

1 **INITIATIVE AND REFERENDUM PETITION AMENDMENTS**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jon E. Stanard**

5 Senate Sponsor: Margaret Dayton

7 **LONG TITLE**

8 **General Description:**

9 This bill makes changes to an initiative petition signature sheet and a referendum
10 petition signature sheet.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ adds a statement to a statewide or local initiative petition signature sheet stating that
14 a signer has read, understands, and agrees to the law proposed by the petition;

15 ▶ adds a statement to a statewide or local referendum petition signature sheet stating
16 that a signer has read and understands the law the petition seeks to overturn; and

17 ▶ makes technical corrections.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **20A-7-203**, as last amended by Laws of Utah 2013, Chapter 310

25 **20A-7-303**, as last amended by Laws of Utah 2007, Chapter 78

26 **20A-7-503**, as last amended by Laws of Utah 2012, Chapter 72

27 **20A-7-603**, as last amended by Laws of Utah 2012, Chapter 72



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

Section 1. Section **20A-7-203** is amended to read:

20A-7-203. Form of initiative petition and signature sheets.

(1) (a) Each proposed initiative petition shall be printed in substantially the following form:

"INITIATIVE PETITION To the Honorable ____, Lieutenant Governor:

We, the undersigned citizens of Utah, respectfully demand that the following proposed law be submitted to the legal voters/Legislature of Utah for their/its approval or rejection at the regular general election/session to be held/ beginning on _____(month\day\year);

Each signer says:

I have personally signed this petition;

I am registered to vote in Utah or intend to become registered to vote in Utah before the certification of the petition names by the county clerk; and

My residence and post office address are written correctly after my name.

NOTICE TO SIGNERS:

Public hearings to discuss this petition were held at: (list dates and locations of public hearings.)"

(b) The sponsors of an initiative shall attach a copy of the proposed law to each initiative petition.

(2) Each signature sheet shall:

(a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

(b) be ruled with a horizontal line three-fourths inch from the top, with the space above that line blank for the purpose of binding;

(c) contain the title of the initiative printed below the horizontal line;

(d) contain the initial fiscal impact estimate's summary statement issued by the Governor's Office of Management and Budget according to Subsection [20A-7-202.5\(2\)\(b\)](#), including any update according to Subsection [20A-7-204.1\(4\)](#), and the cost estimate for printing and distributing information related to the initiative petition according to Subsection [20A-7-202.5\(3\)](#), printed or typed in not less than 12 point, bold type, at the top of each signature sheet under the title of the initiative;

59 (e) contain the word "Warning" printed or typed at the top of each signature sheet
60 under the initial fiscal impact estimate's summary statement;

61 (f) contain, to the right of the word "Warning," the following statement printed or
62 typed in not less than eight-point, single-leaded type:

63 "It is a class A misdemeanor for anyone to sign any initiative petition with any other
64 name than his own, or knowingly to sign his name more than once for the same measure, or to
65 sign an initiative petition when he knows he is not a registered voter and knows that he does
66 not intend to become registered to vote before the certification of the petition names by the
67 county clerk."; and

68 (g) be vertically divided into columns as follows:

69 (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch
70 wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down
71 the middle with the left subdivision entitled "Registered" and the right subdivision left untitled;

72 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
73 Name (must be legible to be counted)";

74 (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered
75 Voter";

76 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
77 and

78 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
79 Code"; [~~and~~]

80 (h) spanning the sheet horizontally beneath each row on which a registered voter may
81 submit the information described in Subsection (2)(g), contain the following statement printed
82 or typed in not less than eight-point, single-leaded type:

83 "By signing this petition, you are stating that you have read, understand, and support the
84 law proposed by this petition."; and

85 [~~(vi)~~] (i) at the bottom of the sheet, contain the following statement: "Birth date or age
86 information is not required, but it may be used to verify your identity with voter registration
87 records. If you choose not to provide it, your signature may not be verified as a valid signature
88 if you change your address before petition signatures are verified or if the information you
89 provide does not match your voter registration records."

90 (3) The final page of each initiative packet shall contain the following printed or typed
91 statement:

92 "Verification

93 State of Utah, County of ____

94 I, _____, of _____, hereby state that:

95 I am a resident of Utah and am at least 18 years old;

96 All the names that appear in this packet were signed by persons who professed to be the
97 persons whose names appear in it, and each of them signed his name on it in my presence;

98 I believe that each has printed and signed his name and written his post office address
99 and residence correctly, and that each signer is registered to vote in Utah or intends to become
100 registered to vote before the certification of the petition names by the county clerk.

101 I have not paid or given anything of value to any person who signed this petition to
102 encourage that person to sign it.

103 _____

104 (Name) (Residence Address) (Date)"

105 (4) The forms prescribed in this section are not mandatory, and, if substantially
106 followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical
107 errors.

108 Section 2. Section **20A-7-303** is amended to read:

109 **20A-7-303. Form of referendum petition and signature sheets.**

110 (1) (a) Each proposed referendum petition shall be printed in substantially the
111 following form:

112 "REFERENDUM PETITION To the Honorable _____, Lieutenant Governor:

113 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.
114 _____, entitled (title of act, and, if the petition is against less than the whole act, set forth here
115 the part or parts on which the referendum is sought), passed by the _____ Session of the
116 Legislature of the state of Utah, be referred to the people of Utah for their approval or rejection
117 at a regular general election or a statewide special election;

118 Each signer says:

119 I have personally signed this petition;

120 I am registered to vote in Utah or intend to become registered to vote in Utah before the

121 certification of the petition names by the county clerk; and

122 My residence and post office address are written correctly after my name."

123 (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the
124 referendum to each referendum petition.

125 (2) Each signature sheet shall:

126 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

127 (b) be ruled with a horizontal line [$\frac{3}{4}$] three-fourths inch from the top, with the space
128 above that line blank for the purpose of binding;

129 (c) contain the title of the referendum printed below the horizontal line;

130 (d) contain the word "Warning" printed or typed at the top of each signature sheet
131 under the title of the referendum;

132 (e) contain, to the right of the word "Warning," the following statement printed or
133 typed in not less than eight-point, single-leaded type:

134 "It is a class A misdemeanor for anyone to sign any referendum petition with any other
135 name than his own, or knowingly to sign his name more than once for the same measure, or to
136 sign a referendum petition when he knows he is not a registered voter and knows that he does
137 not intend to become registered to vote before the certification of the petition names by the
138 county clerk.";

139 (f) contain horizontally ruled lines, [$\frac{3}{8}$] three-eighths inch apart under the "Warning"
140 statement required by this section; and

141 (g) be vertically divided into columns as follows:

142 (i) the first column shall appear at the extreme left of the sheet, be [$\frac{5}{8}$] five-eighths
143 inch wide, be headed with "For Office Use Only," and be subdivided with a light vertical line
144 down the middle;

145 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
146 Name (must be legible to be counted)";

147 (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered
148 Voter";

149 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
150 and

151 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip

152 Code"; [~~and~~]

153 (h) spanning the sheet horizontally beneath each row on which a registered voter may
154 submit the information described in Subsection (2)(g), contain the following statement printed
155 or typed in not less than eight-point, single-leaded type:

156 "By signing this petition, you are stating that you have read and understand the law this
157 petition seeks to overturn."; and

158 [~~(vi)~~] (i) at the bottom of the sheet, contain the following statement: "Birth date or age
159 information is not required, but it may be used to verify your identity with voter registration
160 records. If you choose not to provide it, your signature may not be verified as a valid signature
161 if you change your address before petition signatures are verified or if the information you
162 provide does not match your voter registration records."

163 (3) The final page of each referendum packet shall contain the following printed or
164 typed statement:

165 "Verification
166 State of Utah, County of ____
167 I, _____, of _____, hereby state that:
168 I am a Utah resident and am at least 18 years old;

169 All the names that appear in this packet were signed by persons who professed to be the
170 persons whose names appear in it, and each of them signed his name on it in my presence;

171 I believe that each has printed and signed his name and written his post office address
172 and residence correctly, and that each signer is registered to vote in Utah or intends to become
173 registered to vote before the certification of the petition names by the county clerk.

174 _____
175 (Name) (Residence Address) (Date)"

176 (4) The forms prescribed in this section are not mandatory, and, if substantially
177 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical
178 errors.

179 Section 3. Section **20A-7-503** is amended to read:

180 **20A-7-503. Form of initiative petitions and signature sheets.**

181 (1) (a) Each proposed initiative petition shall be printed in substantially the following
182 form:

183 "INITIATIVE PETITION To the Honorable _____, County Clerk/City Recorder/Town
184 Clerk:

185 We, the undersigned citizens of Utah, respectfully demand that the following proposed
186 law be submitted to: the legislative body for its approval or rejection at its next meeting; and
187 the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes
188 no action on it.

189 Each signer says:

190 I have personally signed this petition;

191 I am registered to vote in Utah or intend to become registered to vote in Utah before the
192 certification of the petition names by the county clerk; and

193 My residence and post office address are written correctly after my name."

194 (b) The sponsors of an initiative shall attach a copy of the proposed law to each
195 initiative petition.

196 (2) Each signature sheet shall:

197 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

198 (b) be ruled with a horizontal line [3/4] three-fourths inch from the top, with the space
199 above that line blank for the purpose of binding;

200 (c) contain the title of the initiative printed below the horizontal line;

201 (d) contain the initial fiscal impact estimate's summary statement issued by the budget
202 officer according to Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and
203 distributing information related to the initiative petition according to Subsection
204 20A-7-502.5(3) printed or typed in not less than 12-point, bold type, at the top of each
205 signature sheet under the title of the initiative;

206 (e) contain the word "Warning" printed or typed at the top of each signature sheet
207 under the initial fiscal impact estimate's summary statement;

208 (f) contain, to the right of the word "Warning," the following statement printed or
209 typed in not less than eight-point, single-leaded type:

210 "It is a class A misdemeanor for anyone to sign any initiative petition with any other
211 name than his own, or knowingly to sign his name more than once for the same measure, or to
212 sign an initiative petition when he knows he is not a registered voter and knows that he does
213 not intend to become registered to vote before the certification of the petition names by the

214 county clerk.";

215 (g) contain horizontally ruled lines~~[, 3/8]~~ three-eighths inch apart under the "Warning"
216 statement required by this section;

217 (h) be vertically divided into columns as follows:

218 (i) the first column shall appear at the extreme left of the sheet, be ~~[5/8]~~ five-eighths
219 inch wide, be headed with "For Office Use Only", and be subdivided with a light vertical line
220 down the middle with the left subdivision entitled "Registered" and the right subdivision left
221 untitled;

222 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
223 Name (must be legible to be counted)";

224 (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered
225 Voter";

226 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
227 and

228 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
229 Code"; ~~[and]~~

230 (i) spanning the sheet horizontally beneath each row on which a registered voter may
231 submit the information described in Subsection (2)(h), contain the following statement printed
232 or typed in not less than eight-point, single-leaded type:

233 "By signing this petition, you are stating that you have read, understand, and support the
234 law proposed by this petition."; and

235 ~~[(vi)]~~ (j) at the bottom of the sheet, contain the following statement: "Birth date or age
236 information is not required, but it may be used to verify your identity with voter registration
237 records. If you choose not to provide it, your signature may not be verified as a valid signature
238 if you change your address before petition signatures are verified or if the information you
239 provide does not match your voter registration records."~~[-and]~~

240 ~~[(i)]~~ (3) The final page of each initiative packet shall contain the following ~~[statement,]~~
241 printed or typed ~~[upon the last page of each initiative packet]~~ statement:

242 "Verification
243 State of Utah, County of _____

244 I, _____, of _____, hereby state that:

245 I am a resident of Utah and am at least 18 years old;

246 All the names that appear in this initiative packet were signed by persons who professed
247 to be the persons whose names appear in it, and each of them signed his name on it in my
248 presence;

249 I believe that each has printed and signed his name and written his post office address
250 and residence correctly, and that each signer is registered to vote in Utah or intends to become
251 registered to vote before the certification of the petition names by the county clerk.

252 _____ "

253 [(3)] (4) The forms prescribed in this section are not mandatory, and, if substantially
254 followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical
255 errors.

256 Section 4. Section **20A-7-603** is amended to read:

257 **20A-7-603. Form of referendum petition and signature sheets.**

258 (1) (a) Each proposed referendum petition shall be printed in substantially the
259 following form:

260 "REFERENDUM PETITION To the Honorable _____, County Clerk/City
261 Recorder/Town Clerk:

262 We, the undersigned citizens of Utah, respectfully order that Ordinance No. _____,
263 entitled (title of ordinance, and, if the petition is against less than the whole ordinance, set forth
264 here the part or parts on which the referendum is sought), passed by the _____ be referred to the
265 voters for their approval or rejection at the regular/municipal general election to be held on
266 _____(month\day\year);

267 Each signer says:

268 I have personally signed this petition;

269 I am registered to vote in Utah or intend to become registered to vote in Utah before the
270 certification of the petition names by the county clerk; and

271 My residence and post office address are written correctly after my name."

272 (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the
273 referendum to each referendum petition.

274 (2) Each signature sheet shall:

275 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

276 (b) be ruled with a horizontal line [~~3/4~~] three-fourths inch from the top, with the space
277 above that line blank for the purpose of binding;

278 (c) contain the title of the referendum printed below the horizontal line;

279 (d) contain the word "Warning" printed or typed at the top of each signature sheet
280 under the title of the referendum;

281 (e) contain, to the right of the word "Warning," the following statement printed or
282 typed in not less than eight-point, single-leaded type:

283 "It is a class A misdemeanor for anyone to sign any referendum petition with any other
284 name than his own, or knowingly to sign his name more than once for the same measure, or to
285 sign a referendum petition when he knows he is not a registered voter and knows that he does
286 not intend to become registered to vote before the certification of the petition names by the
287 county clerk.";

288 (f) contain horizontally ruled lines[~~, 3/8~~] three-eighths inch apart under the "Warning"
289 statement required by this section;

290 (g) be vertically divided into columns as follows:

291 (i) the first column shall appear at the extreme left of the sheet, be [~~5/8~~] five-eighths
292 inch wide, be headed with "For Office Use Only," and be subdivided with a light vertical line
293 down the middle;

294 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed
295 Name (must be legible to be counted)";

296 (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered
297 Voter";

298 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";
299 and

300 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip
301 Code"; [~~and~~]

302 (h) spanning the sheet horizontally beneath each row on which a registered voter may
303 submit the information described in Subsection (2)(g), contain the following statement printed
304 or typed in not less than eight-point, single-leaded type:

305 "By signing this petition, you are stating that you have read and understand the law this
306 petition seeks to overturn."; and

307 [~~(vi)~~] (i) at the bottom of the sheet, contain the following statement: "Birth date or age
308 information is not required, but it may be used to verify your identity with voter registration
309 records. If you choose not to provide it, your signature may not be verified as a valid signature
310 if you change your address before petition signatures are verified or if the information you
311 provide does not match your voter registration records."~~;~~and]

312 [~~(h)~~] (3) The final page of each referendum packet shall contain the following
313 [~~statement,~~] printed or typed [~~upon the last page of the referendum packet~~] statement:

314 "Verification
315 State of Utah, County of ____
316 I, _____, of _____, hereby state that:
317 I am a resident of Utah and am at least 18 years old;

318 All the names that appear in this referendum packet were signed by persons who
319 professed to be the persons whose names appear in it, and each of them signed his name on it
320 in my presence;

321 I believe that each has printed and signed his name and written his post office address
322 and residence correctly, and that each signer is registered to vote in Utah or intends to become
323 registered to vote before the certification of the petition names by the county clerk.

324 _____"

325 [~~(3)~~] (4) The forms prescribed in this section are not mandatory, and, if substantially
326 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical
327 errors.

Legislative Review Note
as of 2-20-14 2:32 PM

Office of Legislative Research and General Counsel