

**Senator John D. Johnson** proposes the following substitute bill:

**INITIATIVES AND REFERENDA AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Norman K. Thurston**

Senate Sponsor: John D. Johnson

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**LONG TITLE**

**General Description:**

This bill amends provisions relating to statewide and local initiatives and referenda.

**Highlighted Provisions:**

This bill:

- ▶ modifies petition filing requirements for an initiative or referendum;
- ▶ provides more standardization to forms, requirements, and procedures for state and local initiatives and referenda, including procedures for posting and removing signatures for a petition;
- ▶ clarifies actions that may be taken by a petition sponsor or an agent of a petition sponsor;
- ▶ modifies signature packet preparation requirements;
- ▶ modifies timelines and deadlines for initiatives and referenda;
- ▶ modifies provisions for challenging an action, relating to initiatives or referenda, in a court proceeding;
- ▶ addresses the verification of signatures;
- ▶ addresses a temporary stay of a law challenged by referendum and the effective date of the law;
- ▶ for a statewide referendum, changes the requirement relating to a certain percentage



26 of signatures in at least 15 counties to a certain percentage of signatures in at least 15 Senate  
27 districts; and

28       ▶ makes technical and conforming changes.

29 **Money Appropriated in this Bill:**

30       None

31 **Other Special Clauses:**

32       None

33 **Utah Code Sections Affected:**

34 AMENDS:

35       10-9a-103, as last amended by Laws of Utah 2020, Chapter 434

36       10-9a-509, as last amended by Laws of Utah 2020, Chapter 434

37       11-14-301, as last amended by Laws of Utah 2019, Chapter 203

38       17-27a-103, as last amended by Laws of Utah 2020, Chapter 434

39       17-27a-508, as last amended by Laws of Utah 2019, Chapter 384 and last amended by  
40 Coordination Clause, Laws of Utah 2019, Chapter 384

41       20A-1-609, as last amended by Laws of Utah 2020, Chapter 31

42       20A-7-202, as last amended by Laws of Utah 2019, Chapters 217 and 275

43       20A-7-203, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

44       20A-7-204, as last amended by Laws of Utah 2017, Chapter 291

45       20A-7-205, as last amended by Laws of Utah 2019, Chapters 210, 217, 255 and last  
46 amended by Coordination Clause, Laws of Utah 2019, Chapters 210, and 217

47       20A-7-206, as last amended by Laws of Utah 2020, Chapters 166 and 349

48       20A-7-207, as last amended by Laws of Utah 2019, Chapters 210, 217 and last  
49 amended by Coordination Clause, Laws of Utah 2019, Chapter 210

50       20A-7-209, as last amended by Laws of Utah 2019, Chapter 275

51       20A-7-301, as last amended by Laws of Utah 2019, Chapter 217

52       20A-7-302, as last amended by Laws of Utah 2020, Chapter 166

53       20A-7-303, as last amended by Laws of Utah 2019, Chapter 210

54       20A-7-304, as last amended by Laws of Utah 1995, Chapter 153

55       20A-7-305, as last amended by Laws of Utah 2020, Chapter 166

56       20A-7-306, as last amended by Laws of Utah 2020, Chapter 166

- 57            **20A-7-306.3**, as last amended by Laws of Utah 2011, Chapter 17
- 58            **20A-7-307**, as last amended by Laws of Utah 2020, Chapter 166
- 59            **20A-7-308**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4
- 60            **20A-7-309**, as last amended by Laws of Utah 2010, Chapter 294
- 61            **20A-7-311**, as last amended by Laws of Utah 2020, Chapter 166
- 62            **20A-7-401.5**, as enacted by Laws of Utah 2019, Chapter 203
- 63            **20A-7-502**, as last amended by Laws of Utah 2019, Chapter 203
- 64            **20A-7-503**, as last amended by Laws of Utah 2017, Chapter 291
- 65            **20A-7-504**, as last amended by Laws of Utah 2019, Chapter 203
- 66            **20A-7-505**, as last amended by Laws of Utah 2019, Chapter 203
- 67            **20A-7-506**, as last amended by Laws of Utah 2019, Chapters 203 and 255
- 68            **20A-7-506.3**, as last amended by Laws of Utah 2019, Chapter 203
- 69            **20A-7-507**, as last amended by Laws of Utah 2019, Chapter 203
- 70            **20A-7-508**, as last amended by Laws of Utah 2019, Chapter 203
- 71            **20A-7-510**, as last amended by Laws of Utah 2019, Chapter 203
- 72            **20A-7-601**, as last amended by Laws of Utah 2019, Chapters 203 and 255
- 73            **20A-7-602**, as last amended by Laws of Utah 2019, Chapter 203
- 74            **20A-7-603**, as last amended by Laws of Utah 2019, Chapter 203
- 75            **20A-7-604**, as last amended by Laws of Utah 2019, Chapter 203
- 76            **20A-7-605**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 4
- 77            **20A-7-606**, as last amended by Laws of Utah 2019, Chapter 255
- 78            **20A-7-606.3**, as last amended by Laws of Utah 2019, Chapter 203
- 79            **20A-7-607**, as last amended by Laws of Utah 2020, Chapter 31
- 80            **20A-7-608**, as last amended by Laws of Utah 2019, Chapter 203
- 81            **20A-7-610**, as last amended by Laws of Utah 2019, Chapter 203
- 82            **20A-7-611**, as enacted by Laws of Utah 1994, Chapter 272
- 83            **20A-7-613**, as last amended by Laws of Utah 2020, Chapter 31

84 ENACTS:

- 85            **20A-7-206.1**, Utah Code Annotated 1953

86 REPEALS:

- 87            **20A-7-205.5**, as last amended by Laws of Utah 2008, Chapter 237

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

Section 1. Section **10-9a-103** is amended to read:

**10-9a-103. Definitions.**

As used in this chapter:

(1) "Accessory dwelling unit" means a habitable living unit added to, created within, or detached from a primary single-family dwelling and contained on one lot.

(2) "Adversely affected party" means a person other than a land use applicant who:

(a) owns real property adjoining the property that is the subject of a land use application or land use decision; or

(b) will suffer a damage different in kind than, or an injury distinct from, that of the general community as a result of the land use decision.

(3) "Affected entity" means a county, municipality, local district, special service district under Title 17D, Chapter 1, Special Service District Act, school district, interlocal cooperation entity established under Title 11, Chapter 13, Interlocal Cooperation Act, specified public utility, property owner, property owners association, or the Utah Department of Transportation, if:

(a) the entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;

(b) the entity has filed with the municipality a copy of the entity's general or long-range plan; or

(c) the entity has filed with the municipality a request for notice during the same calendar year and before the municipality provides notice to an affected entity in compliance with a requirement imposed under this chapter.

(4) "Affected owner" means the owner of real property that is:

(a) a single project;

(b) the subject of a land use approval that sponsors of a referendum timely challenged in accordance with Subsection [20A-7-601\(5\)\(a\)](#); and

(c) determined to be legally referable under Section [20A-7-602.8](#).

(5) "Appeal authority" means the person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a

119 variance.

120 (6) "Billboard" means a freestanding ground sign located on industrial, commercial, or  
121 residential property if the sign is designed or intended to direct attention to a business, product,  
122 or service that is not sold, offered, or existing on the property where the sign is located.

123 (7) (a) "Charter school" means:

124 (i) an operating charter school;

125 (ii) a charter school applicant that has its application approved by a charter school  
126 authorizer in accordance with Title 53G, Chapter 5, Part 3, Charter School Authorization; or

127 (iii) an entity that is working on behalf of a charter school or approved charter  
128 applicant to develop or construct a charter school building.

129 (b) "Charter school" does not include a therapeutic school.

130 (8) "Conditional use" means a land use that, because of its unique characteristics or  
131 potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be  
132 compatible in some areas or may be compatible only if certain conditions are required that  
133 mitigate or eliminate the detrimental impacts.

134 (9) "Constitutional taking" means a governmental action that results in a taking of  
135 private property so that compensation to the owner of the property is required by the:

136 (a) Fifth or Fourteenth Amendment of the Constitution of the United States; or

137 (b) Utah Constitution Article I, Section 22.

138 (10) "Culinary water authority" means the department, agency, or public entity with  
139 responsibility to review and approve the feasibility of the culinary water system and sources for  
140 the subject property.

141 (11) "Development activity" means:

142 (a) any construction or expansion of a building, structure, or use that creates additional  
143 demand and need for public facilities;

144 (b) any change in use of a building or structure that creates additional demand and need  
145 for public facilities; or

146 (c) any change in the use of land that creates additional demand and need for public  
147 facilities.

148 (12) (a) "Disability" means a physical or mental impairment that substantially limits  
149 one or more of a person's major life activities, including a person having a record of such an

150 impairment or being regarded as having such an impairment.

151 (b) "Disability" does not include current illegal use of, or addiction to, any federally  
152 controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C.  
153 802.

154 (13) "Educational facility":

155 (a) means:

156 (i) a school district's building at which pupils assemble to receive instruction in a  
157 program for any combination of grades from preschool through grade 12, including  
158 kindergarten and a program for children with disabilities;

159 (ii) a structure or facility:

160 (A) located on the same property as a building described in Subsection (13)(a)(i); and

161 (B) used in support of the use of that building; and

162 (iii) a building to provide office and related space to a school district's administrative  
163 personnel; and

164 (b) does not include:

165 (i) land or a structure, including land or a structure for inventory storage, equipment  
166 storage, food processing or preparing, vehicle storage or maintenance, or similar use that is:

167 (A) not located on the same property as a building described in Subsection (13)(a)(i);

168 and

169 (B) used in support of the purposes of a building described in Subsection (13)(a)(i); or

170 (ii) a therapeutic school.

171 (14) "Fire authority" means the department, agency, or public entity with responsibility  
172 to review and approve the feasibility of fire protection and suppression services for the subject  
173 property.

174 (15) "Flood plain" means land that:

175 (a) is within the 100-year flood plain designated by the Federal Emergency  
176 Management Agency; or

177 (b) has not been studied or designated by the Federal Emergency Management Agency  
178 but presents a likelihood of experiencing chronic flooding or a catastrophic flood event because  
179 the land has characteristics that are similar to those of a 100-year flood plain designated by the  
180 Federal Emergency Management Agency.

181 (16) "General plan" means a document that a municipality adopts that sets forth general  
182 guidelines for proposed future development of the land within the municipality.

183 (17) "Geologic hazard" means:

184 (a) a surface fault rupture;

185 (b) shallow groundwater;

186 (c) liquefaction;

187 (d) a landslide;

188 (e) a debris flow;

189 (f) unstable soil;

190 (g) a rock fall; or

191 (h) any other geologic condition that presents a risk:

192 (i) to life;

193 (ii) of substantial loss of real property; or

194 (iii) of substantial damage to real property.

195 (18) "Historic preservation authority" means a person, board, commission, or other  
196 body designated by a legislative body to:

197 (a) recommend land use regulations to preserve local historic districts or areas; and

198 (b) administer local historic preservation land use regulations within a local historic  
199 district or area.

200 (19) "Hookup fee" means a fee for the installation and inspection of any pipe, line,  
201 meter, or appurtenance that connects to a municipal water, sewer, storm water, power, or other  
202 utility system.

203 (20) "Identical plans" means building plans submitted to a municipality that:

204 (a) are clearly marked as "identical plans";

205 (b) are substantially identical to building plans that were previously submitted to and  
206 reviewed and approved by the municipality; and

207 (c) describe a building that:

208 (i) is located on land zoned the same as the land on which the building described in the  
209 previously approved plans is located;

210 (ii) is subject to the same geological and meteorological conditions and the same law  
211 as the building described in the previously approved plans;

212 (iii) has a floor plan identical to the building plan previously submitted to and reviewed  
213 and approved by the municipality; and

214 (iv) does not require any additional engineering or analysis.

215 (21) "Impact fee" means a payment of money imposed under Title 11, Chapter 36a,  
216 Impact Fees Act.

217 (22) "Improvement completion assurance" means a surety bond, letter of credit,  
218 financial institution bond, cash, assignment of rights, lien, or other equivalent security required  
219 by a municipality to guaranty the proper completion of landscaping or an infrastructure  
220 improvement required as a condition precedent to:

221 (a) recording a subdivision plat; or

222 (b) development of a commercial, industrial, mixed use, or multifamily project.

223 (23) "Improvement warranty" means an applicant's unconditional warranty that the  
224 applicant's installed and accepted landscaping or infrastructure improvement:

225 (a) complies with the municipality's written standards for design, materials, and  
226 workmanship; and

227 (b) will not fail in any material respect, as a result of poor workmanship or materials,  
228 within the improvement warranty period.

229 (24) "Improvement warranty period" means a period:

230 (a) no later than one year after a municipality's acceptance of required landscaping; or

231 (b) no later than one year after a municipality's acceptance of required infrastructure,  
232 unless the municipality:

233 (i) determines for good cause that a one-year period would be inadequate to protect the  
234 public health, safety, and welfare; and

235 (ii) has substantial evidence, on record:

236 (A) of prior poor performance by the applicant; or

237 (B) that the area upon which the infrastructure will be constructed contains suspect soil  
238 and the municipality has not otherwise required the applicant to mitigate the suspect soil.

239 (25) "Infrastructure improvement" means permanent infrastructure that is essential for  
240 the public health and safety or that:

241 (a) is required for human occupation; and

242 (b) an applicant must install:

243 (i) in accordance with published installation and inspection specifications for public  
244 improvements; and

245 (ii) whether the improvement is public or private, as a condition of:

246 (A) recording a subdivision plat;

247 (B) obtaining a building permit; or

248 (C) development of a commercial, industrial, mixed use, condominium, or multifamily  
249 project.

250 (26) "Internal lot restriction" means a platted note, platted demarcation, or platted  
251 designation that:

252 (a) runs with the land; and

253 (b) (i) creates a restriction that is enclosed within the perimeter of a lot described on  
254 the plat; or

255 (ii) designates a development condition that is enclosed within the perimeter of a lot  
256 described on the plat.

257 (27) "Land use applicant" means a property owner, or the property owner's designee,  
258 who submits a land use application regarding the property owner's land.

259 (28) "Land use application":

260 (a) means an application that is:

261 (i) required by a municipality; and

262 (ii) submitted by a land use applicant to obtain a land use decision; and

263 (b) does not mean an application to enact, amend, or repeal a land use regulation.

264 (29) "Land use authority" means:

265 (a) a person, board, commission, agency, or body, including the local legislative body,  
266 designated by the local legislative body to act upon a land use application; or

267 (b) if the local legislative body has not designated a person, board, commission,  
268 agency, or body, the local legislative body.

269 (30) "Land use decision" means an administrative decision of a land use authority or  
270 appeal authority regarding:

271 (a) a land use permit;

272 (b) a land use application; or

273 (c) the enforcement of a land use regulation, land use permit, or development

274 agreement.

275 (31) "Land use permit" means a permit issued by a land use authority.

276 (32) "Land use regulation":

277 (a) means a legislative decision enacted by ordinance, law, code, map, resolution,  
278 specification, fee, or rule that governs the use or development of land;

279 (b) includes the adoption or amendment of a zoning map or the text of the zoning code;

280 and

281 (c) does not include:

282 (i) a land use decision of the legislative body acting as the land use authority, even if  
283 the decision is expressed in a resolution or ordinance; or

284 (ii) a temporary revision to an engineering specification that does not materially:

285 (A) increase a land use applicant's cost of development compared to the existing  
286 specification; or

287 (B) impact a land use applicant's use of land.

288 (33) "Legislative body" means the municipal council.

289 (34) "Local district" means an entity under Title 17B, Limited Purpose Local  
290 Government Entities - Local Districts, and any other governmental or quasi-governmental  
291 entity that is not a county, municipality, school district, or the state.

292 (35) "Local historic district or area" means a geographically definable area that:

293 (a) contains any combination of buildings, structures, sites, objects, landscape features,  
294 archeological sites, or works of art that contribute to the historic preservation goals of a  
295 legislative body; and

296 (b) is subject to land use regulations to preserve the historic significance of the local  
297 historic district or area.

298 (36) "Lot" means a tract of land, regardless of any label, that is created by and shown  
299 on a subdivision plat that has been recorded in the office of the county recorder.

300 (37) (a) "Lot line adjustment" means a relocation of a lot line boundary between  
301 adjoining lots or parcels, whether or not the lots are located in the same subdivision, in  
302 accordance with Section [10-9a-608](#), with the consent of the owners of record.

303 (b) "Lot line adjustment" does not mean a new boundary line that:

304 (i) creates an additional lot; or

305 (ii) constitutes a subdivision.

306 (38) "Major transit investment corridor" means public transit service that uses or  
307 occupies:

308 (a) public transit rail right-of-way;

309 (b) dedicated road right-of-way for the use of public transit, such as bus rapid transit;

310 or

311 (c) fixed-route bus corridors subject to an interlocal agreement or contract between a  
312 municipality or county and:

313 (i) a public transit district as defined in Section [17B-2a-802](#); or

314 (ii) an eligible political subdivision as defined in Section [59-12-2219](#).

315 (39) "Moderate income housing" means housing occupied or reserved for occupancy  
316 by households with a gross household income equal to or less than 80% of the median gross  
317 income for households of the same size in the county in which the city is located.

318 (40) "Municipal utility easement" means an easement that:

319 (a) is created or depicted on a plat recorded in a county recorder's office and is  
320 described as a municipal utility easement granted for public use;

321 (b) is not a protected utility easement or a public utility easement as defined in Section  
322 [54-3-27](#);

323 (c) the municipality or the municipality's affiliated governmental entity uses and  
324 occupies to provide a utility service, including sanitary sewer, culinary water, electrical, storm  
325 water, or communications or data lines;

326 (d) is used or occupied with the consent of the municipality in accordance with an  
327 authorized franchise or other agreement;

328 (e) (i) is used or occupied by a specified public utility in accordance with an authorized  
329 franchise or other agreement; and

330 (ii) is located in a utility easement granted for public use; or

331 (f) is described in Section [10-9a-529](#) and is used by a specified public utility.

332 (41) "Nominal fee" means a fee that reasonably reimburses a municipality only for time  
333 spent and expenses incurred in:

334 (a) verifying that building plans are identical plans; and

335 (b) reviewing and approving those minor aspects of identical plans that differ from the

336 previously reviewed and approved building plans.

337 (42) "Noncomplying structure" means a structure that:

338 (a) legally existed before its current land use designation; and

339 (b) because of one or more subsequent land use ordinance changes, does not conform  
340 to the setback, height restrictions, or other regulations, excluding those regulations, which  
341 govern the use of land.

342 (43) "Nonconforming use" means a use of land that:

343 (a) legally existed before its current land use designation;

344 (b) has been maintained continuously since the time the land use ordinance governing  
345 the land changed; and

346 (c) because of one or more subsequent land use ordinance changes, does not conform  
347 to the regulations that now govern the use of the land.

348 (44) "Official map" means a map drawn by municipal authorities and recorded in a  
349 county recorder's office that:

350 (a) shows actual and proposed rights-of-way, centerline alignments, and setbacks for  
351 highways and other transportation facilities;

352 (b) provides a basis for restricting development in designated rights-of-way or between  
353 designated setbacks to allow the government authorities time to purchase or otherwise reserve  
354 the land; and

355 (c) has been adopted as an element of the municipality's general plan.

356 (45) "Parcel" means any real property that is not a lot created by and shown on a  
357 subdivision plat recorded in the office of the county recorder.

358 (46) (a) "Parcel boundary adjustment" means a recorded agreement between owners of  
359 adjoining parcels adjusting the mutual boundary, either by deed or by a boundary line  
360 agreement in accordance with Section 57-1-45, if no additional parcel is created and:

361 (i) none of the property identified in the agreement is subdivided land; or

362 (ii) the adjustment is to the boundaries of a single person's parcels.

363 (b) "Parcel boundary adjustment" does not mean an adjustment of a parcel boundary  
364 line that:

365 (i) creates an additional parcel; or

366 (ii) constitutes a subdivision.

367 (47) "Person" means an individual, corporation, partnership, organization, association,  
368 trust, governmental agency, or any other legal entity.

369 (48) "Plan for moderate income housing" means a written document adopted by a  
370 municipality's legislative body that includes:

371 (a) an estimate of the existing supply of moderate income housing located within the  
372 municipality;

373 (b) an estimate of the need for moderate income housing in the municipality for the  
374 next five years;

375 (c) a survey of total residential land use;

376 (d) an evaluation of how existing land uses and zones affect opportunities for moderate  
377 income housing; and

378 (e) a description of the municipality's program to encourage an adequate supply of  
379 moderate income housing.

380 (49) "Plat" means a map or other graphical representation of lands that a licensed  
381 professional land surveyor makes and prepares in accordance with Section [10-9a-603](#) or  
382 [57-8-13](#).

383 (50) "Potential geologic hazard area" means an area that:

384 (a) is designated by a Utah Geological Survey map, county geologist map, or other  
385 relevant map or report as needing further study to determine the area's potential for geologic  
386 hazard; or

387 (b) has not been studied by the Utah Geological Survey or a county geologist but  
388 presents the potential of geologic hazard because the area has characteristics similar to those of  
389 a designated geologic hazard area.

390 (51) "Public agency" means:

391 (a) the federal government;

392 (b) the state;

393 (c) a county, municipality, school district, local district, special service district, or other  
394 political subdivision of the state; or

395 (d) a charter school.

396 (52) "Public hearing" means a hearing at which members of the public are provided a  
397 reasonable opportunity to comment on the subject of the hearing.

398 (53) "Public meeting" means a meeting that is required to be open to the public under  
399 Title 52, Chapter 4, Open and Public Meetings Act.

400 (54) "Public street" means a public right-of-way, including a public highway, public  
401 avenue, public boulevard, public parkway, public road, public lane, public alley, public  
402 viaduct, public subway, public tunnel, public bridge, public byway, other public transportation  
403 easement, or other public way.

404 (55) "Receiving zone" means an area of a municipality that the municipality  
405 designates, by ordinance, as an area in which an owner of land may receive a transferable  
406 development right.

407 (56) "Record of survey map" means a map of a survey of land prepared in accordance  
408 with Section [10-9a-603](#), [17-23-17](#), [17-27a-603](#), or [57-8-13](#).

409 (57) "Residential facility for persons with a disability" means a residence:

410 (a) in which more than one person with a disability resides; and

411 (b) (i) which is licensed or certified by the Department of Human Services under Title  
412 62A, Chapter 2, Licensure of Programs and Facilities; or

413 (ii) which is licensed or certified by the Department of Health under Title 26, Chapter  
414 21, Health Care Facility Licensing and Inspection Act.

415 (58) "Rules of order and procedure" means a set of rules that govern and prescribe in a  
416 public meeting:

417 (a) parliamentary order and procedure;

418 (b) ethical behavior; and

419 (c) civil discourse.

420 (59) "Sanitary sewer authority" means the department, agency, or public entity with  
421 responsibility to review and approve the feasibility of sanitary sewer services or onsite  
422 wastewater systems.

423 (60) "Sending zone" means an area of a municipality that the municipality designates,  
424 by ordinance, as an area from which an owner of land may transfer a transferable development  
425 right.

426 (61) "Specified public agency" means:

427 (a) the state;

428 (b) a school district; or

429 (c) a charter school.

430 (62) "Specified public utility" means an electrical corporation, gas corporation, or  
431 telephone corporation, as those terms are defined in Section 54-2-1.

432 (63) "State" includes any department, division, or agency of the state.

433 (64) "Subdivided land" means the land, tract, or lot described in a recorded subdivision  
434 plat.

435 (65) (a) "Subdivision" means any land that is divided, resubdivided, or proposed to be  
436 divided into two or more lots or other division of land for the purpose, whether immediate or  
437 future, for offer, sale, lease, or development either on the installment plan or upon any and all  
438 other plans, terms, and conditions.

439 (b) "Subdivision" includes:

440 (i) the division or development of land whether by deed, metes and bounds description,  
441 devise and testacy, map, plat, or other recorded instrument, regardless of whether the division  
442 includes all or a portion of a parcel or lot; and

443 (ii) except as provided in Subsection (65)(c), divisions of land for residential and  
444 nonresidential uses, including land used or to be used for commercial, agricultural, and  
445 industrial purposes.

446 (c) "Subdivision" does not include:

447 (i) a bona fide division or partition of agricultural land for the purpose of joining one of  
448 the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if  
449 neither the resulting combined parcel nor the parcel remaining from the division or partition  
450 violates an applicable land use ordinance;

451 (ii) an agreement recorded with the county recorder's office between owners of  
452 adjoining unsubdivided properties adjusting the mutual boundary by a boundary line agreement  
453 in accordance with Section 57-1-45 if:

454 (A) no new lot is created; and

455 (B) the adjustment does not violate applicable land use ordinances;

456 (iii) a recorded document, executed by the owner of record:

457 (A) revising the legal description of more than one contiguous parcel of property that is  
458 not subdivided land into one legal description encompassing all such parcels of property; or

459 (B) joining a subdivided parcel of property to another parcel of property that has not

460 been subdivided, if the joinder does not violate applicable land use ordinances;

461 (iv) an agreement between owners of adjoining subdivided properties adjusting the  
462 mutual lot line boundary in accordance with Section 10-9a-603 if:

463 (A) no new dwelling lot or housing unit will result from the adjustment; and

464 (B) the adjustment will not violate any applicable land use ordinance;

465 (v) a bona fide division or partition of land by deed or other instrument where the land  
466 use authority expressly approves in writing the division in anticipation of further land use  
467 approvals on the parcel or parcels;

468 (vi) a parcel boundary adjustment;

469 (vii) a lot line adjustment;

470 (viii) a road, street, or highway dedication plat; or

471 (ix) a deed or easement for a road, street, or highway purpose.

472 (d) The joining of a subdivided parcel of property to another parcel of property that has  
473 not been subdivided does not constitute a subdivision under this Subsection (65) as to the  
474 unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's  
475 subdivision ordinance.

476 (66) "Subdivision amendment" means an amendment to a recorded subdivision in  
477 accordance with Section 10-9a-608 that:

478 (a) vacates all or a portion of the subdivision;

479 (b) alters the outside boundary of the subdivision;

480 (c) changes the number of lots within the subdivision;

481 (d) alters a public right-of-way, a public easement, or public infrastructure within the  
482 subdivision; or

483 (e) alters a common area or other common amenity within the subdivision.

484 (67) "Suspect soil" means soil that has:

485 (a) a high susceptibility for volumetric change, typically clay rich, having more than a  
486 3% swell potential;

487 (b) bedrock units with high shrink or swell susceptibility; or

488 (c) gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum  
489 commonly associated with dissolution and collapse features.

490 (68) "Therapeutic school" means a residential group living facility:

- 491 (a) for four or more individuals who are not related to:
- 492 (i) the owner of the facility; or
- 493 (ii) the primary service provider of the facility;
- 494 (b) that serves students who have a history of failing to function:
- 495 (i) at home;
- 496 (ii) in a public school; or
- 497 (iii) in a nonresidential private school; and

- 498 (c) that offers:
- 499 (i) room and board; and
- 500 (ii) an academic education integrated with:
- 501 (A) specialized structure and supervision; or
- 502 (B) services or treatment related to a disability, an emotional development, a
- 503 behavioral development, a familial development, or a social development.

504 (69) "Transferable development right" means a right to develop and use land that  
 505 originates by an ordinance that authorizes a land owner in a designated sending zone to transfer  
 506 land use rights from a designated sending zone to a designated receiving zone.

507 (70) "Unincorporated" means the area outside of the incorporated area of a city or  
 508 town.

- 509 (71) "Water interest" means any right to the beneficial use of water, including:
- 510 (a) each of the rights listed in Section 73-1-11; and
- 511 (b) an ownership interest in the right to the beneficial use of water represented by:
- 512 (i) a contract; or
- 513 (ii) a share in a water company, as defined in Section 73-3-3.5.

514 (72) "Zoning map" means a map, adopted as part of a land use ordinance, that depicts  
 515 land use zones, overlays, or districts.

516 Section 2. Section 10-9a-509 is amended to read:

517 **10-9a-509. Applicant's entitlement to land use application approval --**  
 518 **Municipality's requirements and limitations -- Vesting upon submission of development**  
 519 **plan and schedule.**

520 (1) (a) (i) An applicant who has submitted a complete land use application as described  
 521 in Subsection (1)(c), including the payment of all application fees, is entitled to substantive

522 review of the application under the land use regulations:

523 (A) in effect on the date that the application is complete; and

524 (B) applicable to the application or to the information shown on the application.

525 (ii) An applicant is entitled to approval of a land use application if the application  
526 conforms to the requirements of the applicable land use regulations, land use decisions, and  
527 development standards in effect when the applicant submits a complete application and pays  
528 application fees, unless:

529 (A) the land use authority, on the record, formally finds that a compelling,  
530 countervailing public interest would be jeopardized by approving the application and specifies  
531 the compelling, countervailing public interest in writing; or

532 (B) in the manner provided by local ordinance and before the applicant submits the  
533 application, the municipality formally initiates proceedings to amend the municipality's land  
534 use regulations in a manner that would prohibit approval of the application as submitted.

535 (b) The municipality shall process an application without regard to proceedings the  
536 municipality initiated to amend the municipality's ordinances as described in Subsection  
537 (1)(a)(ii)(B) if:

538 (i) 180 days have passed since the municipality initiated the proceedings; and

539 (ii) the proceedings have not resulted in an enactment that prohibits approval of the  
540 application as submitted.

541 (c) A land use application is considered submitted and complete when the applicant  
542 provides the application in a form that complies with the requirements of applicable ordinances  
543 and pays all applicable fees.

544 (d) A subsequent incorporation of a municipality or a petition that proposes the  
545 incorporation of a municipality does not affect a land use application approved by a county in  
546 accordance with Section [17-27a-508](#).

547 (e) The continuing validity of an approval of a land use application is conditioned upon  
548 the applicant proceeding after approval to implement the approval with reasonable diligence.

549 (f) A municipality may not impose on an applicant who has submitted a complete  
550 application a requirement that is not expressed in:

551 (i) this chapter;

552 (ii) a municipal ordinance; or

553 (iii) a municipal specification for public improvements applicable to a subdivision or  
554 development that is in effect on the date that the applicant submits an application.

555 (g) A municipality may not impose on a holder of an issued land use permit or a final,  
556 unexpired subdivision plat a requirement that is not expressed:

557 (i) in a land use permit;

558 (ii) on the subdivision plat;

559 (iii) in a document on which the land use permit or subdivision plat is based;

560 (iv) in the written record evidencing approval of the land use permit or subdivision

561 plat;

562 (v) in this chapter; or

563 (vi) in a municipal ordinance.

564 (h) Except as provided in Subsection (1)(i), a municipality may not withhold issuance  
565 of a certificate of occupancy or acceptance of subdivision improvements because of an  
566 applicant's failure to comply with a requirement that is not expressed:

567 (i) in the building permit or subdivision plat, documents on which the building permit  
568 or subdivision plat is based, or the written record evidencing approval of the land use permit or  
569 subdivision plat; or

570 (ii) in this chapter or the municipality's ordinances.

571 (i) A municipality may not unreasonably withhold issuance of a certificate of  
572 occupancy where an applicant has met all requirements essential for the public health, public  
573 safety, and general welfare of the occupants, in accordance with this chapter, unless:

574 (i) the applicant and the municipality have agreed in a written document to the  
575 withholding of a certificate of occupancy; or

576 (ii) the applicant has not provided a financial assurance for required and uncompleted  
577 landscaping or infrastructure improvements in accordance with an applicable ordinance that the  
578 legislative body adopts under this chapter.

579 (2) A municipality is bound by the terms and standards of applicable land use  
580 regulations and shall comply with mandatory provisions of those regulations.

581 (3) A municipality may not, as a condition of land use application approval, require a  
582 person filing a land use application to obtain documentation regarding a school district's  
583 willingness, capacity, or ability to serve the development proposed in the land use application.

584 (4) Upon a specified public agency's submission of a development plan and schedule as  
585 required in Subsection 10-9a-305(8) that complies with the requirements of that subsection, the  
586 specified public agency vests in the municipality's applicable land use maps, zoning map,  
587 hookup fees, impact fees, other applicable development fees, and land use regulations in effect  
588 on the date of submission.

589 (5) (a) If sponsors of a referendum timely challenge a project in accordance with  
590 Subsection 20A-7-601(5)[(a)], the project's affected owner may rescind the project's land use  
591 approval by delivering a written notice:

592 (i) to the local clerk as defined in Section 20A-7-101; and

593 (ii) no later than seven days after the day on which a petition for a referendum is  
594 determined sufficient under [Section]Subsection 20A-7-607[(5)](4).

595 (b) Upon delivery of a written notice described in Subsection (5)(a) the following are  
596 rescinded and are of no further force or effect:

597 (i) the relevant land use approval; and

598 (ii) any land use regulation enacted specifically in relation to the land use approval.

599 Section 3. Section 11-14-301 is amended to read:

600 **11-14-301. Issuance of bonds by governing body -- Computation of indebtedness**  
601 **under constitutional and statutory limitations.**

602 (1) If the governing body has declared the bond proposition to have carried and no  
603 contest has been filed, or if a contest has been filed and favorably terminated, the governing  
604 body may proceed to issue the bonds voted at the election.

605 (2) (a) It is not necessary that all of the bonds be issued at one time, but, except as  
606 otherwise provided in this Subsection (2), bonds approved by the voters may not be issued  
607 more than 10 years after the day on which the election is held.

608 (b) The 10-year period described in Subsection (2)(a) is tolled if, at any time during the  
609 10-year period:

610 (i) an application for a referendum petition is filed with a local clerk, in accordance  
611 with Section 20A-7-602, with respect to the local obligation law relating to the bonds; or

612 (ii) the bonds are challenged in a court of law or an administrative proceeding in  
613 relation to:

614 (A) the legality or validity of the bonds, or the election or proceedings authorizing the

615 bonds;

616 (B) the authority of the local political subdivision to issue the bonds;

617 (C) the provisions made for the security or payment of the bonds; or

618 (D) any other issue that materially and adversely affects the marketability of the bonds,

619 as determined by the individual or body that holds the executive powers of the local political  
620 subdivision.

621 (c) For a bond described in this section that is approved by voters on or after May 8,  
622 2002, but before May 14, 2019, a tolling period described in Subsection (2)(b)(i) ends on the  
623 later of the day on which:

624 (i) the local clerk determines that the petition is insufficient, in accordance with  
625 Subsection 20A-7-607(2)(~~e~~)(e), unless an application, described in Subsection  
626 20A-7-607(~~4~~)(3)(a), is made to a court;

627 (ii) a court determines, under Subsection 20A-7-607(~~4~~)(3)(c), that the petition for the  
628 referendum is not legally sufficient; or

629 (iii) for a referendum petition that is sufficient, the governing body declares, as  
630 provided by law, the results of the referendum election on the local obligation law.

631 (d) For a bond described in this section that was approved by voters on or after May  
632 14, 2019, a tolling period described in Subsection (2)(b)(i) ends:

633 (i) if a county, city, town, metro township, or court determines, under Section  
634 20A-7-602.7, that the proposed referendum is not legally referable to voters, the later of:

635 (A) the day on which the county, city, town, or metro township provides the notice  
636 described in Subsection 20A-7-602.7(1)(b)(ii); or

637 (B) if a sponsor appeals, under Subsection 20A-7-602.7(4), the day on which a court  
638 decision that the proposed referendum is not legally referable to voters becomes final; or

639 (ii) if a county, city, town, metro township, or court determines, under Section  
640 20A-7-602.7, that the proposed referendum is legally referable to voters, the later of:

641 (A) the day on which the local clerk determines, under Section 20A-7-607, that the  
642 number of certified names is insufficient for the proposed referendum to appear on the ballot;

643 or

644 (B) if the local clerk determines, under Section 20A-7-607, that the number of certified  
645 names is sufficient for the proposed referendum to appear on the ballot, the day on which the

646 governing body declares, as provided by law, the results of the referendum election on the local  
647 obligation law.

648 (e) A tolling period described in Subsection (2)(b)(ii) ends after:

649 (i) there is a final settlement, a final adjudication, or another type of final resolution of  
650 all challenges described in Subsection (2)(b)(ii); and

651 (ii) the individual or body that holds the executive powers of the local political  
652 subdivision issues a document indicating that all challenges described in Subsection (2)(b)(ii)  
653 are resolved and final.

654 (f) If the 10-year period described in Subsection (2)(a) is tolled under this Subsection  
655 (2) and, when the tolling ends and after giving effect to the tolling, the period of time  
656 remaining to issue the bonds is less than one year, the period of time remaining to issue the  
657 bonds shall be extended to one year.

658 (g) The tolling provisions described in this Subsection (2) apply to all bonds described  
659 in this section that were approved by voters on or after May 8, 2002.

660 (3) (a) Bonds approved by the voters may not be issued to an amount that will cause  
661 the indebtedness of the local political subdivision to exceed that permitted by the Utah  
662 Constitution or statutes.

663 (b) In computing the amount of indebtedness that may be incurred pursuant to  
664 constitutional and statutory limitations, the constitutionally or statutorily permitted percentage,  
665 as the case may be, shall be applied to the fair market value, as defined under Section 59-2-102,  
666 of the taxable property in the local political subdivision, as computed from the last applicable  
667 equalized assessment roll before the incurring of the additional indebtedness.

668 (c) In determining the fair market value of the taxable property in the local political  
669 subdivision as provided in this section, the value of all tax equivalent property, as defined in  
670 Section 59-3-102, shall be included as a part of the total fair market value of taxable property  
671 in the local political subdivision, as provided in Title 59, Chapter 3, Tax Equivalent Property  
672 Act.

673 (4) Bonds of improvement districts issued in a manner that they are payable solely  
674 from the revenues to be derived from the operation of the facilities of the district may not be  
675 included as bonded indebtedness for the purposes of the computation.

676 (5) Where bonds are issued by a city, town, or county payable solely from revenues

677 derived from the operation of revenue-producing facilities of the city, town, or county, or  
 678 payable solely from a special fund into which are deposited excise taxes levied and collected by  
 679 the city, town, or county, or excise taxes levied by the state and rebated pursuant to law to the  
 680 city, town, or county, or any combination of those excise taxes, the bonds shall be included as  
 681 bonded indebtedness of the city, town, or county only to the extent required by the Utah  
 682 Constitution, and any bonds not so required to be included as bonded indebtedness of the city,  
 683 town, or county need not be authorized at an election, except as otherwise provided by the Utah  
 684 Constitution, the bonds being hereby expressly excluded from the election requirement of  
 685 Section [11-14-201](#).

686 (6) A bond election is not void when the amount of bonds authorized at the election  
 687 exceeded the limitation applicable to the local political subdivision at the time of holding the  
 688 election, but the bonds may be issued from time to time in an amount within the applicable  
 689 limitation at the time the bonds are issued.

690 (7) (a) A local political subdivision may not receive, from the issuance of bonds  
 691 approved by the voters at an election, an aggregate amount that exceeds by more than 2% the  
 692 maximum principal amount stated in the bond proposition.

693 (b) The provision in Subsection (7)(a) applies to bonds issued pursuant to an election  
 694 held after January 1, 2019.

695 Section 4. Section **17-27a-103** is amended to read:

696 **17-27a-103. Definitions.**

697 As used in this chapter:

698 (1) "Accessory dwelling unit" means a habitable living unit added to, created within, or  
 699 detached from a primary single-family dwelling and contained on one lot.

700 (2) "Adversely affected party" means a person other than a land use applicant who:

701 (a) owns real property adjoining the property that is the subject of a land use  
 702 application or land use decision; or

703 (b) will suffer a damage different in kind than, or an injury distinct from, that of the  
 704 general community as a result of the land use decision.

705 (3) "Affected entity" means a county, municipality, local district, special service  
 706 district under Title 17D, Chapter 1, Special Service District Act, school district, interlocal  
 707 cooperation entity established under Title 11, Chapter 13, Interlocal Cooperation Act, specified

708 property owner, property owners association, public utility, or the Utah Department of  
709 Transportation, if:

710 (a) the entity's services or facilities are likely to require expansion or significant  
711 modification because of an intended use of land;

712 (b) the entity has filed with the county a copy of the entity's general or long-range plan;  
713 or

714 (c) the entity has filed with the county a request for notice during the same calendar  
715 year and before the county provides notice to an affected entity in compliance with a  
716 requirement imposed under this chapter.

717 (4) "Affected owner" means the owner of real property that is:

718 (a) a single project;

719 (b) the subject of a land use approval that sponsors of a referendum timely challenged  
720 in accordance with Subsection [20A-7-601\(5\)\(a\)](#); and

721 (c) determined to be legally referable under Section [20A-7-602.8](#).

722 (5) "Appeal authority" means the person, board, commission, agency, or other body  
723 designated by ordinance to decide an appeal of a decision of a land use application or a  
724 variance.

725 (6) "Billboard" means a freestanding ground sign located on industrial, commercial, or  
726 residential property if the sign is designed or intended to direct attention to a business, product,  
727 or service that is not sold, offered, or existing on the property where the sign is located.

728 (7) (a) "Charter school" means:

729 (i) an operating charter school;

730 (ii) a charter school applicant that has its application approved by a charter school  
731 authorizer in accordance with Title 53G, Chapter 5, Part 3, Charter School Authorization; or

732 (iii) an entity that is working on behalf of a charter school or approved charter  
733 applicant to develop or construct a charter school building.

734 (b) "Charter school" does not include a therapeutic school.

735 (8) "Chief executive officer" means the person or body that exercises the executive  
736 powers of the county.

737 (9) "Conditional use" means a land use that, because of its unique characteristics or  
738 potential impact on the county, surrounding neighbors, or adjacent land uses, may not be

739 compatible in some areas or may be compatible only if certain conditions are required that  
740 mitigate or eliminate the detrimental impacts.

741 (10) "Constitutional taking" means a governmental action that results in a taking of  
742 private property so that compensation to the owner of the property is required by the:

- 743 (a) Fifth or Fourteenth Amendment of the Constitution of the United States; or
- 744 (b) Utah Constitution, Article I, Section 22.

745 (11) "County utility easement" means an easement that:

746 (a) a plat recorded in a county recorder's office described as a county utility easement  
747 or otherwise as a utility easement;

748 (b) is not a protected utility easement or a public utility easement as defined in Section  
749 [54-3-27](#);

750 (c) the county or the county's affiliated governmental entity owns or creates; and

751 (d) (i) either:

752 (A) no person uses or occupies; or

753 (B) the county or the county's affiliated governmental entity uses and occupies to  
754 provide a utility service, including sanitary sewer, culinary water, electrical, storm water, or  
755 communications or data lines; or

756 (ii) a person uses or occupies with or without an authorized franchise or other  
757 agreement with the county.

758 (12) "Culinary water authority" means the department, agency, or public entity with  
759 responsibility to review and approve the feasibility of the culinary water system and sources for  
760 the subject property.

761 (13) "Development activity" means:

762 (a) any construction or expansion of a building, structure, or use that creates additional  
763 demand and need for public facilities;

764 (b) any change in use of a building or structure that creates additional demand and need  
765 for public facilities; or

766 (c) any change in the use of land that creates additional demand and need for public  
767 facilities.

768 (14) (a) "Disability" means a physical or mental impairment that substantially limits  
769 one or more of a person's major life activities, including a person having a record of such an

770 impairment or being regarded as having such an impairment.

771 (b) "Disability" does not include current illegal use of, or addiction to, any federally  
772 controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C.  
773 Sec. 802.

774 (15) "Educational facility":

775 (a) means:

776 (i) a school district's building at which pupils assemble to receive instruction in a  
777 program for any combination of grades from preschool through grade 12, including  
778 kindergarten and a program for children with disabilities;

779 (ii) a structure or facility:

780 (A) located on the same property as a building described in Subsection (15)(a)(i); and

781 (B) used in support of the use of that building; and

782 (iii) a building to provide office and related space to a school district's administrative  
783 personnel; and

784 (b) does not include:

785 (i) land or a structure, including land or a structure for inventory storage, equipment  
786 storage, food processing or preparing, vehicle storage or maintenance, or similar use that is:

787 (A) not located on the same property as a building described in Subsection (15)(a)(i);

788 and

789 (B) used in support of the purposes of a building described in Subsection (15)(a)(i); or

790 (ii) a therapeutic school.

791 (16) "Fire authority" means the department, agency, or public entity with responsibility  
792 to review and approve the feasibility of fire protection and suppression services for the subject  
793 property.

794 (17) "Flood plain" means land that:

795 (a) is within the 100-year flood plain designated by the Federal Emergency  
796 Management Agency; or

797 (b) has not been studied or designated by the Federal Emergency Management Agency  
798 but presents a likelihood of experiencing chronic flooding or a catastrophic flood event because  
799 the land has characteristics that are similar to those of a 100-year flood plain designated by the  
800 Federal Emergency Management Agency.

- 801 (18) "Gas corporation" has the same meaning as defined in Section 54-2-1.
- 802 (19) "General plan" means a document that a county adopts that sets forth general  
803 guidelines for proposed future development of:
- 804 (a) the unincorporated land within the county; or
- 805 (b) for a mountainous planning district, the land within the mountainous planning  
806 district.
- 807 (20) "Geologic hazard" means:
- 808 (a) a surface fault rupture;
- 809 (b) shallow groundwater;
- 810 (c) liquefaction;
- 811 (d) a landslide;
- 812 (e) a debris flow;
- 813 (f) unstable soil;
- 814 (g) a rock fall; or
- 815 (h) any other geologic condition that presents a risk:
- 816 (i) to life;
- 817 (ii) of substantial loss of real property; or
- 818 (iii) of substantial damage to real property.
- 819 (21) "Hookup fee" means a fee for the installation and inspection of any pipe, line,  
820 meter, or appurtenance to connect to a county water, sewer, storm water, power, or other utility  
821 system.
- 822 (22) "Identical plans" means building plans submitted to a county that:
- 823 (a) are clearly marked as "identical plans";
- 824 (b) are substantially identical building plans that were previously submitted to and  
825 reviewed and approved by the county; and
- 826 (c) describe a building that:
- 827 (i) is located on land zoned the same as the land on which the building described in the  
828 previously approved plans is located;
- 829 (ii) is subject to the same geological and meteorological conditions and the same law  
830 as the building described in the previously approved plans;
- 831 (iii) has a floor plan identical to the building plan previously submitted to and reviewed

832 and approved by the county; and

833 (iv) does not require any additional engineering or analysis.

834 (23) "Impact fee" means a payment of money imposed under Title 11, Chapter 36a,  
835 Impact Fees Act.

836 (24) "Improvement completion assurance" means a surety bond, letter of credit,  
837 financial institution bond, cash, assignment of rights, lien, or other equivalent security required  
838 by a county to guaranty the proper completion of landscaping or an infrastructure improvement  
839 required as a condition precedent to:

840 (a) recording a subdivision plat; or

841 (b) development of a commercial, industrial, mixed use, or multifamily project.

842 (25) "Improvement warranty" means an applicant's unconditional warranty that the  
843 applicant's installed and accepted landscaping or infrastructure improvement:

844 (a) complies with the county's written standards for design, materials, and  
845 workmanship; and

846 (b) will not fail in any material respect, as a result of poor workmanship or materials,  
847 within the improvement warranty period.

848 (26) "Improvement warranty period" means a period:

849 (a) no later than one year after a county's acceptance of required landscaping; or

850 (b) no later than one year after a county's acceptance of required infrastructure, unless  
851 the county:

852 (i) determines for good cause that a one-year period would be inadequate to protect the  
853 public health, safety, and welfare; and

854 (ii) has substantial evidence, on record:

855 (A) of prior poor performance by the applicant; or

856 (B) that the area upon which the infrastructure will be constructed contains suspect soil  
857 and the county has not otherwise required the applicant to mitigate the suspect soil.

858 (27) "Infrastructure improvement" means permanent infrastructure that is essential for  
859 the public health and safety or that:

860 (a) is required for human consumption; and

861 (b) an applicant must install:

862 (i) in accordance with published installation and inspection specifications for public

863 improvements; and

864 (ii) as a condition of:

865 (A) recording a subdivision plat;

866 (B) obtaining a building permit; or

867 (C) developing a commercial, industrial, mixed use, condominium, or multifamily  
868 project.

869 (28) "Internal lot restriction" means a platted note, platted demarcation, or platted  
870 designation that:

871 (a) runs with the land; and

872 (b) (i) creates a restriction that is enclosed within the perimeter of a lot described on  
873 the plat; or

874 (ii) designates a development condition that is enclosed within the perimeter of a lot  
875 described on the plat.

876 (29) "Interstate pipeline company" means a person or entity engaged in natural gas  
877 transportation subject to the jurisdiction of the Federal Energy Regulatory Commission under  
878 the Natural Gas Act, 15 U.S.C. Sec. 717 et seq.

879 (30) "Intrastate pipeline company" means a person or entity engaged in natural gas  
880 transportation that is not subject to the jurisdiction of the Federal Energy Regulatory  
881 Commission under the Natural Gas Act, 15 U.S.C. Sec. 717 et seq.

882 (31) "Land use applicant" means a property owner, or the property owner's designee,  
883 who submits a land use application regarding the property owner's land.

884 (32) "Land use application":

885 (a) means an application that is:

886 (i) required by a county; and

887 (ii) submitted by a land use applicant to obtain a land use decision; and

888 (b) does not mean an application to enact, amend, or repeal a land use regulation.

889 (33) "Land use authority" means:

890 (a) a person, board, commission, agency, or body, including the local legislative body,  
891 designated by the local legislative body to act upon a land use application; or

892 (b) if the local legislative body has not designated a person, board, commission,  
893 agency, or body, the local legislative body.

894 (34) "Land use decision" means an administrative decision of a land use authority or  
895 appeal authority regarding:

896 (a) a land use permit;

897 (b) a land use application; or

898 (c) the enforcement of a land use regulation, land use permit, or development  
899 agreement.

900 (35) "Land use permit" means a permit issued by a land use authority.

901 (36) "Land use regulation":

902 (a) means a legislative decision enacted by ordinance, law, code, map, resolution,  
903 specification, fee, or rule that governs the use or development of land;

904 (b) includes the adoption or amendment of a zoning map or the text of the zoning code;  
905 and

906 (c) does not include:

907 (i) a land use decision of the legislative body acting as the land use authority, even if  
908 the decision is expressed in a resolution or ordinance; or

909 (ii) a temporary revision to an engineering specification that does not materially:

910 (A) increase a land use applicant's cost of development compared to the existing  
911 specification; or

912 (B) impact a land use applicant's use of land.

913 (37) "Legislative body" means the county legislative body, or for a county that has  
914 adopted an alternative form of government, the body exercising legislative powers.

915 (38) "Local district" means any entity under Title 17B, Limited Purpose Local  
916 Government Entities - Local Districts, and any other governmental or quasi-governmental  
917 entity that is not a county, municipality, school district, or the state.

918 (39) "Lot" means a tract of land, regardless of any label, that is created by and shown  
919 on a subdivision plat that has been recorded in the office of the county recorder.

920 (40) (a) "Lot line adjustment" means a relocation of a lot line boundary between  
921 adjoining lots or parcels, whether or not the lots are located in the same subdivision, in  
922 accordance with Section [17-27a-608](#), with the consent of the owners of record.

923 (b) "Lot line adjustment" does not mean a new boundary line that:

924 (i) creates an additional lot; or

925 (ii) constitutes a subdivision.

926 (41) "Major transit investment corridor" means public transit service that uses or  
927 occupies:

928 (a) public transit rail right-of-way;

929 (b) dedicated road right-of-way for the use of public transit, such as bus rapid transit;

930 or

931 (c) fixed-route bus corridors subject to an interlocal agreement or contract between a  
932 municipality or county and:

933 (i) a public transit district as defined in Section [17B-2a-802](#); or

934 (ii) an eligible political subdivision as defined in Section [59-12-2219](#).

935 (42) "Moderate income housing" means housing occupied or reserved for occupancy  
936 by households with a gross household income equal to or less than 80% of the median gross  
937 income for households of the same size in the county in which the housing is located.

938 (43) "Mountainous planning district" means an area:

939 (a) designated by a county legislative body in accordance with Section [17-27a-901](#); and

940 (b) that is not otherwise exempt under Section [10-9a-304](#).

941 (44) "Nominal fee" means a fee that reasonably reimburses a county only for time spent  
942 and expenses incurred in:

943 (a) verifying that building plans are identical plans; and

944 (b) reviewing and approving those minor aspects of identical plans that differ from the  
945 previously reviewed and approved building plans.

946 (45) "Noncomplying structure" means a structure that:

947 (a) legally existed before its current land use designation; and

948 (b) because of one or more subsequent land use ordinance changes, does not conform  
949 to the setback, height restrictions, or other regulations, excluding those regulations that govern  
950 the use of land.

951 (46) "Nonconforming use" means a use of land that:

952 (a) legally existed before its current land use designation;

953 (b) has been maintained continuously since the time the land use ordinance regulation  
954 governing the land changed; and

955 (c) because of one or more subsequent land use ordinance changes, does not conform

956 to the regulations that now govern the use of the land.

957 (47) "Official map" means a map drawn by county authorities and recorded in the  
958 county recorder's office that:

959 (a) shows actual and proposed rights-of-way, centerline alignments, and setbacks for  
960 highways and other transportation facilities;

961 (b) provides a basis for restricting development in designated rights-of-way or between  
962 designated setbacks to allow the government authorities time to purchase or otherwise reserve  
963 the land; and

964 (c) has been adopted as an element of the county's general plan.

965 (48) "Parcel" means any real property that is not a lot created by and shown on a  
966 subdivision plat recorded in the office of the county recorder.

967 (49) (a) "Parcel boundary adjustment" means a recorded agreement between owners of  
968 adjoining parcels adjusting the mutual boundary, either by deed or by a boundary line  
969 agreement in accordance with Section 57-1-45, if no additional parcel is created and:

970 (i) none of the property identified in the agreement is subdivided land; or

971 (ii) the adjustment is to the boundaries of a single person's parcels.

972 (b) "Parcel boundary adjustment" does not mean an adjustment of a parcel boundary  
973 line that:

974 (i) creates an additional parcel; or

975 (ii) constitutes a subdivision.

976 (50) "Person" means an individual, corporation, partnership, organization, association,  
977 trust, governmental agency, or any other legal entity.

978 (51) "Plan for moderate income housing" means a written document adopted by a  
979 county legislative body that includes:

980 (a) an estimate of the existing supply of moderate income housing located within the  
981 county;

982 (b) an estimate of the need for moderate income housing in the county for the next five  
983 years;

984 (c) a survey of total residential land use;

985 (d) an evaluation of how existing land uses and zones affect opportunities for moderate  
986 income housing; and

987 (e) a description of the county's program to encourage an adequate supply of moderate  
988 income housing.

989 (52) "Planning advisory area" means a contiguous, geographically defined portion of  
990 the unincorporated area of a county established under this part with planning and zoning  
991 functions as exercised through the planning advisory area planning commission, as provided in  
992 this chapter, but with no legal or political identity separate from the county and no taxing  
993 authority.

994 (53) "Plat" means a map or other graphical representation of lands that a licensed  
995 professional land surveyor makes and prepares in accordance with Section [17-27a-603](#) or  
996 [57-8-13](#).

997 (54) "Potential geologic hazard area" means an area that:

998 (a) is designated by a Utah Geological Survey map, county geologist map, or other  
999 relevant map or report as needing further study to determine the area's potential for geologic  
1000 hazard; or

1001 (b) has not been studied by the Utah Geological Survey or a county geologist but  
1002 presents the potential of geologic hazard because the area has characteristics similar to those of  
1003 a designated geologic hazard area.

1004 (55) "Public agency" means:

1005 (a) the federal government;

1006 (b) the state;

1007 (c) a county, municipality, school district, local district, special service district, or other  
1008 political subdivision of the state; or

1009 (d) a charter school.

1010 (56) "Public hearing" means a hearing at which members of the public are provided a  
1011 reasonable opportunity to comment on the subject of the hearing.

1012 (57) "Public meeting" means a meeting that is required to be open to the public under  
1013 Title 52, Chapter 4, Open and Public Meetings Act.

1014 (58) "Public street" means a public right-of-way, including a public highway, public  
1015 avenue, public boulevard, public parkway, public road, public lane, public alley, public  
1016 viaduct, public subway, public tunnel, public bridge, public byway, other public transportation  
1017 easement, or other public way.

1018 (59) "Receiving zone" means an unincorporated area of a county that the county  
1019 designates, by ordinance, as an area in which an owner of land may receive a transferable  
1020 development right.

1021 (60) "Record of survey map" means a map of a survey of land prepared in accordance  
1022 with Section [10-9a-603](#), [17-23-17](#), [17-27a-603](#), or [57-8-13](#).

1023 (61) "Residential facility for persons with a disability" means a residence:

1024 (a) in which more than one person with a disability resides; and

1025 (b) (i) which is licensed or certified by the Department of Human Services under Title  
1026 62A, Chapter 2, Licensure of Programs and Facilities; or

1027 (ii) which is licensed or certified by the Department of Health under Title 26, Chapter  
1028 21, Health Care Facility Licensing and Inspection Act.

1029 (62) "Rules of order and procedure" means a set of rules that govern and prescribe in a  
1030 public meeting:

1031 (a) parliamentary order and procedure;

1032 (b) ethical behavior; and

1033 (c) civil discourse.

1034 (63) "Sanitary sewer authority" means the department, agency, or public entity with  
1035 responsibility to review and approve the feasibility of sanitary sewer services or onsite  
1036 wastewater systems.

1037 (64) "Sending zone" means an unincorporated area of a county that the county  
1038 designates, by ordinance, as an area from which an owner of land may transfer a transferable  
1039 development right.

1040 (65) "Site plan" means a document or map that may be required by a county during a  
1041 preliminary review preceding the issuance of a building permit to demonstrate that an owner's  
1042 or developer's proposed development activity meets a land use requirement.

1043 (66) "Specified public agency" means:

1044 (a) the state;

1045 (b) a school district; or

1046 (c) a charter school.

1047 (67) "Specified public utility" means an electrical corporation, gas corporation, or  
1048 telephone corporation, as those terms are defined in Section [54-2-1](#).

- 1049 (68) "State" includes any department, division, or agency of the state.
- 1050 (69) "Subdivided land" means the land, tract, or lot described in a recorded subdivision  
1051 plat.
- 1052 (70) (a) "Subdivision" means any land that is divided, resubdivided, or proposed to be  
1053 divided into two or more lots or other division of land for the purpose, whether immediate or  
1054 future, for offer, sale, lease, or development either on the installment plan or upon any and all  
1055 other plans, terms, and conditions.
- 1056 (b) "Subdivision" includes:
- 1057 (i) the division or development of land whether by deed, metes and bounds description,  
1058 devise and testacy, map, plat, or other recorded instrument, regardless of whether the division  
1059 includes all or a portion of a parcel or lot; and
- 1060 (ii) except as provided in Subsection (70)(c), divisions of land for residential and  
1061 nonresidential uses, including land used or to be used for commercial, agricultural, and  
1062 industrial purposes.
- 1063 (c) "Subdivision" does not include:
- 1064 (i) a bona fide division or partition of agricultural land for agricultural purposes;
- 1065 (ii) an agreement recorded with the county recorder's office between owners of  
1066 adjoining properties adjusting the mutual boundary by a boundary line agreement in accordance  
1067 with Section 57-1-45 if:
- 1068 (A) no new lot is created; and
- 1069 (B) the adjustment does not violate applicable land use ordinances;
- 1070 (iii) a recorded document, executed by the owner of record:
- 1071 (A) revising the legal description of more than one contiguous parcel of property that is  
1072 not subdivided land into one legal description encompassing all such parcels of property; or
- 1073 (B) joining a subdivided parcel of property to another parcel of property that has not  
1074 been subdivided, if the joinder does not violate applicable land use ordinances;
- 1075 (iv) a bona fide division or partition of land in a county other than a first class county  
1076 for the purpose of siting, on one or more of the resulting separate parcels:
- 1077 (A) an electrical transmission line or a substation;
- 1078 (B) a natural gas pipeline or a regulation station; or
- 1079 (C) an unmanned telecommunications, microwave, fiber optic, electrical, or other

- 1080 utility service regeneration, transformation, retransmission, or amplification facility;
- 1081 (v) an agreement between owners of adjoining subdivided properties adjusting the
- 1082 mutual lot line boundary in accordance with Section 10-9a-603 if:
- 1083 (A) no new dwelling lot or housing unit will result from the adjustment; and
- 1084 (B) the adjustment will not violate any applicable land use ordinance;
- 1085 (vi) a bona fide division or partition of land by deed or other instrument where the land
- 1086 use authority expressly approves in writing the division in anticipation of further land use
- 1087 approvals on the parcel or parcels;
- 1088 (vii) a parcel boundary adjustment;
- 1089 (viii) a lot line adjustment;
- 1090 (ix) a road, street, or highway dedication plat; or
- 1091 (x) a deed or easement for a road, street, or highway purpose.
- 1092 (d) The joining of a subdivided parcel of property to another parcel of property that has
- 1093 not been subdivided does not constitute a subdivision under this Subsection (70) as to the
- 1094 unsubdivided parcel of property or subject the unsubdivided parcel to the county's subdivision
- 1095 ordinance.
- 1096 (71) "Subdivision amendment" means an amendment to a recorded subdivision in
- 1097 accordance with Section 17-27a-608 that:
- 1098 (a) vacates all or a portion of the subdivision;
- 1099 (b) alters the outside boundary of the subdivision;
- 1100 (c) changes the number of lots within the subdivision;
- 1101 (d) alters a public right-of-way, a public easement, or public infrastructure within the
- 1102 subdivision; or
- 1103 (e) alters a common area or other common amenity within the subdivision.
- 1104 (72) "Suspect soil" means soil that has:
- 1105 (a) a high susceptibility for volumetric change, typically clay rich, having more than a
- 1106 3% swell potential;
- 1107 (b) bedrock units with high shrink or swell susceptibility; or
- 1108 (c) gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum
- 1109 commonly associated with dissolution and collapse features.
- 1110 (73) "Therapeutic school" means a residential group living facility:

- 1111 (a) for four or more individuals who are not related to:
- 1112 (i) the owner of the facility; or
- 1113 (ii) the primary service provider of the facility;
- 1114 (b) that serves students who have a history of failing to function:
- 1115 (i) at home;
- 1116 (ii) in a public school; or
- 1117 (iii) in a nonresidential private school; and
- 1118 (c) that offers:
- 1119 (i) room and board; and
- 1120 (ii) an academic education integrated with:
- 1121 (A) specialized structure and supervision; or
- 1122 (B) services or treatment related to a disability, an emotional development, a
- 1123 behavioral development, a familial development, or a social development.
- 1124 (74) "Transferable development right" means a right to develop and use land that
- 1125 originates by an ordinance that authorizes a land owner in a designated sending zone to transfer
- 1126 land use rights from a designated sending zone to a designated receiving zone.
- 1127 (75) "Unincorporated" means the area outside of the incorporated area of a
- 1128 municipality.
- 1129 (76) "Water interest" means any right to the beneficial use of water, including:
- 1130 (a) each of the rights listed in Section 73-1-11; and
- 1131 (b) an ownership interest in the right to the beneficial use of water represented by:
- 1132 (i) a contract; or
- 1133 (ii) a share in a water company, as defined in Section 73-3-3.5.
- 1134 (77) "Zoning map" means a map, adopted as part of a land use ordinance, that depicts
- 1135 land use zones, overlays, or districts.
- 1136 Section 5. Section 17-27a-508 is amended to read:
- 1137 **17-27a-508. Applicant's entitlement to land use application approval --**
- 1138 **Application relating to land in a high priority transportation corridor -- County's**
- 1139 **requirements and limitations -- Vesting upon submission of development plan and**
- 1140 **schedule.**
- 1141 (1) (a) (i) An applicant who has submitted a complete land use application, including

1142 the payment of all application fees, is entitled to substantive review of the application under the  
1143 land use regulations:

1144 (A) in effect on the date that the application is complete; and

1145 (B) applicable to the application or to the information shown on the submitted  
1146 application.

1147 (ii) An applicant is entitled to approval of a land use application if the application  
1148 conforms to the requirements of the applicable land use regulations, land use decisions, and  
1149 development standards in effect when the applicant submits a complete application and pays all  
1150 application fees, unless:

1151 (A) the land use authority, on the record, formally finds that a compelling,  
1152 countervailing public interest would be jeopardized by approving the application and specifies  
1153 the compelling, countervailing public interest in writing; or

1154 (B) in the manner provided by local ordinance and before the applicant submits the  
1155 application, the county formally initiates proceedings to amend the county's land use  
1156 regulations in a manner that would prohibit approval of the application as submitted.

1157 (b) The county shall process an application without regard to proceedings the county  
1158 initiated to amend the county's ordinances as described in Subsection (1)(a)(ii)(B) if:

1159 (i) 180 days have passed since the county initiated the proceedings; and

1160 (ii) the proceedings have not resulted in an enactment that prohibits approval of the  
1161 application as submitted.

1162 (c) A land use application is considered submitted and complete when the applicant  
1163 provides the application in a form that complies with the requirements of applicable ordinances  
1164 and pays all applicable fees.

1165 (d) The continuing validity of an approval of a land use application is conditioned upon  
1166 the applicant proceeding after approval to implement the approval with reasonable diligence.

1167 (e) A county may not impose on an applicant who has submitted a complete  
1168 application a requirement that is not expressed:

1169 (i) in this chapter;

1170 (ii) in a county ordinance; or

1171 (iii) in a county specification for public improvements applicable to a subdivision or  
1172 development that is in effect on the date that the applicant submits an application.

1173 (f) A county may not impose on a holder of an issued land use permit or a final,  
1174 unexpired subdivision plat a requirement that is not expressed:

1175 (i) in a land use permit;

1176 (ii) on the subdivision plat;

1177 (iii) in a document on which the land use permit or subdivision plat is based;

1178 (iv) in the written record evidencing approval of the land use permit or subdivision  
1179 plat;

1180 (v) in this chapter; or

1181 (vi) in a county ordinance.

1182 (g) Except as provided in Subsection (1)(h), a county may not withhold issuance of a  
1183 certificate of occupancy or acceptance of subdivision improvements because of an applicant's  
1184 failure to comply with a requirement that is not expressed:

1185 (i) in the building permit or subdivision plat, documents on which the building permit  
1186 or subdivision plat is based, or the written record evidencing approval of the building permit or  
1187 subdivision plat; or

1188 (ii) in this chapter or the county's ordinances.

1189 (h) A county may not unreasonably withhold issuance of a certificate of occupancy  
1190 where an applicant has met all requirements essential for the public health, public safety, and  
1191 general welfare of the occupants, in accordance with this chapter, unless:

1192 (i) the applicant and the county have agreed in a written document to the withholding  
1193 of a certificate of occupancy; or

1194 (ii) the applicant has not provided a financial assurance for required and uncompleted  
1195 landscaping or infrastructure improvements in accordance with an applicable ordinance that the  
1196 legislative body adopts under this chapter.

1197 (2) A county is bound by the terms and standards of applicable land use regulations and  
1198 shall comply with mandatory provisions of those regulations.

1199 (3) A county may not, as a condition of land use application approval, require a person  
1200 filing a land use application to obtain documentation regarding a school district's willingness,  
1201 capacity, or ability to serve the development proposed in the land use application.

1202 (4) Upon a specified public agency's submission of a development plan and schedule as  
1203 required in Subsection [17-27a-305](#)(8) that complies with the requirements of that subsection,

1204 the specified public agency vests in the county's applicable land use maps, zoning map, hookup  
1205 fees, impact fees, other applicable development fees, and land use regulations in effect on the  
1206 date of submission.

1207 (5) (a) If sponsors of a referendum timely challenge a project in accordance with  
1208 Subsection 20A-7-601(5)[~~(a)~~], the project's affected owner may rescind the project's land use  
1209 approval by delivering a written notice:

1210 (i) to the local clerk as defined in Section 20A-7-101; and

1211 (ii) no later than seven days after the day on which a petition for a referendum is  
1212 determined sufficient under [Section] Subsection 20A-7-607[~~(5)~~](4).

1213 (b) Upon delivery of a written notice described in Subsection (5)(a) the following are  
1214 rescinded and are of no further force or effect:

1215 (i) the relevant land use approval; and

1216 (ii) any land use regulation enacted specifically in relation to the land use approval.

1217 Section 6. Section 20A-1-609 is amended to read:

1218 **20A-1-609. Omnibus penalties.**

1219 (1) (a) Except as provided in Subsection (1)(b), a person who violates any provision of  
1220 this title is guilty of a class B misdemeanor.

1221 (b) Subsection (1)(a) does not apply to a provision of this title for which another  
1222 penalty is expressly stated.

1223 (c) An individual is not guilty of a crime for, by signing a petition for an initiative or  
1224 referendum, falsely making the statement described in Subsection 20A-7-203(2)[~~(e)~~](h)(ii),  
1225 20A-7-303(2)(h)(ii), 20A-7-503(2)[~~(e)~~](h)(ii), or 20A-7-603(2)(h).

1226 (2) Except as provided by Section 20A-2-101.3 or 20A-2-101.5, an individual  
1227 convicted of any offense under this title may not:

1228 (a) file a declaration of candidacy for any office or appear on the ballot as a candidate  
1229 for any office during the election cycle in which the violation occurred;

1230 (b) take or hold the office to which the individual was elected; and

1231 (c) receive the emoluments of the office to which the individual was elected.

1232 (3) (a) Any individual convicted of any offense under this title forfeits the right to vote  
1233 at any election unless the right to vote is restored as provided in Section 20A-2-101.3 or  
1234 20A-2-101.5.

1235 (b) Any person may challenge the right to vote of a person described in Subsection  
 1236 (3)(a) by following the procedures and requirements of Section [20A-3a-803](#).

1237 Section 7. Section **20A-7-202** is amended to read:

1238 **20A-7-202. Statewide initiative process -- Application procedures -- Time to**  
 1239 **gather signatures -- Grounds for rejection.**

1240 (1) [~~Persons~~] Individuals wishing to circulate an initiative petition shall file an  
 1241 application with the lieutenant governor.

1242 (2) The application shall contain:

1243 (a) the name and residence address of at least five sponsors of the initiative petition;

1244 (b) a statement indicating that each of the sponsors[~~:(i) is a resident of Utah; and~~] is  
 1245 registered to vote in Utah:

1246 [~~(ii) has voted in a regular general election in Utah within the last three years;~~]

1247 (c) the signature of each of the sponsors, attested to by a notary public;

1248 (d) a copy of the proposed law that includes, in the following order:

1249 (i) the title of the proposed law, that clearly expresses the subject of the law;

1250 (ii) a description of all proposed sources of funding for the costs associated with the  
 1251 proposed law, including the proposed percentage of total funding from each source; and

1252 (iii) the text of the proposed law;

1253 (e) if the initiative petition proposes a tax increase, the following statement, "This  
 1254 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax  
 1255 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
 1256 increase in the current tax rate."; and

1257 (f) a statement indicating whether persons gathering signatures for the petition may be  
 1258 paid for [~~doing so~~] gathering signatures.

1259 (3) (a) An individual's status as a resident, under Subsection (2), is determined in  
 1260 accordance with Section [20A-2-105](#).

1261 (b) The application and the application's contents are public when filed with the  
 1262 lieutenant governor.

1263 (4) If the petition fails to qualify for the ballot of the election described in Subsection  
 1264 [20A-7-201](#)(2)(b), the sponsors shall:

1265 (a) submit a new application;

1266 (b) obtain new signature sheets; and  
1267 (c) collect signatures again.

1268 (5) The lieutenant governor shall reject the application or application addendum filed  
1269 under Subsection 20A-7-204.1(5) and not issue circulation sheets if:

1270 (a) the law proposed by the initiative is patently unconstitutional;  
1271 (b) the law proposed by the initiative is nonsensical;  
1272 (c) the proposed law could not become law if passed;  
1273 (d) the proposed law contains more than one subject as evaluated in accordance with

1274 Subsection (6);  
1275 (e) the subject of the proposed law is not clearly expressed in the law's title; or  
1276 (f) the law proposed by the initiative is identical or substantially similar to a law  
1277 proposed by an initiative for which signatures were submitted to the county clerks and  
1278 lieutenant governor for certification within two years preceding the date on which the  
1279 application for the new initiative is filed.

1280 (6) To evaluate whether the proposed law contains more than one subject under  
1281 Subsection (5)(d), the lieutenant governor shall apply the same standard provided in Utah  
1282 Constitution, Article VI, Section 22, which prohibits a bill from passing that contains more  
1283 than one subject.

1284 Section 8. Section 20A-7-203 is amended to read:

1285 **20A-7-203. Form of initiative petition and signature sheets.**

1286 (1) (a) Each proposed initiative petition shall be printed in substantially the following  
1287 form:

1288 "INITIATIVE PETITION To the Honorable \_\_\_\_, Lieutenant Governor:

1289 We, the undersigned citizens of Utah, respectfully demand that the following proposed  
1290 law be submitted to the legal voters/Legislature of Utah for their/its approval or rejection at the  
1291 regular general election/session to be held/ beginning on \_\_\_\_\_(month\day\year);

1292 Each signer says:

1293 I have personally signed this petition;

1294 The date next to my signature correctly reflects the date that I actually signed the  
1295 petition;

1296 I have personally reviewed the entire statement included with this packet;

1297 I am registered to vote in Utah or intend to become registered to vote in Utah before the  
1298 certification of the petition names by the county clerk; and

1299 My residence and post office address are written correctly after my name.

1300 NOTICE TO SIGNERS:

1301 Public hearings to discuss this petition were held at: (list dates and locations of public  
1302 hearings.)".

1303 (b) If the initiative petition proposes a tax increase, the following statement shall  
1304 appear, in at least 14-point, bold type, immediately following the information described in  
1305 Subsection (1)(a):

1306 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert  
1307 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)  
1308 percent increase in the current tax rate.".

1309 (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the  
1310 proposed law to each initiative petition.

1311 (2) Each signature sheet shall:

1312 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1313 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
1314 that line blank for the purpose of binding;

1315 (c) contain the title of the initiative printed below the horizontal line, in at least  
1316 14-point, bold type;

1317 (d) contain the word "Warning" printed or typed at the top of each signature sheet  
1318 under the title of the initiative;

1319 (e) contain, to the right of the word "Warning," the following statement printed or  
1320 typed in not less than eight-point type:

1321 "It is a class A misdemeanor for an individual to sign an initiative petition with a name  
1322 other than the individual's own name, or to knowingly sign the individual's name more than  
1323 once for the same measure, or to sign an initiative petition when the individual knows that the  
1324 individual is not a registered voter and knows that the individual does not intend to become  
1325 registered to vote before the certification of the petition names by the county clerk.";

1326 (f) contain horizontally ruled lines, three-eighths inch apart, under the warning  
1327 statement described in Subsection (2)(e); and

1328           ~~[(d)]~~ (g) be vertically divided into columns as follows:

1329           (i) the edge of the first column shall appear .5 inch from the extreme left of the sheet,

1330 be .25 inch wide, and be headed, together with the second column, "For Office Use Only";

1331           (ii) the second column shall be .25 inch wide;

1332           (iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed

1333 Name (must be legible to be counted)";

1334           (iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered

1335 Voter";

1336           (v) the fifth column shall be .75 inch wide, headed "Date Signed";

1337           (vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip

1338 Code"; and

1339           (vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)";

1340           ~~[(e)]~~ (h) be horizontally divided into rows as follows:

1341           (i) the top of the first row, for the purpose of entering the information described in

1342 Subsection (2)~~[(d)]~~(g), shall be .5 inch high;

1343           (ii) the second row shall be .15 inch high and contain the following statement printed

1344 or typed in not less than 12-point type:

1345           "By signing this petition, you are stating that you have read and understand the law

1346 proposed by this petition."; and

1347           (iii) the first and second rows shall be repeated, in order, leaving sufficient room at the

1348 bottom of the sheet for the information described in Subsection (2)~~[(f)]~~(i); and

1349           ~~[(f)]~~ (i) at the bottom of the sheet, contain in the following order:

1350           ~~[(i) the title of the initiative, in at least 14-point, bold type;]~~

1351           ~~[(ii)]~~ (i) except as provided in Subsection (4), the initial fiscal impact estimate's

1352 summary statement issued by the Office of the Legislative Fiscal Analyst in accordance with

1353 Subsection [20A-7-202.5](#)(2)(a), including any update in accordance with Subsection

1354 [20A-7-204.1](#)(5), in not less than 12-point, bold type;

1355           ~~[(iii) the word "Warning," followed by the following statement in not less than~~

1356 ~~eight-point type:]~~

1357           ~~["It is a class A misdemeanor for an individual to sign an initiative petition with a name~~

1358 ~~other than the individual's own name, or to knowingly sign the individual's name more than~~

1359 ~~once for the same measure, or to sign an initiative petition when the individual knows that the~~  
1360 ~~individual is not a registered voter and knows that the individual does not intend to become~~  
1361 ~~registered to vote before the certification of the petition names by the county clerk.";~~]

1362 [(iv)] (ii) the following statement: "Birth date or age information is not required, but it  
1363 may be used to verify your identity with voter registration records. If you choose not to provide  
1364 it, your signature may not be verified as a valid signature if you change your address before  
1365 petition signatures are verified or if the information you provide does not match your voter  
1366 registration records."; and

1367 [(v)] (iii) if the initiative petition proposes a tax increase, spanning the bottom of the  
1368 sheet, horizontally, in not less than 14-point, bold type, the following statement:

1369 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert  
1370 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)  
1371 percent increase in the current tax rate.".

1372 (3) The final page of each initiative packet shall contain the following printed or typed  
1373 statement:

1374 "Verification

1375 State of Utah, County of \_\_\_\_\_

1376 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

1377 I am a resident of Utah and am at least 18 years old;

1378 All the names that appear in this packet were signed by individuals who professed to be  
1379 the individuals whose names appear in it, and each of the individuals signed the individual's  
1380 name on it in my presence;

1381 I did not knowingly make a misrepresentation of fact concerning the law proposed by  
1382 the initiative;

1383 I believe that each individual has printed and signed the individual's name and written  
1384 the individual's post office address and residence correctly, that each signer has read and  
1385 understands the law proposed by the initiative, and that each signer is registered to vote in Utah  
1386 or intends to become registered to vote before the certification of the petition names by the  
1387 county clerk.

1388 Each individual who signed the packet wrote the correct date of signature next to the  
1389 individual's name.

1390 I have not paid or given anything of value to any individual who signed this petition to  
 1391 encourage that individual to sign it.

1392

---

1393 (Name) (Residence Address) (Date)";

1394 (4) If the initial fiscal impact estimate described in Subsection (2)[~~(f)~~](i), as updated in  
 1395 accordance with Subsection [20A-7-204.1\(5\)](#), exceeds 200 words, the Office of the Legislative  
 1396 Fiscal Analyst shall prepare a shorter summary statement, for the purpose of inclusion on a  
 1397 signature sheet, that does not exceed 200 words.

1398 (5) If the forms described in this section are substantially followed, the initiative  
 1399 petitions are sufficient, notwithstanding clerical and merely technical errors.

1400 (6) An individual's status as a resident, under Subsection (3), is determined in  
 1401 accordance with Section [20A-2-105](#).

1402 Section 9. Section **20A-7-204** is amended to read:

1403 **20A-7-204. Circulation requirements -- Lieutenant governor to provide sponsors**  
 1404 **with materials.**

1405 (1) In order to obtain the necessary number of signatures required by this part, the  
 1406 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
 1407 in Subsection (2), circulate initiative packets that meet the form requirements of this part.

1408 (2) The lieutenant governor shall furnish to the sponsors:

1409 (a) a copy of the initiative petition, with any change submitted under Subsection  
 1410 [20A-7-204.1\(5\)](#); and

1411 (b) [~~one~~] a signature sheet.

1412 (3) The sponsors of the petition shall:

1413 (a) arrange and pay for the printing of all additional copies of the petition and signature  
 1414 sheets; and

1415 (b) ensure that the copies of the petition and signature sheets meet the form  
 1416 requirements of this section.

1417 (4) (a) The sponsors or an agent of the sponsors may prepare the initiative for  
 1418 circulation by creating multiple initiative packets.

1419 (b) The sponsors or an agent of the sponsors shall create [~~those~~] the initiative packets  
 1420 by binding a copy of the initiative petition, a copy of the proposed law, and no more than 50

1421 signature sheets together at the top in ~~[such a way]~~ a manner that the packets may be  
 1422 conveniently opened for signing.

1423 (c) ~~[The sponsors need not attach]~~ An initiative packet is not required to have a  
 1424 uniform number of signature sheets ~~[to each initiative packet].~~

1425 ~~[(5) (a) After the sponsors have prepared sufficient initiative packets, they shall return~~  
 1426 ~~them to the lieutenant governor.]~~

1427 (5) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1428 (i) contact the lieutenant governor's office to receive a range of numbers that the  
 1429 sponsors may use to number signature packets; and

1430 (ii) number each signature packet, sequentially, within the range of numbers provided  
 1431 by the lieutenant governor's office, starting with the lowest number in the range.

1432 (b) The sponsors or an agent of the sponsors may not:

1433 (i) number a signature packet in a manner not directed by the lieutenant governor's  
 1434 office; or

1435 (ii) circulate or submit a signature packet that is not numbered in the manner directed  
 1436 by the lieutenant governor's office.

1437 ~~[(b)]~~ (c) The lieutenant governor shall[:] keep a record of the number range provided  
 1438 under Subsection (5)(a).

1439 ~~[(i) number each of the initiative packets and return them to the sponsors within five~~  
 1440 ~~working days; and]~~

1441 ~~[(ii) keep a record of the numbers assigned to each packet.]~~

1442 Section 10. Section **20A-7-205** is amended to read:

1443 **20A-7-205. Obtaining signatures -- Verification -- Removal of signature.**

1444 (1) A Utah voter may sign an initiative petition if the voter is a legal voter.

1445 (2) (a) The sponsors shall ensure that the individual in whose presence each signature  
 1446 sheet was signed:

1447 (i) is at least 18 years old and meets the residency requirements of Section **20A-2-105**;

1448 (ii) verifies each signature sheet by completing the verification printed on the last page  
 1449 of each initiative packet; and

1450 (iii) is informed that each signer is required to read and understand the law proposed by  
 1451 the initiative.

1452 (b) ~~[A person]~~ An individual may not sign the verification printed on the last page of  
1453 the initiative packet if the person signed a signature sheet in the initiative packet.

1454 (3) (a) A voter who has signed an initiative petition may have the voter's signature  
1455 removed from the petition by submitting to the county clerk a statement requesting that the  
1456 voter's signature be removed before 5 p.m. no later than the earlier of:

1457 (i) for an initiative packet received by the county clerk before December 1:

1458 (A) 30 days after the day on which the voter signs the signature removal statement; or

1459 (B) 90 days after the day on which the ~~[county clerk]~~ lieutenant governor posts the  
1460 voter's name under Subsection ~~[20A-7-206(2)(c)]~~ 20A-7-207(2)(a); or

1461 (ii) for an initiative packet received by the county clerk on or after December 1:

1462 (A) 30 days after the day on which the voter signs the signature removal statement; or

1463 (B) 45 days after the day on which the ~~[county clerk]~~ lieutenant governor posts the  
1464 voter's name under Subsection ~~[20A-7-206(3)(c)]~~; 20A-7-207(2)(a).

1465 (b) (i) The statement shall include:

1466 (A) the name of the voter;

1467 (B) the resident address at which the voter is registered to vote;

1468 (C) the signature of the voter; and

1469 (D) the date of the signature described in Subsection (3)(b)(i)(C).

1470 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
1471 statement may include the voter's birth date or age.

1472 (c) A voter may not submit a statement by email or other electronic means.

1473 (d) In order for the signature to be removed, the county clerk must receive the  
1474 statement before 5 p.m. no later than the applicable deadline described in Subsection (3)(a).

1475 ~~[(d)]~~ (e) A person may only remove a signature from an initiative petition in  
1476 accordance with this Subsection (3).

1477 ~~[(e)]~~ (f) A county clerk shall analyze a signature, for purposes of removing a signature  
1478 from an initiative petition, in accordance with Section 20A-7-206.3.

1479 Section 11. Section **20A-7-206** is amended to read:

1480 **20A-7-206. Submitting the initiative petition -- Certification of signatures by the**  
1481 **county clerks -- Transfer to lieutenant governor.**

1482 (1) (a) ~~[In order to qualify an initiative petition for placement on the regular general~~

1483 ~~election ballot, the]~~ The sponsors or an agent of the sponsors shall [deliver] submit a signed  
 1484 and verified initiative packet to the county clerk of the county in which the packet was  
 1485 circulated before 5 p.m. no later than the earlier of:

1486 (i) 30 days after the day on which the first individual signs the initiative packet;  
 1487 (ii) 316 days after the day on which the application for the initiative petition is filed; or  
 1488 (iii) the February 15 immediately before the next regular general election immediately  
 1489 after the application is filed under Section [20A-7-202](#).

1490 (b) A ~~[sponsor]~~ person may not submit an initiative packet after the deadline described  
 1491 in Subsection (1)(a).

1492 (2) ~~[For an initiative packet received by the county clerk before December 1, the]~~ The  
 1493 county clerk shall, within ~~[30]~~ 21 days after the day on which the county clerk receives the  
 1494 packet:

1495 (a) determine whether each signer is a registered voter according to the requirements of  
 1496 Section [20A-7-206.3](#);

1497 (b) certify on the petition whether each name is that of a registered voter;

1498 (c) ~~except as provided in Subsection (3),~~ post the name and voter identification number  
 1499 of each registered voter certified under Subsection (2)(b) ~~[in a conspicuous location on the~~  
 1500 ~~county's website for at least 90 days]~~ on the lieutenant governor's website, in a conspicuous  
 1501 location designated by the lieutenant governor; and

1502 (d) deliver the verified initiative packet to the lieutenant governor.

1503 ~~[(3) For an initiative packet received by the county clerk on or after December 1, the~~  
 1504 ~~county clerk shall, within 21 days after the day on which the county clerk receives the packet:]~~

1505 ~~[(a) determine whether each signer is a registered voter according to the requirements~~  
 1506 ~~of Section [20A-7-206.3](#);~~

1507 ~~[(b) certify on the petition whether each name is that of a registered voter;]~~

1508 ~~[(c) post the name and voter identification number of each registered voter certified~~  
 1509 ~~under Subsection (2)(b) in a conspicuous location on the county's website for at least 45 days;~~  
 1510 ~~and]~~

1511 ~~[(d) deliver the verified initiative packet to the lieutenant governor.]~~

1512 ~~[(4) Within seven days after timely receipt of a statement described in Subsection~~  
 1513 ~~[20A-7-205](#)(3), the county clerk shall:]~~

1514 ~~[(a) remove the voter's name and voter identification number from the posting~~  
1515 ~~described in Subsection (2)(c) or (3)(c); and]~~

1516 ~~[(b) (i) remove the voter's signature from the signature packet totals; and]~~  
1517 ~~[(ii) inform the lieutenant governor of the removal.]~~

1518 (3) (a) If the county clerk timely receives a statement requesting signature removal  
1519 under Subsection 20A-7-205(3), the county clerk shall:

1520 (i) ensure that the voter's name and voter identification number are not included in the  
1521 posting described in Subsection (2)(c); and

1522 (ii) remove the voter's signature from the signature packets and signature packet totals.

1523 (b) The county clerk shall comply with Subsection (3)(a) before the later of:

1524 (i) the deadline described in Subsection (2); or  
1525 (ii) two business days after the day on which the county clerk receives a statement  
1526 requesting signature removal under Subsection 20A-7-205(3).

1527 ~~[(5)] (4) The county clerk may not certify a signature under Subsection (2) [or (3)]:~~  
1528 ~~(a) on an initiative packet that is not verified in accordance with Section 20A-7-205; or~~  
1529 ~~(b) that does not have a date of signature next to the signature.~~

1530 ~~[(6) In order to qualify an initiative petition for submission to the Legislature, the~~  
1531 ~~sponsors shall deliver each signed and verified initiative packet to the county clerk of the~~  
1532 ~~county in which the packet was circulated before 5 p.m. no later than the November 15 before~~  
1533 ~~the next annual general session of the Legislature immediately after the application is filed~~  
1534 ~~under Section 20A-7-202.]~~

1535 ~~[(7) The county clerk may not certify a signature under Subsection (8) on an initiative~~  
1536 ~~packet that is not verified in accordance with Section 20A-7-205.]~~

1537 ~~[(8) No later than December 15 before the annual general session of the Legislature,~~  
1538 ~~the county clerk shall, for an initiative described in Subsection (6):]~~

1539 ~~[(a) determine whether each signer is a registered voter according to the requirements~~  
1540 ~~of Section 20A-7-206.3;]~~

1541 ~~[(b) certify on the petition whether each name is that of a registered voter; and]~~  
1542 ~~[(c) deliver all of the verified initiative packets to the lieutenant governor.]~~

1543 ~~[(9) The sponsor or a sponsor's representative may not retrieve an initiative packet~~  
1544 ~~from a county clerk after the initiative packet is submitted to the county clerk.]~~

1545 (5) A person may not retrieve an initiative packet from a county clerk, or make any  
1546 alterations or corrections to an initiative packet, after the initiative packet is submitted to the  
1547 county clerk.

1548 Section 12. Section **20A-7-206.1** is enacted to read:

1549 **20A-7-206.1. Provisions relating only to process for submitting an initiative to the**  
1550 **Legislature for approval or rejection.**

1551 (1) This section relates only to the process, described in Subsection [20A-7-201](#)(1), for  
1552 submitting an initiative to the Legislature for approval or rejection.

1553 (2) Notwithstanding Section [20A-7-205](#), in order to qualify an initiative petition for  
1554 submission to the Legislature, the sponsors, or an agent of the sponsors, shall deliver each  
1555 signed and verified initiative packet to the county clerk of the county in which the packet was  
1556 circulated before 5 p.m. no later than November 15 before the next annual general session of  
1557 the Legislature immediately after the application is filed under Section [20A-7-202](#).

1558 (3) Notwithstanding Section [20A-7-205](#), no later than December 15 before the annual  
1559 general session of the Legislature, the county clerk shall, for an initiative for submission to the  
1560 Legislature:

1561 (a) determine whether each signer is a registered voter according to the requirements of  
1562 Section [20A-7-206.3](#);

1563 (b) certify on the petition whether each name is that of a registered voter; and

1564 (c) deliver the verified packets to the lieutenant governor.

1565 (4) The county clerk may not certify a signature under Subsection (3) on an initiative  
1566 packet that is not verified in accordance with Section [20A-7-205](#).

1567 (5) A person may not retrieve an initiative packet from a county clerk, or make any  
1568 alterations or corrections to an initiative packet, after the initiative packet is submitted to the  
1569 county clerk.

1570 Section 13. Section **20A-7-207** is amended to read:

1571 **20A-7-207. Evaluation by the lieutenant governor.**

1572 (1) When the lieutenant governor receives an initiative packet [~~is received~~] from a  
1573 county clerk, the lieutenant governor shall [~~check off from the~~] record the number of the  
1574 initiative packet received.

1575 [~~(2)(a) The lieutenant governor shall, within 14 days after the day on which the~~

1576 lieutenant governor receives an initiative packet from a county clerk:]

1577 (2) (a) The county clerk shall:

1578 (i) post the names and voter identification numbers described in Subsection

1579 20A-7-206(2)(c) on the lieutenant governor's website, in a conspicuous location designated by

1580 the lieutenant governor:

1581 (A) for an initiative packet received by the county clerk before December 1, for at least

1582 90 days; or

1583 (B) for an initiative packet received by the county clerk on or after December 1, for at

1584 least 45 days; and

1585 [(i) count the number of the names certified by the county clerks on each verified

1586 signature sheet; and]

1587 (ii) update on the lieutenant governor's website the number of signatures certified as of

1588 the date of the update.

1589 (b) The lieutenant governor:

1590 (i) shall, except as provided in Subsection (2)(b)(ii), declare the petition to be sufficient

1591 or insufficient on [or before] April 30 before the regular general election described in

1592 Subsection 20A-7-201(2)(b)[-]; or

1593 (ii) may declare the petition to be insufficient before the day described in Subsection

1594 (2)(b)(i) if:

1595 (A) the total of all valid signatures on timely and lawfully submitted signature packets

1596 that have been certified by the county clerks, plus the number of signatures on timely and

1597 lawfully submitted signature packets that have not yet been evaluated for certification, is less

1598 than the number of names required under Section 20A-7-201; or

1599 (B) a requirement of this part has not been met.

1600 (c) If the total number of names certified under this Subsection (2) equals or exceeds

1601 the number of names required under Section 20A-7-201, and the requirements of this part are

1602 met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."

1603 (d) If the total number of names certified under this Subsection (2) does not equal or

1604 exceed the number of names required under Section 20A-7-201 or a requirement of this part is

1605 not met, the lieutenant governor shall mark upon the front of the petition the word

1606 "insufficient."

1607 (e) The lieutenant governor shall immediately notify any one of the sponsors of the  
1608 lieutenant governor's finding.

1609 (3) After a petition is declared insufficient, [~~the sponsors~~] a person may not submit  
1610 additional signatures to qualify the petition for the ballot.

1611 (4) (a) If the lieutenant governor refuses to accept and file an initiative petition that a  
1612 [~~sponsor~~] voter believes is legally sufficient, [~~any~~] the voter may, [~~not~~] no later than May 15,  
1613 apply to the appropriate court for an extraordinary writ to compel the lieutenant governor to  
1614 accept and file the initiative petition.

1615 (b) If the court [~~certifies~~] determines that the initiative petition is legally sufficient, the  
1616 lieutenant governor shall file the [~~initiative~~] petition, with a verified copy of the judgment  
1617 attached to the [~~initiative~~] petition, as of the date on which the [~~initiative~~] petition was  
1618 originally offered for filing in the lieutenant governor's office.

1619 (c) If the court determines that a petition filed is not legally sufficient, the court may  
1620 enjoin the lieutenant governor and all other officers from certifying or printing the ballot title  
1621 and numbers of that measure on the official ballot.

1622 (5) A petition determined to be sufficient in accordance with this section is qualified  
1623 for the ballot.

1624 Section 14. Section **20A-7-209** is amended to read:

1625 **20A-7-209. Ballot title -- Duties of lieutenant governor and Office of Legislative**  
1626 **Research and General Counsel.**

1627 (1) On or before June 5 before the regular general election, the lieutenant governor  
1628 shall deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of  
1629 Legislative Research and General Counsel.

1630 (2) (a) The Office of Legislative Research and General Counsel shall:

1631 (i) entitle each state initiative that has qualified for the ballot "Proposition Number \_\_\_"  
1632 and give it a number as assigned under Section **20A-6-107**;

1633 (ii) prepare an impartial ballot title for each initiative summarizing the contents of the  
1634 measure; and

1635 (iii) return each petition and ballot title to the lieutenant governor [~~by~~] on or before  
1636 June 26.

1637 (b) The ballot title may be distinct from the title of the proposed law attached to the

1638 initiative petition, and ~~[shall be not more than]~~ may not exceed 100 words.

1639 (c) If the initiative proposes a tax increase, the Office of Legislative Research and  
1640 General Counsel shall include the following statement, in bold, in the ballot title:

1641 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax  
1642 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
1643 increase in the current tax rate.";

1644 (d) For each state initiative, the official ballot shall show, in the following order:

1645 (i) the number of the initiative ~~[as determined by the Office of Legislative Research  
1646 and General Counsel]~~, determined in accordance with Section 20A-6-107;

1647 (ii) the initial fiscal impact estimate prepared under Section 20A-7-202.5, as updated  
1648 under Section 20A-7-204.1; and

1649 (iii) the ballot title ~~[as determined by the Office of Legislative Research and General  
1650 Counsel]~~ described in this section.

1651 (3) On or before June 27, the lieutenant governor shall mail a copy of the ballot title to  
1652 any sponsor of the petition.

1653 (4) (a) (i) At least three of the sponsors of the petition may, on or before July 6,  
1654 challenge the wording of the ballot title prepared by the Office of Legislative Research and  
1655 General Counsel to the appropriate court.

1656 (ii) After receipt of the challenge, the court shall direct the lieutenant governor to send  
1657 notice of the challenge to:

1658 (A) any person or group that has filed an argument for or against the measure that is the  
1659 subject of the challenge; or

1660 (B) any political issues committee established under Section 20A-11-801 that has filed  
1661 written or electronic notice with the lieutenant governor that identifies the name, mailing or  
1662 email address, and telephone number of the ~~[person]~~ individual designated to receive notice  
1663 about any issues relating to the initiative.

1664 (b) (i) There is a presumption that the ballot title prepared by the Office of Legislative  
1665 Research and General Counsel is an impartial summary of the contents of the initiative.

1666 (ii) The court may not revise the wording of the ballot title unless the plaintiffs rebut  
1667 the presumption by clearly and convincingly establishing that the ballot title is patently false or  
1668 biased.

1669 (c) The court shall:  
1670 (i) examine the ballot title;  
1671 (ii) hear arguments; and  
1672 (iii) certify to the lieutenant governor a ballot title for the measure that meets the  
1673 requirements of this section.

1674 (d) The lieutenant governor shall certify the title verified by the court to the county  
1675 clerks to be printed on the official ballot.

1676 Section 15. Section **20A-7-301** is amended to read:

1677 **20A-7-301. Referendum -- Signature requirements -- Submission to voters.**

1678 (1) (a) A person seeking to have a law passed by the Legislature submitted to a vote of  
1679 the people shall obtain:

1680 (i) legal signatures equal to 8% of the number of active voters in the state on January 1  
1681 immediately following the last regular general election; and

1682 (ii) from at least 15 [~~counties~~] Senate districts, legal signatures equal to 8% of the  
1683 number of active voters in that [~~county~~] Senate district on January 1 immediately following the  
1684 last regular general election.

1685 (b) When the lieutenant governor declares a referendum petition sufficient under this  
1686 part, the governor shall issue an executive order that:

1687 (i) directs that the referendum be submitted to the voters at the next regular general  
1688 election; or

1689 (ii) calls a special election according to the requirements of Section **20A-1-203** and  
1690 directs that the referendum be submitted to the voters at that special election.

1691 (2) When a referendum petition has been declared sufficient, the law that is the subject  
1692 of the petition does not take effect unless and until it is approved by a vote of the people at a  
1693 regular general election or a statewide special election.

1694 (3) The lieutenant governor shall provide the following information to any interested  
1695 person:

1696 (a) the number of active voters in the state on January 1 immediately following the last  
1697 regular general election; and

1698 (b) for each county, the number of active voters in that [~~county~~] Senate district on  
1699 January 1 immediately following the last regular general election.

1700 Section 16. Section **20A-7-302** is amended to read:

1701 **20A-7-302. Referendum process -- Application procedures.**

1702 (1) [~~Persons~~] Individuals wishing to circulate a referendum petition shall file an  
1703 application with the lieutenant governor before 5 p.m. within five calendar days after the day  
1704 on which the legislative session at which the law passed ends.

1705 (2) The application shall contain:

1706 (a) the name and residence address of at least five sponsors of the referendum petition;

1707 (b) a [~~certification~~] statement indicating that each of the sponsors[?] is registered to  
1708 vote in Utah;

1709 [~~(i) is a voter; and~~]

1710 [~~(ii) has voted in a regular general election in Utah within the last three years;~~]

1711 (c) a statement indicating whether persons gathering signatures for the petition may be  
1712 paid for gathering signatures;

1713 [~~(e)~~] (d) the signature of each of the sponsors, attested to by a notary public; and

1714 [~~(f)~~] (e) a copy of the law.

1715 Section 17. Section **20A-7-303** is amended to read:

1716 **20A-7-303. Form of referendum petition and signature sheets.**

1717 (1) (a) Each proposed referendum petition shall be printed in substantially the  
1718 following form:

1719 "REFERENDUM PETITION To the Honorable \_\_\_\_\_, Lieutenant Governor:

1720 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.

1721 \_\_\_\_\_, entitled (title of act, and, if the petition is against less than the whole act, set forth here

1722 the part or parts on which the referendum is sought), passed by [~~the \_\_\_\_\_ Session of~~] the

1723 Legislature of the state of Utah during the \_\_\_\_\_ Session, be referred to the people of Utah for

1724 their approval or rejection at a regular general election or a statewide special election;

1725 Each signer says:

1726 I have personally signed this petition;

1727 The date next to my signature correctly reflects the date that I actually signed the

1728 petition;

1729 I have personally reviewed the entire statement included with this packet;

1730 I am registered to vote in Utah or intend to become registered to vote in Utah before the

- 1731 certification of the petition names by the county clerk; and
- 1732 My residence and post office address are written correctly after my name.";
- 1733 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the
- 1734 law that is the subject of the referendum to each referendum petition.
- 1735 (2) Each signature sheet shall:
- 1736 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;
- 1737 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
- 1738 that line blank for the purpose of binding;
- 1739 (c) contain the title of the referendum printed below the horizontal line, in at least
- 1740 14-point, bold type;
- 1741 (d) contain the word "Warning" printed or typed at the top of each signature sheet
- 1742 under the title of the referendum;
- 1743 (e) contain, to the right of the word "Warning," the following statement printed or
- 1744 typed in not less than eight-point[~~single-leaded~~] type:
- 1745 "It is a class A misdemeanor for an individual to sign a referendum petition with any
- 1746 other name than the individual's own name, or knowingly to sign the individual's name more
- 1747 than once for the same measure, or to sign a referendum petition when the individual knows
- 1748 that the individual is not a registered voter and knows that the individual does not intend to
- 1749 become registered to vote before the certification of the petition names by the county clerk.";
- 1750 (f) contain horizontally ruled lines, three-eighths inch apart under the ["Warning"]
- 1751 warning statement [required by this section] described in Subsection (2)(e); and
- 1752 (g) be vertically divided into columns as follows:
- 1753 (i) the edge of the first column shall appear .5 inch from the extreme left of the sheet,
- 1754 be .25 inch wide, and be headed, together with the second column, "For Office Use Only";
- 1755 (ii) the second column shall be .25 inch wide;
- 1756 (iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed
- 1757 Name (must be legible to be counted)";
- 1758 (iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered
- 1759 Voter";
- 1760 (v) the fifth column shall be .75 inch wide, headed "Date Signed";
- 1761 (vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip

1762 Code"; and

1763 (vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)";

1764 (h) be horizontally divided into rows as follows:

1765 (i) the top of the first row, for the purpose of entering the information described in

1766 Subsection (2)(g), shall be .5 inch high;

1767 (ii) the second row shall be .15 inch high and contain the following statement printed

1768 or typed in not less than 12-point type:

1769 "By signing this petition, you are stating that you have read and understand the law this

1770 petition seeks to overturn."; and

1771 (iii) the first and second rows shall be repeated, in order, leaving sufficient room at the

1772 bottom of the sheet for the information described in Subsection (2)(i); and

1773 (i) at the bottom of the sheet, contain the following statement: "Birth date or age

1774 information is not required, but it may be used to verify your identity with voter registration

1775 records. If you choose not to provide it, your signature may not be verified as a valid signature

1776 if you change your address before petition signatures are verified or if the information you

1777 provide does not match your voter registration records.";

1778 (3) The final page of each referendum packet shall contain the following printed or  
1779 typed statement:

1780 "Verification

1781 State of Utah, County of \_\_\_\_\_

1782 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

1783 I am a Utah resident and am at least 18 years old;

1784 All the names that appear in this packet were signed by individuals who professed to be

1785 the individuals whose names appear in it, and each of the individuals signed the individual's

1786 name on it in my presence;

1787 I did not knowingly make a misrepresentation of fact concerning the law this petition

1788 seeks to overturn;

1789 I believe that each individual has printed and signed the individual's name and written

1790 the individual's post office address and residence correctly, that each signer has read and

1791 understands the law that the referendum seeks to overturn, and that each signer is registered to

1792 vote in Utah or intends to become registered to vote before the certification of the petition

1793 names by the county clerk.

1794 Each individual who signed the packet wrote the correct date of signature next to the  
1795 individual's name.

1796 I have not paid or given anything of value to any individual who signed this petition to  
1797 encourage that individual to sign it.

1798 \_\_\_\_\_  
1799 (Name) (Residence Address) (Date)"\_

1800 (4) If the forms described in this section are substantially followed, the referendum  
1801 petitions are sufficient, notwithstanding clerical and merely technical errors.

1802 (5) An individual's status as a resident, under Subsection (3), is determined in  
1803 accordance with Section 20A-2-105.

1804 Section 18. Section 20A-7-304 is amended to read:

1805 **20A-7-304. Circulation requirements -- Lieutenant governor to provide sponsors**  
1806 **with materials.**

1807 (1) In order to obtain the necessary number of signatures required by this part, the  
1808 sponsors ~~[shall]~~ or an agent of the sponsors shall, after the sponsors receive the documents  
1809 described in Subsection (2), circulate referendum packets that meet the form requirements of  
1810 this part.

1811 (2) The lieutenant governor shall furnish to the sponsors:

1812 (a) a copy of the referendum petition; and

1813 (b) a signature sheet.

1814 (3) The sponsors of the petition shall:

1815 (a) arrange and pay for the printing of all additional copies of the petition and signature  
1816 sheets; and

1817 (b) ensure that the copies of the petition and signature sheets meet the form  
1818 requirements of this section.

1819 (4) (a) The sponsors or an agent of the sponsors may prepare the referendum for  
1820 circulation by creating multiple referendum packets.

1821 (b) The sponsors or an agent of the sponsors shall create ~~[those]~~ referendum packets by  
1822 binding a copy of the referendum petition, a copy of the law that is the subject of the  
1823 referendum, and no more than 50 signature sheets together at the top in ~~[such a way]~~ a manner

1824 that the packets may be conveniently opened for signing.

1825 (c) ~~[The sponsors need not attach]~~ A referendum packet is not required to have a  
1826 uniform number of signature sheets [to each referendum packet].

1827 ~~[(5) (a) After the sponsors have prepared sufficient referendum packets, they shall~~  
1828 ~~return them to the lieutenant governor.]~~

1829 (5) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1830 (i) contact the lieutenant governor's office to receive a range of numbers that the  
1831 sponsors may use to number signature packets; and

1832 (ii) number each signature packet, sequentially, within the range of numbers provided  
1833 by the lieutenant governor's office, starting with the lowest number in the range.

1834 (b) The sponsors or an agent of the sponsors may not:

1835 (i) number a signature packet in a manner not directed by the lieutenant governor's  
1836 office; or

1837 (ii) circulate or submit a signature packet that is not numbered in the manner directed  
1838 by the lieutenant governor's office.

1839 ~~[(b)]~~ (c) The lieutenant governor shall[:] keep a record of the number range provided  
1840 under Subsection (5)(a).

1841 ~~[(i) number each of the referendum packets and return them to the sponsors within five~~  
1842 ~~working days; and]~~

1843 ~~[(ii) keep a record of the numbers assigned to each packet.]~~

1844 Section 19. Section ~~20A-7-305~~ is amended to read:

1845 **20A-7-305. Obtaining signatures -- Verification -- Removal of signature.**

1846 (1) A Utah voter may sign a referendum petition if the voter is a legal voter.

1847 (2) (a) The sponsors shall ensure that the individual in whose presence each signature  
1848 sheet was signed:

1849 (i) is at least 18 years old and meets the residency requirements of Section [20A-2-105](#);

1850 (ii) verifies each signature sheet by completing the verification printed on the last page  
1851 of each referendum packet; and

1852 (iii) is informed that each signer is required to read and understand the law that the  
1853 referendum seeks to overturn.

1854 (b) ~~[A person]~~ An individual may not sign the verification printed on the last page of

1855 the referendum packet if the person signed a signature sheet in the referendum packet.

1856 (3) (a) A voter who has signed a referendum petition may have the voter's signature  
1857 removed from the petition by submitting to the county clerk a statement requesting that the  
1858 voter's signature be removed before 5 p.m. no later than the earlier of:

1859 (i) [~~14~~] 30 days after the day on which the voter signs the statement requesting  
1860 removal; or

1861 (ii) 45 days after the day on which the [~~county clerk~~] lieutenant governor posts the  
1862 voter's name under Subsection [~~20A-7-306(3)(c)~~] 20A-7-307(2)(a).

1863 (b) (i) The statement shall include:

1864 (A) the name of the voter;

1865 (B) the resident address at which the voter is registered to vote;

1866 (C) the signature of the voter; and

1867 (D) the date of the signature described in Subsection (3)(b)(i)(C).

1868 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
1869 statement may include the voter's birth date or age.

1870 (c) A voter may not submit a statement by email or other electronic means.

1871 (d) In order for the signature to be removed, the county clerk must receive the  
1872 statement before 5 p.m. no later than 45 days after the day on which the [~~county clerk~~]  
1873 lieutenant governor posts the voter's name under Subsection [~~20A-7-306(3)(c)~~]  
1874 20A-7-307(2)(a).

1875 (e) A person may only remove a signature from a referendum petition in accordance  
1876 with this Subsection (3).

1877 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
1878 a referendum petition, in accordance with Section 20A-7-206.3.

1879 Section 20. Section **20A-7-306** is amended to read:

1880 **20A-7-306. Submitting the referendum petition -- Certification of signatures by**  
1881 **the county clerks -- Transfer to lieutenant governor.**

1882 (1) (a) The sponsors or an agent of the sponsor shall [~~deliver~~] submit a signed and  
1883 verified referendum packet to the county clerk of the county in which the packet was circulated  
1884 before 5 p.m. no later than the earlier of:

1885 (i) [~~14~~] 30 days after the day on which the first individual signs the referendum packet;

1886 or

1887 (ii) 40 days after the day on which the legislative session at which the law passed ends.

1888 (b) A [sponsor] person may not submit a referendum packet after the deadline

1889 described in Subsection (1)(a).

1890 [~~(2)(a) No later than 14 days after the day on which the county clerk receives a verified~~

1891 ~~referendum packet, the county clerk shall:~~  
1892 [~~(i) check the name of each individual who completes the verification on the last page~~  
1893 ~~of each referendum packet to determine whether the individual is a resident of Utah and is at~~  
1894 ~~least 18 years old; and]~~

1895 [~~(ii) submit the name of each individual who is not a Utah resident or who is not at~~  
1896 ~~least 18 years old to the attorney general and county attorney.]~~

1897 [~~(b) The county clerk may not certify a signature under Subsection (3):]~~

1898 [~~(i) on a referendum packet that is not verified in accordance with Section [20A-7-305](#);~~

1899 or]

1900 [~~(ii) that does not have a date of signature next to the signature.]~~

1901 [~~(3)~~] (2) No later than [~~14~~] 21 days after the day on which the county clerk receives a  
1902 verified referendum packet, the county clerk shall:

1903 (a) determine whether each signer is a registered voter according to the requirements of  
1904 Section [20A-7-306.3](#);

1905 (b) certify on the [~~referendum~~] petition whether each name is that of a registered voter;

1906 (c) except as provided in Subsection (3), post the name and voter identification number  
1907 of each registered voter certified under Subsection [~~(3)~~] (2)(b) [~~in a conspicuous location on the~~  
1908 ~~county's website for at least 45 days]~~ on the lieutenant governor's website, in a conspicuous  
1909 location designated by the lieutenant governor; and

1910 (d) deliver the verified [~~referendum~~] packet to the lieutenant governor.

1911 [~~(4) The county clerk shall, after timely receipt of a statement requesting signature~~  
1912 ~~removal under Subsection [20A-7-305](#)(3), remove the voter's name and voter identification~~  
1913 ~~number from the posting described in Subsection (3)(c), and notify the lieutenant governor's~~  
1914 ~~office of the removal, the earlier of:]~~

1915 [~~(a) within two business days after the day on which the the county clerk timely~~  
1916 ~~receives the statement; or]~~

1917 ~~[(b) 99 days after the day on which the legislative session at which the law passed~~  
 1918 ~~ends.]~~

1919 (3) (a) If the county clerk timely receives a statement requesting signature removal  
 1920 under Subsection 20A-7-305(3), the county clerk shall:

1921 (i) ensure that the voter's name and voter identification number are not included in the  
 1922 posting described in Subsection (2)(c); and

1923 (ii) remove the voter's signature from the signature packets and signature packet totals.

1924 (b) The county clerk shall comply with Subsection (3)(a) before the later of:

1925 (i) the deadline described in Subsection (2); or

1926 (ii) two business days after the day on which the county clerk receives a statement  
 1927 requesting signature removal under Subsection 20A-7-305(3).

1928 (4) The county clerk may not certify a signature under Subsection (2):

1929 (a) on an initiative packet that is not verified in accordance with Section 20A-7-305; or

1930 (b) that does not have a date of signature next to the signature.

1931 ~~[(5) The sponsor or a sponsor's representative]~~

1932 (5) A person may not retrieve a referendum packet from a county clerk, or make any  
 1933 alterations or corrections to a referendum packet, after the referendum packet is submitted to  
 1934 the county clerk.

1935 Section 21. Section **20A-7-306.3** is amended to read:

1936 **20A-7-306.3. Verification of petition signatures.**

1937 (1) As used in this section:

1938 (a) ~~[For the purposes of this section, "substantially]~~ "Substantially similar name"  
 1939 means:

1940 (i) the given name and surname shown on the petition, or both, contain only minor  
 1941 spelling differences when compared to the given name and surname shown on the official  
 1942 register;

1943 (ii) the surname shown on the petition exactly matches the surname shown on the  
 1944 official register, and the given names differ only because one of the given names shown is a  
 1945 commonly used abbreviation or variation of the other;

1946 (iii) the surname shown on the petition exactly matches the surname shown on the  
 1947 official register, and the given names differ only because one of the given names shown is

1948 accompanied by a first or middle initial or a middle name which is not shown on the other  
1949 record; or

1950 (iv) the surname shown on the petition exactly matches the surname shown on the  
1951 official register, and the given names differ only because one of the given names shown is an  
1952 alphabetically corresponding initial that has been provided in the place of a given name shown  
1953 on the other record.

1954 (b) [~~For the purposes of this section, "substantially~~] "Substantially similar name" does  
1955 not [~~mean~~] include a name having an initial or a middle name shown on the petition that does  
1956 not match a different initial or middle name shown on the official register.

1957 (2) The county clerk shall use the following procedures in determining whether [~~or not~~]  
1958 a signer is a registered voter:

1959 (a) When a signer's name and address shown on the petition exactly match a name and  
1960 address shown on the official register and the signer's signature appears substantially similar to  
1961 the signature on the statewide voter registration database, the county clerk shall declare the  
1962 signature valid.

1963 (b) When there is no exact match of an address and a name, the county clerk shall  
1964 declare the signature valid if:

1965 (i) the address on the petition matches the address of a person on the official register  
1966 with a substantially similar name; and

1967 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1968 voter registration database of the person described in Subsection (2)(b)(i).

1969 (c) When there is no match of an address and a substantially similar name, the county  
1970 clerk shall declare the signature valid if:

1971 (i) the birth date or age on the petition matches the birth date or age of a person on the  
1972 official register with a substantially similar name; and

1973 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1974 voter registration database of the person described in Subsection (2)(c)(i).

1975 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county  
1976 clerk shall declare the signature to be invalid.

1977 (3) The county clerk shall use the following procedures in determining whether to  
1978 remove a signature from a petition after receiving a timely, valid statement requesting removal

1979 of the signature:

1980 (a) if a signer's name and address shown on the statement and the petition exactly  
 1981 match a name and address shown on the official register and the signer's signature on both the  
 1982 statement and the petition appears substantially similar to the signature on the statewide voter  
 1983 registration database, the county clerk shall remove the signature from the petition;

1984 (b) if there is no exact match of an address and a name, the county clerk shall remove  
 1985 the signature from the petition if:

1986 (i) the address on the statement and the petition matches the address of an individual  
 1987 on the official register with a substantially similar name; and

1988 (ii) the signer's signature on both the statement and the petition appears substantially  
 1989 similar to the signature on the statewide voter registration database of the individual described  
 1990 in Subsection (3)(b)(i);

1991 (c) if there is no match of an address and a substantially similar name, the county clerk  
 1992 shall remove the signature from the petition if:

1993 (i) the birth date or age on the statement and petition match the birth date or age of an  
 1994 individual on the official register with a substantially similar name; and

1995 (ii) the signer's signature on both the statement and the petition appears substantially  
 1996 similar to the signature on the statewide voter registration database of the individual described  
 1997 in Subsection (3)(c)(i); and

1998 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
 1999 county clerk may not remove the signature from the petition.

2000 Section 22. Section **20A-7-307** is amended to read:

2001 **20A-7-307. Evaluation by the lieutenant governor.**

2002 (1) When the lieutenant governor receives a referendum packet [~~is received~~] from a  
 2003 county clerk, the lieutenant governor shall [~~check off from the~~] record the number of the  
 2004 referendum packet received.

2005 [~~(2) (a) The lieutenant governor shall, within seven days after the day on which the~~  
 2006 ~~lieutenant governor receives a referendum packet from a county clerk:]~~

2007 [~~(i) count the number of the names certified by the county clerks on each verified~~  
 2008 ~~signature sheet; and]~~

2009 (2) (a) The county clerk shall:

2010 (i) post the names and voter identification numbers described in Subsection  
2011 20A-7-306(3)(c) on the lieutenant governor's website, in a conspicuous location designated by  
2012 the lieutenant governor, for at least 45 days; and

2013 (ii) update on the lieutenant governor's website the number of signatures certified as of  
2014 the date of the update.

2015 ~~[(b) The lieutenant governor shall subtract the number of signatures removed from the~~  
2016 ~~number of signatures certified and update the number on the lieutenant governor's website~~  
2017 ~~accordingly no later than the earlier of:]~~

2018 ~~[(i) one business day after the day on which the county clerk provides the notification~~  
2019 ~~described in Subsection 20A-7-306(4); or]~~

2020 ~~[(ii) 54 days after the day on which the legislative session at which the law passed~~  
2021 ~~ends:]~~

2022 ~~[(c)]~~ (b) The lieutenant governor:

2023 (i) shall, except as provided in Subsection (2)~~[(c)]~~(b)(ii), declare the petition to be  
2024 sufficient or insufficient [99] 106 days after the end of the legislative session at which the law  
2025 passed; or

2026 ~~[(ii) may declare the petition to be insufficient before the day described in Subsection~~  
2027 ~~(2)(c)(i) if, after the county clerks have finished certifying all valid signatures on the timely and~~  
2028 ~~lawfully submitted signature packets, the lieutenant governor makes the determination~~  
2029 ~~described in Subsection (2)(c).]~~

2030 (ii) may declare the petition to be insufficient before the day described in Subsection  
2031 (2)(b)(i) if:

2032 (A) the total of all valid signatures on timely and lawfully submitted signature packets  
2033 that have been certified by the county clerks, plus the number of signatures on timely and  
2034 lawfully submitted signature packets that have not yet been evaluated for certification, is less  
2035 than the number of names required under Section 20A-7-301; or

2036 (B) a requirement of this part has not been met.

2037 ~~[(d)]~~ (c) If the total number of names certified under this Subsection (2) equals or  
2038 exceeds the number of names required under Section 20A-7-301, and the requirements of this  
2039 part are met, the lieutenant governor shall mark upon the front of the petition the word  
2040 "sufficient."

2041           ~~[(e)]~~ (d) If the total number of names certified under this Subsection (2) does not equal  
2042 or exceed the number of names required under Section 20A-7-301 or a requirement of this part  
2043 is not met, the lieutenant governor shall mark upon the front of the petition the word  
2044 "insufficient."

2045           ~~[(f)]~~ (e) The lieutenant governor shall immediately notify any one of the sponsors of  
2046 the lieutenant governor's finding.

2047           ~~[(g)]~~ (f) After a petition is declared insufficient, ~~[the sponsors]~~ a person may not submit  
2048 additional signatures to qualify the petition for the ballot.

2049           (3) (a) If the lieutenant governor refuses to accept and file a referendum ~~[petition, any~~  
2050 ~~voter may, not]~~ that a voter believes is legally sufficient, the voter may, no later than 10 days  
2051 after the day on which the lieutenant governor declares the petition insufficient, apply to the  
2052 appropriate court for an extraordinary writ to compel the lieutenant governor to accept and file  
2053 the referendum petition.

2054           (b) If the court determines that the referendum petition is legally sufficient, the  
2055 lieutenant governor shall file the ~~[referendum]~~ petition, with a verified copy of the judgment  
2056 attached to the referendum petition, as of the date on which the ~~[referendum]~~ petition was  
2057 originally offered for filing in the lieutenant governor's office.

2058           (c) If the court determines that a petition filed is not legally sufficient, the court may  
2059 enjoin the lieutenant governor and all other officers from certifying or printing the ballot title  
2060 and numbers of that measure on the official ballot.

2061           (4) A petition determined to be sufficient in accordance with this section is qualified  
2062 for the ballot.

2063           Section 23. Section 20A-7-308 is amended to read:

2064           **20A-7-308. Ballot title -- Duties of lieutenant governor and Office of Legislative**  
2065 **Research and General Counsel.**

2066           (1) Whenever a referendum petition is declared sufficient for submission to a vote of  
2067 the people, the lieutenant governor shall deliver a copy of the petition and the proposed law to  
2068 the Office of Legislative Research and General Counsel.

2069           (2) (a) The Office of Legislative Research and General Counsel shall:

2070           (i) entitle each state referendum that ~~[has qualified]~~ qualifies for the ballot "Proposition  
2071 Number \_\_\_" and ~~[give it a number as assigned under]~~ assign a number to the referendum in

2072 accordance with Section [20A-6-107](#);

2073 (ii) prepare an impartial ballot title for the referendum summarizing the contents of the  
2074 measure; and

2075 (iii) ~~[return the petition and]~~ submit the ballot title to the lieutenant governor within 15  
2076 days after ~~[its receipt]~~ the day on which the Office of Legislative Research and General  
2077 Counsel receives the petition under Subsection (1).

2078 (b) The ballot title may be distinct from the title of the law that is the subject of the  
2079 petition, and ~~[shall be not more than]~~ may not exceed 100 words.

2080 ~~[(c) The ballot title and the number of the measure as determined by the Office of~~  
2081 ~~Legislative Research and General Counsel shall be printed on the official ballot.]~~

2082 (c) For each state referendum, the official ballot shall show, in the following order:

2083 (i) the number of the referendum, determined in accordance with Section [20A-6-107](#);

2084 and

2085 (ii) the ballot title described in this section.

2086 (3) Immediately after the Office of Legislative Research and General Counsel ~~[files a~~  
2087 ~~copy of]~~ submits the ballot title ~~[with]~~ to the lieutenant governor, the lieutenant governor shall  
2088 mail or email a copy of the ballot title to any of the sponsors of the petition.

2089 (4) (a) (i) At least three of the sponsors of the petition may, within 15 days ~~[of the date]~~  
2090 after the day on which the lieutenant governor mails the ballot title, challenge the wording of  
2091 the ballot title prepared by the Office of Legislative Research and General Counsel to the  
2092 ~~[Supreme Court]~~ appropriate court.

2093 (ii) After receipt of the appeal, the ~~[Supreme Court]~~ court shall direct the lieutenant  
2094 governor to send notice of the appeal to:

2095 (A) any person or group that has filed an argument for or against the measure that is the  
2096 subject of the challenge; ~~[or]~~ and

2097 (B) any political issues committee established under Section [20A-11-801](#) that has filed  
2098 written or electronic notice with the lieutenant governor that identifies the name, mailing or  
2099 email address, and telephone number of the person designated to receive notice about any  
2100 issues relating to the referendum.

2101 (b) (i) There is a presumption that the ballot title prepared by the Office of Legislative  
2102 Research and General Counsel is an impartial summary of the contents of the referendum.

2103 (ii) The [~~Supreme Court~~] court may not revise the wording of the ballot title unless the  
 2104 plaintiffs rebut the presumption by clearly and convincingly establishing that the ballot title is  
 2105 patently false or biased.

2106 (c) The [~~Supreme Court~~] court shall:

2107 (i) examine the ballot title;

2108 (ii) hear arguments; and

2109 (iii) [~~certify to the lieutenant governor a ballot title for the measure that meets~~] enter an  
 2110 order consistent with the requirements of this section.

2111 (d) The lieutenant governor shall, in accordance with the court's order, certify the ballot  
 2112 title [~~verified by the Supreme Court~~] to the county clerks to be printed on the official ballot.

2113 Section 24. Section **20A-7-309** is amended to read:

2114 **20A-7-309. Form of ballot -- Manner of voting.**

2115 (1) [~~The county clerks~~] A county clerk shall ensure that the number and ballot title  
 2116 [~~verified to them~~] certified by the lieutenant governor are presented upon the official ballot  
 2117 with, immediately adjacent to [~~them~~] the number and ballot title, the words "For" and  
 2118 "Against," each word presented with an adjacent square in which [~~the elector~~] a voter may  
 2119 indicate the [~~elector's~~] voter's vote.

2120 (2) (a) (i) A voter desiring to vote in favor of the law that is the subject of the  
 2121 referendum shall mark the square adjacent to the word "For."

2122 (ii) The law that is the subject of the referendum takes effect if a majority of voters  
 2123 mark "For."

2124 (b) (i) A voter desiring to vote against the law that is the subject of the referendum  
 2125 petition shall mark the square adjacent to the word "Against."

2126 (ii) The law that is the subject of the referendum does not take effect if a majority of  
 2127 voters mark "Against."

2128 Section 25. Section **20A-7-311** is amended to read:

2129 **20A-7-311. Temporary stay -- Effective date -- Effect of repeal by Legislature.**

2130 (1) If, at the time during the counting period described in [~~Subsection~~] Section  
 2131 20A-7-307[(2)], the lieutenant governor determines that, at that point in time, an adequate  
 2132 number of signatures are certified to comply with the signature requirements, the lieutenant  
 2133 governor shall:

2134 (a) issue an order temporarily staying the law from going into effect; and  
2135 (b) continue the process of certifying signatures and removing signatures as required by  
2136 this part.

2137 (2) The temporary stay described in Subsection (1) remains in effect, regardless of  
2138 whether a future count falls below the signature threshold, until the day on which:

2139 (a) if the lieutenant governor declares the petition insufficient, five days after the day  
2140 on which the lieutenant governor declares the petition insufficient; or

2141 (b) if the lieutenant governor declares the petition sufficient, the day on which  
2142 governor issues the proclamation described in Section 20A-7-310.

2143 (3) A proposed law submitted to the people by referendum petition that is approved by  
2144 the voters at an election takes effect the later of:

2145 (a) five days after the date of the official proclamation of the vote by the governor; or

2146 (b) the effective date specified in the proposed law.

2147 (4) If, after the lieutenant governor issues a temporary stay order under Subsection  
2148 (1)(a), the lieutenant governor declares the petition insufficient, the proposed law takes effect  
2149 the later of:

2150 (a) five days after the day on which the lieutenant governor declares the petition  
2151 insufficient; or

2152 (b) the effective date specified in the proposed law.

2153 (5) (a) The governor may not veto a law adopted by the people.

2154 (b) The Legislature may amend any laws approved by the people at any legislative  
2155 session after the people approve the law.

2156 (6) If the Legislature repeals a law challenged by referendum petition under this part,  
2157 the referendum petition is void and no further action on the referendum petition is required.

2158 Section 26. Section 20A-7-401.5 is amended to read:

2159 **20A-7-401.5. Proposition information pamphlet.**

2160 (1) (a) (i) Within 15 days after the day on which an eligible voter files an application to  
2161 circulate an initiative petition under Section 20A-7-502 or an application to circulate a  
2162 referendum petition under Section 20A-7-602:

2163 (A) the sponsors of the proposed initiative or referendum may submit a written  
2164 argument in favor of the proposed initiative or referendum to the election officer of the county

2165 or municipality to which the petition relates; and

2166 (B) the county or municipality to which the application relates may submit a written  
2167 argument in favor of, or against, the proposed initiative or referendum to the county's or  
2168 municipality's election officer.

2169 (ii) If a county or municipality submits more than one written argument under  
2170 Subsection (1)(a)(i)(B), the election officer shall select one of the written arguments, giving  
2171 preference to a written argument submitted by a member of a local legislative body if a  
2172 majority of the local legislative body supports the written argument.

2173 (b) Within one business day after the day on which an election officer receives an  
2174 argument under Subsection (1)(a)(i)(A), the election officer shall provide a copy of the  
2175 argument to the county or municipality described in Subsection (1)(a)(i)(B) or (1)(a)(ii), as  
2176 applicable.

2177 (c) Within one business day after the date on which an election officer receives an  
2178 argument under Subsection (1)(a)(i)(B), the election officer shall provide a copy of the  
2179 argument to the first three sponsors of the proposed initiative or referendum described in  
2180 Subsection (1)(a)(i)(A).

2181 (d) The sponsors of the proposed initiative or referendum may submit a revised version  
2182 of the written argument described in Subsection (1)(a)(i)(A) to the election officer of the  
2183 county or municipality to which the petition relates within 20 days after the day on which the  
2184 eligible voter files an application to circulate an initiative petition under Section [20A-7-502](#) or  
2185 an application to circulate a referendum petition under Section [20A-7-602](#).

2186 (e) The author of a written argument described in Subsection (1)(a)(i)(B) submitted by  
2187 a county or municipality may submit a revised version of the written argument to the county's  
2188 or municipality's election officer within 20 days after the day on which the eligible voter files  
2189 an application to circulate an initiative petition under Section [20A-7-502](#) or an application to  
2190 circulate a referendum petition under Section [20A-7-602](#).

2191 (2) (a) A written argument described in Subsection (1) may not exceed 500 words.

2192 (b) Except as provided in Subsection (2)(c), a person may not modify a written  
2193 argument described in Subsection (1)(d) or (e) after the written argument is submitted to the  
2194 election officer.

2195 (c) The election officer and the person that submits the written argument described in

2196 Subsection (1)(d) or (e) may jointly agree to modify the written argument to:

2197 (i) correct factual, grammatical, or spelling errors; or

2198 (ii) reduce the number of words to come into compliance with Subsection (2)(a).

2199 (d) An election officer shall refuse to include a written argument in the proposition

2200 information pamphlet described in this section if the person who submits the argument:

2201 (i) fails to negotiate, in good faith, to modify the argument in accordance with

2202 Subsection (2)(c); or

2203 (ii) does not timely submit the written argument to the election officer.

2204 (e) An election officer shall make a good faith effort to negotiate a modification

2205 described in Subsection (2)(c) in an expedited manner.

2206 (3) An election officer who receives a written argument described in Subsection (1)

2207 shall prepare a proposition information pamphlet for publication that includes:

2208 (a) a copy of the application for the proposed initiative or referendum;

2209 (b) except as provided in Subsection (2)(d), immediately after the copy described in

2210 Subsection (3)(a), the argument prepared by the sponsors of the proposed initiative or

2211 referendum, if any;

2212 (c) except as provided in Subsection (2)(d), immediately after the argument described

2213 in Subsection (3)(b), the argument prepared by the county or municipality, if any; and

2214 (d) a copy of the initial fiscal impact statement and legal impact statement described in

2215 Section [20A-7-502.5](#) or [20A-7-602.5](#).

2216 (4) (a) A proposition information pamphlet is a draft for purposes of Title 63G,

2217 Chapter 2, Government Records Access and Management Act, until the earlier of when the

2218 election officer:

2219 (i) complies with Subsection (4)(b); or

2220 (ii) publishes the proposition information pamphlet under Subsection (5) or (6).

2221 (b) Within 21 days after the day on which the eligible voter files an application to

2222 circulate an initiative petition under Section [20A-7-502](#), or an application to circulate a

2223 referendum petition under Section [20A-7-602](#), the election officer shall provide a copy of the

2224 proposition information pamphlet to the sponsors of the initiative or referendum and each

2225 individual who submitted an argument included in the proposition information pamphlet.

2226 (5) An election officer for a municipality shall publish the proposition information

2227 pamphlet as follows:

2228 (a) within the later of 10 days after the day on which the municipality or a court  
2229 determines that the proposed initiative or referendum is legally referable to voters, or, if the  
2230 election officer modifies an argument under Subsection (2)(c), three days after the day on  
2231 which the election officer and the person that submitted the argument agree on the  
2232 modification:

2233 (i) by sending the proposition information pamphlet electronically to each individual in  
2234 the municipality for whom the municipality has an email address, unless the individual has  
2235 indicated that the municipality is prohibited from using the individual's email address for that  
2236 purpose; and

2237 (ii) by posting the proposition information pamphlet on the Utah Public Notice  
2238 Website, created in Section 63F-1-701, and the home page of the municipality's website, if the  
2239 municipality has a website, until:

2240 (A) if the sponsors of the proposed initiative or referendum or an agent of the sponsors  
2241 do not timely deliver any verified initiative packets under Section 20A-7-506 or any verified  
2242 referendum packets under Section 20A-7-606, the day after the date of the deadline for delivery  
2243 of the verified initiative packets or verified referendum packets;

2244 (B) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the  
2245 number of signatures necessary to qualify the proposed initiative or referendum for placement  
2246 on the ballot is insufficient and the determination is not timely appealed or is upheld after  
2247 appeal; or

2248 (C) the day after the date of the election at which the proposed initiative or referendum  
2249 appears on the ballot; and

2250 (b) if the municipality regularly mails a newsletter, utility bill, or other material to the  
2251 municipality's residents, including an Internet address, where a resident may view the  
2252 proposition information pamphlet, in the next mailing, for which the municipality has not  
2253 begun preparation, that falls on or after the later of:

2254 (i) 10 days after the day on which the municipality or a court determines that the  
2255 proposed initiative or referendum is legally referable to voters; or

2256 (ii) if the election officer modifies an argument under Subsection (2)(c), three days  
2257 after the day on which the election officer and the person that submitted the argument agree on

2258 the modification.

2259 (6) An election officer for a county shall, within the later of 10 days after the day on  
2260 which the county or a court determines that the proposed initiative or referendum is legally  
2261 referable to voters, or, if the election officer modifies an argument under Subsection (2)(c),  
2262 three days after the day on which the election officer and the person that submitted the  
2263 argument agree on the modification, publish the proposition information pamphlet as follows:

2264 (a) by sending the proposition information pamphlet electronically to each individual  
2265 in the county for whom the county has an email address obtained via voter registration; and

2266 (b) by posting the proposition information pamphlet on the Utah Public Notice  
2267 Website, created in Section [63F-1-701](#), and the home page of the county's website, until:

2268 (i) if the sponsors of the proposed initiative or referendum or an agent of the sponsors  
2269 do not timely deliver any verified initiative packets under Section [20A-7-506](#) or any verified  
2270 referendum packets under Section [20A-7-606](#), the day after the date of the deadline for delivery  
2271 of the verified initiative packets or verified referendum packets;

2272 (ii) the local clerk determines, under Section [20A-7-507](#) or [20A-7-607](#), that the number  
2273 of signatures necessary to qualify the proposed initiative or referendum for placement on the  
2274 ballot is insufficient and the determination is not timely appealed or is upheld after appeal; or

2275 (iii) the day after the date of the election at which the proposed initiative or referendum  
2276 appears on the ballot.

2277 Section 27. Section [20A-7-502](#) is amended to read:

2278 **[20A-7-502. Local initiative process -- Application procedures.](#)**

2279 (1) [~~An eligible voter~~] Individuals wishing to circulate an initiative petition shall file an  
2280 application with the local clerk.

2281 (2) The application shall contain:

2282 (a) the name and residence address of at least five sponsors of the initiative petition;

2283 [~~(b) a statement indicating that each of the sponsors is a registered voter;~~]

2284 [~~(c)~~] (b) a statement indicating that each of the sponsors [~~has voted in an election in~~  
2285 ~~Utah in the last three years;~~] is registered to vote in Utah;

2286 [~~(d)~~] (c) the signature of each of the sponsors, acknowledged by a notary public;

2287 [~~(e)~~] (d) a copy of the proposed law that includes:

2288 (i) the title of the proposed law~~[, which]~~ that clearly expresses the subject of the law;

2289 [~~and~~]

2290 (ii) a description of all proposed sources of funding for the costs associated with the  
2291 proposed law, including the proposed percentage of total funding from each source; and

2292 [~~(ii)~~] (iii) the text of the proposed law; [~~and~~]

2293 [~~(f)~~] (e) if the initiative petition proposes a tax increase, the following statement, "This  
2294 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax  
2295 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
2296 increase in the current tax rate."; and

2297 (f) a statement indicating whether persons gathering signatures for the petition may be  
2298 paid for gathering signatures.

2299 (3) A proposed law submitted under this section may not contain more than one subject  
2300 to the same extent a bill may not pass containing more than one subject as provided in Utah  
2301 Constitution, Article VI, Section 22.

2302 Section 28. Section **20A-7-503** is amended to read:

2303 **20A-7-503. Form of initiative petitions and signature sheets.**

2304 (1) (a) Each proposed initiative petition shall be printed in substantially the following  
2305 form:

2306 "INITIATIVE PETITION To the Honorable \_\_\_\_, County Clerk/City Recorder/Town  
2307 Clerk:

2308 We, the undersigned citizens of Utah, respectfully demand that the following proposed  
2309 law be submitted to: the legislative body for its approval or rejection at its next meeting; and  
2310 the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes  
2311 no action on it.

2312 Each signer says:

2313 I have personally signed this petition;

2314 The date next to my signature correctly reflects the date that I actually signed the  
2315 petition;

2316 I have personally reviewed the entire statement included with this packet;

2317 I am registered to vote in Utah or intend to become registered to vote in Utah before the  
2318 certification of the petition names by the county clerk; and

2319 My residence and post office address are written correctly after my name.";

2320 (b) If the initiative petition proposes a tax increase, the following statement shall  
2321 appear, in at least 14-point, bold type, immediately following the information described in  
2322 Subsection (1)(a):

2323 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert  
2324 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)  
2325 percent increase in the current tax rate.";

2326 (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the  
2327 proposed law to each initiative petition.

2328 (2) Each signature sheet shall:

2329 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2330 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
2331 that line blank for the purpose of binding;

2332 (c) contain the title of the initiative printed below the horizontal line, in at least  
2333 14-point, bold type;

2334 (d) contain the word "Warning" printed or typed at the top of each signature sheet  
2335 under the title of the initiative;

2336 (e) contain, to the right of the word "Warning," the following statement printed or  
2337 typed in not less than eight-point type:

2338 "It is a class A misdemeanor for an individual to sign an initiative petition with a name  
2339 other than the individual's own name, or to knowingly sign the individual's name more than  
2340 once for the same measure, or to sign an initiative petition when the individual knows that the  
2341 individual is not a registered voter and knows that the individual does not intend to become  
2342 registered to vote before the certification of the petition names by the county clerk.";

2343 (f) contain horizontally ruled lines, three-eighths inch apart under the warning  
2344 statement described in Subsection (2)(e); and

2345 [~~(d)~~] (g) be vertically divided into columns as follows:

2346 [(i) ~~the first column shall appear at the extreme left of the sheet, be five-eighths inch~~  
2347 ~~wide, be headed with "For Office Use Only", and be subdivided with a light vertical line down~~  
2348 ~~the middle with the left subdivision entitled "Registered" and the right subdivision left~~  
2349 ~~untitled;]~~

2350 [(ii) ~~the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed~~

2351 Name (must be legible to be counted)];

2352 ~~[(iii) the next column shall be 2-1/2 inches wide, headed "Signature of Registered~~  
 2353 ~~Voter";]~~

2354 ~~[(iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";~~  
 2355 ~~and]~~

2356 ~~[(v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip~~  
 2357 ~~Code";]~~

2358 ~~[(e) spanning the sheet horizontally beneath each row on which a registered voter may~~  
 2359 ~~submit the information described in Subsection (2)(d), contain the following statement printed~~  
 2360 ~~or typed in not less than eight-point type:]~~

2361 (i) the edge of the first column shall appear .5 inch from the extreme left of the sheet,  
 2362 be .25 inch wide, and be headed, together with the second column, "For Office Use Only";

2363 (ii) the second column shall be .25 inch wide;

2364 (iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed  
 2365 Name (must be legible to be counted)";

2366 (iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered  
 2367 Voter";

2368 (v) the fifth column shall be .75 inch wide, headed "Date Signed";

2369 (vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip  
 2370 Code"; and

2371 (vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)";

2372 (h) be horizontally divided into rows as follows:

2373 (i) the top of the first row, for the purpose of entering the information described in  
 2374 Subsection (2)(g), shall be .5 inch high;

2375 (ii) the second row shall be .15 inch high and contain the following statement printed  
 2376 or typed in not less than 12-point type:

2377 "By signing this petition, you are stating that you have read and understand the law  
 2378 proposed by this petition."; and

2379 (iii) the first and second rows shall be repeated, in order, leaving sufficient room at the  
 2380 bottom of the sheet for the information described in Subsection (2)(i); and

2381 ~~[(f)]~~ (i) at the bottom of the sheet, contain in the following order:

2382 ~~[(i) the title of the initiative, in at least 14-point, bold type;]~~

2383 ~~[(ii) (i) the initial fiscal impact estimate's summary statement issued by the budget~~  
2384 ~~officer in accordance with Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and~~  
2385 ~~distributing information related to the initiative petition in accordance with Subsection~~  
2386 ~~20A-7-502.5(3), in not less than 12-point, bold type;~~

2387 ~~[(iii) the word "Warning," followed by the following statement in not less than~~  
2388 ~~eight-point type;]~~

2389 ~~["It is a class A misdemeanor for an individual to sign an initiative petition with a name~~  
2390 ~~other than the individual's own name, or to knowingly sign the individual's name more than~~  
2391 ~~once for the same measure, or to sign an initiative petition when the individual knows that the~~  
2392 ~~individual is not a registered voter and knows that the individual does not intend to become~~  
2393 ~~registered to vote before the certification of the petition names by the county clerk."];]~~

2394 ~~[(iv) (ii) the following statement: "Birth date or age information is not required, but it~~  
2395 ~~may be used to verify your identity with voter registration records. If you choose not to provide~~  
2396 ~~it, your signature may not be verified as a valid signature if you change your address before~~  
2397 ~~petition signatures are verified or if the information you provide does not match your voter~~  
2398 ~~registration records."]; and~~

2399 ~~[(v) (iii) if the initiative petition proposes a tax increase, spanning the bottom of the~~  
2400 ~~sheet, horizontally, in not less than 14-point, bold type, the following statement:~~

2401 ~~"This initiative petition seeks to increase the current (insert name of tax) rate by (insert~~  
2402 ~~the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)~~  
2403 ~~percent increase in the current tax rate.";~~

2404 (3) The final page of each initiative packet shall contain the following printed or typed  
2405 statement:

2406 "Verification

2407 State of Utah, County of \_\_\_\_\_

2408 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

2409 I am a resident of Utah and am at least 18 years old;

2410 All the names that appear in this [initiative] packet were signed by [the] individuals  
2411 who professed to be the individuals whose names appear in it, and each of the individuals  
2412 signed the individual's name on it in my presence;

2413 I did not knowingly make a misrepresentation of fact concerning the law proposed by  
2414 the initiative;

2415 I believe that each individual has printed and signed the individual's name and written  
2416 the individual's post office address and residence correctly, that each signer has read and  
2417 understands the law proposed by the initiative, and that each signer is registered to vote in Utah  
2418 or intends to become registered to vote before the certification of the petition names by the  
2419 county clerk.

2420 [\_\_\_\_\_"]

2421 [~~(4)~~ The forms prescribed in this section are not mandatory, and, if]

2422 Each individual who signed the packet wrote the correct date of signature next to the  
2423 individual's name.

2424 I have not paid or given anything of value to any individual who signed this petition to  
2425 encourage that individual to sign it.

2426 \_\_\_\_\_

2427 (Name) \_\_\_\_\_ (Residence Address) \_\_\_\_\_ (Date)".

2428 (4) If the forms described in this section are substantially followed, the initiative  
2429 petitions are sufficient, notwithstanding clerical and merely technical errors.

2430 (5) An individual's status as a resident, under Subsection (3), is determined in  
2431 accordance with Section [20A-2-105](#).

2432 Section 29. Section **20A-7-504** is amended to read:

2433 **20A-7-504. Circulation requirements -- Local clerk to provide sponsors with**  
2434 **materials.**

2435 (1) In order to obtain the necessary number of signatures required by this part, the  
2436 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
2437 in Subsections (2)[~~(a) and (b)~~] and [~~Subsection~~] [20A-7-401.5](#)(4)(b), circulate initiative packets  
2438 that meet the form requirements of this part.

2439 (2) Within five days after the day on which a county, city, town, metro township, or  
2440 court determines, in accordance with Section [20A-7-502.7](#), that a law proposed in an initiative  
2441 petition is legally referable to voters, the local clerk shall furnish to the sponsors:

2442 (a) [~~one~~] a copy of the initiative petition; and

2443 (b) [~~one~~] a signature sheet.

2444 (3) The sponsors of the petition shall:

2445 (a) arrange and pay for the printing of all additional copies of the petition and signature  
2446 sheets; and

2447 (b) ensure that the copies of the petition and signature sheets meet the form  
2448 requirements of this section.

2449 (4) (a) The sponsors or an agent of the sponsors may prepare the initiative for  
2450 circulation by creating multiple initiative packets.

2451 (b) The sponsors or an agent of the sponsors shall create [~~those~~] initiative packets by  
2452 binding a copy of the initiative petition, a copy of the proposed law, and no more than 50  
2453 signature sheets together at the top in [~~such a way~~] a manner that the packets may be  
2454 conveniently opened for signing.

2455 (c) [~~The sponsors need not attach~~] An initiative packet is not required to have a  
2456 uniform number of signature sheets [to each initiative packet].

2457 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of  
2458 the proposition information pamphlet provided to the sponsors under Subsection  
2459 [20A-7-401.5\(4\)\(b\)](#).

2460 (5) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

2461 (i) contact the county clerk to receive a range of numbers that the sponsors may use to  
2462 number signature packets; and

2463 (ii) number each signature packet, sequentially, within the range of numbers provided  
2464 by the county clerk, starting with the lowest number in the range.

2465 (b) The sponsors or an agent of the sponsors may not:

2466 (i) number a signature packet in a manner not directed by the county clerk; or

2467 (ii) circulate or submit a signature packet that is not numbered in the manner directed  
2468 by the county clerk.

2469 (c) The county clerk shall keep a record of the number range provided under  
2470 Subsection (5)(a).

2471 Section 30. Section **20A-7-505** is amended to read:

2472 **20A-7-505. Obtaining signatures -- Verification -- Removal of signature.**

2473 (1) [~~Any~~] A Utah voter may sign a local initiative petition if the voter is a legal voter  
2474 and resides in the local jurisdiction.

2475 (2) (a) The sponsors shall ensure that the individual in whose presence each signature  
2476 sheet was signed:

2477 (i) is at least 18 years old and meets the residency requirements of Section [20A-2-105](#);  
2478 ~~[and]~~

2479 (ii) verifies each signature sheet by completing the verification printed on the last page  
2480 of each initiative packet~~[-]; and~~

2481 (iii) is informed that each signer is required to read and understand the law proposed by  
2482 the initiative.

2483 (b) An individual may not sign the verification printed on the last page of the initiative  
2484 packet if the individual signed a signature sheet in the initiative packet.

2485 ~~[(3) (a) (i) Any voter who has signed an initiative petition may have the voter's~~  
2486 ~~signature removed from the petition by submitting a notarized statement to that effect to the~~  
2487 ~~county clerk.]~~

2488 ~~[(ii) In order for the signature to be removed, the statement must be received by the~~  
2489 ~~county clerk no later than seven days after the day on which the sponsors submit the last~~  
2490 ~~signature packet to the county clerk.]~~

2491 ~~[(b) Upon timely receipt of the statement, the county clerk shall remove the signature~~  
2492 ~~of the individual submitting the statement from the initiative petition.]~~

2493 (3) (a) A voter who has signed an initiative petition may have the voter's signature  
2494 removed from the petition by submitting a statement requesting that the voter's signature be  
2495 removed before 5 p.m. no later than the earlier of:

2496 (i) 30 days after the day on which the voter signs the signature removal statement;

2497 (ii) 90 days after the day on which the local clerk posts the voter's name under  
2498 Subsection [20A-7-507\(2\)\(a\)](#);

2499 (iii) 316 days after the day on which the application is filed; or

2500 (iv) (A) for a county initiative, April 15 immediately before the next regular general  
2501 election immediately after the application is filed under Section [20A-7-502](#); or

2502 (B) for a municipal initiative, April 15 immediately before the next municipal general  
2503 election immediately after the application is filed under Section [20A-7-502](#).

2504 (b) (i) The statement shall include:

2505 (A) the name of the voter;

- 2506 (B) the resident address at which the voter is registered to vote;  
2507 (C) the signature of the voter; and  
2508 (D) the date of the signature described in Subsection (3)(b)(i)(C).  
2509 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
2510 statement may include the voter's birth date or age.  
2511 (c) A voter may not submit a statement by email or other electronic means.  
2512 (d) In order for the signature to be removed, the county clerk must receive the  
2513 statement before 5 p.m. no later than the applicable deadline described in Subsection (3)(a).  
2514 (e) A person may only remove a signature from an initiative petition in accordance  
2515 with this Subsection (3).  
2516 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
2517 an initiative petition, in accordance with Section [20A-7-506.3](#).  
2518 Section 31. Section **20A-7-506** is amended to read:  
2519 **20A-7-506. Submitting the initiative petition -- Certification of signatures by the**  
2520 **county clerks -- Transfer to local clerk.**  
2521 (1) (a) The sponsors or an agent of the sponsors shall [~~deliver each~~] submit a signed  
2522 and verified initiative packet to the county clerk of the county in which the packet was  
2523 circulated before 5 p.m. no later than the earlier of:  
2524 [~~(i) for county initiatives:~~]  
2525 (i) 30 days after the day on which the first individual signs the initiative packet;  
2526 [~~(A)]~~ (ii) 316 days after the day on which the application is filed; or  
2527 [~~(B) the~~] (iii) (A) for a county initiative, April 15 immediately before the next regular  
2528 general election immediately after the application is filed under Section [20A-7-502](#); or  
2529 [~~(ii) for municipal initiatives:~~]  
2530 [~~(A) 316 days after the day on which the application is filed; or~~]  
2531 (B) [~~the~~] for a municipal initiative, April 15 immediately before the next municipal  
2532 general election immediately after the application is filed under Section [20A-7-502](#).  
2533 (b) A [~~sponsor~~] person may not submit an initiative packet after the deadline  
2534 established in [~~this~~] Subsection (1)(a).  
2535 (2) The county clerk shall, within 21 days after the day on which the county clerk  
2536 receives the packet:

2537 (a) determine whether each signer is a registered voter according to the requirements of  
 2538 Section 20A-7-506.3;

2539 (b) certify on the petition whether each name is that of a registered voter;

2540 (c) except as provided in Subsection (3), post the name and voter identification number  
 2541 of each registered voter certified under Subsection (2)(b) on the lieutenant governor's website,  
 2542 in a conspicuous location designated by the lieutenant governor; and

2543 (d) deliver the verified initiative packet to the local clerk.

2544 (3) (a) If the county clerk timely receives a statement requesting signature removal  
 2545 under Subsection 20A-7-505(3), the county clerk shall:

2546 (i) ensure that the voter's name and voter identification number are not included in the  
 2547 posting described in Subsection (2)(c); and

2548 (ii) remove the voter's signature from the signature packets and signature packet totals.

2549 (b) The county clerk shall comply with Subsection (3)(a) before the later of:

2550 (i) the deadline described in Subsection (2); or

2551 (ii) two business days after the day on which the county clerk receives a statement  
 2552 requesting signature removal under Subsection 20A-7-505(3).

2553 (c) The local clerk shall post a link in a conspicuous location on the local government's  
 2554 website to the posting described in Subsection (2)(c) during the period of time described in  
 2555 Subsection 20A-7-507(2)(a)(i).

2556 ~~[(2)]~~ (4) The county clerk may not certify a signature under Subsection [(3)] (2) on an  
 2557 initiative packet that is not verified in accordance with Section 20A-7-505.

2558 ~~[(3) No later than May 15, the county clerk shall:]~~

2559 ~~[(a) determine whether or not each signer is a voter according to the requirements of~~  
 2560 ~~Section 20A-7-506.3;]~~

2561 ~~[(b) certify on the petition whether or not each name is that of a voter; and]~~

2562 ~~[(c) deliver all of the verified packets to the local clerk.]~~

2563 (5) A person may not retrieve an initiative packet from a county clerk, or make any  
 2564 alterations or corrections to an initiative packet, after the initiative packet is submitted to the  
 2565 county clerk.

2566 Section 32. Section 20A-7-506.3 is amended to read:

2567 **20A-7-506.3. Verification of petition signatures.**

2568 (1) As used in this section:

2569 (a) [~~For the purposes of this section, "substantially~~] "Substantially similar name"

2570 means:

2571 (i) the given name and surname shown on the petition, or both, contain only minor  
2572 spelling differences when compared to the given name and surname shown on the official  
2573 register;

2574 (ii) the surname shown on the petition exactly matches the surname shown on the  
2575 official register, and the given names differ only because one of the given names shown is a  
2576 commonly used abbreviation or variation of the other;

2577 (iii) the surname shown on the petition exactly matches the surname shown on the  
2578 official register, and the given names differ only because one of the given names shown is  
2579 accompanied by a first or middle initial or a middle name which is not shown on the other  
2580 record; or

2581 (iv) the surname shown on the petition exactly matches the surname shown on the  
2582 official register, and the given names differ only because one of the given names shown is an  
2583 alphabetically corresponding initial that has been provided in the place of a given name shown  
2584 on the other record.

2585 (b) [~~For the purposes of this section, "substantially~~] "Substantially similar name" does  
2586 not mean a name having an initial or a middle name shown on the petition that does not match  
2587 a different initial or middle name shown on the official register.

2588 (2) The county clerk shall use the following procedures in determining whether [~~or not~~]  
2589 a signer is a registered voter:

2590 (a) When a signer's name and address shown on the petition exactly match a name and  
2591 address shown on the official register and the signer's signature appears substantially similar to  
2592 the signature on the statewide voter registration database, the county clerk shall declare the  
2593 signature valid.

2594 (b) When there is no exact match of an address and a name, the county clerk shall  
2595 declare the signature valid if:

2596 (i) the address on the petition matches the address of an individual on the official  
2597 register with a substantially similar name; and

2598 (ii) the signer's signature appears substantially similar to the signature on the statewide

2599 voter registration database of the individual described in Subsection (2)(b)(i).

2600 (c) When there is no match of an address and a substantially similar name, the county  
2601 clerk shall declare the signature valid if:

2602 (i) the birth date or age on the petition matches the birth date or age of an individual on  
2603 the official register with a substantially similar name; and

2604 (ii) the signer's signature appears substantially similar to the signature on the statewide  
2605 voter registration database of the individual described in Subsection (2)(c)(i).

2606 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the  
2607 county clerk shall declare the signature to be invalid.

2608 (3) The county clerk shall use the following procedures in determining whether to  
2609 remove a signature from a petition after receiving a timely, valid statement requesting removal  
2610 of the signature:

2611 (a) if a signer's name and address shown on the statement and the petition exactly  
2612 match a name and address shown on the official register and the signer's signature on both the  
2613 statement and the petition appears substantially similar to the signature on the statewide voter  
2614 registration database, the county clerk shall remove the signature from the petition;

2615 (b) if there is no exact match of an address and a name, the county clerk shall remove  
2616 the signature from the petition if:

2617 (i) the address on the statement and the petition matches the address of an individual  
2618 on the official register with a substantially similar name; and

2619 (ii) the signer's signature on both the statement and the petition appears substantially  
2620 similar to the signature on the statewide voter registration database of the individual described  
2621 in Subsection (3)(b)(i);

2622 (c) if there is no match of an address and a substantially similar name, the county clerk  
2623 shall remove the signature from the petition if:

2624 (i) the birth date or age on the statement and petition match the birth date or age of an  
2625 individual on the official register with a substantially similar name; and

2626 (ii) the signer's signature on both the statement and the petition appears substantially  
2627 similar to the signature on the statewide voter registration database of the individual described  
2628 in Subsection (3)(c)(i); and

2629 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the

2630 county clerk may not remove the signature from the petition.

2631 Section 33. Section **20A-7-507** is amended to read:

2632 **20A-7-507. Evaluation by the local clerk.**

2633 (1) When [~~each~~] a local clerk receives an initiative packet [~~is received~~] from a county  
2634 clerk, the local clerk shall [~~check off from the local clerk's~~] record the number of [~~each~~] the  
2635 initiative packet [~~filed~~] received.

2636 [~~(2) (a) After all of the initiative packets have been received by the local clerk, the local~~  
2637 ~~clerk shall count the number of the names certified by the county clerk that appear on each~~  
2638 ~~verified signature sheet.]~~

2639 (2) (a) The county clerk shall:

2640 (i) post the names and voter identification numbers described in Subsection  
2641 20A-7-506(2)(c) on the lieutenant governor's website, in a conspicuous location designated by  
2642 the lieutenant governor, for at least 90 days; and

2643 (ii) update on the local government's website the number of signatures certified as of  
2644 the date of the update.

2645 (b) The local clerk:

2646 (i) shall, except as provided in Subsection (2)(b)(ii), declare the petition to be sufficient  
2647 or insufficient no later than 21 days after the day of the applicable deadline described in  
2648 Subsection 20A-7-506(1)(a); or

2649 (ii) may declare the petition to be insufficient before the day described in Subsection  
2650 (2)(b)(i) if:

2651 (A) the total of all valid signatures on timely and lawfully submitted signature packets  
2652 that have been certified by the county clerks, plus the number of signatures on timely and  
2653 lawfully submitted signature packets that have not yet been evaluated for certification, is less  
2654 than the number of names required under Section 20A-7-501; or

2655 (B) a requirement of this part has not been met.

2656 [~~(b)~~] (c) If the total number of certified names from each verified signature sheet equals  
2657 or exceeds the number of names required by Section 20A-7-501 and the requirements of this  
2658 part are met, the local clerk shall mark upon the front of the petition the word "sufficient."

2659 [~~(c)~~] (d) If the total number of certified names from each verified signature sheet does  
2660 not equal or exceed the number of names required by Section 20A-7-501 or a requirement of

2661 this part is not met, the local clerk shall mark upon the front of the petition the word  
2662 "insufficient."

2663 ~~[(4)]~~ (e) The local clerk shall immediately notify any one of the sponsors of the local  
2664 clerk's finding.

2665 (f) After a petition is declared insufficient, a person may not submit additional  
2666 signatures to qualify the petition for the ballot.

2667 (3) If the local clerk finds the total number of certified signatures from each verified  
2668 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
2669 for a recount of the signatures appearing on the initiative petition in the presence of any  
2670 sponsor.

2671 ~~[(4) Once a petition is declared insufficient, the sponsors may not submit additional~~  
2672 ~~signatures to qualify the petition for the ballot.]~~

2673 ~~[(5)]~~ (4) A petition determined to be sufficient in accordance with this section is  
2674 qualified for the ballot.

2675 Section 34. Section **20A-7-508** is amended to read:

2676 **20A-7-508. Ballot title -- Duties of local clerk and local attorney.**

2677 (1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the  
2678 petition and the proposed law to the local attorney.

2679 (2) The local attorney shall:

2680 (a) entitle each county or municipal initiative that has qualified for the ballot

2681 "Proposition Number \_\_\_" and give it a number as assigned under Section [20A-6-107](#);

2682 (b) prepare a proposed ballot title for the initiative;

2683 (c) file the proposed ballot title and the numbered initiative titles with the local clerk  
2684 within 20 days after the day on which an eligible voter submits the initiative petition to the  
2685 local clerk; and

2686 (d) promptly provide notice of the filing of the proposed ballot title to:

2687 (i) the sponsors of the petition; and

2688 (ii) the local legislative body for the jurisdiction where the initiative petition was  
2689 circulated.

2690 (3) (a) The ballot title may be distinct from the title of the proposed law attached to the  
2691 initiative petition, and shall express, in not exceeding 100 words, the purpose of the measure.

2692 (b) In preparing a ballot title, the local attorney shall, to the best of the local attorney's  
2693 ability, give a true and impartial statement of the purpose of the measure.

2694 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,  
2695 for or against the measure.

2696 (d) If the initiative proposes a tax increase, the local attorney shall include the  
2697 following statement, in bold, in the ballot title:

2698 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax  
2699 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
2700 increase in the current tax rate.".

2701 (4) (a) Within five calendar days after the date the local attorney files a proposed ballot  
2702 title under Subsection (2)(c), the local legislative body for the jurisdiction where the initiative  
2703 petition was circulated and the sponsors of the petition may file written comments in response  
2704 to the proposed ballot title with the local clerk.

2705 (b) Within five calendar days after the last date to submit written comments under  
2706 Subsection (4)(a), the local attorney shall:

- 2707 (i) review any written comments filed in accordance with Subsection (4)(a);
- 2708 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and
- 2709 (iii) return the petition and file the ballot title with the local clerk.

2710 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall  
2711 be printed on the official ballot.

2712 (5) Immediately after the local attorney files a copy of the ballot title with the local  
2713 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the  
2714 petition and the local legislative body for the jurisdiction where the initiative petition was  
2715 circulated.

2716 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not  
2717 comply with the requirements of this section, the decision of the local attorney may be  
2718 appealed to the [~~district court, or, if the Supreme Court has original jurisdiction, to the~~  
2719 ~~Supreme Court, brought~~] appropriate court by:

- 2720 (i) at least three sponsors of the initiative petition; or
- 2721 (ii) a majority of the local legislative body for the jurisdiction where the initiative  
2722 petition was circulated.

- 2723 (b) The court:  
2724 (i) shall examine the measures and consider arguments; and  
2725 (ii) may certify to the local clerk a ballot title for the measure that fulfills the intent of  
2726 this section.
- 2727 (c) The local clerk shall print the title certified by the court on the official ballot.  
2728 Section 35. Section **20A-7-510** is amended to read:  
2729 **20A-7-510. Return and canvass -- Conflicting measures -- Law effective on**  
2730 **proclamation.**
- 2731 (1) The votes on the law proposed by the initiative petition shall be counted,  
2732 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.
- 2733 (2) After the local board of canvassers completes [its] the canvass, the local clerk shall  
2734 certify to the local legislative body the vote for and against the law proposed by the initiative  
2735 petition.
- 2736 (3) (a) The local legislative body shall immediately issue a proclamation that:  
2737 (i) gives the total number of votes cast in the local jurisdiction for and against each law  
2738 proposed by an initiative petition; and  
2739 (ii) declares those laws proposed by an initiative petition that were approved by  
2740 majority vote to be in full force and effect as the law of the local jurisdiction.
- 2741 (b) When the local legislative body determines that two proposed laws, or that parts of  
2742 two proposed laws approved by the people at the same election are entirely in conflict, [~~they~~]  
2743 the local legislative body shall proclaim that measure to be law that [~~has~~] received the greatest  
2744 number of affirmative votes, regardless of the difference in the majorities which those  
2745 measures have received.
- 2746 (c) (i) Within 10 days after the day on which the local legislative [~~body's~~] body issues  
2747 the proclamation, any qualified voter who signed the initiative petition proposing the law that  
2748 is declared by the local legislative body to be superseded by another measure approved at the  
2749 same election may bring an action in [~~district court, or, if the Supreme Court has original~~  
2750 ~~jurisdiction, the Supreme Court~~] the appropriate court to review the decision.
- 2751 (ii) The court shall:  
2752 (A) consider the matter and decide whether the proposed laws are entirely in conflict;  
2753 and

2754 (B) issue an order, consistent with the court's decision, to the local legislative body.

2755 (4) Within 10 days after the day on which the court [~~certifies the decision~~] enters an  
2756 order under Subsection (3)(c)(ii), the local legislative body shall:

2757 (a) proclaim as law all measures approved by the people that the court determines are  
2758 not in conflict; and

2759 (b) for the measures approved by the people as law that the court determines to be in  
2760 conflict, proclaim as law the measure that received the greatest number of affirmative votes,  
2761 regardless of the difference in majorities.

2762 Section 36. Section **20A-7-601** is amended to read:

2763 **20A-7-601. Referenda -- General signature requirements -- Signature**  
2764 **requirements for land use laws and subjurisdictional laws -- Time requirements.**

2765 (1) As used in this section:

2766 (a) "Number of active voters" means the number of active voters in the county, city, or  
2767 town on the immediately preceding January 1.

2768 (b) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the  
2769 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.

2770 (c) (i) "Subjurisdictional law" means a local law or local obligation law passed by a  
2771 local legislative body that imposes a tax or other payment obligation on property in an area that  
2772 does not include all precincts and subprecincts under the jurisdiction of the county, city, town,  
2773 or metro township.

2774 (ii) "Subjurisdictional law" does not include a land use law.

2775 (d) "Voter participation area" means an area described in Subsection [20A-7-401.3\(1\)\(a\)](#)  
2776 or (2)(b).

2777 (2) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local  
2778 law passed by the local legislative body submitted to a vote of the people shall obtain legal  
2779 signatures equal to:

2780 (a) for a county of the first class:

2781 (i) 7.75% of the number of active voters in the county; and

2782 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%  
2783 of the county's voter participation areas;

2784 (b) for a metro township with a population of 100,000 or more, or a city of the first

2785 class:

2786 (i) 7.5% of the number of active voters in the metro township or city; and

2787 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%  
2788 of the metro township's or city's voter participation areas;

2789 (c) for a county of the second class:

2790 (i) 8% of the number of active voters in the county; and

2791 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of  
2792 the county's voter participation areas;

2793 (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
2794 a city of the second class:

2795 (i) 8.25% of the number of active voters in the metro township or city; and

2796 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%  
2797 of the metro township's or city's voter participation areas;

2798 (e) for a county of the third class:

2799 (i) 9.5% of the number of active voters in the county; and

2800 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%  
2801 of the county's voter participation areas;

2802 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a  
2803 city of the third class:

2804 (i) 10% of the number of active voters in the metro township or city; and

2805 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%  
2806 of the metro township's or city's voter participation areas;

2807 (g) for a county of the fourth class:

2808 (i) 11.5% of the number of active voters in the county; and

2809 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%  
2810 of the county's voter participation areas;

2811 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a  
2812 city of the fourth class:

2813 (i) 11.5% of the number of active voters in the metro township or city; and

2814 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%  
2815 of the metro township's or city's voter participation areas;

2816 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city  
2817 of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro  
2818 township, city, or county; or

2819 (j) for a metro township with a population of less than 1,000, a town, or a county of the  
2820 sixth class, 35% of the number of active voters in the metro township, town, or county.

2821 (3) Except as provided in Subsection (4), an eligible voter seeking to have a land use  
2822 law or local obligation law passed by the local legislative body submitted to a vote of the  
2823 people shall obtain legal signatures equal to:

2824 (a) for a county of the first, second, third, or fourth class:

2825 (i) 16% of the number of active voters in the county; and

2826 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%  
2827 of the county's voter participation areas;

2828 (b) for a county of the fifth or sixth class:

2829 (i) 16% of the number of active voters in the county; and

2830 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%  
2831 of the county's voter participation areas;

2832 (c) for a metro township with a population of 100,000 or more, or a city of the first  
2833 class:

2834 (i) 15% of the number of active voters in the metro township or city; and

2835 (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75%  
2836 of the metro township's or city's voter participation areas;

2837 (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
2838 a city of the second class:

2839 (i) 16% of the number of active voters in the metro township or city; and

2840 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%  
2841 of the metro township's or city's voter participation areas;

2842 (e) for a metro township with a population of 30,000 or more but less than 65,000, or a  
2843 city of the third class:

2844 (i) 27.5% of the number of active voters in the metro township or city; and

2845 (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75%  
2846 of the metro township's or city's voter participation areas;

2847 (f) for a metro township with a population of 10,000 or more but less than 30,000, or a  
2848 city of the fourth class:

2849 (i) 29% of the number of active voters in the metro township or city; and

2850 (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75%  
2851 of the metro township's or city's voter participation areas;

2852 (g) for a metro township with a population of 1,000 or more but less than 10,000, or a  
2853 city of the fifth class, 35% of the number of active voters in the metro township or city; or

2854 (h) for a metro township with a population of less than 1,000 or a town, 40% of the  
2855 number of active voters in the metro township or town.

2856 (4) A person seeking to have a subjurisdictional law passed by the local legislative  
2857 body submitted to a vote of the people shall obtain legal signatures of the residents in the  
2858 subjurisdiction equal to:

2859 (a) 10% of the number of active voters in the subjurisdiction if the number of active  
2860 voters exceeds 25,000;

2861 (b) 12-1/2% of the number of active voters in the subjurisdiction if the number of  
2862 active voters does not exceed 25,000 but is more than 10,000;

2863 (c) 15% of the number of active voters in the subjurisdiction if the number of active  
2864 voters does not exceed 10,000 but is more than 2,500;

2865 (d) 20% of the number of active voters in the subjurisdiction if the number of active  
2866 voters does not exceed 2,500 but is more than 500;

2867 (e) 25% of the number of active voters in the subjurisdiction if the number of active  
2868 voters does not exceed 500 but is more than 250; and

2869 (f) 30% of the number of active voters in the subjurisdiction if the number of active  
2870 voters does not exceed 250.

2871 (5) ~~(a)~~ Sponsors of any referendum petition challenging, under Subsection (2), (3), or  
2872 (4), any local law passed by a local legislative body shall file the application before 5 p.m.  
2873 within seven days after the day on which the local law was passed.

2874 ~~[(b) Except as provided in Subsection (5)(c), when a referendum petition has been~~  
2875 ~~declared sufficient, the local law that is the subject of the petition does not take effect unless~~  
2876 ~~and until the local law is approved by a vote of the people.]~~

2877 ~~[(c) When a referendum petition challenging a subjurisdictional law has been declared~~

2878 sufficient, the subjurisdictional law that is the subject of the petition does not take effect unless  
2879 and until the subjurisdictional law is approved by a vote of the people who reside in the  
2880 subjurisdiction.]

2881 [~~(6) If the referendum passes, the local law that was challenged by the referendum is~~  
2882 ~~repealed as of the date of the election.~~]

2883 [(7)] (6) Nothing in this section authorizes a local legislative body to impose a tax or  
2884 other payment obligation on a subjurisdiction in order to benefit an area outside of the  
2885 subjurisdiction.

2886 Section 37. Section **20A-7-602** is amended to read:

2887 **20A-7-602. Local referendum process -- Application procedures.**

2888 (1) [~~An eligible voter~~] Individuals wishing to circulate a referendum petition shall file  
2889 an application with the local clerk.

2890 (2) The application shall contain:

2891 (a) the name and residence address of at least five sponsors of the referendum petition;

2892 [~~(b) a certification indicating that each of the sponsors is a resident of Utah;~~]

2893 [~~(c)~~] (b) a statement indicating that each of the sponsors [~~has voted in an election in~~  
2894 ~~Utah in the last three years;~~] is registered to vote in Utah;

2895 (c) a statement indicating whether persons gathering signatures for the petition may be  
2896 paid for gathering signatures;

2897 (d) the signature of each of the sponsors, acknowledged by a notary public; and

2898 (e) (i) if the referendum challenges an ordinance or resolution, one copy of the law; or

2899 (ii) if the referendum challenges a local law that is not an ordinance or resolution, a

2900 written description of the local law, including the result of the vote on the local law.

2901 Section 38. Section **20A-7-603** is amended to read:

2902 **20A-7-603. Form of referendum petition and signature sheets.**

2903 (1) (a) Each proposed referendum petition shall be printed in substantially the  
2904 following form:

2905 "REFERENDUM PETITION To the Honorable \_\_\_\_, County Clerk/City

2906 Recorder/Town Clerk:

2907 We, the undersigned citizens of Utah, respectfully order that (description of local law or  
2908 portion of local law being challenged), passed by the \_\_\_\_ be referred to the voters for their

2909 approval or rejection at the regular/municipal general election to be held on

2910 \_\_\_\_\_(month\day\year);

2911 Each signer says:

2912 I have personally signed this petition;

2913 The date next to my signature correctly reflects the date that I actually signed the  
2914 petition;

2915 I have personally reviewed the entire statement included with this packet;

2916 I am registered to vote in Utah or intend to become registered to vote in Utah before the  
2917 certification of the petition names by the county clerk; and

2918 My residence and post office address are written correctly after my name.";

2919 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the  
2920 law that is the subject of the referendum to each referendum petition.

2921 (2) Each signature sheet shall:

2922 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2923 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
2924 that line blank for the purpose of binding;

2925 (c) contain the title of the referendum printed below the horizontal line, in at least  
2926 14-point bold type;

2927 (d) contain the word "Warning" printed or typed at the top of each signature sheet  
2928 under the title of the referendum;

2929 (e) contain, to the right of the word "Warning," the following statement printed or  
2930 typed in not less than eight-point[~~single-leaded~~] type:

2931 "It is a class A misdemeanor for an individual to sign a referendum petition with any  
2932 other name than the individual's own name, or to knowingly sign the individual's name more  
2933 than once for the same measure, or to sign a referendum petition when the individual knows  
2934 that the individual is not a registered voter and knows that the individual does not intend to  
2935 become registered to vote before the certification of the petition names by the county clerk.";

2936 (f) contain horizontally ruled lines three-eighths inch apart under the ["Warning"]  
2937 warning statement [required by this section] described in Subsection (2)(e);

2938 (g) be vertically divided into columns as follows:

2939 (i) the edge of the first column shall appear .5 inch from the extreme left of the sheet,

2940 be .25 inch wide, and be headed, together with the second column, "For Office Use Only";  
2941 (ii) the second column shall be .25 inch wide;  
2942 (iii) the third column shall be 2.5 inches wide, headed "Registered Voter's Printed  
2943 Name (must be legible to be counted)";  
2944 (iv) the fourth column shall be 2.5 inches wide, headed "Signature of Registered  
2945 Voter";  
2946 (v) the fifth column shall be .75 inch wide, headed "Date Signed";  
2947 (vi) the sixth column shall be three inches wide, headed "Street Address, City, Zip  
2948 Code"; and  
2949 (vii) the seventh column shall be .75 inch wide, headed "Birth Date or Age (Optional)";  
2950 (h) be horizontally divided into rows as follows:  
2951 (i) the top of the first row, for the purpose of entering the information described in  
2952 Subsection (2)(g), shall be .5 inch high;  
2953 (ii) the second row shall be .15 inch high and contain the following statement printed  
2954 or typed in not less than [~~eight-point, single-leaded~~] 12-point type: "By signing this petition,  
2955 you are stating that you have read and understand the law this petition seeks to overturn."; and  
2956 (iii) the first and second rows shall be repeated, in order, leaving sufficient room at the  
2957 bottom of the sheet for the information described in Subsection (2)(i); and  
2958 (i) at the bottom of the sheet, contain the following statement: "Birth date or age  
2959 information is not required, but it may be used to verify your identity with voter registration  
2960 records. If you choose not to provide it, your signature may not be verified as a valid signature  
2961 if you change your address before petition signatures are verified or if the information you  
2962 provide does not match your voter registration records.";  
2963 (3) The final page of each referendum packet shall contain the following printed or  
2964 typed statement:  
2965 "Verification  
2966 State of Utah, County of \_\_\_\_\_  
2967 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:  
2968 I am a resident of Utah and am at least 18 years old;  
2969 All the names that appear in this [~~referendum~~] packet were signed by individuals who  
2970 professed to be the individuals whose names appear in it, and each of the individuals signed the

2971 individual's name on it in my presence;

2972 I did not knowingly make a misrepresentation of fact concerning the law this petition  
2973 seeks to overturn;

2974 I believe that each individual has printed and signed the individual's name and written  
2975 the individual's post office address and residence correctly, that each signer has read and  
2976 understands the law that the referendum seeks to overturn, and that each signer is registered to  
2977 vote in Utah or intends to become registered to vote before the certification of the petition  
2978 names by the county clerk.

2979 [\_\_\_\_\_"]

2980 [~~(4)~~ The forms prescribed in this section are not mandatory, and, if]

2981 Each individual who signed the packet wrote the correct date of signature next to the  
2982 individual's name.

2983 I have not paid or given anything of value to any individual who signed this petition to  
2984 encourage that individual to sign it.

2985 \_\_\_\_\_  
2986 (Name) (Residence Address) (Date)".

2987 (4) If the forms described in this section are substantially followed, the referendum  
2988 petitions are sufficient, notwithstanding clerical and merely technical errors.

2989 (5) An individual's status as a resident, under Subsection (3), is determined in  
2990 accordance with Section [20A-2-105](#).

2991 Section 39. Section **20A-7-604** is amended to read:

2992 **20A-7-604. Circulation requirements -- Local clerk to provide sponsors with**  
2993 **materials.**

2994 (1) In order to obtain the necessary number of signatures required by this part, the  
2995 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
2996 in [~~Subsection~~] Subsections (2) and [~~Subsection~~] [20A-7-401.5\(4\)\(b\)](#), circulate referendum  
2997 packets that meet the form requirements of this part.

2998 (2) Within five days after the day on which a county, city, town, metro township, or  
2999 court determines, in accordance with Section [20A-7-602.7](#), that a proposed referendum is  
3000 legally referable to voters, the local clerk shall furnish to the sponsors:

3001 (a) a copy of the referendum petition; and

3002 (b) a signature sheet.

3003 (3) The sponsors of the petition shall:

3004 (a) arrange and pay for the printing of all additional copies of the petition and signature  
3005 sheets; and

3006 (b) ensure that the copies of the petition and signature sheets meet the form  
3007 requirements of this section.

3008 (4) (a) The sponsors or an agent of the sponsors may prepare the referendum for  
3009 circulation by creating multiple referendum packets.

3010 (b) The sponsors or an agent of the sponsors shall create [~~those~~] referendum packets by  
3011 binding a copy of the referendum petition, a copy of the law that is the subject of the  
3012 referendum, and no more than 50 signature sheets together at the top in [~~such a way~~] a manner  
3013 that the packets may be conveniently opened for signing.

3014 (c) [~~The sponsors need not attach~~] A referendum packet is not required to have a  
3015 uniform number of signature sheets [to each referendum packet].

3016 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of  
3017 the proposition information pamphlet provided to the sponsors under Subsection  
3018 20A-7-401.5(4)(b).

3019 (5) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

3020 (i) contact the county clerk to receive a range of numbers that the sponsors may use to  
3021 number signature packets; and

3022 (ii) number each signature packet, sequentially, within the range of numbers provided  
3023 by the county clerk, starting with the lowest number in the range.

3024 (b) The sponsors or an agent of the sponsors may not:

3025 (i) number a signature packet in a manner not directed by the county clerk; or

3026 (ii) circulate or submit a signature packet that is not numbered in the manner directed  
3027 by the county clerk.

3028 (c) The county clerk shall keep a record of the number range provided under  
3029 Subsection (5)(a).

3030 Section 40. Section **20A-7-605** is amended to read:

3031 **20A-7-605. Obtaining signatures -- Verification -- Removal of signature.**

3032 (1) [~~Any~~] A Utah voter may sign a local referendum petition if the voter is a legal voter

3033 and resides in the local jurisdiction.

3034 (2) (a) The sponsors shall ensure that the individual in whose presence each signature  
3035 sheet was signed:

3036 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;

3037 [~~and~~]

3038 (ii) verifies each signature sheet by completing the verification printed on the last page  
3039 of each referendum packet[~~;~~]; and

3040 (iii) is informed that each signer is required to read and understand the law that the  
3041 referendum seeks to overturn.

3042 (b) An individual may not sign the verification printed on the last page of the  
3043 referendum packet if the individual signed a signature sheet in the referendum packet.

3044 [~~(3)(a) Any voter who has signed a referendum petition may have the voter's signature~~  
3045 ~~removed from the petition by submitting a statement to that effect to the county clerk.]~~

3046 [~~(b) Except as provided in Subsection (3)(c), upon receipt of the statement, the county~~  
3047 ~~clerk shall remove the signature of the individual submitting the statement from the referendum~~  
3048 ~~petition.]~~

3049 [~~(c) A county clerk may not remove signatures from a referendum petition later than~~  
3050 ~~seven days after the day on which the sponsors timely submit the last signature packet to the~~  
3051 ~~county clerk.]~~

3052 [~~(4) The sponsors of a referendum petition:]~~

3053 [~~(a) shall, for each signature packet:]~~

3054 [~~(i) within seven days after the day on which the first individual signs the signature~~  
3055 ~~packet, provide a clear, legible image of all signatures on the signature packet to the county~~  
3056 ~~clerk via email or other electronic means; and]~~

3057 [~~(ii) immediately send a new image if the county clerk informs the sponsors that the~~  
3058 ~~image is not clear and legible;]~~

3059 [~~(b) may not permit additional signatures on a signature packet of which the sponsors~~  
3060 ~~have sent an image under Subsection (4)(a); and]~~

3061 [~~(c) may not submit a signature packet to the county clerk unless the sponsors timely~~  
3062 ~~comply with the requirements of Subsection (4)(a) in relation to the signature packet.]~~

3063 [~~(5) Each person who gathers a signature removal statement described in Subsection~~

3064 (3):]

3065 [~~(a) shall, within seven days after the day on which the individual signs the signature~~  
3066 ~~removal statement, provide a clear, legible image of the statement to the county clerk via email~~  
3067 ~~or other electronic means; and]~~

3068 [~~(b) shall, immediately send a new image if the local clerk informs the sender that the~~  
3069 ~~image is not clear and legible; and]~~

3070 [~~(c) may not submit a signature removal statement to the county clerk, unless the~~  
3071 ~~sender timely complies with the requirements of Subsections (5)(a) and (b) in relation to the~~  
3072 ~~signature removal statement.]~~

3073 [~~(6) (a) The county clerk shall provide to an individual, upon request, a document or~~  
3074 ~~electronic list containing the name and voter identification number of each individual who~~  
3075 ~~signed the referendum packet.]~~

3076 [~~(b) Subject to Subsection [20A-7-606.3\(3\)](#), the local clerk may begin certifying,~~  
3077 ~~removing, and tallying signatures upon receipt of an image described in Subsection (4) or (5).]~~

3078 (3) (a) A voter who has signed a referendum petition may have the voter's signature  
3079 removed from the petition by submitting to the county clerk a statement requesting that the  
3080 voter's signature be removed no later than the earlier of:

3081 (i) 30 days after the day on which the voter signs the statement requesting removal; or

3082 (ii) 45 days after the day on which the local clerk posts the voter's name under  
3083 Subsection [20A-7-607\(2\)\(a\)](#).

3084 (b) (i) The statement shall include:

3085 (A) the name of the voter;

3086 (B) the resident address at which the voter is registered to vote;

3087 (C) the signature of the voter; and

3088 (D) the date of the signature described in Subsection (3)(b)(i)(C).

3089 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
3090 statement may include the voter's birth date or age.

3091 (c) A voter may not submit a statement by email or other electronic means.

3092 (d) In order for the signature to be removed, the county clerk must receive the  
3093 statement before 5 p.m. no later than 45 days after the day on which the local clerk posts the  
3094 voter's name under Subsection [20A-7-607\(2\)\(a\)](#).

3095 (e) A person may only remove a signature from a referendum petition in accordance  
 3096 with this Subsection (3).

3097 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
 3098 a referendum petition, in accordance with Section [20A-7-606.3](#).

3099 Section 41. Section **20A-7-606** is amended to read:

3100 **20A-7-606. Submitting the referendum petition -- Certification of signatures by**  
 3101 **the county clerks -- Transfer to local clerk.**

3102 (1) (a) The sponsors or an agent of the sponsors shall [~~deliver each~~] submit a signed  
 3103 and verified referendum packet to the county clerk of the county in which the packet was  
 3104 circulated before 5 p.m. no later than the earlier of:

3105 (i) 30 days after the day on which the first individual signs the referendum packet; or

3106 (ii) 45 days after the day on which the sponsors receive the items described in  
 3107 Subsection [20A-7-604](#)(2) from the local clerk.

3108 (b) A [~~sponsor~~] person may not submit a referendum packet after the deadline  
 3109 [~~established in this~~] described in Subsection (1)(a).

3110 [~~(2)(a) No later than 15 days after the day on which a county clerk receives a~~  
 3111 ~~referendum packet under Subsection (1)(a), the county clerk shall:]~~

3112 [~~(i) check the names of all persons completing the verification on the last page of each~~  
 3113 ~~referendum packet to determine whether those persons are Utah residents and are at least 18~~  
 3114 ~~years old; and]~~

3115 [~~(ii) submit the name of each of those persons who is not a Utah resident or who is not~~  
 3116 ~~at least 18 years old to the attorney general and county attorney.]~~

3117 [~~(b) The county clerk may not certify a signature under Subsection (3) on a referendum~~  
 3118 ~~packet that is not verified in accordance with Section [20A-7-605](#).]~~

3119 [~~(3)~~] (2) No later than [~~30~~] 21 days after the day on which a county clerk receives a  
 3120 verified referendum packet under Subsection (1)(a), the county clerk shall:

3121 (a) determine whether each signer is a registered voter according to the requirements of  
 3122 Section [20A-7-606.3](#);

3123 (b) certify on the [~~referendum~~] petition whether each name is that of a registered voter;  
 3124 [~~and~~]

3125 (c) provide the name and voter identification number of each registered voter certified

3126 under Subsection (2)(b); and  
3127 [(e)] (d) deliver [all of] the verified [referendum packets] packet to the local clerk.  
3128 (3) (a) If the county clerk timely receives a statement requesting signature removal  
3129 under Subsection 20A-7-605(3), the county clerk shall:  
3130 (i) ensure that the voter's name and voter identification number are not included in the  
3131 posting described in Subsection 20A-7-607(2)(a); and  
3132 (ii) remove the voter's signature from the signature packets and signature packet totals.  
3133 (b) The county clerk shall comply with Subsection (3)(a) before the later of:  
3134 (i) the deadline described in Subsection (2); or  
3135 (ii) two business days after the day on which the county clerk receives a statement  
3136 requesting signature removal under Subsection 20A-7-605(3).  
3137 (c) The local clerk shall post a link in a conspicuous location on the local government's  
3138 website to the posting described in Subsection 20A-7-607(2)(a) during the period of time  
3139 described in Subsection 20A-7-607(2)(a)(i).  
3140 (4) The county clerk may not certify a signature under Subsection (2):  
3141 (a) on a referendum packet that is not verified in accordance with Section 20A-7-605;  
3142 or  
3143 (b) that does not have a date of signature next to the signature.  
3144 (5) A person may not retrieve a referendum packet from a county clerk, or make any  
3145 alterations or corrections to a referendum packet, after the referendum packet is submitted to  
3146 the county clerk.  
3147 Section 42. Section **20A-7-606.3** is amended to read:  
3148 **20A-7-606.3. Verification of petition signatures.**  
3149 (1) As used in this section:  
3150 (a) ~~[For the purposes of this section, "substantially]~~ "Substantially similar name"  
3151 means:  
3152 (i) the given name and surname shown on the petition, or both, contain only minor  
3153 spelling differences when compared to the given name and surname shown on the official  
3154 register;  
3155 (ii) the surname shown on the petition exactly matches the surname shown on the  
3156 official register, and the given names differ only because one of the given names shown is a

3157 commonly used abbreviation or variation of the other;

3158 (iii) the surname shown on the petition exactly matches the surname shown on the  
3159 official register, and the given names differ only because one of the given names shown is  
3160 accompanied by a first or middle initial or a middle name which is not shown on the other  
3161 record; or

3162 (iv) the surname shown on the petition exactly matches the surname shown on the  
3163 official register, and the given names differ only because one of the given names shown is an  
3164 alphabetically corresponding initial that has been provided in the place of a given name shown  
3165 on the other record.

3166 (b) [~~For the purposes of this section, "substantially~~] "Substantially similar name" does  
3167 not mean a name having an initial or a middle name shown on the petition that does not match  
3168 a different initial or middle name shown on the official register.

3169 (2) The county clerk shall use the following procedures in determining whether [~~or not~~]  
3170 a signer is a registered voter:

3171 (a) When a signer's name and address shown on the petition exactly match a name and  
3172 address shown on the official register and the signer's signature appears substantially similar to  
3173 the signature on the statewide voter registration database, the county clerk shall declare the  
3174 signature valid.

3175 (b) When there is no exact match of an address and a name, the county clerk shall  
3176 declare the signature valid if:

3177 (i) the address on the petition matches the address of an individual on the official  
3178 register with a substantially similar name; and

3179 (ii) the signer's signature appears substantially similar to the signature on the statewide  
3180 voter registration database of the individual described in Subsection (2)(b)(i).

3181 (c) When there is no match of an address and a substantially similar name, the county  
3182 clerk shall declare the signature valid if:

3183 (i) the birth date or age on the petition matches the birth date or age of an individual on  
3184 the official register with a substantially similar name; and

3185 (ii) the signer's signature appears substantially similar to the signature on the statewide  
3186 voter registration database of the individual described in Subsection (2)(c)(i).

3187 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county

3188 clerk shall declare the signature to be invalid.

3189 ~~[(3) The county clerk may not provide a final verification of the signature packets~~  
3190 ~~submitted for a proposed referendum until eight days after the day on which a sponsor submits~~  
3191 ~~the final, timely signature packet to the county clerk to be certified.]~~

3192 (3) The county clerk shall use the following procedures in determining whether to  
3193 remove a signature from a petition after receiving a timely, valid statement requesting removal  
3194 of the signature:

3195 (a) if a signer's name and address shown on the statement and the petition exactly  
3196 match a name and address shown on the official register and the signer's signature on both the  
3197 statement and the petition appears substantially similar to the signature on the statewide voter  
3198 registration database, the county clerk shall remove the signature from the petition;

3199 (b) if there is no exact match of an address and a name, the county clerk shall remove  
3200 the signature from the petition if:

3201 (i) the address on the statement and the petition matches the address of an individual  
3202 on the official register with a substantially similar name; and

3203 (ii) the signer's signature on both the statement and the petition appears substantially  
3204 similar to the signature on the statewide voter registration database of the individual described  
3205 in Subsection (3)(b)(i);

3206 (c) if there is no match of an address and a substantially similar name, the county clerk  
3207 shall remove the signature from the petition if:

3208 (i) the birth date or age on the statement and petition match the birth date or age of an  
3209 individual on the official register with a substantially similar name; and

3210 (ii) the signer's signature on both the statement and the petition appears substantially  
3211 similar to the signature on the statewide voter registration database of the individual described  
3212 in Subsection (3)(c)(i); and

3213 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
3214 county clerk may not remove the signature from the petition.

3215 Section 43. Section **20A-7-607** is amended to read:

3216 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**  
3217 **referendum.**

3218 (1) When ~~[each]~~ the local clerk receives a referendum packet ~~[is received]~~ from a

3219 county clerk, the local clerk shall ~~[check off from the local clerk's]~~ record the number of ~~[each]~~  
 3220 the referendum packet [filed] received.

3221 ~~[(2) Within two days after the day on which the local clerk receives each referendum~~  
 3222 ~~packet from a county clerk, the local clerk shall:]~~

3223 ~~[(a) count the number of the names certified by the county clerks that appear on each~~  
 3224 ~~verified signature sheet;]~~

3225 (2) (a) The county clerk shall:

3226 (i) post the names and voter identification numbers described in Subsection  
 3227 20A-7-606(3)(c) on the lieutenant governor's website, in a conspicuous location designated by  
 3228 the lieutenant governor, for at least 45 days; and

3229 (ii) update on the local clerk's website the number of signatures certified as of the date  
 3230 of the update.

3231 (b) The local clerk:

3232 (i) shall, except as provided in Subsection (2)(b)(ii), declare the petition to be sufficient  
 3233 or insufficient no later than 111 days after the day of the deadline, described in Subsection  
 3234 20A-7-606(1), to submit a referendum packet to the county clerk; or

3235 (ii) may declare the petition to be insufficient before the day described in Subsection  
 3236 (2)(b)(i) if:

3237 (A) the total of all valid signatures on timely and lawfully submitted signature packets  
 3238 that have been certified by the county clerk, plus the number of signatures on timely and  
 3239 lawfully submitted signature packets that have not yet been evaluated for certification, is less  
 3240 than the number of names required under Section 20A-7-601; or

3241 (B) a requirement of this part has not been met.

3242 ~~[(b)]~~ (c) [if] If the total number of [certified names from each verified signature sheet]  
 3243 names certified under this Subsection (2) equals or exceeds the number of names required [by]  
 3244 under Section 20A-7-601, and the requirements of this part are met, the local clerk shall mark  
 3245 upon the front of the petition the word "sufficient";

3246 ~~[(c)]~~ (d) [if] If the total number of [certified names from each verified signature sheet]  
 3247 names certified under this Subsection (2) does not equal or exceed the number of names  
 3248 required [by] under Section 20A-7-601 or a requirement of this part is not met, the local clerk  
 3249 shall mark upon the front of the petition the word "insufficient." [; and]

3250           ~~[(4)]~~ (e) The local clerk shall immediately notify any one of the sponsors of the local  
3251 clerk's finding.

3252           (f) After a petition is declared insufficient, a person may not submit additional  
3253 signatures to qualify the petition for the ballot.

3254           ~~[(3)]~~ If the local clerk finds the total number of certified signatures from each verified  
3255 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
3256 for a recount of the signatures appearing on the referendum petition in the presence of any  
3257 sponsor.]

3258           ~~[(4)]~~ (3) (a) If the local clerk refuses to accept and file any referendum petition, any  
3259 voter may apply to a court for an extraordinary writ to compel the local clerk to do so within 10  
3260 days after the refusal.

3261           (b) If [a] the court determines that the referendum petition is legally sufficient, the local  
3262 clerk shall file the petition, with a verified copy of the judgment attached to the petition, as of  
3263 the date on which [it] the petition was originally offered for filing in the local clerk's office.

3264           (c) If [a] the court determines that any petition filed is not legally sufficient, the court  
3265 may enjoin the local clerk and all other officers from:

3266           (i) certifying or printing the ballot title and numbers of that measure on the official  
3267 ballot for the next election; or

3268           (ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing,  
3269 or mailing the ballot title and numbers of that measure under Section [20A-7-609.5](#).

3270           ~~[(5)]~~ (4) A petition determined to be sufficient in accordance with this section is  
3271 qualified for the ballot.

3272           ~~[(6)]~~ (5) (a) If a referendum relates to legislative action taken after April 15, the  
3273 election officer may not place the referendum on an election ballot until a primary election, a  
3274 general election, or a special election the following year.

3275           (b) For a referendum on a land use law, if, before August 30, the local clerk or a court  
3276 determines that the total number of certified names equals or exceeds the number of signatures  
3277 required in Section [20A-7-601](#), the election officer shall place the referendum on the election  
3278 ballot for the next general election.

3279           Section 44. Section [20A-7-608](#) is amended to read:

3280           **[20A-7-608](#). Ballot title -- Duties of local clerk and local attorney.**

- 3281 (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the  
3282 petition and the proposed law to the local attorney.
- 3283 (2) The local attorney shall:
- 3284 (a) entitle each county or municipal referendum that [~~has qualified~~] qualifies for the  
3285 ballot "Proposition Number \_\_\_" and give [~~it~~] the referendum a number [~~as~~] assigned [~~under~~] in  
3286 accordance with Section 20A-6-107;
- 3287 (b) prepare a proposed ballot title for the referendum;
- 3288 (c) file the proposed ballot title and the numbered referendum [~~titles~~] title with the  
3289 local clerk within 20 days after the day on which an eligible voter submits the referendum  
3290 petition to the local clerk; and
- 3291 (d) promptly provide notice of the filing of the proposed ballot title to:
- 3292 (i) the sponsors of the petition; and
- 3293 (ii) the local legislative body for the jurisdiction where the referendum petition was  
3294 circulated.
- 3295 (3) (a) The ballot title may be distinct from the title of the law that is the subject of the  
3296 petition, and shall express, in not exceeding 100 words, the purpose of the measure.
- 3297 (b) In preparing a ballot title, the local attorney shall, to the best of the local attorney's  
3298 ability, give a true and impartial statement of the purpose of the measure.
- 3299 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,  
3300 for or against the measure.
- 3301 (4) (a) Within five calendar days after the [~~date~~] day on which the local attorney files a  
3302 proposed ballot title under Subsection (2)(c), the local legislative body for the jurisdiction  
3303 where the referendum petition was circulated and the sponsors of the petition may file written  
3304 comments in response to the proposed ballot title with the local clerk.
- 3305 (b) Within five calendar days after the last date to submit written comments under  
3306 Subsection (4)(a), the local attorney shall:
- 3307 (i) review any written comments filed in accordance with Subsection (4)(a);
- 3308 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and
- 3309 (iii) return the petition and file the ballot title with the local clerk.
- 3310 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall  
3311 be printed on the official ballot.

3312 (5) Immediately after the local attorney files a copy of the ballot title with the local  
3313 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the  
3314 petition and the local legislative body for the jurisdiction where the referendum petition was  
3315 circulated.

3316 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not  
3317 comply with the requirements of this section, the decision of the local attorney may be  
3318 appealed to the [~~district court, or, if the Supreme Court has original jurisdiction, to the~~  
3319 ~~Supreme Court, brought~~] appropriate court by:

3320 (i) at least three sponsors of the referendum petition; or

3321 (ii) a majority of the local legislative body for the jurisdiction where the referendum  
3322 petition was circulated.

3323 (b) The court:

3324 (i) shall examine the measures and consider the arguments; and

3325 (ii) may issue an order to the local clerk that includes a ballot title for the measure that  
3326 fulfills the intent of this section.

3327 (c) The local clerk shall print the title [~~certified~~], as directed by the court, on the  
3328 official ballot.

3329 Section 45. Section **20A-7-610** is amended to read:

3330 **20A-7-610. Return and canvass -- Conflicting measures -- Law effective on**  
3331 **proclamation.**

3332 (1) The votes on the proposed law that is the subject of the referendum petition shall be  
3333 counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing  
3334 Returns.

3335 (2) After the local board of canvassers completes the canvass, the local clerk shall  
3336 certify to the local legislative body the vote for and against the proposed law that is the subject  
3337 of the referendum petition.

3338 (3) (a) The local legislative body shall immediately issue a proclamation that:

3339 (i) gives the total number of votes cast in the local jurisdiction for and against each  
3340 proposed law that is the subject of a referendum petition; and

3341 (ii) in accordance with Section 20A-7-611, declares those laws that are the subject of a  
3342 referendum petition that were approved by majority vote to be in full force and effect as the law

3343 of the local jurisdiction.

3344 (b) When the local legislative body determines that two proposed laws, or that parts of  
3345 two proposed laws approved by the people at the same election are entirely in conflict, [~~they~~  
3346 the local legislative body] shall proclaim that measure to be law that [~~has~~] received the greatest  
3347 number of affirmative votes, regardless of the difference in the majorities which those  
3348 measures have received.

3349 (4) (a) Within 10 days after the day on which the local legislative [body's] body issues  
3350 the proclamation, any qualified voter residing in the jurisdiction for a law that is declared by  
3351 the local legislative body to be superseded by another measure approved at the same election  
3352 may bring an action in [~~a district court, or, if the Supreme Court has original jurisdiction, the~~  
3353 ~~Supreme Court~~] the appropriate court to review the decision.

3354 (b) The court shall:

3355 (i) consider the matter and decide whether the proposed laws are entirely in conflict;  
3356 and

3357 (ii) issue an order, consistent with the court's decision, to the local legislative body.

3358 (5) Within 10 days after the day on which the court [~~certifies the decision~~] enters an  
3359 order under Subsection (4)(b)(ii), the local legislative body shall:

3360 (a) proclaim as law all measures approved by the people that the court determines are  
3361 not in conflict; and

3362 (b) for the measures approved by the people as law that the court determines to be in  
3363 conflict, proclaim as law the measure that received the greatest number of affirmative votes,  
3364 regardless of the difference in majorities.

3365 Section 46. Section **20A-7-611** is amended to read:

3366 **20A-7-611. Temporary stay -- Effective date -- Effect of repeal by local legislative**  
3367 **body.**

3368 (1) Any proposed law submitted to the people by referendum petition that is rejected by  
3369 the voters at any election is repealed as of the date of the election.

3370 (2) If, at the time during the process described in Subsection 20A-7-307(2), the local  
3371 clerk determines that, at that point in time, an adequate number of signatures are certified to  
3372 comply with the signature requirements, the local clerk shall:

3373 (a) issue an order temporarily staying the law from going into effect; and

3374 (b) continue the process of certifying signatures and removing signatures as required by  
3375 this part.

3376 (3) The temporary stay described in Subsection (2) remains in effect, regardless of  
3377 whether a future count falls below the signature threshold, until the day on which:

3378 (a) if the local clerk declares the petition insufficient, five days after the day on which  
3379 the local clerk declares the petition insufficient; or

3380 (b) if the local clerk declares the petition sufficient, the day on which the local  
3381 legislative body issues the proclamation described in Section [20A-7-610](#).

3382 (4) A proposed law submitted to the people by referendum petition that is approved by  
3383 the voters at an election takes effect the later of:

3384 (a) five days after the date of the official proclamation of the vote by the local  
3385 legislative body; or

3386 (b) the effective date specified in the proposed law.

3387 (5) If, after the local clerk issues a temporary stay order under Subsection (2)(a), the  
3388 local clerk declares the petition insufficient, the proposed law takes effect the later of:

3389 (a) five days after the day on which the local clerk declares the petition insufficient; or

3390 (b) the effective date specified in the proposed law.

3391 (6) (a) A law adopted by the people under this part is not subject to veto.

3392 (b) The local legislative body may amend any laws approved by the people under this  
3393 part after the people approve the law.

3394 (7) If the local legislative body repeals a law challenged by referendum petition under  
3395 this part, the referendum petition is void and no further action on the referendum petition is  
3396 required.

3397 Section 47. Section **20A-7-613** is amended to read:

3398 **20A-7-613. Property tax referendum petition.**

3399 (1) As used in this section, "certified tax rate" means the same as that term is defined in  
3400 Section [59-2-924](#).

3401 (2) Except as provided in this section, the requirements of this part apply to a  
3402 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that  
3403 exceeds the certified tax rate.

3404 (3) Notwithstanding Subsection [20A-7-606\(1\)](#), the sponsors or an agent of the sponsors

3405 shall deliver ~~[each]~~ a signed and verified referendum packet to the county clerk of the county in  
3406 which the packet was circulated before 5 p.m. no later than the earlier of:

3407 (a) 30 days after the day on which the first individual signs the packet; or

3408 (b) 40 days after the day on which the local clerk complies with Subsection

3409 20A-7-604(2).

3410 (4) Notwithstanding Subsections 20A-7-606(2) and (3), the county clerk shall take the  
3411 actions required in Subsections 20A-7-606(2) and (3) within 10 working days after the day on  
3412 which the county clerk receives the signed and verified referendum packet as described in  
3413 Subsection (3).

3414 (5) The local clerk shall take the actions required by Section 20A-7-607 within two  
3415 working days after the day on which the local clerk receives the referendum packets from the  
3416 county clerk.

3417 (6) Notwithstanding Subsection 20A-7-608(2), the local attorney shall prepare the  
3418 ballot title within two working days after the day on which the referendum petition is declared  
3419 sufficient for submission to a vote of the people.

3420 (7) Notwithstanding Subsection 20A-7-609(2)(c), a referendum that qualifies for the  
3421 ballot under this section shall appear on the ballot for the earlier of the next regular general  
3422 election or the next municipal general election unless a special election is called.

3423 (8) The election officer shall mail manual ballots on a referendum under this section the  
3424 later of:

3425 (a) the time provided in Section 20A-3a-202 or 20A-16-403; or

3426 (b) the time that ballots are prepared for mailing under this section.

3427 (9) Section 20A-7-402 does not apply to a referendum described in this section.

3428 (10) (a) If a majority of voters does not vote against imposing the tax at a rate  
3429 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing  
3430 entity's legislative body:

3431 (i) the certified tax rate for the fiscal year during which the referendum petition is filed  
3432 is its most recent certified tax rate; and

3433 (ii) the proposed increased revenues for purposes of establishing the certified tax rate  
3434 for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed  
3435 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body

3436 before the filing of the referendum petition.

3437 (b) If a majority of voters votes against imposing a tax at the rate established by the  
3438 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the  
3439 taxing entity's most recent certified tax rate.

3440 (c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not  
3441 required to comply with the notice and public hearing requirements of Section 59-2-919 if the  
3442 taxing entity complies with those notice and public hearing requirements before the referendum  
3443 petition is filed.

3444 (11) The ballot title shall, at a minimum, include in substantially this form the  
3445 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount  
3446 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as  
3447 budgeted, adopted, and approved by the [name of the taxing entity].".

3448 (12) A taxing entity shall pay the county the costs incurred by the county that are  
3449 directly related to meeting the requirements of this section and that the county would not have  
3450 incurred but for compliance with this section.

3451 (13) (a) An election officer shall include on a ballot a referendum that has not yet  
3452 qualified for placement on the ballot, if:

3453 (i) sponsors file an application for a referendum described in this section;

3454 (ii) the ballot will be used for the election for which the sponsors are attempting to  
3455 qualify the referendum; and

3456 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after  
3457 the day on which the ballot will be printed.

3458 (b) If an election officer includes on a ballot a referendum described in Subsection  
3459 (13)(a), the ballot title shall comply with Subsection (11).

3460 (c) If an election officer includes on a ballot a referendum described in Subsection  
3461 (13)(a) that does not qualify for placement on the ballot, the election officer shall inform the  
3462 voters by any practicable method that the referendum has not qualified for the ballot and that  
3463 votes cast in relation to the referendum will not be counted.

3464 Section 48. **Repealer.**

3465 This bill repeals:

3466 Section 20A-7-205.5, **Initial disclosures -- Paid circulators.**