{deleted text} shows text that was in SB0028 but was deleted in SB0028S01.

inserted text shows text that was not in SB0028 but was inserted into SB0028S01.

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

Senator Daniel W. Thatcher proposes the following substitute bill:

#### BALLOT AND VOTER INFORMATION AMENDMENTS

2020 GENERAL SESSION STATE OF UTAH

**Chief Sponsor: Daniel W. Thatcher** 

House	Sponsor:		

#### **LONG TITLE**

			4400	
3	 ш	_	пее	н.

The Government Operations Interim Committee recommended this bill.

Legislative Vote: 11 voting for 0 voting against 5 absent

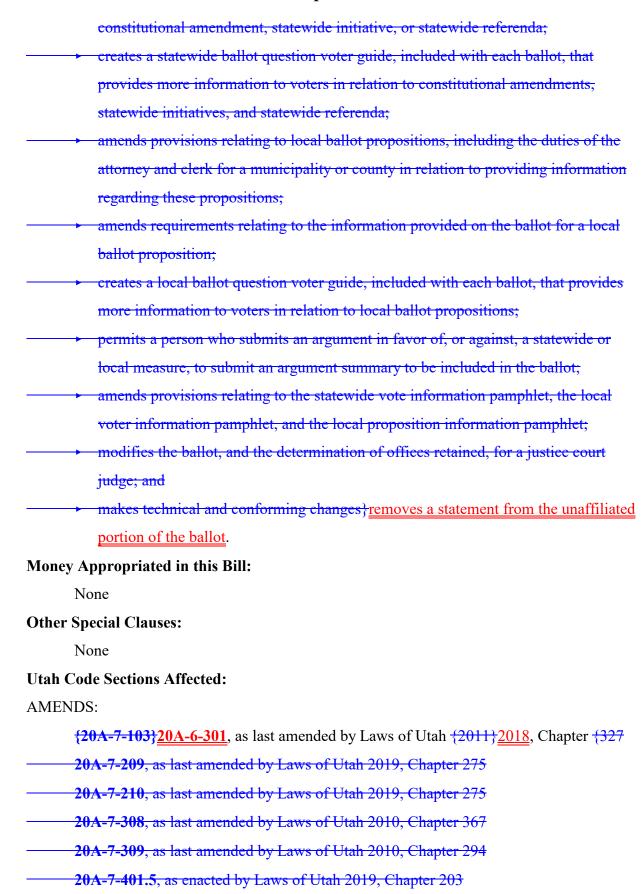
#### General Description:

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



```
20A-7-402, as last amended by Laws of Utah 2019, Chapter 203

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

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

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

20A-7-609, as last amended by Laws of Utah 2019, Chapter 203

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

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

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

20A-7-706, as last amended by Laws of Utah 2019, Chapter 255

20A-12-201, as last amended by Laws of Utah 2017, Chapter 81

ENACTS:

20A-7-401.7, Utah Code Annotated 1953

20A-7-901, Utah Code Annotated 1953
```

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

Section 1. Section 20A-6-301 is amended to read:

#### 20A-6-301. Paper ballots -- Regular general election.

- (1) Each election officer shall ensure that:
- (a) all paper ballots furnished for use at the regular general election contain:
- (i) no captions or other endorsements except as provided in this section;
- (ii) no symbols, markings, or other descriptions of a political party or group, except for a registered political party that has chosen to nominate its candidates in accordance with Section 20A-9-403; and
- (iii) no indication that a candidate for elective office has been nominated by, or has been endorsed by, or is in any way affiliated with a political party or group, unless the candidate has been nominated by a registered political party in accordance with Subsection 20A-9-202(4) or Subsection 20A-9-403(5).
- (b) immediately below the perforated ballot stub, the following endorsements are printed in 18 point bold type:

(i) "Official Ballot for County, Utah";
(ii) the date of the election; and
(iii) the words "Clerk of County" or, as applicable, the name of a
combined office that includes the duties of a county clerk;
(c) the party name or title is printed in capital letters not less than one-fourth of an inch
high;
(d) unaffiliated candidates, candidates not affiliated with a registered political party,
and all other candidates for elective office who were not nominated by a registered political
party in accordance with Subsection 20A-9-202(4) or Subsection 20A-9-403(5), are listed with
the other candidates for the same office in accordance with Section 20A-6-305, without a party
name or title[, and with a mark referencing the following statement at the bottom of the ticket:
"This candidate is not affiliated with, or does not qualify to be listed on the ballot as affiliated
with, a political party."];
(e) each ticket containing the lists of candidates, including the party name and device,
are separated by heavy parallel lines;
(f) the offices to be filled are plainly printed immediately above the names of the
candidates for those offices;
(g) the names of candidates are printed in capital letters, not less than one-eighth nor
more than one-fourth of an inch high in heavy-faced type not smaller than 10 point, between
lines or rules three-eighths of an inch apart; and
(h) on a ticket for a race in which a voter is authorized to cast a write-in vote and in
which a write-in candidate is qualified under Section 20A-9-601:
(i) the ballot includes a space for a write-in candidate immediately following the last
candidate listed on that ticket; or
(ii) for the offices of president and vice president and governor and lieutenant
governor, the ballot includes two spaces for write-in candidates immediately following the last
candidates on that ticket, one placed above the other, to enable the entry of two valid write-in
candidates.
(2) Each election officer shall ensure that:

- 4 -

(a) each person nominated by any registered political party under Subsection

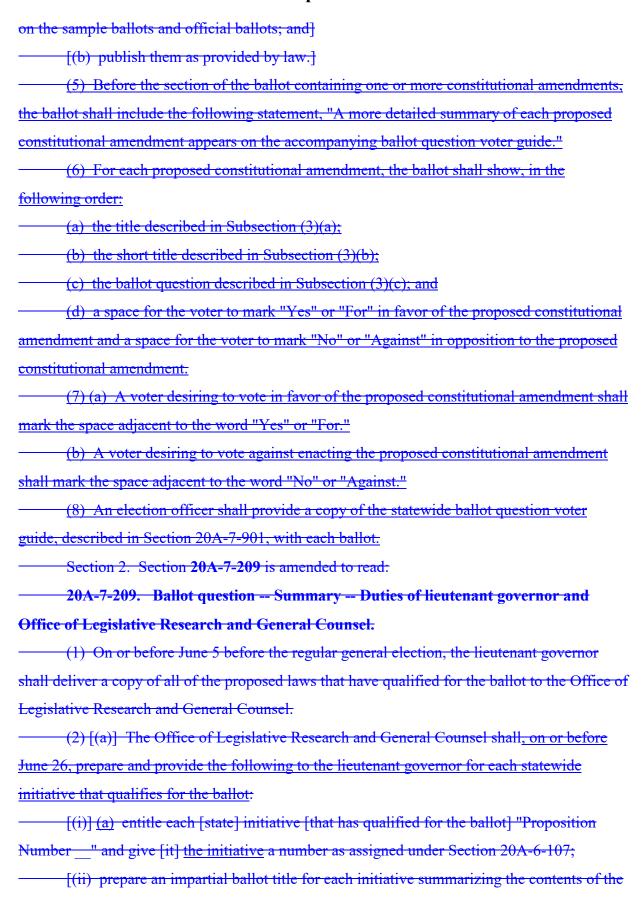
20A-9-202(4) or Subsection 20A-9-403(5), and no other person, is placed on the ballot:

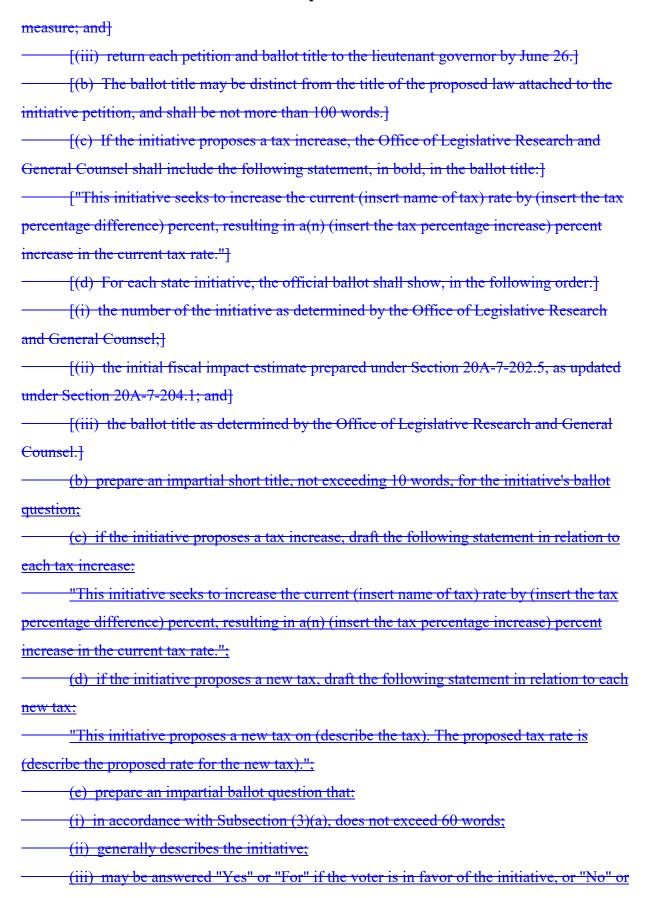
- (i) under the registered political party's name, if any; or
- (ii) under the title of the registered political party as designated by them in their certificates of nomination or petition, or, if none is designated, then under some suitable title;
- (b) the names of all unaffiliated candidates that qualify as required in Title 20A, Chapter 9, Part 5, Candidates not Affiliated with a Party, are placed on the ballot;
- (c) the names of the candidates for president and vice president are used on the ballot instead of the names of the presidential electors; and
  - (d) the ballots contain no other names.
- (3) When the ballot contains a nonpartisan section, the election officer shall ensure that:
- (a) the designation of the office to be filled in the election and the number of candidates to be elected are printed in type not smaller than eight point;
  - (b) the words designating the office are printed flush with the left-hand margin;
- (c) the words, "Vote for one" or "Vote for up to \_\_\_\_\_ (the number of candidates for which the voter may vote)" extend to the extreme right of the column;
- (d) the nonpartisan candidates are grouped according to the office for which they are candidates;
- (e) the names in each group are placed in the order specified under Section 20A-6-305 with the surnames last; and
- (f) each group is preceded by the designation of the office for which the candidates seek election, and the words, "Vote for one" or "Vote for up to \_\_\_\_\_ (the number of candidates for which the voter may vote)," according to the number to be elected.
  - (4) Each election officer shall ensure that:
- (a) proposed amendments to the Utah Constitution are listed on the ballot in accordance with Section 20A-6-107;
- (b) ballot propositions submitted to the voters are listed on the ballot in accordance with Section 20A-6-107; and
- (c) bond propositions that have qualified for the ballot are listed on the ballot under the title assigned to each bond proposition under Section 11-14-206.

Section 1. Section 20A-7-103 is amended to read	Cast	1 C	lastian !	20 4 7	102 :	amam dad	ta maad.
	1 3000	IOII I. S	occuon.	<del>20A-</del> 7-	103 18	amenucu	to read.

20A-7-103. Constitutional amendments submitted by the Legislature --

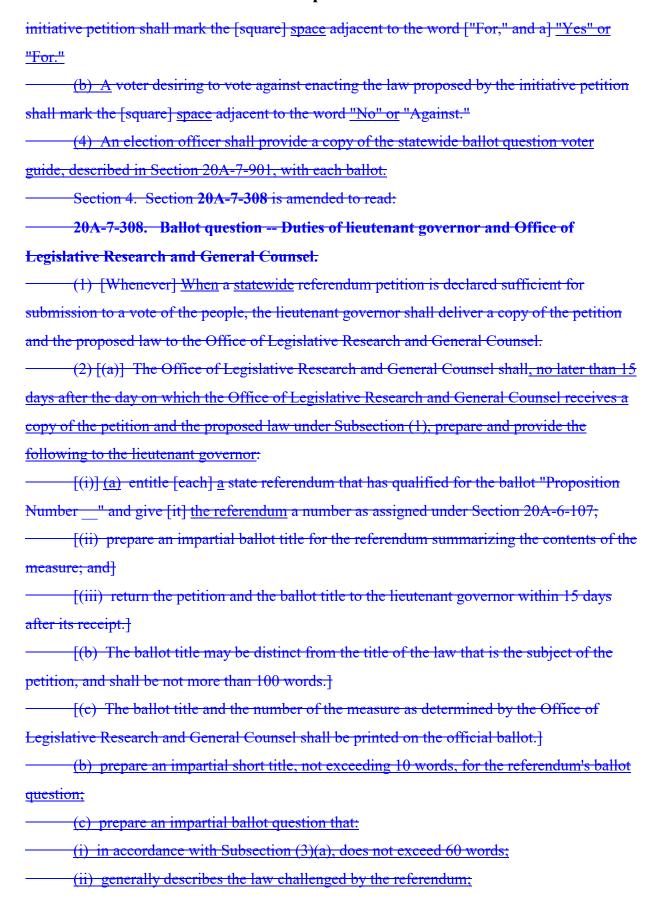
# Publication -- Ballot question and contents -- Procedures for submission to popular vote. (1) The procedures contained in this section govern when the Legislature submits a proposed constitutional amendment [or other question] to the voters. (2) In addition to the publication in the voter information pamphlet required by Section 20A-7-702, the lieutenant governor shall, not more than 60 days or less than 14 days before the date of the election, publish the full text of the proposed constitutional amendment[, question, or statute] in at least one newspaper in every county of the state where a newspaper is published. (3) The legislative general counsel shall: (a) entitle each proposed constitutional amendment "Constitutional Amendment" and assign [it] the proposed constitutional amendment a letter according to the requirements of Section 20A-6-107; (b) entitle each proposed question "Proposition Number" with the number assigned to the proposition under Section 20A-6-107 placed in the blank; (c) draft and designate a ballot title for each proposed amendment or question submitted by the Legislature that summarizes the subject matter of the amendment or question; and] (b) prepare a short title, not exceeding 10 words, for the proposed constitutional amendment; (c) prepare an impartial ballot question that generally describes the proposed constitutional amendment and may be answered "Yes" or "For" if the voter is in favor of the proposed constitutional amendment, or "No" or "Against" if the voter is opposed to the proposed constitutional amendment; (d) draft an impartial summary of the proposed constitutional amendment; and [(d)] (e) deliver [each number and title] the items described in this Subsection (3) to the lieutenant governor. (4) The lieutenant governor shall certify the [number and ballot title of each amendment or question] items described in Subsection (3) to the county clerk of each county no later than 65 days before the date of the election. [(5) The county clerk of each county shall:] (a) ensure that both the number and title of each amendment and question is printed





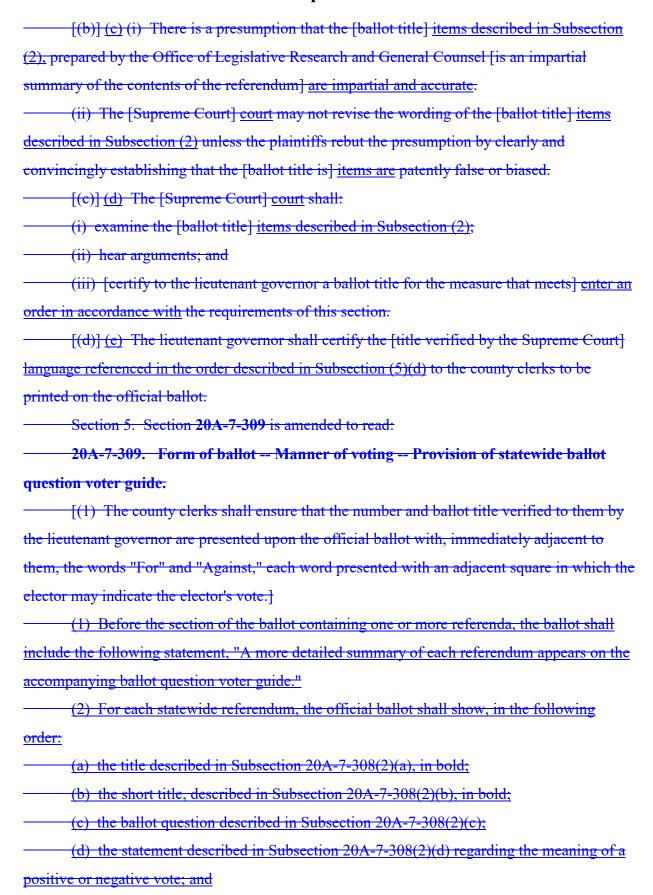
"Against" if the voter is opposed to the initiative; and
(iv) includes, in parenthesis following each term included in the summary that is
defined in the initiative, the word "defined"; and
(f) in accordance with Subsection (3)(b), prepare an impartial summary of the contents
of the initiative that does not exceed 100 words.
(3) (a) The 60-word limit described in Subsection (2)(e)(i) does not include the items
described in Subsections (2)(a) through (d) or (f).
(b) The 100-word limit described in Subsection (2)(f) does not include the items
described in Subsections (2)(a) through (e).
[(3)] (4) On or before June 27, the lieutenant governor shall mail a copy of the [ballot
title] items described in Subsection (2) to any sponsor of the petition.
[(4)] (5) (a) [(i)] At least three of the sponsors of the petition may, on or before July 6,
challenge the wording of the [ballot title prepared by the Office of Legislative Research and
General Counsel] items described in Subsection (2) to the appropriate court.
[(ii)] (b) After receipt of the challenge, the court shall direct the lieutenant governor to
send notice of the challenge to:
[(A)] (i) any person or group that has filed an argument for or against the measure that
is the subject of the challenge; or
[(B)] (ii) any political issues committee established under Section 20A-11-801 that has
filed written or electronic notice with the lieutenant governor that identifies the name, mailing
or email address, and telephone number of the person designated to receive notice about any
issues relating to the initiative.
[(b)] (c) (i) There is a presumption that the [ballot title] items described in Subsection
(2), prepared by the Office of Legislative Research and General Counsel [is an impartial
summary of the contents of the initiative], are impartial and accurate.
(ii) The court may not revise the wording of the [ballot title] items described in
Subsection (2) unless the plaintiffs rebut the presumption by clearly and convincingly
establishing that the [ballot title is] items are patently false or biased.
[(e)] (d) The court shall:
(i) examine the [ballot title] items described in Subsection (2);
(ii) hear arguments; and

(iii) [certify to the lieutenant governor a ballot title for the measure that meets] enter an order in accordance with the requirements of this section. [(d)] (e) The lieutenant governor shall certify the [title verified by the court] language referenced in the court order described in Subsection (5)(d) to the county clerks to be printed on the official ballot. Section 3. Section 20A-7-210 is amended to read: 20A-7-210. Form of ballot -- Manner of voting -- Provision of statewide ballot question voter guide. (1) A county clerk shall ensure that the information described in Subsection 20A-7-209(2)(d) is presented, in the order required, upon the official ballot with, immediately adjacent to the information, the words "For" and "Against," each word presented with an adjacent square in which the voter may indicate the voter's vote.] (1) Before the section of the ballot containing one or more initiatives, the ballot shall include the following statement, "A more detailed summary of each initiative appears on the accompanying ballot question voter guide." (2) For each statewide initiative, the official ballot shall show, in the following order: (a) the title described in Subsection 20A-7-209(2)(a), in bold; (b) the short title described in Subsection 20A-7-209(2)(b), in bold; (c) (i) if the initiative proposes a tax increase, the following statement, "This initiative proposes a tax increase. For more information, see the accompanying statewide ballot question voter guide."; (ii) if the initiative proposes a new tax, the following statement, "This initiative proposes a new tax. For more information, see the accompanying statewide ballot question voter guide."; and (iii) if the initiative proposes a new tax and a tax increase, the following statement, "This initiative proposes a new tax and a tax increase. For more information, see the accompanying statewide ballot question voter guide."; (d) the ballot question described in Subsection 20A-7-209(2)(e); and (e) a space for the voter to mark "Yes" or "For" in favor of the initiative and a space for the voter to mark "No" or "Against" in opposition to the initiative. [(2)] (3) (a) A voter desiring to vote in favor of enacting the law proposed by the



(iii) may be answered "Yes" or "For" if the voter is in favor of the law challenged by referendum, or "No" or "Against" if the voter is opposed to the law challenged by the referendum; and (iv) includes, in parenthesis following each term included in the summary that is defined in the law challenged by the referendum, the word "defined"; (d) prepare a statement, not to exceed 25 words in length, that explains the meaning of a vote in favor of the law challenged by referendum and the meaning of a vote opposed to the law challenged by referendum; and (e) in accordance with Subsection (3)(b), prepare an impartial summary of the contents of the law challenged by the referendum that does not exceed 100 words. (3) (a) The 60-word limit described in Subsection (2)(c)(i) does not include the items described in Subsections (2)(a), (b), (d), or (e). (b) The 100-word limit described in Subsection (2)(e) does not include the items described in Subsections (2)(a) through (d). [(3)] (4) Immediately after the Office of Legislative Research and General Counsel [files a copy of the ballot title with] provides the items described in Subsection (2) to the lieutenant governor, the lieutenant governor shall mail a copy of the [ballot title to any of the sponsors items to any sponsor of the petition. [(4)] (5) (a) [(i)] At least three of the sponsors of the petition may, within 15 days [of the date] after the day on which the lieutenant governor mails the [ballot title] items described in Subsection (2) to a sponsor of the petition, challenge the wording of the [ballot title] items prepared by the Office of Legislative Research and General Counsel to the [Supreme Court] appropriate court. [(ii)] (b) After receipt of the [appeal, the Supreme Court] challenge, the court shall direct the lieutenant governor to send notice of the [appeal] challenge to: [(A)] (i) any person or group that has filed an argument for or against the [measure] referendum that is the subject of the challenge; [or] and [(B)] (ii) any political issues committee established under Section 20A-11-801 that has filed written or electronic notice with the lieutenant governor that identifies the name, mailing or email address, and telephone number of the person designated to receive notice about any

issues relating to the [initiative] referendum.

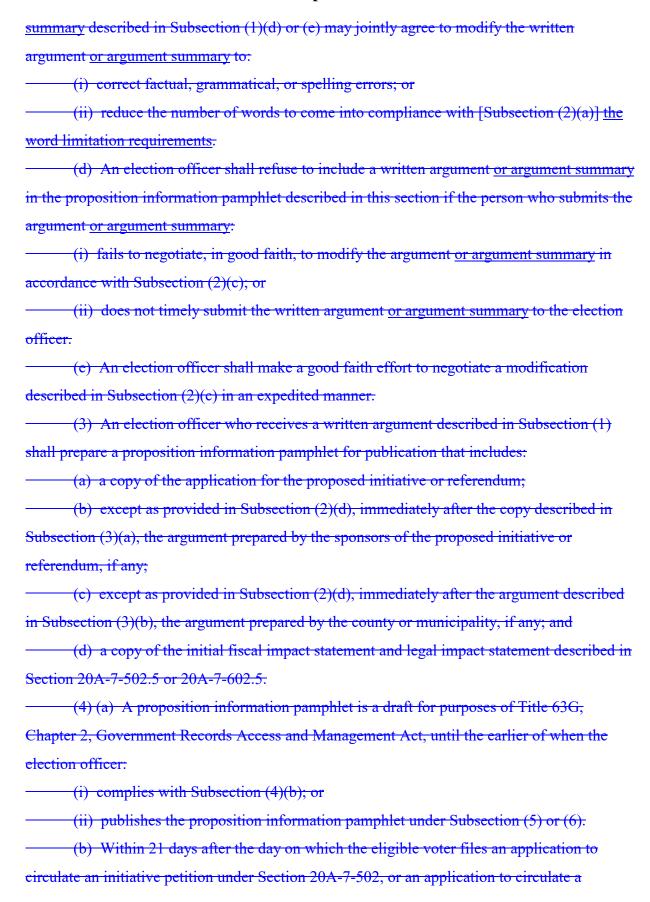


(e) a space for the voter to mark "Yes" or "For" if the voter is in favor of the law challenged by the referendum and a space for the voter to mark "No" or "Against" if the voter is opposed to the law challenged by the referendum. [(2)] (3) (a) [(i)] A voter desiring to vote in favor of the law that is the subject of the referendum shall mark the [square] space adjacent to the word "Yes" or "For." [(ii)] (b) The law that is the subject of the referendum takes effect if a majority of voters mark "Yes" or "For." [(b) (i)] (4) (a) A voter desiring to vote against the law that is the subject of the referendum petition shall mark the [square] space adjacent to the word "No" or "Against." [(ii)] (b) The law that is the subject of the referendum does not take effect if a majority of voters mark "No" or "Against." (5) An election officer shall provide a copy of the statewide ballot question voter guide, described in Section 20A-7-901, with each ballot. Section 6. Section 20A-7-401.5 is amended to read: 20A-7-401.5. Proposition information pamphlet. (1) (a) (i) Within 15 days after the day on which an eligible voter files an application to circulate an initiative petition under Section 20A-7-502 or an application to circulate a referendum petition under Section 20A-7-602: (A) the sponsors of the proposed initiative or referendum may submit a written argument in favor of the proposed initiative or referendum to the election officer of the county or municipality to which the petition relates; and (B) the county or municipality to which the application relates may submit a written argument in favor of, or against, the proposed initiative or referendum to the county's or municipality's election officer. (ii) If a county or municipality submits more than one written argument under Subsection (1)(a)(i)(B), the election officer shall select one of the written arguments[,]: (A) giving preference to a written argument submitted by a member of a local legislative body if a majority of the local legislative body supports the written argument[.]; and (B) if selecting between two or more written arguments of equal preference, by randomly selecting one of the written arguments.

(b) Within one business day after the day on which an election officer receives an

argument under Subsection (1)(a)(i)(A), the election officer shall provide a copy of the argument to the county or municipality described in Subsection (1)(a)(i)(B) or (1)(a)(ii), as applicable.

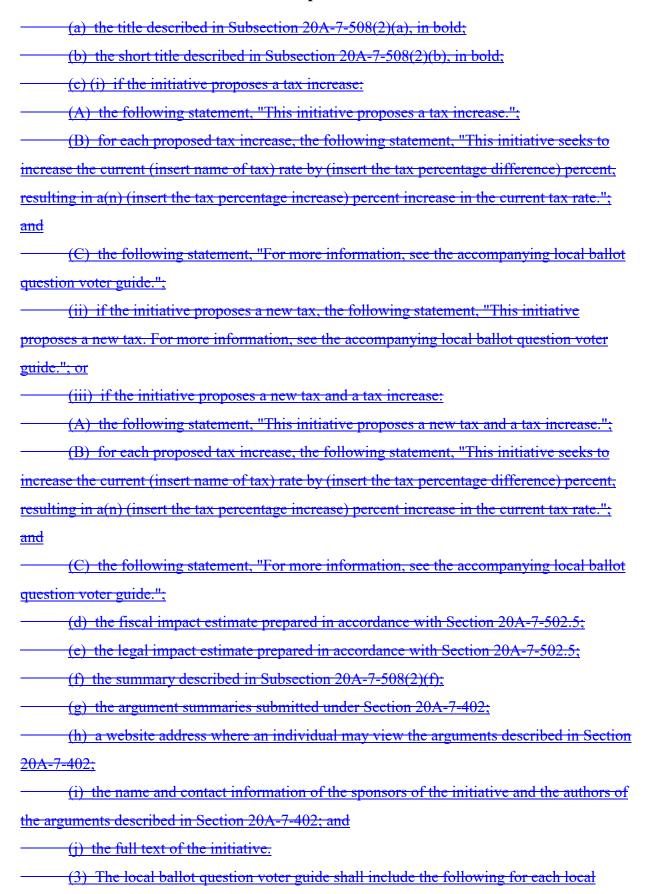
- (c) Within one business day after the date on which an election officer receives an argument under Subsection (1)(a)(i)(B), the election officer shall provide a copy of the argument to the first three sponsors of the proposed initiative or referendum described in Subsection (1)(a)(i)(A).
- (d) The sponsors of the proposed initiative or referendum may [submit a revised version of the written argument described in Subsection (1)(a)(i)(A) to the election officer of the county or municipality to which the petition relates], within 20 days after the day on which the eligible voter files an application to circulate an initiative petition under Section 20A-7-502 or an application to circulate a referendum petition under Section 20A-7-602[.], submit to the election officer of the county or municipality to which the petition relates:
- (i) a revised version of the written argument described in Subsection (1)(a)(i)(A); and
  (ii) a summary of the written argument described in Subsection (1)(a)(i)(A) or (1)(d)(i),
  not exceeding 50 words, to be included in the local ballot question voter guide.
- (e) The author of a written argument described in Subsection (1)(a)(i)(B) submitted by a county or municipality may [submit a revised version of the written argument to the county's or municipality's election officer], within 20 days after the day on which the eligible voter files an application to circulate an initiative petition under Section 20A-7-502 or an application to circulate a referendum petition under Section 20A-7-602[.], submit to the county's or municipality's election officer:
- (i) a revised version of the written argument described in Subsection (1)(a)(i)(B); and
- (ii) a summary of the written argument described in Subsection (1)(a)(i)(B) or (1)(e)(i), not exceeding 50 words, to be included in the local ballot question voter guide.
- (2) (a) A written argument described in Subsection (1)(a)(i)(A), (1)(d)(i), (1)(a)(i)(B), or (1)(e)(i) may not exceed 500 words.
- (b) Except as provided in Subsection (2)(c), a person may not modify a written argument or argument summary described in Subsection (1)(d) or (e) after the written argument or argument summary is submitted to the election officer.
  - (c) The election officer and the person that submits the written argument or argument



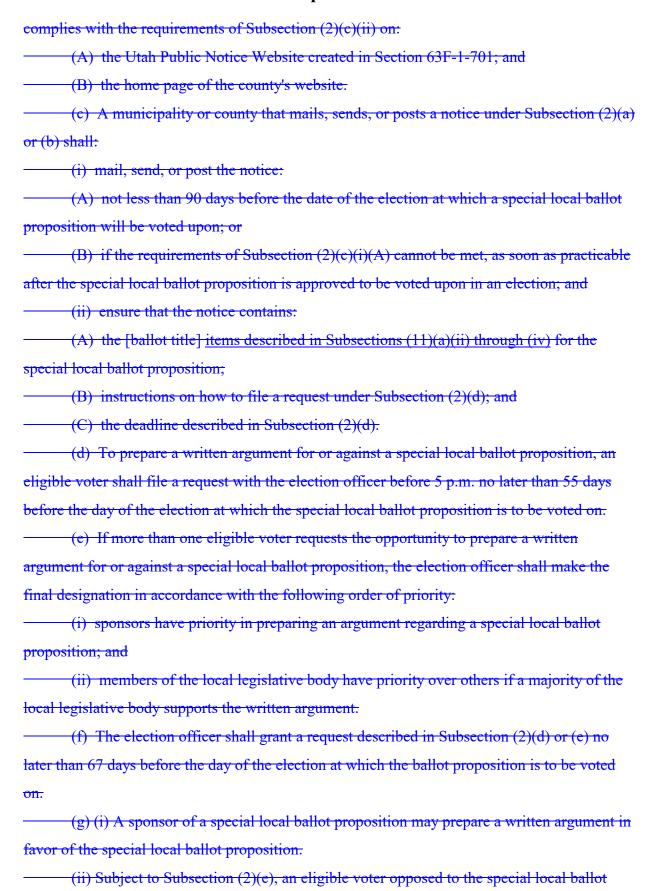
referendum petition under Section 20A-7-602, the election officer shall provide a copy of the proposition information pamphlet to the sponsors of the initiative or referendum and each individual who submitted an argument included in the proposition information pamphlet. (5) An election officer for a municipality shall publish the proposition information pamphlet as follows: (a) within the later of 10 days after the day on which the municipality or a court determines that the proposed initiative or referendum is legally referable to voters, or, if the election officer modifies an argument under Subsection (2)(c), three days after the day on which the election officer and the person that submitted the argument agree on the modification: (i) by sending the proposition information pamphlet electronically to each individual in the municipality for whom the municipality has an email address, unless the individual has indicated that the municipality is prohibited from using the individual's email address for that purpose; and (ii) by posting the proposition information pamphlet on the Utah Public Notice Website, created in Section 63F-1-701, and the home page of the municipality's website, if the municipality has a website, until: (A) if the sponsors of the proposed initiative or referendum do not timely deliver any verified initiative packets under Section 20A-7-506 or any verified referendum packets under Section 20A-7-606, the day after the date of the deadline for delivery of the verified initiative packets or verified referendum packets; (B) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the number of signatures necessary to qualify the proposed initiative or referendum for placement on the ballot is insufficient and the determination is not timely appealed or is upheld after appeal; or (C) the day after the date of the election at which the proposed initiative or referendum appears on the ballot; and (b) if the municipality regularly mails a newsletter, utility bill, or other material to the municipality's residents, including an Internet address, where a resident may view the proposition information pamphlet, in the next mailing, for which the municipality has not

begun preparation, that falls on or after the later of:

(i) 10 days after the day on which the municipality or a court determines that the proposed initiative or referendum is legally referable to voters; or (ii) if the election officer modifies an argument under Subsection (2)(c), three days after the day on which the election officer and the person that submitted the argument agree on the modification. (6) An election officer for a county shall, within the later of 10 days after the day on which the county or a court determines that the proposed initiative or referendum is legally referable to voters, or, if the election officer modifies an argument under Subsection (2)(c), three days after the day on which the election officer and the person that submitted the argument agree on the modification, publish the proposition information pamphlet as follows: (a) by sending the proposition information pamphlet electronically to each individual in the county for whom the county has an email address obtained via voter registration; and (b) by posting the proposition information pamphlet on the Utah Public Notice Website, created in Section 63F-1-701, and the home page of the county's website, until: (i) if the sponsors of the proposed initiative or referendum do not timely deliver any verified initiative packets under Section 20A-7-506 or any verified referendum packets under Section 20A-7-606, the day after the date of the deadline for delivery of the verified initiative packets or verified referendum packets; (ii) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the number of signatures necessary to qualify the proposed initiative or referendum for placement on the ballot is insufficient and the determination is not timely appealed or is upheld after appeal; or (iii) the day after the date of the election at which the proposed initiative or referendum appears on the ballot. Section 7. Section 20A-7-401.7 is enacted to read: 20A-7-401.7. Local ballot question voter guide. (1) (a) If there is a local initiative or a local referendum on the ballot, the election officer for the municipality or county to which the initiative or referendum relates shall provide with each ballot a local ballot question voter guide. (b) An election officer may not print a local ballot question voter guide on the ballot. (2) The local ballot question voter guide shall include the following for each local initiative, in the following order:



referendum, in the following order:
(a) the title described in Subsection 20A-7-608(2)(a), in bold;
(b) the short title described in Subsection 20A-7-608(2)(b), in bold;
(c) the summary described in Subsection 20A-7-608(2)(e);
(d) the statement, described in Subsection 20A-7-608(2)(d), regarding the meaning of a
vote on the law challenged by referendum;
(e) the argument summaries submitted under Section 20A-7-402;
(f) a website address where an individual may view the arguments described in Section
20A-7-402 and the full text of the law challenged by the referendum; and
(g) the name and contact information of the sponsors of the referendum and the authors
of the arguments described in Section 20A-7-402.
Section 8. Section 20A-7-402 is amended to read:
20A-7-402. Local voter information pamphlet Contents Limitations
Preparation Statement on front cover.
(1) The county or municipality that is subject to a ballot proposition shall prepare a
local voter information pamphlet that complies with the requirements of this part.
(2) (a) Within the time requirements described in Subsection (2)(c)(i), a municipality
that is subject to a special local ballot proposition shall provide a notice that complies with the
requirements of Subsection (2)(c)(ii) to the municipality's residents by:
(i) if the municipality regularly mails a newsletter, utility bill, or other material to the
municipality's residents, including the notice with a newsletter, utility bill, or other material;
(ii) posting the notice, until after the deadline described in Subsection (2)(d) has
<del>passed, on:</del>
(A) the Utah Public Notice Website created in Section 63F-1-701; and
(B) the home page of the municipality's website, if the municipality has a website; and
(iii) sending the notice electronically to each individual in the municipality for whom
the municipality has an email address.
(b) A county that is subject to a special local ballot proposition shall:
(i) send an electronic notice that complies with the requirements of Subsection
(2)(c)(ii) to each individual in the county for whom the county has an email address; or
(ii) until after the deadline described in Subsection (2)(d) has passed, post a notice that



proposition who submits a request under Subsection (2)(d) may prepare a written argument against the special local ballot proposition. (h) An eligible voter who submits a written argument under this section in relation to a special local ballot proposition shall: (i) ensure that the written argument does not exceed 500 words in length, not counting the information described in Subsection (2)(h)(ii) or (iv); (ii) list, at the end of the argument, at least one, but no more than five, names as sponsors; (iii) submit the written argument to the election officer before 5 p.m. no later than 60 days before the election day on which the ballot proposition will be submitted to the voters; (iv) list in the argument, immediately after the eligible voter's name, the eligible voter's residential address; and (v) submit with the written argument the eligible voter's name, residential address, postal address, email address if available, and phone number. (i) An election officer shall refuse to accept and publish an argument submitted after the deadline described in Subsection (2)(h)(iii). (3) (a) An election officer who timely receives the written arguments in favor of and against a special local ballot proposition shall, within one business day after the day on which the election office receives both written arguments, send, via mail or email: (i) a copy of the written argument in favor of the special local ballot proposition to the eligible voter who submitted the written argument against the special local ballot proposition; and (ii) a copy of the written argument against the special local ballot proposition to the eligible voter who submitted the written argument in favor of the special local ballot proposition. (b) The eligible voter who submitted a timely written argument in favor of the special local ballot proposition: (i) may submit to the election officer a written rebuttal argument of the written argument against the special local ballot proposition; (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length, not counting the information described in Subsection [(3)] (2)(h)(ii) or (iv); [and]

(iii) may submit a summary of the argument, not exceeding 50 words, to be included in the local ballot question voter guide; and [(iii)] (iv) shall submit the written rebuttal argument described in Subsections (3)(b)(i) and (ii) and the summary described in Subsection (3)(b)(iii) before 5 p.m. no later than 45 days before the election day on which the special local ballot proposition will be submitted to the voters. (c) The eligible voter who submitted a timely written argument against the special local ballot proposition: (i) may submit to the election officer a written rebuttal argument of the written argument in favor of the special local ballot proposition; (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length, not counting the information described in Subsection [(3)] (2)(h)(ii) or (iv); [and] (iii) may submit a summary of the eligible voter's written argument, not exceeding 50 words, to be included in the local ballot question voter guide; and f(iii) (iv) shall submit the written rebuttal argument described in Subsections (3)(c)(i) and (ii) and the summary described in Subsection (3)(c)(iii) before 5 p.m. no later than 45 days before the election day on which the special local ballot proposition will be submitted to the voters. (d) An election officer shall refuse to accept and publish a written rebuttal argument, or an argument summary, in relation to a special local ballot proposition that is submitted after the deadline described in Subsection (3)(b)[(iii)](iv) or (3)(c)[(iii)](iv). (4) (a) Except as provided in Subsection (4)(b), in relation to a special local ballot proposition: (i) an eligible voter may not modify a written argument [or], a written rebuttal argument, or a written argument summary after the eligible voter submits the written argument [or], written rebuttal argument, or written argument summary to the election officer; and (ii) a person other than the eligible voter described in Subsection (4)(a)(i) may not modify [a] the eligible voter's written argument [or a], written rebuttal argument, or written argument summary. (b) The election officer, and the eligible voter who submits a written argument [or], a written rebuttal argument, or written argument summary in relation to a special local ballot

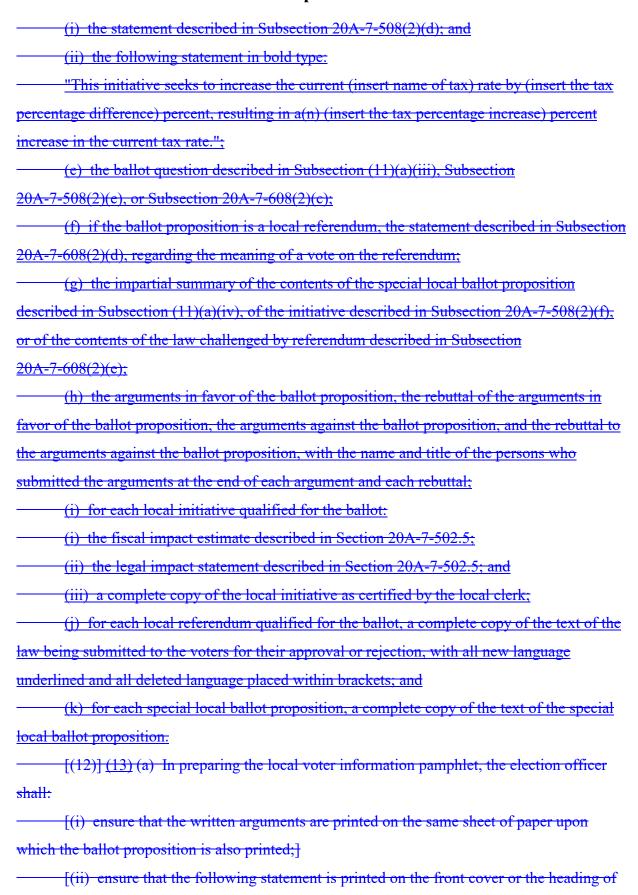
proposition, may jointly agree to modify [a] the written argument [or], written rebuttal argument, or written argument summary in order to: (i) correct factual, grammatical, or spelling errors; and (ii) reduce the number of words to come into compliance with the requirements of this section. (c) An election officer shall refuse to accept and publish a written argument [or], a written rebuttal argument, or written argument summary in relation to a special local ballot proposition if the eligible voter who submits the written argument [or], written rebuttal argument, or written argument summary fails to negotiate, in good faith, to modify the written argument [or], written rebuttal argument, or written argument summary in accordance with Subsection (4)(b). (5) In relation to a special local ballot proposition, an election officer may designate another eligible voter to take the place of an eligible voter described in this section if the original eligible voter is, due to injury, illness, death, or another circumstance, unable to continue to fulfill the duties of an eligible voter described in this section. (6) Sponsors whose written argument in favor of a standard local ballot proposition is included in a proposition information pamphlet under Section 20A-7-401.5: (a) may, if a written argument against the standard local ballot proposition is included in the proposition information pamphlet, submit a written rebuttal argument to the election officer; (b) shall ensure that the written rebuttal argument does not exceed 250 words in length; <del>[and]</del> (c) may submit a summary of the sponsors' written argument, not exceeding 50 words, to be included in the local ballot question voter guide; and [(c)] (d) shall submit the written rebuttal argument described in Subsections (6)(a) and (b) and the summary described in Subsection (6)(c) no later than 45 days before the election day on which the standard local ballot proposition will be submitted to the voters. (7) (a) A county or municipality that submitted a written argument against a standard local ballot proposition that is included in a proposition information pamphlet under Section 20A-7-401.5: (i) may, if a written argument in favor of the standard local ballot proposition is

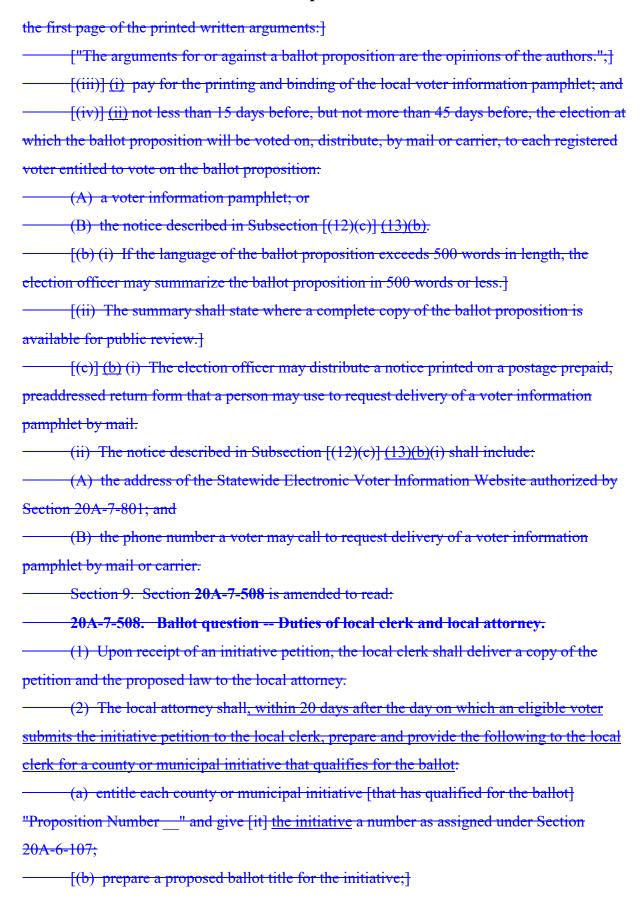
included in the proposition information pamphlet, submit a written rebuttal argument to the election officer; (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length; [and] (iii) may submit a summary of the county's or municipality's written argument, not exceeding 50 words, to be included in the local ballot question voter guide; and f(iii) (iv) shall submit the written rebuttal argument described in Subsections (7)(a)(i) and (ii) and the summary described in Subsection (7)(a)(iii) no later than 45 days before the election day on which the ballot proposition will be submitted to the voters. (b) If a county or municipality submits more than one written rebuttal argument under Subsection (7)(a)(i) or more than one argument summary under Subsection (7)(a)(iii), the election officer shall select one of the written rebuttal arguments[,] and one of the argument summaries: (i) giving preference to a written rebuttal argument and argument summary submitted by a member of a local legislative body[.]; and (ii) if selecting between two or more written arguments or argument summaries of equal preference, by randomly selecting one of the written arguments and one of the argument summaries. (8) (a) An election officer shall refuse to accept and publish a written rebuttal argument or argument summary that is submitted after the deadline described in Subsection (6)[(c)](d) or  $\frac{(7)(a)[(iii)](iv)}{(iv)}$ (b) Before an election officer publishes a local voter information pamphlet under this section, a written rebuttal argument and a written argument summary is a draft for purposes of Title 63G, Chapter 2, Government Records Access and Management Act. (c) An election officer who receives a written rebuttal argument or a written argument summary described in this section may not, before publishing the local voter information pamphlet described in this section, disclose the written rebuttal argument, the written argument summary, or any information contained in the written rebuttal argument or written argument summary, to any person who may in any way be involved in preparing an opposing rebuttal argument or an opposing argument summary. (9) (a) Except as provided in Subsection (9)(b), a person may not modify a written

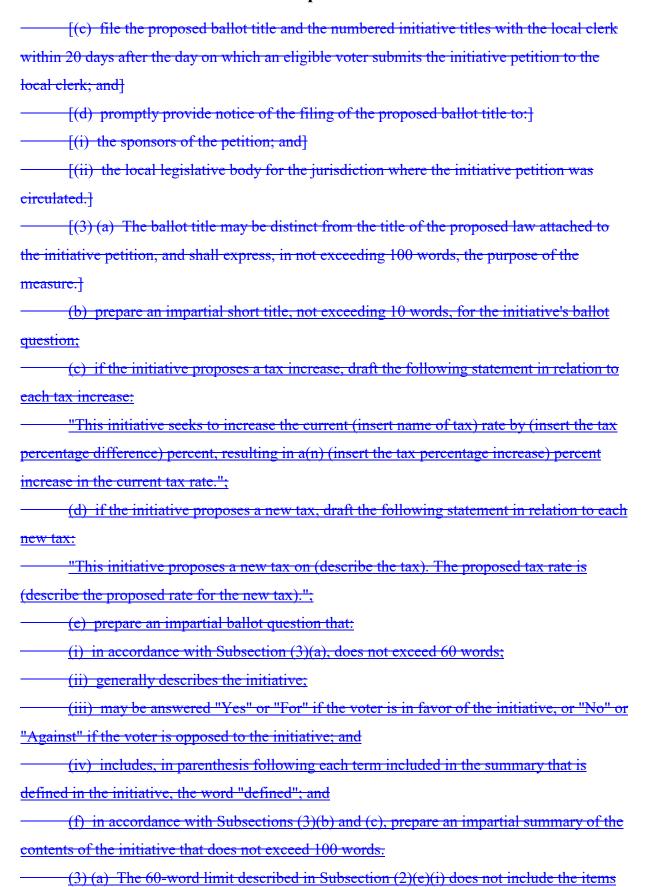
rebuttal argument or a written argument summary after the written rebuttal argument or written argument summary is submitted to the election officer. (b) The election officer, and the person who submits a written rebuttal argument or written argument summary, may jointly agree to modify a written rebuttal argument or written argument summary in order to: (i) correct factual, grammatical, or spelling errors; or (ii) reduce the number of words to come into compliance with the requirements of this section. (c) An election officer shall refuse to accept and publish a written rebuttal argument or written argument summary if the person who submits the written rebuttal argument or written argument summary: (i) fails to negotiate, in good faith, to modify the written rebuttal argument or written argument summary in accordance with Subsection (9)(b); or (ii) does not timely submit the written rebuttal argument or written argument summary to the election officer. (d) An election officer shall make a good faith effort to negotiate a modification described in Subsection (9)(b) in an expedited manner. (10) An election officer may designate another person to take the place of a person who submits a written rebuttal argument or written argument summary in relation to a standard local ballot proposition if the person is, due to injury, illness, death, or another circumstance, unable to continue to fulfill the person's duties. [(11) (a) The local voter information pamphlet shall include a copy of the initial fiscal impact estimate and the legal impact statement prepared for each initiative under Section 20A-7-502.5.] [(b) If the initiative proposes a tax increase, the local voter information pamphlet shall include the following statement in bold type:] ["This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate." (11) (a) The local attorney for a municipality or county for which a special local ballot

proposition is approved to be voted upon in an election shall:

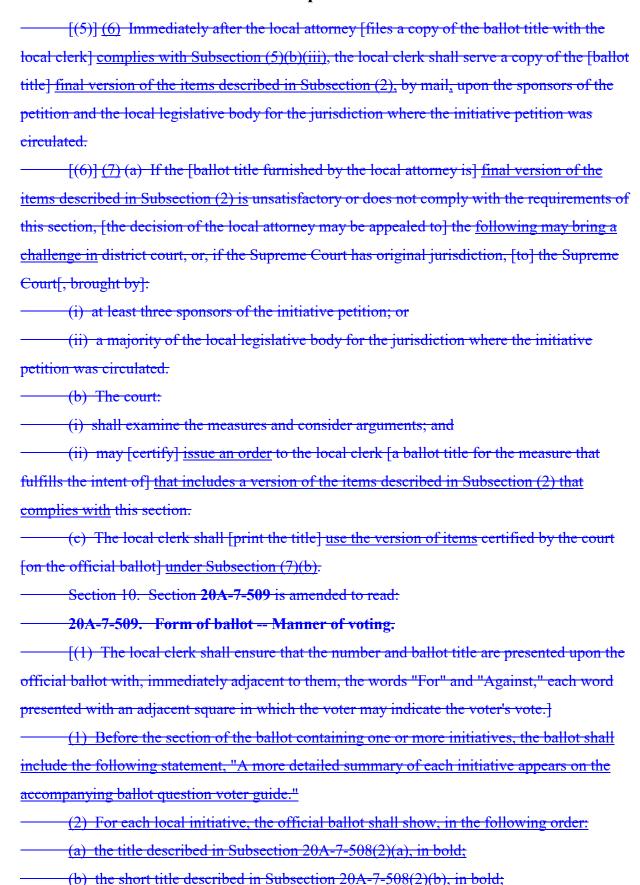
(i) entitle the local special ballot proposition "Proposition Number " and give it a number as assigned under Section 20A-6-107; (ii) prepare an impartial short title, not exceeding 10 words, for the special local ballot proposition's ballot question; (iii) prepare an impartial ballot question that: (A) in accordance with Subsection (11)(b)(i), does not exceed 60 words; (B) generally describes the special local ballot proposition; and (C) may be answered "Yes" or "For" if the voter is in favor of the special local ballot proposition, or "No" or "Against" if the voter is opposed to the special local ballot proposition; and (iv) in accordance with Subsections (11)(b)(ii) and (iii), prepare an impartial summary of the contents of the special local ballot proposition that does not exceed 100 words. (b) (i) The 60-word limit described in Subsection (11)(a)(iii)(A) does not include the items described in Subsection (11)(a)(i), (ii), or (iv). (ii) The 100-word limit described in Subsection (11)(a)(iv) does not include the items described in Subsections (11)(a)(i) through (iii). (iii) (A) In preparing the summary described in Subsection (11)(a)(iv), the local attorney shall, to the best of the local attorney's ability, give a true and impartial statement of the purpose of the special local ballot proposition. (B) The summary described in Subsection (11)(a)(iv) may not intentionally be an argument, or likely to create prejudice, for or against the special local ballot proposition. (12) The local voter information pamphlet shall contain information relating to all ballot propositions, beginning a new page for each ballot proposition, in the following order for each ballot proposition: (a) the title, described in Subsection (11)(a)(i), Subsection 20A-7-508(2)(a), or Subsection 20A-7-608(2)(a), in bold; (b) the short title, described in Subsection (11)(a)(ii), Subsection 20A-7-508(2)(b), or Subsection 20A-7-608(2)(b), in bold; (c) if the ballot proposition is a local initiative that proposes a tax increase, the statement described in Subsection 20A-7-508(2)(c); (d) if the ballot proposition is a local initiative that proposes a new tax:



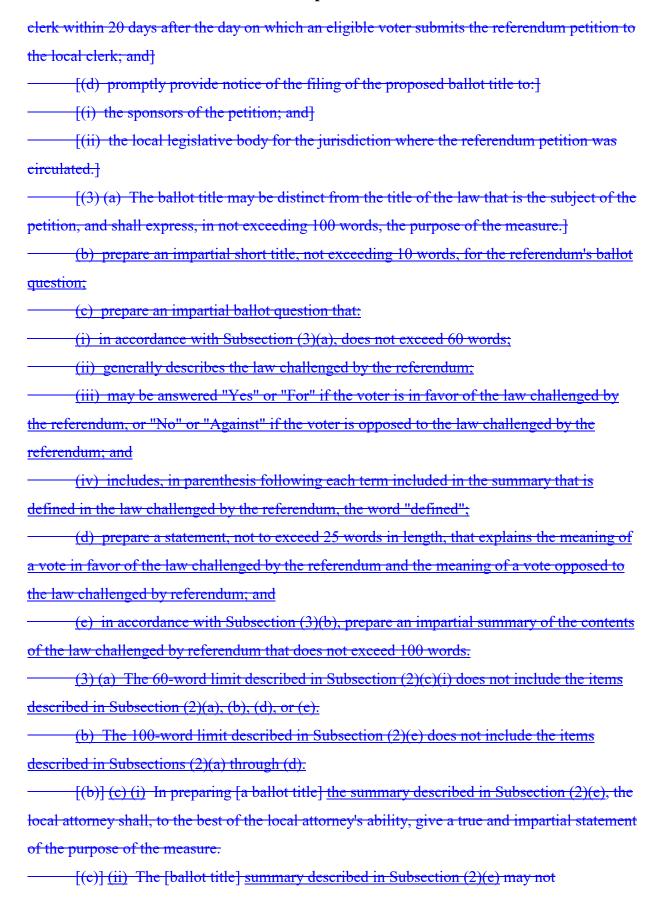




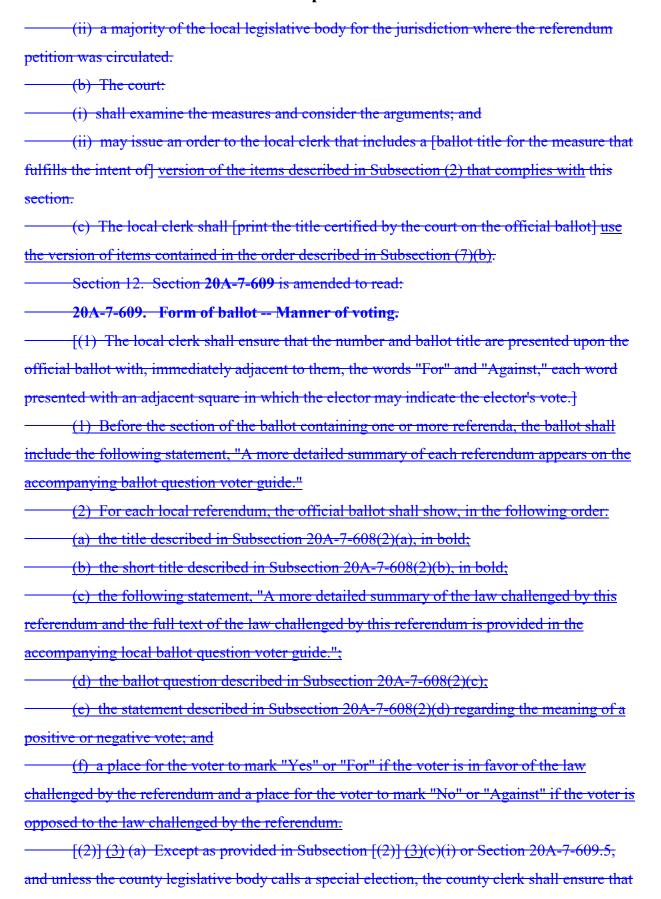
described in Subsections (2)(a) through (d) or (f). (b) The 100-word limit described in Subsection (2)(f) does not include the items described in Subsections (2)(a) through (e). [(b)] (c) (i) In preparing [a ballot title] the summary described in Subsection (2)(f), the local attorney shall, to the best of the local attorney's ability, give a true and impartial statement of the purpose of the measure. [(c)] (ii) The [ballot title] summary described in Subsection (2)(f) may not intentionally be an argument, or likely to create prejudice, for or against the measure. [(d) If the initiative proposes a tax increase, the local attorney shall include the following statement, in bold, in the ballot title: ["This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate." (4) After complying with Subsection (2), the local attorney shall promptly provide notice of the filing of the proposed items described in Subsection (2) to: (a) the sponsors of the petition; and (b) the local legislative body for the jurisdiction where the initiative petition was circulated. [(4)] (5) (a) Within five calendar days after the [date] day on which the local attorney [files a proposed ballot title under] complies with Subsection (2)[(c)], the local legislative body for the jurisdiction where the initiative petition was circulated and the sponsors of the petition may file written comments in response to the proposed [ballot title] items with the local clerk. (b) Within five calendar days after the [last date to submit written comments under] <u>deadline described in Subsection [(4)] (5)(a), the local attorney shall:</u> (i) review any written comments filed in accordance with Subsection [(4)] (5)(a); (ii) prepare a final [ballot title] version of the items described in Subsection (2) that meets the requirements of [Subsection] Subsections (2) and (3); and (iii) return the petition and file the [ballot title] final version of the items described in Subsection (2) with the local clerk. - (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall be printed on the official ballot.]



(c) (i) if the initiative proposes a tax increase, the following statement, "This initiative proposes a tax increase. For more information, see the accompanying local ballot question voter guide."; (ii) if the initiative proposes a new tax, the following statement, "This initiative proposes a new tax. For more information, see the accompanying local ballot question voter guide."; or (iii) if the initiative proposes a new tax and a tax increase, the following statement, "This initiative proposes a new tax and a tax increase. For more information, see the accompanying local ballot question voter guide."; (d) the impartial ballot question described in Subsection 20A-7-508(2)(e); and (e) a place for the voter to mark "Yes" or "For" in favor of the initiative and a place for the voter to mark "No" or "Against" in opposition to the initiative. [(2)] (3) (a) [Voters] A voter desiring to vote in favor of enacting the law proposed by the initiative petition shall mark the [square] space adjacent to the word ["For," and voters] "Yes" or "For." (b) A voter desiring to vote against enacting the law proposed by the initiative petition shall mark the [square] space adjacent to the word "No" or "Against." (4) The local clerk shall provide a copy of the local ballot question voter guide, described in Section 20A-7-401.7, with each ballot. Section 11. Section 20A-7-608 is amended to read: 20A-7-608. Ballot question -- Duties of local clerk and local attorney. (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the petition and the proposed law to the local attorney. (2) The local attorney shall, within 20 days after the day on which an eligible voter submits the referendum petition to the local clerk, prepare and provide the following to the local clerk for a county or municipal referendum that qualifies for the ballot: (a) entitle each county or municipal referendum [that has qualified for the ballot] "Proposition Number \_\_\_ " and give [it] the referendum a number as assigned under Section 20A-6-107; [(b) prepare a proposed ballot title for the referendum;] (c) file the proposed ballot title and the numbered referendum titles with the local



intentionally be an argument, or likely to create prejudice, for or against the measure. (4) After complying with Subsection (2), the local attorney shall promptly provide notice of the filing of the proposed items described in Subsection (2) to: (a) the sponsors of the petition; and (b) the local legislative body for the jurisdiction where the referendum petition was circulated. [(4)] (5) (a) Within five calendar days after the [date] day on which the local attorney [files a proposed ballot title under] complies with Subsection (2)[(c)], the local legislative body for the jurisdiction where the referendum petition was circulated and the sponsors of the petition may file written comments in response to the proposed [ballot title] items with the local clerk. (b) Within five calendar days after the [last date to submit written comments under] deadline described in Subsection [(4)] (5)(a), the local attorney shall: (i) review any written comments filed in accordance with Subsection [(4)] (5)(a); (ii) prepare a final [ballot title] version of the items described in Subsection (2) that meets the requirements of [Subsection] Subsections (2) and (3); and (iii) return the petition and file the [ballot title] final version of the items described in Subsection (2) with the local clerk. (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall be printed on the official ballot.] [(5)] (6) Immediately after the local attorney [files a copy of the ballot title with the local clerk] complies with Subsection (5)(b)(iii), the local clerk shall serve a copy of the [ballot title] final version of the items described in Subsection (2), by mail, upon the sponsors of the petition and the local legislative body for the jurisdiction where the referendum petition was circulated. -[(6)] (7) (a) If the [ballot title furnished by the local attorney is] final version of the items described in Subsection (2) is unsatisfactory or does not comply with the requirements of this section, the [decision of the local attorney may be appealed to the] following may bring a challenge in district court, or, if the Supreme Court has original jurisdiction, [to] the Supreme Court[, brought by]: (i) at least three sponsors of the referendum petition; or



county referenda that have qualified for the ballot appear on the next regular general election

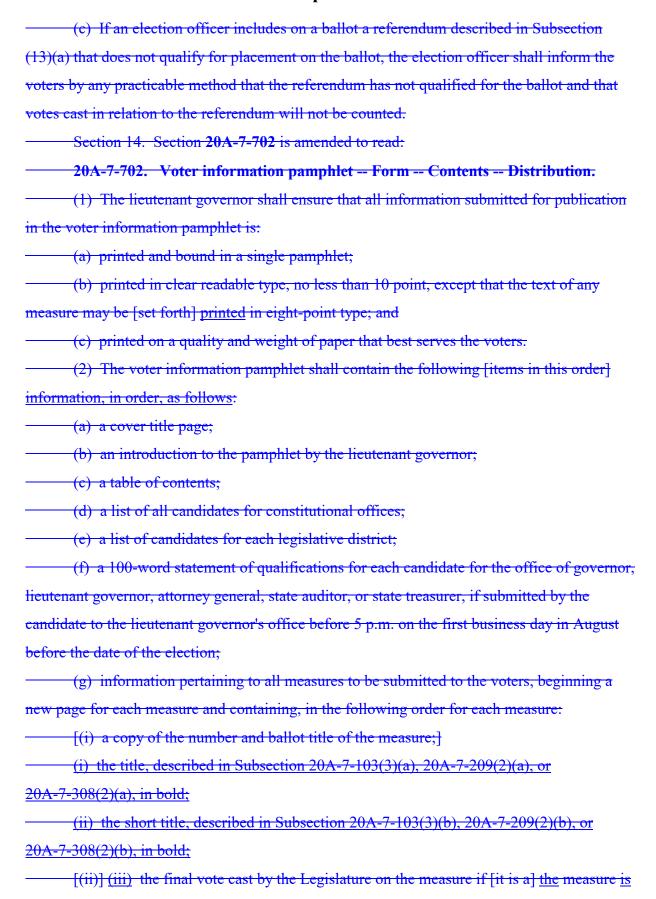
ballot. (b) Except as provided in Subsection [(2)] (3)(c)(ii) or Section 20A-7-609.5, and unless the municipal legislative body calls a special election, the municipal recorder or clerk shall ensure that municipal referenda that have qualified for the ballot appear on the next regular municipal election ballot. (c) (i) Except as provided in Section 20A-7-609.5, if a local law passes after January 30 of the year in which there is a regular general election, the county clerk shall ensure that a county referendum that has qualified for the ballot appears on the ballot at the second regular general election immediately following the passage of the local law unless the county legislative body calls a special election. (ii) Except as provided in Section 20A-7-609.5, if a local law passes after January 30 of the year in which there is a municipal general election, the municipal recorder or clerk shall ensure that a municipal referendum that has qualified for the ballot appears on the ballot at the second municipal general election immediately following the passage of the local law unless the municipal legislative body calls a special election. [(3)] (4) (a) [(i)] A voter desiring to vote in favor of the law that is the subject of the referendum shall mark the [square] space adjacent to the word "Yes" or "For." [(ii)] (b) The law that is the subject of the referendum is effective if a majority of voters mark "Yes" or "For." [(b) (i)] (5) (a) A voter desiring to vote against the law that is the subject of the referendum petition shall mark the [square] space following the word "No" or "Against." [(ii)] (b) The law that is the subject of the referendum is not effective if a majority of voters mark "No" or "Against." (6) The local clerk shall provide a copy of the local ballot question voter guide, described in Section 20A-7-401.7, with each ballot. Section 13. Section 20A-7-613 is amended to read: 20A-7-613. Property tax referendum petition. (1) As used in this section, "certified tax rate" means the same as that term is defined in Section 59-2-924. (2) Except as provided in this section, the requirements of this part apply to a

referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that

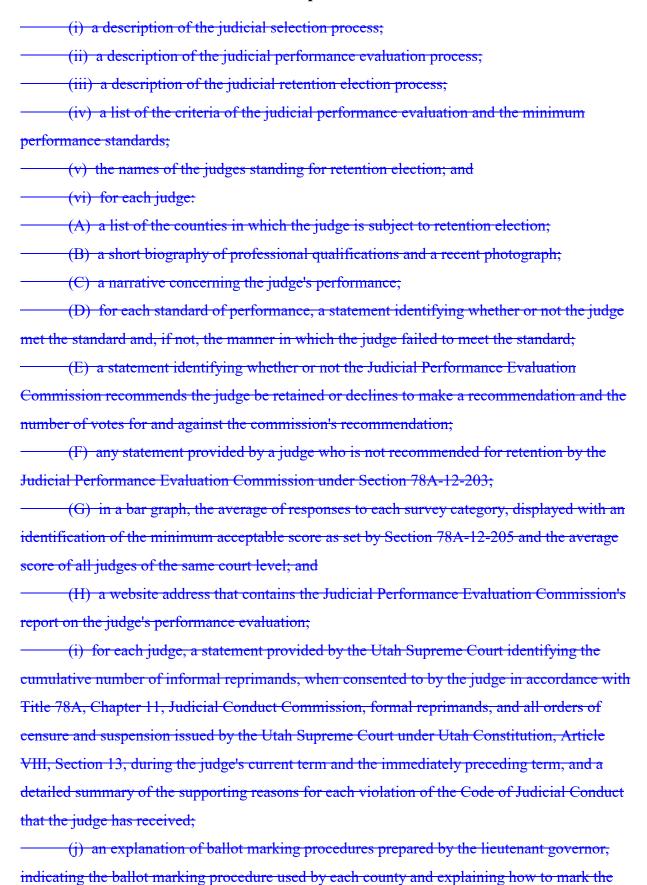
exceeds the certified tax rate. (3) Notwithstanding Subsection 20A-7-606(1), the sponsors shall deliver each signed and verified referendum packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than 40 days after the day on which the local clerk complies with Subsection 20A-7-604(2). (4) Notwithstanding Subsections 20A-7-606(2) and (3), the county clerk shall take the actions required in Subsections 20A-7-606(2) and (3) within 10 working days after the day on which the county clerk receives the signed and verified referendum packet as described in Subsection (3). (5) The local clerk shall take the actions required by Section 20A-7-607 within two working days after the day on which the local clerk receives the referendum packets from the county clerk. (6) Notwithstanding Subsection 20A-7-608(2), the local attorney shall [prepare the ballot title] comply with Subsection 20A-7-608(2) within two working days after the day on which the referendum petition is declared sufficient for submission to a vote of the people. (7) Notwithstanding Subsection 20A-7-609(2)(c), a referendum that qualifies for the ballot under this section shall appear on the ballot for the earlier of the next regular general election or the next municipal general election unless a special election is called. (8) Notwithstanding the requirements related to absentee ballots under this title: (a) the election officer shall prepare absentee ballots for those voters who have requested an absentee ballot as soon as possible after the [ballot title is prepared as described in local attorney complies with Subsection (6); and (b) the election officer shall mail absentee ballots on a referendum under this section the later of: (i) the time provided in Section 20A-3-305 or 20A-16-403; or (ii) the time that absentee ballots are prepared for mailing under this section. (9) Section 20A-7-402 does not apply to a referendum described in this section. (10) (a) If a majority of voters does not vote against imposing the tax at a rate calculated to generate the increased revenue budgeted, adopted, and approved by the taxing

entity's legislative body:

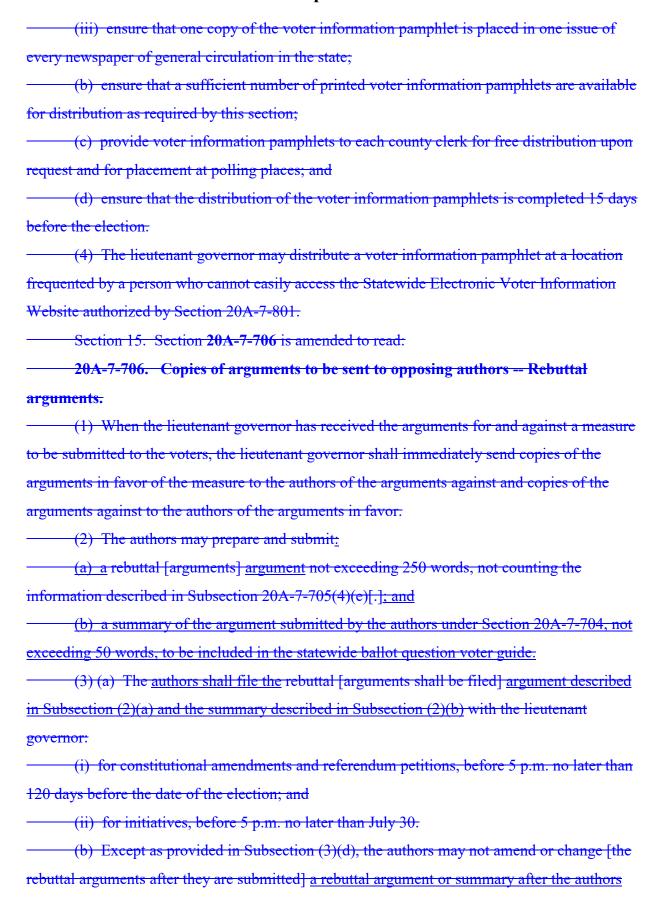
(i) the certified tax rate for the fiscal year during which the referendum petition is filed is its most recent certified tax rate; and (ii) the proposed increased revenues for purposes of establishing the certified tax rate for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed increased revenues budgeted, adopted, and approved by the taxing entity's legislative body before the filing of the referendum petition. (b) If a majority of voters votes against imposing a tax at the rate established by the vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the taxing entity's most recent certified tax rate. (c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not required to comply with the notice and public hearing requirements of Section 59-2-919 if the taxing entity complies with those notice and public hearing requirements before the referendum petition is filed. (11) The [ballot title] question described in Subsection 20A-7-608(2)(c) shall, at a minimum, include in substantially this form the following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as budgeted, adopted, and approved by the [name of the taxing entity]". (12) A taxing entity shall pay the county the costs incurred by the county that are directly related to meeting the requirements of this section and that the county would not have incurred but for compliance with this section. (13) (a) An election officer shall include on a ballot a referendum that has not yet qualified for placement on the ballot, if: (i) sponsors file an application for a referendum described in this section; (ii) the ballot will be used for the election for which the sponsors are attempting to qualify the referendum; and (iii) the deadline for qualifying the referendum for placement on the ballot occurs after the day on which the ballot will be printed. (b) If an election officer includes on a ballot a referendum described in Subsection (13)(a), the [ballot title] question described in Subsection 20A-7-608(2)(c) shall comply with Subsection (11).



submitted by the Legislature or by referendum; (iv) if the measure is an initiative that proposes a tax increase, the statement described in Subsection 20A-7-209(2)(c); (v) if the measure is an initiative that proposes a new tax, the statement described in Subsection 20A-7-209(2)(d); (vi) the ballot question described in Subsection 20A-7-103(3)(c), 20A-7-209(2)(e), or 20A-7-308(2)(c); (vii) if the measure is a referendum, the statement described in Subsection 20A-7-308(2), regarding the meaning of a vote on the referendum; [(iii)] (viii) the impartial analysis of the measure [prepared by the Office of Legislative Research and General Counsell described in Section 20A-7-703; [(iv)] (ix) the arguments in favor of the measure, the rebuttal to the arguments in favor of the measure, the arguments against the measure, and the rebuttal to the arguments against the measure, with the name and title of the authors at the end of each argument [or] and each rebuttal: [(v)] (x) for each constitutional amendment, a complete copy of the text of the constitutional amendment, with all new language underlined, and all deleted language placed within brackets: [(vi)] (xi) for each initiative qualified for the ballot: (A) [a copy of the measure as certified by the lieutenant governor and] a copy of the fiscal impact estimate [prepared according to] described in Section 20A-7-202.5; [and] (B) if the initiative proposes a tax increase, the following statement in bold type: "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate."; and (C) a copy of the measure as certified by the lieutenant governor; and [(vii)] (xii) for each referendum qualified for the ballot, a complete copy of the text of the law being submitted to the voters for their approval or rejection, with all new language underlined and all deleted language placed within brackets[, as applicable]; (h) a description provided by the Judicial Performance Evaluation Commission of the selection and retention process for judges, including, in the following order:

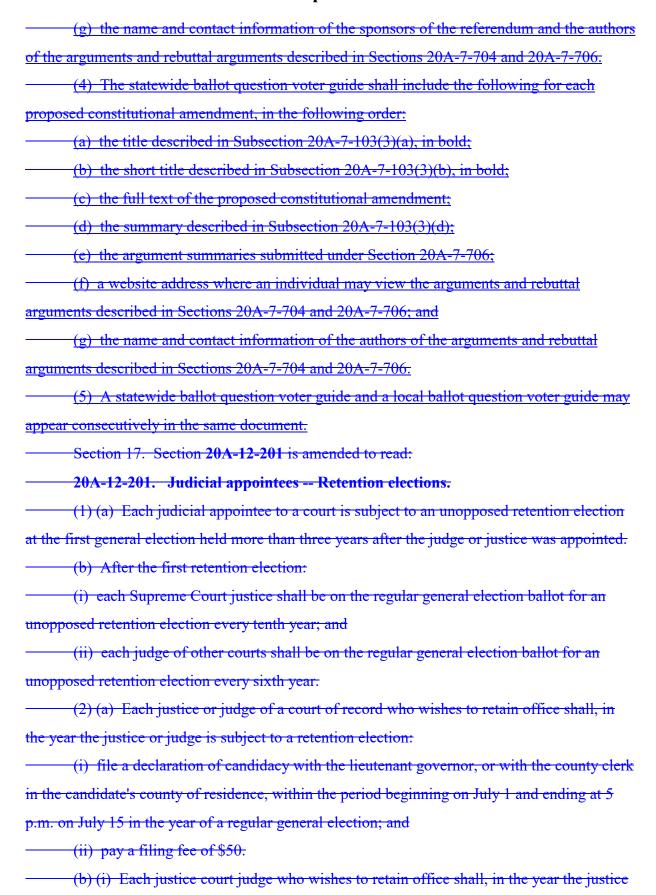


ballot for each procedure;
(k) voter registration information, including information on how to obtain an absentee
<del>ballot;</del>
(l) a list of all county clerks' offices and phone numbers;
(m) the address of the Statewide Electronic Voter Information Website, with a
statement indicating that the election officer will post on the website any changes to the
location of a polling place and the location of any additional polling place;
(n) a phone number that a voter may call to obtain information regarding the location
of a polling place; and
(o) on the back cover page, a printed copy of the following statement signed by the
lieutenant governor:
"I, (print name), Lieutenant Governor of Utah, certify that the
measures contained in this pamphlet will be submitted to the voters of Utah at the election to
be held throughout the state on (date of election), and that this pamphlet is complete and
correct according to law.
<del>SEAL</del>
Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this day
of (month), (year)
(signed)
Lieutenant Governor".
(3) No earlier than 75 days, and no later than 15 days, before the day on which voting
commences, the lieutenant governor shall:
(a) (i) distribute one copy of the voter information pamphlet to each household within
the state;
(ii) distribute to each household within the state a notice:
(A) printed on a postage prepaid, preaddressed return form that a person may use to
request delivery of a voter information pamphlet by mail;
(B) that states the address of the Statewide Electronic Voter Information Website
authorized by Section 20A-7-801; and
(C) that states the phone number a voter may call to request delivery of a voter
information pamphlet by mail; or
information pumpinet by main, or



submit the argument or summary to the lieutenant governor. (c) Except as provided in Subsection (3)(d), the lieutenant governor may not alter the arguments in any way. (d) The lieutenant governor and the authors of a rebuttal argument or summary may jointly modify a rebuttal argument or summary after [it is submitted] submission if: (i) they jointly agree that changes to the rebuttal argument or summary must be made to correct spelling or grammatical errors; and (ii) the rebuttal argument or summary has not yet been submitted for typesetting. (4) The lieutenant governor shall ensure that: (a) rebuttal arguments are printed in the same manner as the direct arguments; and (b) each rebuttal argument follows immediately after the direct argument which it seeks to rebut. Section 16. Section 20A-7-901 is enacted to read: Part 9. Statewide Ballot Question Voter Guide 20A-7-901. Statewide ballot question voter guide. (1) (a) If there is a statewide initiative, a statewide referendum, or a proposed constitutional amendment on the ballot, the election officer shall provide with each ballot a statewide ballot question voter guide. (b) An election officer may not print a statewide ballot question voter guide on the ballot. (2) The statewide ballot question voter guide shall include the following for each statewide initiative, in the following order: (a) the title described in Subsection 20A-7-209(2)(a), in bold; (b) the short title described in Subsection 20A-7-209(2)(b), in bold; (c) (i) if the initiative proposes a tax increase: (A) the following statement, "This initiative proposes a tax increase."; (B) for each proposed tax increase, the following statement, "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate."; and (C) the following statement, "For more information, see the accompanying statewide

# ballot question voter guide."; (ii) if the initiative proposes a new tax, the following statement, "This initiative proposes a new tax. For more information, see the accompanying statewide ballot question voter guide."; or (iii) if the initiative proposes a new tax and a tax increase: (A) the following statement, "This initiative proposes a new tax and a tax increase."; (B) for each proposed tax increase, the following statement, "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent increase in the current tax rate."; and (C) the following statement, "For more information, see the accompanying statewide ballot question voter guide.": (d) the fiscal impact estimate prepared in accordance with Section 20A-7-202.5; (e) the impartial summary described in Subsection 20A-7-209(2)(f): (f) the argument summaries submitted under Section 20A-7-706: (g) a website address where an individual may view the arguments and rebuttal arguments described in Sections 20A-7-704 and 20A-7-706 and the full text of the initiative; and (h) the name and contact information of the sponsors of the initiative and the authors of the arguments and rebuttal arguments described in Sections 20A-7-704 and 20A-7-706. (3) The statewide ballot question voter guide shall include the following for each statewide referendum, in the following order: (a) the title described in Subsection 20A-7-308(2)(a), in bold; (b) the short title described in Subsection 20A-7-308(2)(b), in bold; (c) the summary described in Subsection 20A-7-308(2)(e); (d) the statement, described in Subsection 20A-7-308(2)(d), regarding the meaning of a vote on the law challenged by referendum; (e) the argument summaries submitted under Section 20A-7-706; (f) a website address where an individual may view the arguments and rebuttal arguments described in Sections 20A-7-704 and 20A-7-706 and the full text of the law challenged by the referendum; and



court judge is subject to a retention election: (A) file a declaration of candidacy with the lieutenant governor, or with the county clerk in the candidate's county of residence, within the period beginning on July 1 and ending at 5 p.m. on July 15 in the year of a regular general election; and (B) pay a filing fee of \$25 for each judicial office. (ii) If a justice court judge is appointed or elected to more than one judicial office, the declaration of candidacy shall identify all of the courts included in the same general election. (iii) If a justice court judge is appointed or elected to more than one judicial office, filing a declaration of candidacy in one county in which one of those courts is located is valid for the courts in any other county. (3) (a) The lieutenant governor shall, no later than August 31 of each regular general election year: (i) transmit a certified list containing the names of the justices of the Supreme Court and judges of the Court of Appeals declaring their candidacy to the county clerk of each county; and (ii) transmit a certified list containing the names of judges of other courts declaring their candidacy to the county clerk of each county in the geographic division in which the judge filing the declaration holds office. (b) Each county clerk shall place the names of justices and judges standing for retention election in the nonpartisan section of the ballot. (4) (a) At the general election, the ballots shall contain, as to each justice or judge of any court to be voted on in the county, the following question: "Shall (name of justice or judge) be retained in the ? (name of office, such as ["]Justice of the Supreme office of Court of Utah["]; ["]Judge of the Court of Appeals of Utah["]; ["]Judge of the District Court of the Third Judicial District["]; ["]Judge of the Juvenile Court of the Fourth Juvenile Court District["]; or ["]Justice Court Judge of (name of county) County or (name of each municipality, within the same county, where the judge serves)["]) Yes () No ()." (b) If a justice court exists by means of an interlocal agreement under Section

78A-7-102, the ballot question for the judge shall include the name of that court.

- (5) (a) If the justice or judge receives more yes votes than no votes, the justice or judge is retained for the term of office provided by law.
- (b) If the justice or judge does not receive more yes votes than no votes, the justice or judge is not retained, and a vacancy exists in the office on the first Monday in January after the regular general election.
- (6) A justice or judge not retained is ineligible for appointment to the office for which the justice or judge was defeated until after the expiration of that term of office.
- (7) (a) [If] Except as provided in Subsection (8), if a justice court judge is standing for retention for more than one office, the county clerk shall place the judge's name on the ballot separately for each office.
- (b) If, under Subsection (7)(a), the justice court judge [receives more] does not receive more yes votes than no votes [than yes votes] in one office, but receives more yes votes than no votes in [the other] another, the justice court judge shall be retained only in the office for which the justice court judge received more yes votes than no votes.
- (8) (a) If a justice court judge is standing for retention for more than one municipality within the same county, the county clerk shall list each of those municipalities within the same retention election question for that justice court judge.
- (b) If the justice court judge receives more yes votes than no votes in answer to the question described in Subsection (8)(a), the judge is retained for each municipality listed.
- (c) If the justice court judge does not receive more yes votes than no votes in answer to the question described in Subsection (8)(a), the judge is not retained for any municipality listed.

}