♣ Approved for Filing: JLF♣ 01-13-00 8:00 AM♣ 4

1	INITIATIVE PROCESS AMENDMENTS
2	2000 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Tammy J. Rowan
5	AN ACT RELATING TO INITIATIVES; ESTABLISHING A PROCESS FOR CONSIDERING
6	INITIATIVE PETITIONS SUBMITTED TO THE LEGISLATURE; AND MAKING
7	TECHNICAL CORRECTIONS.
8	This act affects sections of Utah Code Annotated 1953 as follows:
9	REPEALS AND REENACTS:
10	20A-7-208, as last amended by Chapter 115, Laws of Utah 1999
11	Be it enacted by the Legislature of the state of Utah:
12	Section 1. Section 20A-7-208 is repealed and reenacted to read:
13	20A-7-208. Legislative process for initiative petitions submitted to the Legislature.
14	(1) (a) Upon receipt of a copy of an initiative under Section 20A-7-201, the Office of
15	Legislative Research and General Counsel shall review the petition to identify any technical,
16	substantive, or legal issues raised by the petition.
17	(b) After completing the review, if the Office of Legislative Research and General Counsel
18	identifies issues meriting discussion, the office shall:
19	(i) inform the sponsors of that fact; and
20	(ii) invite the sponsors to schedule a meeting with the office to discuss the issues identified
21	and to consider any solutions to those issues.
22	(c) If a meeting is held and a majority of the sponsors present at the meeting vote to amend
23	the text of the petition, the sponsors shall modify the text of the initiative petition to reflect that
24	change.
25	(d) If, as a result of the meeting, any changes are made to the initiative petition, the petition
26	sponsors shall publish notice at least once in a newspaper of general circulation in Utah that:
27	(i) identifies the changes;

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28	(ii) informs the persons who signed the petition that they may have their signatures
29	removed from the petition; and
30	(iii) explains the process that signers must follow to have their names removed and the
31	date by which they must act.
32	(e) (i) Persons who signed an initiative petition and who wish to have their signatures
33	removed from the petition shall provide written, signed notice, including the person's name and
34	address, to the lieutenant governor before the tenth day of the Legislature's annual general session.
35	(ii) On the eleventh day of the Legislature's annual general session, the lieutenant governor
36	shall:
37	(A) remove from the petition the names of all signers who submitted a valid written and
38	signed notice by the deadline;
39	(B) determine whether or not the petition still has sufficient signatures to be valid; and
40	(C) if the petition does not have sufficient signatures to be valid, send written notice to the
41	president of the Senate, the speaker of the House, and the director of the Office of Legislative
42	Research and General Counsel by the twelfth day of the Legislature's annual general session that
43	the petition has been disqualified.
44	(2) (a) Upon receipt of a copy of an initiative under Section 20A-7-201, the Office of
45	Legislative Research and General Counsel shall contact the sponsors of the petition and ask them
46	if any legislators have agreed to sponsor the petition.
47	(b) If the petition sponsors identify one or more legislative sponsors, the office shall:
48	(i) contact the legislators to verify their willingness to be listed as sponsors; and
49	(ii) number and file the petition as a bill sponsored by the legislator that will carry the
50	petition in the house in which that legislator is a member.
51	(c) If the petition does not have a legislative sponsor, the office shall number and file the
52	petition as a bill sponsored by "the People of the State of Utah" in the House or Senate as
53	designated by the sponsors.
54	(d) Before an initiative petition bill is introduced, the Office of Legislative Research and
55	General Counsel shall prepare and attach a legislative review note and the Legislative Fiscal
56	Analyst shall attach a fiscal note.
57	(e) After the initiative petition bill is introduced, the initiative petition bill shall be referred
58	to a standing committee.

01-13-00 8:00 AM H.B. 220 59 (f) The standing committee may amend the initiative petition bill if a majority of the 60 initiative petition sponsors approve the amendment. (g) The standing committee shall send the bill to the floor with a committee report 61 62 recommending that the initiative petition bill pass or not pass. (h) After receiving the standing committee report on the initiative petition bill, the 63 64 initiative petition bill shall be placed on the calendar. (i) The body shall debate and vote on the initiative petition bill. 65 66 (i) If the first house passes the bill, the first house shall transmit the bill to the second 67 house for its review and action. 68 (k) The second house shall follow the procedures established in Subsections (2)(e) through 69 (2)(i). 70 (l) If the second house has amended the initiative petition bill, it shall transmit the bill to 71 the first house for their further action according to legislative rules. (m) The initiative petition bill passes only if both houses of the Legislature approve the 72 73 same version of the initiative petition bill. 74 (3) If any law proposed by an initiative petition is enacted by the Legislature, it is subject to referendum the same as other laws. 75 76 (4) If any law proposed by a petition is not enacted by the Legislature, that proposed law 77 shall be submitted to a vote of the people at the next regular general election if: 78 (a) sufficient additional signatures to the petition are first obtained to bring the total

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

(b) those additional signatures are verified, certified by the county clerks, and declared

number of signatures up to the number required by Subsection 20A-7-201(2); and

sufficient by the lieutenant governor as provided in this part.

Office of Legislative Research and General Counsel