

**Senator Curtis S. Bramble** proposes the following substitute bill:

**INITIATIVES, REFERENDA, AND OTHER POLITICAL ACTIVITIES**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Brad M. Daw**

Senate Sponsor: Margaret Dayton

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**LONG TITLE**

**General Description:**

This bill amends provisions of the Election Code relating to initiatives, referenda, and political activities of public entities.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ provides for the publication of a proposition information pamphlet to inform voters of arguments for and against proposed and pending local initiatives and referenda;
- ▶ amends provisions relating to a local voter information pamphlet;
- ▶ enacts provisions for holding a public hearing to discuss and present arguments relating to a proposed or pending local initiative or referendum;
- ▶ requires the lieutenant governor to create instructional materials regarding local initiatives and referenda;
- ▶ modifies requirements relating to local initiatives and referenda, including:
  - petition, circulation, and signature requirements;
  - timelines; and
  - appeals and other challenges;
- ▶ enacts provisions relating to determining whether a proposed initiative or



26 referendum is legally referable to voters;

27       ▶ amends provisions regarding the use of email, and the expenditure of public funds,  
28 for political purposes relating to proposed and pending initiatives and referenda;

29       ▶ regulates the dissemination of information regarding a proposed or pending  
30 initiative or referendum by a county or municipality;

31       ▶ amends deadlines related to the certification of signatures on certain petitions;

32       ▶ allows the lieutenant governor to intervene in the signature certification process for  
33 certain petitions if:

34             • the person responsible for certifying the signatures does not comply with certain  
35 deadlines;

36             • requested by the person submitting the petition; or

37             • requested by the person responsible for certifying the signatures; and

38       ▶ makes technical and conforming amendments.

39 **Money Appropriated in this Bill:**

40       None

41 **Other Special Clauses:**

42       This bill provides revisor instructions.

43 **Utah Code Sections Affected:**

44 AMENDS:

45       **11-14-301**, as last amended by Laws of Utah 2014, Chapter 189

46       **20A-7-101**, as last amended by Laws of Utah 2017, Chapter 291

47       **20A-7-206**, as last amended by Laws of Utah 2013, Chapter 231

48       **20A-7-306**, as last amended by Laws of Utah 2011, Chapter 17

49       **20A-7-402**, as last amended by Laws of Utah 2017, Chapters 91, 147, and 291

50       **20A-7-501**, as last amended by Laws of Utah 2016, Chapter 176

51       **20A-7-502**, as last amended by Laws of Utah 2017, Chapter 291

52       **20A-7-502.5**, as last amended by Laws of Utah 2017, Chapter 291

53       **20A-7-504**, as last amended by Laws of Utah 2016, Chapter 365

54       **20A-7-505**, as last amended by Laws of Utah 2012, Chapter 72

55       **20A-7-506**, as last amended by Laws of Utah 2012, Chapter 72

56       **20A-7-506.3**, as last amended by Laws of Utah 2011, Chapter 17

- 57 [20A-7-507](#), as last amended by Laws of Utah 2011, Chapter 17
- 58 [20A-7-508](#), as last amended by Laws of Utah 2017, Chapter 291
- 59 [20A-7-509](#), as last amended by Laws of Utah 2009, Chapter 202
- 60 [20A-7-510](#), as last amended by Laws of Utah 2010, Chapter 367
- 61 [20A-7-512](#), as last amended by Laws of Utah 2013, Chapter 253
- 62 [20A-7-513](#), as last amended by Laws of Utah 2017, Chapter 291
- 63 [20A-7-601](#), as last amended by Laws of Utah 2016, Chapter 365
- 64 [20A-7-602](#), as last amended by Laws of Utah 2016, Chapter 365
- 65 [20A-7-602.5](#), as enacted by Laws of Utah 2014, Chapter 364
- 66 [20A-7-603](#), as last amended by Laws of Utah 2016, Chapter 365
- 67 [20A-7-604](#), as last amended by Laws of Utah 2016, Chapter 365
- 68 [20A-7-605](#), as last amended by Laws of Utah 2012, Chapter 72
- 69 [20A-7-606](#), as last amended by Laws of Utah 2016, Chapter 365
- 70 [20A-7-606.3](#), as last amended by Laws of Utah 2011, Chapter 17
- 71 [20A-7-607](#), as last amended by Laws of Utah 2014, Chapter 396
- 72 [20A-7-608](#), as last amended by Laws of Utah 2008, Chapter 315
- 73 [20A-7-609.5](#), as enacted by Laws of Utah 2014, Chapter 396
- 74 [20A-7-610](#), as last amended by Laws of Utah 2010, Chapter 367
- 75 [20A-7-612](#), as last amended by Laws of Utah 2001, Chapter 20
- 76 [20A-9-403](#), as last amended by Laws of Utah 2017, Chapter 91
- 77 [20A-9-408](#), as last amended by Laws of Utah 2017, Chapter 91
- 78 [20A-11-1202](#), as last amended by Laws of Utah 2017, Chapter 68
- 79 [20A-11-1203](#), as last amended by Laws of Utah 2015, Chapter 435
- 80 [20A-11-1205](#), as last amended by Laws of Utah 2017, Chapter 68
- 81 [20A-11-1206](#), as enacted by Laws of Utah 2015, Chapter 435
- 82 [63I-2-220](#), as last amended by Laws of Utah 2017, Chapters 32 and 452

ENACTS:

- 84 [20A-7-401.5](#), Utah Code Annotated 1953
- 85 [20A-7-405](#), Utah Code Annotated 1953
- 86 [20A-7-406](#), Utah Code Annotated 1953
- 87 [20A-7-407](#), Utah Code Annotated 1953

88 20A-7-502.7, Utah Code Annotated 1953

89 20A-7-602.7, Utah Code Annotated 1953

90 Utah Code Sections Affected by Revisor Instructions:

91 20A-7-407, Utah Code Annotated 1953



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

94 Section 1. Section 11-14-301 is amended to read:

95 **11-14-301. Issuance of bonds by governing body -- Computation of indebtedness**  
96 **under constitutional and statutory limitations.**

97 (1) If the governing body has declared the bond proposition to have carried and no  
98 contest has been filed, or if a contest has been filed and favorably terminated, the governing  
99 body may proceed to issue the bonds voted at the election.

100 (2) (a) It is not necessary that all of the bonds be issued at one time, but, except as  
101 otherwise provided in this Subsection (2), bonds approved by the voters may not be issued  
102 more than 10 years after the day on which the election is held.

103 (b) The 10-year period described in Subsection (2)(a) is tolled if, at any time during the  
104 10-year period:

105 (i) an application for a referendum petition is filed with a local clerk, in accordance  
106 with Section 20A-7-602 [~~and Subsection 20A-7-601(3)(a)~~], with respect to the local obligation  
107 law relating to the bonds; or

108 (ii) the bonds are challenged in a court of law or an administrative proceeding in  
109 relation to:

110 (A) the legality or validity of the bonds, or the election or proceedings authorizing the  
111 bonds;

112 (B) the authority of the local political subdivision to issue the bonds;

113 (C) the provisions made for the security or payment of the bonds; or

114 (D) any other issue that materially and adversely affects the marketability of the bonds,  
115 as determined by the individual or body that holds the executive powers of the local political  
116 subdivision.

117 (c) ~~[A]~~ For a bond described in this section that was approved by voters on or after  
118 May 8, 2002, but before May 8, 2018, a tolling period described in Subsection (2)(b)(i) ends on

119 the later of the day on which:

120 (i) the local clerk determines that the petition is insufficient, in accordance with  
121 Subsection 20A-7-607(2)(c), unless an application, described in Subsection 20A-7-607(4)(a), is  
122 made to the Supreme Court;

123 (ii) the Supreme Court determines, under Subsection 20A-7-607(4)(c), that the petition  
124 for the referendum is not legally sufficient; or

125 (iii) for a referendum petition that is sufficient, the governing body declares, as  
126 provided by law, the results of the referendum election on the local obligation law.

127 (d) For a bond described in this section that was approved by voters on or after May 8,  
128 2018, a tolling period described in Subsection (2)(b)(i) ends:

129 (i) if a county, city, town, metro township, or court determines, under Section  
130 20A-7-602.7, that the proposed referendum is not legally referable to voters, the later of:

131 (A) the day on which the county, city, town, or metro township provides the notice  
132 described in Subsection 20A-7-602.7(1)(b)(ii); or

133 (B) if a sponsor appeals, under Subsection 20A-7-602.7(4), the day on which a court  
134 decision that the proposed referendum is not legally referable to voters becomes final; or

135 (ii) if a county, city, town, metro township, or court determines, under Section  
136 20A-7-602.7, that the proposed referendum is legally referable to voters, the later of:

137 (A) the day on which the local clerk determines, under Section 20A-7-607, that the  
138 number of certified names is insufficient for the proposed referendum to appear on the ballot;

139 or

140 (B) if the local clerk determines, under Section 20A-7-607, that the number of certified  
141 names is sufficient for the proposed referendum to appear on the ballot, the day on which the  
142 governing body declares, as provided by law, the results of the referendum election on the local  
143 obligation law.

144 [~~(d)~~] (e) A tolling period described in Subsection (2)(b)(ii) ends after:

145 (i) there is a final settlement, a final adjudication, or another type of final resolution of  
146 all challenges described in Subsection (2)(b)(ii); and

147 (ii) the individual or body that holds the executive powers of the local political  
148 subdivision issues a document indicating that all challenges described in Subsection (2)(b)(ii)  
149 are resolved and final.

150           ~~[(e)]~~ (f) If the 10-year period described in Subsection (2)(a) is tolled under this  
151 Subsection (2) and, when the tolling ends and after giving effect to the tolling, the period of  
152 time remaining to issue the bonds is less than one year, the period of time remaining to issue  
153 the bonds shall be extended to one year.

154           ~~[(f)]~~ (g) The tolling provisions described in this Subsection (2) apply to all bonds  
155 described in this section that were approved by voters on or after May 8, 2002.

156           (3) (a) Bonds approved by the voters may not be issued to an amount that will cause  
157 the indebtedness of the local political subdivision to exceed that permitted by the Utah  
158 Constitution or statutes.

159           (b) In computing the amount of indebtedness that may be incurred pursuant to  
160 constitutional and statutory limitations, the constitutionally or statutorily permitted percentage,  
161 as the case may be, shall be applied to the fair market value, as defined under Section 59-2-102,  
162 of the taxable property in the local political subdivision, as computed from the last applicable  
163 equalized assessment roll before the incurring of the additional indebtedness.

164           (c) In determining the fair market value of the taxable property in the local political  
165 subdivision as provided in this section, the value of all tax equivalent property, as defined in  
166 Section 59-3-102, shall be included as a part of the total fair market value of taxable property  
167 in the local political subdivision, as provided in Title 59, Chapter 3, Tax Equivalent Property  
168 Act.

169           (4) Bonds of improvement districts issued in a manner that they are payable solely  
170 from the revenues to be derived from the operation of the facilities of the district may not be  
171 included as bonded indebtedness for the purposes of the computation.

172           (5) Where bonds are issued by a city, town, or county payable solely from revenues  
173 derived from the operation of revenue-producing facilities of the city, town, or county, or  
174 payable solely from a special fund into which are deposited excise taxes levied and collected by  
175 the city, town, or county, or excise taxes levied by the state and rebated pursuant to law to the  
176 city, town, or county, or any combination of those excise taxes, the bonds shall be included as  
177 bonded indebtedness of the city, town, or county only to the extent required by the Utah  
178 Constitution, and any bonds not so required to be included as bonded indebtedness of the city,  
179 town, or county need not be authorized at an election, except as otherwise provided by the Utah  
180 Constitution, the bonds being hereby expressly excluded from the election requirement of

181 Section 11-14-201.

182 (6) A bond election is not void when the amount of bonds authorized at the election  
183 exceeded the limitation applicable to the local political subdivision at the time of holding the  
184 election, but the bonds may be issued from time to time in an amount within the applicable  
185 limitation at the time the bonds are issued.

186 Section 2. Section 20A-7-101 is amended to read:

187 **20A-7-101. Definitions.**

188 As used in this chapter:

189 (1) "Budget officer" means:

190 (a) for a county, the person designated as budget officer in Section 17-19a-203;

191 (b) for a city, the person designated as budget officer in Subsection 10-6-106(5);

192 (c) for a town, the town council; or

193 (d) for a metro township, the person described in Subsection (1)(a) for the county in  
194 which the metro township is located.

195 (2) "Certified" means that the county clerk has acknowledged a signature as being the  
196 signature of a registered voter.

197 (3) "Circulation" means the process of submitting an initiative or referendum petition  
198 to legal voters for their signature.

199 (4) "Eligible voter" means a legal voter who resides in the jurisdiction of the county,  
200 city, or town that is holding an election on a ballot proposition.

201 (5) "Final fiscal impact statement" means a financial statement prepared after voters  
202 approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or  
203 20A-7-502.5(2).

204 (6) "Initial fiscal impact estimate" means:

205 (a) a financial statement prepared under Section 20A-7-202.5 after the filing of an  
206 application for an initiative petition; or

207 (b) a financial and legal statement prepared under Section 20A-7-502.5 or 20A-7-602.5  
208 for an initiative or referendum petition.

209 (7) "Initiative" means a new law proposed for adoption by the public as provided in  
210 this chapter.

211 (8) "Initiative packet" means a copy of the initiative petition, a copy of the proposed

212 law, and the signature sheets, all of which have been bound together as a unit.

213 (9) "Legal signatures" means the number of signatures of legal voters that:

214 (a) meet the numerical requirements of this chapter; and

215 (b) have been certified and verified as provided in this chapter.

216 (10) "Legal voter" means a person who:

217 (a) is registered to vote; or

218 (b) becomes registered to vote before the county clerk certifies the signatures on an  
219 initiative or referendum petition.

220 (11) "Legally referable to voters" means:

221 (a) for a proposed local initiative, that the proposed local initiative is legally referable  
222 to voters under Section [20A-7-502.7](#); or

223 (b) for a proposed local referendum, that the proposed local referendum is legally  
224 referable to voters under Section [20A-7-602.7](#).

225 [~~(11)~~] (12) "Local attorney" means the county attorney, city attorney, or town attorney  
226 in whose jurisdiction a local initiative or referendum petition is circulated.

227 [~~(12)~~] (13) "Local clerk" means the county clerk, city recorder, or town clerk in whose  
228 jurisdiction a local initiative or referendum petition is circulated.

229 [~~(13)~~] (14) (a) "Local law" includes:

230 (i) an ordinance;

231 (ii) a resolution;

232 (iii) a master plan;

233 (iv) a comprehensive zoning regulation adopted by ordinance or resolution; or

234 (v) other legislative action of a local legislative body.

235 (b) "Local law" does not include an individual property zoning decision.

236 [~~(14)~~] (15) "Local legislative body" means the legislative body of a county, city, town,  
237 or metro township.

238 [~~(15)~~] (16) "Local obligation law" means a local law passed by the local legislative  
239 body regarding a bond that was approved by a majority of qualified voters in an election.

240 [~~(16)~~] (17) "Local tax law" means a law, passed by a political subdivision with an  
241 annual or biannual calendar fiscal year, that increases a tax or imposes a new tax.

242 [~~(17)~~] (18) "Measure" means a proposed constitutional amendment, an initiative, or



243 referendum.

244 ~~[(18)]~~ (19) "Referendum" means a process by which a law passed by the Legislature or  
245 by a local legislative body is submitted or referred to the voters for their approval or rejection.

246 ~~[(19)]~~ (20) "Referendum packet" means a copy of the referendum petition, a copy of  
247 the law being submitted or referred to the voters for their approval or rejection, and the  
248 signature sheets, all of which have been bound together as a unit.

249 ~~[(20)]~~ (21) (a) "Signature" means a holographic signature.

250 (b) "Signature" does not mean an electronic signature.

251 ~~[(21)]~~ (22) "Signature sheets" means sheets in the form required by this chapter that are  
252 used to collect signatures in support of an initiative or referendum.

253 (23) "Special local ballot proposition" means a local ballot proposition that is not a  
254 standard local ballot proposition.

255 ~~[(22)]~~ (24) "Sponsors" means the legal voters who support the initiative or referendum  
256 and who sign the application for petition copies.

257 (25) (a) "Standard local ballot proposition" means a local ballot proposition for an  
258 initiative or a referendum.

259 (b) "Standard local ballot proposition" does not include a property tax referendum  
260 described in Section 20A-7-613.

261 ~~[(23)]~~ (26) "Sufficient" means that the signatures submitted in support of an initiative  
262 or referendum petition have been certified and verified as required by this chapter.

263 ~~[(24)]~~ (27) "Tax percentage difference" means the difference between the tax rate  
264 proposed by an initiative or an initiative petition and the current tax rate.

265 ~~[(25)]~~ (28) "Tax percentage increase" means a number calculated by dividing the tax  
266 percentage difference by the current tax rate and rounding the result to the nearest thousandth.

267 ~~[(26)]~~ (29) "Verified" means acknowledged by the person circulating the petition as  
268 required in Sections [20A-7-205](#) and [20A-7-305](#).

269 Section 3. Section [20A-7-206](#) is amended to read:

270 **20A-7-206. Submitting the initiative petition -- Certification of signatures by the**  
271 **county clerks -- Transfer to lieutenant governor.**

272 (1) (a) In order to qualify an initiative petition for placement on the regular general  
273 election ballot, the sponsors shall deliver each signed and verified initiative packet to the

274 county clerk of the county in which the packet was circulated on or before the sooner of:

275 (i) 316 days after the day on which the application is filed; or

276 (ii) the April 15 immediately before the next regular general election immediately after  
277 the application is filed under Section 20A-7-202.

278 (b) A sponsor may not submit an initiative packet after the deadline established in this  
279 Subsection (1).

280 (2) (a) No later than the earlier of 15 days after the day on which the county clerk  
281 receives an initiative packet or May 1 before the regular general election, the county clerk shall:

282 (i) check the names of all persons completing the verification for the initiative packet  
283 to determine whether those persons are residents of Utah and are at least 18 years old; and

284 (ii) submit the name of each of those persons who is not a Utah resident or who is not  
285 at least 18 years old to the attorney general and county attorney.

286 (b) The county clerk may not certify a signature under Subsection (3) on an initiative  
287 packet that is not verified in accordance with Section 20A-7-205.

288 (3) No later than the earlier of 30 days after the day on which the county clerk receives  
289 an initiative packet or May 15 before the regular general election, the county clerk shall:

290 (a) determine whether each signer is a registered voter according to the requirements of  
291 Section 20A-7-206.3;

292 (b) certify on the petition whether each name is that of a registered voter; and

293 (c) deliver all of the verified initiative packets to the lieutenant governor.

294 (4) Upon receipt of an initiative packet under Subsection (3) and any statement  
295 submitted under Subsection 20A-7-205(3), the lieutenant governor shall remove from the  
296 initiative petition a voter's signature if the voter has requested the removal in accordance with  
297 Subsection 20A-7-205(3).

298 (5) In order to qualify an initiative petition for submission to the Legislature, the  
299 sponsors shall deliver each signed and verified initiative packet to the county clerk of the  
300 county in which the packet was circulated by the November 15 before the next annual general  
301 session of the Legislature immediately after the application is filed under Section 20A-7-202.

302 (6) (a) No later than the earlier of 15 days after the day on which the county clerk  
303 receives an initiative packet or December 1 before the annual general session of the  
304 Legislature, the county clerk shall:

305 (i) check the names of all persons completing the verification for the initiative packet  
306 to determine whether those persons are Utah residents and are at least 18 years old; and

307 (ii) submit the name of each of those persons who is not a Utah resident or who is not  
308 at least 18 years old to the attorney general and county attorney.

309 (b) The county clerk may not certify a signature under Subsection (7) on an initiative  
310 packet that is not verified in accordance with Section 20A-7-205.

311 (7) No later than the earlier of 30 days after the day on which the county clerk receives  
312 an initiative packet or December 15 before the annual general session of the Legislature, the  
313 county clerk shall:

314 (a) determine whether each signer is a registered voter according to the requirements of  
315 Section 20A-7-206.3;

316 (b) certify on the petition whether each name is that of a registered voter; and

317 (c) deliver all of the verified initiative packets to the lieutenant governor.

318 (8) The lieutenant governor may, at the county clerk's expense, intervene to perform a  
319 responsibility described in Subsection (2), (3), (6), or (7) related to an initiative packet if:

320 (a) the county clerk does not timely comply with the deadline described in Subsection  
321 (2), (3), (6), or (7);

322 (b) requested by each of the first five sponsors described in Subsection  
323 20A-7-202(2)(a) of the initiative petition; or

324 (c) requested by the county clerk.

325 [~~8~~] (9) The sponsor or their representatives may not retrieve initiative packets from  
326 the county clerks once they have submitted them.

327 Section 4. Section 20A-7-306 is amended to read:

328 **20A-7-306. Submitting the referendum petition -- Certification of signatures by**  
329 **the county clerks -- Transfer to lieutenant governor.**

330 (1) (a) No later than 40 days after the end of the legislative session at which the law  
331 passed, the sponsors shall deliver each signed and verified referendum packet to the county  
332 clerk of the county in which the packet was circulated.

333 (b) A sponsor may not submit a referendum packet after the deadline established in this  
334 Subsection (1).

335 (2) (a) No later than the earlier of 15 days after the day on which the county clerk

336 receives a referendum packet or 55 days after the end of the legislative session at which the law  
337 passed, the county clerk shall:

338 (i) check the names of all persons completing the verification on the last page of each  
339 referendum packet to determine whether or not those persons are Utah residents and are at least  
340 18 years old; and

341 (ii) submit the name of each of those persons who is not a Utah resident or who is not  
342 at least 18 years old to the attorney general and county attorney.

343 (b) The county clerk may not certify a signature under Subsection (3) on a referendum  
344 packet that is not verified in accordance with Section [20A-7-305](#).

345 (3) No later than the earlier of 15 days after the day on which the county clerk receives  
346 a referendum packet or 55 days after the end of the legislative session at which the law passed,  
347 the county clerk shall:

348 (a) determine whether each signer is a registered voter according to the requirements of  
349 Section [20A-7-306.3](#);

350 (b) certify on the referendum petition whether each name is that of a registered voter;  
351 and

352 (c) deliver all of the verified referendum packets to the lieutenant governor.

353 (4) The lieutenant governor may, at the county clerk's expense, intervene to perform a  
354 responsibility described in Subsection (2) or (3) related to a referendum packet if:

355 (a) the county clerk does not timely comply with the deadline described in Subsection  
356 (2) or (3);

357 (b) requested by each of the first five sponsors described in Subsection  
358 [20A-7-302\(2\)\(a\)](#) of the referendum petition; or

359 (c) requested by the county clerk.

360 [~~4~~] (5) Upon receipt of a referendum packet under Subsection (3) and any statement  
361 submitted under Subsection [20A-7-305\(3\)](#), the lieutenant governor shall remove from the  
362 referendum petition a voter's signature if the voter has requested the removal in accordance  
363 with Subsection [20A-7-305\(3\)](#).

364 Section 5. Section [20A-7-401.5](#) is enacted to read:

365 **[20A-7-401.5. Proposition information pamphlet.](#)**

366 (1) (a) (i) Within 15 days after the day on which an eligible voter files an application to

367 circulate an initiative petition under Section 20A-7-502 or an application to circulate a  
368 referendum petition under Section 20A-7-602:

369 (A) the sponsors of the proposed initiative or referendum may submit a written  
370 argument in favor of the proposed initiative or referendum to the election officer of the county  
371 or municipality to which the petition relates; and

372 (B) the county or municipality to which the application relates may submit a written  
373 argument in favor of, or against, the proposed initiative or referendum to the county's or  
374 municipality's election officer.

375 (ii) If a county or municipality submits more than one written argument under  
376 Subsection (1)(a)(i)(B), the election officer shall select one of the written arguments, giving  
377 preference to a written argument submitted by a member of a local legislative body.

378 (b) Within one business day after the day on which an election officer receives an  
379 argument under Subsection (1)(a)(i)(A), the election officer shall provide a copy of the  
380 argument to the county or municipality described in Subsection (1)(a)(i)(B).

381 (c) Within one business day after the day on which an election officer receives an  
382 argument under Subsection (1)(a)(i)(B), the election officer shall provide a copy of the  
383 argument to the first three sponsors of the proposed initiative or referendum described in  
384 Subsection (1)(a)(i)(A).

385 (d) The sponsors of the proposed initiative or referendum may submit a revised version  
386 of the written argument described in Subsection (1)(a)(i)(A) to the election officer of the  
387 county or municipality to which the petition relates:

388 (i) within five days after the day on which the county or municipality determines that  
389 the proposed initiative or referendum is legally referable to voters; or

390 (ii) if a court determines that the proposed initiative or referendum is legally referable  
391 to voters, within five days after the day on which the determination is final.

392 (e) The author of a written argument described in Subsection (1)(a)(i)(B) submitted by  
393 a county or municipality may submit a revised version of the written argument to the county's  
394 or municipality's election officer:

395 (i) within five days after the day on which the county or municipality determines that  
396 the proposed initiative or referendum is legally referable to voters; or

397 (ii) if a court determines that the proposed initiative or referendum is legally referable

398 to voters, within five days after the day on which the determination is final.

399 (2) (a) A written argument described in Subsection (1) may not exceed 500 words.

400 (b) Except as provided in Subsection (2)(c), a person may not modify a written  
401 argument described in Subsection (1)(d) or (e) after the written argument is submitted to the  
402 election officer.

403 (c) The election officer and the person that submits the written argument described in  
404 Subsection (1)(d) or (e) may jointly agree to modify the written argument to:

405 (i) correct factual, grammatical, or spelling errors; or

406 (ii) reduce the number of words to come into compliance with Subsection (2)(a).

407 (d) An election officer shall refuse to include a written argument in the proposition  
408 information pamphlet described in this section if the person who submits the argument:

409 (i) fails to negotiate, in good faith, to modify the argument in accordance with  
410 Subsection (2)(c); or

411 (ii) does not timely submit the written argument to the election officer.

412 (e) An election officer shall make a good faith effort to negotiate a modification  
413 described in Subsection (2)(c) in an expedited manner.

414 (3) An election officer who receives a written argument described in Subsection (1)  
415 shall prepare a proposition information pamphlet for publication that includes:

416 (a) a copy of the application for the proposed initiative or referendum;

417 (b) except as provided in Subsection (2)(d), immediately after the copy described in  
418 Subsection (3)(a), the argument prepared by the sponsors of the proposed initiative or  
419 referendum, if any; and

420 (c) except as provided in Subsection (2)(d), immediately after the argument described  
421 in Subsection (3)(b), the argument prepared by the county or municipality, if any.

422 (4) Before an election officer publishes a proposition information pamphlet under  
423 Subsection (5) or (6), the proposition information pamphlet is a draft for purposes of Title 63G,  
424 Chapter 2, Government Records Access and Management Act.

425 (5) An election officer for a municipality shall publish the proposition information  
426 pamphlet as follows:

427 (a) within the later of 10 days after the day on which the municipality or a court  
428 determines that the proposed initiative or referendum is legally referable to voters, or, if the

429 election officer modifies an argument under Subsection (2)(c), three days after the day on  
430 which the election officer and the person that submitted the argument agree on the  
431 modification:

432 (i) by sending the proposition information pamphlet electronically to each individual in  
433 the municipality for whom the municipality has an email address obtained via voter  
434 registration; and

435 (ii) by posting the proposition information pamphlet on the Utah Public Notice  
436 Website, created in Section [63F-1-701](#), and the home page of the municipality's website, if the  
437 municipality has a website, until:

438 (A) if the sponsors of the proposed initiative or referendum do not timely deliver any  
439 verified initiative packets under Section [20A-7-506](#) or any verified referendum packets under  
440 Section [20A-7-606](#), the day after the day of the deadline for delivery of the verified initiative  
441 packets or verified referendum packets;

442 (B) the local clerk determines, under Section [20A-7-507](#) or [20A-7-607](#), that the  
443 number of signatures necessary to qualify the proposed initiative or referendum for placement  
444 on the ballot is insufficient and the determination is not timely appealed or is upheld after  
445 appeal; or

446 (C) the day after the day of the election at which the proposed initiative or referendum  
447 appears on the ballot; and

448 (b) if the municipality regularly mails a newsletter, utility bill, or other material to the  
449 municipality's residents, including an Internet address, where a resident may view the  
450 proposition information pamphlet, in the next mailing, for which the municipality has not  
451 begun preparation, that falls on or after the later of:

452 (i) 10 days after the day on which the municipality or a court determines that the  
453 proposed initiative or referendum is legally referable to voters; or

454 (ii) if the election officer modifies an argument under Subsection (2)(c), three days  
455 after the day on which the election officer and the person that submitted the argument agree on  
456 the modification.

457 (6) An election officer for a county shall, within the later of 10 days after the day on  
458 which the county or a court determines that the proposed initiative or referendum is legally  
459 referable to voters, or, if the election officer modifies an argument under Subsection (2)(c),

460 three days after the day on which the election officer and the person that submitted the  
 461 argument agree on the modification, publish the proposition information pamphlet as follows:

462 (a) by sending the proposition information pamphlet electronically to each individual  
 463 in the county for whom the county has an email address obtained via voter registration; and

464 (b) by posting the proposition information pamphlet on the Utah Public Notice  
 465 Website, created in Section 63F-1-701, and the home page of the county's website, until:

466 (i) if the sponsors of the proposed initiative or referendum do not timely deliver any  
 467 verified initiative packets under Section 20A-7-506 or any verified referendum packets under  
 468 Section 20A-7-606, the day after the day of the deadline for delivery of the verified initiative  
 469 packets or verified referendum packets;

470 (ii) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the number  
 471 of signatures necessary to qualify the proposed initiative or referendum for placement on the  
 472 ballot is insufficient and the determination is not timely appealed or is upheld after appeal; or

473 (iii) the day after the day of the election at which the proposed initiative or referendum  
 474 appears on the ballot.

475 Section 6. Section 20A-7-402 is amended to read:

476 **20A-7-402. Local voter information pamphlet -- Contents -- Limitations --**  
 477 **Preparation -- Statement on front cover.**

478 (1) The county or municipality that is subject to a ballot proposition shall prepare a  
 479 local voter information pamphlet that complies with the requirements of this part.

480 ~~[(2) The arguments for or against a ballot proposition shall conform to the~~  
 481 ~~requirements of this section.]~~

482 ~~[(3)]~~ (2) (a) Within the time requirements described in Subsection ~~[(3)]~~ (2)(c)(i), a  
 483 municipality that is subject to a special local ballot proposition shall provide a notice that  
 484 complies with the requirements of Subsection ~~[(3)]~~ (2)(c)(ii) to the municipality's residents by:

485 (i) if the municipality regularly mails a newsletter, utility bill, or other material to the  
 486 municipality's residents, including the notice with a newsletter, utility bill, or other material;

487 (ii) posting the notice, until after the deadline described in Subsection ~~[(3)]~~ (2)(d) has  
 488 passed, on:

489 (A) the Utah Public Notice Website created in Section 63F-1-701; and

490 (B) the home page of the municipality's website, if the municipality has a website; and



491 (iii) sending the notice electronically to each individual in the municipality for whom  
492 the municipality has an email address.

493 (b) A county that is subject to a special local ballot proposition shall:

494 (i) send an electronic notice that complies with the requirements of Subsection [~~(3)~~]

495 (2)(c)(ii) to each individual in the county for whom the county has an email address; or

496 (ii) until after the deadline described in Subsection [~~(3)~~] (2)(d) has passed, post a notice  
497 that complies with the requirements of Subsection [~~(3)~~] (2)(c)(ii) on:

498 (A) the Utah Public Notice Website created in Section 63F-1-701; and

499 (B) the home page of the county's website.

500 (c) A municipality or county that mails, sends, or posts a notice under Subsection [~~(3)~~]

501 (2)(a) or (b) shall:

502 (i) mail, send, or post the notice:

503 (A) not less than 90 days before the date of the election at which a special local ballot  
504 proposition will be voted upon; or

505 (B) if the requirements of Subsection [~~(3)~~] (2)(c)(i)(A) cannot be met, as soon as  
506 practicable after the special local ballot proposition is approved to be voted upon in an election;  
507 and

508 (ii) ensure that the notice contains:

509 (A) the ballot title for the special local ballot proposition;

510 (B) instructions on how to file a request under Subsection [~~(3)~~] (2)(d); and

511 (C) the deadline described in Subsection [~~(3)~~] (2)(d).

512 (d) To prepare [~~an~~] a written argument for or against a special local ballot proposition,  
513 an eligible voter shall file a request with the election officer at least 65 days before the election  
514 at which the special local ballot proposition is to be voted on.

515 (e) If more than one eligible voter requests the opportunity to prepare [~~an~~] a written  
516 argument for or against a special local ballot proposition, the election officer shall make the  
517 final designation according to the following criteria:

518 (i) sponsors have priority in preparing an argument regarding a special local ballot  
519 proposition; and

520 (ii) members of the local legislative body have priority over others.

521 (f) (i) [~~Except as provided in Subsection (3)(g), a~~] A sponsor of a special local ballot

522 proposition may prepare ~~[an]~~ a written argument in favor of the special local ballot proposition.

523           (ii) ~~[Except as provided in Subsection (3)(g), and subject]~~ Subject to Subsection ~~[(3)]~~  
524 (2)(e), an eligible voter opposed to the special local ballot proposition who submits a request  
525 under Subsection ~~[(3)]~~ (2)(d) may prepare ~~[an]~~ a written argument against the special local  
526 ballot proposition.

527           ~~[(g)(i) For a referendum, subject to Subsection (3)(e), an eligible voter who is in favor~~  
528 ~~of a law that is referred to the voters and who submits a request under Subsection (3)(d) may~~  
529 ~~prepare an argument for adoption of the law.]~~

530           ~~[(ii) The sponsors of a referendum may prepare an argument against the adoption of a~~  
531 ~~law that is referred to the voters.]~~

532           ~~[(h)]~~ (g) An eligible voter who submits ~~[an]~~ a written argument under this section in  
533 relation to a special local ballot proposition shall:

- 534           (i) ensure that the written argument does not exceed 500 words in length;
- 535           (ii) ensure that the written argument does not list more than five names as sponsors;
- 536           (iii) submit the written argument to the election officer no later than 60 days before the  
537 election day on which the ballot proposition will be submitted to the voters; and
- 538           (iv) include with the written argument the eligible voter's name, residential address,  
539 postal address, email address if available, and phone number.

540           ~~[(i)]~~ (h) An election officer shall refuse to accept and publish an argument that is  
541 submitted after the deadline described in Subsection ~~[(3)(h)]~~ (2)(g)(iii).

542           ~~[(4)]~~ (3) (a) An election officer who timely receives the written arguments in favor of  
543 and against a special local ballot proposition shall, within one business day after the day on  
544 which the election office receives both written arguments, send, via mail or email:

545           (i) a copy of the written argument in favor of the special local ballot proposition to the  
546 eligible voter who submitted the written argument against the special local ballot proposition;  
547 and

548           (ii) a copy of the written argument against the special local ballot proposition to the  
549 eligible voter who submitted the written argument in favor of the special local ballot  
550 proposition.

551           (b) The eligible voter who submitted a timely written argument in favor of the special  
552 local ballot proposition:

553 (i) may submit to the election officer a written rebuttal argument of the written  
554 argument against the special local ballot proposition;

555 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length;  
556 and

557 (iii) shall submit the written rebuttal argument no later than 45 days before the election  
558 day on which the special local ballot proposition will be submitted to the voters.

559 (c) The eligible voter who submitted a timely written argument against the special local  
560 ballot proposition:

561 (i) may submit to the election officer a written rebuttal argument of the written  
562 argument in favor of the special local ballot proposition;

563 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length;  
564 and

565 (iii) shall submit the written rebuttal argument no later than 45 days before the election  
566 day on which the special local ballot proposition will be submitted to the voters.

567 (d) An election officer shall refuse to accept and publish a written rebuttal argument in  
568 relation to a special local ballot proposition that is submitted after the deadline described in  
569 Subsection [~~(4)~~] (3)(b)(iii) or [~~(4)~~] (3)(c)(iii).

570 [~~(5)~~] (4) (a) Except as provided in Subsection [~~(5)~~] (4)(b), in relation to a special local  
571 ballot proposition:

572 (i) an eligible voter may not modify [~~an~~] a written argument or a written rebuttal  
573 argument after the eligible voter submits the written argument or written rebuttal argument to  
574 the election officer; and

575 (ii) a person other than the eligible voter described in Subsection [~~(5)~~] (4)(a)(i) may not  
576 modify [~~an~~] a written argument or a written rebuttal argument.

577 (b) The election officer, and the eligible voter who submits [~~an~~] a written argument or  
578 written rebuttal argument in relation to a special local ballot proposition, may jointly agree to  
579 modify [~~an~~] a written argument or written rebuttal argument in order to:

580 (i) correct factual, grammatical, or spelling errors; and

581 (ii) reduce the number of words to come into compliance with the requirements of this  
582 section.

583 (c) An election officer shall refuse to accept and publish [~~an~~] a written argument or

584 written rebuttal argument in relation to a special local ballot proposition if the eligible voter  
585 who submits the written argument or written rebuttal argument fails to negotiate, in good faith,  
586 to modify the written argument or written rebuttal argument in accordance with Subsection  
587 [~~(5)~~] (4)(b).

588 [~~(6)~~] (5) [~~An~~] In relation to a special local ballot proposition, an election officer may  
589 designate another eligible voter to take the place of an eligible voter described in this section if  
590 the original eligible voter is, due to injury, illness, death, or another circumstance, unable to  
591 continue to fulfill the duties of an eligible voter described in this section.

592 (6) Sponsors whose written argument in favor of a standard local ballot proposition is  
593 included in a proposition information pamphlet under Section [20A-7-401.5](#):

594 (a) may, if a written argument against the standard local ballot proposition is included  
595 in the proposition information pamphlet, submit a written rebuttal argument to the election  
596 officer;

597 (b) shall ensure that the written rebuttal argument does not exceed 250 words in length;  
598 and

599 (c) shall submit the written rebuttal argument no later than 45 days before the election  
600 day on which the standard local ballot proposition will be submitted to the voters.

601 (7) (a) A county or municipality that submitted a written argument against a standard  
602 local ballot proposition that is included in a proposition information pamphlet under Section  
603 [20A-7-401.5](#):

604 (i) may, if a written argument in favor of the standard local ballot proposition is  
605 included in the proposition information pamphlet, submit a written rebuttal argument to the  
606 election officer;

607 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length;  
608 and

609 (iii) shall submit the written rebuttal argument no later than 45 days before the election  
610 day on which the ballot proposition will be submitted to the voters.

611 (b) If a county or municipality submits more than one written rebuttal argument under  
612 Subsection (7)(a)(i), the election officer shall select one of the written rebuttal arguments,  
613 giving preference to a written rebuttal argument submitted by a member of a local legislative  
614 body.

615 (8) (a) An election officer shall refuse to accept and publish a written rebuttal argument  
616 that is submitted after the deadline described in Subsection (6)(c) or (7)(c).

617 (b) Before an election officer publishes a local voter information pamphlet under this  
618 section, a written rebuttal argument is a draft for purposes of Title 63G, Chapter 2, Government  
619 Records Access and Management Act.

620 (c) An election officer who receives a written rebuttal argument described in this  
621 section may not, before publishing the local voter information pamphlet described in this  
622 section, disclose the written rebuttal argument, or any information contained in the written  
623 rebuttal argument, to any person who may in any way be involved in preparing an opposing  
624 rebuttal argument.

625 (9) (a) Except as provided in Subsection (9)(b), a person may not modify a written  
626 rebuttal argument after the written rebuttal argument is submitted to the election officer.

627 (b) The election officer, and the person who submits a written rebuttal argument, may  
628 jointly agree to modify a written rebuttal argument in order to:

629 (i) correct factual, grammatical, or spelling errors; or

630 (ii) reduce the number of words to come into compliance with the requirements of this  
631 section.

632 (c) An election officer shall refuse to accept and publish a written rebuttal argument if  
633 the person who submits the written rebuttal argument:

634 (i) fails to negotiate, in good faith, to modify the written rebuttal argument in  
635 accordance with Subsection (9)(b); or

636 (ii) does not timely submit the written rebuttal argument to the election officer.

637 (d) An election officer shall make a good faith effort to negotiate a modification  
638 described in Subsection (9)(b) in an expedited manner.

639 (10) An election officer may designate another person to take the place of a person who  
640 submits a written rebuttal argument in relation to a standard local ballot proposition if the  
641 person is, due to injury, illness, death, or another circumstance, unable to continue to fulfill the  
642 person's duties.

643 ~~[(7)]~~ (11) (a) The local voter information pamphlet shall include a copy of the initial  
644 fiscal impact estimate prepared for each initiative under Section [20A-7-502.5](#).

645 (b) If the initiative proposes a tax increase, the local voter information pamphlet shall

646 include the following statement in bold type:

647 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax  
648 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
649 increase in the current tax rate."

650 [(8)] (12) (a) In preparing the local voter information pamphlet, the election officer  
651 shall:

652 (i) ensure that the written arguments are printed on the same sheet of paper upon which  
653 the ballot proposition is also printed;

654 (ii) ensure that the following statement is printed on the front cover or the heading of  
655 the first page of the printed written arguments:

656 "The arguments for or against a ballot proposition are the opinions of the authors.";

657 (iii) pay for the printing and binding of the local voter information pamphlet; and

658 (iv) not less than 15 days before, but not more than 45 days before, the election at  
659 which the ballot proposition will be voted on, distribute, by mail or carrier, to each registered  
660 voter entitled to vote on the ballot proposition:

661 (A) a voter information pamphlet; or

662 (B) the notice described in Subsection [(8)] (12)(c).

663 (b) (i) If the [~~proposed measure~~] language of the ballot proposition exceeds 500 words  
664 in length, the election officer may summarize the [~~measure~~] ballot proposition in 500 words or  
665 less.

666 (ii) The summary shall state where a complete copy of the ballot proposition is  
667 available for public review.

668 (c) (i) The election officer may distribute a notice printed on a postage prepaid,  
669 preaddressed return form that a person may use to request delivery of a voter information  
670 pamphlet by mail.

671 (ii) The notice described in Subsection [(8)] (12)(c)(i) shall include:

672 (A) the address of the Statewide Electronic Voter Information Website authorized by  
673 Section 20A-7-801; and

674 (B) the phone number a voter may call to request delivery of a voter information  
675 pamphlet by mail or carrier.

676 Section 7. Section 20A-7-405 is enacted to read:

677 **20A-7-405. Public meeting.**

678 (1) A county or municipality may not discuss a proposed initiative, an initiative, a  
679 proposed referendum, or a referendum at a public meeting unless the county or municipality  
680 complies with the requirements of this section.

681 (2) The legislative body of a county or municipality may hold a public meeting to  
682 discuss a proposed initiative, an initiative, a proposed referendum, or a referendum if the  
683 legislative body:

684 (a) allows equal time, within a reasonable limit, for presentations on both sides of the  
685 proposed initiative, initiative, proposed referendum, or referendum;

686 (b) provides each interested party desiring to be heard an opportunity to present oral  
687 testimony within reasonable time limits; and

688 (c) holds the public meeting beginning at or after 6 p.m.

689 (3) This section does not prohibit a working group meeting from being held before 6  
690 p.m.

691 Section 8. Section **20A-7-406** is enacted to read:

692 **20A-7-406. Informational materials.**

693 The lieutenant governor shall create and publish to the lieutenant governor's website  
694 instructions on how a person may:

695 (1) qualify a local initiative for the ballot under Part 5, Local Initiatives - Procedures;  
696 or

697 (2) qualify a local referendum for the ballot under Part 6, Local Referenda -  
698 Procedures.

699 Section 9. Section **20A-7-407** is enacted to read:

700 **20A-7-407. Applicability of statute to pending processes.**

701 (1) If a local initiative or local referendum process is pending as described in  
702 Subsection (2), that local initiative or local referendum process:

703 (a) is subject to the provisions of law that were in effect on May 7, 2018; and

704 (b) is not subject to the provisions of this bill.

705 (2) A local initiative or local referendum process is pending under Subsection (1) if, on  
706 or before May 7, 2018:

707 (a) (i) sponsors have filed an application to circulate the initiative petition under

708 Section 20A-7-502; or

709 (ii) sponsors have filed an application to circulate the referendum petition under

710 Section 20A-7-602; and

711 (b) the process described in Subsection (2)(a) has not concluded.

712 Section 10. Section 20A-7-501 is amended to read:

713 **20A-7-501. Initiatives -- Signature requirements -- Time requirements.**

714 ~~[(1) (a) Except as provided in Subsection (1)(b), a person seeking to have an initiative~~  
715 ~~submitted to a local legislative body or to a vote of the people for approval or rejection shall~~  
716 ~~obtain legal signatures equal to:]~~

717 ~~[(i) 10% of all the votes cast in the county, city, town, or metro township for all~~  
718 ~~candidates for President of the United States at the last election at which a President of the~~  
719 ~~United States was elected if the total number of votes exceeds 25,000;]~~

720 ~~[(ii) 12-1/2% of all the votes cast in the county, city, town, or metro township for all~~  
721 ~~candidates for President of the United States at the last election at which a President of the~~  
722 ~~United States was elected if the total number of votes does not exceed 25,000 but is more than~~  
723 ~~10,000;]~~

724 ~~[(iii) 15% of all the votes cast in the county, city, town, or metro township for all~~  
725 ~~candidates for President of the United States at the last election at which a President of the~~  
726 ~~United States was elected if the total number of votes does not exceed 10,000 but is more than~~  
727 ~~2,500;]~~

728 ~~[(iv) 20% of all the votes cast in the county, city, town, or metro township for all~~  
729 ~~candidates for President of the United States at the last election at which a President of the~~  
730 ~~United States was elected if the total number of votes does not exceed 2,500 but is more than~~  
731 ~~500;]~~

732 ~~[(v) 25% of all the votes cast in the county, city, town, or metro township for all~~  
733 ~~candidates for President of the United States at the last election at which a President of the~~  
734 ~~United States was elected if the total number of votes does not exceed 500 but is more than~~  
735 ~~250; and]~~

736 ~~[(vi) 30% of all the votes cast in the county, city, town, or metro township for all~~  
737 ~~candidates for President of the United States at the last election at which a President of the~~  
738 ~~United States was elected if the total number of votes does not exceed 250;]~~



739 ~~[(b) In addition to the signature requirements of Subsection (1)(a), a person seeking to~~  
740 ~~have an initiative submitted to a local legislative body or to a vote of the people for approval or~~  
741 ~~rejection in a county, city, town, or metro township where the local legislative body is elected~~  
742 ~~from council districts shall obtain, from each of a majority of council districts, legal signatures~~  
743 ~~equal to the percentages established in Subsection (1)(a).]~~

744 (1) As used in this section, "number of active voters" means the number of active  
745 voters in the county, city, or town on the immediately preceding January 1.

746 (2) An eligible voter seeking to have an initiative submitted to a local legislative body  
747 or to a vote of the people for approval or rejection shall obtain legal signatures equal to:

748 (a) for a metro township with a population of 100,000 or more, a city of the first class,  
749 or a county of the first class, 8.5% of the number of active voters in the metro township, city, or  
750 county;

751 (b) for a metro township with a population of 65,000 or more but less than 100,000, a  
752 city of the second class, or a county of the second class, 11% of the number of active voters in  
753 the metro township, city, or county;

754 (c) for a metro township with a population of 30,000 or more but less than 65,000, a  
755 city of the third class, or a county of the third class, 13% of the number of active voters in the  
756 metro township, city, or county;

757 (d) for a metro township with a population of 10,000 or more but less than 30,000, a  
758 city of the fourth class, or a county of the fourth class, 17.5% of the number of active voters in  
759 the metro township, city, or county;

760 (e) for a metro township with a population of 1,000 or more but less than 10,000, a city  
761 of the fifth class, or a county of the fifth class, 22% of the number of active voters in the metro  
762 township, city, or county; or

763 (f) for a metro township with a population of less than 1,000, a town, or a county of the  
764 sixth class, 25.5% of the number of active voters in the metro township, town, or county.

765 ~~[(2)]~~ (3) If the total number of certified names from each verified signature sheet  
766 equals or exceeds the number of names required by this section, the clerk or recorder shall  
767 deliver the proposed law to the local legislative body at [its] the local legislative body's next  
768 meeting.

769 ~~[(3)]~~ (4) (a) The local legislative body shall either adopt or reject the proposed law

770 without change or amendment within 30 days ~~[of receipt of]~~ after the day on which the local  
771 legislative body receives the proposed law under Subsection (3).

772 (b) The local legislative body may:

773 (i) adopt the proposed law and refer ~~[it]~~ the proposed law to the people;

774 (ii) adopt the proposed law without referring ~~[it]~~ the proposed law to the people; or

775 (iii) reject the proposed law.

776 (c) If the local legislative body adopts the proposed law but does not refer ~~[it]~~ the  
777 proposed law to the people, ~~[it]~~ the proposed law is subject to referendum as with other local  
778 laws.

779 (d) (i) If a county legislative body rejects a proposed ~~[county ordinance or amendment]~~  
780 law, or takes no action on ~~[it]~~ a proposed law, the county clerk shall submit ~~[it]~~ the proposed  
781 law to the voters of the county at the next regular general election immediately after the  
782 petition for the proposed law is filed under Section 20A-7-502.

783 (ii) If a local legislative body of a municipality rejects a proposed ~~[municipal ordinance~~  
784 ~~or amendment]~~ law, or takes no action on ~~[it]~~ a proposed law, the municipal recorder or clerk  
785 shall submit ~~[it]~~ the proposed law to the voters of the municipality at the next municipal  
786 general election immediately after the petition is filed under Section 20A-7-502.

787 (e) (i) If ~~[the]~~ a local legislative body rejects ~~[the]~~ a proposed ~~[ordinance or~~  
788 ~~amendment]~~ law, or takes no action on ~~[it]~~ a proposed law, the local legislative body may adopt  
789 a competing local law.

790 (ii) The local legislative body shall prepare and adopt the competing local law within  
791 the ~~[30 days allowed for its action on the measure proposed by initiative petition]~~ 30-day  
792 period described in Subsection (4)(a).

793 (iii) If ~~[the]~~ a local legislative body adopts a competing local law, the clerk or recorder  
794 shall ~~[submit it]~~ refer the competing local law to the voters of the county or municipality at the  
795 same election at which the initiative proposal is submitted under Subsection (4)(d).

796 (f) If conflicting local laws are submitted to the people at the same election and two or  
797 more of the conflicting measures are approved by the people, ~~[then]~~ the measure that receives  
798 the greatest number of affirmative votes shall control all conflicts.

799 Section 11. Section 20A-7-502 is amended to read:

800 **20A-7-502. Local initiative process -- Application procedures.**

801 (1) ~~[Persons]~~ An eligible voter wishing to circulate an initiative petition shall file an  
 802 application with the local clerk.

803 (2) The application shall contain:

804 (a) the name and residence address of at least five sponsors of the initiative petition;

805 (b) a statement indicating that each of the sponsors~~[(t)]~~ is a registered voter; ~~[and]~~

806 ~~[(ii) (A) if the initiative seeks to enact a county ordinance, has voted in a regular~~  
 807 ~~general election in Utah within the last three years; or]~~

808 ~~[(B) if the initiative seeks to enact a municipal ordinance, has voted in a regular~~  
 809 ~~municipal election in Utah;]~~

810 ~~[(f) except as provided in Subsection (2)(b)(ii)(B)(H), within the last three years; or]~~

811 ~~[(H) within the last five years, if the sponsor's failure to vote within the last three years~~  
 812 ~~is due to the sponsor's residing in a municipal district that participates in a municipal election~~  
 813 ~~every four years;]~~

814 (c) a statement indicating that each of the sponsors has voted in an election in Utah in  
 815 the last three years;

816 ~~[(e)]~~ (d) the signature of each of the sponsors, ~~[attested to]~~ acknowledged by a notary  
 817 public;

818 ~~[(d)]~~ (e) a copy of the proposed law that includes:

819 (i) the title of the proposed law, which clearly expresses the subject of the law; and

820 (ii) the text of the proposed law; and

821 ~~[(e)]~~ (f) if the initiative petition proposes a tax increase, the following statement, "This  
 822 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax  
 823 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
 824 increase in the current tax rate."

825 (3) A proposed law submitted under this section may not contain more than one subject  
 826 to the same extent a bill may not pass containing more than one subject as provided in Utah  
 827 Constitution, Article VI, Section 22.

828 Section 12. Section **20A-7-502.5** is amended to read:

829 **20A-7-502.5. Initial fiscal and legal impact estimate -- Preparation of estimate.**

830 (1) Within three working days ~~[of receipt of an application for an initiative petition]~~  
 831 after the day on which the local clerk receives an application for an initiative petition, the local

832 clerk shall submit a copy of the [~~application~~] proposed law to the county, city, or town's budget  
833 officer.

834 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good  
835 faith estimate of the fiscal and legal impact of the law proposed by the initiative that contains:

836 (i) a dollar amount representing the total estimated fiscal impact of the proposed law;

837 (ii) if the proposed law would increase or decrease taxes, a dollar amount representing  
838 the total estimated increase or decrease for each type of tax affected under the proposed law  
839 and a dollar amount representing the total estimated increase or decrease in taxes under the  
840 proposed law;

841 (iii) if the proposed law would increase taxes, the tax percentage difference and the tax  
842 percentage increase;

843 (iv) if the proposed law would result in the issuance or a change in the status of bonds,  
844 notes, or other debt instruments, a dollar amount representing the total estimated increase or  
845 decrease in public debt under the proposed law;

846 (v) a listing of all sources of funding for the estimated costs associated with the  
847 proposed law showing each source of funding and the percentage of total funding provided  
848 from each source;

849 (vi) a dollar amount representing the estimated costs or savings, if any, to state and  
850 local government entities under the proposed law;

851 (vii) the proposed law's legal impact, including:

852 (A) any significant effects on a person's vested property rights;

853 (B) any significant effects on other laws or ordinances;

854 (C) any significant legal liability the city, county, or town may incur; and

855 (D) any other significant legal impact as determined by the budget officer and the legal  
856 counsel; and

857 (viii) a concise explanation, not exceeding 100 words, of the above information and of  
858 the estimated fiscal impact, if any, under the proposed law.

859 (b) (i) If the proposed law is estimated to have no fiscal impact, the local budget officer  
860 shall include a summary statement in the initial fiscal impact statement in substantially the  
861 following form:

862 "The (title of the local budget officer) estimates that the law proposed by this initiative

863 would have no significant fiscal impact and would not result in either an increase or decrease in  
864 taxes or debt."

865 (ii) If the proposed law is estimated to have a fiscal impact, the local budget officer  
866 shall include a summary statement in the initial fiscal impact estimate in substantially the  
867 following form:

868 "The (title of the local budget officer) estimates that the law proposed by this initiative  
869 would result in a total fiscal expense/savings of \$\_\_\_\_\_, which includes a (type of tax or  
870 taxes) tax increase/decrease of \$\_\_\_\_\_ and a \$\_\_\_\_\_ increase/decrease in public debt."

871 (iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise  
872 difficult to reasonably express in a summary statement, the local budget officer may include in  
873 the summary statement a brief explanation that identifies those factors affecting the variability  
874 or difficulty of the estimate.

875 (iv) If the proposed law would increase taxes, the local budget officer shall include a  
876 summary statement in the initial fiscal impact statement in substantially the following form:

877 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert  
878 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)  
879 percent increase in the current tax rate."

880 (3) The budget officer shall prepare an unbiased, good faith estimate of the cost of  
881 printing and distributing information related to the initiative petition in the voter information  
882 pamphlet as required by Section 20A-7-402.

883 (4) Within 25 calendar days [~~from the date that the local clerk delivers a copy of the~~  
884 ~~application~~] after the day on which the local clerk submits a copy of the proposed law under  
885 Subsection (1), the budget officer shall:

886 (a) deliver a copy of the initial fiscal impact estimate, including the legal impact  
887 estimate, to the local clerk's office; and

888 (b) mail a copy of the initial fiscal impact estimate, including the legal impact estimate,  
889 to the first [~~five~~] three sponsors named in the application.

890 [~~(5) (a) Three or more of the sponsors of the petition may, within 20 calendar days of~~  
891 ~~the date of delivery of the initial fiscal impact estimate to the local clerk's office, file a petition~~  
892 ~~with the Supreme Court, alleging that the initial fiscal impact estimate, including the legal~~  
893 ~~impact estimate, taken as a whole, is an inaccurate estimate of the fiscal or legal impact of the~~

894 initiative.]

895 ~~[(b) (i) There is a presumption that the initial fiscal impact estimate, including the legal~~  
896 ~~impact estimate, prepared by the budget officer and legal counsel is based upon reasonable~~  
897 ~~assumptions, uses reasonable data, and applies accepted analytical methods to present the~~  
898 ~~estimated fiscal and legal impact of the initiative.]~~

899 ~~[(ii) The Supreme Court may not revise the contents of, or direct the revision of, the~~  
900 ~~initial fiscal impact estimate, including the legal impact estimate, unless the plaintiffs rebut the~~  
901 ~~presumption by clear and convincing evidence that establishes that the fiscal estimate,~~  
902 ~~including the legal impact estimate, taken as a whole, is an inaccurate statement of the~~  
903 ~~estimated fiscal or legal impact of the initiative.]~~

904 ~~[(iii) The Supreme Court may refer an issue related to the initial fiscal impact estimate,~~  
905 ~~including the legal impact estimate, to a master to examine the issue and make a report in~~  
906 ~~accordance with Utah Rules of Civil Procedure, Rule 53.]~~

907 ~~[(c) The Supreme Court shall certify to the local clerk an initial fiscal impact estimate,~~  
908 ~~including the legal impact estimate, for the measure that meets the requirements of this~~  
909 ~~section.]~~

910 Section 13. Section **20A-7-502.7** is enacted to read:

911 **20A-7-502.7. Referability to voters.**

912 (1) Within 20 days after the day on which an eligible voter files an application to  
913 circulate an initiative petition under Section [20A-7-502](#), the county, city, town, or metro  
914 township to which the initiative pertains shall:

915 (a) review the proposed law in the initiative application to determine whether the law is  
916 legally referable to voters; and

917 (b) notify the first three sponsors, in writing, whether the proposed law is:

918 (i) legally referable to voters; or

919 (ii) rejected as not legally referable to voters.

920 (2) A proposed law in an initiative application is legally referable to voters unless:

921 (a) the proposed law is patently unconstitutional;

922 (b) the proposed law is nonsensical;

923 (c) the proposed law is administrative, rather than legislative, in nature;

924 (d) the proposed law could not become law if passed;

925 (e) the proposed law contains more than one subject as evaluated in accordance with  
 926 Subsection 20A-7-502(3);

927 (f) the subject of the proposed law is not clearly expressed in the law's title;

928 (g) the proposed law is identical or substantially similar to a legally referable proposed  
 929 law sought by an initiative application submitted to the local clerk, under Section 20A-7-502,  
 930 within two years before the day on which the application for the current proposed initiative is  
 931 filed; or

932 (h) the application for the proposed law was not timely filed or does not comply with  
 933 the requirements of this part.

934 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
 935 or metro township may not:

936 (a) reject a proposed initiative as not legally referable to voters; or

937 (b) bring a legal action, other than to appeal a court decision, challenging a proposed  
 938 initiative on the grounds that the proposed initiative is not legally referable to voters.

939 (4) If a county, city, town, or metro township rejects a proposed initiative, a sponsor of  
 940 the proposed initiative may, within 10 days after the day on which a sponsor is notified under  
 941 Subsection (1)(b), appeal the decision to:

942 (a) district court; or

943 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

944 (5) If, on appeal, the court determines that the law proposed in the initiative petition is  
 945 legally referable to voters, the local clerk shall comply with Subsection 20A-7-504(2) within  
 946 five days after the day on which the determination, and any appeal of the determination, is  
 947 final.

948 Section 14. Section **20A-7-504** is amended to read:

949 **20A-7-504. Circulation requirements -- Local clerk to provide sponsors with**  
 950 **materials.**

951 (1) In order to obtain the necessary number of signatures required by this part, the  
 952 sponsors shall, after the sponsors receive the documents described in Subsections (2)(a) and  
 953 (b), circulate initiative packets that meet the form requirements of this part.

954 (2) Within five days after the day on which a [~~local clerk receives an application that~~  
 955 ~~complies with the requirements of Section 20A-7-502]~~ county, city, town, metro township, or

956 court determines, in accordance with Section [20A-7-502.7](#), that a law proposed in an initiative  
957 petition is legally referable to voters, the local clerk shall furnish to the sponsors:

958 (a) one copy of the initiative petition; and

959 (b) one signature sheet.

960 (3) The sponsors of the petition shall:

961 (a) arrange and pay for the printing of all additional copies of the petition and signature  
962 sheets; and

963 (b) ensure that the copies of the petition and signature sheets meet the form  
964 requirements of this section.

965 (4) (a) The sponsors may prepare the initiative for circulation by creating multiple  
966 initiative packets.

967 (b) The sponsors shall create those packets by binding a copy of the initiative petition,  
968 a copy of the proposed law, and no more than 50 signature sheets together at the top in such a  
969 way that the packets may be conveniently opened for signing.

970 (c) The sponsors need not attach a uniform number of signature sheets to each  
971 initiative packet.

972 [~~(5) (a) After the sponsors have prepared sufficient initiative packets, they shall return~~  
973 ~~them to the local clerk.~~]

974 [~~(b) The local clerk shall:~~]

975 [~~(i) number each of the initiative packets and return them to the sponsors within five~~  
976 ~~working days; and]~~

977 [~~(ii) keep a record of the numbers assigned to each packet.~~]

978 Section 15. Section **20A-7-505** is amended to read:

979 **20A-7-505. Obtaining signatures -- Verification -- Removal of signature.**

980 (1) Any Utah voter may sign a local initiative petition if the voter is a legal voter and  
981 resides in the local jurisdiction.

982 (2) (a) The sponsors shall ensure that the [~~person~~] individual in whose presence each  
983 signature sheet was signed:

984 (i) is at least 18 years old and meets the residency requirements of Section [20A-2-105](#);  
985 and

986 (ii) verifies each signature sheet by completing the verification printed on the last page



987 of each initiative packet.

988 (b) [~~A person~~] An individual may not sign the verification printed on the last page of  
989 the initiative packet if the [~~person~~] individual signed a signature sheet in the initiative packet.

990 (3) (a) (i) Any voter who has signed an initiative petition may have the voter's signature  
991 removed from the petition by submitting a notarized statement to that effect to the local clerk.

992 (ii) In order for the signature to be removed, the statement must be received by the  
993 local clerk before [~~he~~] the local clerk delivers the petition to the county clerk to be certified.

994 (b) Upon receipt of the statement, the local clerk shall remove the signature of the  
995 [~~person~~] individual submitting the statement from the initiative petition.

996 (c) No one may remove signatures from an initiative petition after the petition is  
997 submitted to the county clerk to be certified.

998 Section 16. Section **20A-7-506** is amended to read:

999 **20A-7-506. Submitting the initiative petition -- Certification of signatures by the**  
1000 **county clerks -- Transfer to local clerk.**

1001 (1) (a) The sponsors shall deliver each signed and verified initiative packet to the  
1002 county clerk of the county in which the packet was circulated on or before the sooner of:

1003 (i) for county initiatives:

1004 (A) 316 days after the day on which the application is filed; or

1005 (B) the April 15 immediately before the next regular general election immediately after  
1006 the application is filed under Section [20A-7-502](#); or

1007 (ii) for municipal initiatives:

1008 (A) 316 days after the day on which the application is filed; or

1009 (B) the April 15 immediately before the next municipal general election immediately  
1010 after the application is filed under Section [20A-7-502](#).

1011 (b) A sponsor may not submit an initiative packet after the deadline established in this  
1012 Subsection (1).

1013 (2) (a) No later than the earlier of 15 days after the day on which the county clerk  
1014 receives an initiative packet or May 1, the county clerk shall:

1015 (i) check the names of all [~~persons~~] individuals completing the verification on the last  
1016 page of each initiative packet to determine whether those [~~persons~~] individuals are residents of  
1017 Utah and are at least 18 years old; and

1018 (ii) submit the name of each of those ~~[persons]~~ individuals who is not a Utah resident  
1019 or who is not at least 18 years old to the attorney general and county attorney.

1020 (b) The county clerk may not certify a signature under Subsection (3) on an initiative  
1021 packet that is not verified in accordance with Section 20A-7-505.

1022 (3) No later than the earlier of 30 days after the day on which the county clerk receives  
1023 an initiative packet or May 15, the county clerk shall:

1024 (a) determine, in accordance with Section 20A-7-506.3, whether ~~[or not]~~ each signer is  
1025 a registered voter ~~[according to the requirements of Section 20A-7-506.3]~~;

1026 (b) certify on the petition whether ~~[or not]~~ each name is that of a voter; and

1027 (c) deliver all of the verified packets to the local clerk.

1028 (4) The lieutenant governor may, at the county clerk's expense, intervene to perform a  
1029 responsibility described in Subsection (2) or (3) related to an initiative packet if:

1030 (a) the county clerk does not timely comply with the deadline described in Subsection  
1031 (2) or (3);

1032 (b) requested by each of the first five sponsors described in Subsection  
1033 20A-7-502(2)(a) of the initiative petition; or

1034 (c) requested by the county clerk.

1035 Section 17. Section **20A-7-506.3** is amended to read:

1036 **20A-7-506.3. Verification of petition signatures.**

1037 (1) (a) For the purposes of this section, "substantially similar name" means:

1038 (i) the given name and surname shown on the petition, or both, contain only minor  
1039 spelling differences when compared to the given name and surname shown on the official  
1040 register;

1041 (ii) the surname shown on the petition exactly matches the surname shown on the  
1042 official register, and the given names differ only because one of the given names shown is a  
1043 commonly used abbreviation or variation of the other;

1044 (iii) the surname shown on the petition exactly matches the surname shown on the  
1045 official register, and the given names differ only because one of the given names shown is  
1046 accompanied by a first or middle initial or a middle name which is not shown on the other  
1047 record; or

1048 (iv) the surname shown on the petition exactly matches the surname shown on the

1049 official register, and the given names differ only because one of the given names shown is an  
1050 alphabetically corresponding initial that has been provided in the place of a given name shown  
1051 on the other record.

1052 (b) For the purposes of this section, "substantially similar name" does not mean a name  
1053 having an initial or a middle name shown on the petition that does not match a different initial  
1054 or middle name shown on the official register.

1055 (2) The county clerk shall use the following procedures in determining whether or not a  
1056 signer is a registered voter:

1057 (a) When a signer's name and address shown on the petition exactly match a name and  
1058 address shown on the official register and the signer's signature appears substantially similar to  
1059 the signature on the statewide voter registration database, the county clerk shall declare the  
1060 signature valid.

1061 (b) When there is no exact match of an address and a name, the county clerk shall  
1062 declare the signature valid if:

1063 (i) the address on the petition matches the address of [~~a person~~] an individual on the  
1064 official register with a substantially similar name; and

1065 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1066 voter registration database of the [~~person~~] individual described in Subsection (2)(b)(i).

1067 (c) When there is no match of an address and a substantially similar name, the county  
1068 clerk shall declare the signature valid if:

1069 (i) the birth date or age on the petition matches the birth date or age of [~~a person~~] an  
1070 individual on the official register with a substantially similar name; and

1071 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1072 voter registration database of the [~~person~~] individual described in Subsection (2)(c)(i).

1073 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the  
1074 county clerk shall declare the signature to be invalid.

1075 Section 18. Section **20A-7-507** is amended to read:

1076 **20A-7-507. Evaluation by the local clerk.**

1077 (1) When each initiative packet is received from a county clerk, the local clerk shall  
1078 check off from the local clerk's record the number of each initiative packet filed.

1079 (2) (a) After all of the initiative packets have been received by the local clerk, the local

1080 clerk shall count the number of the names certified by the county clerk that appear on each  
1081 verified signature sheet.

1082 (b) If the total number of certified names from each verified signature sheet equals or  
1083 exceeds the number of names required by Section 20A-7-501 and the requirements of this part  
1084 are met, the local clerk shall mark upon the front of the petition the word "sufficient."

1085 (c) If the total number of certified names from each verified signature sheet does not  
1086 equal or exceed the number of names required by Section 20A-7-501 or a requirement of this  
1087 part is not met, the local clerk shall mark upon the front of the petition the word "insufficient."

1088 (d) The local clerk shall immediately notify any one of the sponsors of the local clerk's  
1089 finding.

1090 (3) If the local clerk finds the total number of certified signatures from each verified  
1091 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
1092 for a recount of the signatures appearing on the initiative petition in the presence of any  
1093 sponsor.

1094 (4) Once a petition is declared insufficient, the sponsors may not submit additional  
1095 signatures to qualify the petition for the ballot.

1096 [~~(5) (a) If the local clerk refuses to accept and file any initiative petition, any voter may~~  
1097 ~~apply to the supreme court for an extraordinary writ to compel him to do so within 10 days~~  
1098 ~~after the refusal.]~~

1099 [~~(b) If the supreme court determines that the initiative petition is legally sufficient, the~~  
1100 ~~local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on~~  
1101 ~~which it was originally offered for filing in the local clerk's office.]~~

1102 [~~(c) If the supreme court determines that any petition filed is not legally sufficient, the~~  
1103 ~~supreme court may enjoin the local clerk and all other officers from certifying or printing the~~  
1104 ~~ballot title and numbers of that measure on the official ballot.]~~

1105 [~~(6)~~] (5) A petition determined to be sufficient in accordance with this section is  
1106 qualified for the ballot.

1107 Section 19. Section 20A-7-508 is amended to read:

1108 **20A-7-508. Ballot title -- Duties of local clerk and local attorney.**

1109 (1) Whenever an initiative petition is declared sufficient for submission to a vote of the  
1110 people, the local clerk shall deliver a copy of the petition and the proposed law to the local

1111 attorney.

1112 (2) The local attorney shall:

1113 (a) entitle each county or municipal initiative that has qualified for the ballot

1114 "Proposition Number \_\_\_" and give it a number as assigned under Section 20A-6-107;

1115 (b) prepare a proposed ballot title for the initiative;

1116 (c) file the proposed ballot title and the numbered initiative titles with the local clerk

1117 within 15 days after the date the initiative petition is declared sufficient for submission to a

1118 vote of the people; and

1119 (d) promptly provide notice of the filing of the proposed ballot title to:

1120 (i) the sponsors of the petition; and

1121 (ii) the local legislative body for the jurisdiction where the initiative petition was

1122 circulated.

1123 (3) (a) The ballot title may be distinct from the title of the proposed law attached to the  
1124 initiative petition, and shall express, in not exceeding 100 words, the purpose of the measure.

1125 (b) In preparing a ballot title, the local attorney shall, to the best of the local attorney's  
1126 ability, give a true and impartial statement of the purpose of the measure.

1127 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,  
1128 for or against the measure.

1129 (d) If the initiative proposes a tax increase, the local attorney shall include the  
1130 following statement, in bold, in the ballot title:

1131 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax  
1132 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
1133 increase in the current tax rate."

1134 (4) (a) Within five calendar days after the date the local attorney files a proposed ballot  
1135 title under Subsection (2)(c), the local legislative body for the jurisdiction where the initiative  
1136 petition was circulated and the sponsors of the petition may file written comments in response  
1137 to the proposed ballot title with the local clerk.

1138 (b) Within five calendar days after the last date to submit written comments under  
1139 Subsection (4)(a), the local attorney shall:

1140 (i) review any written comments filed in accordance with Subsection (4)(a);

1141 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and

1142 (iii) return the petition and file the ballot title with the local clerk.

1143 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall  
1144 be printed on the official ballot.

1145 (5) Immediately after the local attorney files a copy of the ballot title with the local  
1146 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the  
1147 petition and the local legislative body for the jurisdiction where the initiative petition was  
1148 circulated.

1149 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not  
1150 comply with the requirements of this section, the decision of the local attorney may be  
1151 appealed ~~[by a petition]~~ to the district court, or, if the Supreme Court has original jurisdiction,  
1152 to the Supreme Court [that is], brought by:

1153 (i) at least three sponsors of the initiative petition; or

1154 (ii) a majority of the local legislative body for the jurisdiction where the initiative  
1155 petition was circulated.

1156 (b) The ~~[Supreme Court]~~ court:

1157 (i) shall examine the measures and consider arguments~~[, and, in its decision,];~~ and

1158 (ii) may certify to the local clerk a ballot title for the measure that fulfills the intent of  
1159 this section.

1160 (c) The local clerk shall print the title certified by the ~~[Supreme Court]~~ court on the  
1161 official ballot.

1162 Section 20. Section **20A-7-509** is amended to read:

1163 **20A-7-509. Form of ballot -- Manner of voting.**

1164 (1) The local clerk shall ensure that the number and ballot title are presented upon the  
1165 official ballot with, immediately adjacent to them, the words "For" and "Against," each word  
1166 presented with an adjacent square in which the ~~[elector]~~ voter may indicate ~~[his]~~ the voter's  
1167 vote.

1168 (2) ~~[Electors]~~ Voters desiring to vote in favor of enacting the law proposed by the  
1169 initiative petition shall mark the square adjacent to the word "For," and ~~[those]~~ voters desiring  
1170 to vote against enacting the law proposed by the initiative petition shall mark the square  
1171 adjacent to the word "Against."

1172 Section 21. Section **20A-7-510** is amended to read:

1173           **20A-7-510. Return and canvass -- Conflicting measures -- Law effective on**  
 1174 **proclamation.**

1175           (1) The votes on the law proposed by the initiative petition shall be counted,  
 1176 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

1177           (2) After the local board of canvassers completes its canvass, the local clerk shall  
 1178 certify to the local legislative body the vote for and against the law proposed by the initiative  
 1179 petition.

1180           (3) (a) The local legislative body shall immediately issue a proclamation that:

1181           (i) gives the total number of votes cast in the local jurisdiction for and against each law  
 1182 proposed by an initiative petition; and

1183           (ii) declares those laws proposed by an initiative petition that were approved by  
 1184 majority vote to be in full force and effect as the law of the local jurisdiction.

1185           (b) When the local legislative body determines that two proposed laws, or that parts of  
 1186 two proposed laws approved by the people at the same election are entirely in conflict, they  
 1187 shall proclaim that measure to be law that has received the greatest number of affirmative  
 1188 votes, regardless of the difference in the majorities which those measures have received.

1189           (c) (i) Within 10 days after the local legislative body's proclamation, any qualified  
 1190 voter who signed the initiative petition proposing the law that is declared by the local  
 1191 legislative body to be superseded by another measure approved at the same election may apply  
 1192 to the district court, or, if the Supreme Court has original jurisdiction, the Supreme Court to  
 1193 review the decision.

1194           (ii) The court shall:

1195           (A) consider the matter and decide whether [~~or not~~] the proposed laws are in conflict;  
 1196 and

1197           (B) certify [~~its~~] the court's decision to the local legislative body.

1198           (4) Within 10 days after the [~~Supreme Court certifies its~~] day on which the court  
 1199 certifies the decision, the local legislative body shall:

1200           (a) proclaim as law all [~~those~~] measures approved by the people [~~as law~~] that the  
 1201 [~~Supreme Court has determined~~] court determines are not in conflict; and

1202           (b) [~~of all those~~] for the measures approved by the people as law that the [~~Supreme~~  
 1203 ~~Court has determined~~] court determines to be in conflict, proclaim as law the [~~one~~] measure

1204 that received the greatest number of affirmative votes, regardless of the difference in  
1205 majorities.

1206 Section 22. Section **20A-7-512** is amended to read:

1207 **20A-7-512. Misconduct of electors and officers -- Penalty.**

1208 (1) It is unlawful for any [~~person~~] individual to:

1209 (a) sign any name other than the [~~person's own~~] individual's own name to any initiative  
1210 petition;

1211 (b) knowingly sign the [~~person's~~] individual's name more than once for the same  
1212 measure at one election;

1213 (c) sign an initiative knowing the [~~person~~] individual is not a legal voter; or

1214 (d) knowingly and willfully violate any provision of this part.

1215 (2) It is unlawful for any [~~person~~] individual to sign the verification for an initiative  
1216 packet knowing that:

1217 (a) the [~~person~~] individual does not meet the residency requirements of Section  
1218 [20A-2-105](#);

1219 (b) the [~~person~~] individual has not witnessed the signatures of [~~those persons~~] the  
1220 individuals whose names appear in the initiative packet; or

1221 (c) one or more [~~persons~~] individuals whose signatures appear in the initiative packet is  
1222 either:

1223 (i) not registered to vote in Utah; or

1224 (ii) does not intend to become registered to vote in Utah.

1225 (3) [~~Any person violating~~] An individual who violates this part is guilty of a class A  
1226 misdemeanor.

1227 Section 23. Section **20A-7-513** is amended to read:

1228 **20A-7-513. Fiscal review -- Repeal, amendment, or resubmission.**

1229 (1) No later than 60 days after the date of an election in which the voters approve an  
1230 initiative petition, the budget officer shall:

1231 (a) for each initiative approved by the voters, prepare a final fiscal impact statement,  
1232 using current financial information and containing the information required by Subsection

1233 [20A-7-502.5\(2\)](#), except for the information required by Subsection [20A-7-502.5\(2\)\(a\)\(vii\)](#); and

1234 (b) deliver a copy of the final fiscal impact statement to:



- 1235 (i) the local legislative body of the jurisdiction where the initiative was circulated;
- 1236 (ii) the local clerk; and
- 1237 (iii) the first ~~[five]~~ three sponsors listed on the initiative application.

1238 (2) If the final fiscal impact statement exceeds the initial fiscal impact estimate by 25%  
1239 or more, the local legislative body shall review the final fiscal impact statement and may, by a  
1240 majority vote:

- 1241 (a) repeal the law established by passage of the initiative;
- 1242 (b) amend the law established by the passage of the initiative; or
- 1243 (c) pass a resolution informing the voters that they may file an initiative petition to  
1244 repeal the law enacted by the passage of the initiative.

1245 Section 24. Section **20A-7-601** is amended to read:

1246 **20A-7-601. Referenda -- General signature requirements -- Signature**  
1247 **requirements for land use laws and subjurisdictional laws -- Time requirements.**

1248 ~~[(1) Except as provided in Subsection (2) or (3), a person seeking to have a local law~~  
1249 ~~passed by the local legislative body submitted to a vote of the people shall obtain legal~~  
1250 ~~signatures equal to:]~~

1251 ~~[(a) 10% of all the votes cast in the county, city, or town for all candidates for president~~  
1252 ~~of the United States at the last election at which a president of the United States was elected if~~  
1253 ~~the total number of votes exceeds 25,000;]~~

1254 ~~[(b) 12-1/2% of all the votes cast in the county, city, or town for all candidates for~~  
1255 ~~president of the United States at the last election at which a president of the United States was~~  
1256 ~~elected if the total number of votes does not exceed 25,000 but is more than 10,000;]~~

1257 ~~[(c) 15% of all the votes cast in the county, city, or town for all candidates for president~~  
1258 ~~of the United States at the last election at which a president of the United States was elected if~~  
1259 ~~the total number of votes does not exceed 10,000 but is more than 2,500;]~~

1260 ~~[(d) 20% of all the votes cast in the county, city, or town for all candidates for president~~  
1261 ~~of the United States at the last election at which a president of the United States was elected if~~  
1262 ~~the total number of votes does not exceed 2,500 but is more than 500;]~~

1263 ~~[(e) 25% of all the votes cast in the county, city, or town for all candidates for president~~  
1264 ~~of the United States at the last election at which a president of the United States was elected if~~  
1265 ~~the total number of votes does not exceed 500 but is more than 250; and]~~

1266 ~~[(f) 30% of all the votes cast in the county, city, or town for all candidates for president~~  
1267 ~~of the United States at the last election at which a president of the United States was elected if~~  
1268 ~~the total number of votes does not exceed 250.]~~

1269 ~~[(2) (a) As used in this Subsection (2), "land use law" includes a land use development~~  
1270 ~~code, an annexation ordinance, and comprehensive zoning ordinances.]~~

1271 ~~[(b) Except as provided in Subsection (3), a person seeking to have a land use law or~~  
1272 ~~local obligation law passed by the local legislative body submitted to a vote of the people shall~~  
1273 ~~obtain legal signatures equal to:]~~

1274 ~~[(i) in a county or in a city of the first or second class, 20% of all votes cast in the~~  
1275 ~~county or city for all candidates for president of the United States at the last election at which a~~  
1276 ~~president of the United States was elected; and]~~

1277 ~~[(ii) in a city of the third, fourth, or fifth class or a town, 35% of all the votes cast in the~~  
1278 ~~city or town for all candidates for president of the United States at the last election at which a~~  
1279 ~~president of the United States was elected.]~~

1280 ~~[(3) (a) As used in this Subsection (3):]~~

1281 ~~[(i) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the~~  
1282 ~~jurisdiction of a county, city, or town that are subject to a subjurisdictional law.]~~

1283 ~~[(ii) "Subjurisdictional law" means a local law or local obligation law passed by a local~~  
1284 ~~legislative body that imposes a tax or other payment obligation on property in an area that does~~  
1285 ~~not include all precincts and subprecincts under the jurisdiction of the county, city, or town.]~~

1286 ~~[(b) A person seeking to have a subjurisdictional law passed by the local legislative~~  
1287 ~~body submitted to a vote of the people shall obtain legal signatures of the residents in the~~  
1288 ~~subjurisdiction equal to:]~~

1289 ~~[(i) 10% of the total votes cast in the subjurisdiction for all candidates for president of~~  
1290 ~~the United States at the last election at which a president of the United States was elected if the~~  
1291 ~~total number of votes exceeds 25,000;]~~

1292 ~~[(ii) 12-1/2% of all the votes cast in the subjurisdiction for all candidates for president~~  
1293 ~~of the United States at the last election at which a president of the United States was elected if~~  
1294 ~~the total number of votes does not exceed 25,000 but is more than 10,000;]~~

1295 ~~[(iii) 15% of all the votes cast in the subjurisdiction for all candidates for president of~~  
1296 ~~the United States at the last election at which a president of the United States was elected if the~~

1297 ~~total number of votes does not exceed 10,000 but is more than 2,500;]~~

1298 ~~[(iv) 20% of all the votes cast in the subjurisdiction for all candidates for president of~~  
1299 ~~the United States at the last election at which a president of the United States was elected if the~~  
1300 ~~total number of votes does not exceed 2,500 but is more than 500;]~~

1301 ~~[(v) 25% of all the votes cast in the subjurisdiction for all candidates for president of~~  
1302 ~~the United States at the last election at which a president of the United States was elected if the~~  
1303 ~~total number of votes does not exceed 500 but is more than 250; and]~~

1304 ~~[(vi) 30% of all the votes cast in the subjurisdiction for all candidates for president of~~  
1305 ~~the United States at the last election at which a president of the United States was elected if the~~  
1306 ~~total number of votes does not exceed 250;]~~

1307 (1) As used in this section:

1308 (a) "Land use law" includes a land use development code, an annexation ordinance,  
1309 and comprehensive zoning ordinances.

1310 (b) "Number of active voters" means the number of active voters in the county, city, or  
1311 town on the immediately preceding January 1.

1312 (c) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the  
1313 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.

1314 (d) "Subjurisdictional law" means a local law or local obligation law passed by a local  
1315 legislative body that imposes a tax or other payment obligation on property in an area that does  
1316 not include all precincts and subprecincts under the jurisdiction of the county, city, or town.

1317 (2) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local  
1318 law passed by the local legislative body submitted to a vote of the people shall obtain legal  
1319 signatures equal to:

1320 (a) for a metro township with a population of 100,000 or more, a city of the first class,  
1321 or a county of the first class, 8.5% of the number of active voters in the metro township, city, or  
1322 county;

1323 (b) for a metro township with a population of 65,000 or more but less than 100,000, a  
1324 city of the second class, or a county of the second class, 11% of the number of active voters in  
1325 the metro township, city, or county;

1326 (c) for a metro township with a population of 30,000 or more but less than 65,000, a  
1327 city of the third class, or a county of the third class, 13% of the number of active voters in the

1328 metro township, city, or county;

1329 (d) for a metro township with a population of 10,000 or more but less than 30,000, a  
1330 city of the fourth class, or a county of the fourth class, 17.5% of the number of active voters in  
1331 the metro township, city, or county;

1332 (e) for a metro township with a population of 1,000 or more but less than 10,000, a city  
1333 of the fifth class, or a county of the fifth class, 22% of the number of active voters in the metro  
1334 township, city, or county; or

1335 (f) for a metro township with a population of less than 1,000, a town, or a county of the  
1336 sixth class, 25.5% of the number of active voters in the metro township, town, or county.

1337 (3) Except as provided in Subsection (4), an eligible voter seeking to have a land use  
1338 law or local obligation law passed by the local legislative body submitted to a vote of the  
1339 people shall obtain legal signatures equal to:

1340 (a) for a metro township with a population of 65,000 or more, a city of the first or  
1341 second class, or a county, 20% of the number of active voters in the metro township, city, or  
1342 county; or

1343 (b) for a metro township with a population of less than 65,000, a city of the third,  
1344 fourth, or fifth class, or a town, 35% of the number of active voters in the metro township, city,  
1345 or town.

1346 (4) An eligible voter seeking to have a subjurisdictional law passed by the local  
1347 legislative body submitted to a vote of the people shall obtain legal signatures of the residents  
1348 in the subjurisdiction equal to:

1349 (a) for a subjurisdiction with a population of 100,000 or more, 8.5% of the number of  
1350 active voters in the subjurisdiction;

1351 (b) for a subjurisdiction with a population of 65,000 or more but less than 100,000,  
1352 11% of the number of active voters in the subjurisdiction;

1353 (c) for a subjurisdiction with a population of 30,000 or more but less than 65,000, 13%  
1354 of the number of active voters in the subjurisdiction;

1355 (d) for a subjurisdiction with a population of 10,000 or more but less than 30,000,  
1356 17.5% of the number of active voters in the subjurisdiction;

1357 (e) for a subjurisdiction with a population of 1,000 or more but less than 10,000, 22%  
1358 of the number of active voters in the subjurisdiction; or

1359 (f) for a subjurisdiction with a population of less than 1,000, 25.5% of the number of  
1360 active voters in the subjurisdiction.

1361 [~~(4)~~] (5) (a) Sponsors of any referendum petition challenging, under Subsection [~~(1)~~],  
1362 ~~(2), or (3)] (2), (3), or (4), any local law passed by a local legislative body shall file the~~

1363 application within [~~five~~] seven days after the [~~passage of~~] day on which the local law was  
1364 passed.

1365 (b) Except as provided in Subsection [~~(4)~~] (5)(c), when a referendum petition has been  
1366 declared sufficient, the local law that is the subject of the petition does not take effect unless  
1367 and until the local law is approved by a vote of the people.

1368 (c) When a referendum petition challenging a subjurisdictional law has been declared  
1369 sufficient, the subjurisdictional law that is the subject of the petition does not take effect unless  
1370 and until the subjurisdictional law is approved by a vote of the people who reside in the  
1371 subjurisdiction.

1372 [~~(5)~~] (6) If the referendum passes, the local law that was challenged by the referendum  
1373 is repealed as of the date of the election.

1374 [~~(6)~~] (7) Nothing in this section authorizes a local legislative body to impose a tax or  
1375 other payment obligation on a subjurisdiction in order to benefit an area outside of the  
1376 subjurisdiction.

1377 Section 25. Section **20A-7-602** is amended to read:

1378 **20A-7-602. Local referendum process -- Application procedures.**

1379 (1) [~~Persons~~] An eligible voter wishing to circulate a referendum petition shall file an  
1380 application with the local clerk.

1381 (2) The application shall contain:

1382 (a) the name and residence address of at least five sponsors of the referendum petition;

1383 (b) a certification indicating that each of the sponsors[~~(i)~~] is a resident of Utah; [~~and~~]

1384 [~~(ii) (A) if the referendum challenges a county local law, has voted in a regular general~~  
1385 ~~election in Utah within the last three years; or]~~

1386 [~~(B) if the referendum challenges a municipal local law, has voted in a regular~~  
1387 ~~municipal election in Utah within the last three years;]~~

1388 (c) a statement indicating that each of the sponsors has voted in an election in Utah in  
1389 the last three years;

1390           ~~[(e)]~~ (d) the signature of each of the sponsors, ~~[attested to]~~ acknowledged by a notary  
1391 public; and

1392           ~~[(d)]~~ (e) (i) if the referendum challenges an ordinance or resolution, one copy of the  
1393 law; or

1394           (ii) if the referendum challenges a local law that is not an ordinance or resolution, a  
1395 written description of the local law, including the result of the vote on the local law.

1396           Section 26. Section **20A-7-602.5** is amended to read:

1397           **20A-7-602.5. Initial fiscal and legal impact estimate -- Preparation of estimate.**

1398           (1) Within three working days after the day on which the local clerk receives an  
1399 application for a referendum petition, the local clerk shall submit a copy of the application to  
1400 the county, city, or town's budget officer.

1401           (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good  
1402 faith estimate of the fiscal and legal impact of repealing the law the referendum proposes to  
1403 repeal that contains:

1404           (i) a dollar amount representing the total estimated fiscal impact of repealing the law;

1405           (ii) if repealing the law would increase or decrease taxes, a dollar amount representing  
1406 the total estimated increase or decrease for each type of tax that would be impacted by the law's  
1407 repeal and a dollar amount representing the total estimated increase or decrease in taxes that  
1408 would result from the law's repeal;

1409           (iii) if repealing the law would result in the issuance or a change in the status of bonds,  
1410 notes, or other debt instruments, a dollar amount representing the total estimated increase or  
1411 decrease in public debt that would result;

1412           (iv) a listing of all sources of funding for the estimated costs that would be associated  
1413 with the law's repeal, showing each source of funding and the percentage of total funding that  
1414 would be provided from each source;

1415           (v) a dollar amount representing the estimated costs or savings, if any, to state and  
1416 local government entities if the law were repealed;

1417           (vi) the legal impacts that would result from repealing the law, including:

1418           (A) any significant effects on a person's vested property rights;

1419           (B) any significant effects on other laws or ordinances;

1420           (C) any significant legal liability the city, county, or town may incur; and

1421 (D) any other significant legal impact as determined by the budget officer and the legal  
1422 counsel; and

1423 (vii) a concise explanation, not exceeding 100 words, of the above information and of  
1424 the estimated fiscal impact, if any, if the law were repealed.

1425 (b) (i) If repealing the law would have no fiscal impact, the local budget officer shall  
1426 include a summary statement in the initial fiscal impact statement in substantially the following  
1427 form:

1428 "The (title of the local budget officer) estimates that repealing the law this referendum  
1429 proposes to repeal would have no significant fiscal impact and would not result in either an  
1430 increase or decrease in taxes or debt."

1431 (ii) If repealing the law is estimated to have a fiscal impact, the local budget officer  
1432 shall include a summary statement describing the fiscal impact.

1433 (iii) If the estimated fiscal impact of repealing the law is highly variable or is otherwise  
1434 difficult to reasonably express in a summary statement, the local budget officer may include in  
1435 the summary statement a brief explanation that identifies those factors impacting the variability  
1436 or difficulty of the estimate.

1437 (3) Within 25 calendar days after the day on which the local clerk submits a copy of the  
1438 application under Subsection (1), the budget officer shall:

1439 (a) deliver a copy of the initial fiscal impact estimate, including the legal impact  
1440 estimate, to the local clerk's office; and

1441 (b) mail a copy of the initial fiscal impact estimate, including the legal impact estimate,  
1442 to the first ~~five~~ three sponsors named in the application.

1443 Section 27. Section **20A-7-602.7** is enacted to read:

1444 **20A-7-602.7. Referability to voters.**

1445 (1) Within 20 days after the day on which an eligible voter files an application to  
1446 circulate a referendum petition under Section [20A-7-602](#), the county, city, town, or metro  
1447 township to which the initiative pertains shall:

1448 (a) review the application to determine whether the proposed referendum is legally  
1449 referable to voters; and

1450 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

1451 (i) legally referable to voters; or

- 1452 (ii) rejected as not legally referable to voters.
- 1453 (2) A proposed referendum is legally referable to voters unless:
- 1454 (a) the proposed referendum challenges an action that is administrative, rather than
- 1455 legislative, in nature;
- 1456 (b) the proposed referendum challenges more than one law passed by the local
- 1457 legislative body; or
- 1458 (c) the application for the proposed referendum was not timely filed or does not
- 1459 comply with the requirements of this part.
- 1460 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
- 1461 or metro township may not:
- 1462 (a) reject a proposed referendum as not legally referable to voters; or
- 1463 (b) challenge, in a legal action or otherwise, a proposed referendum on the grounds that
- 1464 the proposed referendum is not legally referable to voters.
- 1465 (4) If a county, city, town, or metro township rejects a proposed referendum, a sponsor
- 1466 of the proposed referendum may, within 10 days after the day on which a sponsor is notified
- 1467 under Subsection (1)(b), appeal the decision to:
- 1468 (a) district court; or
- 1469 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.
- 1470 (5) If, on appeal, the court determines that the proposed referendum is legally referable
- 1471 to voters, the local clerk shall comply with Subsection 20A-7-604(2) within five days after the
- 1472 day on which the determination, and any appeal of the determination, is final.

Section 28. Section **20A-7-603** is amended to read:

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

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

"REFERENDUM PETITION To the Honorable \_\_\_\_, County Clerk/City Recorder/Town Clerk:

We, the undersigned citizens of Utah, respectfully order that (description of local law or portion of local law being challenged), passed by the \_\_\_\_ be referred to the voters for their approval or rejection at the regular/municipal general election to be held on \_\_\_\_\_ (month\day\year);



1483           Each signer says:  
1484           I have personally signed this petition;  
1485           I am registered to vote in Utah or intend to become registered to vote in Utah before the  
1486 certification of the petition names by the county clerk; and  
1487           My residence and post office address are written correctly after my name."  
1488           (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the  
1489 referendum to each referendum petition.  
1490           (2) Each signature sheet shall:  
1491           (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;  
1492           (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
1493 that line blank for the purpose of binding;  
1494           (c) contain the title of the referendum printed below the horizontal line;  
1495           (d) contain the word "Warning" printed or typed at the top of each signature sheet  
1496 under the title of the referendum;  
1497           (e) contain, to the right of the word "Warning," the following statement printed or  
1498 typed in not less than eight-point, single-leaded type:  
1499            "It is a class A misdemeanor for an individual to sign a referendum petition with any  
1500 other name than the individual's own name, or to knowingly sign the individual's name more  
1501 than once for the same measure, or to sign a referendum petition when the individual knows  
1502 that the individual is not a registered voter and knows that the individual does not intend to  
1503 become registered to vote before the certification of the petition names by the county clerk.";  
1504           (f) contain horizontally ruled lines three-eighths inch apart under the "Warning"  
1505 statement required by this section;  
1506           (g) be vertically divided into columns as follows:  
1507           (i) the first column shall appear at the extreme left of the sheet, be five-eighths inch  
1508 wide, be headed with "For Office Use Only," and be subdivided with a light vertical line down  
1509 the middle;  
1510           (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed  
1511 Name (must be legible to be counted)";  
1512           (iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered  
1513 Voter";

1514 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";  
1515 and

1516 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip  
1517 Code";

1518 (h) spanning the sheet horizontally beneath each row on which a registered voter may  
1519 submit the information described in Subsection (2)(g), contain the following statement printed  
1520 or typed in not less than eight-point, single-leaded type: "By signing this petition, you are  
1521 stating that you have read and understand the law this petition seeks to overturn."; and

1522 (i) at the bottom of the sheet, contain the following statement: "Birth date or age  
1523 information is not required, but it may be used to verify your identity with voter registration  
1524 records. If you choose not to provide it, your signature may not be verified as a valid signature  
1525 if you change your address before petition signatures are verified or if the information you  
1526 provide does not match your voter registration records."

1527 (3) The final page of each referendum packet shall contain the following printed or  
1528 typed statement:

1529 "Verification  
1530 State of Utah, County of \_\_\_\_\_

1531 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

1532 I am a resident of Utah and am at least 18 years old;

1533 All the names that appear in this referendum packet were signed by [~~persons~~]  
1534 individuals who professed to be the [~~persons~~] individuals whose names appear in it, and each  
1535 of [~~them signed his~~] the individuals signed the individual's name on it in my presence;

1536 I believe that each individual has printed and signed [~~his~~] the individual's name and  
1537 written [~~his~~] the individual's post office address and residence correctly, and that each signer is  
1538 registered to vote in Utah or intends to become registered to vote before the certification of the  
1539 petition names by the county clerk.

1540 \_\_\_\_\_"

1541 (4) The forms prescribed in this section are not mandatory, and, if substantially  
1542 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical  
1543 errors.

1544 Section 29. Section **20A-7-604** is amended to read:

1545           **20A-7-604. Circulation requirements -- Local clerk to provide sponsors with**  
1546 **materials.**

1547           (1) In order to obtain the necessary number of signatures required by this part, the  
1548 sponsors shall, after the sponsors receive the documents described in Subsections (2)(a) and  
1549 (b), circulate referendum packets that meet the form requirements of this part.

1550           (2) Within five days after the day on which a [~~local clerk receives an application that~~  
1551 ~~complies with the requirements of Section 20A-7-602]~~ county, city, town, metro township, or  
1552 court determines, in accordance with Section 20A-7-602.7, that a proposed referendum is  
1553 legally referable to voters, the local clerk shall furnish to the sponsors:

1554           (a) five copies of the referendum petition; and

1555           (b) five signature sheets.

1556           (3) The sponsors of the petition shall:

1557           (a) arrange and pay for the printing of all additional copies of the petition and signature  
1558 sheets; and

1559           (b) ensure that the copies of the petition and signature sheets meet the form  
1560 requirements of this section.

1561           (4) (a) The sponsors may prepare the referendum for circulation by creating multiple  
1562 referendum packets.

1563           (b) The sponsors shall create those packets by binding a copy of the referendum  
1564 petition, a copy of the law that is the subject of the referendum, and no more than 50 signature  
1565 sheets together at the top in such a way that the packets may be conveniently opened for  
1566 signing.

1567           (c) The sponsors need not attach a uniform number of signature sheets to each  
1568 referendum packet.

1569           (5) (a) After the sponsors have prepared sufficient referendum packets, they shall  
1570 return them to the local clerk.

1571           (b) The local clerk shall:

1572           (i) number each of the referendum packets and return [~~them~~] the packets to the  
1573 sponsors within [~~five working days~~] 10 days after the day on which the sponsors comply with  
1574 Subsection (5)(a); and

1575           (ii) keep a record of the numbers assigned to each packet.

1576 Section 30. Section 20A-7-605 is amended to read:

1577 **20A-7-605. Obtaining signatures -- Verification -- Removal of signature.**

1578 (1) Any Utah voter may sign a local referendum petition if the voter is a legal voter and  
1579 resides in the local jurisdiction.

1580 (2) (a) The sponsors shall ensure that the [~~person~~] individual in whose presence each  
1581 signature sheet was signed:

1582 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;  
1583 and

1584 (ii) verifies each signature sheet by completing the verification printed on the last page  
1585 of each referendum packet.

1586 (b) [~~A person~~] An individual may not sign the verification printed on the last page of  
1587 the referendum packet if the [~~person~~] individual signed a signature sheet in the referendum  
1588 packet.

1589 (3) (a) Any voter who has signed a referendum petition may have the voter's signature  
1590 removed from the petition by submitting a notarized statement to that effect to the local clerk.

1591 (b) Except as provided in Subsection (3)(c), upon receipt of the statement, the local  
1592 clerk shall remove the signature of the [~~person~~] individual submitting the statement from the  
1593 referendum petition.

1594 (c) A local clerk may not remove signatures from a referendum petition after the  
1595 petition has been submitted to the county clerk to be certified.

1596 Section 31. Section 20A-7-606 is amended to read:

1597 **20A-7-606. Submitting the referendum petition -- Certification of signatures by**  
1598 **the county clerks -- Transfer to local clerk.**

1599 (1) (a) The sponsors shall deliver each signed and verified referendum packet to the  
1600 county clerk of the county in which the packet was circulated no later than 45 days after the day  
1601 on which the sponsors receive the items described in Subsection 20A-7-604(2) from the local  
1602 clerk.

1603 (b) A sponsor may not submit a referendum packet after the deadline established in this  
1604 Subsection (1).

1605 (2) (a) No later than 15 days after the day on which a county clerk receives a  
1606 referendum packet under Subsection (1)(a), the county clerk shall:

1607 (i) check the names of all persons completing the verification on the last page of each  
1608 referendum packet to determine whether those persons are Utah residents and are at least 18  
1609 years old; and

1610 (ii) submit the name of each of those persons who is not a Utah resident or who is not  
1611 at least 18 years old to the attorney general and county attorney.

1612 (b) The county clerk may not certify a signature under Subsection (3) on a referendum  
1613 packet that is not verified in accordance with Section [20A-7-605](#).

1614 (3) No later than 30 days after the day on which a county clerk receives a referendum  
1615 packet under Subsection (1)(a), the county clerk shall:

1616 (a) determine, in accordance with Section [20A-7-606.3](#), whether each signer is a  
1617 registered voter [~~according to the requirements of Section [20A-7-606.3](#)~~];

1618 (b) certify on the referendum petition whether each name is that of a registered voter;  
1619 and

1620 (c) deliver all of the verified referendum packets to the local clerk.

1621 (4) The lieutenant governor may, at the county clerk's expense, intervene to perform a  
1622 responsibility described in Subsection (2) or (3) related to a referendum packet if:

1623 (a) the county clerk does not timely comply with the deadline described in Subsection  
1624 (2) or (3);

1625 (b) requested by each of the first five sponsors described in Subsection  
1626 [20A-7-602](#)(2)(a) of the referendum petition; or

1627 (c) requested by the county clerk.

1628 Section 32. Section [20A-7-606.3](#) is amended to read:

1629 **[20A-7-606.3. Verification of petition signatures.](#)**

1630 (1) (a) For the purposes of this section, "substantially similar name" means:

1631 (i) the given name and surname shown on the petition, or both, contain only minor  
1632 spelling differences when compared to the given name and surname shown on the official  
1633 register;

1634 (ii) the surname shown on the petition exactly matches the surname shown on the  
1635 official register, and the given names differ only because one of the given names shown is a  
1636 commonly used abbreviation or variation of the other;

1637 (iii) the surname shown on the petition exactly matches the surname shown on the

1638 official register, and the given names differ only because one of the given names shown is  
1639 accompanied by a first or middle initial or a middle name which is not shown on the other  
1640 record; or

1641 (iv) the surname shown on the petition exactly matches the surname shown on the  
1642 official register, and the given names differ only because one of the given names shown is an  
1643 alphabetically corresponding initial that has been provided in the place of a given name shown  
1644 on the other record.

1645 (b) For the purposes of this section, "substantially similar name" does not mean a name  
1646 having an initial or a middle name shown on the petition that does not match a different initial  
1647 or middle name shown on the official register.

1648 (2) The county clerk shall use the following procedures in determining whether or not a  
1649 signer is a registered voter:

1650 (a) When a signer's name and address shown on the petition exactly match a name and  
1651 address shown on the official register and the signer's signature appears substantially similar to  
1652 the signature on the statewide voter registration database, the county clerk shall declare the  
1653 signature valid.

1654 (b) When there is no exact match of an address and a name, the county clerk shall  
1655 declare the signature valid if:

1656 (i) the address on the petition matches the address of [~~a person~~] an individual on the  
1657 official register with a substantially similar name; and

1658 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1659 voter registration database of the [~~person~~] individual described in Subsection (2)(b)(i).

1660 (c) When there is no match of an address and a substantially similar name, the county  
1661 clerk shall declare the signature valid if:

1662 (i) the birth date or age on the petition matches the birth date or age of [~~a person~~] an  
1663 individual on the official register with a substantially similar name; and

1664 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1665 voter registration database of the [~~person~~] individual described in Subsection (2)(c)(i).

1666 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county  
1667 clerk shall declare the signature to be invalid.

1668 Section 33. Section **20A-7-607** is amended to read:

1669           **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**  
1670 **referendum.**

1671           (1) When each referendum packet is received from a county clerk, the local clerk shall  
1672 check off from the local clerk's record the number of each referendum packet filed.

1673           (2) Within [~~15~~] two days after the day on which the local clerk receives each  
1674 referendum packet from a county clerk, the local clerk shall:

1675           (a) count the number of the names certified by the county clerks that appear on each  
1676 verified signature sheet;

1677           (b) if the total number of certified names from each verified signature sheet equals or  
1678 exceeds the number of names required by Section 20A-7-601 and the requirements of this part  
1679 are met, mark upon the front of the petition the word "sufficient";

1680           (c) if the total number of certified names from each verified signature sheet does not  
1681 equal or exceed the number of names required by Section 20A-7-601 or a requirement of this  
1682 part is not met, mark upon the front of the petition the word "insufficient"; and

1683           (d) notify any one of the sponsors of the local clerk's finding.

1684           (3) If the local clerk finds the total number of certified signatures from each verified  
1685 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
1686 for a recount of the signatures appearing on the referendum petition in the presence of any  
1687 sponsor.

1688           ~~[(4) (a) If the local clerk refuses to accept and file any referendum petition, any voter~~  
1689 ~~may apply to the Supreme Court for an extraordinary writ to compel the local clerk to do so~~  
1690 ~~within 10 days after the refusal.]~~

1691           ~~[(b) If the Supreme Court determines that the referendum petition is legally sufficient,~~  
1692 ~~the local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on~~  
1693 ~~which it was originally offered for filing in the local clerk's office.]~~

1694           ~~[(c) If the Supreme Court determines that any petition filed is not legally sufficient, the~~  
1695 ~~Supreme Court may enjoin the local clerk and all other officers from:]~~

1696           ~~[(i) certifying or printing the ballot title and numbers of that measure on the official~~  
1697 ~~ballot for the next election; or]~~

1698           ~~[(ii) as it relates to a local tax law that is conducted entirely by absentee ballot,~~  
1699 ~~certifying, printing, or mailing the ballot title and numbers of that measure under Section~~

1700 [20A-7-609.5](#).]

1701 [~~(5)~~] (4) A petition determined to be sufficient in accordance with this section is  
1702 qualified for the ballot.

1703 (5) If a referendum relates to legislative action taken after April 15, the election officer  
1704 may not place the referendum on an election ballot until the following year.

1705 Section 34. Section **20A-7-608** is amended to read:

1706 **20A-7-608. Ballot title -- Duties of local clerk and local attorney.**

1707 (1) Whenever a referendum petition is declared sufficient for submission to a vote of  
1708 the people, the local clerk shall deliver a copy of the petition and the proposed law to the local  
1709 attorney.

1710 (2) The local attorney shall:

1711 (a) entitle each county or municipal referendum that has qualified for the ballot  
1712 "Proposition Number \_\_\_" and give it a number as assigned under Section [20A-6-107](#);

1713 (b) prepare a proposed ballot title for the referendum;

1714 (c) file the proposed ballot title and the numbered referendum titles with the local clerk  
1715 within 15 days after the date the referendum petition is declared sufficient for submission to a  
1716 vote of the people; and

1717 (d) promptly provide notice of the filing of the proposed ballot title to:

1718 (i) the sponsors of the petition; and

1719 (ii) the local legislative body for the jurisdiction where the referendum petition was  
1720 circulated.

1721 (3) (a) The ballot title may be distinct from the title of the law that is the subject of the  
1722 petition, and shall express, in not exceeding 100 words, the purpose of the measure.

1723 (b) In preparing a ballot title, the local attorney shall, to the best of ~~his~~ the local  
1724 attorney's ability, give a true and impartial statement of the purpose of the measure.

1725 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,  
1726 for or against the measure.

1727 (4) (a) Within five calendar days after the date the local attorney files a proposed ballot  
1728 title under Subsection (2)(c), the local legislative body for the jurisdiction where the  
1729 referendum petition was circulated and the sponsors of the petition may file written comments  
1730 in response to the proposed ballot title with the local clerk.



1731 (b) Within five calendar days after the last date to submit written comments under  
1732 Subsection (4)(a), the local attorney shall:

- 1733 (i) review any written comments filed in accordance with Subsection (4)(a);  
1734 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and  
1735 (iii) return the petition and file the ballot title with the local clerk.

1736 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall  
1737 be printed on the official ballot.

1738 (5) Immediately after the local attorney files a copy of the ballot title with the local  
1739 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the  
1740 petition and the local legislative body for the jurisdiction where the referendum petition was  
1741 circulated.

1742 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not  
1743 comply with the requirements of this section, the decision of the local attorney may be  
1744 appealed [by a petition] to the district court, or, if the Supreme Court has original jurisdiction,  
1745 to the Supreme Court [that is], brought by:

- 1746 (i) at least three sponsors of the referendum petition; or  
1747 (ii) a majority of the local legislative body for the jurisdiction where the referendum  
1748 petition was circulated.

1749 (b) The ~~[Supreme Court]~~ court:

- 1750 (i) shall examine the measures and consider the arguments[~~-, and, in its decision,~~]; and  
1751 (ii) may certify to the local clerk a ballot title for the measure that fulfills the intent of  
1752 this section.

1753 (c) The local clerk shall print the title certified by the ~~[Supreme Court]~~ court on the  
1754 official ballot.

1755 Section 35. Section **20A-7-609.5** is amended to read:

1756 **20A-7-609.5. Election on referendum challenging local tax law conducted entirely**  
1757 **by absentee ballot.**

1758 (1) An election officer may administer an election on a referendum challenging a local  
1759 tax law entirely by absentee ballot.

1760 (2) For purposes of an election conducted under this section, the election officer shall:

- 1761 (a) designate as the election day the day that is 30 days after the day on which the

1762 election officer complies with Subsection (2)(b); and  
1763 (b) within 30 days after the day on which the referendum described in Subsection (1)  
1764 qualifies for the ballot, mail to each registered voter within the voting precincts to which the  
1765 local tax law applies:

- 1766 (i) an absentee ballot;
- 1767 (ii) a statement that there will be no polling place in the voting precinct for the  
1768 election;
- 1769 (iii) a statement specifying the election day described in Subsection (2)(a);
- 1770 (iv) a business reply mail envelope;
- 1771 (v) instructions for returning the ballot that include an express notice about any  
1772 relevant deadlines that the voter must meet in order for the voter's vote to be counted; ~~and~~
- 1773 (vi) a warning, on a separate page of colored paper in boldface print, indicating that if  
1774 the voter fails to follow the instructions included with the absentee ballot, the voter will be  
1775 unable to vote in that election because there will be no polling place in the voting precinct on  
1776 the day of the election[-]; and
- 1777 (vii) (A) a copy of the proposition information pamphlet relating to the referendum if a  
1778 proposition information pamphlet relating to the referendum was published under Section  
1779 20A-7-401.5; or
- 1780 (B) a website address where an individual may view a copy of the proposition  
1781 information pamphlet described in Subsection (2)(b)(vii)(A).

1782 (3) A voter who votes by absentee ballot under this section is not required to apply for  
1783 an absentee ballot as required by this part.

1784 (4) An election officer who administers an election under this section shall:

- 1785 (a) (i) obtain, in person, the signatures of each voter within that voting precinct before  
1786 the election; or
- 1787 (ii) obtain the signature of each voter within the voting precinct from the county clerk;  
1788 and
- 1789 (b) maintain the signatures on file in the election officer's office.

1790 (5) (a) Upon receiving the returned absentee ballots under this section, the election  
1791 officer shall compare the signature on each absentee ballot with the voter's signature that is  
1792 maintained on file and verify that the signatures are the same.

1793 (b) If the election officer questions the authenticity of the signature on the absentee  
1794 ballot, the election officer shall immediately contact the voter to verify the signature.

1795 (c) If the election officer determines that the signature on the absentee ballot does not  
1796 match the voter's signature that is maintained on file, the election officer shall:

1797 (i) unless the absentee ballot application deadline described in Section [20A-3-304](#) has  
1798 passed, immediately send another absentee ballot and other voting materials as required by this  
1799 section to the voter; and

1800 (ii) disqualify the initial absentee ballot.

1801 Section 36. Section [20A-7-610](#) is amended to read:

1802 **20A-7-610. Return and canvass -- Conflicting measures -- Law effective on**  
1803 **proclamation.**

1804 (1) The votes on the [~~law proposed by~~] proposed law that is the subject of the  
1805 referendum petition shall be counted, canvassed, and delivered as provided in Title 20A,  
1806 Chapter 4, Part 3, Canvassing Returns.

1807 (2) After the local board of canvassers completes [~~its~~] the canvass, the local clerk shall  
1808 certify to the local legislative body the vote for and against the [~~law proposed by~~] proposed law  
1809 that is the subject of the referendum petition.

1810 (3) (a) The local legislative body shall immediately issue a proclamation that:

1811 (i) gives the total number of votes cast in the local jurisdiction for and against each  
1812 [~~law proposed by~~] proposed law that is the subject of a referendum petition; and

1813 (ii) declares those laws [~~proposed by~~] that are the subject of a referendum petition that  
1814 were approved by majority vote to be in full force and effect as the law of the local jurisdiction.

1815 (b) When the local legislative body determines that two proposed laws, or that parts of  
1816 two proposed laws approved by the people at the same election are entirely in conflict, they  
1817 shall proclaim that measure to be law that has received the greatest number of affirmative  
1818 votes, regardless of the difference in the majorities which those measures have received.

1819 (4) (a) Within 10 days after the local legislative body's proclamation, any qualified  
1820 voter [~~who signed the referendum petition proposing the~~] residing in the jurisdiction for a law  
1821 that is declared by the local legislative body to be superseded by another measure approved at  
1822 the same election may apply to the district court, or, if the Supreme Court has original  
1823 jurisdiction, the Supreme Court to review the decision.

1824 (b) The ~~[Supreme Court]~~ court shall:  
1825 (i) consider the matter and decide whether ~~[or not]~~ the proposed laws are in conflict;  
1826 and  
1827 (ii) certify ~~[its]~~ the court's decision to the local legislative body.  
1828 (5) Within 10 days after the ~~[Supreme Court certifies its]~~ day on which the court  
1829 certifies the decision, the local legislative body shall:

1830 (a) proclaim ~~[all those]~~ as law all measures approved by the people ~~[as law]~~ that the  
1831 ~~[Supreme Court has determined]~~ court determines are not in conflict; and

1832 (b) ~~[of all those]~~ for the measures approved by the people as law that the ~~[Supreme~~  
1833 ~~Court has determined]~~ court determines to be in conflict, proclaim as law the ~~[one]~~ measure  
1834 that received the greatest number of affirmative votes, regardless of the difference in  
1835 majorities.

1836 Section 37. Section **20A-7-612** is amended to read:  
1837 **20A-7-612. Misconduct of electors and officers -- Penalty.**

1838 (1) It is unlawful for ~~[any person]~~ an individual to:  
1839 (a) sign any name other than ~~[his own]~~ the individual's own name to any referendum  
1840 petition;  
1841 (b) knowingly sign ~~[his]~~ the individual's name more than once for the same measure at  
1842 one election;  
1843 (c) sign a referendum knowing ~~[he]~~ that the individual is not a legal voter; or  
1844 (d) knowingly and willfully violate any provision of this part.

1845 (2) It is unlawful for ~~[any person]~~ an individual to sign the verification for a  
1846 referendum packet knowing that:

1847 (a) ~~[he]~~ the individual does not meet the residency requirements of Section [20A-2-105](#);  
1848 (b) ~~[he]~~ the individual has not witnessed the signatures of ~~[those persons]~~ the  
1849 individuals whose names appear in the referendum packet; or

1850 (c) one or more ~~[persons]~~ individuals whose signatures appear in the referendum  
1851 packet is either:  
1852 (i) not registered to vote in Utah; or  
1853 (ii) does not intend to become registered to vote in Utah.  
1854 (3) ~~[Any person violating]~~ An individual who violates this part is guilty of a class A

1855 misdemeanor.

1856 (4) The county attorney or municipal attorney shall prosecute any violation of this  
1857 section.

1858 Section 38. Section **20A-9-403** is amended to read:

1859 **20A-9-403. Regular primary elections.**

1860 (1) (a) Candidates for elective office that are to be filled at the next regular general  
1861 election shall be nominated in a regular primary election by direct vote of the people in the  
1862 manner prescribed in this section. The fourth Tuesday of June of each even-numbered year is  
1863 designated as regular primary election day. Nothing in this section shall affect a candidate's  
1864 ability to qualify for a regular general election's ballot as an unaffiliated candidate under  
1865 Section [20A-9-501](#) or to participate in a regular general election as a write-in candidate under  
1866 Section [20A-9-601](#).

1867 (b) Each registered political party that chooses to have the names of the registered  
1868 political party's candidates for elective office featured with party affiliation on the ballot at a  
1869 regular general election shall comply with the requirements of this section and shall nominate  
1870 the registered political party's candidates for elective office in the manner described in this  
1871 section.

1872 (c) A filing officer may not permit an official ballot at a regular general election to be  
1873 produced or used if the ballot denotes affiliation between a registered political party or any  
1874 other political group and a candidate for elective office who is not nominated in the manner  
1875 prescribed in this section or in Subsection [20A-9-202](#)(4).

1876 (d) Unless noted otherwise, the dates in this section refer to those that occur in each  
1877 even-numbered year in which a regular general election will be held.

1878 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,  
1879 shall:

1880 (i) either declare the registered political party's intent to participate in the next regular  
1881 primary election or declare that the registered political party chooses not to have the names of  
1882 the registered political party's candidates for elective office featured on the ballot at the next  
1883 regular general election; and

1884 (ii) if the registered political party participates in the upcoming regular primary  
1885 election, identify one or more registered political parties whose members may vote for the

1886 registered political party's candidates and whether individuals identified as unaffiliated with a  
1887 political party may vote for the registered political party's candidates.

1888 (b) (i) A registered political party that is a continuing political party shall file the  
1889 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on  
1890 November 30 of each odd-numbered year.

1891 (ii) An organization that is seeking to become a registered political party under Section  
1892 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered  
1893 political party files the petition described in Section 20A-8-103.

1894 (3) (a) Except as provided in Subsection (3)~~(e)~~(f), an individual who submits a  
1895 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective  
1896 office on the regular primary ballot of the registered political party listed on the declaration of  
1897 candidacy only if the individual is certified by the appropriate filing officer as having submitted  
1898 a set of nomination petitions that was:

1899 (i) circulated and completed in accordance with Section 20A-9-405; and

1900 (ii) signed by at least 2% of the registered political party's members who reside in the  
1901 political division of the office that the individual seeks.

1902 (b) (i) A candidate for elective office shall submit nomination petitions to the  
1903 appropriate filing officer for verification and certification no later than 5 p.m. on the final day  
1904 in March.

1905 (ii) A candidate may supplement the candidate's submissions at any time on or before  
1906 the filing deadline.

1907 (c) (i) The lieutenant governor shall determine for each elective office the total number  
1908 of signatures that must be submitted under Subsection (3)(a)(ii) by counting the aggregate  
1909 number of individuals residing in each elective office's political division who have designated a  
1910 particular registered political party on the individuals' voter registration forms on or before  
1911 November 15 of each odd-numbered year.

1912 (ii) The lieutenant governor shall publish the determination for each elective office no  
1913 later than November 30 of each odd-numbered year.

1914 (d) The filing officer shall:

1915 (i) verify signatures ~~on~~ in a nomination [petitions] petition signature packet:

1916 (A) in a transparent and orderly manner; and

1917            (B) before the earlier of 30 days after the day on which the filing officer receives the  
1918 signature packet or the deadline described in Subsection (3)(d)(ii);  
1919            (ii) for all qualifying candidates for elective office who submit nomination petitions to  
1920 the filing officer, issue certifications referenced in Subsection (3)(a) no later than 5 p.m. on the  
1921 first Monday after the third Saturday in April;  
1922            (iii) consider active and inactive voters eligible to sign nomination petitions;  
1923            (iv) consider an individual who signs a nomination petition a member of a registered  
1924 political party for purposes of Subsection (3)(a)(ii) if the individual has designated that  
1925 registered political party as the individual's party membership on the individual's voter  
1926 registration form; and  
1927            (v) utilize procedures described in Section [20A-7-206.3](#) to verify submitted nomination  
1928 petition signatures, or use statistical sampling procedures to verify submitted nomination  
1929 petition signatures in accordance with rules made under Subsection (3)~~(f)~~(g).  
1930            (e) The lieutenant governor may, at the filing officer's expense, intervene to perform a  
1931 responsibility described in Subsection (3)(d) related to a candidate nomination signature packet  
1932 if:  
1933            (i) the filing officer does not timely comply with the deadline described in Subsection  
1934 (3)(d)(i)(B);  
1935            (ii) requested by the candidate to whom the signature packet relates; or  
1936            (iii) requested by the filing officer.  
1937            ~~(e)~~ (f) Notwithstanding any other provision in this Subsection (3), a candidate for  
1938 lieutenant governor may appear on the regular primary ballot of a registered political party  
1939 without submitting nomination petitions if the candidate files a declaration of candidacy and  
1940 complies with Subsection [20A-9-202\(3\)](#).  
1941            ~~(f)~~ (g) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
1942 Act, the director of elections, within the Office of the Lieutenant Governor, shall make rules  
1943 that:  
1944            (i) provide for the use of statistical sampling procedures that:  
1945            (A) filing officers are required to use to verify signatures under Subsection (3)(d); and  
1946            (B) reflect a bona fide effort to determine the validity of a candidate's entire  
1947 submission, using widely recognized statistical sampling techniques; and

1948 (ii) provide for the transparent, orderly, and timely submission, verification, and  
1949 certification of nomination petition signatures.

1950 [~~g~~] (h) The county clerk shall:

1951 (i) review the declarations of candidacy filed by candidates for local boards of  
1952 education to determine if more than two candidates have filed for the same seat;

1953 (ii) place the names of all candidates who have filed a declaration of candidacy for a  
1954 local board of education seat on the nonpartisan section of the ballot if more than two  
1955 candidates have filed for the same seat; and

1956 (iii) determine the order of the local board of education candidates' names on the ballot  
1957 in accordance with Section 20A-6-305.

1958 (4) (a) By 5 p.m. on the first Wednesday after the third Saturday in April, the lieutenant  
1959 governor shall provide to the county clerks:

1960 (i) a list of the names of all candidates for federal, constitutional, multi-county, single  
1961 county, and county offices who have received certifications under Subsection (3), along with  
1962 instructions on how those names shall appear on the primary election ballot in accordance with  
1963 Section 20A-6-305; and

1964 (ii) a list of unopposed candidates for elective office who have been nominated by a  
1965 registered political party under Subsection (5)(c) and instruct the county clerks to exclude the  
1966 unopposed candidates from the primary election ballot.

1967 (b) A candidate for lieutenant governor and a candidate for governor campaigning as  
1968 joint-ticket running mates shall appear jointly on the primary election ballot.

1969 (c) After the county clerk receives the certified list from the lieutenant governor under  
1970 Subsection (4)(a), the county clerk shall post or publish a primary election notice in  
1971 substantially the following form:

1972 "Notice is given that a primary election will be held Tuesday, June \_\_\_\_,  
1973 \_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan  
1974 local school board positions listed on the primary ballot. The polling place for voting precinct  
1975 \_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.

1976 Attest: county clerk."

1977 (5) (a) A candidate, other than a presidential candidate, who, at the regular primary  
1978 election, receives the highest number of votes cast for the office sought by the candidate is:



1979 (i) nominated for that office by the candidate's registered political party; or  
1980 (ii) for a nonpartisan local school board position, nominated for that office.  
1981 (b) If two or more candidates, other than presidential candidates, are to be elected to  
1982 the office at the regular general election, those party candidates equal in number to positions to  
1983 be filled who receive the highest number of votes at the regular primary election are the  
1984 nominees of the candidates' party for those positions.

1985 (c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:  
1986 (A) no individual other than the candidate receives a certification under Subsection (3)  
1987 for the regular primary election ballot of the candidate's registered political party for a  
1988 particular elective office; or

1989 (B) for an office where more than one individual is to be elected or nominated, the  
1990 number of candidates who receive certification under Subsection (3) for the regular primary  
1991 election of the candidate's registered political party does not exceed the total number of  
1992 candidates to be elected or nominated for that office.

1993 (ii) A candidate who is unopposed for an elective office in the regular primary election  
1994 of a registered political party is nominated by the party for that office without appearing on the  
1995 primary election ballot.

1996 (6) (a) When a tie vote occurs in any primary election for any national, state, or other  
1997 office that represents more than one county, the governor, lieutenant governor, and attorney  
1998 general shall, at a public meeting called by the governor and in the presence of the candidates  
1999 involved, select the nominee by lot cast in whatever manner the governor determines.

2000 (b) When a tie vote occurs in any primary election for any county office, the district  
2001 court judges of the district in which the county is located shall, at a public meeting called by  
2002 the judges and in the presence of the candidates involved, select the nominee by lot cast in  
2003 whatever manner the judges determine.

2004 (7) The expense of providing all ballots, blanks, or other supplies to be used at any  
2005 primary election provided for by this section, and all expenses necessarily incurred in the  
2006 preparation for or the conduct of that primary election shall be paid out of the treasury of the  
2007 county or state, in the same manner as for the regular general elections.

2008 (8) An individual may not file a declaration of candidacy for a registered political party  
2009 of which the individual is not a member, except to the extent that the registered political party

2010 permits otherwise under the registered political party's bylaws.

2011 Section 39. Section **20A-9-408** is amended to read:

2012 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**  
2013 **political party.**

2014 (1) This section describes the requirements for a member of a qualified political party  
2015 who is seeking the nomination of the qualified political party for an elective office through the  
2016 signature-gathering process described in this section.

2017 (2) Notwithstanding Subsection [20A-9-201\(4\)\(a\)](#), the form of the declaration of  
2018 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
2019 the nomination of, the qualified political party under this section shall be substantially as  
2020 described in Section [20A-9-408.5](#).

2021 (3) Notwithstanding Subsection [20A-9-202\(1\)\(a\)](#), and except as provided in Subsection  
2022 [20A-9-202\(4\)](#), a member of a qualified political party who, under this section, is seeking the  
2023 nomination of the qualified political party for an elective office that is to be filled at the next  
2024 general election shall:

2025 (a) within the period beginning on January 1 before the next regular general election  
2026 and ending on the third Thursday in March of the same year, and before gathering signatures  
2027 under this section, file with the filing officer on a form approved by the lieutenant governor a  
2028 notice of intent to gather signatures for candidacy that includes:

2029 (i) the name of the member who will attempt to become a candidate for a registered  
2030 political party under this section;

2031 (ii) the name of the registered political party for which the member is seeking  
2032 nomination;

2033 (iii) the office for which the member is seeking to become a candidate;

2034 (iv) the address and telephone number of the member; and

2035 (v) other information required by the lieutenant governor;

2036 (b) file a declaration of candidacy, in person, with the filing officer on or after the  
2037 second Friday in March and before 5 p.m. on the third Thursday in March before the next  
2038 regular general election; and

2039 (c) pay the filing fee.

2040 (4) Notwithstanding Subsection [20A-9-202\(2\)\(a\)](#), a member of a qualified political

2041 party who, under this section, is seeking the nomination of the qualified political party for the  
2042 office of district attorney within a multicounty prosecution district that is to be filled at the next  
2043 general election shall:

2044 (a) on or after January 1 before the next regular general election, and before gathering  
2045 signatures under this section, file with the filing officer on a form approved by the lieutenant  
2046 governor a notice of intent to gather signatures for candidacy that includes:

2047 (i) the name of the member who will attempt to become a candidate for a registered  
2048 political party under this section;

2049 (ii) the name of the registered political party for which the member is seeking  
2050 nomination;

2051 (iii) the office for which the member is seeking to become a candidate;

2052 (iv) the address and telephone number of the member; and

2053 (v) other information required by the lieutenant governor;

2054 (b) file a declaration of candidacy, in person, with the filing officer on or after the  
2055 second Friday in March and before 5 p.m. on the third Thursday in March before the next  
2056 regular general election; and

2057 (c) pay the filing fee.

2058 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate  
2059 who files as the joint-ticket running mate of an individual who is nominated by a qualified  
2060 political party, under this section, for the office of governor shall, on or before 5 p.m. on the  
2061 first Monday after the third Saturday in April, file a declaration of candidacy and submit a letter  
2062 from the candidate for governor that names the lieutenant governor candidate as a joint-ticket  
2063 running mate.

2064 (6) The lieutenant governor shall ensure that the certification described in Subsection  
2065 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party  
2066 under this section.

2067 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who  
2068 is nominated by a qualified political party under this section, designate the qualified political  
2069 party that nominated the candidate.

2070 (8) A member of a qualified political party may seek the nomination of the qualified  
2071 political party for an elective office by:

- 2072 (a) complying with the requirements described in this section; and
- 2073 (b) collecting signatures, on a form approved by the lieutenant governor, during the
- 2074 period beginning on January 1 of an even-numbered year and ending 14 days before the day on
- 2075 which the qualified political party's convention for the office is held, in the following amounts:
- 2076 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
- 2077 permitted by the qualified political party to vote for the qualified political party's candidates in
- 2078 a primary election;
- 2079 (ii) for a congressional district race, 7,000 signatures of registered voters who are
- 2080 residents of the congressional district and are permitted by the qualified political party to vote
- 2081 for the qualified political party's candidates in a primary election;
- 2082 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
- 2083 residents of the state Senate district and are permitted by the qualified political party to vote for
- 2084 the qualified political party's candidates in a primary election;
- 2085 (iv) for a state House district race, 1,000 signatures of registered voters who are
- 2086 residents of the state House district and are permitted by the qualified political party to vote for
- 2087 the qualified political party's candidates in a primary election;
- 2088 (v) for a State Board of Education race, the lesser of:
- 2089 (A) 2,000 signatures of registered voters who are residents of the State Board of
- 2090 Education district and are permitted by the qualified political party to vote for the qualified
- 2091 political party's candidates in a primary election; or
- 2092 (B) 3% of the registered voters of the qualified political party who are residents of the
- 2093 applicable State Board of Education district; and
- 2094 (vi) for a county office race, signatures of 3% of the registered voters who are residents
- 2095 of the area permitted to vote for the county office and are permitted by the qualified political
- 2096 party to vote for the qualified political party's candidates in a primary election.
- 2097 (9) (a) In order for a member of the qualified political party to qualify as a candidate
- 2098 for the qualified political party's nomination for an elective office under this section, the
- 2099 member shall:
- 2100 (i) collect the signatures on a form approved by the lieutenant governor, using the same
- 2101 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and
- 2102 (ii) submit the signatures to the election officer no later than 14 days before the day on

2103 which the qualified political party holds its convention to select candidates, for the elective  
2104 office, for the qualified political party's nomination.

2105 (b) An individual may not gather signatures under this section until after the individual  
2106 files a notice of intent to gather signatures for candidacy described in this section.

2107 (c) An individual who files a notice of intent to gather signatures for candidacy,  
2108 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files  
2109 the notice of intent to gather signatures for candidacy:

2110 (i) required to comply with the reporting requirements that a candidate for office is  
2111 required to comply with; and

2112 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
2113 apply to a candidate for office in relation to the reporting requirements described in Subsection  
2114 (9)(c)(i).

2115 (d) Upon timely receipt of ~~[the signatures]~~ a signature packet containing a signature  
2116 described in Subsections (8) and (9)(a), the election officer shall, no later than the earlier of 30  
2117 days after the day on which the election officer receives the signature packet or one day before  
2118 the day on which the qualified political party holds the convention to select a nominee for the  
2119 elective office to which the signature packets relate:

2120 (i) check the name of each individual who completes the verification for a signature  
2121 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

2122 (ii) submit the name of each individual described in Subsection (9)(d)(i) who is not a  
2123 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

2124 (iii) determine whether each signer is a registered voter who is qualified to sign the  
2125 petition, using the same method, described in Section [20A-7-206.3](#), used to verify a signature  
2126 on a petition;

2127 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
2128 signature packet; and

2129 (v) notify the qualified political party and the lieutenant governor of the name of each  
2130 member of the qualified political party who qualifies as a nominee of the qualified political  
2131 party, under this section, for the elective office to which the convention relates.

2132 (e) The lieutenant governor may, at the election officer's expense, intervene to perform  
2133 a responsibility described in Subsection (9)(d) related to a candidate nomination signature

2134 packet if:

2135 (i) the election officer does not timely comply with the deadline described in

2136 Subsection (9)(d);

2137 (ii) requested by the candidate to whom the signature packet relates; or

2138 (iii) requested by the election officer.

2139 ~~(e)~~ (f) Upon receipt of a notice of intent to gather signatures for candidacy described  
2140 in this section, the lieutenant governor shall post the notice of intent to gather signatures for  
2141 candidacy on the lieutenant governor's website in the same location that the lieutenant governor  
2142 posts a declaration of candidacy.

2143 Section 40. Section **20A-11-1202** is amended to read:

2144 **20A-11-1202. Definitions.**

2145 As used in this part:

2146 (1) "Applicable election officer" means:

2147 (a) a county clerk, if the email relates only to a local election; or

2148 (b) the lieutenant governor, if the email relates to an election other than a local  
2149 election.

2150 (2) "Ballot proposition" means constitutional amendments, initiatives, referenda,  
2151 judicial retention questions, opinion questions, bond approvals, or other questions submitted to  
2152 the voters for their approval or rejection.

2153 (3) "Campaign contribution" means any of the following when done for a political  
2154 purpose or to advocate for or against a ballot proposition:

2155 (a) a gift, subscription, donation, loan, advance, deposit of money, or anything of value  
2156 given to a filing entity;

2157 (b) an express, legally enforceable contract, promise, or agreement to make a gift,  
2158 subscription, donation, unpaid or partially unpaid loan, advance, deposit of money, or anything  
2159 of value to a filing entity;

2160 (c) any transfer of funds from another reporting entity to a filing entity;

2161 (d) compensation paid by any person or reporting entity other than the filing entity for  
2162 personal services provided without charge to the filing entity;

2163 (e) remuneration from:

2164 (i) any organization or the organization's directly affiliated organization that has a

2165 registered lobbyist; or

2166 (ii) any agency or subdivision of the state, including a school district; or

2167 (f) an in-kind contribution.

2168 (4) (a) "Commercial interlocal cooperation agency" means an interlocal cooperation

2169 agency that receives its revenues from conduct of its commercial operations.

2170 (b) "Commercial interlocal cooperation agency" does not mean an interlocal

2171 cooperation agency that receives some or all of its revenues from:

2172 (i) government appropriations;

2173 (ii) taxes;

2174 (iii) government fees imposed for regulatory or revenue raising purposes; or

2175 (iv) interest earned on public funds or other returns on investment of public funds.

2176 (5) "Expenditure" means:

2177 (a) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,

2178 or anything of value;

2179 (b) an express, legally enforceable contract, promise, or agreement to make any

2180 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of

2181 value;

2182 (c) a transfer of funds between a public entity and a candidate's personal campaign

2183 committee;

2184 (d) a transfer of funds between a public entity and a political issues committee; or

2185 (e) goods or services provided to or for the benefit of a candidate, a candidate's

2186 personal campaign committee, or a political issues committee for political purposes at less than

2187 fair market value.

2188 (6) "Filing entity" means the same as that term is defined in Section [20A-11-101](#).

2189 (7) "Governmental interlocal cooperation agency" means an interlocal cooperation

2190 agency that receives some or all of its revenues from:

2191 (a) government appropriations;

2192 (b) taxes;

2193 (c) government fees imposed for regulatory or revenue raising purposes; or

2194 (d) interest earned on public funds or other returns on investment of public funds.

2195 (8) [~~a~~] "Influence" means to campaign or advocate for or against a ballot proposition.

2196 ~~[(b) "Influence" does not mean providing a brief statement about a public entity's~~  
2197 ~~position on a ballot proposition and the reason for that position.]~~

2198 (9) "Interlocal cooperation agency" means an entity created by interlocal agreement  
2199 under the authority of Title 11, Chapter 13, Interlocal Cooperation Act.

2200 (10) "Local district" means an entity under Title 17B, Limited Purpose Local  
2201 Government Entities - Local Districts, and includes a special service district under Title 17D,  
2202 Chapter 1, Special Service District Act.

2203 (11) "Political purposes" means an act done with the intent or in a way to influence or  
2204 intend to influence, directly or indirectly, any person to refrain from voting or to vote for or  
2205 against any:

2206 (a) candidate for public office at any caucus, political convention, primary, or election;  
2207 or

2208 (b) judge standing for retention at any election.

2209 (12) "Proposed initiative" means an initiative proposed in an application filed under  
2210 Section [20A-7-202](#) or [20A-7-502](#).

2211 (13) "Proposed referendum" means a referendum proposed in an application filed  
2212 under Section [20A-7-302](#) or [20A-7-602](#).

2213 ~~[(12)]~~ (14) (a) "Public entity" includes the state, each state agency, each county,  
2214 municipality, school district, local district, governmental interlocal cooperation agency, and  
2215 each administrative subunit of each of them.

2216 (b) "Public entity" does not include a commercial interlocal cooperation agency.

2217 (c) "Public entity" includes local health departments created under Title 26, Chapter 1,  
2218 Department of Health Organization.

2219 ~~[(13)]~~ (15) (a) "Public funds" means any money received by a public entity from  
2220 appropriations, taxes, fees, interest, or other returns on investment.

2221 (b) "Public funds" does not include money donated to a public entity by a person or  
2222 entity.

2223 ~~[(14)]~~ (16) (a) "Public official" means an elected or appointed member of government  
2224 with authority to make or determine public policy.

2225 (b) "Public official" includes the person or group that:

2226 (i) has supervisory authority over the personnel and affairs of a public entity; and



2227 (ii) approves the expenditure of funds for the public entity.

2228 [~~(15)~~] (17) "Reporting entity" means the same as that term is defined in Section

2229 20A-11-101.

2230 [~~(16)~~] (18) (a) "State agency" means each department, commission, board, council,

2231 agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory,

2232 library, unit, bureau, panel, or other administrative unit of the state.

2233 (b) "State agency" includes the legislative branch, the Board of Regents, the

2234 institutional councils of each higher education institution, and each higher education

2235 institution.

2236 Section 41. Section 20A-11-1203 is amended to read:

2237 **20A-11-1203. Public entity prohibited from expending public funds on certain**  
2238 **electoral matters.**

2239 (1) Unless specifically required by law, and except as provided in Section

2240 20A-11-1206, a public entity may not make an expenditure from public funds for political

2241 purposes ~~[or]~~, to influence a ballot proposition, or to influence a proposed initiative or

2242 proposed referendum.

2243 (2) A violation of this section does not invalidate an otherwise valid election.

2244 Section 42. Section 20A-11-1205 is amended to read:

2245 **20A-11-1205. Use of public email for a political purpose.**

2246 (1) Except as provided in Subsection (5), a person may not send an email using the

2247 email of a public entity:

2248 (a) for a political purpose;

2249 (b) to advocate for or against a [~~ballot proposition~~] proposed initiative, initiative,

2250 proposed referendum, or referendum; or

2251 (c) to solicit a campaign contribution.

2252 (2) The applicable election officer shall impose a civil fine against a person who

2253 violates Subsection (1) as follows:

2254 (a) up to \$250 for a first violation; and

2255 (b) except as provided in Subsection (3), for each subsequent violation committed after

2256 any applicable election officer imposes a fine against the person for a first violation, \$1,000

2257 multiplied by the number of violations committed by the person.

2258 (3) The applicable election officer shall consider a violation of this section as a first  
2259 violation if the violation is committed more than seven years after the day on which the person  
2260 last committed a violation of this section.

2261 (4) For purposes of this section, one violation means one act of sending an email,  
2262 regardless of the number of recipients of the email.

2263 (5) A person does not violate this section if:

2264 (a) the lieutenant governor finds that the email described in Subsection (1) was  
2265 inadvertently sent by the person [~~described in Subsection (1);~~] using the email of a public  
2266 entity[-];

2267 (b) the person is directly providing information solely to another person or a group of  
2268 people in response to a question asked by the other person or group of people;

2269 (c) the information the person emails is an argument or rebuttal argument prepared  
2270 under Section [20A-7-401.5](#) or [20A-7-402](#), and the email includes each opposing argument and  
2271 rebuttal argument that:

2272 (i) relates to the same proposed initiative, initiative, proposed referendum, or  
2273 referendum; and

2274 (ii) complies with the requirements of Section [20A-7-401.5](#) or [20A-7-402](#); or

2275 (d) the person is engaging in internal communication regarding the preparation of:

2276 (i) a written argument described in Section [20A-7-401.5](#);

2277 (ii) a written rebuttal argument described in Section [20A-7-402](#); or

2278 (iii) an initial fiscal and legal impact estimate described in Section [20A-7-502.5](#) or  
2279 [20A-7-602.5](#).

2280 (6) A violation of this section does not invalidate an otherwise valid election.

2281 Section 43. Section **20A-11-1206** is amended to read:

2282 **20A-11-1206. Exclusions.**

2283 (1) Nothing in this chapter prohibits a public official from speaking, campaigning,  
2284 contributing personal money, or otherwise exercising the public official's individual First  
2285 Amendment rights for political purposes.

2286 (2) (a) [~~Nothing~~] Subject to Subsection (2)(b), nothing in this chapter prohibits a public  
2287 entity from providing factual information about a ballot proposition to the public, so long as the  
2288 information grants equal access to both the opponents and proponents of the ballot proposition.

2289 (b) A county or municipality may not provide any information to the public about a  
2290 proposed initiative, initiative, proposed referendum, or referendum unless the county or  
2291 municipality:

2292 (i) provides the information in a manner required, or expressly permitted, by law; or

2293 (ii) is directly providing information solely to a person or a group of people in response  
2294 to a question asked by the person or group of people.

2295 (3) Nothing in this chapter prohibits a public entity from the neutral encouragement of  
2296 voters to vote.

2297 (4) Nothing in this chapter prohibits an elected official from campaigning or  
2298 advocating for or against a ballot proposition.

2299 (5) Subject to Subsection (6), a county or municipality may expend a reasonable  
2300 amount of public funds to:

2301 (a) prepare and publish a written argument or written rebuttal argument in accordance  
2302 with Section [20A-7-401.5](#), [20A-7-402](#), or [59-1-1604](#); or

2303 (b) prepare an argument for, and present an argument at, a public meeting under  
2304 Section [20A-7-405](#) or [59-1-1605](#).

2305 (6) A county or municipality may not:

2306 (a) publish an argument or rebuttal argument prepared under Section [20A-7-401.5](#) or  
2307 [20A-7-402](#), unless, at the same time and in the same manner, the county or municipality  
2308 publishes each opposing argument and rebuttal argument that:

2309 (i) relates to the same proposed initiative, initiative, proposed referendum, or  
2310 referendum; and

2311 (ii) complies with the requirements of Section [20A-7-401.5](#) or [20A-7-402](#);

2312 (b) publish an argument or rebuttal argument for or against a proposed initiative,  
2313 initiative, proposed referendum, or referendum that was not prepared and submitted in  
2314 accordance with Section [20A-7-401.5](#) or [20A-7-402](#); or

2315 (c) present an argument or rebuttal argument for or against a proposed initiative,  
2316 initiative, proposed referendum, or referendum at a public meeting, unless the county or  
2317 municipality provides equal opportunity for persons to present opposing arguments and rebuttal  
2318 arguments at the public meeting.

2319 Section 44. Section **63I-2-220** is amended to read:

2320 **63I-2-220. Repeal dates, Title 20A.**

2321 (1) Subsection [20A-5-803](#)(8) is repealed July 1, 2023.

2322 (2) Section [20A-5-804](#) is repealed July 1, 2023.

2323 (3) Section [20A-7-407](#) is repealed January 1, 2020.

2324 [~~3~~] (4) On July 1, 2018, in Subsection [20A-11-101](#)(21), the language that states "  
2325 [10-2a-302](#)," is repealed.

2326 Section 45. **Revisor instructions.**

2327 The Legislature intends that the Office of Legislative Research and General Counsel, in  
2328 preparing the Utah Code database for publication, replace the reference in Subsection  
2329 [20A-7-407](#)(1)(b) from "this bill" to the bill's designated chapter number in the Laws of Utah.