

1 **LEGISLATIVE VOTE REQUIREMENTS ON**
2 **INITIATIVES**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Tammy J. Rowan**

6 AN ACT RELATING TO INITIATIVES; SPECIFYING THE FORM AND TIMING OF THE
7 LIEUTENANT GOVERNOR'S SUBMISSION OF INITIATIVES TO THE LEGISLATURE;
8 AUTHORIZING CERTAIN CORRECTIONS TO INITIATIVES SUBMITTED TO THE
9 LEGISLATURE; AUTHORIZING LEGISLATIVE REVIEW NOTES AND FISCAL NOTES ON
10 INITIATIVES SUBMITTED TO THE LEGISLATURE; AND MAKING TECHNICAL
11 CORRECTIONS.

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 AMENDS:

14 **20A-7-201**, as last amended by Chapter 136, Laws of Utah 1998

15 **20A-7-208**, as enacted by Chapter 1, Laws of Utah 1994

16 *Be it enacted by the Legislature of the state of Utah:*

17 Section 1. Section **20A-7-201** is amended to read:

18 **20A-7-201. Statewide initiatives -- Signature requirements -- Submission to the**
19 **Legislature or to a vote of the people.**

20 (1) (a) A person seeking to have an initiative submitted to the Legislature for approval or
21 rejection shall obtain:

22 (i) legal signatures equal to 5% of the cumulative total of all votes cast for all candidates
23 for governor at the last regular general election at which a governor was elected; and

24 (ii) from each of at least 20 counties, legal signatures equal to 5% of the total of all votes
25 cast in that county for all candidates for governor at the last regular general election at which a
26 governor was elected.

27 (b) If, at any time not less than ten days before the beginning of an annual general session

28 of the Legislature, the lieutenant governor declares sufficient any initiative petition that is signed
29 by enough voters to meet the requirements of this Subsection (1), the lieutenant governor shall
30 deliver ~~[that petition to the Legislature as soon as it convenes and organizes.]~~ a copy of the petition
31 and the cover sheet required by Subsection (1)(c) to the president of the Senate, the speaker of the
32 House, and the director of the Office of Legislative Research and General Counsel.

33 (c) In delivering a copy of the petition, the lieutenant governor shall include a cover sheet
34 that contains:

35 (i) the cumulative total of all votes cast for all candidates for governor at the last regular
36 general election at which a governor was elected;

37 (ii) the total of all votes cast in each county for all candidates for governor at the last
38 regular general election at which a governor was elected;

39 (iii) the total number of certified signatures received for the submitted initiative; and

40 (iv) the total number of certified signatures received from each county for the submitted
41 initiative.

42 (2) (a) A person seeking to have an initiative submitted to a vote of the people for approval
43 or rejection shall obtain:

44 (i) legal signatures equal to 10% of the cumulative total of all votes cast for all candidates
45 for governor at the last regular general election at which a governor was elected; and

46 (ii) from each of at least 20 counties, legal signatures equal to 10% of the total of all votes
47 cast in that county for all candidates for governor at the last regular general election at which a
48 governor was elected.

49 (b) If, at any time not less than four months before any regular general election, the
50 lieutenant governor declares sufficient any initiative petition that is signed by enough legal voters
51 to meet the requirements of this subsection, the lieutenant governor shall submit the proposed law
52 to a vote of the people at the next regular general election.

53 (3) The lieutenant governor shall provide the following information from the official
54 canvass of the last regular general election at which a governor was elected to any interested
55 person:

56 (a) the cumulative total of all votes cast for all candidates for governor; and

57 (b) for each county, the total of all votes cast in that county for all candidates for governor.

58 Section 2. Section **20A-7-208** is amended to read:

59 **20A-7-208. Disposition of initiative petitions by the Legislature.**

60 (1) (a) ~~[When]~~ Except as provided in Subsection (1)(b), when the lieutenant governor
61 delivers an initiative petition to the Legislature, the law proposed by that initiative petition shall
62 be either enacted or rejected without change or amendment by the Legislature.

63 (b) ~~h [The Legislature may direct its staff to]~~ THE SPEAKER OF THE HOUSE AND THE
63a PRESIDENT OF THE SENATE MAY DIRECT LEGISLATIVE STAFF TO h :

64 (i) make technical corrections authorized by Section 36-12-12; and

65 (ii) prepare a legislative review note and a legislative fiscal note on the law proposed by
66 the initiative petition.

67 ~~[(b)]~~ (c) If any law proposed by an initiative petition is enacted by the Legislature, it is
68 subject to referendum the same as other laws.

69 (2) If any law proposed by a petition is not enacted by the Legislature, that proposed law
70 shall be submitted to a vote of the people at the next regular general election if:

71 (a) sufficient additional signatures to the petition are first obtained to bring the total
72 number of signatures up to the number required by Subsection 20A-7-201(2); and

73 (b) those additional signatures are verified, certified by the county clerks, and declared
74 sufficient by the lieutenant governor as provided in this part.

Legislative Review Note
as of 2-5-99 7:34 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel