

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

30 (a) 10% of all the votes cast in the county, city, or town for all candidates for governor
31 at the last election at which a governor was elected if the total number of votes exceeds 25,000;

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

35 (c) 15% of all the votes cast in the county, city, or town for all candidates for governor
36 at the last election at which a governor was elected if the total number of votes does not exceed
37 10,000 but is more than 2,500;

38 (d) 20% of all the votes cast in the county, city, or town for all candidates for governor
39 at the last election at which a governor was elected if the total number of votes does not exceed
40 2,500 but is more than 500;

41 (e) 25% of all the votes cast in the county, city, or town for all candidates for governor
42 at the last election at which a governor was elected if the total number of votes does not exceed
43 500 but is more than 250; and

44 (f) 30% of all the votes cast in the county, city, or town for all candidates for governor
45 at the last election at which a governor was elected if the total number of votes does not exceed
46 250.

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

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

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

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

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

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

60 (4) (a) The local law does not take effect unless and until the voters approve the
61 challenged local law:

62 (i) at a regular municipal election or a municipal special election, if the challenged law
63 was enacted by a municipality; or

64 (ii) at a regular general election or a county special election, if the challenged law was
65 enacted by a county.

66 (b) If the [referendum passes] voters approve the challenged local law, the local law
67 that was challenged by the referendum [is repealed as of] takes effect on the date of the
68 election.

Legislative Review Note
as of 11-19-03 9:19 AM

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

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-10-03 11:06 AM

The Government Operations Interim Committee recommended this bill.