a county, city, town, or court determines, in accordance with Section 20A-7-602.7, that a proposed referendum is legally referable to voters, the local clerk shall provide the sponsors with:
- (a) a copy of the referendum petition;
 - (b) a signature sheet; and
 - (c) a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).
- (4) The sponsors of the referendum petition shall:
- (a) arrange and pay for the printing of all documents that are part of the referendum packets; and
 - (b) ensure that the referendum packets and the documents described in Subsection (4)(a) meet the form requirements of this section.
- (5)
- (a) The sponsors or an agent of the sponsors may prepare the referendum packets for circulation by creating multiple referendum packets.
 - (b) The sponsors or an agent of the sponsors shall create referendum packets by binding a copy of the referendum petition with the text of the law that is the subject of the referendum and no more than 50 signature sheets together at the top in a manner that the referendum packets may be conveniently opened for signing.
 - (c) A referendum packet is not required to have a uniform number of signature sheets.
 - (d) The sponsors or an agent of 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).
- (6)
- (a) The sponsors or an agent of the sponsors shall, before gathering signatures:
 - (i) contact the county clerk to receive a range of numbers that the sponsors may use to number referendum packets;
 - (ii) sign an agreement with the local clerk, specifying the range of numbers that the sponsor will use to number the referendum packets; and
 - (iii) number each referendum packet, sequentially, within the range of numbers provided by the county clerk, starting with the lowest number in the range.
 - (b) The sponsors or an agent of the sponsors may not:
 - (i) number a referendum packet in a manner not directed by the county clerk; or
 - (ii) circulate or submit a referendum packet that is not numbered in the manner directed by the county clerk.

Amended by Chapter 438, 2024 General Session

Amended by Chapter 442, 2024 General Session

20A-7-604.5 Posting referendum information.

- (1) On the day on which the local clerk complies with Subsection 20A-7-604(3), or gives the sponsors access to the website defined in Section 20A-21-101, the local clerk shall post the following information together in a conspicuous place on the local clerk's website:
- (a) the referendum petition;
 - (b) a copy of the law that is the subject of the referendum petition; and
 - (c) information describing how an individual may remove the individual's signature from the referendum petition.

- (2) The local clerk shall:
 - (a) promptly update the information described in Subsection (1) if the information changes; and
 - (b) maintain the information described in Subsection (1) on the local clerk's website until the referendum fails to qualify for the ballot or is passed or defeated at an election.

Amended by Chapter 107, 2023 General Session

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

- (1) In relation to the manual referendum process, when the local clerk receives a referendum packet from a county clerk, the local clerk shall record the number of the referendum packet received.
- (2) The county clerk shall:
 - (a) in relation to the manual referendum process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 days; and
 - (ii) update on the local clerk's website the number of signatures certified as of the date of the update; or
 - (b) in relation to the electronic referendum process:
 - (i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-616(3) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 days; and
 - (ii) update on the lieutenant governor's website the number of signatures certified as of the date of the update.
- (3) The local clerk:
 - (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be sufficient or insufficient:
 - (i) in relation to the manual referendum process, no later than 111 days after the day of the deadline, described in Subsection 20A-7-105(5)(a)(iv), to submit a referendum packet to the county clerk; or
 - (ii) in relation to the electronic referendum process, no later than 111 days after the day of the deadline, described in Subsection 20A-7-616(2), to collect a signature; or
 - (b) may declare the referendum petition to be insufficient before the day described in Subsection (3)(a) if:
 - (i) in relation to the manual referendum process, the total of all valid signatures on timely and lawfully submitted referendum packets that have been certified by the county clerk, plus the number of signatures on timely and lawfully submitted referendum packets that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-601;
 - (ii) in relation to the electronic referendum process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b) that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-601; or
 - (iii) a requirement of this part has not been met.
- (4)

- (a) If the total number of names certified under Subsection (3) equals or exceeds the number of names required under Section 20A-7-601, and the requirements of this part are met, the local clerk shall mark upon the front of the referendum petition the word "sufficient."
 - (b) If the total number of names certified under Subsection (3) does not equal or exceed the number of names required under Section 20A-7-601 or a requirement of this part is not met, the local clerk shall mark upon the front of the referendum petition the word "insufficient."
 - (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's finding.
 - (d) After a referendum petition is declared insufficient, a person may not submit additional signatures to qualify the referendum for the ballot.
- (5)
- (a) If the local clerk refuses to declare a referendum petition sufficient, any voter may, no later than 10 days after the day on which the local clerk declares the referendum petition insufficient, apply to the appropriate court for an order finding the referendum petition legally sufficient.
 - (b) If the court determines that the referendum petition is legally sufficient, the local clerk shall mark the referendum petition "sufficient" and consider the declaration of sufficiency effective as of the date on which the referendum petition should have been declared sufficient by the local clerk's office.
 - (c) If the court determines that a referendum 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 referendum on the official ballot for the next election; or
 - (ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing, or mailing the ballot title and numbers of that referendum under Section 20A-7-609.5.
- (6) A referendum petition determined to be sufficient in accordance with this section is qualified for the ballot.
- (7)
- (a) Except as provided in Subsection (7)(b) or (c), 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) The election officer may place a referendum described in Subsection (7)(a) on the ballot for a special, primary, or general election held during the year that the legislative action was taken if the following agree, in writing, on a timeline to place the referendum on that ballot:
 - (i) the local clerk;
 - (ii) the county clerk; and
 - (iii) the attorney for the county or municipality that took the legislative action.
 - (c) 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:
 - (i) the next general election; or
 - (ii) another election, if the following agree, in writing, on a timeline to place the referendum on that ballot:
 - (A) the affected owners, as defined in Section 10-9a-103 or 17-27a-103, as applicable;
 - (B) the local clerk;
 - (C) the county clerk; and
 - (D) the attorney for the county or municipality that took the legislative action.

Amended by Chapter 107, 2023 General Session

Amended by Chapter 116, 2023 General Session

20A-7-608 Short title and summary of referendum -- Duties of local clerk and local attorney.

- (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the referendum petition and the law to which the referendum relates to the local attorney.
- (2) The local attorney shall:
 - (a) entitle each county or municipal referendum that qualifies for the ballot "Proposition Number ___" and give the referendum a number assigned in accordance with Section 20A-6-107;
 - (b) prepare for the referendum:
 - (i) an impartial short title, not exceeding 25 words, that generally describes the subject of the law to which the referendum relates; and
 - (ii) an impartial summary of the contents of the law to which the referendum relates, not exceeding 125 words;
 - (c) file the proposed short title, summary, and the numbered referendum title 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 short title and summary 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 short title and summary may be distinct from the title of the law that is the subject of the referendum petition.
 - (b) In preparing a short title, the local attorney shall, to the best of the local attorney's ability, give a true and impartial description of the subject of the referendum.
 - (c) In preparing a summary, the local attorney shall, to the best of the local attorney's ability, give a true and impartial summary of the contents of the referendum.
 - (d) The short title and summary may not intentionally be an argument, or likely to create prejudice, for or against the referendum.
- (4)
 - (a) Within five calendar days after the day on which the local attorney files a proposed short title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where the referendum petition was circulated and the sponsors of the referendum petition may file written comments in response to the proposed short title and summary 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 short title and summary that meets the requirements of Subsection (3); and
 - (iii) return the referendum petition and file the short title and summary with the local clerk.
 - (c) Subject to Subsection (6), for each county or municipal referendum, the following shall be printed on the official ballot:
 - (i) the short title; and
 - (ii) except as provided in Subsection (4)(d):
 - (A) the summary;
 - (B) a copy of the ordinance, resolution, or written description of the local law; and
 - (C) a link to a location on the election officer's website where a voter may review additional information relating to each referendum, including the information described in Subsection 20A-7-602(2) and the arguments relating to the referendum that are included in the local voter information pamphlet.

- (d) Unless the information described in Subsection (4)(c)(ii) is printed on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes the short title and summary for each referendum on the ballot and a link to a location on the election officer's website where a voter may review the additional information described in Subsection (4)(c)(ii)(C).
- (e) Unless the information described in Subsection 20A-7-508(4)(c)(ii) for all initiatives on the ballot, and the information described in Subsection (4)(c)(ii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."
- (5) Immediately after the local attorney files a copy of the short title and summary with the local clerk, the local clerk shall send a copy of the short title and summary to the sponsors of the referendum petition and the local legislative body for the jurisdiction where the referendum petition was circulated.
- (6)
 - (a) If the short title or summary provided 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 appropriate court 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 short title and summary and consider the arguments; and
 - (ii) enter an order consistent with the requirements of this section.
 - (c) The local clerk shall include the short title and summary in the ballot or ballot proposition insert, as required by this section.

Amended by Chapter 442, 2024 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)
 - (i) 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)
 - (i) A voter desiring to vote against the law that is the subject of the referendum 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 107, 2023 General Session

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

- (1) An election officer may administer an election on a referendum challenging a local tax law entirely by mail.
- (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) a manual ballot;
 - (ii) a statement that there will be no polling place 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 manual ballot, the voter will be unable to vote in that election because there will be no polling place for 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) 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.

- (4)
 - (a) Upon receiving a returned manual ballot under this section, the election officer shall compare the signature on each return envelope 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 return envelope, the election officer shall immediately contact the voter to verify the signature.
 - (c) If there is not a signature on the return envelope or if the election officer determines that the signature on the return envelope does not match the voter's signature that is maintained on file, the election officer shall:
 - (i) disqualify the ballot; and
 - (ii) notify the voter of the disqualification and the reason for the disqualification.

Amended by Chapter 31, 2020 General Session

20A-7-610 Return and canvass -- Conflicting measures -- Law effective on proclamation.

- (1) The votes on the 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 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 law that is the subject of a referendum petition; and
 - (ii) in accordance with Section 20A-7-611, declares those laws that are the subject of a referendum petition that are 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 laws, or that parts of two laws approved by the people at the same election are entirely in conflict, the local legislative body shall proclaim to be law the law that received the greatest number of affirmative votes, regardless of the difference in the majorities which those approved laws received.
- (4)
 - (a) Within 10 days after the day on which the local legislative body issues the proclamation described in Subsection (3), any qualified voter residing in the jurisdiction for a law that is declared by the local legislative body to be superseded by another law approved at the same election may bring an action in the appropriate court to review the decision.
 - (b) The court shall:
 - (i) consider the matter and decide whether the approved 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 enters an order under Subsection (4)(b)(ii), the local legislative body shall:
 - (a) proclaim as law all those laws approved by the people that the court determines are not in conflict; and
 - (b) of all those laws approved by the people as law that the court determines to be in conflict, proclaim as law the one that receives the greatest number of affirmative votes, regardless of the difference in majorities.

Amended by Chapter 107, 2023 General Session

20A-7-611 Temporary stay -- Effective date -- Effect of repeal by local legislative body.

- (1) Any 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.
- (2) If, at the time during the process described in Subsection 20A-7-607(2), the local clerk determines that, at that point in time, an adequate number of signatures are certified to comply with the signature requirements, the local clerk shall:
 - (a) issue an order temporarily staying the law from going into effect; and
 - (b) continue the process of certifying signatures and removing signatures as required by this part.
- (3) The temporary stay described in Subsection (2) remains in effect, regardless of whether a future count falls below the signature threshold, until the day on which:
 - (a) if the local clerk declares the referendum petition insufficient, five days after the day on which the local clerk declares the referendum petition insufficient; or
 - (b) if the local clerk declares the referendum petition sufficient, the day on which the local legislative body issues the proclamation described in Section 20A-7-610.
- (4) A law submitted to the people by referendum that is approved by the voters at an election takes effect the later of:
 - (a) five days after the date of the official proclamation of the vote by the local legislative body; or
 - (b) the effective date specified in the approved law.
- (5) If, after the local clerk issues a temporary stay order under Subsection (2)(a), the local clerk declares the referendum petition insufficient, the law that is the subject of the referendum petition takes effect the later of:
 - (a) five days after the day on which the local clerk declares the petition insufficient; or
 - (b) the effective date specified in the proposed law.
- (6)
 - (a) A law approved by the people under this part is not subject to veto.
 - (b) The local legislative body may amend any laws approved by the people under this part after the people approve the law.
- (7) If the local legislative body repeals a law challenged by referendum petition under this part, the referendum petition is void and no further action on the referendum petition is required.

Amended by Chapter 107, 2023 General Session

20A-7-612 Misconduct of electors and officers -- Penalty.

- (1) It is unlawful for an individual to:
 - (a) sign a name other than the individual's own name to any referendum petition;
 - (b) knowingly sign the individual's name more than once for the same referendum at one election;
 - (c) knowingly indicate that an individual who signed a referendum petition signed the referendum petition on a date other than the date that the individual signed the referendum petition;
 - (d) sign a referendum petition knowing that the individual is not a legal voter;
 - (e) 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
 - (f) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for an individual to sign the verification for a referendum packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(10), knowing that:

- (a) the signature date associated with the individual's signature for the referendum petition is not the date that the individual signed the referendum petition;
 - (b) the individual has not witnessed the signatures the individual collects or submits; or
 - (c) one or more individuals whose signatures appear in the referendum packet is not registered to vote in Utah.
- (3) It is unlawful for an individual to:
- (a) pay an individual to sign a referendum petition;
 - (b) pay an individual to remove the individual's signature from a referendum petition;
 - (c) accept payment to sign a referendum petition; or
 - (d) accept payment to have the individual's name removed from a referendum petition.
- (4) A violation of this section is a class A misdemeanor.
- (5) The county attorney or municipal attorney shall prosecute any violation of this section.

20A-7-612 Misconduct of electors and officers -- Penalty.

- (1) It is unlawful for an individual to:
- (a) sign a name other than the individual's own name to any referendum petition;
 - (b) knowingly sign the individual's name more than once for the same referendum at one election;
 - (c) knowingly indicate that an individual who signed a referendum petition signed the referendum petition on a date other than the date that the individual signed the referendum petition;
 - (d) sign a referendum petition knowing that the individual is not a legal voter;
 - (e) 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
 - (f) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for an individual to sign the verification for a referendum packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(10), knowing that:
- (a) the signature date associated with the individual's signature for the referendum petition is not the date that the individual signed the referendum petition;
 - (b) the individual has not witnessed the signatures the individual collects or submits; or
 - (c) one or more individuals whose signatures appear in the referendum packet is not registered to vote in Utah.
- (3) It is unlawful for an individual to:
- (a) pay an individual to sign a referendum petition;
 - (b) pay an individual to remove the individual's signature from a referendum petition;
 - (c) accept payment to sign a referendum petition;
 - (d) accept payment to have the individual's name removed from a referendum petition; or
 - (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:
 - (i) does not obtain the voluntary direction or consent of the voter;
 - (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction or consent;
 - (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;
 - (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or

- (v) intentionally or knowingly enters false information on the signature sheet or statement.
- (4) A violation of this section is a class A misdemeanor.
- (5) The county attorney or municipal attorney shall prosecute any violation of this section.

Amended by Chapter 442, 2024 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-7-105(5)(a)(iv), the sponsors or an agent of 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:
 - (a) 30 days after the day on which the first individual signs the packet; or
 - (b) 40 days after the day on which the local clerk complies with Subsection 20A-7-604(3).
- (4) Notwithstanding Subsections 20A-7-105(6)(a) and (9), the county clerk shall take the actions required in Subsections 20A-7-105(6)(a) and (9) 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:
 - (a) in relation to the manual referendum process, the day on which the local clerk receives the referendum packets from the county clerk; or
 - (b) in relation to the electronic referendum process, the deadline described in Subsection 20A-7-616(2).
- (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) The election officer shall mail manual ballots on a referendum under this section the later of:
 - (a) the time provided in Section 20A-3a-202 or 20A-16-403; or
 - (b) the time that 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 116, 2023 General Session

20A-7-614 Electronic referendum process -- Form of referendum petition -- Circulation requirements -- Signature collection.

- (1) This section applies only to the electronic referendum process.
- (2)
 - (a) The first screen presented on the approved device shall include the following statement:

"This REFERENDUM PETITION is addressed to the Honorable _____, County Clerk/
City Recorder/Town Clerk:

The citizens of Utah who sign this petition 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)."
 - (b) An individual may not advance to the second screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."
- (3)
 - (a) The second screen presented on the approved device shall include the entire text of the law that is the subject of the referendum petition.

- (b) An individual may not advance to the third screen until the individual clicks a link at the bottom of the second screen stating, "By clicking here, I attest that I have read and understand the entire text of the law that is the subject of the referendum petition."
- (4)
 - (a) The third screen presented on the approved device shall include a statement indicating whether persons gathering signatures for the referendum petition may be paid for gathering signatures.
 - (b) An individual may not advance to the fourth screen until the individual clicks a link at the bottom of the third screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."
- (5) The fourth screen presented on the approved device shall include the following statement, followed by links where the individual may click "yes" or "no":
 - "I have personally read the entirety of each statement presented on this device;
 - I am personally signing this referendum petition;
 - I am registered to vote in Utah; and
 - All information I enter on this device, including my residence and post office address, is accurate.

It is a class A misdemeanor for an individual to sign a referendum 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 referendum petition, or to sign a referendum petition when the individual knows that the individual is not a registered voter.

Do you wish to continue and sign this referendum petition?"
- (6)
 - (a) If the individual clicks "no" in response to the question described in Subsection (5), the next screen shall include the following statement, "Thank you for your time. Please return this device to the signature-gatherer."
 - (b) If the individual clicks "yes" in response to the question described in Subsection (5), the website, or the application that accesses the website, shall take the signature-gatherer and the individual signing the referendum petition through the signature process described in Section 20A-21-201.

Amended by Chapter 442, 2024 General Session

20A-7-615 Electronic referendum process -- Obtaining signatures -- Request to remove signature.

- (1) This section applies to the electronic referendum process described in Section 20A-21-201.
- (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and resides in the local jurisdiction.
- (3) The sponsors shall ensure that the signature-gatherer who collects a signature from an individual:
 - (a) verifies that the individual is at least 18 years old and meets the residency requirements of Section 20A-2-105; and
 - (b) is informed that each signer is required to read and understand the law that is the subject of the referendum petition.
- (4)
 - (a) A voter who signs a referendum petition may have the voter's signature removed from the referendum petition by, in accordance with Section 20A-1-1003, 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) 30 days after the day on which the voter signs the statement requesting removal; or
 - (ii) 45 days after the day on which the local clerk posts the voter's name under Subsection 20A-7-616(3).
- (b) A voter may not submit a signature removal statement described in Subsection (4)(a) by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section 20A-21-201.
- (c) A person may only remove an electronic signature from a referendum petition in accordance with this section.
- (d) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from a referendum petition, in accordance with Subsection 20A-1-1003(3).

Amended by Chapter 442, 2024 General Session

20A-7-616 Electronic referendum process -- Collecting signatures -- Removal of signatures.

- (1) This section applies only to the electronic referendum process.
- (2) A signature-gatherer may not collect a signature after 5 p.m. 45 days after the day on which the first three sponsors receive notice, under Section 20A-7-602.7 or 20A-7-602.8, that the referendum is legally referable to voters.
- (3) The local clerk shall send to each individual who provides a valid email address during the signature-gathering process an email that includes the following:
- (a) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature"; and
 - (b) the body of the email shall include the following statement in 12-point type:
"You signed a petition for the following referendum:
[insert title of referendum]
To access a copy of the referendum petition, the law that is the subject of the referendum petition, and information on the deadline for removing your signature from the referendum petition, please visit the following link: [insert a uniform resource locator that takes the individual directly to the page on the lieutenant governor's website that includes the information referred to in the email]."
- (4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs a referendum petition is certified under Section 20A-21-201, post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 days.
- (5)
- (a) If the local clerk timely receives a statement requesting signature removal under Subsection 20A-7-615(4), the local clerk shall:
 - (i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (4); and
 - (ii) remove the voter's signature from the referendum petition and the signature totals.
 - (b) The local clerk shall comply with Subsection (5)(a) before the later of:
 - (i) the deadline described in Subsection (4); or
 - (ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection 20A-7-615(4).

Amended by Chapter 107, 2023 General Session

Part 7

Voter Information Pamphlet

20A-7-701 Voter information pamphlet to be prepared.

- (1) The lieutenant governor shall cause to be prepared 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) 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 20, 2020 Special Session 5

20A-7-702 Voter information pamphlet -- Form -- Contents.

The voter information pamphlet shall contain the following items in this order:

- (1) a cover title page;
- (2) an introduction to the pamphlet by the lieutenant governor;
- (3) a table of contents;
- (4) a list of all candidates for constitutional offices;
- (5) a list of candidates for each legislative district;
- (6) 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;
- (7) 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:
 - (a) a copy of the number and ballot title of the measure;
 - (b) the final vote cast by the Legislature on the measure if it is a measure submitted by the Legislature or by referendum;
 - (c)
 - (i) for a measure other than a measure described in Section 20A-7-103, the impartial analysis of the measure prepared by the Office of Legislative Research and General Counsel; or
 - (ii) for a measure described in Section 20A-7-103, the analysis of the measure prepared by the presiding officers;
 - (d) 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;
 - (e) 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;
 - (f) for each initiative qualified for the ballot:

- (i) a copy of the initiative as certified by the lieutenant governor and a copy of the initial fiscal impact statement prepared according to Section 20A-7-202.5; and
 - (ii) 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
 - (g) 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;
- (8) a description provided by the Judicial Performance Evaluation Commission of the selection and retention process for judges, including, in the following order:
- (a) a description of the judicial selection process;
 - (b) a description of the judicial performance evaluation process;
 - (c) a description of the judicial retention election process;
 - (d) a list of the criteria of the judicial performance evaluation and the certification standards;
 - (e) the names of the judges standing for retention election; and
 - (f) for each judge:
 - (i) a list of the counties in which the judge is subject to retention election;
 - (ii) a short biography of professional qualifications and a recent photograph;
 - (iii) a narrative concerning the judge's performance;
 - (iv) for each certification standard under Section 78A-12-205, a statement identifying whether, under Section 78A-12-205, the judge met the standard and, if not, the manner in which the judge failed to meet the standard;
 - (v) a statement that the Judicial Performance Evaluation Commission:
 - (A) has determined that the judge meets or exceeds minimum performance standards;
 - (B) has determined that the judge does not meet or exceed minimum performance standards;
 - or
 - (C) has not made a determination regarding whether the judge meets or exceeds minimum performance standards;
 - (vi) any statement, described in Subsection 78A-12-206(3)(b), provided by a judge whom the Judicial Performance Evaluation Commission determines does not meet or exceed minimum performance standards;
 - (vii) 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
 - (viii) a website address that contains the Judicial Performance Evaluation Commission's report on the judge's performance evaluation;
- (9) 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;
- (10) 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;
- (11) voter registration information, including information on how to obtain a ballot;

- (12) a list of all county clerks' offices and phone numbers;
- (13) 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;
- (14) a phone number that a voter may call to obtain information regarding the location of a polling place; and
- (15) 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".

Amended by Chapter 465, 2024 General Session

20A-7-702.5 Publication of voter information pamphlet.

- (1) No earlier than 75 days, and no later than 15 days, before the day on which voting commences, the lieutenant governor shall make all information provided in the voter information pamphlet available on the Statewide Electronic Voter Information Website Program described in Section 20A-7-801.
- (2) 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.

Enacted by Chapter 11, 2022 General Session

20A-7-703 Analysis of initiative or referendum -- 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 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 over the time period or time periods determined by the director to be most useful in understanding the estimated fiscal impact of the proposed law; and
 - (h) identifies the amount of any increase or decrease in revenue or cost to state or local government.
- (3)
- (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.
- (4) If the director requests the assistance of any state department, agency, or official in preparing the director's analysis, that department, agency, or official shall assist the director.

Amended by Chapter 465, 2024 General Session

20A-7-703.1 Analysis of measure submitted to voters by Legislature -- Determination of fiscal effects.

- (1) The presiding officers shall:
- (a) prepare an analysis of each measure, described in Section 20A-7-103, that is submitted to the voters by the Legislature; and
 - (b) submit the 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 presiding officers shall ensure that the 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) to the extent possible, avoids the use of technical terms;
 - (d) shows the effect of the measure on existing law;
 - (e) describes the measure;
 - (f) identifies the measure's fiscal effects over the time period or time periods determined by the presiding officers to be most useful in understanding the estimated fiscal impact of the measure; and
 - (g) identifies the amount of any increase or decrease in revenue or cost to state or local government.
- (3) The presiding officers shall analyze the measure as the measure 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 presiding officers shall confer with the legislative fiscal analyst.
 - (b) The presiding officers 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 presiding officers request the assistance of any state department, agency, or official in preparing the analysis described in this section, that department, agency, or official shall assist the presiding officers.

Enacted by Chapter 465, 2024 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)
 - (i) The argument may not exceed 500 words in length, not counting the information described in Subsection (4)(e).
 - (ii) 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)

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

Amended by Chapter 255, 2019 General Session

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;
 - (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments of ballot propositions submitted to the voters; and
 - (c) the status of a voter's trackable ballot, in accordance with Section 20A-3a-401.5, accessible only by the voter.
- (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 Performance Evaluation Commission describing the judicial selection and retention process;
 - (b) on the homepage of the website, a link to the Judicial Performance Evaluation Commission's website, judges.utah.gov;
 - (c) a link to the retention recommendation made by the Judicial Performance Evaluation Commission in accordance with Title 78A, Chapter 12, Part 2, Judicial Performance Evaluation, for each judicial appointee to a court that is subject to a retention election, in accordance with Section 20A-12-201, for the upcoming general election;
 - (d) all information submitted by election officers under Subsection (4) on local office races, local office candidates, and local ballot propositions;
 - (e) a list that contains the name of a political subdivision that operates an election day voting center under Section 20A-3a-703 and the location of the election day voting center;

- (f) 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;
 - (g) any differences in voting method, time, or location designated by the lieutenant governor under Subsection 20A-1-308(2); and
 - (h) an online ballot tracking system by which a voter can view the status of the voter's trackable ballot, in accordance with Section 20A-3a-401.5, including:
 - (i) when a ballot has been mailed to the voter;
 - (ii) when an election official has received the voter's ballot; and
 - (iii) when the voter's ballot has been counted.
- (4)
- (a) An election official shall submit the following information for each ballot 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) The lieutenant governor shall ensure that each voter may conveniently enter the voter's name, date of birth, and address information on the website to retrieve information on the status of the voter's ballot if the voter's ballot is trackable under Section 20A-3a-401.5.
 - (8) 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 100, 2021 General Session