

SPECIAL ELECTION NOTICE TO REGISTERED VOTERS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Glenn L. Way

AN ACT RELATING TO BONDING; MODIFYING NOTICE REQUIREMENTS FOR BOND ELECTIONS; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

AMENDS:

11-14-3, as last amended by Chapter 3, Laws of Utah 1996, Second Special Session

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

Section 1. Section **11-14-3** is amended to read:

11-14-3. Notice of election -- Publication -- Mailing.

(1) (a) Notice of the election shall be published once a week during three consecutive weeks in a newspaper designated in accordance with Section 11-14-21, the first publication to be not less than 21 nor more than 35 days before the election.

(b) If no official newspaper is designated, the notices shall be published in a newspaper published in the municipality, or if no newspaper is published in the municipality, the notices shall be published in a newspaper having general circulation in the municipality.

(2) When the maximum amount of bonds to be issued is \$1,000,000 or more, the governing body shall, at least one week before the bond election, on a minimum three inch by five inch postcard, mail written notice of the bond election to every household containing a registered voter who is eligible to vote on the bonds.

~~[(2) Election]~~ (3) (a) Except as provided in Subsection (3)(b), election notice given for any bond election held in this state need not be posted by any persons~~[, except that in cities of the]~~.

28 **(b) (i) In third class cities or towns where [there is] no newspaper is published [in such city**
29 **or town], the governing body may [provide] require that notice of a bond election [therein may]**
30 **be given by posting in lieu of the publication [of such notice and in such event notice of the bond**
31 **election shall be posted by] requirements of Subsection (1).**

32 **(ii) When the governing body imposes a posting requirement, the city recorder, town clerk,**
33 **or other officer designated by the governing body shall post notice of the bond election in at least**
34 **five public places in [said] the city or town at least 21 days before the election.**

35 **(4) The printed, posted, and mailed notice required by this section shall identify:**

36 **(a) the date and place of the election;**

37 **(b) the hours during which the polls will be open; and**

38 **(c) the purpose for which the bonds are to be issued, the maximum amount of bonds to be**
39 **issued, and the maximum number of years to maturity of the bonds, and the average potential cost**
40 **per household of the bonds.**

41 **(5) The governing body shall pay the costs associated with the printed, posted, and mailed**
42 **notice required by this section.**

43 **Section 2. Effective date.**

44 **If approved by two-thirds of all the members elected to each house, this act takes effect**
45 **upon approval by the governor, or the day following the constitutional time limit of Utah**
46 **Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the**
47 **date of veto override.**

Legislative Review Note
as of 12-9-99 9:30 AM

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

Office of Legislative Research and General Counsel