

S.B. 265
REFERENDUM AMENDMENTS

Senator **John L. Valentine** proposes the following amendments:

1. *Page 2, Lines 39 through 43:*

39 (4) Notwithstanding Subsection 20A-7-606(1), the sponsors shall deliver each signed
40 and verified referendum packet to the county clerk of the county in which the packet was
41 circulated no later than 30 days from the day on which the petitioners file the application for a
42 referendum petition under Subsection 20A-7-601(3). { **If the 30-day period ends on a weekend**
43 **or holiday, the sponsors may deliver the referendum packets on the next working day.** }

2. *Page 2, Lines 44 through 46:*

44 (5) Notwithstanding Subsections 20A-7-606(2) and (3), the county clerk shall take the
45 actions required in Subsections 20A-7-606(2) and (3) within 10 **working** days of the day on which the
46 county clerk receives the signed and verified referendum packet as described in Subsection (4).

3. *Page 2, Line 52 through Page 3, Line 80:*

52 for submission to a vote of the people.

(8) Notwithstanding Subsection 20A-7-609(2)(d), a referendum that has qualified for the ballot under this section shall appear on the ballot for the earlier of the next regular general election or the next municipal general election unless a special election is called.

53 ~~{ (8) }~~ **(9)** Notwithstanding the requirements related to absentee ballots under this title:

54 (a) the election officer shall prepare absentee ballots **for those voters who have requested an**
absentee ballot as soon as possible after the ballot
55 title is prepared as described in Subsection (7); and

56 (b) the election officer shall mail absentee ballots on a referendum under this section
57 the later of:

58 (i) the time provided in Section 20A-3-305 or 20A-16-403; or

59 (ii) the time that absentee ballots are prepared for mailing under this section.

60 ~~{ (9) }~~ **(10)** Section 20A-7-402 does not apply to a referendum described in this section.

61 ~~{ (10) }~~ **(11)** (a) If a majority of voters vote in favor of imposing the tax at a rate calculated to
62 generate the increased revenue budgeted, adopted, and approved by the fiscal year taxing
63 entity's legislative body:

64 (i) the certified tax rate for the fiscal year during which the referendum petition is filed
65 is its most recent certified tax rate; and

66 (ii) the proposed increased revenues for purposes of establishing the certified tax rate

67 for the fiscal year after the fiscal year described in Subsection ~~{(10)}~~ (11) (a)(i) are the proposed
68 increased revenues budgeted, adopted, and approved by the fiscal year taxing entity's legislative
69 body before the filing of the referendum petition.

70 (b) If a majority of voters vote against imposing a tax at the rate established by the vote
71 of the fiscal year taxing entity's legislative body, the certified tax rate for the fiscal year taxing
72 entity is its most recent certified tax rate.

73 (c) If the tax rate is set in accordance with Subsection ~~{(10)}~~ (11) (a)(ii), a fiscal year taxing
74 entity is not required to comply with the notice and public hearing requirements of Section
75 59-2-919 if the fiscal year taxing entity complied with those notice and public hearing
76 requirements before the referendum petition is filed.

77 ~~{(11)}~~ (12) The ballot title shall, at a minimum, include in substantially this form the
78 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount
79 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as
80 budgeted, adopted, and approved by the [name of the taxing entity]."

(13) A fiscal year taxing entity shall pay the county the costs incurred by the county that are directly related to meeting the requirements of this section and that the county would not have incurred but for compliance with this section.