



- 28           20A-7-307, as last amended by Laws of Utah 2021, Chapter 140
- 29           20A-7-501, as last amended by Laws of Utah 2019, Chapter 203
- 30           20A-7-506, as last amended by Laws of Utah 2021, Chapters 140 and 418
- 31           20A-7-601, as last amended by Laws of Utah 2021, Chapter 140
- 32           20A-7-606, as last amended by Laws of Utah 2021, Chapters 140 and 418

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

35           Section 1. Section 20A-7-201 is amended to read:

36           **20A-7-201. Statewide initiatives -- Signature requirements -- Submission to the**  
 37 **Legislature or to a vote of the people.**

38           (1) (a) A person seeking to have an initiative submitted to the Legislature for approval  
 39 or rejection shall obtain:

40           (i) legal signatures equal to 4% of the number of active voters in the state on January 1  
 41 immediately following the last regular general election; and

42           (ii) from at least 26 Utah State Senate districts, legal signatures equal to 4% of the  
 43 number of active voters in that district on January 1 immediately following the last regular  
 44 general election.

45           (b) If, at any time not less than 10 days before the beginning of the next annual general  
 46 session of the Legislature, immediately after the application is filed under Section 20A-7-202  
 47 and specified on the petition under Section 20A-7-203 the lieutenant governor declares  
 48 sufficient any initiative petition that is signed by enough voters to meet the requirements of this  
 49 Subsection (1), the lieutenant governor shall deliver a copy of the petition and the cover sheet  
 50 required by Subsection (1)(c) to the president of the Senate, the speaker of the House, and the  
 51 director of the Office of Legislative Research and General Counsel.

52           (c) In delivering a copy of the petition, the lieutenant governor shall include a cover  
 53 sheet that contains:

54           (i) the number of active voters in the state on January 1 immediately following the last  
 55 regular general election;

56           (ii) the number of active voters in each Utah State Senate district on January 1  
 57 immediately following the last regular general election;

58           (iii) the total number of certified signatures received for the submitted initiative; and

59 (iv) the total number of certified signatures received from each Utah State Senate  
60 district for the submitted initiative.

61 (2) (a) ~~[(A)]~~ Except as provided in Subsection (2)(b), a person seeking to have an  
62 initiative submitted to a vote of the people for approval or rejection shall obtain:

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

65 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 8% of the  
66 number of active voters in that district on January 1 immediately following the last regular  
67 general election.

68 (b) A person seeking to have an initiative submitted to a vote of the people for  
69 approval or rejection, and who does not use any paid signature-gatherers to gather signatures,  
70 shall obtain:

71 (i) legal signatures equal to 4% of the number of active voters in the state on January 1  
72 immediately following the last regular general election; and

73 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 4% of the  
74 number of active voters in that district on January 1 immediately following the last regular  
75 general election.

76 ~~[(b)]~~ (3) If an initiative petition meets the requirements of this part and the lieutenant  
77 governor declares the initiative petition to be sufficient, the lieutenant governor shall submit  
78 the proposed law to a vote of the people at the next regular general election:

79 ~~[(i)]~~ (a) immediately after the application is filed under Section 20A-7-202; and

80 ~~[(ii)]~~ (b) specified on the petition under Section 20A-7-203.

81 ~~[(3)]~~ (4) The lieutenant governor shall provide the following information to any  
82 interested person:

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

85 (b) for each Utah State Senate district, the number of active voters in that district on  
86 January 1 immediately following the last regular general election.

87 Section 2. Section 20A-7-202 is amended to read:

88 **20A-7-202. Statewide initiative process -- Application procedures -- Time to**  
89 **gather signatures -- Grounds for rejection.**

90 (1) Individuals wishing to circulate an initiative petition shall file an application with  
91 the lieutenant governor.

92 (2) The application shall contain:

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

94 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

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

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

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

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

100 (iii) the text of the proposed law;

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

105 (f) a statement indicating whether persons gathering signatures for the petition may be  
106 paid for gathering signatures.

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

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

111 (4) If the petition fails to qualify for the ballot of the election described in Subsection  
112 [20A-7-201](#)[(2)(b)](3), the sponsors shall:

113 (a) submit a new application;

114 (b) obtain new signature sheets; and

115 (c) collect signatures again.

116 (5) The lieutenant governor shall reject the application or application addendum filed  
117 under Subsection [20A-7-204.1](#)(5) and not issue circulation sheets if:

118 (a) the law proposed by the initiative is patently unconstitutional;

119 (b) the law proposed by the initiative is nonsensical;

120 (c) the proposed law could not become law if passed;

121 (d) the proposed law contains more than one subject as evaluated in accordance with  
122 Subsection (6);

123 (e) the subject of the proposed law is not clearly expressed in the law's title; or

124 (f) the law proposed by the initiative is identical or substantially similar to a law  
125 proposed by an initiative for which signatures were submitted to the county clerks and  
126 lieutenant governor for certification within two years preceding the date on which the  
127 application for the new initiative is filed.

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

132 Section 3. Section **20A-7-206** is amended to read:

133 **20A-7-206. Submitting the initiative petition -- Certification of signatures by the**  
134 **county clerks -- Transfer to lieutenant governor.**

135 (1) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
136 initiative packet to the county clerk of the county in which the packet was circulated before 5  
137 p.m. no later than the earlier of:

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

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

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

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

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

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

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

150 "You signed a petition for the following initiative:

151 [insert title of initiative]

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

156 (d) When the sponsors submit the final signature packet to the county clerk[;];  
157 (i) the sponsors shall submit to the county clerk the following written verification,  
158 completed and signed by each of the sponsors:

159 "Verification of initiative sponsor  
160 State of Utah, County of \_\_\_\_\_

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

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

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

166 \_\_\_\_\_  
167 (Name) (Residence Address) (Date);" and

168 (ii) if the sponsors intend to qualify for signatures under Subsection 20A-7-201(2)(b),  
169 an affidavit, signed by all sponsors, stating that no person was paid to gather signatures for the  
170 initiative.

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

173 (2) The county clerk shall, within 21 days after the day on which the county clerk  
174 receives the packet:

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

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

178 (c) except as provided in Subsection (3), post the name and voter identification number  
179 of each registered voter certified under Subsection (2)(b) on the lieutenant governor's website,  
180 in a conspicuous location designated by the lieutenant governor; and

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

182 (3) (a) If the county clerk timely receives a statement requesting signature removal

183 under Subsection 20A-7-205(3), the county clerk shall:

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

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

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

188 (i) the deadline described in Subsection (2); or

189 (ii) two business days after the day on which the county clerk receives a statement  
190 requesting signature removal under Subsection 20A-7-205(3).

191 (4) The county clerk may not certify a signature under Subsection (2):

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

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

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

197 Section 4. Section 20A-7-207 is amended to read:

198 **20A-7-207. Evaluation by the lieutenant governor.**

199 (1) When the lieutenant governor receives an initiative packet from a county clerk, the  
200 lieutenant governor shall record the number of the initiative packet received.

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

202 (i) post the names and voter identification numbers described in Subsection  
203 20A-7-206(2)(c) on the lieutenant governor's website, in a conspicuous location designated by  
204 the lieutenant governor:

205 (A) for an initiative packet received by the county clerk before December 1, for at least  
206 90 days; or

207 (B) for an initiative packet received by the county clerk on or after December 1, for at  
208 least 45 days; and

209 (ii) update on the lieutenant governor's website the number of signatures certified as of  
210 the date of the update.

211 (b) The lieutenant governor:

212 (i) shall, except as provided in Subsection (2)(b)(ii), declare the petition to be sufficient  
213 or insufficient on April 30 before the regular general election described in Subsection

214 20A-7-201[(2)(b)](3); or

215 (ii) may declare the petition to be insufficient before the day described in Subsection  
216 (2)(b)(i) if:

217 (A) the total of all valid signatures on timely and lawfully submitted signature packets  
218 that have been certified by the county clerks, plus the number of signatures on timely and  
219 lawfully submitted signature packets that have not yet been evaluated for certification, is less  
220 than the number of names required under Section 20A-7-201; or

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

222 (c) If the total number of names certified under this Subsection (2) equals or exceeds  
223 the number of names required under Section 20A-7-201, and the requirements of this part are  
224 met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."

225 (d) If the total number of names certified under this Subsection (2) does not equal or  
226 exceed the number of names required under Section 20A-7-201 or a requirement of this part is  
227 not met, the lieutenant governor shall mark upon the front of the petition the word  
228 "insufficient."

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

231 (3) After a petition is declared insufficient, a person may not submit additional  
232 signatures to qualify the petition for the ballot.

233 (4) (a) If the lieutenant governor refuses to accept and file an initiative petition that a  
234 voter believes is legally sufficient, the voter may, no later than May 15, apply to the appropriate  
235 court for an extraordinary writ to compel the lieutenant governor to accept and file the initiative  
236 petition.

237 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant  
238 governor shall file the petition, with a verified copy of the judgment attached to the petition, as  
239 of the date on which the petition was originally offered for filing in the lieutenant governor's  
240 office.

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

244 (5) A petition determined to be sufficient in accordance with this section is qualified

245 for the ballot.

246 Section 5. Section **20A-7-301** is amended to read:

247 **20A-7-301. Referendum -- Signature requirements -- Submission to voters.**

248 (1) (a) [~~A~~] Except as provided in Subsection (1)(b), a person seeking to have a law  
249 passed by the Legislature submitted to a vote of the people shall obtain:

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

252 (ii) from at least 15 Senate districts, legal signatures equal to 8% of the number of  
253 active voters in that Senate district on January 1 immediately following the last regular general  
254 election.

255 (b) A person seeking to have a law passed by the Legislature submitted to a vote of the  
256 people, and who does not use any paid signature-gatherers to gather signatures, shall obtain:

257 (i) legal signatures equal to 4% of the number of active voters in the state on January 1  
258 immediately following the last regular general election; and

259 (ii) from at least 15 Senate districts, legal signatures equal to 4% of the number of  
260 active voters in that Senate district on January 1 immediately following the last regular general  
261 election.

262 [~~b~~] (c) When the lieutenant governor declares a referendum petition sufficient under  
263 this part, the governor shall issue an executive order that:

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

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

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

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

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

275 (b) for each county, the number of active voters in that Senate district on January 1

276 immediately following the last regular general election.

277 Section 6. Section 20A-7-306 is amended to read:

278 **20A-7-306. Submitting the referendum petition -- Certification of signatures by**  
279 **the county clerks -- Transfer to lieutenant governor.**

280 (1) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
281 referendum packet to the county clerk of the county in which the packet was circulated before 5  
282 p.m. no later than the earlier of:

283 (i) 30 days after the day on which the first individual signs the referendum packet; or

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

285 (b) If the sponsors intend to qualify for signatures under Subsection 20A-7-301(1)(b),  
286 the sponsors shall, when submitting the final signature packet to the county clerk, submit to the  
287 county clerk an affidavit, signed by all sponsors, stating that no person was paid to gather  
288 signatures for the referendum.

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

291 (2) No later than 21 days after the day on which the county clerk receives a verified  
292 referendum packet, the county clerk shall:

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

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

296 (c) except as provided in Subsection (3), post the name and voter identification number  
297 of each registered voter certified under Subsection (2)(b) on the lieutenant governor's website,  
298 in a conspicuous location designated by the lieutenant governor; and

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

300 (3) (a) If the county clerk timely receives a statement requesting signature removal  
301 under Subsection 20A-7-305(3), the county clerk shall:

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

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

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

306 (i) the deadline described in Subsection (2); or

307 (ii) two business days after the day on which the county clerk receives a statement  
308 requesting signature removal under Subsection 20A-7-305(3).

309 (4) The county clerk may not certify a signature under Subsection (2):

310 (a) on an initiative packet that is not verified in accordance with Section 20A-7-305; or

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

312 (5) A person may not retrieve a referendum packet from a county clerk, or make any  
313 alterations or corrections to a referendum packet, after the referendum packet is submitted to  
314 the county clerk.

315 Section 7. Section 20A-7-307 is amended to read:

316 **20A-7-307. Evaluation by the lieutenant governor.**

317 (1) When the lieutenant governor receives a referendum packet from a county clerk, the  
318 lieutenant governor shall record the number of the referendum packet received.

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

320 (i) post the names and voter identification numbers described in Subsection  
321 20A-7-306~~(3)~~(2)(c) on the lieutenant governor's website, in a conspicuous location  
322 designated by the lieutenant governor, for at least 45 days; and

323 (ii) update on the lieutenant governor's website the number of signatures certified as of  
324 the date of the update.

325 (b) The lieutenant governor:

326 (i) shall, except as provided in Subsection (2)(b)(ii), declare the petition to be sufficient  
327 or insufficient 106 days after the end of the legislative session at which the law passed; or

328 (ii) may declare the petition to be insufficient before the day described in Subsection  
329 (2)(b)(i) if:

330 (A) the total of all valid signatures on timely and lawfully submitted signature packets  
331 that have been certified by the county clerks, plus the number of signatures on timely and  
332 lawfully submitted signature packets that have not yet been evaluated for certification, is less  
333 than the number of names required under Section 20A-7-301; or

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

335 (c) If the total number of names certified under this Subsection (2) equals or exceeds  
336 the number of names required under Section 20A-7-301, and the requirements of this part are  
337 met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."

338 (d) If the total number of names certified under this Subsection (2) does not equal or  
339 exceed the number of names required under Section 20A-7-301 or a requirement of this part is  
340 not met, the lieutenant governor shall mark upon the front of the petition the word  
341 "insufficient."

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

344 (f) After a petition is declared insufficient, a person may not submit additional  
345 signatures to qualify the petition for the ballot.

346 (3) (a) If the lieutenant governor refuses to accept and file a referendum that a voter  
347 believes is legally sufficient, the voter may, no later than 10 days after the day on which the  
348 lieutenant governor declares the petition insufficient, apply to the appropriate court for an  
349 extraordinary writ to compel the lieutenant governor to accept and file the referendum petition.

350 (b) If the court determines that the referendum petition is legally sufficient, the  
351 lieutenant governor shall file the petition, with a verified copy of the judgment attached to the  
352 referendum petition, as of the date on which the petition was originally offered for filing in the  
353 lieutenant governor's office.

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

357 (4) A petition determined to be sufficient in accordance with this section is qualified  
358 for the ballot.

359 Section 8. Section 20A-7-501 is amended to read:

360 **20A-7-501. Initiatives -- Signature requirements -- Time requirements.**

361 (1) As used in this section:

362 (a) "Number of active voters" means the number of active voters in the county, city, or  
363 town on the immediately preceding January 1.

364 (b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)  
365 or (2)(b).

366 (2) (a) ~~Am~~ Except as provided in Subsection (2)(b), an eligible voter seeking to have  
367 an initiative submitted to a local legislative body or to a vote of the people for approval or  
368 rejection shall obtain legal signatures equal to:

369            ~~[(a)]~~ (i) for a county of the first class:  
370            [(†) (A) 7.75% of the number of active voters in the county; and  
371            ~~[(ii) beginning on January 1, 2020,]~~  
372            (B) 7.75% of the number of active voters in at least 75% of the county's voter  
373 participation areas;  
374            ~~[(b)]~~ (ii) for a metro township with a population of 100,000 or more, or a city of the  
375 first class:  
376            [(†) (A) 7.5% of the number of active voters in the metro township or city; and  
377            ~~[(ii) beginning on January 1, 2020,]~~  
378            (B) 7.5% of the number of active voters in at least 75% of the metro township's or  
379 city's voter participation areas;  
380            ~~[(c)]~~ (iii) for a county of the second class:  
381            [(†) (A) 8% of the number of active voters in the county; and  
382            ~~[(ii) beginning on January 1, 2020,]~~  
383            (B) 8% of the number of active voters in at least 75% of the county's voter participation  
384 areas;  
385            ~~[(d)]~~ (iv) for a metro township with a population of 65,000 or more but less than  
386 100,000, or a city of the second class:  
387            [(†) (A) 8.25% of the number of active voters in the metro township or city; and  
388            ~~[(ii) beginning on January 1, 2020,]~~  
389            (B) 8.25% of the number of active voters in at least 75% of the metro township's or  
390 city's voter participation areas;  
391            ~~[(e)]~~ (v) for a county of the third class:  
392            [(†) (A) 9.5% of the number of active voters in the county; and  
393            ~~[(ii) beginning on January 1, 2020,]~~  
394            (B) 9.5% of the number of active voters in at least 75% of the county's voter  
395 participation areas;  
396            ~~[(f)]~~ (vi) for a metro township with a population of 30,000 or more but less than  
397 65,000, or a city of the third class:  
398            [(†) (A) 10% of the number of active voters in the metro township or city; and  
399            ~~[(ii) beginning on January 1, 2020,]~~

400            (B) 10% of the number of active voters in at least 75% of the metro township's or city's  
401 voter participation areas;

402            ~~[(g)]~~ (vii) for a county of the fourth class:

403            ~~[(i)]~~ (A) 11.5% of the number of active voters in the county; and

404            ~~[(ii) beginning on January 1, 2020;]~~

405            (B) 11.5% of the number of active voters in at least 75% of the county's voter  
406 participation areas;

407            ~~[(h)]~~ (viii) for a metro township with a population of 10,000 or more but less than  
408 30,000, or a city of the fourth class:

409            ~~[(i)]~~ (A) 11.5% of the number of active voters in the metro township or city; and

410            ~~[(ii) beginning on January 1, 2020;]~~

411            (B) 11.5% of the number of active voters in at least 75% of the metro township's or  
412 city's voter participation areas;

413            ~~[(i)]~~ (ix) for a metro township with a population of 1,000 or more but less than 10,000,  
414 a city of the fifth class, or a county of the fifth class, 25% of the number of active voters in the  
415 metro township, city, or county; or

416            ~~[(j)]~~ (x) for a metro township with a population of less than 1,000, a town, or a county  
417 of the sixth class, 35% of the number of active voters in the metro township, town, or county.

418            (b) An eligible voter seeking to have an initiative submitted to a local legislative body  
419 or to a vote of the people for approval or rejection, and who does not use any paid

420 signature-gatherers to gather signatures, shall obtain legal signatures equal to:

421            (i) for a county of the first class:

422            (A) 3.875% of the number of active voters in the county; and

423            (B) 3.875% of the number of active voters in at least 75% of the county's voter  
424 participation areas;

425            (ii) for a metro township with a population of 100,000 or more, or a city of the first  
426 class:

427            (A) 3.75% of the number of active voters in the metro township or city; and

428            (B) 3.75% of the number of active voters in at least 75% of the metro township's or  
429 city's voter participation areas;

430            (iii) for a county of the second class:

- 431 (A) 4% of the number of active voters in the county; and
- 432 (B) 4% of the number of active voters in at least 75% of the county's voter participation
- 433 areas;
- 434 (iv) for a metro township with a population of 65,000 or more but less than 100,000, or
- 435 a city of the second class:
- 436 (A) 4.125% of the number of active voters in the metro township or city; and
- 437 (B) 4.125% of the number of active voters in at least 75% of the metro township's or
- 438 city's voter participation areas;
- 439 (v) for a county of the third class:
- 440 (A) 4.75% of the number of active voters in the county; and
- 441 (B) 4.75% of the number of active voters in at least 75% of the county's voter
- 442 participation areas;
- 443 (vi) for a metro township with a population of 30,000 or more but less than 65,000, or
- 444 a city of the third class:
- 445 (A) 5% of the number of active voters in the metro township or city; and
- 446 (B) 5% of the number of active voters in at least 75% of the metro township's or city's
- 447 voter participation areas;
- 448 (vii) for a county of the fourth class:
- 449 (A) 5.75% of the number of active voters in the county; and
- 450 (B) 5.75% of the number of active voters in at least 75% of the county's voter
- 451 participation areas;
- 452 (viii) for a metro township with a population of 10,000 or more but less than 30,000, or
- 453 a city of the fourth class:
- 454 (A) 5.75% of the number of active voters in the metro township or city; and
- 455 (B) 5.75% of the number of active voters in at least 75% of the metro township's or
- 456 city's voter participation areas;
- 457 (ix) for a metro township with a population of 1,000 or more but less than 10,000, a
- 458 city of the fifth class, or a county of the fifth class, 12.5% of the number of active voters in the
- 459 metro township, city, or county; or
- 460 (x) for a metro township with a population of less than 1,000, a town, or a county of
- 461 the sixth class, 17.5% of the number of active voters in the metro township, town, or county.

462 (3) If the total number of certified names from each verified signature sheet equals or  
463 exceeds the number of names required by this section, the clerk or recorder shall deliver the  
464 proposed law to the local legislative body at the local legislative body's next meeting.

465 (4) (a) The local legislative body shall either adopt or reject the proposed law without  
466 change or amendment within 30 days after the day on which the local legislative body receives  
467 the proposed law under Subsection (3).

468 (b) The local legislative body may:

469 (i) adopt the proposed law and refer the proposed law to the people;

470 (ii) adopt the proposed law without referring the proposed law to the people; or

471 (iii) reject the proposed law.

472 (c) If the local legislative body adopts the proposed law but does not refer the proposed  
473 law to the people, the proposed law is subject to referendum as with other local laws.

474 (d) (i) If a county legislative body rejects a proposed law, or takes no action on a  
475 proposed law, the county clerk shall submit the proposed law to the voters of the county at the  
476 next regular general election immediately after the petition for the proposed law is filed under  
477 Section [20A-7-502](#).

478 (ii) If a local legislative body of a municipality rejects a proposed law, or takes no  
479 action on a proposed law, the municipal recorder or clerk shall submit the proposed law to the  
480 voters of the municipality at the next municipal general election immediately after the petition  
481 is filed under Section [20A-7-502](#).

482 (e) (i) If a local legislative body rejects a proposed law, or takes no action on a  
483 proposed law, the local legislative body may adopt a competing local law.

484 (ii) The local legislative body shall prepare and adopt the competing local law within  
485 the 30-day period described in Subsection (4)(a).

486 (iii) If a local legislative body adopts a competing local law, the clerk or recorder shall  
487 refer the competing local law to the voters of the county or municipality at the same election at  
488 which the initiative proposal is submitted under Subsection (4)(d).

489 (f) If conflicting local laws are submitted to the people at the same election and two or  
490 more of the conflicting measures are approved by the people, the measure that receives the  
491 greatest number of affirmative votes shall control all conflicts.

492 Section 9. Section [20A-7-506](#) is amended to read:

493           **20A-7-506. Submitting the initiative petition -- Certification of signatures by the**  
 494 **county clerks -- Transfer to local clerk.**

495           (1) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
 496 initiative packet to the county clerk of the county in which the packet was circulated before 5  
 497 p.m. no later than the earlier of:

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

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

500           (iii) (A) for a county initiative, April 15 immediately before the next regular general  
 501 election immediately after the application is filed under Section [20A-7-502](#); or

502           (B) for a municipal initiative, April 15 immediately before the next municipal general  
 503 election immediately after the application is filed under Section [20A-7-502](#).

504           (b) A person may not submit an initiative packet after the deadline established in  
 505 Subsection (1)(a).

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

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

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

512           "You signed a petition for the following initiative:

513           [insert title of initiative]

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

518           (d) When the sponsors submit the final signature packet to the county clerk, the  
 519 sponsors shall submit to the county clerk:

520           (i) the following written verification, completed and signed by each of the sponsors:

521           "Verification of initiative sponsor

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

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

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

525 I sent, or caused to be sent, to each individual who provided a legible, valid email  
526 address on a signature packet submitted to the county clerk in relation to the initiative petition,  
527 the email described in Utah Code Subsection 20A-7-506(1)(c).

528 \_\_\_\_\_  
529 (Name) (Residence Address) (Date)"; and

530 (ii) if the sponsors intend to qualify for signatures under Subsection 20A-7-301(2)(b),  
531 an affidavit, signed by all sponsors, stating that no person was paid to gather signatures for the  
532 initiative.

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

535 (2) The county clerk shall, within 21 days after the day on which the county clerk  
536 receives the packet:

537 (a) determine whether each signer is a registered voter according to the requirements of  
538 Section 20A-7-506.3;

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

540 (c) except as provided in Subsection (3), post the name and voter identification number  
541 of each registered voter certified under Subsection (2)(b) on the lieutenant governor's website,  
542 in a conspicuous location designated by the lieutenant governor; and

543 (d) deliver the verified initiative packet to the local clerk.

544 (3) (a) If the county clerk timely receives a statement requesting signature removal  
545 under Subsection 20A-7-505(3), the county clerk shall:

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

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

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

550 (i) the deadline described in Subsection (2); or

551 (ii) two business days after the day on which the county clerk receives a statement  
552 requesting signature removal under Subsection 20A-7-505(3).

553 (c) The local clerk shall post a link in a conspicuous location on the local government's  
554 website to the posting described in Subsection (2)(c) during the period of time described in

555 Subsection 20A-7-507(2)(a)(i).

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

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

561 Section 10. Section 20A-7-601 is amended to read:

562 **20A-7-601. Referenda -- General signature requirements -- Signature**  
563 **requirements for land use laws and subjurisdictional laws -- Time requirements.**

564 (1) As used in this section:

565 (a) "Number of active voters" means the number of active voters in the county, city, or  
566 town on the immediately preceding January 1.

567 (b) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the  
568 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.

569 (c) (i) "Subjurisdictional law" means a local law or local obligation law passed by a  
570 local legislative body that imposes a tax or other payment obligation on property in an area that  
571 does not include all precincts and subprecincts under the jurisdiction of the county, city, town,  
572 or metro township.

573 (ii) "Subjurisdictional law" does not include a land use law.

574 (d) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)  
575 or (2)(b).

576 (2) (a) Except as provided in Subsection (2)(b)<sub>2</sub>, (3)<sub>2</sub> or (4), an eligible voter seeking to  
577 have a local law passed by the local legislative body submitted to a vote of the people shall  
578 obtain legal signatures equal to:

579 ~~[(a)]~~ (i) for a county of the first class:

580 ~~[(i)]~~ (A) 7.75% of the number of active voters in the county; and

581 ~~[(ii)]~~ ~~beginning on January 1, 2020;~~

582 (B) 7.75% of the number of active voters in at least 75% of the county's voter  
583 participation areas;

584 ~~[(b)]~~ (ii) for a metro township with a population of 100,000 or more, or a city of the  
585 first class:

586            [(†) (A) 7.5% of the number of active voters in the metro township or city; and  
587            [~~(ii) beginning on January 1, 2020;~~]  
588            (B) 7.5% of the number of active voters in at least 75% of the metro township's or  
589 city's voter participation areas;  
590            [(e) (iii) for a county of the second class:  
591            [(†) (A) 8% of the number of active voters in the county; and  
592            [~~(ii) beginning on January 1, 2020;~~]  
593            (B) 8% of the number of active voters in at least 75% of the county's voter participation  
594 areas;  
595            [(d) (iv) for a metro township with a population of 65,000 or more but less than  
596 100,000, or a city of the second class:  
597            [(†) (A) 8.25% of the number of active voters in the metro township or city; and  
598            [~~(ii) beginning on January 1, 2020;~~]  
599            (B) 8.25% of the number of active voters in at least 75% of the metro township's or  
600 city's voter participation areas;  
601            [(e) (v) for a county of the third class:  
602            [(†) (A) 9.5% of the number of active voters in the county; and  
603            [~~(ii) beginning on January 1, 2020;~~]  
604            (B) 9.5% of the number of active voters in at least 75% of the county's voter  
605 participation areas;  
606            [(f) (vi) for a metro township with a population of 30,000 or more but less than  
607 65,000, or a city of the third class:  
608            [(†) (A) 10% of the number of active voters in the metro township or city; and  
609            [~~(ii) beginning on January 1, 2020;~~]  
610            (B) 10% of the number of active voters in at least 75% of the metro township's or city's  
611 voter participation areas;  
612            [(g) (vii) for a county of the fourth class:  
613            [(†) (A) 11.5% of the number of active voters in the county; and  
614            [~~(ii) beginning on January 1, 2020;~~]  
615            (B) 11.5% of the number of active voters in at least 75% of the county's voter  
616 participation areas;

617 ~~[(h)]~~ (viii) for a metro township with a population of 10,000 or more but less than  
618 30,000, or a city of the fourth class:

619 ~~[(i)]~~ (A) 11.5% of the number of active voters in the metro township or city; and

620 ~~[(ii) beginning on January 1, 2020,]~~

621 (B) 11.5% of the number of active voters in at least 75% of the metro township's or  
622 city's voter participation areas;

623 ~~[(i)]~~ (ix) for a metro township with a population of 1,000 or more but less than 10,000,

624 a city of the fifth class, or a county of the fifth class, 25% of the number of active voters in the

625 metro township, city, or county; or

626 ~~[(j)]~~ (x) for a metro township with a population of less than 1,000, a town, or a county

627 of the sixth class, 35% of the number of active voters in the metro township, town, or county.

628 (b) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local

629 law passed by the local legislative body submitted to a vote of the people, and who does not

630 use any paid signature-gatherers to gather signatures, shall obtain legal signatures equal to:

631 (i) for a county of the first class:

632 (A) 3.875% of the number of active voters in the county; and

633 (B) 3.875% of the number of active voters in at least 75% of the county's voter

634 participation areas;

635 (ii) for a metro township with a population of 100,000 or more, or a city of the first

636 class:

637 (A) 3.75% of the number of active voters in the metro township or city; and

638 (B) 3.75% of the number of active voters in at least 75% of the metro township's or

639 city's voter participation areas;

640 (iii) for a county of the second class:

641 (A) 4% of the number of active voters in the county; and

642 (B) 4% of the number of active voters in at least 75% of the county's voter participation

643 areas;

644 (iv) for a metro township with a population of 65,000 or more but less than 100,000, or

645 a city of the second class:

646 (A) 4.125% of the number of active voters in the metro township or city; and

647 (B) 4.125% of the number of active voters in at least 75% of the metro township's or

648 city's voter participation areas;

649 (v) for a county of the third class:

650 (A) 4.75% of the number of active voters in the county; and

651 (B) 4.75% of the number of active voters in at least 75% of the county's voter

652 participation areas;

653 (vi) for a metro township with a population of 30,000 or more but less than 65,000, or

654 a city of the third class:

655 (A) 5% of the number of active voters in the metro township or city; and

656 (B) 5% of the number of active voters in at least 75% of the metro township's or city's

657 voter participation areas;

658 (vii) for a county of the fourth class:

659 (A) 5.75% of the number of active voters in the county; and

660 (B) 5.75% of the number of active voters in at least 75% of the county's voter

661 participation areas;

662 (viii) for a metro township with a population of 10,000 or more but less than 30,000, or

663 a city of the fourth class:

664 (A) 5.75% of the number of active voters in the metro township or city; and

665 (B) 5.75% of the number of active voters in at least 75% of the metro township's or

666 city's voter participation areas;

667 (ix) for a metro township with a population of 1,000 or more but less than 10,000, a

668 city of the fifth class, or a county of the fifth class, 12.5% of the number of active voters in the

669 metro township, city, or county; or

670 (x) for a metro township with a population of less than 1,000, a town, or a county of

671 the sixth class, 17.5% of the number of active voters in the metro township, town, or county.

672 (3) (a) Except as provided in Subsection (3)(b) or (4), an eligible voter seeking to have  
673 a land use law or local obligation law passed by the local legislative body submitted to a vote  
674 of the people shall obtain legal signatures equal to:

675 [~~(a)~~] (i) for a county [~~of the first, second, third, or fourth class~~]:

676 [~~(i)~~] (A) 16% of the number of active voters in the county; and

677 [~~(ii) beginning on January 1, 2020;~~]

678 (B) 16% of the number of active voters in at least 75% of the county's voter

679 participation areas;

680 ~~[(b) for a county of the fifth or sixth class:]~~

681 ~~[(i) 16% of the number of active voters in the county, and]~~

682 ~~[(ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%~~

683 ~~of the county's voter participation areas;]~~

684 ~~[(e)]~~ (ii) for a metro township with a population of 100,000 or more, or a city of the

685 first class:

686 ~~[(i)]~~ (A) 15% of the number of active voters in the metro township or city; and

687 ~~[(ii) beginning on January 1, 2020;]~~

688 (B) 15% of the number of active voters in at least 75% of the metro township's or city's

689 voter participation areas;

690 ~~[(d)]~~ (iii) for a metro township with a population of 65,000 or more but less than

691 100,000, or a city of the second class:

692 ~~[(i)]~~ (A) 16% of the number of active voters in the metro township or city; and

693 ~~[(ii) beginning on January 1, 2020;]~~

694 (B) 16% of the number of active voters in at least 75% of the metro township's or city's

695 voter participation areas;

696 ~~[(e)]~~ (iv) for a metro township with a population of 30,000 or more but less than

697 65,000, or a city of the third class:

698 ~~[(i)]~~ (A) 27.5% of the number of active voters in the metro township or city; and

699 ~~[(ii) beginning on January 1, 2020;]~~

700 (B) 27.5% of the number of active voters in at least 75% of the metro township's or

701 city's voter participation areas;

702 ~~[(f)]~~ (v) for a metro township with a population of 10,000 or more but less than 30,000,

703 or a city of the fourth class:

704 ~~[(i)]~~ (A) 29% of the number of active voters in the metro township or city; and

705 ~~[(ii) beginning on January 1, 2020;]~~

706 (B) 29% of the number of active voters in at least 75% of the metro township's or city's

707 voter participation areas;

708 ~~[(g)]~~ (vi) for a metro township with a population of 1,000 or more but less than 10,000,

709 or a city of the fifth class, 35% of the number of active voters in the metro township or city; or

710 ~~(h)~~ (vii) for a metro township with a population of less than 1,000 or a town, 40% of  
711 the number of active voters in the metro township or town.

712 (b) Except as provided in Subsection (4), an eligible voter seeking to have a land use  
713 law or local obligation law passed by the local legislative body submitted to a vote of the  
714 people, and who does not use any paid signature-gatherers to gather signatures, shall obtain  
715 legal signatures equal to:

716 (i) for a county:

717 (A) 8% of the number of active voters in the county; and

718 (B) 8% of the number of active voters in at least 75% of the county's voter participation  
719 areas;

720 (ii) for a metro township with a population of 100,000 or more, or a city of the first  
721 class:

722 (A) 7.5% of the number of active voters in the metro township or city; and

723 (B) 7.5% of the number of active voters in at least 75% of the metro township's or  
724 city's voter participation areas;

725 (iii) for a metro township with a population of 65,000 or more but less than 100,000, or  
726 a city of the second class:

727 (A) 8% of the number of active voters in the metro township or city; and

728 (B) 8% of the number of active voters in at least 75% of the metro township's or city's  
729 voter participation areas;

730 (iv) for a metro township with a population of 30,000 or more but less than 65,000, or  
731 a city of the third class:

732 (A) 13.75% of the number of active voters in the metro township or city; and

733 (B) 13.75% of the number of active voters in at least 75% of the metro township's or  
734 city's voter participation areas;

735 (v) for a metro township with a population of 10,000 or more but less than 30,000, or a  
736 city of the fourth class:

737 (A) 14.5% of the number of active voters in the metro township or city; and

738 (B) 14.5% of the number of active voters in at least 75% of the metro township's or  
739 city's voter participation areas;

740 (vi) for a metro township with a population of 1,000 or more but less than 10,000, or a

741 city of the fifth class, 17.5% of the number of active voters in the metro township or city; or  
742 (vii) for a metro township with a population of less than 1,000 or a town, 20% of the  
743 number of active voters in the metro township or town.

744 (4) (a) ~~[A]~~ Except as provided in Subsection (4)(b), a person seeking to have a  
745 subjurisdictional law passed by the local legislative body submitted to a vote of the people shall  
746 obtain legal signatures of the residents in the subjurisdiction equal to:

747 ~~[(a)]~~ (i) 10% of the number of active voters in the subjurisdiction if the number of  
748 active voters exceeds 25,000;

749 ~~[(b) 12-1/2%]~~

750 (ii) 12.5% of the number of active voters in the subjurisdiction if the number of active  
751 voters does not exceed 25,000 but is more than 10,000;

752 ~~[(c)]~~ (iii) 15% of the number of active voters in the subjurisdiction if the number of  
753 active voters does not exceed 10,000 but is more than 2,500;

754 ~~[(d)]~~ (iv) 20% of the number of active voters in the subjurisdiction if the number of  
755 active voters does not exceed 2,500 but is more than 500;

756 ~~[(e)]~~ (v) 25% of the number of active voters in the subjurisdiction if the number of  
757 active voters does not exceed 500 but is more than 250; and

758 ~~[(f)]~~ (vi) 30% of the number of active voters in the subjurisdiction if the number of  
759 active voters does not exceed 250.

760 (b) A person seeking to have a subjurisdictional law passed by the local legislative  
761 body submitted to a vote of the people, and who does not use any paid signature-gatherers to  
762 gather signatures, shall obtain legal signatures of the residents in the subjurisdiction equal to:

763 (i) 5% of the number of active voters in the subjurisdiction if the number of active  
764 voters exceeds 25,000;

765 (ii) 6.25% of the number of active voters in the subjurisdiction if the number of active  
766 voters does not exceed 25,000 but is more than 10,000;

767 (iii) 7.5% of the number of active voters in the subjurisdiction if the number of active  
768 voters does not exceed 10,000 but is more than 2,500;

769 (iv) 10% of the number of active voters in the subjurisdiction if the number of active  
770 voters does not exceed 2,500 but is more than 500;

771 (v) 12.5% of the number of active voters in the subjurisdiction if the number of active

772 voters does not exceed 500 but is more than 250; and

773 (vi) 15% of the number of active voters in the subjurisdiction if the number of active  
774 voters does not exceed 250.

775 (5) Sponsors of any referendum petition challenging, under Subsection (2), (3), or (4),  
776 any local law passed by a local legislative body shall file the application before 5 p.m. within  
777 seven days after the day on which the local law was passed.

778 (6) Nothing in this section authorizes a local legislative body to impose a tax or other  
779 payment obligation on a subjurisdiction in order to benefit an area outside of the  
780 subjurisdiction.

781 Section 11. Section **20A-7-606** is amended to read:

782 **20A-7-606. Submitting the referendum petition -- Certification of signatures by**  
783 **the county clerks -- Transfer to local clerk.**

784 (1) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
785 referendum packet to the county clerk of the county in which the packet was circulated before 5  
786 p.m. no later than the earlier of:

787 (i) 30 days after the day on which the first individual signs the referendum packet; or

788 (ii) 45 days after the day on which the sponsors receive the items described in  
789 Subsection **20A-7-604(2)** from the local clerk.

790 (b) A person may not submit a referendum packet after the deadline described in  
791 Subsection (1)(a).

792 (c) If the sponsors intend to qualify for signatures under Subsection **20A-7-601(2)(b)**,  
793 (3)(b), or (4)(b), the sponsors shall, before the deadline described in Subsection (1)(a), submit  
794 to the local clerk an affidavit, signed by all sponsors, stating that no person was paid to gather  
795 signatures for the referendum.

796 (d) If the sponsors fail to timely comply with Subsection (1)(c), the sponsors must  
797 satisfy the signature requirements described in Subsection **20A-7-601(2)(a)**, (3)(a), or (4)(a), as  
798 applicable.

799 (2) No later than 21 days after the day on which a county clerk receives a verified  
800 referendum packet under Subsection (1)(a), the county clerk shall:

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

803 (b) certify on the petition whether each name is that of a registered voter;  
804 (c) provide the name and voter identification number of each registered voter certified  
805 under Subsection (2)(b); and  
806 (d) deliver the verified packet to the local clerk.  
807 (3) (a) If the county clerk timely receives a statement requesting signature removal  
808 under Subsection 20A-7-605(3), the county clerk shall:  
809 (i) ensure that the voter's name and voter identification number are not included in the  
810 posting described in Subsection 20A-7-607(2)(a); and  
811 (ii) remove the voter's signature from the signature packets and signature packet totals.  
812 (b) The county clerk shall comply with Subsection (3)(a) before the later of:  
813 (i) the deadline described in Subsection (2); or  
814 (ii) two business days after the day on which the county clerk receives a statement  
815 requesting signature removal under Subsection 20A-7-605(3).  
816 (c) The local clerk shall post a link in a conspicuous location on the local government's  
817 website to the posting described in Subsection 20A-7-607(2)(a) during the period of time  
818 described in Subsection 20A-7-607(2)(a)(i).  
819 (4) The county clerk may not certify a signature under Subsection (2):  
820 (a) on a referendum packet that is not verified in accordance with Section 20A-7-605;  
821 or  
822 (b) that does not have a date of signature next to the signature.  
823 (5) A person may not retrieve a referendum packet from a county clerk, or make any  
824 alterations or corrections to a referendum packet, after the referendum packet is submitted to  
825 the county clerk.