

28 ENACTS:

29 **67-1a-14**, Utah Code Annotated 1953



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

32 Section 1. Section **67-1a-2** is amended to read:

33 **67-1a-2. Duties enumerated.**

34 (1) The lieutenant governor shall:

35 (a) perform duties delegated by the governor, including assignments to serve in any of
36 the following capacities:

37 (i) as the head of any one department, if so qualified, with the consent of the Senate,
38 and, upon appointment at the pleasure of the governor and without additional compensation;

39 (ii) as the chairperson of any cabinet group organized by the governor or authorized by
40 law for the purpose of advising the governor or coordinating intergovernmental or
41 interdepartmental policies or programs;

42 (iii) as liaison between the governor and the state Legislature to coordinate and
43 facilitate the governor's programs and budget requests;

44 (iv) as liaison between the governor and other officials of local, state, federal, and
45 international governments or any other political entities to coordinate, facilitate, and protect the
46 interests of the state;

47 (v) as personal advisor to the governor, including advice on policies, programs,
48 administrative and personnel matters, and fiscal or budgetary matters; and

49 (vi) as chairperson or member of any temporary or permanent boards, councils,
50 commissions, committees, task forces, or other group appointed by the governor;

51 (b) serve on all boards and commissions in lieu of the governor, whenever so
52 designated by the governor;

53 (c) serve as the chief election officer of the state as required by Subsection (2);

54 (d) keep custody of the Great Seal of Utah;

55 (e) keep a register of, and attest, the official acts of the governor;

56 (f) affix the Great Seal, with an attestation, to all official documents and instruments to
57 which the official signature of the governor is required; and

58 (g) furnish a certified copy of all or any part of any law, record, or other instrument

59 filed, deposited, or recorded in the office of the lieutenant governor to any person who requests
60 it and pays the fee.

61 (2) (a) As the chief election officer, the lieutenant governor shall:

62 (i) exercise general supervisory authority over all elections;

63 (ii) exercise direct authority over the conduct of elections for federal, state, and
64 multicounty officers and statewide or multicounty ballot propositions and any recounts
65 involving those races;

66 (iii) assist county clerks in unifying the election ballot;

67 (iv) (A) prepare election information for the public as required by statute and as
68 determined appropriate by the lieutenant governor;

69 (B) make the information under Subsection (2)(a)(iv)(A) available to the public and to
70 news media on the Internet and in other forms as required by statute or as determined
71 appropriate by the lieutenant governor;

72 (v) receive and answer election questions and maintain an election file on opinions
73 received from the attorney general;

74 (vi) maintain a current list of registered political parties as defined in Section
75 20A-8-101;

76 (vii) maintain election returns and statistics;

77 (viii) certify to the governor the names of those persons who have received the highest
78 number of votes for any office;

79 (ix) ensure that all voting equipment purchased by the state complies with the
80 requirements of Subsection 20A-5-302(2) and Sections 20A-5-402.5 and 20A-5-402.7; [and]

81 (x) conduct the study described in Section 67-1a-14; and

82 [~~(x)~~] (xi) perform other election duties as provided in Title 20A, Election Code.

83 (b) As chief election officer, the lieutenant governor may not assume the
84 responsibilities assigned to the county clerks, city recorders, town clerks, or other local election
85 officials by Title 20A, Election Code.

86 (3) (a) The lieutenant governor shall:

87 (i) (A) determine a new city's classification under Section 10-2-301 upon the city's
88 incorporation under Title 10, Chapter 2, Part 1, Incorporation, based on the city's population
89 using the population estimate from the Utah Population Estimates Committee; and

90 (B) (I) prepare a certificate indicating the class in which the new city belongs based on
91 the city's population; and

92 (II) within 10 days after preparing the certificate, deliver a copy of the certificate to the
93 city's legislative body;

94 (ii) (A) determine the classification under Section 10-2-301 of a consolidated
95 municipality upon the consolidation of multiple municipalities under Title 10, Chapter 2, Part
96 6, Consolidation of Municipalities, using population information from:

97 (I) each official census or census estimate of the United States Bureau of the Census;

98 or

99 (II) the population estimate from the Utah Population Estimates Committee, if the
100 population of a municipality is not available from the United States Bureau of the Census; and

101 (B) (I) prepare a certificate indicating the class in which the consolidated municipality
102 belongs based on the municipality's population; and

103 (II) within 10 days after preparing the certificate, deliver a copy of the certificate to the
104 consolidated municipality's legislative body; and

105 (iii) monitor the population of each municipality using population information from:

106 (A) each official census or census estimate of the United States Bureau of the Census;

107 or

108 (B) the population estimate from the Utah Population Estimates Committee, if the
109 population of a municipality is not available from the United States Bureau of the Census.

110 (b) If the applicable population figure under Subsection (3)(a)(ii) or (iii) indicates that
111 a municipality's population has increased beyond the population for its current class, the
112 lieutenant governor shall:

113 (i) prepare a certificate indicating the class in which the municipality belongs based on
114 the increased population figure; and

115 (ii) within 10 days after preparing the certificate, deliver a copy of the certificate to the
116 legislative body of the municipality whose class has changed.

117 (c) (i) If the applicable population figure under Subsection (3)(a)(ii) or (iii) indicates
118 that a municipality's population has decreased below the population for its current class, the
119 lieutenant governor shall send written notification of that fact to the municipality's legislative
120 body.

121 (ii) Upon receipt of a petition under Subsection 10-2-302(2) from a municipality whose
122 population has decreased below the population for its current class, the lieutenant governor
123 shall:

124 (A) prepare a certificate indicating the class in which the municipality belongs based
125 on the decreased population figure; and

126 (B) within 10 days after preparing the certificate, deliver a copy of the certificate to the
127 legislative body of the municipality whose class has changed.

128 Section 2. Section **67-1a-14** is enacted to read:

129 **67-1a-14. Study of signing a petition online -- Report.**

130 (1) As used in this section, "petition" means a petition to:

131 (a) qualify a ballot proposition for the ballot under Title 20A, Chapter 7, Issues
132 Submitted to the Voters;

133 (b) organize and register a political party under Title 20A, Chapter 8, Political Party
134 Formation and Procedures; or

135 (c) qualify a candidate for the ballot under Title 20A, Chapter 9, Candidate
136 Qualifications and Nominating Procedures.

137 (2) The lieutenant governor, in consultation with a county clerk and municipal clerk,
138 shall study a way that a registered voter may sign a petition on the Internet and receive
139 information about the petition on the Internet.

140 (3) The study shall evaluate:

141 (a) how to sign a petition on the Internet using a holographic signature that is in an
142 electronic format maintained by a government agency;

143 (b) the security, development, ownership, management, format, and content of a secure
144 Internet portal or website on which a registered voter may sign a petition;

145 (c) the security measures necessary to:

146 (i) verify the identity of a registered voter who signs a petition on the Internet; and

147 (ii) insure the integrity of a signature;

148 (d) changes to the process of collecting, verifying, and certifying a signature, if the
149 signature is collected on the Internet;

150 (e) whether verification is necessary for signatures collected on the Internet;

151 (f) which election official should be responsible for the certification of signatures

- 152 collected on the Internet;
153 (g) whether signatures on a petition should be public information;
154 (h) the removal process of a signature collected on the Internet;
155 (i) what percentage of signatures should be collected on the Internet or in person,
156 statewide or by Senate district;
157 (j) what information regarding the petition should be available on the secure Internet
158 portal or website, including who may submit the information and by what deadline information
159 should be submitted;
160 (k) the time the lieutenant governor, county clerk, or municipal clerk may spend
161 certifying a petition if a registered voter is allowed to sign a petition on the Internet;
162 (l) the processes, if any, that exists in other states to allow a registered voter to sign a
163 petition on the Internet; and
164 (m) any other issue related to allowing a registered voter to sign a petition on the
165 Internet.
166 (4) The lieutenant governor shall submit a copy of the study and recommendations, if
167 any, that result from the study to the Government Operations Interim Committee on or before
168 September 18, 2013.

Legislative Review Note
as of 1-31-12 9:17 AM

Office of Legislative Research and General Counsel