

## HB0136S01 compared with HB0136

~~deleted text~~ shows text that was in HB0136 but was deleted in HB0136S01.

inserted text shows text that was not in HB0136 but was inserted into HB0136S01.

**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.

Representative Jordan D. Teuscher proposes the following substitute bill:

### INITIATIVE AND REFERENDA MODIFICATIONS

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jordan D. Teuscher**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill amends provisions of the Election Code relating to statewide and local initiatives and referenda.

##### Highlighted Provisions:

This bill:

- ▶ imposes requirements on signature gatherers and provides ~~criminal~~ penalties for violation of those requirements;
- ▶ modifies the form for signature sheets and the verification of signature packets;
- ▶ requires ~~a sponsor~~ the sponsors of an initiative ~~or referendum~~ to:
  - send certain information via email to an individual who signs a petition if the individual provides an email address; and
  - sign a verification that the sponsor complied with the email requirement;

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- ▶ removes the requirement to include a copy of the initiative or referendum in a signature packet and, instead, requires a signature gatherer to, before collecting a signature, present to the individual a printed or digital copy of the initiative or referendum and wait for the individual to read the initiative or referendum;
- ▶ requires the lieutenant governor or a local clerk to post certain information on the lieutenant governor's or clerk's website regarding an initiative or referendum; and
- ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

#### AMENDS:

20A-1-609, as last amended by Laws of Utah 2020, Chapter 31

~~{ 20A-7-101, as last amended by Laws of Utah 2019, Chapters 136, 203, and 210~~

+ 20A-7-203, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

20A-7-204, as last amended by Laws of Utah 2017, Chapter 291

20A-7-206, as last amended by Laws of Utah 2020, Chapters 166 and 349

20A-7-303, as last amended by Laws of Utah 2019, Chapter 210

20A-7-304, as last amended by Laws of Utah 1995, Chapter 153

20A-7-306, as last amended by Laws of Utah 2020, Chapter 166

20A-7-503, as last amended by Laws of Utah 2017, Chapter 291

20A-7-504, as last amended by Laws of Utah 2019, Chapter 203

20A-7-506, as last amended by Laws of Utah 2019, Chapters 203 and 255

20A-7-603, as last amended by Laws of Utah 2019, Chapter 203

20A-7-604, as last amended by Laws of Utah 2019, Chapter 203

20A-7-606, as last amended by Laws of Utah 2019, Chapter 255

#### ENACTS:

20A-7-104, Utah Code Annotated 1953

20A-7-202.7, Utah Code Annotated 1953

20A-7-304.5, Utah Code Annotated 1953

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20A-7-502.6, Utah Code Annotated 1953

20A-7-604.5, Utah Code Annotated 1953

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

Section 1. Section **20A-1-609** is amended to read:

**20A-1-609. Omnibus penalties.**

(1) (a) Except as provided in Subsection (1)(b), a person who violates any provision of this title is guilty of a class B misdemeanor.

(b) Subsection (1)(a) does not apply to a provision of this title for which another penalty is expressly stated.

(c) An individual is not guilty of a crime for, by signing a petition for an initiative or referendum, falsely making the statement described in Subsection 20A-7-203(2)[~~(e)(ii)~~](d)(xx), 20A-7-303(2)[~~(h)(ii)~~](d)(xx), 20A-7-503(2)[~~(e)~~](d)(xx), or 20A-7-603(2)[~~(h)~~](d)(xx).

(2) Except as provided by Section 20A-2-101.3 or 20A-2-101.5, an individual convicted of any offense under this title may not:

(a) file a declaration of candidacy for any office or appear on the ballot as a candidate for any office during the election cycle in which the violation occurred;

(b) take or hold the office to which the individual was elected; and

(c) receive the emoluments of the office to which the individual was elected.

(3) (a) Any individual convicted of any offense under this title forfeits the right to vote at any election unless the right to vote is restored as provided in Section 20A-2-101.3 or 20A-2-101.5.

(b) Any person may challenge the right to vote of a person described in Subsection (3)(a) by following the procedures and requirements of Section 20A-3a-803.

Section 2. Section ~~{20A-7-101}~~20A-7-104 is ~~{amended}~~enacted to read:

~~{20A-7-101}~~20A-7-104. Definitions:

As used in this chapter:

(1) "Budget officer" means:

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

(b) for a city, the person designated as budget officer in Subsection 10-6-106(4);

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

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~~—— (d) for a metro township, the person described in Subsection (1)(a) for the county in which the metro township is located:~~

~~—— (2) "Certified" means that the county clerk has acknowledged a signature as being the signature of a registered voter:~~

~~—— (3) "Circulation" means the process of submitting an} Signature gatherers -- Payments -- Badges -- Information -- Requirement to provide initiative or referendum {petition to legal voters for their signature:~~

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

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

~~—— (6) "Initial fiscal impact estimate" means:~~

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

~~—— (b) a financial and legal statement prepared under Section 20A-7-502.5 or 20A-7-602.5 for an initiative or referendum petition:~~

~~—— (7) "Initiative" means a new law proposed for adoption by the public as provided in this chapter:~~

~~—— (8) "Initiative packet" means a copy of the initiative petition, a copy of the proposed law, and the signature sheets, all of which have been bound together as a unit:~~

~~—— (9) (a) "Land use law" means a law of general applicability, enacted based on the weighing of broad, competing policy considerations, that relates to the use of land, including land use regulation, a general plan, a land use development code, an annexation ordinance, or a comprehensive zoning ordinance or resolution:~~

~~—— (b) "Land use law" does not include a land use decision, as defined in Section 10-9a-103 or 17-27a-103:~~

~~—— (10) "Legal signatures" means the number of signatures of legal voters that:~~

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

~~—— (b) have been obtained, certified, and verified as provided in this chapter:~~

~~—— (11) "Legal voter" means a person who:~~

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~~—— (a) is registered to vote; or~~

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

~~—— (12) "Legally referable to voters" means:~~

~~—— (a) for a proposed local initiative, that the proposed local initiative is legally referable to voters under Section 20A-7-502.7; or~~

~~—— (b) for a proposed local referendum, that the proposed local referendum is legally referable to voters under Section 20A-7-602.7.~~

~~—— (13) "Local attorney" means the county attorney, city attorney, or town attorney in whose jurisdiction a local initiative or referendum petition is circulated.~~

~~—— (14) "Local clerk" means the county clerk, city recorder, or town clerk in whose jurisdiction a local initiative or referendum petition is circulated.~~

~~—— (15) (a) "Local law" includes:~~

~~—— (i) an ordinance;~~

~~—— (ii) a resolution;~~

~~—— (iii) a land use law; or~~

~~—— (iv) other legislative action of a local legislative body.~~

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

~~—— (16) "Local legislative body" means the legislative body of a county, city, town, or metro township.~~

~~—— (17) "Local obligation law" means a local law passed by the local legislative body regarding a bond that was approved by a majority of qualified voters in an election.~~

~~—— (18) "Local tax law" means a law, passed by a political subdivision with an annual or biannual calendar fiscal year, that increases a tax or imposes a new tax.~~

~~—— (19) "Measure" means a proposed constitutional amendment, an initiative, or referendum.~~

~~—— (20) "Referendum" means a process by which a law passed by the Legislature or by a local legislative body is submitted or referred to the voters for their approval or rejection.~~

~~—— (21) "Referendum packet" means a copy of the referendum petition, a copy of the law being submitted or referred to the voters for their approval or rejection, and the~~

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~~signature sheets, all of which have been bound together as a unit.~~

~~———— (22) (a) "Signature" means a holographic signature.~~

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

~~———— (23) "Signature sheets" means sheets in the form required by this chapter that are used to collect signatures in support of an initiative or referendum.~~

~~———— (24) "Special local ballot proposition" means a local ballot proposition that is not a standard local ballot proposition.~~

~~———— (25) "Sponsors" means the legal voters who support the initiative or referendum and who sign the application for petition copies.~~

~~———— (26) (a) "Standard local ballot proposition" means a local ballot proposition for an initiative or a referendum.~~

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

~~———— (27) "Tax percentage difference" means the difference between the tax rate proposed by an initiative or an initiative petition and the current tax rate.~~

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

~~———— (29) "Verified" means acknowledged by the person circulating the petition, and by a sponsor of the petition, as required in Sections 20A-7-205 [and], 20A-7-305, 20A-7-505, and 20A-7-605.~~

~~———— Section 3. Section 20A-7-104 is enacted to read:~~

~~———— 20A-7-104. Signature gatherers -- Payments -- Badges -- Information.~~

~~for review.~~

~~(1) A person may not pay a person to gather signatures under this chapter based on a rate per signature, on a rate per verified signature, or on the initiative or referendum qualifying for the ballot.~~

~~(2) A person that pays a person to gather signatures under this section shall base the payment solely on an hourly rate.~~

~~(3) A person may not accept payment made in violation of this section.~~

~~(4) An individual who ~~gathers~~ is paid to gather signatures for a petition described in~~

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this chapter shall, while gathering signatures, wear a badge on the front of the individual's torso that complies with the following, ensuring that the information on the badge is clearly visible to the individual from whom a signature is sought:

- (a) the badge shall be printed in black ink on white cardstock and laminated; and
- (b) the information on the badge shall be in 24-point type and include the following

information:

- (i) an identification number that is unique to the individual gathering signatures,

assigned by:

- (A) for a statewide initiative or referendum, the lieutenant governor; or

- (B) for a local initiative or referendum, the local clerk;

- (ii) the title of the initiative or referendum; and

(iii) ~~if the signature gatherer is paid to gather signatures,~~ the words "Paid Signature Gatherer."

(5) ~~An~~ **Except as provided in Subsection (6)(b), an** individual who gathers signatures under this chapter shall provide a paper document to each individual who signs the petition that:

(a) is printed in black ink on white paper ~~or~~, **white** cardstock, **or a white sticker**, in at least 12-point type; and

- (b) (i) for an initiative, includes the name of the initiative and the following statement:

"You may view the initiative, its fiscal impact, and information on removing your signature from the petition at [list a uniform resource locator that links directly to the information described in Section 20A-7-202.7 or 20A-7-502.6, as applicable]."; or

- (ii) for a referendum, includes the name of the referendum and the following statement:

"You may view the referendum and information on removing your signature from the petition at [list a uniform resource locator that links directly to the information described in Section 20A-7-304.5 or 20A-7-604.5, as applicable]."

**(6) An individual who gathers signatures under this chapter:**

**(a) shall, before collecting a signature from an individual, present to the individual a printed or digital copy of the initiative or referendum and wait for the individual to read the initiative or referendum; and**

**(b) is not required to provide the document described in Subsection (5) if, after the**

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individual offers to provide the document, the individual who signs the petition declines to accept the document.

~~(6)7~~ A person who violates this section is guilty of a class B misdemeanor.

Section ~~(4)3~~. Section **20A-7-202.7** is enacted to read:

### **20A-7-202.7. Posting initiative information.**

(1) Within one business day after the day on which the lieutenant governor receives the initial fiscal impact statement under Subsection 20A-7-202.5(3)(a), the lieutenant governor shall post the following information together in a conspicuous place on the lieutenant governor's website:

(a) the initiative petition;

(b) the initiative;

(c) the fiscal impact statement; and

(d) information describing how an individual may remove the individual's signature from the signature packet.

(2) The lieutenant governor shall:

(a) promptly update the information described in Subsection (1) if the information changes; and

(b) maintain the information described in Subsection (1) on the lieutenant governor's website until the initiative fails to qualify for the ballot or is passed or defeated at an election.

Section ~~(5)4~~. Section **20A-7-203** is amended to read:

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

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

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

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

Each signer says:

I have personally signed this petition;

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

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

NOTICE TO SIGNERS:

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

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

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

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

(2) Each signature sheet shall:

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

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

(c) ~~[contain]~~ include the title of the initiative printed below the horizontal line, in at least 14-point, bold type;

~~[(d) be vertically divided into columns as follows:]~~

~~[(i) the edge of the first column shall appear .5 inch from the extreme left of the sheet, be .25 inch wide, and be headed, together with the second column, "For Office Use Only";]~~

~~[(ii) the second column shall be .25 inch wide;]~~

~~[(iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)";]~~

~~[(iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered Voter";]~~

~~[(v) the fifth column shall be .75 inch wide, headed "Date Signed";]~~

~~[(vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip Code"; and]~~

~~[(vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)";]~~

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~~[(e) be horizontally divided into rows as follows:]~~

~~[(i) the top of the first row, for the purpose of entering the information described in Subsection (2)(d), shall be .5 inch high;]~~

~~[(ii) the second row shall be .15 inch high and contain the following statement printed or typed in not less than 12-point type:]~~

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

~~[(iii) the first and second rows shall be repeated, in order, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(f); and]~~

(d) include a table immediately below the title of the initiative, and beginning .5 inch from the left side of the paper, as follows:

(i) the first column shall be .5 inch wide and include three rows;

(ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;

(iii) the second row of the first column shall be .35 inch tall;

(iv) the third row of the first column shall be .5 inch tall;

(v) the second column shall be 2.75 inches wide;

(vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

(vii) the second row of the second column shall be .5 inch tall;

(viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;

(ix) the fourth row of the second column shall be .5 inch tall;

(x) the third column shall be 2.75 inches wide;

(xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;

(xii) the second row of the third column shall be .5 inch tall;

(xiii) the third row of the third column shall be .35 inch tall and contain the words

"Email Address (optional, to receive additional information)" in 10-point type;

(xiv) the fourth row of the third column shall be .5 inch tall;

(xv) the fourth column shall be one inch ~~tall~~ wide;

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(xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;

(xvii) the second row of the fourth column shall be .5 inch tall;

(xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;

(xix) the fourth row of the third column shall be .5 inch tall; and

(xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following statement, "By signing this petition, you are stating that you have read and understand the law proposed by this petition." in 12-point type;

(e) the table described in Subsection (2)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(f); and

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

(i) the words "Fiscal Impact of" followed by the title of the initiative, in at least ~~[14-point]~~ 12-point, bold type;

(ii) except as provided in Subsection (4), the initial fiscal impact estimate's summary statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection 20A-7-204.1(5), in not less than 12-point~~[-bold]~~ type;

(iii) if the initiative petition proposes a tax increase, the following statement in 12-point, bold type:

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

~~[(iii)]~~ (iv) the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign an initiative petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign an initiative petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk."~~["; (iv) the following statement:"]~~

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

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

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

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

~~["~~Verification of signature collector

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

I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

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

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

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

Each individual who signed the packet wrote the correct date of signature next to the individual's name.

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

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(Name)

(Residence Address)

(Date)[~~"]~~

~~{~~ Verification of initiative sponsor

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

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~~I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:~~  
~~I am a sponsor of the initiative petition to which this signature packet relates;~~  
~~I sent, or caused to be sent, to each individual who provided a legible, valid email address in this packet, the email described in Utah Code Subsection 20A-7-206(1)(c):~~

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~~(Name) \_\_\_\_\_ (Residence Address) \_\_\_\_\_ (Date)":~~

‡ (4) If the initial fiscal impact estimate described in Subsection (2)(f), as updated in accordance with Subsection 20A-7-204.1(5), exceeds 200 words, the Office of the Legislative Fiscal Analyst shall prepare a shorter summary statement, for the purpose of inclusion on a signature sheet, that does not exceed 200 words.

(5) If the forms described in this section are substantially followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical errors.

### Section 5. Section 20A-7-204 is amended to read:

**20A-7-204. Circulation requirements -- Lieutenant governor to provide sponsors with materials.**

(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall circulate initiative packets that meet the form requirements of this part.

(2) The lieutenant governor shall furnish to the sponsors:

(a) a copy of the initiative petition, with any change submitted under Subsection 20A-7-204.1(5); and

(b) one signature sheet.

(3) The sponsors of the petition shall:

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

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

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

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

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

~~[(5)(a) After the sponsors have prepared sufficient initiative packets, they shall return them to the lieutenant governor. {~~

~~—(b)}]~~

(5) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

(i) contact the lieutenant governor's office to receive a range of numbers that the sponsors may use to number signature packets; and

(ii) number each signature packet, sequentially, within the range of numbers provided by the lieutenant governor's office, starting with the lowest number in the range.

(b) The sponsors or an agent of the sponsors may not:

(i) number a signature packet in a manner not directed by the lieutenant governor's office; or

(ii) circulate or submit a signature packet that is not numbered in the manner directed by the lieutenant governor's office.

~~[(b)] (c) The lieutenant governor shall [:] keep a record of the number range provided under Subsection (5)(a).~~

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

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

Section 6. Section **20A-7-206** is amended to read:

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

(1) (a) In order to qualify an initiative petition for placement on the regular general election ballot, the sponsors, or an agent of the sponsors, shall deliver a signed and verified initiative packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than the earlier of:

(i) 30 days after the day on which the first individual signs the initiative packet;

(ii) 316 days after the day on which the application for the initiative petition is filed; or

(iii) the February 15 immediately before the next regular general election immediately after the application is filed under Section 20A-7-202.

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(b) A [sponsor] person may not submit an initiative packet after the deadline described in Subsection (1)(a).

(c) Before delivering a packet to the county clerk under Subsection (1), the sponsors shall send an email to each individual who provides a legible, valid email address on the form described in Subsection 20A-7-203(2)(d) that includes the following:

(i) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature";

(ii) the body of the email shall include the following statement in 12-point type:

"You signed a petition for the following initiative:

[insert title of initiative]

You may remove your signature from the petition by submitting a statement to your county clerk. Contact your county clerk at [insert phone number for county clerk] for information on how to remove your signature and the applicable deadline for removing your signature.

A copy of the initiative petition, the initiative, and the fiscal impact statement are attached for your review."; and

(iii) a copy of each of the following documents, separately attached in PDF format:

(A) the initiative petition;

(B) the initiative; and

(C) the fiscal impact statement.

(d) When the sponsors submit the final signature packet to the county clerk, the sponsors shall submit to the county clerk the following written verification, completed and signed by each of the sponsors:

Verification of initiative sponsor

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

I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

I am a sponsor of the initiative petition entitled \_\_\_\_\_;

I sent, or caused to be sent, to each individual who provided a legible, valid email address on a signature packet submitted to the county clerk in relation to the initiative petition, the email described in Subsection (1)(c).

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(Name)

(Residence Address)

(Date)

(e) Signatures gathered for the initiative petition are not valid if the sponsors do not comply with this Subsection (1).

(2) For an initiative packet received by the county clerk before December 1, the county clerk shall, within 30 days after the day on which the county clerk receives the packet:

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

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

(c) post the name and voter identification number of each registered voter certified under Subsection (2)(b) in a conspicuous location on the county's website for at least 90 days; and

(d) deliver the verified initiative packet to the lieutenant governor.

(3) For an initiative packet received by the county clerk on or after December 1, the county clerk shall, within 21 days after the day on which the county clerk receives the packet:

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

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

(c) post the name and voter identification number of each registered voter certified under Subsection (2)(b) in a conspicuous location on the county's website for at least 45 days; and

(d) deliver the verified initiative packet to the lieutenant governor.

(4) Within seven days after timely receipt of a statement described in Subsection 20A-7-205(3), the county clerk shall:

(a) remove the voter's name and voter identification number from the posting described in Subsection (2)(c) or (3)(c); and

(b) (i) remove the voter's signature from the signature packet totals; and

(ii) inform the lieutenant governor of the removal.

(5) The county clerk may not certify a signature under Subsection (2) or (3):

(a) on an initiative packet that is not verified in accordance with Section 20A-7-205; or

(b) that does not have a date of signature next to the signature.

(6) In order to qualify an initiative petition for submission to the Legislature, the

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sponsors shall deliver each signed and verified initiative packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than the November 15 before the next annual general session of the Legislature immediately after the application is filed under Section 20A-7-202.

(7) The county clerk may not certify a signature under Subsection (8) on an initiative packet that is not verified in accordance with Section 20A-7-205.

(8) No later than December 15 before the annual general session of the Legislature, the county clerk shall, for an initiative described in Subsection (6):

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

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

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

(9) The sponsor or a sponsor's representative may not retrieve an initiative packet from a county clerk after the initiative packet is submitted to the county clerk.

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

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

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

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

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

Each signer says:

I have personally signed this petition;

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

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

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

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(2) Each signature sheet shall:

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

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

(c) ~~[contain]~~ include the title of the referendum printed below the horizontal line, in at least 14-point, bold type;

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

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

~~["It is a class A misdemeanor for an individual to sign a referendum petition with any other name than the individual's own name, or knowingly to sign the individual's name more than once for the same measure, or to sign a referendum petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk.";]~~

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

~~[(g) be vertically divided into columns as follows:]~~

~~[(i) the edge of the first column shall appear .5 inch from the extreme left of the sheet, be .25 inch wide, and be headed, together with the second column, "For Office Use Only";]~~

~~[(ii) the second column shall be .25 inch wide;]~~

~~[(iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)";]~~

~~[(iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered Voter";]~~

~~[(v) the fifth column shall be .75 inch wide, headed "Date Signed";]~~

~~[(vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip Code", and]~~

~~[(vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)";]~~

~~[(h) be horizontally divided into rows as follows:]~~

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~~[(i) the top of the first row, for the purpose of entering the information described in Subsection (2)(g), shall be .5 inch high;]~~

~~[(ii) the second row shall be .15 inch high and contain the following statement printed or typed in not less than 12-point type:]~~

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

~~[(iii) the first and second rows shall be repeated, in order, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(i); and]~~

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

(d) include a table immediately below the title of the referendum, and beginning .5 inch from the left side of the paper, as follows:

(i) the first column shall be .5 inch wide and include three rows;

(ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;

(iii) the second row of the first column shall be .35 inch tall;

(iv) the third row of the first column shall be .5 inch tall;

(v) the second column shall be 2.75 inches wide;

(vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

(vii) the second row of the second column shall be .5 inch tall;

(viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;

(ix) the fourth row of the second column shall be .5 inch tall;

(x) the third column shall be 2.75 inches wide;

(xi) the first row of the third column shall be .35 inch tall and contain the words

"Signature of Registered Voter" in 10-point type;

(xii) the second row of the third column shall be .5 inch tall;

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(xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;

(xiv) the fourth row of the third column shall be .5 inch tall;

(xv) the fourth column shall be one inch ~~tall~~ wide;

(xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;

(xvii) the second row of the fourth column shall be .5 inch tall;

(xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;

(xix) the fourth row of the third column shall be .5 inch tall; and

(xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words "By signing this petition, you are stating that you have read and understand the law that this petition seeks to overturn." in 12-point type;

(e) the table described in Subsection (2)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(f); and

(f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign a referendum petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign a referendum petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk.

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

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

[ " ] Verification of signature collector

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

I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

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

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

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

Each individual who signed the packet wrote the correct date of signature next to the individual's name.

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

---

(Name)	(Residence Address)	(Date)[ <sup>11</sup> ]
<del>{ <u>Verification of referendum sponsor</u></del>		
<del><u>State of Utah, County of _____</u></del>		
<del><u>I, _____, of _____, hereby state, under penalty of perjury, that:</u></del>		
<del><u>I am a sponsor of the referendum petition to which this signature packet relates;</u></del>		
<del><u>I sent, or caused to be sent, to each individual who provided a legible, valid email</u></del>		
<del><u>address in this packet, the email described in Utah Code Subsection 20A-7-306(1)(c):</u></del>		
<hr/> <hr/>		
<del><u>_____</u></del>	<del><u>_____</u></del>	<del><u>_____</u></del>
<del><u>(Name)</u></del>	<del><u>(Residence Address)</u></del>	<del><u>(Date)<sup>11</sup>:</u></del>

~~‡~~ (4) If the forms described in this section are substantially followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical errors.

### Section 8. Section 20A-7-304 is amended to read:

**20A-7-304. Circulation requirements -- Lieutenant governor to provide sponsors with materials.**

(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall circulate referendum packets that meet the form requirements of this part.

(2) The lieutenant governor shall furnish to the sponsors:

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(a) a copy of the referendum petition; and

(b) a signature sheet.

(3) The sponsors of the petition shall:

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

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

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

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

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

~~[(5) (a) After the sponsors have prepared sufficient referendum packets, they shall return them to the lieutenant governor. {~~

~~— }]~~

(5) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

(i) contact the lieutenant governor's office to receive a range of numbers that the sponsors may use to number signature packets; and

(ii) number each signature packet, sequentially, within the range of numbers provided by the lieutenant governor's office, starting with the lowest number in the range.

(b) The sponsors or an agent of the sponsors may not:

(i) number a signature packet in a manner not directed by the lieutenant governor's office; or

(ii) circulate or submit a signature packet that is not numbered in the manner directed by the lieutenant governor's office.

(b) The lieutenant governor shall ~~[:]~~ keep a record of the number range provided under Subsection (5)(a).

~~[(i) number each of the referendum packets and return them to the sponsors within five~~

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~~working days; and]~~

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

Section ~~{8}9~~. Section **20A-7-304.5** is enacted to read:

### **20A-7-304.5. Posting referendum information.**

(1) On the day on which the lieutenant governor complies with Subsection 20A-7-304(2), the lieutenant governor shall post the following information together in a conspicuous place on the lieutenant governor's website:

(a) the referendum petition;

(b) the referendum; and

(c) information describing how an individual may remove the individual's signature from the signature packet.

(2) The lieutenant governor shall:

(a) promptly update the information described in Subsection (1) if the information changes; and

(b) maintain the information described in Subsection (1) on the lieutenant governor's website until the referendum fails to qualify for the ballot or is passed or defeated at an election.

Section ~~{9}10~~. Section **20A-7-306** is amended to read:

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

(1) (a) ~~The sponsors,~~ or the agent of the sponsors, shall deliver a 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 the earlier of:

(i) 14 days after the day on which the first individual signs the referendum packet; or

(ii) 40 days after the day on which the legislative session at which the law passed ends.

(b) A ~~[sponsor]~~ person may not submit a referendum packet after the deadline described in Subsection (1)(a).

~~{~~ (c) Before delivering a packet to the county clerk under Subsection (1), the sponsors shall send an email to each individual who provides a legible, valid email address on the form described in Subsection 20A-7-303(2)(d) that includes the following:

~~——~~ (i) the subject of the email shall include the following statement, "Notice Regarding

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Your Petition Signature":

~~—— (ii) the body of the email shall include the following statement in 12-point type:~~

~~—— "You signed a petition for the following referendum:~~

~~—— [insert title of referendum]~~

~~—— You may remove your signature from the petition by submitting a statement to your county clerk. Contact your county clerk at [insert phone number for county clerk] for information on how to remove your signature and the applicable deadline for removing your signature.~~

~~—— A copy of the referendum petition, the referendum, and the fiscal impact statement are attached for your review."; and~~

~~—— (iii) a copy of each of the following documents, separately attached in PDF format:~~

~~—— (A) the referendum petition; and~~

~~—— (B) the referendum.~~

‡ (2) (a) No later than 14 days after the day on which the county clerk receives a verified referendum packet, the county clerk shall:

(i) check the name of each individual who completes the verification on the last page of each referendum packet to determine whether the individual is a resident of Utah and is at least 18 years old; and

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

(b) The county clerk may not certify a signature under Subsection (3):

(i) on a referendum packet that is not verified in accordance with Section 20A-7-305;

or

(ii) that does not have a date of signature next to the signature.

(3) No later than 14 days after the day on which the county clerk receives a verified referendum packet, the county clerk shall:

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

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

(c) post the name and voter identification number of each registered voter certified under Subsection (3)(b) in a conspicuous location on the county's website for at least 45 days;

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and

(d) deliver the verified referendum packet to the lieutenant governor.

(4) The county clerk shall, after timely receipt of a statement requesting signature removal under Subsection 20A-7-305(3), remove the voter's name and voter identification number from the posting described in Subsection (3)(c), and notify the lieutenant governor's office of the removal, the earlier of:

(a) within two business days after the day on which the ~~[the]~~ county clerk timely receives the statement; or

(b) 99 days after the day on which the legislative session at which the law passed ends.

(5) The sponsor or a sponsor's representative may not retrieve a referendum packet from a county clerk after the referendum packet is submitted to the county clerk.

Section ~~{10}~~11. Section **20A-7-502.6** is enacted to read:

### **20A-7-502.6. Posting initiative information.**

(1) Within one business day after the day on which the local clerk's office receives the initial fiscal impact estimate under Subsection 20A-7-502.5(4)(a), the local clerk shall post the following information together in a conspicuous place on the local clerk's website:

(a) the initiative petition;

(b) the initiative;

(c) the fiscal impact estimate; and

(d) information describing how an individual may remove the individual's signature from the signature packet.

(2) The local clerk shall:

(a) promptly update the information described in Subsection (1) if the information changes; and

(b) maintain the information described in Subsection (1) on the local clerk's website until the initiative fails to qualify for the ballot or is passed or defeated at an election.

Section ~~{11}~~12. Section **20A-7-503** is amended to read:

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

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

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

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Clerk:

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

Each signer says:

I have personally signed this petition;

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

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

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

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

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

(2) Each signature sheet shall:

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

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

(c) [~~contain~~] include the title of the initiative printed below the horizontal line, in at least 14-point, bold type;

~~[(d) be vertically divided into columns as follows:]~~

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

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

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

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

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

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

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

(d) include a table immediately below the title of the initiative, and beginning .5 inch from the left side of the paper, as follows:

(i) the first column shall be .5 inch wide and include three rows;

(ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;

(iii) the second row of the first column shall be .35 inch tall;

(iv) the third row of the first column shall be .5 inch tall;

(v) the second column shall be 2.75 inches wide;

(vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

(vii) the second row of the second column shall be .5 inch tall;

(viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;

(ix) the fourth row of the second column shall be .5 inch tall;

(x) the third column shall be 2.75 inches wide;

(xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;

(xii) the second row of the third column shall be .5 inch tall;

(xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;

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(xiv) the fourth row of the third column shall be .5 inch tall;

(xv) the fourth column shall be one inch ~~tall~~ wide;

(xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;

(xvii) the second row of the fourth column shall be .5 inch tall;

(xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;

(xix) the fourth row of the third column shall be .5 inch tall; and

(xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words "By signing this petition, you are stating that you have read and understand the law proposed by this petition." in 12-point type;

(e) the table described in Subsection (2)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(f); and

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

(i) the words "Fiscal impact of" followed by the title of the initiative, in at least ~~[14-point]~~ 12-point, bold type;

(ii) the initial fiscal impact estimate's summary statement issued by the budget officer in accordance with Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and distributing information related to the initiative petition in accordance with Subsection 20A-7-502.5(3), in not less than 12-point, bold type;

(iii) if the initiative petition proposes a tax increase, the following statement in 12-point, bold type:

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

~~[(iii)] (iv) the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:~~

"It is a class A misdemeanor for an individual to sign an initiative petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign an initiative petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become

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registered to vote before the certification of the petition names by the county clerk.["; (iv) the following statement:"]

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

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

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

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

["] Verification of signature collector

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

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

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

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

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

[\_\_\_\_\_"]

---

(Name) { \_\_\_\_\_ (Residence Address) { \_\_\_\_\_ (Date)

~~Verification of initiative sponsor~~

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

~~I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:~~

~~I am a sponsor of the initiative petition to which this signature packet relates;~~

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~~I sent, or caused to be sent, to each individual who provided a legible, valid email address in this packet, the email described in Utah Code Subsection 20A-7-506(1)(c).~~

~~(Name) (Residence Address) (Date)".~~

(Date)

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

Section 13. Section 20A-7-504 is amended to read:

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

(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall, after the sponsors receive the documents described in Subsections (2)(a) and (b) and Subsection 20A-7-401.5(4)(b), circulate initiative packets that meet the form requirements of this part.

(2) Within five days after the day on which a county, city, town, metro township, or court determines, in accordance with Section 20A-7-502.7, that a law proposed in an initiative petition is legally referable to voters, the local clerk shall furnish to the sponsors:

(a) one copy of the initiative petition; and

(b) one signature sheet.

(3) The sponsors of the petition shall:

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

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

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

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

(c) The sponsors need not attach a uniform number of signature sheets to each

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initiative packet.

(d) The sponsors shall include, with each packet, a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).

Section ~~{12}~~14. Section 20A-7-506 is amended to read:

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

(1) (a) The sponsors, or an agent of the sponsors, shall deliver each signed and verified initiative packet to the county clerk of the county in which the packet was circulated before 5 p.m. the earlier of:

(i) for county initiatives:

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

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

(ii) for municipal initiatives:

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

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

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

(c) Before delivering a packet to the county clerk under Subsection (1), the sponsors shall send an email to each individual who provides a legible, valid email address on the form described in Subsection 20A-7-503(2)(d) that includes the following:

(i) the subject of the email shall include the following statement, "Notice Regarding Your Petition Signature";

(ii) the body of the email shall include the following statement in 12-point type:

"You signed a petition for the following initiative:

[insert title of initiative]

You may remove your signature from the petition by submitting a statement to your county clerk. Contact your county clerk at [insert phone number for county clerk] for information on how to remove your signature and the applicable deadline for removing your signature.

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A copy of the initiative petition, the initiative, and the fiscal impact statement are attached for your review."; and

(iii) a copy of each of the following documents, separately attached in PDF format:

(A) the initiative petition;

(B) the initiative; and

(C) the fiscal impact statement.

(d) When the sponsors submit the final signature packet to the county clerk, the sponsors shall submit to the county clerk the following written verification, completed and signed by each of the sponsors:

Verification of initiative sponsor

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

I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

I am a sponsor of the initiative petition entitled \_\_\_\_\_:

I sent, or caused to be sent, to each individual who provided a legible, valid email address on a signature packet submitted to the county clerk in relation to the initiative petition, the email described in Subsection (1)(c).

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(Name)

(Residence Address)

(Date)

(e) Signatures gathered for the initiative petition are not valid if the sponsors do not comply with this Subsection (1).

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

(3) No later than May 15, the county clerk shall:

(a) determine whether or not each signer is a voter according to the requirements of Section 20A-7-506.3;

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

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

Section ~~{13}~~15. Section **20A-7-603** is amended to read:

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

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

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

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

Each signer says:

I have personally signed this petition;

The date next to my signature correctly reflects the date that I actually signed the petition;

I have personally reviewed the entire statement included with this packet;

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

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

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

(2) Each signature sheet shall:

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

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

(c) [~~contain~~] include the title of the referendum printed below the horizontal line, in at least 14-point type;

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

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

~~["It is a class A misdemeanor for an individual to sign a referendum petition with any other name than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign a referendum petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk.";]~~

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

~~[(g) be vertically divided into columns as follows:]~~

~~[(i) the edge of the first column shall appear .5 inch from the extreme left of the sheet, be .25 inch wide, and be headed, together with the second column, "For Office Use Only";]~~

~~[(ii) the second column shall be .25 inch wide;]~~

~~[(iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed Name (must be legible to be counted)";]~~

~~[(iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered Voter";]~~

~~[(v) the fifth column shall be .75 inch wide, headed "Date Signed";]~~

~~[(vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip Code", and]~~

~~[(vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)";]~~

~~[(h) be horizontally divided into rows as follows:]~~

~~[(i) the top of the first row, for the purpose of entering the information described in Subsection (2)(g), shall be .5 inch high;]~~

~~[(ii) the second row shall be .15 inch high and contain the following statement printed or typed in not less than eight-point, single-leaded type: "By signing this petition, you are stating that you have read and understand the law this petition seeks to overturn."; and]~~

~~[(iii) the first and second rows shall be repeated, in order, leaving sufficient room at the bottom of the sheet for the information described in Subsection (2)(i); and]~~

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

(d) include a table immediately below the title of the referendum, and beginning .5 inch from the left side of the paper, as follows:

(i) the first column shall be .5 inch wide and include three rows;

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(ii) the first row of the first column shall be .85 inch tall and contain the words "For Office Use Only" in 10-point type;

(iii) the second row of the first column shall be .35 inch tall;

(iv) the third row of the first column shall be .5 inch tall;

(v) the second column shall be 2.75 inches wide;

(vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

(vii) the second row of the second column shall be .5 inch tall;

(viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;

(ix) the fourth row of the second column shall be .5 inch tall;

(x) the third column shall be 2.75 inches wide;

(xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;

(xii) the second row of the third column shall be .5 inch tall;

(xiii) the third row of the third column shall be .35 inch tall and contain the words

"Email Address (optional, to receive additional information)" in 10-point type;

(xiv) the fourth row of the third column shall be .5 inch tall;

(xv) the fourth column shall be one inch ~~tall~~wide;

(xvi) the first row of the fourth column shall be .35 inch tall and contain the words

"Date Signed" in 10-point type;

(xvii) the second row of the fourth column shall be .5 inch tall;

(xviii) the third row of the fourth column shall be .35 inch tall and contain the words

"Birth Date or Age (optional)" in 10-point type;

(xix) the fourth row of the third column shall be .5 inch tall; and

(xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words, "By signing this petition, you are stating that you have read and understand the law that this petition seeks to overturn." in 12-point type;

(e) the table described in Subsection (2)(d) shall be repeated, leaving sufficient room at the bottom of the sheet or the information described in Subsection (2)(f); and

(f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,

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followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign a referendum petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same measure, or to sign a referendum petition when the individual knows that the individual is not a registered voter and knows that the individual does not intend to become registered to vote before the certification of the petition names by the county clerk.

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

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

"Verification of signature collector

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

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

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

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

I did not knowingly make a misrepresentation of fact concerning the law this petition seeks to overturn;

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

[ \_\_\_\_\_ ]

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(Name) { \_\_\_\_\_ (Residence Address) { \_\_\_\_\_ (Date)

~~Verification of referendum sponsor~~

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

~~I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:~~

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~~I am a sponsor of the referendum petition to which this signature packet relates;~~

~~I sent, or caused to be sent, to each individual who provided a legible, valid email address in this packet, the email described in Utah Code Subsection 20A-7-606(1)(c);~~

~~(Name) (Residence Address) (Date)";~~

(Date)

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

Section 16. Section 20A-7-604 is amended to read:

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

(1) In order to obtain the necessary number of signatures required by this part, the sponsors shall, after the sponsors receive the documents described in Subsection (2) and Subsection 20A-7-401.5(4)(b), circulate referendum packets that meet the form requirements of this part.

(2) Within five days after the day on which a county, city, town, metro township, or court determines, in accordance with Section 20A-7-602.7, that a proposed referendum is legally referable to voters, the local clerk shall furnish to the sponsors a copy of the referendum petition and a signature sheet.

(3) The sponsors of the petition shall:

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

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

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

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

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

(d) The sponsors shall include, with each packet, a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).

Section ~~{14}~~17. Section **20A-7-604.5** is enacted to read:

### **20A-7-604.5. Posting referendum information.**

(1) On the day on which the local clerk complies with Subsection 20A-7-604(2), the local clerk shall post the following information together in a conspicuous place on the local clerk's website:

(a) the referendum petition;

(b) the referendum; and

(c) information describing how an individual may remove the individual's signature from the signature packet.

(2) The local clerk shall:

(a) promptly update the information described in Subsection (1) if the information changes; and

(b) maintain the information described in Subsection (1) on the local clerk's website until the referendum fails to qualify for the ballot or is passed or defeated at an election.

Section ~~{15}~~18. Section **20A-7-606** is amended to read:

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

(1) (a) The sponsors, or an agent of 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 45 days after the day on which the sponsors receive the items described in Subsection 20A-7-604(2) from the local clerk.

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

~~{~~ (c) Before delivering a packet to the county clerk under Subsection (1), the sponsors shall send an email to each individual who provides a legible, valid email address on the form described in Subsection 20A-7-603(2)(d) that includes the following:

~~——~~ (i) the subject of the email shall include the following statement, "Notice Regarding

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Your Petition Signature":

~~—— (ii) the body of the email shall include the following statement in 12-point type:~~

~~—— "You signed a petition for the following referendum:~~

~~—— [insert title of referendum]~~

~~—— You may remove your signature from the petition by submitting a statement to your county clerk. Contact your county clerk at [insert phone number for county clerk] for information on how to remove your signature and the applicable deadline for removing your signature.~~

~~—— A copy of the referendum petition, the referendum, and the fiscal impact statement are attached for your review."; and~~

~~—— (iii) a copy of each of the following documents, separately attached in PDF format:~~

~~—— (A) the referendum petition; and~~

~~—— (B) the referendum.~~

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

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

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

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

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

(a) determine whether each signer is a registered voter according to the requirements of Section 20A-7-606.3;

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

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