

**AMENDMENTS TO LOCAL REFERENDUM
PROCESS**

2004 GENERAL SESSION

STATE OF UTAH

Sponsor: John W. Hickman

LONG TITLE

General Description:

This bill modifies the local referendum provisions of the Election Code by modifying the time line for challenging a local law.

Highlighted Provisions:

This bill:

▶ increases the number of days from 35 to 45 for filing a referendum petition challenging a local law.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-7-601, as last amended by Chapter 292, Laws of Utah 2003

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

Section 1. Section **20A-7-601** is amended to read:

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

(1) Except as provided in Subsection (2), a person seeking to have a law passed by the local legislative body submitted to a vote of the people shall obtain legal signatures equal to:

(a) 10% of all the votes cast in the county, city, or town for all candidates for governor

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at the last election at which a governor was elected if the total number of votes exceeds 25,000;

(b) 12-1/2% of all the votes cast in the county, city, or town for all candidates for governor at the last election at which a governor was elected if the total number of votes does not exceed 25,000 but is more than 10,000;

(c) 15% of all the votes cast in the county, city, or town for all candidates for governor at the last election at which a governor was elected if the total number of votes does not exceed 10,000 but is more than 2,500;

(d) 20% of all the votes cast in the county, city, or town for all candidates for governor at the last election at which a governor was elected if the total number of votes does not exceed 2,500 but is more than 500;

(e) 25% of all the votes cast in the county, city, or town for all candidates for governor at the last election at which a governor was elected if the total number of votes does not exceed 500 but is more than 250; and

(f) 30% of all the votes cast in the county, city, or town for all candidates for governor at the last election at which a governor was elected if the total number of votes does not exceed 250.

(2) (a) As used in this Subsection (2), "land use law" includes a land use development code, an annexation ordinance, and comprehensive zoning ordinances.

(b) A person seeking to have a land use law passed by the local legislative body submitted to a vote of the people shall obtain legal signatures equal to:

(i) in a county or in a city of the first or second class, 20% of all votes cast in the county or city for all candidates for governor at the last election at which a governor was elected; and

(ii) in a city of the third, fourth, or fifth class or a town, 35% of all the votes cast in the city or town for all candidates for governor at the last election at which a governor was elected.

(3) (a) Sponsors of any referendum petition challenging, under Subsection (1) or (2), any local law passed by a local legislative body shall file the petition within [35] 45 days after the passage of the local law.

(b) The local law remains in effect until repealed by the voters via referendum.

(4) If the referendum passes, the local law that was challenged by the referendum is

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repealed as of the date of the election.