

HB0185S01 compared with HB0185

~~{deleted text}~~ shows text that was in HB0185 but was deleted in HB0185S01.

inserted text shows text that was not in HB0185 but was inserted into HB0185S01.

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Representative Adam Robertson proposes the following substitute bill:

INITIATIVE AND REFERENDUM AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Adam Robertson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to local initiatives and referenda.

Highlighted Provisions:

This bill:

- ▶ ~~{provides that}~~ reduces the ~~{sponsors of an}~~ signature thresholds to qualify a local initiative or {referenda may qualify for placing the measure on the ballot with a reduced signature threshold if the sponsors do not use paid signature-gatherers} referendum for the ballot; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

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None

Utah Code Sections Affected:

AMENDS:

~~{ 20A-7-201, as last amended by Laws of Utah 2019, Chapter 217~~
~~20A-7-202, as last amended by Laws of Utah 2021, Chapter 140~~
~~20A-7-206, as last amended by Laws of Utah 2021, Chapters 140 and 418~~
~~20A-7-207, as last amended by Laws of Utah 2021, Chapter 140~~
~~20A-7-301, as last amended by Laws of Utah 2021, Chapter 140~~
~~20A-7-306, as last amended by Laws of Utah 2021, Chapters 140 and 418~~
~~20A-7-307, as last amended by Laws of Utah 2021, Chapter 140~~
‡ 20A-7-501, as last amended by Laws of Utah 2019, Chapter 203
~~{ 20A-7-506, as last amended by Laws of Utah 2021, Chapters 140 and 418~~
‡ 20A-7-601, as last amended by Laws of Utah 2021, Chapter 140
~~{ 20A-7-606, as last amended by Laws of Utah 2021, Chapters 140 and 418~~
}

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

Section 1. Section ~~{20A-7-201}~~ 20A-7-501 is amended to read:

~~{ 20A-7-201. Statewide initiatives -- Signature requirements -- Submission to the Legislature or to a vote of the people.~~

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

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

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

~~———— (b) If, at any time not less than 10 days before the beginning of the next annual general session of the Legislature, immediately after the application is filed under Section 20A-7-202 and specified on the petition under Section 20A-7-203 the lieutenant governor declares sufficient any initiative petition that is signed by enough voters to meet the requirements of this Subsection (1), the lieutenant governor shall deliver a copy of the petition and the cover sheet~~

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~~required by Subsection (1)(c) to the president of the Senate, the speaker of the House, and the director of the Office of Legislative Research and General Counsel:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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~~——— (3) (4) The lieutenant governor shall provide the following information to any interested person:~~

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

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

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

~~——— 20A-7-202. Statewide initiative process -- Application procedures -- Time to gather signatures -- Grounds for rejection.~~

~~——— (1) Individuals wishing to circulate an initiative petition shall file an application with the lieutenant governor:~~

~~——— (2) The application shall contain:~~

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

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

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

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

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

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

~~——— (iii) the text of the proposed law;~~

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

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

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

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

~~——— (4) If the petition fails to qualify for the ballot of the election described in Subsection~~

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~~20A-7-201[(2)(b)](3), the sponsors shall:~~

~~—— (a) submit a new application;~~

~~—— (b) obtain new signature sheets; and~~

~~—— (c) collect signatures again.~~

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

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

~~—— (b) the law proposed by the initiative is nonsensical;~~

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

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

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

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

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

~~—— Section 3. Section 20A-7-206 is amended to read:~~

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

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

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

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

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

~~—— (b) A person may not submit an initiative packet after the deadline described in~~

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Subsection (1)(a):

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

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

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

~~_____ "You signed a petition for the following initiative:~~

~~_____ [insert title of initiative]~~

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

~~_____ (d) When the sponsors submit the final signature packet to the county clerk[,];~~

~~_____ (i) the sponsors shall submit to the county clerk the following written verification, completed and signed by each of the sponsors:~~

~~_____ "Verification of initiative sponsor~~

~~_____ State of Utah, County of _____~~

~~_____ I, _____, of _____, hereby state, under penalty of perjury, that:~~

~~_____ I am a sponsor of the initiative petition entitled _____;~~

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

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

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

~~_____ (c) Signatures gathered for the initiative petition are not valid if the sponsors do not comply with this Subsection (1):~~

~~_____ (2) The county clerk shall, within 21 days after the day on which the county clerk~~

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receives the packet:

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

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

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

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

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

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

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

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

~~—— (i) the deadline described in Subsection (2); or~~

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

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

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

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

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

~~—— Section 4. Section **20A-7-207** is amended to read:~~

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

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

~~—— (2) (a) The county clerk shall:~~

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

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

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

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

~~—— (b) The lieutenant governor:~~

~~—— (i) shall, except as provided in Subsection (2)(b)(ii), declare the petition to be sufficient or insufficient on April 30 before the regular general election described in Subsection 20A-7-201[(2)(b)](3); or~~

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

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

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

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

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

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

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

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

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petition:

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

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

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

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

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

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

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

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

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

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

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

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

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

~~—— (ii) calls a special election according to the requirements of Section 20A-1-203 and~~

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~~directs that the referendum be submitted to the voters at that special election.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~—— (c) except as provided in Subsection (3), post the name and voter identification number of each registered voter certified under Subsection (2)(b) on the lieutenant governor's website;~~

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~~in a conspicuous location designated by the lieutenant governor; and~~

~~—— (d) deliver the verified packet to the lieutenant governor.~~

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

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

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

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

~~—— (i) the deadline described in Subsection (2); or~~

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

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

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

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

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

~~—— Section 7. Section **20A-7-307** is amended to read:~~

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

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

~~—— (2) (a) The county clerk shall:~~

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

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

~~—— (b) The lieutenant governor:~~

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

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

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~~(2)(b)(i) if:~~

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

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

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

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

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

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

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

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

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

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

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

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‡ 20A-7-501. Initiatives -- Signature requirements -- Time requirements.

(1) As used in this section:

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

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

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

~~{ } (a) (i) for a county of the first class:~~

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

~~—— (ii) beginning on January 1, 2020,]~~

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

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

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

~~—— (ii) beginning on January 1, 2020,]~~

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

~~—— (c) (iii) for a county of the second class:~~

~~—— (i) (A) 8% of the number of active voters in the county; and~~

~~—— (ii) beginning on January 1, 2020,]~~

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

~~—— (d) (iv) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the second class:~~

~~—— (i) (A) 8.25% of the number of active voters in the metro township or city; and~~

~~—— (ii) beginning on January 1, 2020,]~~

~~—— (B) 8.25% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;~~

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~~_____ [(e)] (v) for a county of the third class:~~

~~_____ [(i)] (A) 9.5% of the number of active voters in the county, and~~

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

~~_____ (B) 9.5% of the number of active voters in at least 75% of the county's voter participation areas;~~

~~_____ [(f)] (vi) for a metro township with a population of 30,000 or more but less than 65,000, or a city of the third class:~~

~~_____ [(i)] (A) 10% of the number of active voters in the metro township or city, and~~

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

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

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

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

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

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

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

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

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

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

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

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

~~_____ (b) An eligible voter seeking to have an initiative submitted to a local legislative body or to a vote of the people for approval or rejection, and who does not use any paid signature-gatherers to gather signatures, shall obtain legal signatures equal to:~~

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

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- ~~{(A)}i~~ ~~[7.75%]~~ 3.875% of the number of active voters in the county; and
- ~~{(B)}ii~~ ~~[beginning on January 1, 2020, 7.75%]~~ 3.875% of the number of active voters in at least 75% of the county's voter participation areas;
- ~~{(iii)}b~~ for a metro township with a population of 100,000 or more, or a city of the first class:
- ~~{(A)}i~~ ~~[7.5%]~~ 3.75% of the number of active voters in the metro township or city; and
- ~~{(B)}~~ 3.75% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;
- ~~_____ (iii) for a county of the second class:~~
- ~~_____ (A) 4% of the number of active voters in the county; and~~
- ~~_____ (B) 4% of the number of active voters in at least 75% of the county's voter participation areas;~~
- ~~_____ (iv) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the second class:~~
- ~~_____ (A) 4.125% of the number of active voters in the metro township or city; and~~
- ~~_____ (B) 4.125%;~~ ~~(ii)~~ ~~[beginning on January 1, 2020, 7.5%]~~ 3.75% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;
- ~~{(v)}c~~ for a county of the ~~{third}~~ second class:
- ~~{(A)}i~~ ~~{4.75%}~~ ~~[8%]~~ 4% of the number of active voters in the county; and
- ~~{(B)}ii~~ ~~{4.75%}~~ ~~[beginning on January 1, 2020, 8%]~~ 4% of the number of active voters in at least 75% of the county's voter participation areas;
- ~~{(vi)}d~~ for a metro township with a population of ~~{30}~~ 65,000 or more but less than ~~{65}~~ 100,000, or a city of the ~~{third}~~ second class:
- ~~{(A)}i~~ ~~{5%}~~ ~~[8.25%]~~ 4.125% of the number of active voters in the metro township or city; and
- ~~{(B)}ii~~ ~~{5%}~~ ~~[beginning on January 1, 2020, 8.25%]~~ 4.125% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;
- ~~{(vii)}e~~ for a county of the ~~{fourth}~~ third class:
- ~~{(A)}i~~ ~~{5}~~ ~~[9.5%]~~ 4.75% of the number of active voters in the county; and
- ~~{(B)}ii~~ ~~{5}~~ ~~[beginning on January 1, 2020, 9.5%]~~ 4.75% of the number of active

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voters in at least 75% of the county's voter participation areas;

~~{(viii)}f~~ for a metro township with a population of ~~{10}30,000~~ or more but less than ~~{30}65,000~~, or a city of the ~~{fourth}third~~ class:

~~{(A)}i~~ ~~{5.75%}~~[10%] 5% of the number of active voters in the metro township or city; and

~~{(B)}ii~~ ~~{5.75%}~~[beginning on January 1, 2020, 10%] 5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;~~{~~

~~{(ix)}~~

(g) for a county of the fourth class:

(i) [11.5%] 5.75% of the number of active voters in the county; and

(ii) [beginning on January 1, 2020, 11.5%] 5.75% of the number of active voters in at least 75% of the county's voter participation areas;

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

(i) [11.5%] 5.75% of the number of active voters in the metro township or city; and

(ii) [beginning on January 1, 2020, 11.5%] 5.75% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

(i) for a metro township with a population of 1,000 or more but less than 10,000, a city of the fifth class, or a county of the fifth class, [25%] 12.5% of the number of active voters in the metro township, city, or county; or

~~{(x)}j~~ for a metro township with a population of less than 1,000, a town, or a county of the sixth class, [35%] 17.5% of the number of active voters in the metro township, town, or county.

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

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

(b) The local legislative body may:

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

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

(iii) reject the proposed law.

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

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

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

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

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

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

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

Section ~~{9}~~2. Section ~~{20A-7-506}~~20A-7-601 is amended to read:

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

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

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

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

~~_____ (iii) (A) for a county initiative, April 15 immediately before the next regular general~~

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~~election immediately after the application is filed under Section 20A-7-502; or~~

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

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

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

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

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

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

~~———— [insert title of initiative]~~

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

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

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

~~———— "Verification of initiative sponsor~~

~~———— State of Utah, County of _____~~

~~———— I, _____, of _____, hereby state, under penalty of perjury, that:~~

~~———— I am a sponsor of the initiative petition entitled _____;~~

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

~~———— (Name) _____ (Residence Address) _____ (Date)"; and~~

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

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initiative:

~~—— (c) Signatures gathered for the initiative petition are not valid if the sponsors do not comply with this Subsection (1):~~

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

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

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

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

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

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

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

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

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

~~—— (i) the deadline described in Subsection (2); or~~

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

~~—— (c) The local clerk shall post a link in a conspicuous location on the local government's website to the posting described in Subsection (2)(c) during the period of time described in Subsection 20A-7-507(2)(a)(i):~~

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

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

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

‡ **20A-7-601. Referenda -- General signature requirements -- Signature**

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requirements for land use laws and subjurisdictional laws -- Time requirements.

(1) As used in this section:

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

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

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

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

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

(2) ~~{(a)}~~ Except as provided in Subsection ~~{(2)(b)}~~ (3) ~~{(c)}~~ or (4), an eligible voter seeking to have a local law passed by the local legislative body submitted to a vote of the people shall obtain legal signatures equal to:

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

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

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

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

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

~~_____ [(i)] (A) 7.5% of the number of active voters in the metro township or city; and~~

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

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

~~_____ [(c)] (iii) for a county of the second class:~~

~~_____ [(i)] (A) 8% of the number of active voters in the county; and~~

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

~~_____ (B) 8% of the number of active voters in at least 75% of the county's voter participation~~

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areas;

~~—— [(d)] (iv) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the second class:~~

~~—— [(i)] (A) 8.25% of the number of active voters in the metro township or city; and~~

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

~~—— (B) 8.25% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;~~

~~—— [(e)] (v) for a county of the third class:~~

~~—— [(i)] (A) 9.5% of the number of active voters in the county; and~~

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

~~—— (B) 9.5% of the number of active voters in at least 75% of the county's voter participation areas;~~

~~—— [(f)] (vi) for a metro township with a population of 30,000 or more but less than 65,000, or a city of the third class:~~

~~—— [(i)] (A) 10% of the number of active voters in the metro township or city; and~~

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

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

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

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

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

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

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

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

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

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

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

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~~metro township, city, or county; or~~

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

~~— (b) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local law passed by the local legislative body submitted to a vote of the people, and who does not use any paid signature-gatherers to gather signatures, shall obtain legal signatures equal to:~~

~~†~~ ~~†~~(~~{i}~~)~~a~~) for a county of the first class:

~~†~~(~~{A}~~)~~i~~) ~~[7.75%]~~ 3.875% of the number of active voters in the county; and

~~†~~(~~{B}~~)~~ii~~) ~~[beginning on January 1, 2020, 7.75%]~~ 3.875% of the number of active voters in at least 75% of the county's voter participation areas;

~~†~~(~~{ii}~~)~~b~~) for a metro township with a population of 100,000 or more, or a city of the first class:

~~†~~(~~{A}~~)~~i~~) ~~[7.5%]~~ 3.75% of the number of active voters in the metro township or city;

and

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

~~— (iii) for a county of the second class:~~

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

~~— (B) 4% of the number of active voters in at least 75% of the county's voter participation areas;~~

~~— (iv) for a metro township with a population of 65,000 or more but less than 100,000, or a city of the second class:~~

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

~~— (B) 4.125%; (ii) [beginning on January 1, 2020, 7.5%] 3.75%~~ of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

~~†~~(~~{v}~~)~~c~~) for a county of the ~~{third}~~second class:

~~†~~(~~{A}~~)~~i~~) ~~{4.75%}~~~~[8%]~~ 4% of the number of active voters in the county; and

~~†~~(~~{B}~~)~~ii~~) ~~{4.75%}~~~~[beginning on January 1, 2020, 8%]~~ 4% of the number of active voters in at least 75% of the county's voter participation areas;

~~†~~(~~{vi}~~)~~d~~) for a metro township with a population of ~~{30}~~65,000 or more but less than ~~{65}~~100,000, or a city of the ~~{third}~~second class:

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~~{(A)}i~~ ~~{5%}~~ 4.125% of the number of active voters in the metro township or city; and

~~{(B)}ii~~ ~~{5%}~~ 4.125% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

~~{(vii)}e~~ for a county of the ~~{fourth}~~ third class:

~~{(A)}i~~ ~~{5}~~ 4.75% of the number of active voters in the county; and

~~{(B)}ii~~ ~~{5}~~ 4.75% of the number of active voters in at least 75% of the county's voter participation areas;

~~{(viii)}f~~ for a metro township with a population of ~~{10}~~ 30,000 or more but less than ~~{30}~~ 65,000, or a city of the ~~{fourth}~~ third class:

~~{(A)}i~~ ~~{5.75%}~~ 5% of the number of active voters in the metro township or city; and

~~{(B)}ii~~ ~~{5.75%}~~ 5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;

~~{(ix) for a metro township with a population of 1,000 or more but less than 10,000, a city of the fifth class, or}~~ (g) for a county of the ~~{fifth class, 12.5% of the number of active voters in the metro township, city, or county; or~~

~~—— (x) for a metro township with a population of less than 1,000, a town, or a county of the sixth class, 17.5% of the number of active voters in the metro township, town, or county.~~

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

~~—— [(a) (i) for a county [of the first, second, third, or }fourth class {}}:~~

~~{(i) [11.5%] {(A)}5.75%{ 16%}~~ of the number of active voters in the county; and

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

~~—— (B) 16%} 11.5% 5.75% of the number of active voters in at least 75% of the county's voter participation areas;~~

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

(i) [11.5%] 5.75% of the number of active voters in the metro township or city; and

(ii) [beginning on January 1, 2020, 11.5%] 5.75% of the number of active voters in at

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least 75% of the metro township's or city's voter participation areas;

(i) for a metro township with a population of 1,000 or more but less than 10,000, a city of the fifth class, or a county of the fifth class, [25%] 12.5% of the number of active voters in the metro township, city, or county; or

(j) for a metro township with a population of less than 1,000, a town, or a county of the sixth class, [35%] 17.5% of the number of active voters in the metro township, town, or county.

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

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

(i) [16%] 8% of the number of active voters in the county; and

(ii) [beginning on January 1, 2020, 16%] 8% of the number of active voters in at least 75% of the county's voter participation areas;

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

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

~~[(ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75% of the county's voter participation areas;]~~

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

~~[(i)] ~~[(i)]~~ [15%] ~~[(A) 15%]~~ 7.5% of the number of active voters in the metro township or city; and~~

~~[(ii)] ~~[(ii)]~~ [beginning on January 1, 2020, (i)]
——— (B) 15% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;~~

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

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

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

~~(B) 16% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;~~

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~~_____ [(c)] (iv) for a metro township with a population of 30,000 or more but less than 65,000, or a city of the third class:~~

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

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

~~_____ (B) 27.5%; 15% 7.5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas;~~

~~_____ [(f)] (d) [(v)] (c) for a metro township with a population of ~~{10}~~ 65,000 or more but less than ~~{30}~~ 100,000, or a city of the ~~{fourth}~~ second class:~~

~~_____ {(i)} 16% {(A)} 8% ~~{29%}~~ of the number of active voters in the metro township or city; and~~

~~_____ {(ii)} beginning on January 1, 2020, 16% ~~{~~
~~_____ } {(B)} 8% ~~{29%}~~ of the number of active voters in at least 75% of the metro township's or city's voter participation areas;~~~~

~~_____ [(g)] (vi) for a metro township with a population of 1,000 or more but less than 10,000, or a city of the fifth class, 35% of the number of active voters in the metro township or city; or~~

~~_____ [(h)] (vii) for a metro township with a population of less than 1,000 or a town, 40% of the number of active voters in the metro township or town:~~

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

~~_____ (i) for a county:~~

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

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

~~_____ [(ii)] (e)] (d) for a metro township with a population of ~~{100}~~ 30,000 or more but less than 65,000, or a city of the ~~{first}~~ third class:~~

~~_____ {(A)} (i) ~~{7}~~ 13.75% of the number of active voters in the metro township or city; and~~

~~_____ {(B)} (ii) ~~{7}~~ beginning on January 1, 2020, 13.75% of the number of active~~

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voters in at least 75% of the metro township's or city's voter participation areas;

~~[(f)]~~ ~~(fiii)~~ e for a metro township with a population of ~~{65}~~ 10,000 or more but less than ~~{100}~~ 30,000, or a city of the ~~{second}~~ fourth class:

~~{(A)}~~ i ~~{8%}~~ [29%] 14.5% of the number of active voters in the metro township or city; and

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

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

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

~~———— (B) 13.75%;~~ (ii) [beginning on January 1, 2020, 29%] 14.5% of the number of active voters in at least 75% of the metro township's or city's voter participation areas; ~~{~~

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

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

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

~~———— (vi)~~

~~[(g)]~~ (f) for a metro township with a population of 1,000 or more but less than 10,000, or a city of the fifth class, [35%] 17.5% of the number of active voters in the metro township or city; or

~~[(h)]~~ ~~(fvi)~~ g for a metro township with a population of less than 1,000 or a town, [40%] 20% of the number of active voters in the metro township or town.

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

~~{(a)}~~ (i) ~~10% of the number of active voters in the subjurisdiction if the number of active voters exceeds 25,000;~~

~~———— [(b) 12-1/2%]~~

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

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

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

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

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

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

~~—— (i) 5%} (a) [10%] 5% of the number of active voters in the subjurisdiction if the number of active voters exceeds 25,000;~~

~~—— (ii) (b) [12-1/2%] 6.25% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 25,000 but is more than 10,000;~~

~~—— (iii) (c) [15%] 7.5% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 10,000 but is more than 2,500;~~

~~—— (iv) (d) [20%] 10% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 2,500 but is more than 500;~~

~~—— (v) (e) [25%] 12.5% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 500 but is more than 250; and~~

~~—— (vi) (f) [30%] 15% of the number of active voters in the subjurisdiction if the number of active voters does not exceed 250.~~

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

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

~~{ —— Section 11. Section 20A-7-606 is amended to read:~~

~~—— 20A-7-606. Submitting the referendum petition -- Certification of signatures by~~

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~~the county clerks -- Transfer to local clerk:~~

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

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

~~———— (ii) 45 days after the day on which the sponsors receive the items described in Subsection 20A-7-604(2) from the local clerk:~~

~~———— (b) A person may not submit a referendum packet after the deadline described in Subsection (1)(a):~~

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

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

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

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

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

~~———— (c) provide the name and voter identification number of each registered voter certified under Subsection (2)(b); and~~

~~———— (d) deliver the verified packet to the local clerk:~~

~~———— (3) (a) If the county clerk timely receives a statement requesting signature removal under Subsection 20A-7-605(3), the county clerk shall:~~

~~———— (i) ensure that the voter's name and voter identification number are not included in the posting described in Subsection 20A-7-607(2)(a); and~~

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

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

~~———— (i) the deadline described in Subsection (2); or~~

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~~—— (ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection 20A-7-605(3).~~

~~—— (c) The local clerk shall post a link in a conspicuous location on the local government's website to the posting described in Subsection 20A-7-607(2)(a) during the period of time described in Subsection 20A-7-607(2)(a)(i).~~

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

~~—— (a) on a referendum packet that is not verified in accordance with Section 20A-7-605;~~

~~or~~

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

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

~~‡~~