

**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: Jerry W. Stevenson

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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 penalties for violation of those requirements;
- ▶ modifies the form for signature sheets and the verification of signature packets;
- ▶ requires the sponsors of an initiative 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;
- ▶ 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;



26           ▶ clarifies requirements for review of an application to determine referability to  
27 voters; and

28           ▶ makes technical and conforming changes.

29 **Money Appropriated in this Bill:**

30           None

31 **Other Special Clauses:**

32           This bill provides a coordination clause.

33 **Utah Code Sections Affected:**

34 **AMENDS:**

35           **20A-1-609**, as last amended by Laws of Utah 2020, Chapter 31

36           **20A-7-203**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

37           **20A-7-204**, as last amended by Laws of Utah 2017, Chapter 291

38           **20A-7-206**, as last amended by Laws of Utah 2020, Chapters 166 and 349

39           **20A-7-303**, as last amended by Laws of Utah 2019, Chapter 210

40           **20A-7-304**, as last amended by Laws of Utah 1995, Chapter 153

41           **20A-7-306**, as last amended by Laws of Utah 2020, Chapter 166

42           **20A-7-502.7**, as enacted by Laws of Utah 2019, Chapter 203

43           **20A-7-503**, as last amended by Laws of Utah 2017, Chapter 291

44           **20A-7-504**, as last amended by Laws of Utah 2019, Chapter 203

45           **20A-7-506**, as last amended by Laws of Utah 2019, Chapters 203 and 255

46           **20A-7-602.7**, as enacted by Laws of Utah 2019, Chapter 203

47           **20A-7-602.8**, as enacted by Laws of Utah 2019, Chapter 203

48           **20A-7-603**, as last amended by Laws of Utah 2019, Chapter 203

49           **20A-7-604**, as last amended by Laws of Utah 2019, Chapter 203

50           **20A-7-606**, as last amended by Laws of Utah 2019, Chapter 255

51 **ENACTS:**

52           **20A-7-104**, Utah Code Annotated 1953

53           **20A-7-202.7**, Utah Code Annotated 1953

54           **20A-7-304.5**, Utah Code Annotated 1953

55           **20A-7-502.6**, Utah Code Annotated 1953

56           **20A-7-604.5**, Utah Code Annotated 1953

57 **Utah Code Sections Affected by Coordination Clause:**58 **20A-7-203**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 2059 **20A-7-204**, as last amended by Laws of Utah 2017, Chapter 29160 **20A-7-303**, as last amended by Laws of Utah 2019, Chapter 21061 **20A-7-304**, as last amended by Laws of Utah 1995, Chapter 15362 **20A-7-503**, as last amended by Laws of Utah 2017, Chapter 29163 **20A-7-504**, as last amended by Laws of Utah 2019, Chapter 20364 **20A-7-603**, as last amended by Laws of Utah 2019, Chapter 20365 **20A-7-604**, as last amended by Laws of Utah 2019, Chapter 20366 

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67 *Be it enacted by the Legislature of the state of Utah:*68 Section 1. Section **20A-1-609** is amended to read:69 **20A-1-609. Omnibus penalties.**70 (1) (a) Except as provided in Subsection (1)(b), a person who violates any provision of  
71 this title is guilty of a class B misdemeanor.72 (b) Subsection (1)(a) does not apply to a provision of this title for which another  
73 penalty is expressly stated.74 (c) An individual is not guilty of a crime for, by signing a petition for an initiative or  
75 referendum, falsely making the statement described in Subsection **20A-7-203(2)[~~(e)(ii)~~(d)(xx)**,  
76 **20A-7-303(2)[~~(h)(ii)~~(d)(xx)**, **20A-7-503(2)[~~(e)~~(d)(xx)**, or **20A-7-603(2)[~~(h)~~(d)(xx)**.77 (2) Except as provided by Section **20A-2-101.3** or **20A-2-101.5**, an individual  
78 convicted of any offense under this title may not:79 (a) file a declaration of candidacy for any office or appear on the ballot as a candidate  
80 for any office during the election cycle in which the violation occurred;

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

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

83 (3) (a) Any individual convicted of any offense under this title forfeits the right to vote  
84 at any election unless the right to vote is restored as provided in Section **20A-2-101.3** or  
85 **20A-2-101.5**.86 (b) Any person may challenge the right to vote of a person described in Subsection  
87 (3)(a) by following the procedures and requirements of Section **20A-3a-803**.

88 Section 2. Section 20A-7-104 is enacted to read:

89 **20A-7-104. Signature gatherers -- Payments -- Badges -- Information --**

90 **Requirement to provide initiative or referendum for review.**

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

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

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

97 (4) An individual who is paid to gather signatures for a petition described in this  
98 chapter shall, while gathering signatures, wear a badge on the front of the individual's torso that  
99 complies with the following, ensuring that the information on the badge is clearly visible to the  
100 individual from whom a signature is sought:

101 (a) the badge shall be printed in black ink on white cardstock and laminated; and

102 (b) the information on the badge shall be in at least 24-point type and include the  
103 following information:

104 (i) an identification number that is unique to the individual gathering signatures,  
105 assigned by:

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

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

108 (ii) the title of the initiative or referendum;

109 (iii) the words "Paid Signature Gatherer"; and

110 (iv) the name of the entity paying the signature gatherer.

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

113 (a) is printed in black ink on white paper, white cardstock, or a white sticker, in at least  
114 12-point type; and

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

116 "You may view the initiative, its fiscal impact, and information on removing your  
117 signature from the petition at [list a uniform resource locator that links directly to the

118 information described in Section [20A-7-202.7](#) or [20A-7-502.6](#), as applicable]."; or

119 (ii) for a referendum, includes the name of the referendum and the following statement:  
120 "You may view the referendum and information on removing your signature from the  
121 petition at [list a uniform resource locator that links directly to the information described in  
122 Section [20A-7-304.5](#) or [20A-7-604.5](#), as applicable]."

123 (6) An individual who gathers signatures under this chapter:  
124 (a) shall, before collecting a signature from an individual, present to the individual a  
125 printed or digital copy of the initiative or referendum and wait for the individual to read the  
126 initiative or referendum; and

127 (b) is not required to provide the document described in Subsection (5) if, after the  
128 individual offers to provide the document, the individual who signs the petition declines to  
129 accept the document.

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

131 Section 3. Section **20A-7-202.7** is enacted to read:

132 **20A-7-202.7. Posting initiative information.**

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

137 (a) the initiative petition;

138 (b) the initiative;

139 (c) the fiscal impact statement; and

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

142 (2) The lieutenant governor shall:

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

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

147 Section 4. Section **20A-7-203** is amended to read:

148 **20A-7-203. Form of initiative petition and signature sheets.**

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

150 form:

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

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

155 Each signer says:

156 I have personally signed this petition;

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

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

160 NOTICE TO SIGNERS:

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

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

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

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

171 (2) Each signature sheet shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 212 (ix) the fourth row of the second column shall be .5 inch tall;
- 213 (x) the third column shall be 2.75 inches wide;
- 214 (xi) the first row of the third column shall be .35 inch tall and contain the words
- 215 "Signature of Registered Voter" in 10-point type;
- 216 (xii) the second row of the third column shall be .5 inch tall;
- 217 (xiii) the third row of the third column shall be .35 inch tall and contain the words
- 218 "Email Address (optional, to receive additional information)" in 10-point type;
- 219 (xiv) the fourth row of the third column shall be .5 inch tall;
- 220 (xv) the fourth column shall be one inch wide;
- 221 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
- 222 "Date Signed" in 10-point type;
- 223 (xvii) the second row of the fourth column shall be .5 inch tall;
- 224 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
- 225 "Birth Date or Age (optional)" in 10-point type;
- 226 (xix) the fourth row of the third column shall be .5 inch tall; and
- 227 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
- 228 and contain the following statement, "By signing this petition, you are stating that you have
- 229 read and understand the law proposed by this petition." in 12-point type;
- 230 (e) the table described in Subsection (2)(d) shall be repeated, leaving sufficient room at
- 231 the bottom of the sheet for the information described in Subsection (2)(f); and
- 232 (f) at the bottom of the sheet, [~~contain~~] include in the following order:
- 233 (i) the words "Fiscal Impact of" followed by the title of the initiative, in at least
- 234 [~~14-point~~] 12-point, bold type;
- 235 (ii) except as provided in Subsection (4), the initial fiscal impact estimate's summary
- 236 statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection
- 237 20A-7-202.5(2)(a), including any update in accordance with Subsection 20A-7-204.1(5), in not
- 238 less than 12-point[~~, bold~~] type;
- 239 (iii) if the initiative petition proposes a tax increase, the following statement in
- 240 12-point, bold type:
- 241 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert
- 242 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)



243 percent increase in the current tax rate."; and

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

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

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

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

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

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

263 ["Verification of signature collector

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

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

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

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

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

274 county clerk.

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

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

279 \_\_\_\_\_  
280 (Name) (Residence Address) (Date)[<sup>u</sup>]

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

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

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

288 **20A-7-204. Circulation requirements -- Lieutenant governor to provide sponsors**  
289 **with materials.**

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

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

293 (a) a copy of the initiative petition, with any change submitted under Subsection  
294 20A-7-204.1(5); and

295 (b) one signature sheet.

296 (3) The sponsors of the petition shall:

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

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

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

303 (b) The sponsors shall create [~~those~~] the packets by binding a copy of the initiative  
304 petition[~~, a copy of the proposed law,~~] and no more than 50 signature sheets together at the top

305 [~~in such a way~~] so that the packets may be conveniently opened for signing.

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

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

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

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

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

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

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

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

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

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

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

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

326 **20A-7-206. Submitting the initiative petition -- Certification of signatures by the  
327 county clerks -- Transfer to lieutenant governor.**

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

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

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

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

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

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

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

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

344 "You signed a petition for the following initiative:

345 [insert title of initiative]

346 To access a copy of the initiative petition, the initiative, the fiscal impact statement, and  
347 information on the deadline for removing your signature from the petition, please visit the  
348 following link: [insert a uniform resource locator that takes the individual directly to the page  
349 on the lieutenant governor's website that includes the information referred to in the email]."

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

353 Verification of initiative sponsor

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

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

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

357 I sent, or caused to be sent, to each individual who provided a legible, valid email  
358 address on a signature packet submitted to the county clerk in relation to the initiative petition,  
359 the email described in Utah Code Subsection 20A-7-206(1)(c).

360 \_\_\_\_\_  
361 (Name) (Residence Address) (Date)

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

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

366 (a) determine whether each signer is a registered voter according to the requirements of

367 Section [20A-7-206.3](#);

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

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

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

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

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

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

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

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

382 (4) Within seven days after timely receipt of a statement described in Subsection  
383 [20A-7-205](#)(3), the county clerk shall:

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

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

387 (ii) inform the lieutenant governor of the removal.

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

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

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

391 (6) In order to qualify an initiative petition for submission to the Legislature, the  
392 sponsors shall deliver each signed and verified initiative packet to the county clerk of the  
393 county in which the packet was circulated before 5 p.m. no later than the November 15 before  
394 the next annual general session of the Legislature immediately after the application is filed  
395 under Section [20A-7-202](#).

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

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

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

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

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

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

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

407 **20A-7-303. Form of referendum petition and signature sheets.**

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

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

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

416 Each signer says:

417 I have personally signed this petition;

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

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

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

423 (2) Each signature sheet shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

490 "Date Signed" in 10-point type;



491 (xvii) the second row of the fourth column shall be .5 inch tall;  
492 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words  
493 "Birth Date or Age (optional)" in 10-point type;

494 (xix) the fourth row of the third column shall be .5 inch tall; and  
495 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,  
496 and contain the following words "By signing this petition, you are stating that you have read  
497 and understand the law that this petition seeks to overturn." in 12-point type;

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

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

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

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

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

513 [<sup>a</sup>]Verification of signature collector

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

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

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

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

520 I believe that each individual has printed and signed the individual's name and written  
521 the individual's post office address and residence correctly, that each signer has read and

522 understands the law that the referendum seeks to overturn, and that each signer is registered to  
523 vote in Utah or intends to become registered to vote before the certification of the petition  
524 names by the county clerk.

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

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

529 \_\_\_\_\_  
530 (Name) (Residence Address) (Date)[<sup>u</sup>]

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

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

534 **20A-7-304. Circulation requirements -- Lieutenant governor to provide sponsors**  
535 **with materials.**

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

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

539 (a) a copy of the referendum petition; and

540 (b) a signature sheet.

541 (3) The sponsors of the petition shall:

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

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

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

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

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

553 referendum packet.

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

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

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

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

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

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

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

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

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

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

571 Section 9. Section **20A-7-304.5** is enacted to read:

572 **20A-7-304.5. Posting referendum information.**

573 (1) On the day on which the lieutenant governor complies with Subsection  
574 20A-7-304(2), the lieutenant governor shall post the following information together in a  
575 conspicuous place on the lieutenant governor's website:

576 (a) the referendum petition;

577 (b) the referendum; and

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

580 (2) The lieutenant governor shall:

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

583 (b) maintain the information described in Subsection (1) on the lieutenant governor's

584 website until the referendum fails to qualify for the ballot or is passed or defeated at an  
585 election.

586 Section 10. Section **20A-7-306** is amended to read:

587 **20A-7-306. Submitting the referendum petition -- Certification of signatures by**  
588 **the county clerks -- Transfer to lieutenant governor.**

589 (1) (a) The sponsors, or the agent of the sponsors, shall deliver a signed and verified  
590 referendum packet to the county clerk of the county in which the packet was circulated before 5  
591 p.m. no later than the earlier of:

- 592 (i) 14 days after the day on which the first individual signs the referendum packet; or  
593 (ii) 40 days after the day on which the legislative session at which the law passed ends.  
594 (b) A [~~sponsor~~] person may not submit a referendum packet after the deadline  
595 described in Subsection (1)(a).

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

- 598 (i) check the name of each individual who completes the verification on the last page  
599 of each referendum packet to determine whether the individual is a resident of Utah and is at  
600 least 18 years old; and  
601 (ii) submit the name of each individual who is not a Utah resident or who is not at least  
602 18 years old to the attorney general and county attorney.

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

- 604 (i) on a referendum packet that is not verified in accordance with Section [20A-7-305](#);  
605 or

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

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

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

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

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

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

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

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

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

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

625 Section 11. Section 20A-7-502.6 is enacted to read:

626 **20A-7-502.6. Posting initiative information.**

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

630 (a) the initiative petition;

631 (b) the initiative;

632 (c) the fiscal impact estimate; and

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

635 (2) The local clerk shall:

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

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

640 Section 12. Section 20A-7-502.7 is amended to read:

641 **20A-7-502.7. Referability to voters.**

642 (1) Within 20 days after the day on which an eligible voter files an application to  
643 circulate an initiative petition under Section 20A-7-502, counsel for the county, city, town, or  
644 metro township to which the initiative pertains shall:

645 (a) review the proposed law in the initiative application to determine whether the law is

646 legally referable to voters; and

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

648 (i) legally referable to voters; or

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

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

651 (a) the proposed law is patently unconstitutional;

652 (b) the proposed law is nonsensical;

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

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

655 (e) the proposed law contains more than one subject as evaluated in accordance with

656 Subsection [20A-7-502\(3\)](#);

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

658 (g) the proposed law is identical or substantially similar to a legally referable proposed

659 law sought by an initiative application submitted to the local clerk, under Section [20A-7-502](#),

660 within two years before the day on which the application for the current proposed initiative is

661 filed; or

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

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

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

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

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

672 (a) district court; or

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

674 (5) If, on appeal, the court determines that the law proposed in the initiative petition is  
675 legally referable to voters, the local clerk shall comply with Subsection [20A-7-504\(2\)](#) within  
676 five days after the day on which the determination, and any appeal of the determination, is

677 final.

678 Section 13. Section **20A-7-503** is amended to read:

679 **20A-7-503. Form of initiative petitions and signature sheets.**

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

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

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

688 Each signer says:

689 I have personally signed this petition;

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

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

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

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

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

701 (2) Each signature sheet shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



739 (x) the third column shall be 2.75 inches wide;  
740 (xi) the first row of the third column shall be .35 inch tall and contain the words  
741 "Signature of Registered Voter" in 10-point type;  
742 (xii) the second row of the third column shall be .5 inch tall;  
743 (xiii) the third row of the third column shall be .35 inch tall and contain the words  
744 "Email Address (optional, to receive additional information)" in 10-point type;  
745 (xiv) the fourth row of the third column shall be .5 inch tall;  
746 (xv) the fourth column shall be one inch wide;  
747 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words  
748 "Date Signed" in 10-point type;  
749 (xvii) the second row of the fourth column shall be .5 inch tall;  
750 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words  
751 "Birth Date or Age (optional)" in 10-point type;  
752 (xix) the fourth row of the third column shall be .5 inch tall; and  
753 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,  
754 and contain the following words "By signing this petition, you are stating that you have read  
755 and understand the law proposed by this petition." in 12-point type;  
756 (e) the table described in Subsection (2)(d) shall be repeated, leaving sufficient room at  
757 the bottom of the sheet for the information described in Subsection (2)(f); and  
758 (f) at the bottom of the sheet, ~~contain~~ include in the following order:  
759 (i) the words "Fiscal impact of" followed by the title of the initiative, in at least  
760 [~~14-point~~] 12-point, bold type;  
761 (ii) the initial fiscal impact estimate's summary statement issued by the budget officer  
762 in accordance with Subsection [20A-7-502.5\(2\)\(b\)](#) and the cost estimate for printing and  
763 distributing information related to the initiative petition in accordance with Subsection  
764 [20A-7-502.5\(3\)](#), in not less than 12-point, bold type;  
765 (iii) if the initiative petition proposes a tax increase, the following statement in  
766 12-point, bold type:  
767 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert  
768 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)  
769 percent increase in the current tax rate."; and

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

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

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

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

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

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

789 ["Verification of signature collector

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

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

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

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

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

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

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(Name) (Residence Address) (Date)

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

Section 14. 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 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\(4\)\(b\)](#).

832 Section 15. Section 20A-7-506 is amended to read:

833 **20A-7-506. Submitting the initiative petition -- Certification of signatures by the**  
834 **county clerks -- Transfer to local clerk.**

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

838 (i) for county initiatives:

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

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

842 (ii) for municipal initiatives:

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

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

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

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

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

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

854 "You signed a petition for the following initiative:

855 [insert title of initiative]

856 To access a copy of the initiative petition, the initiative, the fiscal impact statement, and  
857 information on the deadline for removing your signature from the petition, please visit the  
858 following link: [insert a uniform resource locator that takes the individual directly to the page  
859 on the county clerk's website that includes the information referred to in the email]."

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

863 Verification of initiative sponsor  
 864 State of Utah, County of \_\_\_\_\_  
 865 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:  
 866 I am a sponsor of the initiative petition entitled \_\_\_\_\_;  
 867 I sent, or caused to be sent, to each individual who provided a legible, valid email  
 868 address on a signature packet submitted to the county clerk in relation to the initiative petition,  
 869 the email described in Utah Code Subsection [20A-7-506\(1\)\(c\)](#).

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871 (Name) (Residence Address) (Date)

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

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

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

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

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

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

881 Section 16. Section **20A-7-602.7** is amended to read:

882 **20A-7-602.7. Referability to voters of local law other than land use law.**

883 (1) Within 20 days after the day on which an eligible voter files an application to  
 884 circulate a referendum petition under Section [20A-7-602](#) for a local law other than a land use  
 885 law, counsel for the county, city, town, or metro township to which the referendum pertains  
 886 shall:

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

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

890 (i) legally referable to voters; or

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

892 (2) For a local law other than a land use law, a proposed referendum is legally referable  
 893 to voters unless:

894 (a) the proposed referendum challenges an action that is administrative, rather than  
895 legislative, in nature;

896 (b) the proposed referendum challenges more than one law passed by the local  
897 legislative body; or

898 (c) the application for the proposed referendum was not timely filed or does not  
899 comply with the requirements of this part.

900 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
901 or metro township may not, for a local law other than a land use law:

902 (a) reject a proposed referendum as not legally referable to voters; or

903 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
904 proposed referendum on the grounds that the proposed referendum is not legally referable to  
905 voters.

906 (4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a  
907 proposed referendum concerning a local law other than a land use law, a sponsor of the  
908 proposed referendum may, within 10 days after the day on which a sponsor is notified under  
909 Subsection (1)(b), challenge or appeal the decision to:

910 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

911 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
912 under Subsection (4)(a)(i).

913 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection  
914 (4)(a) terminates the referendum.

915 (5) If, on a challenge or appeal, the court determines that the proposed referendum  
916 described in Subsection (4) is legally referable to voters, the local clerk shall comply with  
917 Subsection 20A-7-604(2) within five days after the day on which the determination, and any  
918 challenge or appeal of the determination, is final.

919 Section 17. Section 20A-7-602.8 is amended to read:

920 **20A-7-602.8. Referability to voters of local land use law.**

921 (1) Within 20 days after the day on which an eligible voter files an application to  
922 circulate a referendum petition under Section 20A-7-602 for a land use law, counsel for the  
923 county, city, town, or metro township to which the referendum pertains shall:

924 (a) review the application to determine whether the proposed referendum is legally

925 referable to voters; and

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

927 (i) legally referable to voters; or

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

929 (2) For a land use law, a proposed referendum is legally referable to voters unless:

930 (a) the proposed referendum challenges an action that is administrative, rather than  
931 legislative, in nature;

932 (b) the proposed referendum challenges a land use decision, rather than a land use  
933 regulation, as those terms are defined in Section 10-9a-103 or 17-27a-103;

934 (c) the proposed referendum challenges more than one law passed by the local  
935 legislative body; or

936 (d) the application for the proposed referendum was not timely filed or does not  
937 comply with the requirements of this part.

938 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
939 or metro township may not, for a land use law:

940 (a) reject a proposed referendum as not legally referable to voters; or

941 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
942 proposed referendum on the grounds that the proposed referendum is not legally referable to  
943 voters.

944 (4) (a) If a county, city, town, or metro township rejects a proposed referendum  
945 concerning a land use law, a sponsor of the proposed referendum may, within seven days after  
946 the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision  
947 to:

948 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

949 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
950 under Subsection (4)(a)(i).

951 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection  
952 (4)(a) terminates the referendum.

953 (5) If, on challenge or appeal, the court determines that the proposed referendum is  
954 legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(2) within  
955 five days after the day on which the determination, and any challenge or appeal of the

956 determination, is final.

957 Section 18. Section **20A-7-603** is amended to read:

958 **20A-7-603. Form of referendum petition and signature sheets.**

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

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

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

967 Each signer says:

968 I have personally signed this petition;

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

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

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

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

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

977 (2) Each signature sheet shall:

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

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

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

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

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



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

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

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

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

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

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

1000 ~~[(iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered~~  
1001 ~~Voter";]~~

1002 ~~[(v) the fifth column shall be .75 inch wide, headed "Date Signed";]~~

1003 ~~[(vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip~~  
1004 ~~Code"; and]~~

1005 ~~[(vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age~~  
1006 ~~(Optional)";]~~

1007 ~~[(h) be horizontally divided into rows as follows:]~~

1008 ~~[(i) the top of the first row, for the purpose of entering the information described in~~  
1009 ~~Subsection (2)(g), shall be .5 inch high;]~~

1010 ~~[(ii) the second row shall be .15 inch high and contain the following statement printed~~  
1011 ~~or typed in not less than eight-point, single-leaded type: "By signing this petition, you are~~  
1012 ~~stating that you have read and understand the law this petition seeks to overturn."; and]~~

1013 ~~[(iii) the first and second rows shall be repeated, in order, leaving sufficient room at the~~  
1014 ~~bottom of the sheet for the information described in Subsection (2)(i); and]~~

1015 ~~[(i) at the bottom of the sheet, contain the following statement: "Birth date or age~~  
1016 ~~information is not required, but it may be used to verify your identity with voter registration~~  
1017 ~~records. If you choose not to provide it, your signature may not be verified as a valid signature~~

1018 if you change your address before petition signatures are verified or if the information you  
1019 provide does not match your voter registration records."]

1020 (d) include a table immediately below the title of the referendum, and beginning .5 inch  
1021 from the left side of the paper, as follows:

1022 (i) the first column shall be .5 inch wide and include three rows;

1023 (ii) the first row of the first column shall be .85 inch tall and contain the words "For  
1024 Office Use Only" in 10-point type;

1025 (iii) the second row of the first column shall be .35 inch tall;

1026 (iv) the third row of the first column shall be .5 inch tall;

1027 (v) the second column shall be 2.75 inches wide;

1028 (vi) the first row of the second column shall be .35 inch tall and contain the words  
1029 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

1030 (vii) the second row of the second column shall be .5 inch tall;

1031 (viii) the third row of the second column shall be .35 inch tall and contain the words  
1032 "Street Address, City, Zip Code" in 10-point type;

1033 (ix) the fourth row of the second column shall be .5 inch tall;

1034 (x) the third column shall be 2.75 inches wide;

1035 (xi) the first row of the third column shall be .35 inch tall and contain the words  
1036 "Signature of Registered Voter" in 10-point type;

1037 (xii) the second row of the third column shall be .5 inch tall;

1038 (xiii) the third row of the third column shall be .35 inch tall and contain the words

1039 "Email Address (optional, to receive additional information)" in 10-point type;

1040 (xiv) the fourth row of the third column shall be .5 inch tall;

1041 (xv) the fourth column shall be one inch wide;

1042 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words

1043 "Date Signed" in 10-point type;

1044 (xvii) the second row of the fourth column shall be .5 inch tall;

1045 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words

1046 "Birth Date or Age (optional)" in 10-point type;

1047 (xix) the fourth row of the third column shall be .5 inch tall; and

1048 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,

1049 and contain the following words, "By signing this petition, you are stating that you have read  
1050 and understand the law that this petition seeks to overturn." in 12-point type;

1051 (e) the table described in Subsection (2)(d) shall be repeated, leaving sufficient room at  
1052 the bottom of the sheet or the information described in Subsection (2)(f); and

1053 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,  
1054 followed by the following statement in not less than eight-point type:

1055 "It is a class A misdemeanor for an individual to sign a referendum petition with a name  
1056 other than the individual's own name, or to knowingly sign the individual's name more than  
1057 once for the same measure, or to sign a referendum petition when the individual knows that the  
1058 individual is not a registered voter and knows that the individual does not intend to become  
1059 registered to vote before the certification of the petition names by the county clerk.

1060 Birth date or age information is not required, but it may be used to verify your identity  
1061 with voter registration records. If you choose not to provide it, your signature may not be  
1062 verified as a valid signature if you change your address before petition signatures are verified  
1063 or if the information you provide does not match your voter registration records."

1064 (3) The final page of each referendum packet shall contain the following printed or  
1065 typed statement:

1066 "Verification of signature collector

1067 State of Utah, County of \_\_\_\_

1068 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

1069 I am a resident of Utah and am at least 18 years old;

1070 All the names that appear in this referendum packet were signed by individuals who  
1071 professed to be the individuals whose names appear in it, and each of the individuals signed the  
1072 individual's name on it in my presence;

1073 I did not knowingly make a misrepresentation of fact concerning the law this petition  
1074 seeks to overturn;

1075 I believe that each individual has printed and signed the individual's name and written  
1076 the individual's post office address and residence correctly, and that each signer is registered to  
1077 vote in Utah or intends to become registered to vote before the certification of the petition  
1078 names by the county clerk.

1079 [\_\_\_\_\_"]

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(Name) (Residence Address) (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 19. 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.

(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).

1111 Section 20. Section **20A-7-604.5** is enacted to read:

1112 **20A-7-604.5. Posting referendum information.**

1113 (1) On the day on which the local clerk complies with Subsection 20A-7-604(2), the  
1114 local clerk shall post the following information together in a conspicuous place on the local  
1115 clerk's website:

1116 (a) the referendum petition;

1117 (b) the referendum; and

1118 (c) information describing how an individual may remove the individual's signature  
1119 from the signature packet.

1120 (2) The local clerk shall:

1121 (a) promptly update the information described in Subsection (1) if the information  
1122 changes; and

1123 (b) maintain the information described in Subsection (1) on the local clerk's website  
1124 until the referendum fails to qualify for the ballot or is passed or defeated at an election.

1125 Section 21. Section **20A-7-606** is amended to read:

1126 **20A-7-606. Submitting the referendum petition -- Certification of signatures by**  
1127 **the county clerks -- Transfer to local clerk.**

1128 (1) (a) The sponsors, or an agent of the sponsors, shall deliver each signed and verified  
1129 referendum packet to the county clerk of the county in which the packet was circulated before 5  
1130 p.m. no later than 45 days after the day on which the sponsors receive the items described in  
1131 Subsection 20A-7-604(2) from the local clerk.

1132 (b) A ~~[sponsor]~~ person may not submit a referendum packet after the deadline  
1133 established in this Subsection (1).

1134 (2) (a) No later than 15 days after the day on which a county clerk receives a  
1135 referendum packet under Subsection (1)(a), the county clerk shall:

1136 (i) check the names of all persons completing the verification on the last page of each  
1137 referendum packet to determine whether those persons are Utah residents and are at least 18  
1138 years old; and

1139 (ii) submit the name of each of those persons who is not a Utah resident or who is not  
1140 at least 18 years old to the attorney general and county attorney.

1141 (b) The county clerk may not certify a signature under Subsection (3) on a referendum

1142 packet that is not verified in accordance with Section [20A-7-605](#).

1143 (3) No later than 30 days after the day on which a county clerk receives a referendum  
1144 packet under Subsection (1)(a), the county clerk shall:

1145 (a) determine whether each signer is a registered voter according to the requirements of  
1146 Section [20A-7-606.3](#);

1147 (b) certify on the referendum petition whether each name is that of a registered voter;  
1148 and

1149 (c) deliver all of the verified referendum packets to the local clerk.

1150 Section 22. **Coordinating H.B. 136 with H.B. 211 -- Initiatives and referenda**  
1151 **amendments -- substantive and technical amendments.**

1152 If this H.B. 136 and H.B. 211, Initiatives and Referenda Amendments, both pass and  
1153 become law, it is the intent of the Legislature that the Office of Legislative Research and  
1154 General Counsel prepare the Utah Code database for publication as follows:

1155 (1) the changes to Section [20A-1-609](#) in H.B. 136 supersede the changes to Subsection  
1156 [20A-1-609](#) in H.B. 211;

1157 (2) the changes to Subsection [20A-7-203\(2\)](#) in H.B. 136 supersede the changes to  
1158 Subsection [20A-7-203\(2\)](#) in H.B. 211;

1159 (3) by amending Subsection [20A-7-204\(4\)\(b\)](#) to read:

1160 "(b) The sponsors or an agent of the sponsors shall create [~~those~~] the initiative packets  
1161 by binding a copy of the initiative petition[~~, a copy of the proposed law,~~] and no more than 50  
1162 signature sheets together at the top in [~~such a way~~] a manner that the packets may be  
1163 conveniently opened for signing.";

1164 (4) the changes to Subsection [20A-7-303\(2\)](#) in H.B. 136 supersede the changes to  
1165 Subsection [20A-7-303\(2\)](#) in H.B. 211;

1166 (5) by amending Subsection [20A-7-304\(4\)\(b\)](#) to read:

1167 "(b) The sponsors or an agent of the sponsors shall create [~~those~~] referendum packets  
1168 by binding a copy of the referendum [~~petition, a copy of the law that is the subject of the~~  
1169 ~~referendum,~~] and no more than 50 signature sheets together at the top in [~~such a way~~] a manner  
1170 that the packets may be conveniently opened for signing.";

1171 (6) the changes to Subsection [20A-7-503\(2\)](#) in H.B. 136 supersede the changes to  
1172 Subsection [20A-7-503\(2\)](#) in H.B. 211;

1173 (7) by amending Subsection 20A-7-504(4)(b) to read:

1174 "(b) The sponsors or an agent of the sponsors shall create [those] initiative packets by  
1175 binding a copy of the initiative petition[~~, a copy of the proposed law,~~] and no more than 50  
1176 signature sheets together at the top in [~~such a way~~] a manner that the packets may be  
1177 conveniently opened for signing.";

1178 (8) the changes to Subsection 20A-7-603(2) in H.B. 136 supersede the changes to  
1179 Subsection 20A-7-603(2) in H.B. 211; and

1180 (9) by amending Subsection 20A-7-604(4)(b) to read:

1181 "The sponsors or an agent of the sponsors shall create [those] referendum packets by  
1182 binding a copy of the referendum petition[~~, a copy of the law that is the subject of the~~  
1183 referendum,] and no more than 50 signature sheets together at the top in [~~such a way~~] a manner  
1184 that the packets may be conveniently opened for signing.".