

BALLOT AND VOTER INFORMATION AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Daniel W. Thatcher

House Sponsor: _____

LONG TITLE

Committee Note:

The Government Operations Interim Committee recommended this bill.

Legislative Vote: 11 voting for 0 voting against 5 absent

General Description:

This bill amends provisions relating to ballots and information provided to voters.

Highlighted Provisions:

This bill:

▶ amends provisions relating to constitutional amendments, statewide initiatives, and statewide referenda, including the duties of the Office of Legislative Research and General Counsel and the lieutenant governor in relation to providing information regarding these measures;

▶ amends requirements relating to the information provided on the ballot for a constitutional amendment, statewide initiative, or statewide referenda;

▶ creates a statewide ballot question voter guide, included with each ballot, that provides more information to voters in relation to constitutional amendments, statewide initiatives, and statewide referenda;

▶ amends provisions relating to local ballot propositions, including the duties of the attorney and clerk for a municipality or county in relation to providing information regarding these propositions;

▶ amends requirements relating to the information provided on the ballot for a local



28 ballot proposition;

29 ▶ creates a local ballot question voter guide, included with each ballot, that provides
30 more information to voters in relation to local ballot propositions;

31 ▶ permits a person who submits an argument in favor of, or against, a statewide or
32 local measure, to submit an argument summary to be included in the ballot;

33 ▶ amends provisions relating to the statewide vote information pamphlet, the local
34 voter information pamphlet, and the local proposition information pamphlet;

35 ▶ modifies the ballot, and the determination of offices retained, for a justice court
36 judge; and

37 ▶ makes technical and conforming changes.

38 **Money Appropriated in this Bill:**

39 None

40 **Other Special Clauses:**

41 None

42 **Utah Code Sections Affected:**

43 AMENDS:

44 **20A-7-103**, as last amended by Laws of Utah 2011, Chapter 327

45 **20A-7-209**, as last amended by Laws of Utah 2019, Chapter 275

46 **20A-7-210**, as last amended by Laws of Utah 2019, Chapter 275

47 **20A-7-308**, as last amended by Laws of Utah 2010, Chapter 367

48 **20A-7-309**, as last amended by Laws of Utah 2010, Chapter 294

49 **20A-7-401.5**, as enacted by Laws of Utah 2019, Chapter 203

50 **20A-7-402**, as last amended by Laws of Utah 2019, Chapters 203, 255 and last
51 amended by Coordination Clause, Laws of Utah 2019, Chapter 203

52 **20A-7-508**, as last amended by Laws of Utah 2019, Chapter 203

53 **20A-7-509**, as last amended by Laws of Utah 2019, Chapter 203

54 **20A-7-608**, as last amended by Laws of Utah 2019, Chapter 203

55 **20A-7-609**, as last amended by Laws of Utah 2014, Chapter 396

56 **20A-7-613**, as last amended by Laws of Utah 2019, Chapters 203 and 255

57 **20A-7-702**, as last amended by Laws of Utah 2018, Chapter 80 and last amended by
58 Coordination Clause, Laws of Utah 2018, Chapter 403

59 [20A-7-706](#), as last amended by Laws of Utah 2019, Chapter 255

60 [20A-12-201](#), as last amended by Laws of Utah 2017, Chapter 81

61 ENACTS:

62 [20A-7-401.7](#), Utah Code Annotated 1953

63 [20A-7-901](#), Utah Code Annotated 1953

64

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

66 Section 1. Section [20A-7-103](#) is amended to read:

67 **[20A-7-103. Constitutional amendments submitted by the Legislature --](#)**

68 **[Publication -- Ballot question and contents -- Procedures for submission to popular vote.](#)**

69 (1) The procedures contained in this section govern when the Legislature submits a
70 proposed constitutional amendment [~~or other question~~] to the voters.

71 (2) In addition to the publication in the voter information pamphlet required by Section
72 [20A-7-702](#), the lieutenant governor shall, not more than 60 days or less than 14 days before the
73 date of the election, publish the full text of the proposed constitutional amendment[~~question,~~
74 ~~or statute~~] in at least one newspaper in every county of the state where a newspaper is
75 published.

76 (3) The legislative general counsel shall:

77 (a) entitle each proposed constitutional amendment "Constitutional Amendment ___"
78 and assign [it] the proposed constitutional amendment a letter according to the requirements of
79 Section [20A-6-107](#);

80 [~~(b) entitle each proposed question "Proposition Number ___" with the number assigned~~
81 ~~to the proposition under Section [20A-6-107](#) placed in the blank;~~]

82 [~~(c) draft and designate a ballot title for each proposed amendment or question~~
83 ~~submitted by the Legislature that summarizes the subject matter of the amendment or question;~~
84 ~~and]~~

85 (b) prepare a short title, not exceeding 10 words, for the proposed constitutional
86 amendment;

87 (c) prepare an impartial ballot question that generally describes the proposed
88 constitutional amendment and may be answered "Yes" or "For" if the voter is in favor of the
89 proposed constitutional amendment, or "No" or "Against" if the voter is opposed to the

90 proposed constitutional amendment;

91 (d) draft an impartial summary of the proposed constitutional amendment; and

92 ~~[(d)]~~ (e) deliver [each number and title] the items described in this Subsection (3) to
93 the lieutenant governor.

94 (4) The lieutenant governor shall certify the [number and ballot title of each
95 amendment or question] items described in Subsection (3) to the county clerk of each county
96 no later than 65 days before the date of the election.

97 ~~[(5) The county clerk of each county shall:]~~

98 ~~[(a) ensure that both the number and title of each amendment and question is printed~~
99 ~~on the sample ballots and official ballots; and]~~

100 ~~[(b) publish them as provided by law.]~~

101 (5) Before the section of the ballot containing one or more constitutional amendments,
102 the ballot shall include the following statement, "A more detailed summary of each proposed
103 constitutional amendment appears on the accompanying ballot question voter guide."

104 (6) For each proposed constitutional amendment, the ballot shall show, in the
105 following order:

106 (a) the title described in Subsection (3)(a);

107 (b) the short title described in Subsection (3)(b);

108 (c) the ballot question described in Subsection (3)(c); and

109 (d) a space for the voter to mark "Yes" or "For" in favor of the proposed constitutional
110 amendment and a space for the voter to mark "No" or "Against" in opposition to the proposed
111 constitutional amendment.

112 (7) (a) A voter desiring to vote in favor of the proposed constitutional amendment shall
113 mark the space adjacent to the word "Yes" or "For."

114 (b) A voter desiring to vote against enacting the proposed constitutional amendment
115 shall mark the space adjacent to the word "No" or "Against."

116 (8) An election officer shall provide a copy of the statewide ballot question voter
117 guide, described in Section [20A-7-901](#), with each ballot.

118 Section 2. Section **20A-7-209** is amended to read:

119 **20A-7-209. Ballot question -- Summary -- Duties of lieutenant governor and**
120 **Office of Legislative Research and General Counsel.**

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

124 (2) ~~[(a)]~~ The Office of Legislative Research and General Counsel shall, on or before
125 June 26, prepare and provide the following to the lieutenant governor for each statewide
126 initiative that qualifies for the ballot:

127 ~~[(i)]~~ (a) entitle each [state] initiative ~~[that has qualified for the ballot]~~ "Proposition
128 Number __" and give [it] the initiative a number as assigned under Section 20A-6-107;

129 ~~[(ii) prepare an impartial ballot title for each initiative summarizing the contents of the~~
130 ~~measure; and]~~

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

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

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

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

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

140 ~~[(i) the number of the initiative as determined by the Office of Legislative Research~~
141 ~~and General Counsel;]~~

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

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

146 (b) prepare an impartial short title, not exceeding 10 words, for the initiative's ballot
147 question;

148 (c) if the initiative proposes a tax increase, draft the following statement in relation to
149 each tax increase:

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

152 increase in the current tax rate.";

153 (d) if the initiative proposes a new tax, draft the following statement in relation to each
154 new tax:

155 "This initiative proposes a new tax on (describe the tax). The proposed tax rate is
156 (describe the proposed rate for the new tax).";

157 (e) prepare an impartial ballot question that:

158 (i) in accordance with Subsection (3)(a), does not exceed 60 words;

159 (ii) generally describes the initiative;

160 (iii) may be answered "Yes" or "For" if the voter is in favor of the initiative, or "No" or
161 "Against" if the voter is opposed to the initiative; and

162 (iv) includes, in parenthesis following each term included in the summary that is
163 defined in the initiative, the word "defined"; and

164 (f) in accordance with Subsection (3)(b), prepare an impartial summary of the contents
165 of the initiative that does not exceed 100 words.

166 (3) (a) The 60-word limit described in Subsection (2)(e)(i) does not include the items
167 described in Subsections (2)(a) through (d) or (f).

168 (b) The 100-word limit described in Subsection (2)(f) does not include the items
169 described in Subsections (2)(a) through (e).

170 ~~[(3)]~~ (4) On or before June 27, the lieutenant governor shall mail a copy of the [ballot
171 title] items described in Subsection (2) to any sponsor of the petition.

172 ~~[(4)]~~ (5) (a) [(i)] At least three of the sponsors of the petition may, on or before July 6,
173 challenge the wording of the [ballot title prepared by the Office of Legislative Research and
174 General Counsel] items described in Subsection (2) to the appropriate court.

175 ~~[(i)]~~ (b) After receipt of the challenge, the court shall direct the lieutenant governor to
176 send notice of the challenge to:

177 ~~[(A)]~~ (i) any person or group that has filed an argument for or against the measure that
178 is the subject of the challenge; or

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

183 ~~[(b)]~~ (c) (i) There is a presumption that the ~~[ballot title]~~ items described in Subsection
 184 (2), prepared by the Office of Legislative Research and General Counsel ~~[is an impartial~~
 185 ~~summary of the contents of the initiative]~~, are impartial and accurate.

186 (ii) The court may not revise the wording of the ~~[ballot title]~~ items described in
 187 Subsection (2) unless the plaintiffs rebut the presumption by clearly and convincingly
 188 establishing that the ~~[ballot title is]~~ items are patently false or biased.

189 ~~[(c)]~~ (d) The court shall:

190 (i) examine the ~~[ballot title]~~ items described in Subsection (2);

191 (ii) hear arguments; and

192 (iii) ~~[certify to the lieutenant governor a ballot title for the measure that meets]~~ enter an
 193 order in accordance with the requirements of this section.

194 ~~[(d)]~~ (e) The lieutenant governor shall certify the ~~[title verified by the court]~~ language
 195 referenced in the court order described in Subsection (5)(d) to the county clerks to be printed
 196 on the official ballot.

197 Section 3. Section **20A-7-210** is amended to read:

198 **20A-7-210. Form of ballot -- Manner of voting -- Provision of statewide ballot**
 199 **question voter guide.**

200 ~~[(1) A county clerk shall ensure that the information described in Subsection~~
 201 ~~20A-7-209(2)(d) is presented, in the order required, upon the official ballot with, immediately~~
 202 ~~adjacent to the information, the words "For" and "Against," each word presented with an~~
 203 ~~adjacent square in which the voter may indicate the voter's vote.]~~

204 (1) Before the section of the ballot containing one or more initiatives, the ballot shall
 205 include the following statement, "A more detailed summary of each initiative appears on the
 206 accompanying ballot question voter guide."

207 (2) For each statewide initiative, the official ballot shall show, in the following order:

208 (a) the title described in Subsection 20A-7-209(2)(a), in bold;

209 (b) the short title described in Subsection 20A-7-209(2)(b), in bold;

210 (c) (i) if the initiative proposes a tax increase, the following statement, "This initiative
 211 proposes a tax increase. For more information, see the accompanying statewide ballot question
 212 voter guide.";

213 (ii) if the initiative proposes a new tax, the following statement, "This initiative

214 proposes a new tax. For more information, see the accompanying statewide ballot question
 215 voter guide."; and

216 (iii) if the initiative proposes a new tax and a tax increase, the following statement,
 217 "This initiative proposes a new tax and a tax increase. For more information, see the
 218 accompanying statewide ballot question voter guide.";

219 (d) the ballot question described in Subsection 20A-7-209(2)(e); and

220 (e) a space for the voter to mark "Yes" or "For" in favor of the initiative and a space for
 221 the voter to mark "No" or "Against" in opposition to the initiative.

222 ~~[(2)]~~ (3) (a) A voter desiring to vote in favor of enacting the law proposed by the
 223 initiative petition shall mark the ~~[square]~~ space adjacent to the word ~~["For," and a]~~ "Yes" or
 224 "For."

225 (b) A voter desiring to vote against enacting the law proposed by the initiative petition
 226 shall mark the ~~[square]~~ space adjacent to the word "No" or "Against."

227 (4) An election officer shall provide a copy of the statewide ballot question voter
 228 guide, described in Section 20A-7-901, with each ballot.

229 Section 4. Section 20A-7-308 is amended to read:

230 **20A-7-308. Ballot question -- Duties of lieutenant governor and Office of**
 231 **Legislative Research and General Counsel.**

232 (1) ~~[Whenever]~~ When a statewide referendum petition is declared sufficient for
 233 submission to a vote of the people, the lieutenant governor shall deliver a copy of the petition
 234 and the proposed law to the Office of Legislative Research and General Counsel.

235 (2) ~~[(a)]~~ The Office of Legislative Research and General Counsel shall, no later than 15
 236 days after the day on which the Office of Legislative Research and General Counsel receives a
 237 copy of the petition and the proposed law under Subsection (1), prepare and provide the
 238 following to the lieutenant governor:

239 ~~[(i)]~~ (a) entitle ~~[each]~~ a state referendum that has qualified for the ballot "Proposition
 240 Number ___" and give ~~[it]~~ the referendum a number as assigned under Section 20A-6-107;

241 ~~[(ii) prepare an impartial ballot title for the referendum summarizing the contents of the~~
 242 ~~measure; and]~~

243 ~~[(iii) return the petition and the ballot title to the lieutenant governor within 15 days~~
 244 ~~after its receipt.]~~

245 ~~[(b) The ballot title may be distinct from the title of the law that is the subject of the~~
 246 ~~petition, and shall be not more than 100 words.]~~

247 ~~[(c) The ballot title and the number of the measure as determined by the Office of~~
 248 ~~Legislative Research and General Counsel shall be printed on the official ballot.]~~

249 (b) prepare an impartial short title, not exceeding 10 words, for the referendum's ballot
 250 question;

251 (c) prepare an impartial ballot question that:

252 (i) in accordance with Subsection (3)(a), does not exceed 60 words;

253 (ii) generally describes the law challenged by the referendum;

254 (iii) may be answered "Yes" or "For" if the voter is in favor of the law challenged by
 255 referendum, or "No" or "Against" if the voter is opposed to the law challenged by the
 256 referendum; and

257 (iv) includes, in parenthesis following each term included in the summary that is
 258 defined in the law challenged by the referendum, the word "defined";

259 (d) prepare a statement, not to exceed 25 words in length, that explains the meaning of
 260 a vote in favor of the law challenged by referendum and the meaning of a vote opposed to the
 261 law challenged by referendum; and

262 (e) in accordance with Subsection (3)(b), prepare an impartial summary of the contents
 263 of the law challenged by the referendum that does not exceed 100 words.

264 (3) (a) The 60-word limit described in Subsection (2)(c)(i) does not include the items
 265 described in Subsections (2)(a), (b), (d), or (e).

266 (b) The 100-word limit described in Subsection (2)(e) does not include the items
 267 described in Subsections (2)(a) through (d).

268 ~~[(3)]~~ (4) Immediately after the Office of Legislative Research and General Counsel
 269 ~~[files a copy of the ballot title with]~~ provides the items described in Subsection (2) to the
 270 lieutenant governor, the lieutenant governor shall mail a copy of the ~~[ballot title to any of the~~
 271 ~~sponsors]~~ items to any sponsor of the petition.

272 ~~[(4)]~~ (5) (a) [(i)] At least three of the sponsors of the petition may, within 15 days ~~[of~~
 273 ~~the date]~~ after the day on which the lieutenant governor mails the ~~[ballot title]~~ items described
 274 in Subsection (2) to a sponsor of the petition, challenge the wording of the [ballot title] items
 275 prepared by the Office of Legislative Research and General Counsel to the [Supreme Court]

276 appropriate court.

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

279 ~~[(A)]~~ (i) any person or group that has filed an argument for or against the ~~[measure]~~
280 referendum that is the subject of the challenge; ~~[or]~~ and

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

285 ~~[(b)]~~ (c) (i) There is a presumption that the ~~[ballot title]~~ items described in Subsection
286 (2), prepared by the Office of Legislative Research and General Counsel ~~[is an impartial~~
287 summary of the contents of the referendum] are impartial and accurate.

288 (ii) The ~~[Supreme Court]~~ court may not revise the wording of the ~~[ballot title]~~ items
289 described in Subsection (2) unless the plaintiffs rebut the presumption by clearly and
290 convincingly establishing that the ~~[ballot title is]~~ items are patently false or biased.

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

292 (i) examine the ~~[ballot title]~~ items described in Subsection (2);

293 (ii) hear arguments; and

294 (iii) ~~[certify to the lieutenant governor a ballot title for the measure that meets]~~ enter an
295 order in accordance with the requirements of this section.

296 ~~[(d)]~~ (e) The lieutenant governor shall certify the ~~[title verified by the Supreme Court]~~
297 language referenced in the order described in Subsection (5)(d) to the county clerks to be
298 printed on the official ballot.

299 Section 5. Section ~~20A-7-309~~ is amended to read:

300 **20A-7-309. Form of ballot -- Manner of voting -- Provision of statewide ballot**
301 **question voter guide.**

302 ~~[(1)]~~ The county clerks shall ensure that the number and ballot title verified to them by
303 the lieutenant governor are presented upon the official ballot with, immediately adjacent to
304 them, the words "For" and "Against," each word presented with an adjacent square in which the
305 elector may indicate the elector's vote.]

306 (1) Before the section of the ballot containing one or more referenda, the ballot shall

307 include the following statement, "A more detailed summary of each referendum appears on the
 308 accompanying ballot question voter guide."

309 (2) For each statewide referendum, the official ballot shall show, in the following
 310 order:

311 (a) the title described in Subsection [20A-7-308\(2\)\(a\)](#), in bold;

312 (b) the short title, described in Subsection [20A-7-308\(2\)\(b\)](#), in bold;

313 (c) the ballot question described in Subsection [20A-7-308\(2\)\(c\)](#);

314 (d) the statement described in Subsection [20A-7-308\(2\)\(d\)](#) regarding the meaning of a
 315 positive or negative vote; and

316 (e) a space for the voter to mark "Yes" or "For" if the voter is in favor of the law
 317 challenged by the referendum and a space for the voter to mark "No" or "Against" if the voter
 318 is opposed to the law challenged by the referendum.

319 ~~[(2)]~~ (3) (a) [(†)] A voter desiring to vote in favor of the law that is the subject of the
 320 referendum shall mark the ~~[square]~~ space adjacent to the word "Yes" or "For."

321 ~~[(†)]~~ (b) The law that is the subject of the referendum takes effect if a majority of
 322 voters mark "Yes" or "For."

323 ~~[(b) (†)]~~ (4) (a) A voter desiring to vote against the law that is the subject of the
 324 referendum petition shall mark the ~~[square]~~ space adjacent to the word "No" or "Against."

325 ~~[(†)]~~ (b) The law that is the subject of the referendum does not take effect if a majority
 326 of voters mark "No" or "Against."

327 (5) An election officer shall provide a copy of the statewide ballot question voter
 328 guide, described in Section [20A-7-901](#), with each ballot.

329 Section 6. Section **20A-7-401.5** is amended to read:

330 **20A-7-401.5. Proposition information pamphlet.**

331 (1) (a) (i) Within 15 days after the day on which an eligible voter files an application to
 332 circulate an initiative petition under Section [20A-7-502](#) or an application to circulate a
 333 referendum petition under Section [20A-7-602](#):

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

337 (B) the county or municipality to which the application relates may submit a written

338 argument in favor of, or against, the proposed initiative or referendum to the county's or
339 municipality's election officer.

340 (ii) If a county or municipality submits more than one written argument under
341 Subsection (1)(a)(i)(B), the election officer shall select one of the written arguments[;]:

342 (A) giving preference to a written argument submitted by a member of a local
343 legislative body if a majority of the local legislative body supports the written argument[;]; and

344 (B) if selecting between two or more written arguments of equal preference, by
345 randomly selecting one of the written arguments.

346 (b) Within one business day after the day on which an election officer receives an
347 argument under Subsection (1)(a)(i)(A), the election officer shall provide a copy of the
348 argument to the county or municipality described in Subsection (1)(a)(i)(B) or (1)(a)(ii), as
349 applicable.

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

354 (d) The sponsors of the proposed initiative or referendum may [~~submit a revised~~
355 ~~version of the written argument described in Subsection (1)(a)(i)(A) to the election officer of~~
356 ~~the county or municipality to which the petition relates]~~, within 20 days after the day on which
357 the eligible voter files an application to circulate an initiative petition under Section 20A-7-502
358 or an application to circulate a referendum petition under Section 20A-7-602[;], submit to the
359 election officer of the county or municipality to which the petition relates:

360 (i) a revised version of the written argument described in Subsection (1)(a)(i)(A); and

361 (ii) a summary of the written argument described in Subsection (1)(a)(i)(A) or (1)(d)(i),
362 not exceeding 50 words, to be included in the local ballot question voter guide.

363 (e) The author of a written argument described in Subsection (1)(a)(i)(B) submitted by
364 a county or municipality may [~~submit a revised version of the written argument to the county's~~
365 ~~or municipality's election officer]~~, within 20 days after the day on which the eligible voter files
366 an application to circulate an initiative petition under Section 20A-7-502 or an application to
367 circulate a referendum petition under Section 20A-7-602[;], submit to the county's or
368 municipality's election officer:

369 (i) a revised version of the written argument described in Subsection (1)(a)(i)(B); and
370 (ii) a summary of the written argument described in Subsection (1)(a)(i)(B) or (1)(e)(i),
371 not exceeding 50 words, to be included in the local ballot question voter guide.

372 (2) (a) A written argument described in Subsection (1)(a)(i)(A), (1)(d)(i), (1)(a)(i)(B),
373 or (1)(e)(i) may not exceed 500 words.

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

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

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

381 (ii) reduce the number of words to come into compliance with [~~Subsection (2)(a)] the
382 word limitation requirements.~~

383 (d) An election officer shall refuse to include a written argument or argument summary
384 in the proposition information pamphlet described in this section if the person who submits the
385 argument or argument summary:

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

388 (ii) does not timely submit the written argument or argument summary to the election
389 officer.

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

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

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

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

398 (c) except as provided in Subsection (2)(d), immediately after the argument described
399 in Subsection (3)(b), the argument prepared by the county or municipality, if any; and

400 (d) a copy of the initial fiscal impact statement and legal impact statement described in
401 Section [20A-7-502.5](#) or [20A-7-602.5](#).

402 (4) (a) A proposition information pamphlet is a draft for purposes of Title 63G,
403 Chapter 2, Government Records Access and Management Act, until the earlier of when the
404 election officer:

- 405 (i) complies with Subsection (4)(b); or
- 406 (ii) publishes the proposition information pamphlet under Subsection (5) or (6).

407 (b) Within 21 days after the day on which the eligible voter files an application to
408 circulate an initiative petition under Section [20A-7-502](#), or an application to circulate a
409 referendum petition under Section [20A-7-602](#), the election officer shall provide a copy of the
410 proposition information pamphlet to the sponsors of the initiative or referendum and each
411 individual who submitted an argument included in the proposition information pamphlet.

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

414 (a) within the later of 10 days after the day on which the municipality or a court
415 determines that the proposed initiative or referendum is legally referable to voters, or, if the
416 election officer modifies an argument under Subsection (2)(c), three days after the day on
417 which the election officer and the person that submitted the argument agree on the
418 modification:

419 (i) by sending the proposition information pamphlet electronically to each individual in
420 the municipality for whom the municipality has an email address, unless the individual has
421 indicated that the municipality is prohibited from using the individual's email address for that
422 purpose; and

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

426 (A) if the sponsors of the proposed initiative or referendum do not timely deliver any
427 verified initiative packets under Section [20A-7-506](#) or any verified referendum packets under
428 Section [20A-7-606](#), the day after the date of the deadline for delivery of the verified initiative
429 packets or verified referendum packets;

430 (B) the local clerk determines, under Section [20A-7-507](#) or [20A-7-607](#), that the

431 number of signatures necessary to qualify the proposed initiative or referendum for placement
432 on the ballot is insufficient and the determination is not timely appealed or is upheld after
433 appeal; or

434 (C) the day after the date of the election at which the proposed initiative or referendum
435 appears on the ballot; and

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

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

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

445 (6) An election officer for a county shall, within the later of 10 days after the day on
446 which the county or a court determines that the proposed initiative or referendum is legally
447 referable to voters, or, if the election officer modifies an argument under Subsection (2)(c),
448 three days after the day on which the election officer and the person that submitted the
449 argument agree on the modification, publish the proposition information pamphlet as follows:

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

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

454 (i) if the sponsors of the proposed initiative or referendum do not timely deliver any
455 verified initiative packets under Section [20A-7-506](#) or any verified referendum packets under
456 Section [20A-7-606](#), the day after the date of the deadline for delivery of the verified initiative
457 packets or verified referendum packets;

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

461 (iii) the day after the date of the election at which the proposed initiative or referendum

462 appears on the ballot.

463 Section 7. Section **20A-7-401.7** is enacted to read:

464 **20A-7-401.7. Local ballot question voter guide.**

465 (1) (a) If there is a local initiative or a local referendum on the ballot, the election
466 officer for the municipality or county to which the initiative or referendum relates shall provide
467 with each ballot a local ballot question voter guide.

468 (b) An election officer may not print a local ballot question voter guide on the ballot.

469 (2) The local ballot question voter guide shall include the following for each local
470 initiative, in the following order:

471 (a) the title described in Subsection [20A-7-508\(2\)\(a\)](#), in bold;

472 (b) the short title described in Subsection [20A-7-508\(2\)\(b\)](#), in bold;

473 (c) (i) if the initiative proposes a tax increase:

474 (A) the following statement, "This initiative proposes a tax increase.";

475 (B) for each proposed tax increase, the following statement, "This initiative seeks to
476 increase the current (insert name of tax) rate by (insert the tax percentage difference) percent,
477 resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate.";

478 and

479 (C) the following statement, "For more information, see the accompanying local ballot
480 question voter guide.";

481 (ii) if the initiative proposes a new tax, the following statement, "This initiative
482 proposes a new tax. For more information, see the accompanying local ballot question voter
483 guide."; or

484 (iii) if the initiative proposes a new tax and a tax increase:

485 (A) the following statement, "This initiative proposes a new tax and a tax increase.";

486 (B) for each proposed tax increase, the following statement, "This initiative seeks to
487 increase the current (insert name of tax) rate by (insert the tax percentage difference) percent,
488 resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate.";

489 and

490 (C) the following statement, "For more information, see the accompanying local ballot
491 question voter guide.";

492 (d) the fiscal impact estimate prepared in accordance with Section [20A-7-502.5](#);

- 493 (e) the legal impact estimate prepared in accordance with Section [20A-7-502.5](#);
 494 (f) the summary described in Subsection [20A-7-508\(2\)\(f\)](#);
 495 (g) the argument summaries submitted under Section [20A-7-402](#);
 496 (h) a website address where an individual may view the arguments described in Section
 497 [20A-7-402](#);
 498 (i) the name and contact information of the sponsors of the initiative and the authors of
 499 the arguments described in Section [20A-7-402](#); and
 500 (j) the full text of the initiative.
 501 (3) The local ballot question voter guide shall include the following for each local
 502 referendum, in the following order:
 503 (a) the title described in Subsection [20A-7-608\(2\)\(a\)](#), in bold;
 504 (b) the short title described in Subsection [20A-7-608\(2\)\(b\)](#), in bold;
 505 (c) the summary described in Subsection [20A-7-608\(2\)\(e\)](#);
 506 (d) the statement, described in Subsection [20A-7-608\(2\)\(d\)](#), regarding the meaning of a
 507 vote on the law challenged by referendum;
 508 (e) the argument summaries submitted under Section [20A-7-402](#);
 509 (f) a website address where an individual may view the arguments described in Section
 510 [20A-7-402](#) and the full text of the law challenged by the referendum; and
 511 (g) the name and contact information of the sponsors of the referendum and the authors
 512 of the arguments described in Section [20A-7-402](#).

513 Section 8. Section **20A-7-402** is amended to read:

514 **20A-7-402. Local voter information pamphlet -- Contents -- Limitations --**

515 **Preparation -- Statement on front cover.**

- 516 (1) The county or municipality that is subject to a ballot proposition shall prepare a
 517 local voter information pamphlet that complies with the requirements of this part.
 518 (2) (a) Within the time requirements described in Subsection (2)(c)(i), a municipality
 519 that is subject to a special local ballot proposition shall provide a notice that complies with the
 520 requirements of Subsection (2)(c)(ii) to the municipality's residents by:
 521 (i) if the municipality regularly mails a newsletter, utility bill, or other material to the
 522 municipality's residents, including the notice with a newsletter, utility bill, or other material;
 523 (ii) posting the notice, until after the deadline described in Subsection (2)(d) has

524 passed, on:

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

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

527 (iii) sending the notice electronically to each individual in the municipality for whom

528 the municipality has an email address.

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

530 (i) send an electronic notice that complies with the requirements of Subsection

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

532 (ii) until after the deadline described in Subsection (2)(d) has passed, post a notice that

533 complies with the requirements of Subsection (2)(c)(ii) on:

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

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

536 (c) A municipality or county that mails, sends, or posts a notice under Subsection (2)(a)

537 or (b) shall:

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

539 (A) not less than 90 days before the date of the election at which a special local ballot

540 proposition will be voted upon; or

541 (B) if the requirements of Subsection (2)(c)(i)(A) cannot be met, as soon as practicable

542 after the special local ballot proposition is approved to be voted upon in an election; and

543 (ii) ensure that the notice contains:

544 (A) the [ballot title] items described in Subsections (11)(a)(ii) through (iv) for the

545 special local ballot proposition;

546 (B) instructions on how to file a request under Subsection (2)(d); and

547 (C) the deadline described in Subsection (2)(d).

548 (d) To prepare a written argument for or against a special local ballot proposition, an

549 eligible voter shall file a request with the election officer before 5 p.m. no later than 55 days

550 before the day of the election at which the special local ballot proposition is to be voted on.

551 (e) If more than one eligible voter requests the opportunity to prepare a written

552 argument for or against a special local ballot proposition, the election officer shall make the

553 final designation in accordance with the following order of priority:

554 (i) sponsors have priority in preparing an argument regarding a special local ballot

555 proposition; and

556 (ii) members of the local legislative body have priority over others if a majority of the
557 local legislative body supports the written argument.

558 (f) The election officer shall grant a request described in Subsection (2)(d) or (e) no
559 later than 67 days before the day of the election at which the ballot proposition is to be voted
560 on.

561 (g) (i) A sponsor of a special local ballot proposition may prepare a written argument in
562 favor of the special local ballot proposition.

563 (ii) Subject to Subsection (2)(e), an eligible voter opposed to the special local ballot
564 proposition who submits a request under Subsection (2)(d) may prepare a written argument
565 against the special local ballot proposition.

566 (h) An eligible voter who submits a written argument under this section in relation to a
567 special local ballot proposition shall:

568 (i) ensure that the written argument does not exceed 500 words in length, not counting
569 the information described in Subsection (2)(h)(ii) or (iv);

570 (ii) list, at the end of the argument, at least one, but no more than five, names as
571 sponsors;

572 (iii) submit the written argument to the election officer before 5 p.m. no later than 60
573 days before the election day on which the ballot proposition will be submitted to the voters;

574 (iv) list in the argument, immediately after the eligible voter's name, the eligible voter's
575 residential address; and

576 (v) submit with the written argument the eligible voter's name, residential address,
577 postal address, email address if available, and phone number.

578 (i) An election officer shall refuse to accept and publish an argument submitted after
579 the deadline described in Subsection (2)(h)(iii).

580 (3) (a) An election officer who timely receives the written arguments in favor of and
581 against a special local ballot proposition shall, within one business day after the day on which
582 the election office receives both written arguments, send, via mail or email:

583 (i) a copy of the written argument in favor of the special local ballot proposition to the
584 eligible voter who submitted the written argument against the special local ballot proposition;
585 and

586 (ii) a copy of the written argument against the special local ballot proposition to the
587 eligible voter who submitted the written argument in favor of the special local ballot
588 proposition.

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

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

593 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length,
594 not counting the information described in Subsection [~~(3)~~] (2)(h)(ii) or (iv); [~~and~~]

595 (iii) may submit a summary of the argument, not exceeding 50 words, to be included in
596 the local ballot question voter guide; and

597 [~~(iii)~~] (iv) shall submit the written rebuttal argument described in Subsections (3)(b)(i)
598 and (ii) and the summary described in Subsection (3)(b)(iii) before 5 p.m. no later than 45 days
599 before the election day on which the special local ballot proposition will be submitted to the
600 voters.

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

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

605 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length,
606 not counting the information described in Subsection [~~(3)~~] (2)(h)(ii) or (iv); [~~and~~]

607 (iii) may submit a summary of the eligible voter's written argument, not exceeding 50
608 words, to be included in the local ballot question voter guide; and

609 [~~(iii)~~] (iv) shall submit the written rebuttal argument described in Subsections (3)(c)(i)
610 and (ii) and the summary described in Subsection (3)(c)(iii) before 5 p.m. no later than 45 days
611 before the election day on which the special local ballot proposition will be submitted to the
612 voters.

613 (d) An election officer shall refuse to accept and publish a written rebuttal argument, or
614 an argument summary, in relation to a special local ballot proposition that is submitted after the
615 deadline described in Subsection (3)(b)[~~(iii)~~](iv) or (3)(c)[~~(iii)~~](iv).

616 (4) (a) Except as provided in Subsection (4)(b), in relation to a special local ballot

617 proposition:

618 (i) an eligible voter may not modify a written argument [~~or~~], a written rebuttal
619 argument, or a written argument summary after the eligible voter submits the written argument
620 [~~or~~], written rebuttal argument, or written argument summary to the election officer; and

621 (ii) a person other than the eligible voter described in Subsection (4)(a)(i) may not
622 modify [a] the eligible voter's written argument [~~or a~~], written rebuttal argument, or written
623 argument summary.

624 (b) The election officer, and the eligible voter who submits a written argument [~~or~~], a
625 written rebuttal argument, or written argument summary in relation to a special local ballot
626 proposition, may jointly agree to modify [a] the written argument [~~or~~], written rebuttal
627 argument, or written argument summary in order to:

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

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

631 (c) An election officer shall refuse to accept and publish a written argument [~~or~~], a
632 written rebuttal argument, or written argument summary in relation to a special local ballot
633 proposition if the eligible voter who submits the written argument [~~or~~], written rebuttal
634 argument, or written argument summary fails to negotiate, in good faith, to modify the written
635 argument [~~or~~], written rebuttal argument, or written argument summary in accordance with
636 Subsection (4)(b).

637 (5) In relation to a special local ballot proposition, an election officer may designate
638 another eligible voter to take the place of an eligible voter described in this section if the
639 original eligible voter is, due to injury, illness, death, or another circumstance, unable to
640 continue to fulfill the duties of an eligible voter described in this section.

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

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

646 (b) shall ensure that the written rebuttal argument does not exceed 250 words in length;
647 [~~and~~]

648 (c) may submit a summary of the sponsors' written argument, not exceeding 50 words,
649 to be included in the local ballot question voter guide; and

650 ~~[(c)]~~ (d) shall submit the written rebuttal argument described in Subsections (6)(a) and
651 (b) and the summary described in Subsection (6)(c) no later than 45 days before the election
652 day on which the standard local ballot proposition will be submitted to the voters.

653 (7) (a) A county or municipality that submitted a written argument against a standard
654 local ballot proposition that is included in a proposition information pamphlet under Section
655 [20A-7-401.5](#):

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

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

660 ~~[and]~~

661 (iii) may submit a summary of the county's or municipality's written argument, not
662 exceeding 50 words, to be included in the local ballot question voter guide; and

663 ~~[(iii)]~~ (iv) shall submit the written rebuttal argument described in Subsections (7)(a)(i)
664 and (ii) and the summary described in Subsection (7)(a)(iii) no later than 45 days before the
665 election day on which the ballot proposition will be submitted to the voters.

666 (b) If a county or municipality submits more than one written rebuttal argument under
667 Subsection (7)(a)(i) or more than one argument summary under Subsection (7)(a)(iii), the
668 election officer shall select one of the written rebuttal arguments~~[-]~~ and one of the argument
669 summaries:

670 (i) giving preference to a written rebuttal argument and argument summary submitted
671 by a member of a local legislative body~~[-]~~; and

672 (ii) if selecting between two or more written arguments or argument summaries of
673 equal preference, by randomly selecting one of the written arguments and one of the argument
674 summaries.

675 (8) (a) An election officer shall refuse to accept and publish a written rebuttal argument
676 or argument summary that is submitted after the deadline described in Subsection (6)~~[(c)]~~(d) or
677 (7)(a)~~[(iii)]~~(iv).

678 (b) Before an election officer publishes a local voter information pamphlet under this

679 section, a written rebuttal argument and a written argument summary is a draft for purposes of
680 Title 63G, Chapter 2, Government Records Access and Management Act.

681 (c) An election officer who receives a written rebuttal argument or a written argument
682 summary described in this section may not, before publishing the local voter information
683 pamphlet described in this section, disclose the written rebuttal argument, the written argument
684 summary, or any information contained in the written rebuttal argument or written argument
685 summary, to any person who may in any way be involved in preparing an opposing rebuttal
686 argument or an opposing argument summary.

687 (9) (a) Except as provided in Subsection (9)(b), a person may not modify a written
688 rebuttal argument or a written argument summary after the written rebuttal argument or written
689 argument summary is submitted to the election officer.

690 (b) The election officer, and the person who submits a written rebuttal argument or
691 written argument summary, may jointly agree to modify a written rebuttal argument or written
692 argument summary in order to:

693 (i) correct factual, grammatical, or spelling errors; or
694 (ii) reduce the number of words to come into compliance with the requirements of this
695 section.

696 (c) An election officer shall refuse to accept and publish a written rebuttal argument or
697 written argument summary if the person who submits the written rebuttal argument or written
698 argument summary:

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

701 (ii) does not timely submit the written rebuttal argument or written argument summary
702 to the election officer.

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

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

709 ~~[(11) (a) The local voter information pamphlet shall include a copy of the initial fiscal~~

710 impact estimate and the legal impact statement prepared for each initiative under Section
711 [20A-7-502.5](#).]

712 [~~(b) If the initiative proposes a tax increase, the local voter information pamphlet shall~~
713 ~~include the following statement in bold type:~~]

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

717 (11) (a) The local attorney for a municipality or county for which a special local ballot
718 proposition is approved to be voted upon in an election shall:

719 (i) entitle the local special ballot proposition "Proposition Number " and give it a
720 number as assigned under Section [20A-6-107](#);

721 (ii) prepare an impartial short title, not exceeding 10 words, for the special local ballot
722 proposition's ballot question;

723 (iii) prepare an impartial ballot question that:

724 (A) in accordance with Subsection (11)(b)(i), does not exceed 60 words;

725 (B) generally describes the special local ballot proposition; and

726 (C) may be answered "Yes" or "For" if the voter is in favor of the special local ballot
727 proposition, or "No" or "Against" if the voter is opposed to the special local ballot proposition;
728 and

729 (iv) in accordance with Subsections (11)(b)(ii) and (iii), prepare an impartial summary
730 of the contents of the special local ballot proposition that does not exceed 100 words.

731 (b) (i) The 60-word limit described in Subsection (11)(a)(iii)(A) does not include the
732 items described in Subsection (11)(a)(i), (ii), or (iv).

733 (ii) The 100-word limit described in Subsection (11)(a)(iv) does not include the items
734 described in Subsections (11)(a)(i) through (iii).

735 (iii) (A) In preparing the summary described in Subsection (11)(a)(iv), the local
736 attorney shall, to the best of the local attorney's ability, give a true and impartial statement of
737 the purpose of the special local ballot proposition.

738 (B) The summary described in Subsection (11)(a)(iv) may not intentionally be an
739 argument, or likely to create prejudice, for or against the special local ballot proposition.

740 (12) The local voter information pamphlet shall contain information relating to all

741 ballot propositions, beginning a new page for each ballot proposition, in the following order for
742 each ballot proposition:

743 (a) the title, described in Subsection (11)(a)(i), Subsection [20A-7-508\(2\)\(a\)](#), or
744 Subsection [20A-7-608\(2\)\(a\)](#), in bold;

745 (b) the short title, described in Subsection (11)(a)(ii), Subsection [20A-7-508\(2\)\(b\)](#), or
746 Subsection [20A-7-608\(2\)\(b\)](#), in bold;

747 (c) if the ballot proposition is a local initiative that proposes a tax increase, the
748 statement described in Subsection [20A-7-508\(2\)\(c\)](#);

749 (d) if the ballot proposition is a local initiative that proposes a new tax:

750 (i) the statement described in Subsection [20A-7-508\(2\)\(d\)](#); and

751 (ii) the following statement in bold type:

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

755 (e) the ballot question described in Subsection (11)(a)(iii), Subsection
756 [20A-7-508\(2\)\(e\)](#), or Subsection [20A-7-608\(2\)\(c\)](#);

757 (f) if the ballot proposition is a local referendum, the statement described in Subsection
758 [20A-7-608\(2\)\(d\)](#), regarding the meaning of a vote on the referendum;

759 (g) the impartial summary of the contents of the special local ballot proposition
760 described in Subsection (11)(a)(iv), of the initiative described in Subsection [20A-7-508\(2\)\(f\)](#),
761 or of the contents of the law challenged by referendum described in Subsection
762 [20A-7-608\(2\)\(e\)](#);

763 (h) the arguments in favor of the ballot proposition, the rebuttal of the arguments in
764 favor of the ballot proposition, the arguments against the ballot proposition, and the rebuttal to
765 the arguments against the ballot proposition, with the name and title of the persons who
766 submitted the arguments at the end of each argument and each rebuttal;

767 (i) for each local initiative qualified for the ballot:

768 (i) the fiscal impact estimate described in Section [20A-7-502.5](#);

769 (ii) the legal impact statement described in Section [20A-7-502.5](#); and

770 (iii) a complete copy of the local initiative as certified by the local clerk;

771 (j) for each local referendum qualified for the ballot, a complete copy of the text of the

772 law being submitted to the voters for their approval or rejection, with all new language
 773 underlined and all deleted language placed within brackets; and

774 (k) for each special local ballot proposition, a complete copy of the text of the special
 775 local ballot proposition.

776 ~~[(12)]~~ (13) (a) In preparing the local voter information pamphlet, the election officer
 777 shall:

778 ~~[(i) ensure that the written arguments are printed on the same sheet of paper upon~~
 779 ~~which the ballot proposition is also printed;]~~

780 ~~[(ii) ensure that the following statement is printed on the front cover or the heading of~~
 781 ~~the first page of the printed written arguments:]~~

782 ~~["The arguments for or against a ballot proposition are the opinions of the authors.";]~~

783 ~~[(iii) (i) pay for the printing and binding of the local voter information pamphlet; and~~

784 ~~[(iv) (ii) not less than 15 days before, but not more than 45 days before, the election at~~
 785 ~~which the ballot proposition will be voted on, distribute, by mail or carrier, to each registered~~
 786 ~~voter entitled to vote on the ballot proposition:~~

787 (A) a voter information pamphlet; or

788 (B) the notice described in Subsection ~~[(12)(c)]~~ (13)(b).

789 ~~[(b) (i) If the language of the ballot proposition exceeds 500 words in length, the~~
 790 ~~election officer may summarize the ballot proposition in 500 words or less.]~~

791 ~~[(ii) The summary shall state where a complete copy of the ballot proposition is~~
 792 ~~available for public review.]~~

793 ~~[(c) (b) (i) The election officer may distribute a notice printed on a postage prepaid,~~
 794 ~~preaddressed return form that a person may use to request delivery of a voter information~~
 795 ~~pamphlet by mail.~~

796 (ii) The notice described in Subsection ~~[(12)(c)]~~ (13)(b)(i) shall include:

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

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

801 Section 9. Section 20A-7-508 is amended to read:

802 **20A-7-508. Ballot question -- Duties of local clerk and local attorney.**

803 (1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the
804 petition and the proposed law to the local attorney.

805 (2) The local attorney shall, within 20 days after the day on which an eligible voter
806 submits the initiative petition to the local clerk, prepare and provide the following to the local
807 clerk for a county or municipal initiative that qualifies for the ballot:

808 (a) entitle each county or municipal initiative [~~that has qualified for the ballot~~]
809 "Proposition Number ___" and give [it] the initiative a number as assigned under Section
810 20A-6-107;

811 [~~(b) prepare a proposed ballot title for the initiative;~~]

812 [~~(c) file the proposed ballot title and the numbered initiative titles with the local clerk~~
813 ~~within 20 days after the day on which an eligible voter submits the initiative petition to the~~
814 ~~local clerk; and]~~

815 [~~(d) promptly provide notice of the filing of the proposed ballot title to:~~]

816 [~~(i) the sponsors of the petition; and]~~

817 [~~(ii) the local legislative body for the jurisdiction where the initiative petition was~~
818 ~~circulated.];~~

819 [~~(3) (a) The ballot title may be distinct from the title of the proposed law attached to~~
820 ~~the initiative petition, and shall express, in not exceeding 100 words, the purpose of the~~
821 ~~measure.];~~

822 (b) prepare an impartial short title, not exceeding 10 words, for the initiative's ballot
823 question;

824 (c) if the initiative proposes a tax increase, draft the following statement in relation to
825 each tax increase:

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

829 (d) if the initiative proposes a new tax, draft the following statement in relation to each
830 new tax:

831 "This initiative proposes a new tax on (describe the tax). The proposed tax rate is
832 (describe the proposed rate for the new tax).";

833 (e) prepare an impartial ballot question that:

834 (i) in accordance with Subsection (3)(a), does not exceed 60 words;
835 (ii) generally describes the initiative;
836 (iii) may be answered "Yes" or "For" if the voter is in favor of the initiative, or "No" or
837 "Against" if the voter is opposed to the initiative; and
838 (iv) includes, in parenthesis following each term included in the summary that is
839 defined in the initiative, the word "defined"; and
840 (f) in accordance with Subsections (3)(b) and (c), prepare an impartial summary of the
841 contents of the initiative that does not exceed 100 words.

842 (3) (a) The 60-word limit described in Subsection (2)(e)(i) does not include the items
843 described in Subsections (2)(a) through (d) or (f).

844 (b) The 100-word limit described in Subsection (2)(f) does not include the items
845 described in Subsections (2)(a) through (e).

846 ~~[(b)]~~ (c) (i) In preparing [a ballot title] the summary described in Subsection (2)(f), the
847 local attorney shall, to the best of the local attorney's ability, give a true and impartial statement
848 of the purpose of the measure.

849 ~~[(c)]~~ (ii) The [ballot title] summary described in Subsection (2)(f) may not intentionally
850 be an argument, or likely to create prejudice, for or against the measure.

851 ~~[(d) If the initiative proposes a tax increase, the local attorney shall include the~~
852 ~~following statement, in bold, in the ballot title:]~~

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

856 (4) After complying with Subsection (2), the local attorney shall promptly provide
857 notice of the filing of the proposed items described in Subsection (2) to:

858 (a) the sponsors of the petition; and

859 (b) the local legislative body for the jurisdiction where the initiative petition was
860 circulated.

861 ~~[(4)]~~ (5) (a) Within five calendar days after the [date] day on which the local attorney
862 [files a proposed ballot title under] complies with Subsection (2)[(c)], the local legislative body
863 for the jurisdiction where the initiative petition was circulated and the sponsors of the petition
864 may file written comments in response to the proposed [ballot title] items with the local clerk.

865 (b) Within five calendar days after the ~~[last date to submit written comments under]~~
 866 deadline described in Subsection [(4)] (5)(a), the local attorney shall:

867 (i) review any written comments filed in accordance with Subsection ~~[(4)]~~ (5)(a);

868 (ii) prepare a final ~~[ballot title]~~ version of the items described in Subsection (2) that
 869 meets the requirements of ~~[Subsection]~~ Subsections (2) and (3); and

870 (iii) return the petition and file the ~~[ballot title]~~ final version of the items described in
 871 Subsection (2) with the local clerk.

872 ~~[(c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall~~
 873 ~~be printed on the official ballot.]~~

874 ~~[(5)]~~ (6) Immediately after the local attorney ~~[files a copy of the ballot title with the~~
 875 ~~local clerk]~~ complies with Subsection (5)(b)(iii), the local clerk shall serve a copy of the ~~[ballot~~
 876 ~~title]~~ final version of the items described in Subsection (2), by mail, upon the sponsors of the
 877 petition and the local legislative body for the jurisdiction where the initiative petition was
 878 circulated.

879 ~~[(6)]~~ (7) (a) If the ~~[ballot title furnished by the local attorney is]~~ final version of the
 880 items described in Subsection (2) is unsatisfactory or does not comply with the requirements of
 881 this section, ~~[the decision of the local attorney may be appealed to]~~ the following may bring a
 882 challenge in district court, or, if the Supreme Court has original jurisdiction, [to] the Supreme
 883 Court[-brought by]:

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

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

887 (b) The court:

888 (i) shall examine the measures and consider arguments; and

889 (ii) may ~~[certify]~~ issue an order to the local clerk ~~[a ballot title for the measure that~~
 890 ~~fulfills the intent of]~~ that includes a version of the items described in Subsection (2) that
 891 complies with this section.

892 (c) The local clerk shall ~~[print the title]~~ use the version of items certified by the court
 893 ~~[on the official ballot]~~ under Subsection (7)(b).

894 Section 10. Section **20A-7-509** is amended to read:

895 **20A-7-509. Form of ballot -- Manner of voting.**

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

899 (1) Before the section of the ballot containing one or more initiatives, the ballot shall
900 include the following statement, "A more detailed summary of each initiative appears on the
901 accompanying ballot question voter guide."

902 (2) For each local initiative, the official ballot shall show, in the following order:

903 (a) the title described in Subsection 20A-7-508(2)(a), in bold;

904 (b) the short title described in Subsection 20A-7-508(2)(b), in bold;

905 (c) (i) if the initiative proposes a tax increase, the following statement, "This initiative
906 proposes a tax increase. For more information, see the accompanying local ballot question
907 voter guide.";

908 (ii) if the initiative proposes a new tax, the following statement, "This initiative
909 proposes a new tax. For more information, see the accompanying local ballot question voter
910 guide."; or

911 (iii) if the initiative proposes a new tax and a tax increase, the following statement,
912 "This initiative proposes a new tax and a tax increase. For more information, see the
913 accompanying local ballot question voter guide.";

914 (d) the impartial ballot question described in Subsection 20A-7-508(2)(e); and

915 (e) a place for the voter to mark "Yes" or "For" in favor of the initiative and a place for
916 the voter to mark "No" or "Against" in opposition to the initiative.

917 ~~[(2)]~~ (3) (a) [Voters] A voter desiring to vote in favor of enacting the law proposed by
918 the initiative petition shall mark the [square] space adjacent to the word ["For," and voters]
919 "Yes" or "For."

920 (b) A voter desiring to vote against enacting the law proposed by the initiative petition
921 shall mark the [square] space adjacent to the word "No" or "Against."

922 (4) The local clerk shall provide a copy of the local ballot question voter guide,
923 described in Section 20A-7-401.7, with each ballot.

924 Section 11. Section 20A-7-608 is amended to read:

925 **20A-7-608. Ballot question -- Duties of local clerk and local attorney.**

926 (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the

927 petition and the proposed law to the local attorney.

928 (2) The local attorney shall, within 20 days after the day on which an eligible voter
929 submits the referendum petition to the local clerk, prepare and provide the following to the
930 local clerk for a county or municipal referendum that qualifies for the ballot:

931 (a) entitle each county or municipal referendum [~~that has qualified for the ballot~~]
932 "Proposition Number ___" and give [it] the referendum a number as assigned under Section
933 20A-6-107;

934 [~~(b) prepare a proposed ballot title for the referendum;~~]

935 [~~(c) file the proposed ballot title and the numbered referendum titles with the local~~
936 ~~clerk within 20 days after the day on which an eligible voter submits the referendum petition to~~
937 ~~the local clerk; and]~~

938 [~~(d) promptly provide notice of the filing of the proposed ballot title to:~~]

939 [(i) ~~the sponsors of the petition; and]~~

940 [(ii) ~~the local legislative body for the jurisdiction where the referendum petition was~~
941 ~~circulated.]~~

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

944 (b) prepare an impartial short title, not exceeding 10 words, for the referendum's ballot
945 question;

946 (c) prepare an impartial ballot question that:

947 (i) in accordance with Subsection (3)(a), does not exceed 60 words;

948 (ii) generally describes the law challenged by the referendum;

949 (iii) may be answered "Yes" or "For" if the voter is in favor of the law challenged by
950 the referendum, or "No" or "Against" if the voter is opposed to the law challenged by the
951 referendum; and

952 (iv) includes, in parenthesis following each term included in the summary that is
953 defined in the law challenged by the referendum, the word "defined";

954 (d) prepare a statement, not to exceed 25 words in length, that explains the meaning of
955 a vote in favor of the law challenged by the referendum and the meaning of a vote opposed to
956 the law challenged by referendum; and

957 (e) in accordance with Subsection (3)(b), prepare an impartial summary of the contents

958 of the law challenged by referendum that does not exceed 100 words.

959 (3) (a) The 60-word limit described in Subsection (2)(c)(i) does not include the items
 960 described in Subsection (2)(a), (b), (d), or (e).

961 (b) The 100-word limit described in Subsection (2)(e) does not include the items
 962 described in Subsections (2)(a) through (d).

963 ~~[(b)]~~ (c) (i) In preparing [a ballot title] the summary described in Subsection (2)(e), the
 964 local attorney shall, to the best of the local attorney's ability, give a true and impartial statement
 965 of the purpose of the measure.

966 ~~[(c)]~~ (ii) The [ballot title] summary described in Subsection (2)(e) may not
 967 intentionally be an argument, or likely to create prejudice, for or against the measure.

968 (4) After complying with Subsection (2), the local attorney shall promptly provide
 969 notice of the filing of the proposed items described in Subsection (2) to:

970 (a) the sponsors of the petition; and

971 (b) the local legislative body for the jurisdiction where the referendum petition was
 972 circulated.

973 ~~[(4)]~~ (5) (a) Within five calendar days after the [date] day on which the local attorney
 974 [files a proposed ballot title under] complies with Subsection (2)~~[(c)]~~, the local legislative body
 975 for the jurisdiction where the referendum petition was circulated and the sponsors of the
 976 petition may file written comments in response to the proposed [ballot title] items with the
 977 local clerk.

978 (b) Within five calendar days after the ~~[last date to submit written comments under]~~
 979 deadline described in Subsection ~~[(4)]~~ (5)(a), the local attorney shall:

980 (i) review any written comments filed in accordance with Subsection ~~[(4)]~~ (5)(a);

981 (ii) prepare a final [ballot title] version of the items described in Subsection (2) that
 982 meets the requirements of ~~[Subsection]~~ Subsections (2) and (3); and

983 (iii) return the petition and file the [ballot title] final version of the items described in
 984 Subsection (2) with the local clerk.

985 ~~[(c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall~~
 986 ~~be printed on the official ballot.]~~

987 ~~[(5)]~~ (6) Immediately after the local attorney [files a copy of the ballot title with the
 988 local clerk] complies with Subsection (5)(b)(iii), the local clerk shall serve a copy of the [ballot

989 ~~title]~~ final version of the items described in Subsection (2), by mail, upon the sponsors of the
 990 petition and the local legislative body for the jurisdiction where the referendum petition was
 991 circulated.

992 ~~[(6)] (7)~~ (a) If the ~~[ballot title furnished by the local attorney is]~~ final version of the
 993 items described in Subsection (2) is unsatisfactory or does not comply with the requirements of
 994 this section, the [decision of the local attorney may be appealed to the] following may bring a
 995 challenge in district court, or, if the Supreme Court has original jurisdiction, ~~[to]~~ the Supreme
 996 Court~~[-brought by]:~~

997 (i) at least three sponsors of the referendum petition; or

998 (ii) a majority of the local legislative body for the jurisdiction where the referendum
 999 petition was circulated.

1000 (b) The court:

1001 (i) shall examine the measures and consider the arguments; and

1002 (ii) may issue an order to the local clerk that includes a ~~[ballot title for the measure that~~
 1003 ~~fulfills the intent of]~~ version of the items described in Subsection (2) that complies with this
 1004 section.

1005 (c) The local clerk shall ~~[print the title certified by the court on the official ballot]~~ use
 1006 the version of items contained in the order described in Subsection (7)(b).

1007 Section 12. Section **20A-7-609** is amended to read:

1008 **20A-7-609. Form of ballot -- Manner of voting.**

1009 ~~[(1) The local clerk shall ensure that the number and ballot title are presented upon the~~
 1010 ~~official ballot with, immediately adjacent to them, the words "For" and "Against," each word~~
 1011 ~~presented with an adjacent square in which the elector may indicate the elector's vote.]~~

1012 (1) Before the section of the ballot containing one or more referenda, the ballot shall
 1013 include the following statement, "A more detailed summary of each referendum appears on the
 1014 accompanying ballot question voter guide."

1015 (2) For each local referendum, the official ballot shall show, in the following order:

1016 (a) the title described in Subsection [20A-7-608\(2\)\(a\)](#), in bold;

1017 (b) the short title described in Subsection [20A-7-608\(2\)\(b\)](#), in bold;

1018 (c) the following statement, "A more detailed summary of the law challenged by this
 1019 referendum and the full text of the law challenged by this referendum is provided in the

1020 accompanying local ballot question voter guide.";

1021 (d) the ballot question described in Subsection 20A-7-608(2)(c);

1022 (e) the statement described in Subsection 20A-7-608(2)(d) regarding the meaning of a
1023 positive or negative vote; and

1024 (f) a place for the voter to mark "Yes" or "For" if the voter is in favor of the law
1025 challenged by the referendum and a place for the voter to mark "No" or "Against" if the voter is
1026 opposed to the law challenged by the referendum.

1027 ~~[(2)]~~ (3) (a) Except as provided in Subsection ~~[(2)]~~ (3)(c)(i) or Section 20A-7-609.5,
1028 and unless the county legislative body calls a special election, the county clerk shall ensure that
1029 county referenda that have qualified for the ballot appear on the next regular general election
1030 ballot.

1031 (b) Except as provided in Subsection ~~[(2)]~~ (3)(c)(ii) or Section 20A-7-609.5, and unless
1032 the municipal legislative body calls a special election, the municipal recorder or clerk shall
1033 ensure that municipal referenda that have qualified for the ballot appear on the next regular
1034 municipal election ballot.

1035 (c) (i) Except as provided in Section 20A-7-609.5, if a local law passes after January
1036 30 of the year in which there is a regular general election, the county clerk shall ensure that a
1037 county referendum that has qualified for the ballot appears on the ballot at the second regular
1038 general election immediately following the passage of the local law unless the county
1039 legislative body calls a special election.

1040 (ii) Except as provided in Section 20A-7-609.5, if a local law passes after January 30
1041 of the year in which there is a municipal general election, the municipal recorder or clerk shall
1042 ensure that a municipal referendum that has qualified for the ballot appears on the ballot at the
1043 second municipal general election immediately following the passage of the local law unless
1044 the municipal legislative body calls a special election.

1045 ~~[(3)]~~ (4) (a) ~~[(i)]~~ A voter desiring to vote in favor of the law that is the subject of the
1046 referendum shall mark the ~~[square]~~ space adjacent to the word "Yes" or "For."

1047 ~~[(i)]~~ (b) The law that is the subject of the referendum is effective if a majority of
1048 voters mark "Yes" or "For."

1049 ~~[(b)]~~ ~~[(i)]~~ (5) (a) A voter desiring to vote against the law that is the subject of the
1050 referendum petition shall mark the ~~[square]~~ space following the word "No" or "Against."

1051 [(it)] (b) The law that is the subject of the referendum is not effective if a majority of
1052 voters mark "No" or "Against."

1053 (6) The local clerk shall provide a copy of the local ballot question voter guide,
1054 described in Section 20A-7-401.7, with each ballot.

1055 Section 13. Section **20A-7-613** is amended to read:

1056 **20A-7-613. Property tax referendum petition.**

1057 (1) As used in this section, "certified tax rate" means the same as that term is defined in
1058 Section 59-2-924.

1059 (2) Except as provided in this section, the requirements of this part apply to a
1060 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that
1061 exceeds the certified tax rate.

1062 (3) Notwithstanding Subsection 20A-7-606(1), the sponsors shall deliver each signed
1063 and verified referendum packet to the county clerk of the county in which the packet was
1064 circulated before 5 p.m. no later than 40 days after the day on which the local clerk complies
1065 with Subsection 20A-7-604(2).

1066 (4) Notwithstanding Subsections 20A-7-606(2) and (3), the county clerk shall take the
1067 actions required in Subsections 20A-7-606(2) and (3) within 10 working days after the day on
1068 which the county clerk receives the signed and verified referendum packet as described in
1069 Subsection (3).

1070 (5) The local clerk shall take the actions required by Section 20A-7-607 within two
1071 working days after the day on which the local clerk receives the referendum packets from the
1072 county clerk.

1073 (6) Notwithstanding Subsection 20A-7-608(2), the local attorney shall [~~prepare the~~
1074 ~~ballot title~~] comply with Subsection 20A-7-608(2) within two working days after the day on
1075 which the referendum petition is declared sufficient for submission to a vote of the people.

1076 (7) Notwithstanding Subsection 20A-7-609(2)(c), a referendum that qualifies for the
1077 ballot under this section shall appear on the ballot for the earlier of the next regular general
1078 election or the next municipal general election unless a special election is called.

1079 (8) Notwithstanding the requirements related to absentee ballots under this title:

1080 (a) the election officer shall prepare absentee ballots for those voters who have
1081 requested an absentee ballot as soon as possible after the [~~ballot title is prepared as described~~

1082 in] local attorney complies with Subsection (6); and

1083 (b) the election officer shall mail absentee ballots on a referendum under this section
1084 the later of:

1085 (i) the time provided in Section 20A-3-305 or 20A-16-403; or

1086 (ii) the time that absentee ballots are prepared for mailing under this section.

1087 (9) Section 20A-7-402 does not apply to a referendum described in this section.

1088 (10) (a) If a majority of voters does not vote against imposing the tax at a rate
1089 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing
1090 entity's legislative body:

1091 (i) the certified tax rate for the fiscal year during which the referendum petition is filed
1092 is its most recent certified tax rate; and

1093 (ii) the proposed increased revenues for purposes of establishing the certified tax rate
1094 for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed
1095 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body
1096 before the filing of the referendum petition.

1097 (b) If a majority of voters votes against imposing a tax at the rate established by the
1098 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the
1099 taxing entity's most recent certified tax rate.

1100 (c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not
1101 required to comply with the notice and public hearing requirements of Section 59-2-919 if the
1102 taxing entity complies with those notice and public hearing requirements before the referendum
1103 petition is filed.

1104 (11) The ~~[ballot title]~~ question described in Subsection 20A-7-608(2)(c) shall, at a
1105 minimum, include in substantially this form the following: "Shall the [name of the taxing
1106 entity] be authorized to levy a tax rate in the amount sufficient to generate an increased
1107 property tax revenue of [amount] for fiscal year [year] as budgeted, adopted, and approved by
1108 the [name of the taxing entity]".

1109 (12) A taxing entity shall pay the county the costs incurred by the county that are
1110 directly related to meeting the requirements of this section and that the county would not have
1111 incurred but for compliance with this section.

1112 (13) (a) An election officer shall include on a ballot a referendum that has not yet

1113 qualified for placement on the ballot, if:

1114 (i) sponsors file an application for a referendum described in this section;

1115 (ii) the ballot will be used for the election for which the sponsors are attempting to
1116 qualify the referendum; and

1117 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after
1118 the day on which the ballot will be printed.

1119 (b) If an election officer includes on a ballot a referendum described in Subsection
1120 (13)(a), the [~~ballot title~~] question described in Subsection [20A-7-608\(2\)\(c\)](#) shall comply with
1121 Subsection (11).

1122 (c) If an election officer includes on a ballot a referendum described in Subsection
1123 (13)(a) that does not qualify for placement on the ballot, the election officer shall inform the
1124 voters by any practicable method that the referendum has not qualified for the ballot and that
1125 votes cast in relation to the referendum will not be counted.

1126 Section 14. Section **20A-7-702** is amended to read:

1127 **20A-7-702. Voter information pamphlet -- Form -- Contents -- Distribution.**

1128 (1) The lieutenant governor shall ensure that all information submitted for publication
1129 in the voter information pamphlet is:

1130 (a) printed and bound in a single pamphlet;

1131 (b) printed in clear readable type, no less than 10 point, except that the text of any
1132 measure may be [~~set forth~~] printed in eight-point type; and

1133 (c) printed on a quality and weight of paper that best serves the voters.

1134 (2) The voter information pamphlet shall contain the following [~~items in this order~~]
1135 information, in order, as follows:

1136 (a) a cover title page;

1137 (b) an introduction to the pamphlet by the lieutenant governor;

1138 (c) a table of contents;

1139 (d) a list of all candidates for constitutional offices;

1140 (e) a list of candidates for each legislative district;

1141 (f) a 100-word statement of qualifications for each candidate for the office of governor,
1142 lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by the
1143 candidate to the lieutenant governor's office before 5 p.m. on the first business day in August

1144 before the date of the election;

1145 (g) information pertaining to all measures to be submitted to the voters, beginning a
1146 new page for each measure and containing, in the following order for each measure:

1147 [~~(i) a copy of the number and ballot title of the measure;~~]

1148 (i) the title, described in Subsection 20A-7-103(3)(a), 20A-7-209(2)(a), or
1149 20A-7-308(2)(a), in bold;

1150 (ii) the short title, described in Subsection 20A-7-103(3)(b), 20A-7-209(2)(b), or
1151 20A-7-308(2)(b), in bold;

1152 [~~(ii)~~] (iii) the final vote cast by the Legislature on the measure if [~~it is a~~] the measure is
1153 submitted by the Legislature or by referendum;

1154 (iv) if the measure is an initiative that proposes a tax increase, the statement described
1155 in Subsection 20A-7-209(2)(c);

1156 (v) if the measure is an initiative that proposes a new tax, the statement described in
1157 Subsection 20A-7-209(2)(d);

1158 (vi) the ballot question described in Subsection 20A-7-103(3)(c), 20A-7-209(2)(e), or
1159 20A-7-308(2)(c);

1160 (vii) if the measure is a referendum, the statement described in Subsection
1161 20A-7-308(2), regarding the meaning of a vote on the referendum;

1162 [~~(iii)~~] (viii) the impartial analysis of the measure [~~prepared by the Office of Legislative~~
1163 ~~Research and General Counsel~~] described in Section 20A-7-703;

1164 [~~(iv)~~] (ix) the arguments in favor of the measure, the rebuttal to the arguments in favor
1165 of the measure, the arguments against the measure, and the rebuttal to the arguments against
1166 the measure, with the name and title of the authors at the end of each argument [~~or~~] and each
1167 rebuttal;

1168 [~~(v)~~] (x) for each constitutional amendment, a complete copy of the text of the
1169 constitutional amendment, with all new language underlined, and all deleted language placed
1170 within brackets;

1171 [~~(vi)~~] (xi) for each initiative qualified for the ballot:

1172 (A) [~~a copy of the measure as certified by the lieutenant governor and~~] a copy of the
1173 fiscal impact estimate [~~prepared according to~~] described in Section 20A-7-202.5; [and]

1174 (B) if the initiative proposes a tax increase, the following statement in bold type:

1175 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
1176 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
1177 increase in the current tax rate."; and

1178 (C) a copy of the measure as certified by the lieutenant governor; and
1179 ~~[(vii)]~~ (xii) for each referendum qualified for the ballot, a complete copy of the text of
1180 the law being submitted to the voters for their approval or rejection, with all new language
1181 underlined and all deleted language placed within brackets~~[-as applicable];~~

1182 (h) a description provided by the Judicial Performance Evaluation Commission of the
1183 selection and retention process for judges, including, in the following order:

1184 (i) a description of the judicial selection process;

1185 (ii) a description of the judicial performance evaluation process;

1186 (iii) a description of the judicial retention election process;

1187 (iv) a list of the criteria of the judicial performance evaluation and the minimum
1188 performance standards;

1189 (v) the names of the judges standing for retention election; and

1190 (vi) for each judge:

1191 (A) a list of the counties in which the judge is subject to retention election;

1192 (B) a short biography of professional qualifications and a recent photograph;

1193 (C) a narrative concerning the judge's performance;

1194 (D) for each standard of performance, a statement identifying whether or not the judge
1195 met the standard and, if not, the manner in which the judge failed to meet the standard;

1196 (E) a statement identifying whether or not the Judicial Performance Evaluation
1197 Commission recommends the judge be retained or declines to make a recommendation and the
1198 number of votes for and against the commission's recommendation;

1199 (F) any statement provided by a judge who is not recommended for retention by the
1200 Judicial Performance Evaluation Commission under Section [78A-12-203](#);

1201 (G) in a bar graph, the average of responses to each survey category, displayed with an
1202 identification of the minimum acceptable score as set by Section [78A-12-205](#) and the average
1203 score of all judges of the same court level; and

1204 (H) a website address that contains the Judicial Performance Evaluation Commission's
1205 report on the judge's performance evaluation;

1206 (i) for each judge, a statement provided by the Utah Supreme Court identifying the
1207 cumulative number of informal reprimands, when consented to by the judge in accordance with
1208 Title 78A, Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of
1209 censure and suspension issued by the Utah Supreme Court under Utah Constitution, Article
1210 VIII, Section 13, during the judge's current term and the immediately preceding term, and a
1211 detailed summary of the supporting reasons for each violation of the Code of Judicial Conduct
1212 that the judge has received;

1213 (j) an explanation of ballot marking procedures prepared by the lieutenant governor,
1214 indicating the ballot marking procedure used by each county and explaining how to mark the
1215 ballot for each procedure;

1216 (k) voter registration information, including information on how to obtain an absentee
1217 ballot;

1218 (l) a list of all county clerks' offices and phone numbers;

1219 (m) the address of the Statewide Electronic Voter Information Website, with a
1220 statement indicating that the election officer will post on the website any changes to the
1221 location of a polling place and the location of any additional polling place;

1222 (n) a phone number that a voter may call to obtain information regarding the location
1223 of a polling place; and

1224 (o) on the back cover page, a printed copy of the following statement signed by the
1225 lieutenant governor:

1226 "I, _____ (print name), Lieutenant Governor of Utah, certify that the
1227 measures contained in this pamphlet will be submitted to the voters of Utah at the election to
1228 be held throughout the state on ____ (date of election), and that this pamphlet is complete and
1229 correct according to law.

1230 SEAL

1231 Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this ____ day
1232 of ____ (month), ____ (year)

1233 (signed) _____
1234 Lieutenant Governor".

1235 (3) No earlier than 75 days, and no later than 15 days, before the day on which voting
1236 commences, the lieutenant governor shall:

1237 (a) (i) distribute one copy of the voter information pamphlet to each household within
1238 the state;

1239 (ii) distribute to each household within the state a notice:

1240 (A) printed on a postage prepaid, preaddressed return form that a person may use to
1241 request delivery of a voter information pamphlet by mail;

1242 (B) that states the address of the Statewide Electronic Voter Information Website
1243 authorized by Section 20A-7-801; and

1244 (C) that states the phone number a voter may call to request delivery of a voter
1245 information pamphlet by mail; or

1246 (iii) ensure that one copy of the voter information pamphlet is placed in one issue of
1247 every newspaper of general circulation in the state;

1248 (b) ensure that a sufficient number of printed voter information pamphlets are available
1249 for distribution as required by this section;

1250 (c) provide voter information pamphlets to each county clerk for free distribution upon
1251 request and for placement at polling places; and

1252 (d) ensure that the distribution of the voter information pamphlets is completed 15 days
1253 before the election.

1254 (4) The lieutenant governor may distribute a voter information pamphlet at a location
1255 frequented by a person who cannot easily access the Statewide Electronic Voter Information
1256 Website authorized by Section 20A-7-801.

1257 Section 15. Section 20A-7-706 is amended to read:

1258 **20A-7-706. Copies of arguments to be sent to opposing authors -- Rebuttal**
1259 **arguments.**

1260 (1) When the lieutenant governor has received the arguments for and against a measure
1261 to be submitted to the voters, the lieutenant governor shall immediately send copies of the
1262 arguments in favor of the measure to the authors of the arguments against and copies of the
1263 arguments against to the authors of the arguments in favor.

1264 (2) The authors may prepare and submit:

1265 (a) a rebuttal [arguments] argument not exceeding 250 words, not counting the
1266 information described in Subsection 20A-7-705(4)(e)[-]; and

1267 (b) a summary of the argument submitted by the authors under Section 20A-7-704, not

1268 exceeding 50 words, to be included in the statewide ballot question voter guide.

1269 (3) (a) The authors shall file the rebuttal [~~arguments shall be filed~~] argument described
1270 in Subsection (2)(a) and the summary described in Subsection (2)(b) with the lieutenant
1271 governor:

1272 (i) for constitutional amendments and referendum petitions, before 5 p.m. no later than
1273 120 days before the date of the election; and

1274 (ii) for initiatives, before 5 p.m. no later than July 30.

1275 (b) Except as provided in Subsection (3)(d), the authors may not amend or change [~~the~~
1276 ~~rebuttal arguments after they are submitted~~] a rebuttal argument or summary after the authors
1277 submit the argument or summary to the lieutenant governor.

1278 (c) Except as provided in Subsection (3)(d), the lieutenant governor may not alter the
1279 arguments in any way.

1280 (d) The lieutenant governor and the authors of a rebuttal argument or summary may
1281 jointly modify a rebuttal argument or summary after [~~it is submitted~~] submission if:

1282 (i) they jointly agree that changes to the rebuttal argument or summary must be made to
1283 correct spelling or grammatical errors; and

1284 (ii) the rebuttal argument or summary has not yet been submitted for typesetting.

1285 (4) The lieutenant governor shall ensure that:

1286 (a) rebuttal arguments are printed in the same manner as the direct arguments; and

1287 (b) each rebuttal argument follows immediately after the direct argument which it
1288 seeks to rebut.

1289 Section 16. Section **20A-7-901** is enacted to read:

1290 **Part 9. Statewide Ballot Question Voter Guide**

1291 **20A-7-901. Statewide ballot question voter guide.**

1292 (1) (a) If there is a statewide initiative, a statewide referendum, or a proposed
1293 constitutional amendment on the ballot, the election officer shall provide with each ballot a
1294 statewide ballot question voter guide.

1295 (b) An election officer may not print a statewide ballot question voter guide on the
1296 ballot.

1297 (2) The statewide ballot question voter guide shall include the following for each
1298 statewide initiative, in the following order:

- 1299 (a) the title described in Subsection [20A-7-209\(2\)\(a\)](#), in bold;
1300 (b) the short title described in Subsection [20A-7-209\(2\)\(b\)](#), in bold;
1301 (c) (i) if the initiative proposes a tax increase:
1302 (A) the following statement, "This initiative proposes a tax increase.";
1303 (B) for each proposed tax increase, the following statement, "This initiative seeks to
1304 increase the current (insert name of tax) rate by (insert the tax percentage difference) percent,
1305 resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate.";
1306 and
1307 (C) the following statement, "For more information, see the accompanying statewide
1308 ballot question voter guide.";
1309 (ii) if the initiative proposes a new tax, the following statement, "This initiative
1310 proposes a new tax. For more information, see the accompanying statewide ballot question
1311 voter guide."; or
1312 (iii) if the initiative proposes a new tax and a tax increase:
1313 (A) the following statement, "This initiative proposes a new tax and a tax increase.";
1314 (B) for each proposed tax increase, the following statement, "This initiative seeks to
1315 increase the current (insert name of tax) rate by (insert the tax percentage difference) percent,
1316 resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate.";
1317 and
1318 (C) the following statement, "For more information, see the accompanying statewide
1319 ballot question voter guide.";
1320 (d) the fiscal impact estimate prepared in accordance with Section [20A-7-202.5](#);
1321 (e) the impartial summary described in Subsection [20A-7-209\(2\)\(f\)](#);
1322 (f) the argument summaries submitted under Section [20A-7-706](#);
1323 (g) a website address where an individual may view the arguments and rebuttal
1324 arguments described in Sections [20A-7-704](#) and [20A-7-706](#) and the full text of the initiative;
1325 and
1326 (h) the name and contact information of the sponsors of the initiative and the authors of
1327 the arguments and rebuttal arguments described in Sections [20A-7-704](#) and [20A-7-706](#).
1328 (3) The statewide ballot question voter guide shall include the following for each
1329 statewide referendum, in the following order:

- 1330 (a) the title described in Subsection 20A-7-308(2)(a), in bold;
1331 (b) the short title described in Subsection 20A-7-308(2)(b), in bold;
1332 (c) the summary described in Subsection 20A-7-308(2)(e);
1333 (d) the statement, described in Subsection 20A-7-308(2)(d), regarding the meaning of a
1334 vote on the law challenged by referendum;
1335 (e) the argument summaries submitted under Section 20A-7-706;
1336 (f) a website address where an individual may view the arguments and rebuttal
1337 arguments described in Sections 20A-7-704 and 20A-7-706 and the full text of the law
1338 challenged by the referendum; and
1339 (g) the name and contact information of the sponsors of the referendum and the authors
1340 of the arguments and rebuttal arguments described in Sections 20A-7-704 and 20A-7-706.
1341 (4) The statewide ballot question voter guide shall include the following for each
1342 proposed constitutional amendment, in the following order:
1343 (a) the title described in Subsection 20A-7-103(3)(a), in bold;
1344 (b) the short title described in Subsection 20A-7-103(3)(b), in bold;
1345 (c) the full text of the proposed constitutional amendment;
1346 (d) the summary described in Subsection 20A-7-103(3)(d);
1347 (e) the argument summaries submitted under Section 20A-7-706;
1348 (f) a website address where an individual may view the arguments and rebuttal
1349 arguments described in Sections 20A-7-704 and 20A-7-706; and
1350 (g) the name and contact information of the authors of the arguments and rebuttal
1351 arguments described in Sections 20A-7-704 and 20A-7-706.
1352 (5) A statewide ballot question voter guide and a local ballot question voter guide may
1353 appear consecutively in the same document.
1354 Section 17. Section **20A-12-201** is amended to read:
1355 **20A-12-201. Judicial appointees -- Retention elections.**
1356 (1) (a) Each judicial appointee to a court is subject to an unopposed retention election
1357 at the first general election held more than three years after the judge or justice was appointed.
1358 (b) After the first retention election:
1359 (i) each Supreme Court justice shall be on the regular general election ballot for an
1360 unopposed retention election every tenth year; and

1361 (ii) each judge of other courts shall be on the regular general election ballot for an
1362 unopposed retention election every sixth year.

1363 (2) (a) Each justice or judge of a court of record who wishes to retain office shall, in
1364 the year the justice or judge is subject to a retention election:

1365 (i) file a declaration of candidacy with the lieutenant governor, or with the county clerk
1366 in the candidate's county of residence, within the period beginning on July 1 and ending at 5
1367 p.m. on July 15 in the year of a regular general election; and

1368 (ii) pay a filing fee of \$50.

1369 (b) (i) Each justice court judge who wishes to retain office shall, in the year the justice
1370 court judge is subject to a retention election:

1371 (A) file a declaration of candidacy with the lieutenant governor, or with the county
1372 clerk in the candidate's county of residence, within the period beginning on July 1 and ending
1373 at 5 p.m. on July 15 in the year of a regular general election; and

1374 (B) pay a filing fee of \$25 for each judicial office.

1375 (ii) If a justice court judge is appointed or elected to more than one judicial office, the
1376 declaration of candidacy shall identify all of the courts included in the same general election.

1377 (iii) If a justice court judge is appointed or elected to more than one judicial office,
1378 filing a declaration of candidacy in one county in which one of those courts is located is valid
1379 for the courts in any other county.

1380 (3) (a) The lieutenant governor shall, no later than August 31 of each regular general
1381 election year:

1382 (i) transmit a certified list containing the names of the justices of the Supreme Court
1383 and judges of the Court of Appeals declaring their candidacy to the county clerk of each
1384 county; and

1385 (ii) transmit a certified list containing the names of judges of other courts declaring
1386 their candidacy to the county clerk of each county in the geographic division in which the judge
1387 filing the declaration holds office.

1388 (b) Each county clerk shall place the names of justices and judges standing for
1389 retention election in the nonpartisan section of the ballot.

1390 (4) (a) At the general election, the ballots shall contain, as to each justice or judge of
1391 any court to be voted on in the county, the following question:

1392 "Shall _____ (name of justice or judge) be retained in the
 1393 office of _____? (name of office, such as ["]Justice of the Supreme
 1394 Court of Utah["]; ["]Judge of the Court of Appeals of Utah["]; ["]Judge of the District Court of
 1395 the Third Judicial District["]; ["]Judge of the Juvenile Court of the Fourth Juvenile Court
 1396 District["; or ["]Justice Court Judge of (name of county) County or (name of each
 1397 municipality, within the same county, where the judge serves)["])

1398 Yes ()

1399 No ()."

1400 (b) If a justice court exists by means of an interlocal agreement under Section
 1401 [78A-7-102](#), the ballot question for the judge shall include the name of that court.

1402 (5) (a) If the justice or judge receives more yes votes than no votes, the justice or judge
 1403 is retained for the term of office provided by law.

1404 (b) If the justice or judge does not receive more yes votes than no votes, the justice or
 1405 judge is not retained, and a vacancy exists in the office on the first Monday in January after the
 1406 regular general election.

1407 (6) A justice or judge not retained is ineligible for appointment to the office for which
 1408 the justice or judge was defeated until after the expiration of that term of office.

1409 (7) (a) [~~If~~] Except as provided in Subsection (8), if a justice court judge is standing for
 1410 retention for more than one office, the county clerk shall place the judge's name on the ballot
 1411 separately for each office.

1412 (b) If, under Subsection (7)(a), the justice court judge [~~receives more~~] does not receive
 1413 more yes votes than no votes [~~than yes votes~~] in one office, but receives more yes votes than no
 1414 votes in [~~the other~~] another, the justice court judge shall be retained only in the office for which
 1415 the justice court judge received more yes votes than no votes.

1416 (8) (a) If a justice court judge is standing for retention for more than one municipality
 1417 within the same county, the county clerk shall list each of those municipalities within the same
 1418 retention election question for that justice court judge.

1419 (b) If the justice court judge receives more yes votes than no votes in answer to the
 1420 question described in Subsection (8)(a), the judge is retained for each municipality listed.

1421 (c) If the justice court judge does not receive more yes votes than no votes in answer to
 1422 the question described in Subsection (8)(a), the judge is not retained for any municipality listed.