

## SB0151S03 compared with SB0151S02

~~{deleted text}~~ shows text that was in SB0151S02 but was deleted in SB0151S03.

Inserted text shows text that was not in SB0151S02 but was inserted into SB0151S03.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Senator Deidre M. Henderson}~~Representative A. Cory Maloy proposes the following substitute bill:

### INITIATIVE PROCEDURE AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Deidre M. Henderson**

House Sponsor: ~~{~~A. Cory Maloy

---

#### LONG TITLE

##### General Description:

This bill amends procedures relating to a statewide initiative.

##### Highlighted Provisions:

This bill:

- ▶ requires an application for a statewide initiative petition to contain information relating to funding sources for the proposed law;
- ▶ modifies public hearing requirements relating to a statewide initiative;
- ▶ modifies ballot requirements and ballot title challenge provisions;
- ▶ provides that the Office of the Legislative Fiscal Analyst shall prepare the fiscal impact statement for an initiative;
- ▶ modifies the fiscal impact statement for an initiative; and

## SB0151S03 compared with SB0151S02

- ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

~~{ None }~~ This bill provides a coordination clause.

### Utah Code Sections Affected:

AMENDS:

- 20A-7-202, as last amended by Laws of Utah 2017, Chapter 291
- 20A-7-202.5, as last amended by Laws of Utah 2017, Chapter 291
- 20A-7-203, as last amended by Laws of Utah 2017, Chapter 291
- 20A-7-204.1, as last amended by Laws of Utah 2017, Chapter 291
- 20A-7-208, as last amended by Laws of Utah 1999, Chapter 115
- 20A-7-209, as last amended by Laws of Utah 2017, Chapter 291
- 20A-7-210, as last amended by Laws of Utah 2009, Chapter 202
- 20A-7-214, as last amended by Laws of Utah 2018, Chapter 281

### Utah Code Sections Affected by Coordination Clause:

- 20A-7-204.1, as last amended by Laws of Utah 2017, Chapter 291

---

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

Section 1. Section **20A-7-202** is amended to read:

**20A-7-202. Statewide initiative process -- Application procedures -- Time to gather signatures -- Grounds for rejection.**

- (1) Persons wishing to circulate an initiative petition shall file an application with the lieutenant governor.
- (2) The application shall contain:
  - (a) the name and residence address of at least five sponsors of the initiative petition;
  - (b) a statement indicating that each of the sponsors:
    - (i) is a resident of Utah; and
    - (ii) has voted in a regular general election in Utah within the last three years;
  - (c) the signature of each of the sponsors, attested to by a notary public;
  - (d) a copy of the proposed law that includes, in the following order:

## SB0151S03 compared with SB0151S02

(i) the title of the proposed law, [~~which~~] that clearly expresses the subject of the law;  
[and]

(ii) a description of all proposed sources of funding for the costs associated with the proposed law, including the proposed percentage of total funding from each source; and

~~(ii)~~ (iii) the text of the proposed law;

(e) if the initiative petition proposes a tax increase, the following statement, "This initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate."; and

(f) a statement indicating whether persons gathering signatures for the petition may be paid for doing so.

(3) The application and [~~its~~] the application's contents are public when filed with the lieutenant governor.

(4) If the petition fails to qualify for the ballot of the election described in Subsection 20A-7-201(2)(b), the sponsors shall:

- (a) submit a new application;
- (b) obtain new signature sheets; and
- (c) collect signatures again.

(5) The lieutenant governor shall reject the application or application addendum filed under Subsection 20A-7-204.1(5) and not issue circulation sheets if:

- (a) the law proposed by the initiative is patently unconstitutional;
- (b) the law proposed by the initiative is nonsensical;
- (c) the proposed law could not become law if passed;
- (d) the proposed law contains more than one subject as evaluated in accordance with

Subsection (6);

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

(f) the law proposed by the initiative is identical or substantially similar to a law proposed by an initiative that was submitted to the county clerks and lieutenant governor for certification and evaluation within two years preceding the date on which the application for this initiative was filed.

(6) To evaluate whether the proposed law contains more than one subject under

## SB0151S03 compared with SB0151S02

Subsection (5)(d), the lieutenant governor shall apply the same standard provided in Utah Constitution, Article VI, Section 22, which prohibits a bill from passing that contains more than one subject.

Section 2. Section **20A-7-202.5** is amended to read:

**20A-7-202.5. Initial fiscal impact estimate -- Preparation of estimate -- Challenge to estimate.**

(1) Within three working days [~~of receipt of~~] after the day on which the lieutenant governor receives an application for an initiative petition, the lieutenant governor shall submit a copy of the application to the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst.

(2) (a) The [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst shall prepare an unbiased, good faith estimate of the fiscal impact of the law proposed by the initiative that contains:

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

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

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

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

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

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

(vii) a concise explanation, not exceeding 100 words, of the above information and of the estimated fiscal impact, if any, under the proposed law[~~;~~]; and

(viii) a concise description and analysis titled "Funding Source," not to exceed 50

## SB0151S03 compared with SB0151S02

words, of the funding source information described in Subsection 20A-7-202(2)(d)(ii).

(b) (i) If the proposed law is estimated to have no fiscal impact, the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst shall include a summary statement in the initial fiscal impact statement in substantially the following form:

"The [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst estimates that the law proposed by this initiative would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt."

(ii) If the proposed law is estimated to have a fiscal impact, the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst shall include a summary statement in the initial fiscal impact estimate in substantially the following form:

"The [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst estimates that the law proposed by this initiative would result in a total fiscal expense/savings of \$\_\_\_\_\_, which includes a (type of tax or taxes) tax increase/decrease of \$\_\_\_\_\_ and a \$\_\_\_\_\_ increase/decrease in state debt."

(iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise difficult to reasonably express in a summary statement, the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst may include in the summary statement a brief explanation that identifies those factors affecting the variability or difficulty of the estimate.

(iv) If the proposed law imposes a tax increase, the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst shall include a summary statement in the initial fiscal impact estimate in substantially the following form:

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

(3) The [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst shall prepare an unbiased, good faith estimate of the cost of printing and distributing information related to the initiative petition in:

(a) the voter information pamphlet as required by Title 20A, Chapter 7, Part 7, Voter Information Pamphlet; or

(b) the newspaper, as required by Section 20A-7-702.

## SB0151S03 compared with SB0151S02

(4) Within 25 calendar days [~~from the date that~~] after the day on which the lieutenant governor delivers a copy of the application, the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst shall:

(a) deliver a copy of the initial fiscal impact estimate to the lieutenant governor's office; and

(b) mail a copy of the initial fiscal impact estimate to the first five sponsors named in the initiative application.

(5) (a) (i) Three or more of the sponsors of the petition may, within 20 calendar days [~~of~~] after the date of delivery of the initial fiscal impact estimate to the lieutenant governor's office, file a petition with the [~~Supreme Court~~] appropriate court, alleging that the initial fiscal impact estimate, taken as a whole, is an inaccurate estimate of the fiscal impact of the initiative.

(ii) After receipt of the appeal, the [~~Supreme Court~~] court shall direct the lieutenant governor to send notice of the petition to:

(A) any person or group that has filed an argument with the lieutenant governor's office for or against the measure that is the subject of the challenge; and

(B) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any issues relating to the initiative.

(b) (i) There is a presumption that the initial fiscal impact estimate prepared by the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst is based upon reasonable assumptions, uses reasonable data, and applies accepted analytical methods to present the estimated fiscal impact of the initiative.

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

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

## **SB0151S03 compared with SB0151S02**

(c) The [~~Supreme Court~~] court shall certify to the lieutenant governor a fiscal impact estimate for the measure that meets the requirements of this section.

Section 3. Section **20A-7-203** is amended to read:

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

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

"INITIATIVE PETITION To the Honorable \_\_\_\_\_, Lieutenant Governor:

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

Each signer says:

I have personally signed this petition;

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

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

NOTICE TO SIGNERS:

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

(b) If the initiative petition proposes a tax increase, the following statement shall appear, in at least 14-point, bold type, immediately following the information described in Subsection (1)(a):

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

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

(2) Each signature sheet shall:

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

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

(c) contain the title of the initiative printed below the horizontal line, in at least

## SB0151S03 compared with SB0151S02

14-point, bold type;

(d) be vertically divided into columns as follows:

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

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

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

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

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

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

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

(f) at the bottom of the sheet, contain in the following order:

(i) the title of the initiative, in at least 14-point, bold type;

(ii) the initial fiscal impact estimate's summary statement issued by the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(b), including any update in accordance with Subsection 20A-7-204.1[~~(4)~~](5), and the cost estimate for printing and distributing information related to the initiative petition in accordance with Subsection 20A-7-202.5(3), in not less than 12-point, bold type;

(iii) the word "Warning," followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign an initiative petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign an initiative petition when the individual knows that the



**SB0151S03 compared with SB0151S02**

individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk.";

(iv) the following statement: "Birth date or age information is not required, but it may be used to verify your identity with voter registration records. If you choose not to provide it, your signature may not be verified as a valid signature if you change your address before petition signatures are verified or if the information you provide does not match your voter registration records."; and

(v) if the initiative petition proposes a tax increase, spanning the bottom of the sheet, horizontally, in not less than 14-point, bold type, the following statement:

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

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

"Verification

State of Utah, County of \_\_\_\_\_

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

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

All the names that appear in this packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence;

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

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

---

(Name)

(Residence Address)

(Date)"

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

## SB0151S03 compared with SB0151S02

errors.

Section 4. Section **20A-7-204.1** is amended to read:

### **20A-7-204.1. Public hearings to be held before initiative petitions are circulated -- Changes to an initiative and initial fiscal impact estimate.**

(1) (a) After issuance of the initial fiscal impact estimate by the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst and before circulating initiative petitions for signature statewide, sponsors of the initiative petition shall hold at least seven public hearings throughout Utah as follows:

- (i) one in the Bear River region -- Box Elder, Cache, or Rich County;
- (ii) one in the Southwest region -- Beaver, Garfield, Iron, Kane, or Washington County;
- (iii) one in the Mountain region -- Summit, Utah, or Wasatch County;
- (iv) one in the Central region -- Juab, Millard, Piute, Sanpete, Sevier, or Wayne County;
- (v) one in the Southeast region -- Carbon, Emery, Grand, or San Juan County;
- (vi) one in the Uintah Basin region -- Daggett, Duchesne, or Uintah County; and
- (vii) one in the Wasatch Front region -- Davis, Morgan, Salt Lake, Tooele, or Weber County.

(b) Of the seven [~~meetings;~~] public hearings, the sponsors of the initiative shall hold at least two of the [~~meetings shall be held~~] public hearings in a first or second class county, but not in the same county.

(c) The sponsors may not hold a public hearing described in this section until the later of:

- (i) one day after the day on which a sponsor receives a copy of the initial fiscal impact estimate under Subsection 20A-7-202.5(4)(b); or
- (ii) if three or more sponsors file a petition challenging the accuracy of the initial fiscal impact statement under Section 20A-7-202.5, the day after the day on which the action is final.

(2) At least three calendar days before the date of the public hearing, the sponsors shall:

- (a) provide written notice of the public hearing to:
  - (i) the lieutenant governor for posting on the state's website; and

## SB0151S03 compared with SB0151S02

(ii) each state senator, state representative, and county commission or county council member who is elected in whole or in part from the region where the public hearing will be held; and

(b) publish written notice of the public hearing detailing its time, date, and location:

(i) in at least one newspaper of general circulation in each county in the region where the public hearing will be held; and

(ii) on the Utah Public Notice Website created in Section 63F-1-701.

(3) If the initiative petition proposes a tax increase, the written notice described in Subsection (2) shall include the following statement, in bold, in the same font and point size as the largest font and point size appearing in the notice:

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

(4) (a) During the public hearing, the sponsors shall either:

(i) video tape or audio tape the public hearing and, when the hearing is complete, deposit the complete audio or video tape of the meeting with the lieutenant governor; or

(ii) take comprehensive minutes of the public hearing, detailing the names and titles of each speaker and summarizing each speaker's comments.

(b) The lieutenant governor shall make copies of the tapes or minutes available to the public.

(c) For each public hearing, the sponsors shall:

(i) during the entire time that the public hearing is held, post a copy of the initial fiscal impact statement in a conspicuous location at the entrance to the room where the sponsors hold the public hearing; and

(ii) place at least 50 copies of the initial fiscal impact statement, for distribution to public hearing attendees, in a conspicuous location at the entrance to the room where the sponsors hold the public hearing.

(5) (a) Within 14 days after ~~[conducting]~~ the day on which the sponsors conduct the seventh public hearing ~~[required by]~~ described in Subsection (1)(a), and before circulating an initiative petition for signatures, the sponsors of the initiative petition may change the text of the proposed law if:

## SB0151S03 compared with SB0151S02

(i) a change to the text is:

(A) germane to the text of the proposed law filed with the lieutenant governor under Section 20A-7-202; and

(B) consistent with the requirements of Subsection 20A-7-202(5); and

(ii) each sponsor signs, attested to by a notary public, an application addendum to change the text of the proposed law.

(b) (i) Within three working days ~~[of receipt of]~~ after the day on which the lieutenant governor receives an application addendum to change the text of the proposed law in an initiative petition, the lieutenant governor shall submit a copy of the application addendum to the ~~[Governor's Office of Management and Budget]~~ Office of the Legislative Fiscal Analyst.

(ii) The ~~[Governor's Office of Management and Budget]~~ Office of the Legislative Fiscal Analyst shall update the initial fiscal impact estimate by following the procedures and requirements of Section 20A-7-202.5 to reflect a change to the text of the proposed law.

Section 5. Section **20A-7-208** is amended to read:

### **20A-7-208. Disposition of initiative petitions by the Legislature.**

(1) (a) Except as provided in Subsection (1)(b), when the lieutenant governor delivers an initiative petition to the Legislature, the law proposed by that initiative petition shall be either enacted or rejected without change or amendment by the Legislature.

(b) The speaker of the House and the president of the Senate may direct legislative staff to~~[-(i)]~~ make technical corrections authorized by Section 36-12-12~~[-and]~~.

~~[(ii) prepare a legislative review note and a legislative fiscal note on the law proposed by the initiative petition.]~~

(c) If any law proposed by an initiative petition is enacted by the Legislature, ~~[it]~~ the law is subject to referendum the same as other laws.

(2) If any law proposed by a petition is not enacted by the Legislature, that proposed law shall be submitted to a vote of the people at the next regular general election if:

(a) sufficient additional signatures to the petition are first obtained to bring the total number of signatures up to the number required by Subsection 20A-7-201(2); and

(b) those additional signatures are verified, certified by the county clerks, and declared sufficient by the lieutenant governor as provided in this part.

Section 6. Section **20A-7-209** is amended to read:

## SB0151S03 compared with SB0151S02

### 20A-7-209. Ballot title -- Duties of lieutenant governor and Office of Legislative Research and General Counsel.

(1) [By] On or before June 5 before the regular general election, the lieutenant governor shall deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of Legislative Research and General Counsel.

(2) (a) The Office of Legislative Research and General Counsel shall:

(i) entitle each state initiative that has qualified for the ballot "Proposition Number \_\_\_" and give it a number as assigned under Section 20A-6-107;

(ii) prepare an impartial ballot title for each initiative summarizing the contents of the measure; and

(iii) return each petition and ballot title to the lieutenant governor by June 26.

(b) The ballot title may be distinct from the title of the proposed law attached to the initiative petition, and shall be not more than 100 words.

(c) If the initiative proposes a tax increase, the Office of Legislative Research and General Counsel shall include the following statement, in bold, in the ballot title:

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

(d) For each state initiative, the official ballot shall show, in the following order:

(i) the number of the initiative as determined by the Office of Legislative Research and General Counsel;

(ii) the initial fiscal impact estimate prepared under Section 20A-7-202.5, as updated under Section 20A-7-204.1; and

~~[(ii)]~~ (iii) the ballot title as determined by the Office of Legislative Research and General Counsel~~;~~ ~~and~~].

~~[(iii) the initial fiscal impact estimate prepared under Section 20A-7-202.5 or updated under Section 20A-7-204.1.]~~

(3) [By] On or before June 27, the lieutenant governor shall mail a copy of the ballot title to any sponsor of the petition.

(4) (a) (i) At least three of the sponsors of the petition may, [by] on or before July 6, challenge the wording of the ballot title prepared by the Office of Legislative Research and

## SB0151S03 compared with SB0151S02

General Counsel to the [~~Supreme Court~~] appropriate court.

(ii) After receipt of the [~~appeal, the Supreme Court~~] challenge, the court shall direct the lieutenant governor to send notice of the [~~appeal~~] challenge to:

(A) any person or group that has filed an argument for or against the measure that is the subject of the challenge; or

(B) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any issues relating to the initiative.

(b) (i) There is a presumption that the ballot title prepared by the Office of Legislative Research and General Counsel is an impartial summary of the contents of the initiative.

(ii) The [~~Supreme Court~~] court may not revise the wording of the ballot title unless the plaintiffs rebut the presumption by clearly and convincingly establishing that the ballot title is patently false or biased.

(c) The [~~Supreme Court~~] court shall:

(i) examine the ballot title;

(ii) hear arguments; and

(iii) certify to the lieutenant governor a ballot title for the measure that meets the requirements of this section.

(d) The lieutenant governor shall certify the title verified by the [~~Supreme Court~~] court to the county clerks to be printed on the official ballot.

Section 7. Section **20A-7-210** is amended to read:

### **20A-7-210. Form of ballot -- Manner of voting.**

(1) [~~The county clerks~~] A county clerk shall ensure that the [~~number and ballot title verified to them by the lieutenant governor are~~] information described in Subsection 20A-7-209(2)(d) is presented, in the order required, upon the official ballot with, immediately adjacent to [~~them~~] the information, the words "For" and "Against," each word presented with an adjacent square in which the [~~elector~~] voter may indicate [~~his~~] the voter's vote.

(2) [~~Electors~~] A voter desiring to vote in favor of enacting the law proposed by the initiative petition shall mark the square adjacent to the word "For," and [~~those~~] a voter desiring to vote against enacting the law proposed by the initiative petition shall mark the square

## SB0151S03 compared with SB0151S02

adjacent to the word "Against."

Section 8. Section **20A-7-214** is amended to read:

### **20A-7-214. Fiscal review -- Repeal, amendment, or resubmission.**

(1) No later than 60 days after the date of an election in which the voters approve an initiative petition, the [~~Governor's Office of Management and Budget~~] Office of the Legislative Fiscal Analyst shall:

(a) for each initiative approved by the voters, prepare a final fiscal impact statement, using current financial information and containing the information required by Subsection 20A-7-202.5(2); and

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

- (i) the president of the Senate;
- (ii) the minority leader of the Senate;
- (iii) the speaker of the House of Representatives;
- (iv) the minority leader of the House of Representatives; and
- (v) the first five sponsors listed on the initiative application.

(2) If the final fiscal impact statement exceeds the initial fiscal impact estimate by 25% or more, the Legislature shall review the final fiscal impact statement and may, in any legislative session following the election in which the voters approved the initiative petition:

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

### **Section 9. Coordinating S.B. 151 with S.B. 33 -- Substantive and technical amendments.**

If this S.B. 151 and S.B. 33, Political Procedures Amendments, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel shall prepare the Utah Code database for publication by amending Subsection 20A-7-204.1(5)(a) to read:

"(5) (a) [Within] Before 5 p.m. within 14 days after [conducting] the day on which the sponsors conduct the seventh public hearing [required by] described in Subsection (1)(a), and before circulating an initiative petition for signatures, the sponsors of the initiative petition may

## **SB0151S03 compared with SB0151S02**

change the text of the proposed law if:

(i) a change to the text is:

(A) germane to the text of the proposed law filed with the lieutenant governor under Section 20A-7-202; and

(B) consistent with the requirements of Subsection 20A-7-202(5); and

(ii) each sponsor signs, attested to by a notary public, an application addendum to change the text of the proposed law.".