

Representative Jordan D. Teuscher proposes the following substitute bill:

BALLOT MEASURE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions relating to ballot measures.

Highlighted Provisions:

This bill:

- defines terms;
- modifies provisions relating to a ballot title for a constitutional amendment;
- establishes a process for the electronic collection of signatures, in the presence of a signature gatherer using an approved device, as follows:
 - for, at the discretion of the lieutenant governor, a statewide initiative, a statewide referendum, or a petition seeking the nomination of a registered political party; or
 - for, at the discretion of a local clerk, a local initiative or a local referendum;
- limits eligible signatures on a petition to registered voters;
- modifies criminal provisions in relation to eligibility to sign a petition;
- provides for the security of signatures and information collected in relation to signatures; and
- makes technical and conforming changes.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 **AMENDS:**

31 **10-9a-509**, as last amended by Laws of Utah 2021, Chapters 140 and 385

32 **11-14-301**, as last amended by Laws of Utah 2021, Chapter 140

33 **17-27a-508**, as last amended by Laws of Utah 2021, Chapters 140 and 385

34 **20A-1-306**, as last amended by Laws of Utah 2019, Chapter 24

35 **20A-1-609**, as last amended by Laws of Utah 2021, Chapters 140 and 418

36 **20A-7-101**, as last amended by Laws of Utah 2021, Chapter 80

37 **20A-7-103**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

38 **20A-7-203**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last

39 amended by Coordination Clause, Laws of Utah 2021, Chapter 418

40 **20A-7-204**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last

41 amended by Coordination Clause, Laws of Utah 2021, Chapter 418

42 **20A-7-205**, as last amended by Laws of Utah 2021, Chapter 140

43 **20A-7-206**, as last amended by Laws of Utah 2021, Chapters 140 and 418

44 **20A-7-206.3**, as last amended by Laws of Utah 2019, Chapter 210

45 **20A-7-207**, as last amended by Laws of Utah 2021, Chapter 140

46 **20A-7-213**, as last amended by Laws of Utah 2019, Chapter 210

47 **20A-7-303**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last

48 amended by Coordination Clause, Laws of Utah 2021, Chapter 418

49 **20A-7-304**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last

50 amended by Coordination Clause, Laws of Utah 2021, Chapter 418

51 **20A-7-304.5**, as enacted by Laws of Utah 2021, Chapter 418

52 **20A-7-305**, as last amended by Laws of Utah 2021, Chapter 140

53 **20A-7-306**, as last amended by Laws of Utah 2021, Chapters 140 and 418

54 **20A-7-306.3**, as last amended by Laws of Utah 2021, Chapter 140

55 **20A-7-307**, as last amended by Laws of Utah 2021, Chapter 140

56 **20A-7-312**, as last amended by Laws of Utah 2019, Chapter 210

57 **20A-7-502.6**, as enacted by Laws of Utah 2021, Chapter 418
58 **20A-7-502.7**, as last amended by Laws of Utah 2021, Chapter 418
59 **20A-7-503**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last
60 amended by Coordination Clause, Laws of Utah 2021, Chapter 418
61 **20A-7-504**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last
62 amended by Coordination Clause, Laws of Utah 2021, Chapter 418
63 **20A-7-505**, as last amended by Laws of Utah 2021, Chapter 140
64 **20A-7-506**, as last amended by Laws of Utah 2021, Chapters 140 and 418
65 **20A-7-506.3**, as last amended by Laws of Utah 2021, Chapter 140
66 **20A-7-507**, as last amended by Laws of Utah 2021, Chapter 140
67 **20A-7-512**, as last amended by Laws of Utah 2019, Chapter 203
68 **20A-7-602.7**, as last amended by Laws of Utah 2021, Chapter 418
69 **20A-7-602.8**, as last amended by Laws of Utah 2021, Chapter 418
70 **20A-7-603**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last
71 amended by Coordination Clause, Laws of Utah 2021, Chapter 418
72 **20A-7-604**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last
73 amended by Coordination Clause, Laws of Utah 2021, Chapter 418
74 **20A-7-604.5**, as enacted by Laws of Utah 2021, Chapter 418
75 **20A-7-605**, as last amended by Laws of Utah 2021, Chapter 140
76 **20A-7-606**, as last amended by Laws of Utah 2021, Chapters 140 and 418
77 **20A-7-606.3**, as last amended by Laws of Utah 2021, Chapter 140
78 **20A-7-607**, as last amended by Laws of Utah 2021, Chapters 80 and 140
79 **20A-7-611**, as last amended by Laws of Utah 2021, Chapter 140
80 **20A-7-612**, as last amended by Laws of Utah 2019, Chapter 203
81 **20A-7-613**, as last amended by Laws of Utah 2021, Chapter 140
82 **20A-9-101**, as last amended by Laws of Utah 2020, Chapter 344
83 **20A-9-403**, as last amended by Laws of Utah 2020, Chapter 22
84 **20A-9-405**, as last amended by Laws of Utah 2018, Chapter 281
85 **20A-9-408**, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6
86 ENACTS:
87 **20A-7-215**, Utah Code Annotated 1953

88 **20A-7-216**, Utah Code Annotated 1953
89 **20A-7-217**, Utah Code Annotated 1953
90 **20A-7-313**, Utah Code Annotated 1953
91 **20A-7-314**, Utah Code Annotated 1953
92 **20A-7-315**, Utah Code Annotated 1953
93 **20A-7-514**, Utah Code Annotated 1953
94 **20A-7-515**, Utah Code Annotated 1953
95 **20A-7-516**, Utah Code Annotated 1953
96 **20A-7-614**, Utah Code Annotated 1953
97 **20A-7-615**, Utah Code Annotated 1953
98 **20A-7-616**, Utah Code Annotated 1953
99 **20A-21-101**, Utah Code Annotated 1953
100 **20A-21-201**, Utah Code Annotated 1953

101
102 *Be it enacted by the Legislature of the state of Utah:*

103 Section 1. Section **10-9a-509** is amended to read:

104 **10-9a-509. Applicant's entitlement to land use application approval --**
105 **Municipality's requirements and limitations -- Vesting upon submission of development**
106 **plan and schedule.**

107 (1) (a) (i) An applicant who has submitted a complete land use application as described
108 in Subsection (1)(c), including the payment of all application fees, is entitled to substantive
109 review of the application under the land use regulations:

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

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

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

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

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

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

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

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

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

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

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

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

(i) this chapter;

(ii) a municipal ordinance; or

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

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

(i) in a land use permit;

(ii) on the subdivision plat;

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

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

(v) in this chapter; or

(vi) in a municipal ordinance.

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

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

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

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

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

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

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

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

(4) (a) Except as provided in Subsection (4)(b), for a period of 10 years after the day on which a subdivision plat is recorded, a municipality may not impose on a building permit applicant for a single-family dwelling located within the subdivision any land use regulation that is enacted within 10 years after the day on which the subdivision plat is recorded.

(b) Subsection (4)(a) does not apply to any changes in the requirements of the applicable building code, health code, or fire code, or other similar regulations.

(5) Upon a specified public agency's submission of a development plan and schedule as required in Subsection [10-9a-305](#)(8) that complies with the requirements of that subsection, the specified public agency vests in the municipality's applicable land use maps, zoning map, hookup fees, impact fees, other applicable development fees, and land use regulations in effect

on the date of submission.

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

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

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

(b) Upon delivery of a written notice described in Subsection (6)(a) the following are rescinded and are of no further force or effect:

(i) the relevant land use approval; and

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

Section 2. Section **11-14-301** is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) if the local clerk determines, under Section 20A-7-607, that the number of certified names is sufficient for the proposed referendum to appear on the ballot, the day on which the governing body declares, as provided by law, the results of the referendum election on the local obligation law.

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

(i) there is a final settlement, a final adjudication, or another type of final resolution of

all challenges described in Subsection (2)(b)(ii); and

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

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

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

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

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

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

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

(5) Where bonds are issued by a city, town, or county payable solely from revenues derived from the operation of revenue-producing facilities of the city, town, or county, or payable solely from a special fund into which are deposited excise taxes levied and collected by the city, town, or county, or excise taxes levied by the state and rebated pursuant to law to the city, town, or county, or any combination of those excise taxes, the bonds shall be included as

bonded indebtedness of the city, town, or county only to the extent required by the Utah Constitution, and any bonds not so required to be included as bonded indebtedness of the city, town, or county need not be authorized at an election, except as otherwise provided by the Utah Constitution, the bonds being hereby expressly excluded from the election requirement of Section 11-14-201.

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

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

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

Section 3. Section 17-27a-508 is amended to read:

17-27a-508. Applicant's entitlement to land use application approval -- Application relating to land in a high priority transportation corridor -- County's requirements and limitations -- Vesting upon submission of development plan and schedule.

(1) (a) (i) An applicant who has submitted a complete land use application, including the payment of all application fees, is entitled to substantive review of the application under the land use regulations:

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

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

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

(A) the land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies

the compelling, countervailing public interest in writing; or

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

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

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

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

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

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

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

(i) in this chapter;

(ii) in a county ordinance; or

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

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

(i) in a land use permit;

(ii) on the subdivision plat;

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

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

(v) in this chapter; or

(vi) in a county ordinance.

(g) Except as provided in Subsection (1)(h), a county may not withhold issuance of a certificate of occupancy or acceptance of subdivision improvements because of an applicant's

failure to comply with a requirement that is not expressed:

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

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

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

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

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

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

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

(4) (a) Except as provided in Subsection (4)(b), for a period of 10 years after the day on which a subdivision plat is recorded, a county may not impose on a building permit applicant for a single-family dwelling located within the subdivision any land use regulation that is enacted within 10 years after the day on which the subdivision plat is recorded.

(b) Subsection (4)(a) does not apply to any changes in the requirements of the applicable building code, health code, or fire code, or other similar regulations.

(5) Upon a specified public agency's submission of a development plan and schedule as required in Subsection 17-27a-305(8) that complies with the requirements of that subsection, the specified public agency vests in the county's applicable land use maps, zoning map, hookup fees, impact fees, other applicable development fees, and land use regulations in effect on the date of submission.

(6) (a) If sponsors of a referendum timely challenge a project in accordance with Subsection 20A-7-601(5), the project's affected owner may rescind the project's land use

approval by delivering a written notice:

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

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

(b) Upon delivery of a written notice described in Subsection (6)(a) the following are rescinded and are of no further force or effect:

(i) the relevant land use approval; and

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

Section 4. Section 20A-1-306 is amended to read:

20A-1-306. Electronic signatures prohibited.

Notwithstanding Title 46, Chapter 4, Uniform Electronic Transactions Act, and Subsections 68-3-12(1)(e) and 68-3-12.5(28) and (40), an electronic signature may not be used to sign a petition to:

(1) except as provided in Section 20A-21-201, qualify a ballot proposition for the ballot under Chapter 7, Issues Submitted to the Voters;

(2) organize and register a political party under Chapter 8, Political Party Formation and Procedures; or

(3) except as provided in Section 20A-21-201, qualify a candidate for the ballot under Chapter 9, Candidate Qualifications and Nominating Procedures.

Section 5. Section 20A-1-609 is amended to read:

20A-1-609. Omnibus penalties.

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

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

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

~~20A-7-303(2)(d)(xx), 20A-7-503(2)(d)(xx), or 20A-7-603(2)(d)(xx)]~~ 20A-7-203(3)(d)(xx),

~~20A-7-303(3)(d)(xx), 20A-7-503(3)(d)(xx), or 20A-7-603(3)(d)(xx).~~

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

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

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

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

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

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

Section 6. Section 20A-7-101 is amended to read:

20A-7-101. Definitions.

As used in this chapter:

(1) "Approved device" means a device described in Subsection 20A-21-201(4) used to gather signatures for the electronic initiative process, the electronic referendum process, or the electronic candidate qualification process.

~~[(1)]~~ (2) "Budget officer" means:

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

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

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

(d) for a metro township, the person described in Subsection ~~[(1)]~~ (2)(a) for the county in which the metro township is located.

~~[(2)]~~ (3) "Certified" means that the county clerk has acknowledged a signature as being the signature of a registered voter.

~~[(3)]~~ (4) "Circulation" means the process of submitting an initiative or referendum petition to legal voters for their signature.

(5) "Electronic initiative process" means:

(a) as it relates to a statewide initiative, the process, described in Sections 20A-7-215 and 20A-21-201, for gathering signatures; or

(b) as it relates to a local initiative, the process, described in Sections 20A-7-514 and 20A-21-201, for gathering signatures.

(6) "Electronic referendum process" means:

(a) as it relates to a statewide referendum, the process, described in Sections 20A-7-313 and 20A-21-201, for gathering signatures; or

(b) as it relates to a local referendum, the process, described in Sections 20A-7-614 and 20A-21-201, for gathering signatures.

~~[(4)]~~ (7) "Eligible voter" means a legal voter who resides in the jurisdiction of the county, city, or town that is holding an election on a ballot proposition.

~~[(5)]~~ (8) "Final fiscal impact statement" means a financial statement prepared after voters approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or 20A-7-502.5(2).

~~[(6)]~~ (9) "Initial fiscal impact estimate" means:

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

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

~~[(7)]~~ (10) "Initiative" means a new law proposed for adoption by the public as provided in this chapter.

~~[(8)]~~ (11) "Initiative packet" means a copy of the initiative petition, a copy of the proposed law, and the signature sheets, all of which have been bound together as a unit.

~~[(9)]~~ (12) (a) "Land use law" means a law of general applicability, enacted based on the weighing of broad, competing policy considerations, that relates to the use of land, including land use regulation, a general plan, a land use development code, an annexation ordinance, the rezoning of a single property or multiple properties, or a comprehensive zoning ordinance or resolution.

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

~~[(10)]~~ (13) "Legal signatures" means the number of signatures of legal voters that:

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

(b) have been obtained, certified, and verified as provided in this chapter.

~~[(11)]~~ (14) "Legal voter" means a person who ~~[(a)]~~ is registered to vote ~~[(or)]~~ in Utah.

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

[~~(12)~~] (15) "Legally referable to voters" means:

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

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

[~~(13)~~] (16) "Local attorney" means the county attorney, city attorney, or town attorney in whose jurisdiction a local initiative or referendum petition is circulated.

[~~(14)~~] (17) "Local clerk" means the county clerk, city recorder, or town clerk in whose jurisdiction a local initiative or referendum petition is circulated.

[~~(15)~~] (18) (a) "Local law" includes:

(i) an ordinance;

(ii) a resolution;

(iii) a land use law;

(iv) a land use regulation, as defined in Section 10-9a-103; or

(v) other legislative action of a local legislative body.

(b) "Local law" does not include a land use decision, as defined in Section 10-9a-103.

[~~(16)~~] (19) "Local legislative body" means the legislative body of a county, city, town, or metro township.

[~~(17)~~] (20) "Local obligation law" means a local law passed by the local legislative body regarding a bond that was approved by a majority of qualified voters in an election.

[~~(18)~~] (21) "Local tax law" means a law, passed by a political subdivision with an annual or biannual calendar fiscal year, that increases a tax or imposes a new tax.

(22) "Manual initiative process" means the process for gathering signatures for an initiative using paper signature packets that a signer physically signs.

(23) "Manual referendum process" means the process for gathering signatures for a referendum using paper signature packets that a signer physically signs.

[~~(19)~~] (24) "Measure" means a proposed constitutional amendment, an initiative, or referendum.

[~~(20)~~] (25) "Referendum" means a process by which a law passed by the Legislature or by a local legislative body is submitted or referred to the voters for their approval or rejection.

[~~(21)~~] (26) "Referendum packet" means a copy of the referendum petition, a copy of

the law being submitted or referred to the voters for their approval or rejection, and the signature sheets, all of which have been bound together as a unit.

~~[(22) (a) "Signature" means a holographic signature.]~~

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

(27) "Signature":

(a) for a statewide initiative:

(i) as it relates to the electronic initiative process, means an electronic signature collected under Section 20A-7-215 and Subsection 20A-21-201(6)(c); or

(ii) as it relates to the manual initiative process:

(A) means a holographic signature collected physically on a signature sheet described in Section 20A-7-203; and

(B) does not include an electronic signature;

(b) for a statewide referendum:

(i) as it relates to the electronic referendum process, means an electronic signature collected under Section 20A-7-313 and Subsection 20A-21-201(6)(c); or

(ii) as it relates to the manual referendum process:

(A) means a holographic signature collected physically on a signature sheet described in Section 20A-7-303; and

(B) does not include an electronic signature;

(c) for a local initiative:

(i) as it relates to the electronic initiative process, means an electronic signature collected under Section 20A-7-514 and Subsection 20A-21-201(6)(c); or

(ii) as it relates to the manual initiative process:

(A) means a holographic signature collected physically on a signature sheet described in Section 20A-7-503; and

(B) does not include an electronic signature; or

(d) for a local referendum:

(i) as it relates to the electronic referendum process, means an electronic signature collected under Section 20A-7-614 and Subsection 20A-21-201(6)(c); or

(ii) as it relates to the manual referendum process:

(A) means a holographic signature collected physically on a signature sheet described

in Section [20A-7-603](#); and

(B) does not include an electronic signature.

~~[(23)]~~ (28) "Signature sheets" means sheets in the form required by this chapter that are used to collect signatures in support of an initiative or referendum.

~~[(24)]~~ (29) "Special local ballot proposition" means a local ballot proposition that is not a standard local ballot proposition.

~~[(25)]~~ (30) "Sponsors" means the legal voters who support the initiative or referendum and who sign the application for petition copies.

~~[(26)]~~ (31) (a) "Standard local ballot proposition" means a local ballot proposition for an initiative or a referendum.

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

~~[(27)]~~ (32) "Tax percentage difference" means the difference between the tax rate proposed by an initiative or an initiative petition and the current tax rate.

~~[(28)]~~ (33) "Tax percentage increase" means a number calculated by dividing the tax percentage difference by the current tax rate and rounding the result to the nearest thousandth.

~~[(29)]~~ (34) "Verified" means acknowledged by the person circulating the petition as required in Sections [20A-7-205](#) and [20A-7-305](#).

Section 7. Section **20A-7-103** is amended to read:

20A-7-103. Constitutional amendments and other questions submitted by the Legislature -- Publication -- Ballot title -- Procedures for submission to popular vote.

(1) The procedures contained in this section govern when the Legislature submits a proposed constitutional amendment or other question to the voters.

(2) The lieutenant governor shall, not more than 60 days or less than 14 days before the date of the election, publish the full text of the amendment, question, or statute in at least one newspaper in every county of the state where a newspaper is published.

(3) The legislative general counsel shall:

(a) entitle each proposed constitutional amendment "Constitutional Amendment ____" and assign it a letter according to the requirements of Section [20A-6-107](#);

(b) entitle each proposed question "Proposition Number ____" with the number assigned to the proposition under Section [20A-6-107](#) placed in the blank;

(c) draft and designate a ballot title for each proposed amendment or question submitted by the Legislature that:

(i) summarizes the subject matter of the amendment or question; and

(ii) for a proposed constitutional amendment, summarizes any legislation that is enacted and will become effective upon the voters' adoption of the proposed constitutional amendment; and

(d) deliver each letter or number and ballot title to the lieutenant governor.

(4) The lieutenant governor shall certify the letter or number and ballot title of each amendment or question to the county clerk of each county no later than 65 days before the date of the election.

(5) The county clerk of each county shall:

(a) ensure that ~~[both]~~ the letter or number and the ballot title of each amendment and question ~~[is]~~ prepared in accordance with this section are printed on the sample ballots and official ballots; and

(b) publish ~~[them]~~ the sample ballots and official ballots as provided by law.

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

20A-7-203. Manual initiative process -- Form of initiative petition and signature sheets.

(1) This section applies only to the manual initiative process.

~~[(1)]~~ (2) (a) Each proposed initiative petition shall be printed in substantially the following form:

"INITIATIVE PETITION To the Honorable ____, Lieutenant Governor:

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

Each signer says:

I have personally signed this petition;

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

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

I am registered to vote in Utah ~~[or intend to become registered to vote in Utah before~~

the certification of the petition names by the county clerk]; and

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

NOTICE TO SIGNERS:

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

(b) If the initiative petition proposes a tax increase, the following statement shall appear, in at least 14-point, bold type, immediately following the information described in Subsection [(+)] (2)(a):

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

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

[(2)] (3) Each signature sheet shall:

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

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

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

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

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

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

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

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

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

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

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

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

615 "Street Address, City, Zip Code" in 10-point type;
616 (ix) the fourth row of the second column shall be .5 inch tall;
617 (x) the third column shall be 2.75 inches wide;
618 (xi) the first row of the third column shall be .35 inch tall and contain the words
619 "Signature of Registered Voter" in 10-point type;
620 (xii) the second row of the third column shall be .5 inch tall;
621 (xiii) the third row of the third column shall be .35 inch tall and contain the words
622 "Email Address (optional, to receive additional information)" in 10-point type;
623 (xiv) the fourth row of the third column shall be .5 inch tall;
624 (xv) the fourth column shall be one inch wide;
625 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
626 "Date Signed" in 10-point type;
627 (xvii) the second row of the fourth column shall be .5 inch tall;
628 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
629 "Birth Date or Age (optional)" in 10-point type;
630 (xix) the fourth row of the third column shall be .5 inch tall; and
631 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
632 and contain the following statement, "By signing this petition, you are stating that you have
633 read and understand the law proposed by this petition." in 12-point type;
634 (e) the table described in Subsection ~~[(2)]~~ (3)(d) shall be repeated, leaving sufficient
635 room at the bottom of the sheet for the information described in Subsection ~~[(2)]~~ (3)(f); and
636 (f) at the bottom of the sheet, include in the following order:
637 (i) the words "Fiscal Impact of" followed by the title of the initiative, in at least
638 12-point, bold type;
639 (ii) except as provided in Subsection ~~[(4)]~~ (5), the initial fiscal impact estimate's
640 summary statement issued by the Office of the Legislative Fiscal Analyst in accordance with
641 Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection
642 20A-7-204.1(5), in not less than 12-point type;
643 (iii) if the initiative petition proposes a tax increase, the following statement in
644 12-point, bold type:
645 "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

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

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

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

~~[(3)]~~ (4) The final page of each initiative packet shall contain the following printed or typed statement:

Verification of signature collector

State of Utah, County of _____

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

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

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

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

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

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

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

(Name)	(Residence Address)	(Date)
--------	---------------------	--------

~~[(4)]~~ (5) If the initial fiscal impact estimate described in Subsection ~~[(2)(i)]~~ (3)(f)(ii), as updated in accordance with Subsection 20A-7-204.1(5), exceeds 200 words, the Office of the Legislative Fiscal Analyst shall prepare a shorter summary statement, for the purpose of inclusion on a signature sheet, that does not exceed 200 words.

~~[(5)]~~ (6) If the forms described in this section are substantially followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical errors.

~~[(6)]~~ (7) An individual's status as a resident, under Subsection ~~[(3)]~~ (4), is determined in accordance with Section 20A-2-105.

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

20A-7-204. Manual initiative process -- Circulation requirements -- Lieutenant governor to provide sponsors with materials.

(1) This section applies only to the manual initiative process.

~~[(1)]~~ (2) In order to obtain the necessary number of signatures required by this part, the sponsors or an agent of the sponsors shall, after the sponsors receive the documents described in Subsection ~~[(2)]~~ (3), circulate initiative packets that meet the form requirements of this part.

~~[(2)]~~ (3) The lieutenant governor shall furnish to the sponsors:

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

(b) a signature sheet.

~~[(3)]~~ (4) The sponsors of the petition shall:

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

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

~~[(4)]~~ (5) (a) The sponsors or an agent of the sponsors may prepare the initiative for circulation by creating multiple initiative packets.

(b) The sponsors or an agent of the sponsors shall create the initiative packets by

binding a copy of the initiative petition and no more than 50 signature sheets together at the top in a manner that the packets may be conveniently opened for signing.

(c) An initiative packet is not required to have a uniform number of signature sheets.

~~[(5)]~~ (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

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

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

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

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

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

(c) The lieutenant governor shall keep a record of the number range provided under Subsection ~~[(5)]~~ (6)(a).

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

20A-7-205. Manual initiative process -- Obtaining signatures -- Verification -- Removal of signature.

(1) This section applies only to the manual initiative process.

~~[(1)]~~ (2) A Utah voter may sign an initiative petition if the voter is a legal voter.

~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each signature sheet was signed:

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

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

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

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

~~[(3)]~~ (4) (a) A voter who has signed an initiative petition may have the voter's signature removed from the petition by submitting to the county clerk a statement requesting that the

voter's signature be removed before 5 p.m. no later than the earlier of:

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

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

(B) 90 days after the day on which the lieutenant governor posts the voter's name under

Subsection **20A-7-207(2)**~~[(a)]~~; or

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

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

(B) 45 days after the day on which the lieutenant governor posts the voter's name under

Subsection **20A-7-207(2)**~~[(a)]~~.

(b) (i) The statement shall include:

(A) the name of the voter;

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

(C) the signature of the voter; and

(D) the date of the signature described in Subsection ~~[(3)]~~ **(4)**(b)(i)(C).

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

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

(d) In order for the signature to be removed, the county clerk must receive the statement before 5 p.m. no later than the applicable deadline described in Subsection ~~[(3)]~~ **(4)**(a).

(e) A person may only remove a signature from an initiative petition in accordance with this Subsection ~~[(3)]~~ **(4)**.

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

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

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

(1) This section applies only to the manual initiative process.

~~[(1)]~~ **(2)** (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 Subsection [(+)] (2)(a).

(c) Before delivering a packet to the county clerk under Subsection [(+)] (2), 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[(+)](3)(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, 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[(+)](2)(c).

(Name)

(Residence Address)

(Date)

(e) Signatures gathered for the initiative petition are not valid if the sponsors do not

comply with this Subsection ~~[(1)]~~ (2).

~~[(2)]~~ (3) The county clerk shall, within 21 days after the day on which the county clerk receives the packet:

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

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

(c) except as provided in Subsection ~~[(3)]~~ (4), post the name ~~[and]~~, voter identification number, and date of signature of each registered voter certified under Subsection ~~[(2)]~~ (3)(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)]~~ (4) (a) If the county clerk timely receives a statement requesting signature removal under Subsection 20A-7-205~~[(3)]~~(4), the county clerk shall:

(i) ensure that the voter's name ~~[and]~~, voter identification number, and date of signature are not included in the posting described in Subsection ~~[(2)]~~ (3)(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)]~~ (4)(a) before the later of:

(i) the deadline described in Subsection ~~[(2)]~~ (3); 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).

~~[(4)]~~ (5) The county clerk may not certify a signature under Subsection ~~[(2)]~~ (3):

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

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

~~[(5)]~~ (6) 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 12. Section 20A-7-206.3 is amended to read:

20A-7-206.3. Verification of petition signatures.

(1) As used in this section:

(a) "Substantially similar name" means:

(i) the given name and surname shown on the petition, or both, contain only minor

spelling differences when compared to the given name and surname shown on the official register;

(ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;

(iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is accompanied by a first or middle initial or a middle name which is not shown on the other record; or

(iv) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.

(b) "Substantially similar name" does not include a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.

(2) [The] In relation to an individual who signs an initiative petition with a holographic signature, the county clerk shall use the following procedures in determining whether a signer is a registered voter:

(a) if a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the signature valid;

(b) if there is no exact match of an address and a name, the county clerk shall declare the signature valid if:

(i) the address on the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(b)(i);

(c) if there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if:

(i) the birth date or age on the petition matches the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(c)(i); and

(d) if a signature is not declared valid under Subsection (2)(a), (b), or (c), the county clerk shall declare the signature to be invalid.

(3) ~~[The]~~ In relation to an individual who, with a holographic signature, signs a statement to remove the individual's signature from an initiative petition, the county clerk shall use the following procedures in determining whether to remove a signature from a petition after receiving a timely, valid statement requesting removal of the signature:

(a) if a signer's name and address shown on the statement and the petition exactly match a name and address shown on the official register and the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database, the county clerk shall remove the signature from the petition;

(b) if there is no exact match of an address and a name, the county clerk shall remove the signature from the petition if:

(i) the address on the statement and the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(b)(i);

(c) if there is no match of an address and a substantially similar name, the county clerk shall remove the signature from the petition if:

(i) the birth date or age on the statement and petition match the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(c)(i); and

(d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the county clerk may not remove the signature from the petition.

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

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

(1) ~~[When]~~ In relation to the manual initiative process, 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:

(a) in relation to the manual initiative process:

(i) post the names ~~[and]~~, voter identification numbers, and dates of signatures described in Subsection ~~20A-7-206[(2)](3)(c)~~ on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor:

(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~~[-];~~ or

(b) in relation to the electronic initiative process:

(i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-217(4) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor:

(A) for a signature received by the county clerk before December 1, for at least 90 days; or

(B) for a signature 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)]~~ (3) The lieutenant governor:

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

~~[(ii)]~~ (b) may declare the petition to be insufficient before the day described in Subsection ~~[(2)(b)(i)]~~ (3)(a) if:

925 ~~[(A)]~~ (i) in relation to the manual initiative process, the total of all valid signatures on
926 timely and lawfully submitted signature packets that have been certified by the county clerks,
927 plus the number of signatures on timely and lawfully submitted signature packets that have not
928 yet been evaluated for certification, is less than the number of names required under Section
929 [20A-7-201](#); ~~[or]~~

930 (ii) in relation to the electronic initiative process, the total of all timely and lawfully
931 submitted valid signatures that have been certified by the county clerks, plus the number of
932 timely and lawfully submitted valid signatures received under Subsection [20A-21-201](#)(6)(b)
933 that have not yet been evaluated for certification, is less than the number of names required
934 under Section [20A-7-201](#); or

935 ~~[(B)]~~ (iii) a requirement of this part has not been met.

936 ~~[(C)]~~ (4) (a) If the total number of names certified under ~~[this]~~ Subsection ~~[(2)]~~ (3)
937 equals or exceeds the number of names required under Section [20A-7-201](#), and the
938 requirements of this part are met, the lieutenant governor shall mark upon the front of the
939 petition the word "sufficient."

940 ~~[(D)]~~ (b) If the total number of names certified under ~~[this]~~ Subsection ~~[(2)]~~ (3) does
941 not equal or exceed the number of names required under Section [20A-7-201](#) or a requirement
942 of this part is not met, the lieutenant governor shall mark upon the front of the petition the
943 word "insufficient."

944 ~~[(E)]~~ (c) The lieutenant governor shall immediately notify any one of the sponsors of
945 the lieutenant governor's finding.

946 ~~[(F)]~~ (5) After a petition is declared insufficient, a person may not submit additional
947 signatures to qualify the petition for the ballot.

948 ~~[(G)]~~ (6) (a) If the lieutenant governor refuses to accept and file an initiative petition
949 that a voter believes is legally sufficient, the voter may, no later than May 15, apply to the
950 appropriate court for an extraordinary writ to compel the lieutenant governor to accept and file
951 the initiative petition.

952 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant
953 governor shall file the petition, with a verified copy of the judgment attached to the petition, as
954 of the date on which the petition was originally offered for filing in the lieutenant governor's
955 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)]~~ (7) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

Section 14. Section **20A-7-213** is amended to read:

20A-7-213. Misconduct of electors and officers -- Penalty.

(1) It is unlawful for any person to:

(a) sign any name other than the person's own to an initiative petition or a statement described in Subsection ~~[20A-7-205(3)]~~ 20A-7-205(4) or 20A-7-216(4);

(b) knowingly sign the person's name more than once for the same measure at one election;

(c) knowingly indicate ~~[on an initiative packet]~~ that a person who signed ~~[the packet]~~ an initiative petition signed the ~~[packet]~~ petition on a date other than the date that the person signed the ~~[packet]~~ petition;

(d) sign an initiative petition knowing the person is not a legal voter; or

(e) knowingly and willfully violate any provision of this part.

(2) It is unlawful for any person to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing that:

(a) the person does not meet the residency requirements of Section 20A-2-105;

(b) the signature date ~~[next to]~~ associated with the person's ~~[name on the initiative packet]~~ signature for the initiative petition is not the date that the person signed the ~~[packet]~~ petition;

(c) the person has not witnessed the signatures of those persons ~~[whose names appear in the initiative packet]~~ whose signatures the person collects or submits; or

(d) one or more ~~[persons whose signatures appear in the initiative packet is either: (i)]~~ individuals who signed the initiative petition are not registered to vote in Utah~~;~~ or.

~~[(ii) does not intend to become registered to vote in Utah.]~~

(3) It is unlawful for any person to:

(a) pay a person to sign an initiative petition;

- (b) pay a person to remove the person's signature from an initiative petition;
- (c) accept payment to sign an initiative petition; or
- (d) accept payment to have the person's name removed from an initiative petition.
- (4) Any person violating this section is guilty of a class A misdemeanor.

Section 15. Section **20A-7-215** is enacted to read:

20A-7-215. Electronic initiative process -- Form of initiative petition -- Circulation requirements -- Signature collection.

(1) This section applies only to the electronic initiative process.

(2) (a) The first screen presented on the approved device shall include the following statement:

"This INITIATIVE PETITION is addressed to the Honorable _____, Lieutenant Governor:

The citizens of Utah who sign this petition respectfully demand that the following proposed law be submitted to the legal voters/Legislature of Utah for their/its approval or rejection at the regular general election/session to be held/ beginning on _____ (month\day\year)."

(b) An individual may not advance to the second screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."

(3) (a) The second screen presented on the approved device shall include the following statement:

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

(b) An individual may not advance to the third screen until the individual clicks a link at the bottom of the second screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."

(4) (a) The third screen presented on the approved device shall include the title of proposed law, described in Subsection [20A-7-202\(2\)\(d\)\(i\)](#), followed by the entire text of the proposed law.

(b) An individual may not advance to the fourth screen until the individual clicks a link at the bottom of the third screen stating, "By clicking here, I attest that I have read and

1018 understand the entire text of the proposed law."

1019 (5) Subsequent screens shall be presented on the device in the following order, with the
1020 individual viewing the device being required, before advancing to the next screen, to click a
1021 link at the bottom of the screen with the following statement: "By clicking here, I attest that I
1022 have read and understand the information presented on this screen.";

1023 (a) a description of all proposed sources of funding for the costs associated with the
1024 proposed law, including the proposed percentage of total funding from each source;

1025 (b) (i) if the initiative petition proposes a tax increase, the following statement, "This
1026 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax
1027 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
1028 increase in the current tax rate."; or

1029 (ii) if the initiative petition does not propose a tax increase, the following statement,
1030 "This initiative petition does not propose a tax increase.";

1031 (c) the initial fiscal impact estimate's summary statement issued by the Office of the
1032 Legislative Fiscal Analyst in accordance with Subsection [20A-7-202.5\(2\)\(a\)](#), including any
1033 update in accordance with Subsection [20A-7-204.1\(5\)](#);

1034 (d) a statement indicating whether persons gathering signatures for the petition may be
1035 paid for gathering signatures; and

1036 (e) the following statement, followed by links where the individual may click "yes" or
1037 "no":

1038 "I have personally reviewed the entirety of each statement presented on this device;

1039 I am personally signing this petition;

1040 I am registered to vote in Utah; and

1041 All information I enter on this device, including my residence and post office address, is
1042 accurate.

1043 It is a class A misdemeanor for an individual to sign an initiative petition with a name
1044 other than the individual's own name, or to knowingly sign the individual's name more than
1045 once for the same measure, or to sign an initiative petition when the individual knows that the
1046 individual is not a registered voter.

1047 WARNING

1048 Even if your voter registration record is classified as private, your name, voter

1049 identification number, and date of signature in relation to signing this petition will be made
1050 public.

1051 Do you wish to continue and sign this petition?"

1052 (6) (a) If the individual clicks "no" in response to the question described in Subsection
1053 (5)(e), the next screen shall include the following statement, "Thank you for your time. Please
1054 return this device to the signature-gatherer."

1055 (b) If the individual clicks "yes" in response to the question described in Subsection
1056 (5)(e), the website, or the application that accesses the website, shall take the signature-gatherer
1057 and the individual signing the petition through the signature process described in Section
1058 20A-21-201.

1059 Section 16. Section **20A-7-216** is enacted to read:

1060 **20A-7-216. Electronic initiative process -- Obtaining signatures -- Request to**
1061 **remove signature.**

1062 (1) This section applies to the electronic initiative process.

1063 (2) A Utah voter may sign an initiative if the voter is a legal voter.

1064 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from
1065 an individual:

1066 (a) verifies that the individual is at least 18 years old and meets the residency
1067 requirements of Section 20A-2-105; and

1068 (b) is informed that each signer is required to read and understand the law proposed by
1069 the initiative.

1070 (4) A voter who has signed an initiative petition may have the voter's signature
1071 removed from the petition by submitting to the county clerk a statement requesting that the
1072 voter's signature be removed before 5 p.m. no later than the earlier of:

1073 (a) for an electronic signature gathered before December 1:

1074 (i) 30 days after the day on which the voter signs the signature removal statement; or

1075 (ii) 90 days after the day on which the county clerk posts the voter's name under
1076 Subsection 20A-7-217(4); or

1077 (b) for an electronic signature gathered on or after December 1:

1078 (i) 30 days after the day on which the voter signs the signature removal statement; or

1079 (ii) 45 days after the day on which the county clerk posts the voter's name under

Subsection [20A-7-217\(4\)](#).

(5) (a) The statement shall include:

(i) the name of the voter;

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

(iii) the signature of the voter; and

(iv) the date of the signature described in Subsection (5)(a)(iii).

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

(c) A voter may not submit a signature removal statement by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section [20A-21-201](#).

(d) A person may only remove an electronic signature from an initiative petition in accordance with this section.

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

Section 17. Section **20A-7-217** is enacted to read:

20A-7-217. Electronic initiative process -- Collecting signatures -- Email notification -- Removal of signatures.

(1) This section applies only to the electronic initiative process.

(2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:

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

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

(3) The lieutenant governor shall send to each individual who provides a valid email address during the signature-gathering process an email that includes the following:

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

(b) 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]."

(4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs a petition is certified under Section 20A-21-201, post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor.

(5) (a) If the county clerk timely receives a statement requesting signature removal under Subsection 20A-7-216(4), the county clerk shall:

(i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (4); and

(ii) remove the voter's signature from the petition and the petition signature totals.

(b) The county clerk shall comply with Subsection (5)(a) before the later of:

(i) the deadline described in Subsection (4); or

(ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection 20A-7-216(4).

Section 18. Section 20A-7-303 is amended to read:

20A-7-303. Manual referendum process -- Form of referendum petition and signature sheets.

(1) This section applies only to the manual referendum process.

[(+)] (2) (a) Each proposed referendum petition shall be printed in substantially the following form:

"REFERENDUM PETITION To the Honorable ____, Lieutenant Governor:

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

Each signer says:

I have personally signed this petition;

1142 The date next to my signature correctly reflects the date that I actually signed the
1143 petition;

1144 I have personally reviewed the entire statement included with this packet;

1145 I am registered to vote in Utah ~~[or intend to become registered to vote in Utah before~~
1146 ~~the certification of the petition names by the county clerk]~~; and

1147 My residence and post office address are written correctly after my name."

1148 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the
1149 law that is the subject of the referendum to each referendum petition.

1150 ~~[(2)]~~ (3) Each signature sheet shall:

1151 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1152 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
1153 that line blank for the purpose of binding;

1154 (c) include the title of the referendum printed below the horizontal line, in at least
1155 14-point, bold type;

1156 (d) include a table immediately below the title of the referendum, and beginning .5 inch
1157 from the left side of the paper, as follows:

1158 (i) the first column shall be .5 inch wide and include three rows;

1159 (ii) the first row of the first column shall be .85 inch tall and contain the words "For
1160 Office Use Only" in 10-point type;

1161 (iii) the second row of the first column shall be .35 inch tall;

1162 (iv) the third row of the first column shall be .5 inch tall;

1163 (v) the second column shall be 2.75 inches wide;

1164 (vi) the first row of the second column shall be .35 inch tall and contain the words
1165 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

1166 (vii) the second row of the second column shall be .5 inch tall;

1167 (viii) the third row of the second column shall be .35 inch tall and contain the words
1168 "Street Address, City, Zip Code" in 10-point type;

1169 (ix) the fourth row of the second column shall be .5 inch tall;

1170 (x) the third column shall be 2.75 inches wide;

1171 (xi) the first row of the third column shall be .35 inch tall and contain the words

1172 "Signature of Registered Voter" in 10-point type;

1173 (xii) the second row of the third column shall be .5 inch tall;
1174 (xiii) the third row of the third column shall be .35 inch tall and contain the words
1175 "Email Address (optional, to receive additional information)" in 10-point type;
1176 (xiv) the fourth row of the third column shall be .5 inch tall;
1177 (xv) the fourth column shall be one inch wide;
1178 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
1179 "Date Signed" in 10-point type;
1180 (xvii) the second row of the fourth column shall be .5 inch tall;
1181 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
1182 "Birth Date or Age (optional)" in 10-point type;
1183 (xix) the fourth row of the third column shall be .5 inch tall; and
1184 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
1185 and contain the following words "By signing this petition, you are stating that you have read
1186 and understand the law that this petition seeks to overturn." in 12-point type;
1187 (e) the table described in Subsection ~~[(2)]~~ (3)(d) shall be repeated, leaving sufficient
1188 room at the bottom of the sheet for the information described in Subsection ~~[(2)]~~ (3)(f); and
1189 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,
1190 followed by the following statement in not less than eight-point type:
1191 "It is a class A misdemeanor for an individual to sign a referendum petition with a name
1192 other than the individual's own name, or to knowingly sign the individual's name more than
1193 once for the same measure, or to sign a referendum petition when the individual knows that the
1194 individual is not a registered voter ~~[and knows that the individual does not intend to become~~
1195 ~~registered to vote before the certification of the petition names by the county clerk].~~
1196 Birth date or age information is not required, but it may be used to verify your identity
1197 with voter registration records. If you choose not to provide it, your signature may not be
1198 verified as a valid signature if you change your address before petition signatures are verified
1199 or if the information you provide does not match your voter registration records."
1200 ~~[(3)]~~ (4) The final page of each referendum packet shall contain the following printed
1201 or typed statement:
1202 Verification of signature collector
1203 State of Utah, County of ____

1204 I, _____, of _____, hereby state, under penalty of perjury, that:

1205 I am a Utah resident and am at least 18 years old;

1206 All the names that appear in this packet were signed by individuals who professed to be
1207 the individuals whose names appear in it, and each of the individuals signed the individual's
1208 name on it in my presence;

1209 I did not knowingly make a misrepresentation of fact concerning the law this petition
1210 seeks to overturn;

1211 I believe that each individual has printed and signed the individual's name and written
1212 the individual's post office address and residence correctly, that each signer has read and
1213 understands the law that the referendum seeks to overturn, and that each signer is registered to
1214 vote in Utah [~~or intends to become registered to vote before the certification of the petition~~
1215 ~~names by the county clerk~~].

1216 Each individual who signed the packet wrote the correct date of signature next to the
1217 individual's name.

1218 I have not paid or given anything of value to any individual who signed this petition to
1219 encourage that individual to sign it.

1220

1221 (Name) (Residence Address) (Date).

1222 ~~[(4)]~~ (5) If the forms described in this section are substantially followed, the
1223 referendum petitions are sufficient, notwithstanding clerical and merely technical errors.

1224 ~~[(5)]~~ (6) An individual's status as a resident, under Subsection ~~[(3)]~~ (4), is determined
1225 in accordance with Section 20A-2-105.

1226 Section 19. Section 20A-7-304 is amended to read:

1227 **20A-7-304. Manual referendum process -- Circulation requirements --**

1228 **Lieutenant governor to provide sponsors with materials.**

1229 (1) This section applies only to the manual referendum process.

1230 ~~[(1)]~~ (2) In order to obtain the necessary number of signatures required by this part, the
1231 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described
1232 in Subsection ~~[(2)]~~ (3), circulate referendum packets that meet the form requirements of this
1233 part.

1234 ~~[(2)]~~ (3) The lieutenant governor shall furnish to the sponsors:

1235 (a) a copy of the referendum petition; and
1236 (b) a signature sheet.

1237 ~~[(3)]~~ (4) The sponsors of the petition shall:

1238 (a) arrange and pay for the printing of all additional copies of the petition and signature
1239 sheets; and

1240 (b) ensure that the copies of the petition and signature sheets meet the form
1241 requirements of this section.

1242 ~~[(4)]~~ (5) (a) The sponsors or an agent of the sponsors may prepare the referendum for
1243 circulation by creating multiple referendum packets.

1244 (b) The sponsors or an agent of the sponsors shall create referendum packets by
1245 binding a copy of the referendum and no more than 50 signature sheets together at the top in a
1246 manner that the packets may be conveniently opened for signing.

1247 (c) A referendum packet is not required to have a uniform number of signature sheets.

1248 ~~[(5)]~~ (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1249 (i) contact the lieutenant governor's office to receive a range of numbers that the
1250 sponsors may use to number signature packets; and

1251 (ii) number each signature packet, sequentially, within the range of numbers provided
1252 by the lieutenant governor's office, starting with the lowest number in the range.

1253 (b) The sponsors or an agent of the sponsors may not:

1254 (i) number a signature packet in a manner not directed by the lieutenant governor's
1255 office; or

1256 (ii) circulate or submit a signature packet that is not numbered in the manner directed
1257 by the lieutenant governor's office.

1258 (c) The lieutenant governor shall keep a record of the number range provided under
1259 Subsection ~~[(5)]~~ (6)(a).

1260 Section 20. Section **20A-7-304.5** is amended to read:

1261 **20A-7-304.5. Posting referendum information.**

1262 (1) On the day on which the lieutenant governor complies with Subsection
1263 ~~[20A-7-304(2)]~~ 20A-7-304(3), or provides the sponsors with access to the website defined in
1264 Section 20A-21-101, the lieutenant governor shall post the following information together in a
1265 conspicuous place on the lieutenant governor's website:

1266 (a) the referendum petition;
 1267 (b) the referendum; and
 1268 (c) information describing how an individual may remove the individual's signature
 1269 from the ~~[signature packet]~~ petition.
 1270 (2) The lieutenant governor shall:
 1271 (a) promptly update the information described in Subsection (1) if the information
 1272 changes; and
 1273 (b) maintain the information described in Subsection (1) on the lieutenant governor's
 1274 website until the referendum fails to qualify for the ballot or is passed or defeated at an
 1275 election.
 1276 Section 21. Section **20A-7-305** is amended to read:
 1277 **20A-7-305. Manual referendum process -- Obtaining signatures -- Verification --**
 1278 **Removal of signature.**
 1279 (1) This section applies only to the manual referendum process.
 1280 ~~[(+)]~~ (2) A Utah voter may sign a referendum petition if the voter is a legal voter.
 1281 ~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each
 1282 signature sheet was signed:
 1283 (i) is at least 18 years old and meets the residency requirements of Section **20A-2-105**;
 1284 (ii) verifies each signature sheet by completing the verification printed on the last page
 1285 of each referendum packet; and
 1286 (iii) is informed that each signer is required to read and understand the law that the
 1287 referendum seeks to overturn.
 1288 (b) An individual may not sign the verification printed on the last page of the
 1289 referendum packet if the person signed a signature sheet in the referendum packet.
 1290 ~~[(3)]~~ (4) (a) A voter who has signed a referendum petition may have the voter's
 1291 signature removed from the petition by submitting to the county clerk a statement requesting
 1292 that the voter's signature be removed before 5 p.m. no later than the earlier of:
 1293 (i) 30 days after the day on which the voter signs the statement requesting removal; or
 1294 (ii) 45 days after the day on which the lieutenant governor posts the voter's name under
 1295 Subsection **20A-7-307(2)**~~[(a)]~~.
 1296 (b) (i) The statement shall include:

- 1297 (A) the name of the voter;
- 1298 (B) the resident address at which the voter is registered to vote;
- 1299 (C) the signature of the voter; and
- 1300 (D) the date of the signature described in Subsection [~~(3)~~] (4)(b)(i)(C).
- 1301 (ii) To increase the likelihood of the voter's signature being identified and removed, the
- 1302 statement may include the voter's birth date or age.
- 1303 (c) A voter may not submit a statement by email or other electronic means.
- 1304 (d) In order for the signature to be removed, the county clerk must receive the
- 1305 statement before 5 p.m. no later than 45 days after the day on which the lieutenant governor
- 1306 posts the voter's name under Subsection 20A-7-307(2)[~~(a)~~].
- 1307 (e) A person may only remove a signature from a referendum petition in accordance
- 1308 with this Subsection [~~(3)~~] (4).
- 1309 (f) A county clerk shall analyze a signature, for purposes of removing a signature from
- 1310 a referendum petition, in accordance with Section [~~20A-7-206.3~~] 20A-7-306.3.
- 1311 Section 22. Section 20A-7-306 is amended to read:
- 1312 **20A-7-306. Manual referendum process -- Submitting the referendum petition --**
- 1313 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**
- 1314 (1) This section applies only to the manual referendum process.
- 1315 [~~(1)~~] (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and
- 1316 verified referendum packet to the county clerk of the county in which the packet was circulated
- 1317 before 5 p.m. no later than the earlier of:
- 1318 (i) 30 days after the day on which the first individual signs the referendum packet; or
- 1319 (ii) 40 days after the day on which the legislative session at which the law passed ends.
- 1320 (b) A person may not submit a referendum packet after the deadline described in
- 1321 Subsection [~~(1)~~] (2)(a).
- 1322 [~~(2)~~] (3) No later than 21 days after the day on which the county clerk receives a
- 1323 verified referendum packet, the county clerk shall:
- 1324 (a) determine whether each signer is a registered voter according to the requirements of
- 1325 Section 20A-7-306.3;
- 1326 (b) certify on the petition whether each name is that of a registered voter;
- 1327 (c) except as provided in Subsection [~~(3)~~] (4), post the name [~~and~~], voter identification

number, and date of signature of each registered voter certified under Subsection ~~[(2)]~~ (3)(b) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor; and

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

~~[(3)]~~ (4) (a) If the county clerk timely receives a statement requesting signature removal under Subsection 20A-7-305~~[(3)]~~(4), the county clerk shall:

(i) ensure that the voter's name ~~[and]~~, voter identification number, and date of signature are not included in the posting described in Subsection ~~[(2)]~~ (3)(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)]~~ (4)(a) before the later of:

(i) the deadline described in Subsection ~~[(2)]~~ (3); 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).

~~[(4)]~~ (5) The county clerk may not certify a signature under Subsection ~~[(2)]~~ (3):

(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)]~~ (6) 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 23. Section 20A-7-306.3 is amended to read:

20A-7-306.3. Verification of petition signatures.

(1) As used in this section:

(a) "Substantially similar name" means:

(i) the given name and surname shown on the petition, or both, contain only minor spelling differences when compared to the given name and surname shown on the official register;

(ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;

(iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is

accompanied by a first or middle initial or a middle name which is not shown on the other record; or

(iv) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.

(b) "Substantially similar name" does not include a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.

(2) ~~[The]~~ In relation to an individual who signs a referendum petition with a holographic signature, the county clerk shall use the following procedures in determining whether a signer is a registered voter:

(a) When a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the signature valid.

(b) When there is no exact match of an address and a name, the county clerk shall declare the signature valid if:

(i) the address on the petition matches the address of a person on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the person described in Subsection (2)(b)(i).

(c) When there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if:

(i) the birth date or age on the petition matches the birth date or age of a person on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the person described in Subsection (2)(c)(i).

(d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county clerk shall declare the signature to be invalid.

(3) ~~[The]~~ In relation to an individual who, with a holographic signature, signs a

statement to remove the individual's signature from a referendum petition, the county clerk shall use the following procedures in determining whether to remove a signature from a petition after receiving a timely, valid statement requesting removal of the signature:

(a) if a signer's name and address shown on the statement and the petition exactly match a name and address shown on the official register and the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database, the county clerk shall remove the signature from the petition;

(b) if there is no exact match of an address and a name, the county clerk shall remove the signature from the petition if:

(i) the address on the statement and the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(b)(i);

(c) if there is no match of an address and a substantially similar name, the county clerk shall remove the signature from the petition if:

(i) the birth date or age on the statement and petition match the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(c)(i); and

(d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the county clerk may not remove the signature from the petition.

Section 24. Section **20A-7-307** is amended to read:

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

(1) ~~When~~ In relation to the manual referendum process, 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:

(a) in relation to the manual referendum process:

(i) post the names ~~and~~, voter identification numbers, and dates of signatures

described in Subsection 20A-7-306(3)(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~~[-]; or~~

(b) in relation to the electronic referendum process:

(i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-315(4) 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)]~~ (3) The lieutenant governor:

~~[(i)]~~ (a) shall, except as provided in Subsection ~~[(2)(b)(i)]~~ (3)(b), declare the petition to be sufficient or insufficient 106 days after the end of the legislative session at which the law passed; or

~~[(i)]~~ (b) may declare the petition to be insufficient before the day described in Subsection ~~[(2)(b)(i)]~~ (3)(a) if:

~~[(A)]~~ (i) in relation to the manual referendum process, 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]~~

(ii) in relation to the electronic referendum process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b) that have not yet been evaluated for certification, is less than the number of names required under Section 20A-7-301; or

~~[(B)]~~ (iii) a requirement of this part has not been met.

~~[(c)]~~ (4) (a) If the total number of names certified under ~~[this]~~ Subsection ~~[(2)]~~ (3) 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."

1452 ~~[(d)]~~ (b) If the total number of names certified under ~~[this]~~ Subsection ~~[(2)]~~ (3) does
1453 not equal or exceed the number of names required under Section 20A-7-301 or a requirement
1454 of this part is not met, the lieutenant governor shall mark upon the front of the petition the
1455 word "insufficient."

1456 ~~[(e)]~~ (c) The lieutenant governor shall immediately notify any one of the sponsors of
1457 the lieutenant governor's finding.

1458 ~~[(f)]~~ (d) After a petition is declared insufficient, a person may not submit additional
1459 signatures to qualify the petition for the ballot.

1460 ~~[(3)]~~ (5) (a) If the lieutenant governor refuses to accept and file a referendum that a
1461 voter believes is legally sufficient, the voter may, no later than 10 days after the day on which
1462 the lieutenant governor declares the petition insufficient, apply to the appropriate court for an
1463 extraordinary writ to compel the lieutenant governor to accept and file the referendum petition.

1464 (b) If the court determines that the referendum petition is legally sufficient, the
1465 lieutenant governor shall file the petition, with a verified copy of the judgment attached to the
1466 referendum petition, as of the date on which the petition was originally offered for filing in the
1467 lieutenant governor's office.

1468 (c) If the court determines that a petition filed is not legally sufficient, the court may
1469 enjoin the lieutenant governor and all other officers from certifying or printing the ballot title
1470 and numbers of that measure on the official ballot.

1471 ~~[(4)]~~ (6) A petition determined to be sufficient in accordance with this section is
1472 qualified for the ballot.

1473 Section 25. Section 20A-7-312 is amended to read:

1474 **20A-7-312. Misconduct of electors and officers -- Penalty.**

1475 (1) It is unlawful for any person to:

1476 (a) sign any name other than the person's own to a referendum petition;

1477 (b) knowingly sign the person's name more than once for the same measure at one
1478 election;

1479 (c) knowingly indicate ~~[on a referendum packet]~~ that a person who signed ~~[the packet]~~
1480 ~~signed the packet~~ a referendum petition signed the petition on a date other than the date that
1481 the person signed the ~~[packet]~~ petition;

1482 (d) sign a referendum knowing the person is not a legal voter; or

1483 (e) knowingly and willfully violate any provision of this part.

1484 (2) It is unlawful for any person to sign the verification for a referendum packet, or to

1485 electronically sign the verification for a signature under Subsection 20A-21-201(9) knowing

1486 that:

1487 (a) the person does not meet the residency requirements of Section 20A-2-105;

1488 (b) the signature date ~~[next to]~~ associated with the person's ~~[name on the referendum~~

1489 ~~packet]~~ signature for the referendum is not the date that the person signed the ~~[packet]~~ petition;

1490 (c) the person has not witnessed the signatures of those persons whose ~~[names appear~~

1491 ~~in the referendum packet]~~ signatures the person collects or submits; or

1492 (d) one or more ~~[persons whose signatures appear in the referendum packet is either:~~

1493 ~~(i)]~~ individuals who sign the referendum are not registered to vote in Utah[; or].

1494 ~~[(ii) does not intend to become registered to vote in Utah.]~~

1495 (3) It is unlawful for any person to:

1496 (a) pay a person to sign a referendum petition;

1497 (b) pay a person to remove the person's signature from a referendum petition;

1498 (c) accept payment to sign a referendum petition; or

1499 (d) accept payment to have the person's name removed from a referendum petition.

1500 (4) Any person violating this section is guilty of a class A misdemeanor.

1501 Section 26. Section 20A-7-313 is enacted to read:

1502 **20A-7-313. Electronic referendum process -- Form of referendum petition --**

1503 **Circulation requirements -- Signature collection.**

1504 (1) This section applies only to the electronic referendum process.

1505 (2) (a) The first screen presented on the approved device shall include the following

1506 statement:

1507 "This REFERENDUM PETITION is addressed to the Honorable _____, Lieutenant

1508 Governor:

1509 The citizens of Utah who sign this petition respectfully order that Senate (or House)

1510 Bill No. _____, entitled (title of act, and, if the petition is against less than the whole act, set

1511 forth here the part or parts on which the referendum is sought), passed by the Legislature of the

1512 state of Utah during the _____ Session, be referred to the people of Utah for their approval or

1513 rejection at a regular general election or a statewide special election."

1514 (b) An individual may not advance to the second screen until the individual clicks a
1515 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and
1516 understand the information presented on this screen."

1517 (3) (a) The second screen presented on the approved device shall include the entire text
1518 of the law that is the subject of the referendum petition.

1519 (b) An individual may not advance to the third screen until the individual clicks a link
1520 at the bottom of the second screen stating, "By clicking here, I attest that I have read and
1521 understand the entire text of the law that is the subject of the referendum petition."

1522 (4) (a) The third screen presented on the approved device shall include a statement
1523 indicating whether persons gathering signatures for the petition may be paid for gathering
1524 signatures.

1525 (b) An individual may not advance to the fourth screen until the individual clicks a link
1526 at the bottom of the first screen stating, "By clicking here, I attest that I have read and
1527 understand the information presented on this screen."

1528 (5) The fourth screen presented on the approved device shall include the following
1529 statement, followed by links where the individual may click "yes" or "no":

1530 "I have personally reviewed the entirety of each statement presented on this device;

1531 I am personally signing this petition;

1532 I am registered to vote in Utah; and

1533 All information I enter on this device, including my residence and post office address, is
1534 accurate.

1535 It is a class A misdemeanor for an individual to sign a referendum petition with a name
1536 other than the individual's own name, or to knowingly sign the individual's name more than
1537 once for the same measure, or to sign a referendum petition when the individual knows that the
1538 individual is not a registered voter.

1539 WARNING

1540 Even if your voter registration record is classified as private, your name, voter
1541 identification number, and date of signature in relation to signing this petition will be made
1542 public.

1543 Do you wish to continue and sign this petition?"

1544 (6) (a) If the individual clicks "no" in response to the question described in Subsection

(5), the next screen shall include the following statement, "Thank you for your time. Please return this device to the signature-gatherer."

(b) If the individual clicks "yes" in response to the question described in Subsection (5), the website, or the application that accesses the website, shall take the signature-gatherer and the individual signing the petition through the signature process described in Section 20A-21-201.

Section 27. Section 20A-7-314 is enacted to read:

20A-7-314. Electronic referendum process -- Obtaining signatures -- Request to remove signature.

(1) This section applies to the electronic referendum process.

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

(3) The sponsors shall ensure that the signature-gatherer who collects a signature from an individual:

(a) verifies that the individual is at least 18 years old and meets the residency requirements of Section 20A-2-105; and

(b) is informed that each signer is required to read and understand the law that is the subject of the referendum petition.

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

(a) 30 days after the day on which the voter signs the statement requesting removal; or

(b) 45 days after the day on which the lieutenant governor posts the voter's name under Subsection 20A-7-315(4).

(5) (a) The statement shall include:

(i) the name of the voter;

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

(iii) the signature of the voter; and

(iv) the date of the signature described in Subsection (5)(a)(iii).

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

(c) A voter may not submit a signature removal statement by email or other electronic

means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section [20A-21-201](#).

(d) A person may only remove an electronic signature from a referendum petition in accordance with this section.

(e) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from a referendum petition, in accordance with Section [20A-7-306.3](#).

Section 28. Section **20A-7-315** is enacted to read:

20A-7-315. Electronic referendum process -- Collecting signatures ---- Removal of signatures.

(1) This section applies only to the electronic referendum process.

(2) A signature-gatherer may not collect a signature after 5 p.m., 40 days after the day on which the legislative session at which the law passed ends.

(3) The lieutenant governor shall send to each individual who provides a valid email address during the signature-gathering process an email that includes the following:

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

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

"You signed a petition for the following referendum:

[insert title of initiative]

To access a copy of the referendum petition, the referendum, 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]."

(4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs a petition is certified under Section [20A-21-201](#), post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor.

(5) (a) If the county clerk timely receives a statement requesting signature removal under Subsection [20A-7-314](#)(4), the county clerk shall:

(i) ensure that the voter's name, voter identification number, and date of signature are

1607 not included in the posting described in Subsection (4); and

1608 (ii) remove the voter's signature from the petition and the petition signature totals.

1609 (b) The county clerk shall comply with Subsection (5)(a) before the later of:

1610 (i) the deadline described in Subsection (4); or

1611 (ii) two business days after the day on which the county clerk receives a statement
1612 requesting signature removal under Subsection 20A-7-314(4).

1613 Section 29. Section **20A-7-502.6** is amended to read:

1614 **20A-7-502.6. Posting initiative information.**

1615 (1) Within one business day after the day on which the local clerk's office receives the
1616 initial fiscal impact estimate under Subsection 20A-7-502.5(4)(a), the local clerk shall post the
1617 following information together in a conspicuous place on the local clerk's website:

1618 (a) the initiative petition;

1619 (b) the initiative;

1620 (c) the fiscal impact estimate; and

1621 (d) information describing how an individual may remove the individual's signature
1622 from the signature [~~packet~~] petition.

1623 (2) The local clerk shall:

1624 (a) promptly update the information described in Subsection (1) if the information
1625 changes; and

1626 (b) maintain the information described in Subsection (1) on the local clerk's website
1627 until the initiative fails to qualify for the ballot or is passed or defeated at an election.

1628 Section 30. Section **20A-7-502.7** is amended to read:

1629 **20A-7-502.7. Referability to voters.**

1630 (1) Within 20 days after the day on which an eligible voter files an application to
1631 circulate an initiative petition under Section 20A-7-502, counsel for the county, city, town, or
1632 metro township to which the initiative pertains shall:

1633 (a) review the proposed law in the initiative application to determine whether the law is
1634 legally referable to voters; and

1635 (b) notify the first three sponsors, in writing, whether the proposed law is:

1636 (i) legally referable to voters; or

1637 (ii) rejected as not legally referable to voters.

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

- (a) the proposed law is patently unconstitutional;
- (b) the proposed law is nonsensical;
- (c) the proposed law is administrative, rather than legislative, in nature;
- (d) the proposed law could not become law if passed;
- (e) the proposed law contains more than one subject as evaluated in accordance with Subsection [20A-7-502\(3\)](#);
- (f) the subject of the proposed law is not clearly expressed in the law's title;
- (g) the proposed law is identical or substantially similar to a legally referable proposed law sought by an initiative application submitted to the local clerk, under Section [20A-7-502](#), within two years before the day on which the application for the current proposed initiative is filed; or
- (h) the application for the proposed law was not timely filed or does not comply with the requirements of this part.

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

- (a) reject a proposed initiative as not legally referable to voters; or
- (b) bring a legal action, other than to appeal a court decision, challenging a proposed initiative on the grounds that the proposed initiative is not legally referable to voters.

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

- (a) district court; or
- (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

(5) If, on appeal, the court determines that the law proposed in the initiative petition is legally referable to voters, the local clerk shall comply with Subsection [[20A-7-504\(2\)](#)] [20A-7-504\(3\)](#), or give the sponsors access to the website defined in Section [20A-21-101](#), within five days after the day on which the determination, and any appeal of the determination, is final.

Section 31. Section **20A-7-503** is amended to read:

20A-7-503. Manual initiative process -- Form of initiative petitions and signature

1669 sheets.

1670 (1) This section applies only to the manual initiative process.

1671 ~~[(1)]~~ (2) (a) Each proposed initiative petition shall be printed in substantially the
1672 following form:

1673 "INITIATIVE PETITION To the Honorable ____, County Clerk/City Recorder/Town
1674 Clerk:

1675 We, the undersigned citizens of Utah, respectfully demand that the following proposed
1676 law be submitted to: the legislative body for its approval or rejection at its next meeting; and
1677 the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes
1678 no action on it.

1679 Each signer says:

1680 I have personally signed this petition;

1681 The date next to my signature correctly reflects the date that I actually signed the
1682 petition;

1683 I have personally reviewed the entire statement included with this packet;

1684 I am registered to vote in Utah ~~[or intend to become registered to vote in Utah before~~
1685 ~~the certification of the petition names by the county clerk]~~; and

1686 My residence and post office address are written correctly after my name."

1687 (b) If the initiative petition proposes a tax increase, the following statement shall
1688 appear, in at least 14-point, bold type, immediately following the information described in
1689 Subsection ~~[(1)]~~ (2)(a):

1690 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert
1691 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)
1692 percent increase in the current tax rate."

1693 (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the
1694 proposed law to each initiative petition.

1695 ~~[(2)]~~ (3) Each signature sheet shall:

1696 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1697 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
1698 that line blank for the purpose of binding;

1699 (c) include the title of the initiative printed below the horizontal line, in at least

1700 14-point, bold type;

1701 (d) include a table immediately below the title of the initiative, and beginning .5 inch

1702 from the left side of the paper, as follows:

1703 (i) the first column shall be .5 inch wide and include three rows;

1704 (ii) the first row of the first column shall be .85 inch tall and contain the words "For

1705 Office Use Only" in 10-point type;

1706 (iii) the second row of the first column shall be .35 inch tall;

1707 (iv) the third row of the first column shall be .5 inch tall;

1708 (v) the second column shall be 2.75 inches wide;

1709 (vi) the first row of the second column shall be .35 inch tall and contain the words

1710 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

1711 (vii) the second row of the second column shall be .5 inch tall;

1712 (viii) the third row of the second column shall be .35 inch tall and contain the words

1713 "Street Address, City, Zip Code" in 10-point type;

1714 (ix) the fourth row of the second column shall be .5 inch tall;

1715 (x) the third column shall be 2.75 inches wide;

1716 (xi) the first row of the third column shall be .35 inch tall and contain the words

1717 "Signature of Registered Voter" in 10-point type;

1718 (xii) the second row of the third column shall be .5 inch tall;

1719 (xiii) the third row of the third column shall be .35 inch tall and contain the words

1720 "Email Address (optional, to receive additional information)" in 10-point type;

1721 (xiv) the fourth row of the third column shall be .5 inch tall;

1722 (xv) the fourth column shall be one inch wide;

1723 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words

1724 "Date Signed" in 10-point type;

1725 (xvii) the second row of the fourth column shall be .5 inch tall;

1726 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words

1727 "Birth Date or Age (optional)" in 10-point type;

1728 (xix) the fourth row of the third column shall be .5 inch tall; and

1729 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,

1730 and contain the following words "By signing this petition, you are stating that you have read

and understand the law proposed by this petition." in 12-point type;

(e) the table described in Subsection ~~[(2)]~~ (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection ~~[(2)]~~ (3)(f); and

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

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

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

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

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

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

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

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

~~[(3)]~~ (4) The final page of each initiative packet shall contain the following printed or typed statement:

"Verification of signature collector

State of Utah, County of _____

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

1762 I am a resident of Utah and am at least 18 years old;

1763 All the names that appear in this packet were signed by individuals who professed to be
1764 the individuals whose names appear in it, and each of the individuals signed the individual's
1765 name on it in my presence;

1766 I did not knowingly make a misrepresentation of fact concerning the law proposed by
1767 the initiative;

1768 I believe that each individual has printed and signed the individual's name and written
1769 the individual's post office address and residence correctly, that each signer has read and
1770 understands the law proposed by the initiative, and that each signer is registered to vote in Utah
1771 [or intends to become registered to vote before the certification of the petition names by the
1772 county clerk].

1773 _____
1774 (Name) (Residence Address) (Date)

1775 Each individual who signed the packet wrote the correct date of signature next to the
1776 individual's name.

1777 I have not paid or given anything of value to any individual who signed this petition to
1778 encourage that individual to sign it.

1779 _____
1780 (Name) (Residence Address) (Date)".

1781 [(4)] (5) If the forms described in this section are substantially followed, the initiative
1782 petitions are sufficient, notwithstanding clerical and merely technical errors.

1783 [(5)] (6) An individual's status as a resident, under Subsection [(3)] (4), is determined
1784 in accordance with Section 20A-2-105.

1785 Section 32. Section 20A-7-504 is amended to read:

1786 **20A-7-504. Manual initiative process -- Circulation requirements -- Local clerk to**
1787 **provide sponsors with materials.**

1788 (1) This section applies only to the manual initiative process.

1789 [(1)] (2) In order to obtain the necessary number of signatures required by this part, the
1790 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described
1791 in Subsections [(2)] (3) and 20A-7-401.5(4)(b), circulate initiative packets that meet the form

1792 requirements of this part.

1793 ~~[(2)]~~ (3) Within five days after the day on which a county, city, town, metro township,
1794 or court determines, in accordance with Section 20A-7-502.7, that a law proposed in an
1795 initiative petition is legally referable to voters, the local clerk shall furnish to the sponsors:

1796 (a) a copy of the initiative petition; and

1797 (b) a signature sheet.

1798 ~~[(3)]~~ (4) The sponsors of the petition shall:

1799 (a) arrange and pay for the printing of all additional copies of the petition and signature
1800 sheets; and

1801 (b) ensure that the copies of the petition and signature sheets meet the form
1802 requirements of this section.

1803 ~~[(4)]~~ (5) (a) The sponsors or an agent of the sponsors may prepare the initiative for
1804 circulation by creating multiple initiative packets.

1805 (b) The sponsors or an agent of the sponsors shall create initiative packets by binding a
1806 copy of the initiative petition and no more than 50 signature sheets together at the top in a
1807 manner that the packets may be conveniently opened for signing.

1808 (c) An initiative packet is not required to have a uniform number of signature sheets.

1809 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of
1810 the proposition information pamphlet provided to the sponsors under Subsection
1811 20A-7-401.5(4)(b).

1812 ~~[(5)]~~ (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1813 (i) contact the county clerk to receive a range of numbers that the sponsors may use to
1814 number signature packets; and

1815 (ii) number each signature packet, sequentially, within the range of numbers provided
1816 by the county clerk, starting with the lowest number in the range.

1817 (b) The sponsors or an agent of the sponsors may not:

1818 (i) number a signature packet in a manner not directed by the county clerk; or

1819 (ii) circulate or submit a signature packet that is not numbered in the manner directed
1820 by the county clerk.

1821 (c) The county clerk shall keep a record of the number range provided under
1822 Subsection ~~[(5)]~~ (6)(a).

1823 Section 33. Section **20A-7-505** is amended to read:

1824 **20A-7-505. Manual initiative process -- Obtaining signatures -- Verification --**
1825 **Removal of signature.**

1826 (1) This section applies only to the manual initiative process.

1827 ~~[(1)]~~ (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and
1828 resides in the local jurisdiction.

1829 ~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each
1830 signature sheet was signed:

1831 (i) is at least 18 years old and meets the residency requirements of Section **20A-2-105**;

1832 (ii) verifies each signature sheet by completing the verification printed on the last page
1833 of each initiative packet; and

1834 (iii) is informed that each signer is required to read and understand the law proposed by
1835 the initiative.

1836 (b) An individual may not sign the verification printed on the last page of the initiative
1837 packet if the individual signed a signature sheet in the initiative packet.

1838 ~~[(3)]~~ (4) (a) A voter who has signed an initiative petition may have the voter's signature
1839 removed from the petition by submitting a statement requesting that the voter's signature be
1840 removed before 5 p.m. no later than the earlier of:

1841 (i) 30 days after the day on which the voter signs the signature removal statement;

1842 (ii) 90 days after the day on which the local clerk posts the voter's name under

1843 Subsection **20A-7-507(2)**~~[(a)]~~;

1844 (iii) 316 days after the day on which the application is filed; or

1845 (iv) (A) for a county initiative, April 15 immediately before the next regular general
1846 election immediately after the application is filed under Section **20A-7-502**; or

1847 (B) for a municipal initiative, April 15 immediately before the next municipal general
1848 election immediately after the application is filed under Section **20A-7-502**.

1849 (b) (i) The statement shall include:

1850 (A) the name of the voter;

1851 (B) the resident address at which the voter is registered to vote;

1852 (C) the signature of the voter; and

1853 (D) the date of the signature described in Subsection ~~[(3)]~~ (4)(b)(i)(C).

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

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

(d) In order for the signature to be removed, the county clerk must receive the statement before 5 p.m. no later than the applicable deadline described in Subsection ~~[(3)]~~ (4)(a).

(e) A person may only remove a signature from an initiative petition in accordance with this Subsection ~~[(3)]~~ (4)(a).

(f) A county clerk shall analyze a signature, for purposes of removing a signature from an initiative petition, in accordance with Section [20A-7-506.3](#).

Section 34. Section **20A-7-506** is amended to read:

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

(1) This section applies only to the manual initiative process.

~~[(1)]~~ (2) (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 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)]~~ (2)(a).

(c) Before delivering a packet to the county clerk under Subsection ~~[(1)]~~ (2), 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)]~~ (3)(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:

1885 "You signed a petition for the following initiative:

1886 [insert title of initiative]

1887 To access a copy of the initiative petition, the initiative, the fiscal impact statement, and
 1888 information on the deadline for removing your signature from the petition, please visit the
 1889 following link: [insert a uniform resource locator that takes the individual directly to the page
 1890 on the county clerk's website that includes the information referred to in the email]."

1891 (d) When the sponsors submit the final signature packet to the county clerk, the
 1892 sponsors shall submit to the county clerk the following written verification, completed and
 1893 signed by each of the sponsors:

1894 "Verification of initiative sponsor

1895 State of Utah, County of _____

1896 I, _____, of _____, hereby state, under penalty of perjury, that:

1897 I am a sponsor of the initiative petition entitled _____;

1898 I sent, or caused to be sent, to each individual who provided a legible, valid email
 1899 address on a signature packet submitted to the county clerk in relation to the initiative petition,
 1900 the email described in Utah Code Subsection [20A-7-506](#)~~[(1)(c)]~~[(2)(c)].

1901 _____
 1902 (Name) (Residence Address) (Date)".

1903 (e) Signatures gathered for the initiative petition are not valid if the sponsors do not
 1904 comply with this Subsection ~~[(1)]~~ (2).

1905 ~~[(2)]~~ (3) The county clerk shall, within 21 days after the day on which the county clerk
 1906 receives the packet:

1907 (a) determine whether each signer is a registered voter according to the requirements of
 1908 Section [20A-7-506.3](#);

1909 (b) certify on the petition whether each name is that of a registered voter;

1910 (c) except as provided in Subsection ~~[(3)]~~ (4), post the name ~~[and]~~, voter identification
 1911 number, and date of signature of each registered voter certified under Subsection ~~[(2)]~~ (3)(b) on
 1912 the lieutenant governor's website, in a conspicuous location designated by the lieutenant
 1913 governor; and

1914 (d) deliver the verified initiative packet to the local clerk.

1915 ~~[(3)]~~ (4) (a) If the county clerk timely receives a statement requesting signature

removal under Subsection [20A-7-505](#)~~(3)~~(4), the county clerk shall:

(i) ensure that the voter's name ~~[and]~~, voter identification number, and date of signature are not included in the posting described in Subsection ~~(2)~~ (3)(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)~~ (4)(a) before the later of:

(i) the deadline described in Subsection ~~(2)~~ (3); 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)~~ [20A-7-505](#)(4).

(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)~~ (3)(c) during the period of time described in Subsection ~~[20A-7-507](#)(2)(a)(i)~~ [20A-7-507](#)(3)(a).

~~(4)~~ (5) The county clerk may not certify a signature under Subsection ~~(2)~~ (3) on an initiative packet that is not verified in accordance with Section [20A-7-505](#).

~~(5)~~ (6) 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 35. Section **20A-7-506.3** is amended to read:

20A-7-506.3. Verification of petition signatures.

(1) As used in this section:

(a) "Substantially similar name" means:

(i) the given name and surname shown on the petition, or both, contain only minor spelling differences when compared to the given name and surname shown on the official register;

(ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;

(iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is accompanied by a first or middle initial or a middle name which is not shown on the other record; or

(iv) the surname shown on the petition exactly matches the surname shown on the

official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.

(b) "Substantially similar name" does not mean a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.

(2) ~~[The]~~ In relation to an individual who signs an initiative petition with a holographic signature, the county clerk shall use the following procedures in determining whether a signer is a registered voter:

(a) When a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the signature valid.

(b) When there is no exact match of an address and a name, the county clerk shall declare the signature valid if:

(i) the address on the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(b)(i).

(c) When there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if:

(i) the birth date or age on the petition matches the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (2)(c)(i).

(d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the county clerk shall declare the signature to be invalid.

(3) ~~[The]~~ In relation to an individual who, with a holographic signature, signs a statement to remove the individual's signature from an initiative petition, the county clerk shall use the following procedures in determining whether to remove a signature from a petition after receiving a timely, valid statement requesting removal of the signature:

(a) if a signer's name and address shown on the statement and the petition exactly match a name and address shown on the official register and the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database, the county clerk shall remove the signature from the petition;

(b) if there is no exact match of an address and a name, the county clerk shall remove the signature from the petition if:

(i) the address on the statement and the petition matches the address of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(b)(i);

(c) if there is no match of an address and a substantially similar name, the county clerk shall remove the signature from the petition if:

(i) the birth date or age on the statement and petition match the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(c)(i); and

(d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the county clerk may not remove the signature from the petition.

Section 36. Section **20A-7-507** is amended to read:

20A-7-507. Evaluation by the local clerk.

(1) ~~When~~ In relation to the manual initiative process, when a local clerk receives an initiative packet from a county clerk, the local clerk shall record the number of the initiative packet received.

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

(a) in relation to the manual initiative process:

(i) post the names ~~and~~, voter identification numbers, and dates of signatures described in Subsection ~~[20A-7-506(2)(c)]~~ 20A-7-506(3)(c) on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 90 days; and

2009 (ii) update on the local government's website the number of signatures certified as of
2010 the date of the update[-]; or

2011 (b) in relation to the electronic initiative process:

2012 (i) post the names, voter identification numbers, and dates of signatures described in
2013 Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous location
2014 designated by the lieutenant governor, for at least 90 days; and

2015 (ii) update on the local government's website the number of signatures certified as of
2016 the date of the update.

2017 ~~[(b)]~~ (3) The local clerk:

2018 ~~[(i)]~~ (a) shall, except as provided in Subsection ~~[(2)(b)(i)]~~ (3)(b), declare the petition
2019 to be sufficient or insufficient;

2020 (i) in relation to the manual initiative process, no later than 21 days after the day of the
2021 applicable deadline described in Subsection [20A-7-506(1)(a)] 20A-7-506(2)(a); or

2022 (ii) in relation to the electronic initiative process, no later than 21 days after the day of
2023 the applicable deadline described in Subsection 20A-7-516(2); or

2024 ~~[(i)]~~ (b) may declare the petition to be insufficient before the day described in
2025 Subsection ~~[(2)(b)(i)]~~ (3)(a) if:

2026 ~~[(A)]~~ (i) in relation to the manual initiative process, the total of all valid signatures on
2027 timely and lawfully submitted signature packets that have been certified by the county clerks,
2028 plus the number of signatures on timely and lawfully submitted signature packets that have not
2029 yet been evaluated for certification, is less than the number of names required under Section
2030 20A-7-501; [or]

2031 (ii) in relation to the electronic initiative process, the total of all timely and lawfully
2032 submitted valid signatures that have been certified by the county clerks, plus the number of
2033 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)
2034 that have not yet been evaluated for certification, is less than the number of names required
2035 under Section 20A-7-501; or

2036 ~~[(B)]~~ (iii) a requirement of this part has not been met.

2037 ~~[(c)]~~ (4) (a) If the total number of names certified ~~[names from each verified signature~~
2038 ~~sheet]~~ under Subsection (3) equals or exceeds the number of names required by Section
2039 20A-7-501 and the requirements of this part are met, the local clerk shall mark upon the front

of the petition the word "sufficient."

~~[(d)]~~ (b) If the total number of names certified ~~[names from each verified signature sheet]~~ under Subsection (3) does not equal or exceed the number of names required by Section 20A-7-501 or a requirement of this part is not met, the local clerk shall mark upon the front of the petition the word "insufficient."

~~[(e)]~~ (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's finding.

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

~~[(3)]~~ (5) If the local clerk finds the total number of certified signatures from each verified signature sheet to be insufficient, any sponsor may file a written demand with the local clerk for a recount of the signatures appearing on the initiative petition in the presence of any sponsor.

~~[(4)]~~ (6) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

Section 37. Section 20A-7-512 is amended to read:

20A-7-512. Misconduct of electors and officers -- Penalty.

(1) It is unlawful for any individual to:

(a) sign any name other than the individual's own name to any initiative petition;

(b) sign an initiative knowing the individual is not a legal voter; or

(c) knowingly and willfully violate any provision of this part.

(2) It is unlawful for any individual to sign the verification for an initiative packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing that:

(a) the individual does not meet the residency requirements of Section 20A-2-105;

(b) the individual has not witnessed the signatures of the individuals whose ~~[names appear in the initiative packet]~~ signatures the individual collects or submits; or

(c) one or more individuals ~~[whose signatures appear in the initiative packet is either:~~ (i) who signed the initiative petition are not registered to vote in Utah[; or].

~~[(ii) does not intend to become registered to vote in Utah:]~~

(3) An individual who violates this part is guilty of a class A misdemeanor.

Section 38. Section **20A-7-514** is enacted to read:

20A-7-514. Electronic initiative process - Form of initiative petition -- Circulation requirements -- Signature collection.

(1) This section applies only to the electronic initiative process.

(2) (a) The first screen presented on the approved device shall include the following statement:

"This INITIATIVE PETITION is addressed to the Honorable _____, County Clerk/City Recorder/Town Clerk:

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

(b) An individual may not advance to the second screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."

(3) (a) The second screen presented on the approved device shall include the title of proposed law, described in Subsection [20A-7-502\(2\)\(d\)\(i\)](#), followed by the entire text of the proposed law.

(b) An individual may not advance to the third screen until the individual clicks a link at the bottom of the second screen stating, "By clicking here, I attest that I have read and understand the entire text of the proposed law."

(4) Subsequent screens shall be presented on the device in the following order, with the individual viewing the device being required, before advancing to the next screen, to click a link at the bottom of the screen with the following statement, "By clicking here, I attest that I have read and understand the information presented on this screen.":

(a) (i) 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."; or

(ii) if the initiative petition does not propose a tax increase, the following statement, "This initiative petition does not propose a tax increase.";

2102 (b) the initial fiscal impact estimate's summary statement issued by the budget officer
2103 in accordance with Subsection [20A-7-502.5](#)(2)(b) and the cost estimate for printing and
2104 distributing information related to the initiative petition in accordance with Subsection
2105 [20A-7-502.5](#)(3);

2106 (c) a statement indicating whether persons gathering signatures for the petition may be
2107 paid for gathering signatures; and

2108 (d) the following statement, followed by links where the individual may click "yes" or
2109 "no":

2110 "I have personally reviewed the entirety of each statement presented on this device;

2111 I am personally signing this petition;

2112 I am registered to vote in Utah; and

2113 All information I enter on this device, including my residence and post office address, is
2114 accurate.

2115 It is a class A misdemeanor for an individual to sign an initiative petition with a name
2116 other than the individual's own name, or to knowingly sign the individual's name more than
2117 once for the same measure, or to sign an initiative petition when the individual knows that the
2118 individual is not a registered voter.

2119 WARNING

2120 Even if your voter registration record is classified as private, your name, voter
2121 identification number, and date of signature in relation to signing this petition will be made
2122 public.

2123 Do you wish to continue and sign this petition?"

2124 (5) (a) If the individual clicks "no" in response to the question described in Subsection
2125 (4)(d), the next screen shall include the following statement, "Thank you for your time. Please
2126 return this device to the signature-gatherer."

2127 (b) If the individual clicks "yes" in response to the question described in Subsection
2128 (4)(d), the website, or the application that accesses the website, shall take the signature-gatherer
2129 and the individual signing the petition through the signature process described in Section
2130 [20A-21-201](#).

2131 Section 39. Section **20A-7-515** is enacted to read:

2132 **20A-7-515. Electronic initiative process -- Obtaining signatures -- Request to**

2133 **remove signature.**

2134 (1) This section applies to the electronic initiative process.

2135 (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and
2136 resides in the local jurisdiction.

2137 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from
2138 an individual:

2139 (a) verifies that the individual is at least 18 years old and meets the residency
2140 requirements of Section [20A-2-105](#); and

2141 (b) is informed that each signer is required to read and understand the law proposed by
2142 the initiative.

2143 (4) (a) A voter who has signed an initiative petition may have the voter's signature
2144 removed from the petition by submitting to the county clerk a statement requesting that the
2145 voter's signature be removed before 5 p.m. no later than the earlier of:

2146 (i) 30 days after the day on which the voter signs the signature removal statement;

2147 (ii) 90 days after the day on which the local clerk posts the voter's name under

2148 Subsection [20A-7-516\(4\)](#);

2149 (iii) 316 days after the day on which the application is filed; or

2150 (iv) (A) for a county initiative, April 15 immediately before the next regular general
2151 election immediately after the application is filed under Section [20A-7-502](#); or

2152 (B) for a municipal initiative, April 15 immediately before the next municipal general
2153 election immediately after the application is filed under Section [20A-7-502](#).

2154 (b) The statement shall include:

2155 (i) the name of the voter;

2156 (ii) the resident address at which the voter is registered to vote;

2157 (iii) the signature of the voter; and

2158 (iv) the date of the signature described in Subsection (4)(b)(iii).

2159 (c) To increase the likelihood of the voter's signature being identified and removed, the
2160 statement may include the voter's birth date or age.

2161 (d) A voter may not submit a signature removal statement by email or other electronic
2162 means, unless the lieutenant governor establishes a signature removal process that is consistent
2163 with the requirements of this section and Section [20A-21-201](#).

(e) A person may only remove an electronic signature from an initiative petition in accordance with this section.

(f) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from an initiative petition, in accordance with Section [20A-7-506.3](#).

Section 40. Section **20A-7-516** is enacted to read:

20A-7-516. Electronic initiative process -- Collecting signatures -- Email notification -- Removal of signatures.

(1) This section applies only to the electronic initiative process.

(2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:

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

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

(3) The local clerk shall send to each individual who provides a valid email address during the signature-gathering process an email that includes the following:

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

(b) 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]."

(4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs a petition is certified under Section [20A-21-201](#), post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor.

(5) (a) If the local clerk timely receives a statement requesting signature removal under

2195 Subsection [20A-7-515\(4\)](#), the local clerk shall:

2196 (i) ensure that the voter's name, voter identification number, and date of signature are
2197 not included in the posting described in Subsection (4); and

2198 (ii) remove the voter's signature from the petition and the petition signature totals.

2199 (b) The local clerk shall comply with Subsection (5)(a) before the later of:

2200 (i) the deadline described in Subsection (4); or

2201 (ii) two business days after the day on which the county clerk receives a statement
2202 requesting signature removal under Subsection [20A-7-515\(4\)](#).

2203 Section 41. Section **20A-7-602.7** is amended to read:

2204 **20A-7-602.7. Referability to voters of local law other than land use law.**

2205 (1) Within 20 days after the day on which an eligible voter files an application to
2206 circulate a referendum petition under Section [20A-7-602](#) for a local law other than a land use
2207 law, counsel for the county, city, town, or metro township to which the referendum pertains
2208 shall:

2209 (a) review the application to determine whether the proposed referendum is legally
2210 referable to voters; and

2211 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

2212 (i) legally referable to voters; or

2213 (ii) rejected as not legally referable to voters.

2214 (2) For a local law other than a land use law, a proposed referendum is legally referable
2215 to voters unless:

2216 (a) the proposed referendum challenges an action that is administrative, rather than
2217 legislative, in nature;

2218 (b) the proposed referendum challenges more than one law passed by the local
2219 legislative body; or

2220 (c) the application for the proposed referendum was not timely filed or does not
2221 comply with the requirements of this part.

2222 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
2223 or metro township may not, for a local law other than a land use law:

2224 (a) reject a proposed referendum as not legally referable to voters; or

2225 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a

2226 proposed referendum on the grounds that the proposed referendum is not legally referable to
2227 voters.

2228 (4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a
2229 proposed referendum concerning a local law other than a land use law, a sponsor of the
2230 proposed referendum may, within 10 days after the day on which a sponsor is notified under
2231 Subsection (1)(b), challenge or appeal the decision to:

2232 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

2233 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
2234 under Subsection (4)(a)(i).

2235 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection
2236 (4)(a) terminates the referendum.

2237 (5) If, on a challenge or appeal, the court determines that the proposed referendum
2238 described in Subsection (4) is legally referable to voters, the local clerk shall comply with
2239 Subsection [~~20A-7-604(2)~~] 20A-7-604(3), or give the sponsors access to the website defined in
2240 Section 20A-21-101, within five days after the day on which the determination, and any
2241 challenge or appeal of the determination, is final.

2242 Section 42. Section **20A-7-602.8** is amended to read:

2243 **20A-7-602.8. Referability to voters of local land use law.**

2244 (1) Within 20 days after the day on which an eligible voter files an application to
2245 circulate a referendum petition under Section 20A-7-602 for a land use law, counsel for the
2246 county, city, town, or metro township to which the referendum pertains shall:

2247 (a) review the application to determine whether the proposed referendum is legally
2248 referable to voters; and

2249 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

2250 (i) legally referable to voters; or

2251 (ii) rejected as not legally referable to voters.

2252 (2) For a land use law, a proposed referendum is legally referable to voters unless:

2253 (a) the proposed referendum challenges an action that is administrative, rather than
2254 legislative, in nature;

2255 (b) the proposed referendum challenges a land use decision, rather than a land use
2256 regulation, as those terms are defined in Section 10-9a-103 or 17-27a-103;

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

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

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

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

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

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

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

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

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

(5) If, on challenge or appeal, the court determines that the proposed referendum is legally referable to voters, the local clerk shall comply with Subsection [20A-7-604(2)] 20A-7-604(3), or give the sponsors access to the website defined in Section 20A-21-101, within five days after the day on which the determination, and any challenge or appeal of the determination, is final.

Section 43. Section 20A-7-603 is amended to read:

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

(1) This section applies only to the manual referendum process.

[(+)] (2) (a) Each proposed referendum petition shall be printed in substantially the following form:

"REFERENDUM PETITION To the Honorable ____, County Clerk/City

2288 Recorder/Town Clerk:

2289 We, the undersigned citizens of Utah, respectfully order that (description of local law or
2290 portion of local law being challenged), passed by the ____ be referred to the voters for their
2291 approval or rejection at the regular/municipal general election to be held on
2292 _____(month\day\year);

2293 Each signer says:

2294 I have personally signed this petition;

2295 The date next to my signature correctly reflects the date that I actually signed the
2296 petition;

2297 I have personally reviewed the entire statement included with this packet;

2298 I am registered to vote in Utah [~~or intend to become registered to vote in Utah before~~
2299 ~~the certification of the petition names by the county clerk~~]; and

2300 My residence and post office address are written correctly after my name."

2301 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the
2302 law that is the subject of the referendum to each referendum petition.

2303 [~~(2)~~] (3) Each signature sheet shall:

2304 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2305 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
2306 that line blank for the purpose of binding;

2307 (c) include the title of the referendum printed below the horizontal line, in at least
2308 14-point type;

2309 (d) include a table immediately below the title of the referendum, and beginning .5 inch
2310 from the left side of the paper, as follows:

2311 (i) the first column shall be .5 inch wide and include three rows;

2312 (ii) the first row of the first column shall be .85 inch tall and contain the words "For
2313 Office Use Only" in 10-point type;

2314 (iii) the second row of the first column shall be .35 inch tall;

2315 (iv) the third row of the first column shall be .5 inch tall;

2316 (v) the second column shall be 2.75 inches wide;

2317 (vi) the first row of the second column shall be .35 inch tall and contain the words

2318 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

2319 (vii) the second row of the second column shall be .5 inch tall;
2320 (viii) the third row of the second column shall be .35 inch tall and contain the words
2321 "Street Address, City, Zip Code" in 10-point type;
2322 (ix) the fourth row of the second column shall be .5 inch tall;
2323 (x) the third column shall be 2.75 inches wide;
2324 (xi) the first row of the third column shall be .35 inch tall and contain the words
2325 "Signature of Registered Voter" in 10-point type;
2326 (xii) the second row of the third column shall be .5 inch tall;
2327 (xiii) the third row of the third column shall be .35 inch tall and contain the words
2328 "Email Address (optional, to receive additional information)" in 10-point type;
2329 (xiv) the fourth row of the third column shall be .5 inch tall;
2330 (xv) the fourth column shall be one inch wide;
2331 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
2332 "Date Signed" in 10-point type;
2333 (xvii) the second row of the fourth column shall be .5 inch tall;
2334 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
2335 "Birth Date or Age (optional)" in 10-point type;
2336 (xix) the fourth row of the third column shall be .5 inch tall; and
2337 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
2338 and contain the following words, "By signing this petition, you are stating that you have read
2339 and understand the law that this petition seeks to overturn." in 12-point type;
2340 (e) the table described in Subsection [(2)] (3)(d) shall be repeated, leaving sufficient
2341 room at the bottom of the sheet or the information described in Subsection [(2)] (3)(f); and
2342 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,
2343 followed by the following statement in not less than eight-point type:
2344 "It is a class A misdemeanor for an individual to sign a referendum petition with a name
2345 other than the individual's own name, or to knowingly sign the individual's name more than
2346 once for the same measure, or to sign a referendum petition when the individual knows that the
2347 individual is not a registered voter [~~and knows that the individual does not intend to become~~
2348 ~~registered to vote before the certification of the petition names by the county clerk~~].
2349 Birth date or age information is not required, but it may be used to verify your identity

with voter registration records. If you choose not to provide it, your signature may not be verified as a valid signature if you change your address before petition signatures are verified or if the information you provide does not match your voter registration records."

~~[(3)]~~ (4) The final page of each referendum packet shall contain the following printed or typed statement:

"Verification of signature collector

State of Utah, County of _____

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

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

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

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

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

(Name)

(Residence Address)

(Date)

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

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

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

~~[(4)]~~ (5) If the forms described in this section are substantially followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical errors.

~~[(5)]~~ (6) An individual's status as a resident, under Subsection ~~[(3)]~~ (4), is determined in accordance with Section [20A-2-105](#).

2381 Section 44. Section **20A-7-604** is amended to read:

2382 **20A-7-604. Manual referendum process -- Circulation requirements -- Local**
2383 **clerk to provide sponsors with materials.**

2384 (1) This section applies only to the manual referendum process.

2385 ~~[(1)]~~ (2) In order to obtain the necessary number of signatures required by this part, the
2386 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described
2387 in Subsections ~~[(2)]~~ (3) and **20A-7-401.5(4)(b)**, circulate referendum packets that meet the
2388 form requirements of this part.

2389 ~~[(2)]~~ (3) Within five days after the day on which a county, city, town, metro township,
2390 or court determines, in accordance with Section **20A-7-602.7**, that a proposed referendum is
2391 legally referable to voters, the local clerk shall furnish to the sponsors:

2392 (a) a copy of the referendum petition; and

2393 (b) a signature sheet.

2394 ~~[(3)]~~ (4) The sponsors of the petition shall:

2395 (a) arrange and pay for the printing of all additional copies of the petition and signature
2396 sheets; and

2397 (b) ensure that the copies of the petition and signature sheets meet the form
2398 requirements of this section.

2399 ~~[(4)]~~ (5) (a) The sponsors or an agent of the sponsors may prepare the referendum for
2400 circulation by creating multiple referendum packets.

2401 (b) The sponsors or an agent of the sponsors shall create referendum packets by
2402 binding a copy of the referendum petition and no more than 50 signature sheets together at the
2403 top in a manner that the packets may be conveniently opened for signing.

2404 (c) A referendum packet is not required to have a uniform number of signature sheets.

2405 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of
2406 the proposition information pamphlet provided to the sponsors under Subsection
2407 **20A-7-401.5(4)(b)**.

2408 ~~[(5)]~~ (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

2409 (i) contact the county clerk to receive a range of numbers that the sponsors may use to
2410 number signature packets; and

2411 (ii) number each signature packet, sequentially, within the range of numbers provided

2412 by the county clerk, starting with the lowest number in the range.

2413 (b) The sponsors or an agent of the sponsors may not:

2414 (i) number a signature packet in a manner not directed by the county clerk; or

2415 (ii) circulate or submit a signature packet that is not numbered in the manner directed

2416 by the county clerk.

2417 (c) The county clerk shall keep a record of the number range provided under

2418 Subsection ~~[(5)]~~ (6)(a).

2419 Section 45. Section **20A-7-604.5** is amended to read:

2420 **20A-7-604.5. Posting referendum information.**

2421 (1) On the day on which the local clerk complies with Subsection ~~[20A-7-604(2)]~~

2422 20A-7-604(3), or gives the sponsors access to the website defined in Section 20A-21-101, the

2423 local clerk shall post the following information together in a conspicuous place on the local

2424 clerk's website:

2425 (a) the referendum petition;

2426 (b) the referendum; and

2427 (c) information describing how an individual may remove the individual's signature

2428 from the ~~[signature packet]~~ petition.

2429 (2) The local clerk shall:

2430 (a) promptly update the information described in Subsection (1) if the information

2431 changes; and

2432 (b) maintain the information described in Subsection (1) on the local clerk's website

2433 until the referendum fails to qualify for the ballot or is passed or defeated at an election.

2434 Section 46. Section **20A-7-605** is amended to read:

2435 **20A-7-605. Manual referendum process -- Obtaining signatures -- Verification --**

2436 **Removal of signature.**

2437 (1) This section applies only to the manual referendum process.

2438 ~~[(1)]~~ (2) A Utah voter may sign a local referendum petition if the voter is a legal voter

2439 and resides in the local jurisdiction.

2440 ~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each

2441 signature sheet was signed:

2442 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;

2443 (ii) verifies each signature sheet by completing the verification printed on the last page
2444 of each referendum packet; and

2445 (iii) is informed that each signer is required to read and understand the law that the
2446 referendum seeks to overturn.

2447 (b) An individual may not sign the verification printed on the last page of the
2448 referendum packet if the individual signed a signature sheet in the referendum packet.

2449 ~~[(3)]~~ (4) (a) A voter who has signed a referendum petition may have the voter's
2450 signature removed from the petition by submitting to the county clerk a statement requesting
2451 that the voter's signature be removed no later than the earlier of:

2452 (i) 30 days after the day on which the voter signs the statement requesting removal; or

2453 (ii) 45 days after the day on which the local clerk posts the voter's name under
2454 Subsection [20A-7-607\(2\)\(a\)](#).

2455 (b) (i) The statement shall include:

2456 (A) the name of the voter;

2457 (B) the resident address at which the voter is registered to vote;

2458 (C) the signature of the voter; and

2459 (D) the date of the signature described in Subsection ~~[(3)]~~ (4)(b)(i)(C).

2460 (ii) To increase the likelihood of the voter's signature being identified and removed, the
2461 statement may include the voter's birth date or age.

2462 (c) A voter may not submit a statement by email or other electronic means.

2463 (d) In order for the signature to be removed, the county clerk must receive the
2464 statement before 5 p.m. no later than 45 days after the day on which the local clerk posts the
2465 voter's name under Subsection [20A-7-607\(2\)\(a\)](#).

2466 (e) A person may only remove a signature from a referendum petition in accordance
2467 with this Subsection ~~[(3)]~~ (4).

2468 (f) A county clerk shall analyze a signature, for purposes of removing a signature from
2469 a referendum petition, in accordance with Section [20A-7-606.3](#).

2470 Section 47. Section [20A-7-606](#) is amended to read:

2471 **20A-7-606. Manual referendum process -- Submitting the referendum petition --**
2472 **Certification of signatures by the county clerks -- Transfer to local clerk.**

2473 (1) This section applies only to the manual referendum process.

2474 [(†)] (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and
 2475 verified referendum packet to the county clerk of the county in which the packet was circulated
 2476 before 5 p.m. no later than the earlier of:

2477 (i) 30 days after the day on which the first individual signs the referendum packet; or

2478 (ii) 45 days after the day on which the sponsors receive the items described in

2479 Subsection [~~20A-7-604(2)~~] 20A-7-604(3) or from the local clerk.

2480 (b) A person may not submit a referendum packet after the deadline described in

2481 Subsection [(†)] (2)(a).

2482 [(2)] (3) No later than 21 days after the day on which a county clerk receives a verified
 2483 referendum packet under Subsection [(†)] (2)(a), the county clerk shall:

2484 (a) determine whether each signer is a registered voter according to the requirements of
 2485 Section 20A-7-606.3;

2486 (b) certify on the petition whether each name is that of a registered voter;

2487 (c) provide the name [~~and~~], voter identification number, and date of signature of each
 2488 registered voter certified under Subsection [(2)] (3)(b); and

2489 (d) deliver the verified packet to the local clerk.

2490 [(3)] (4) (a) If the county clerk timely receives a statement requesting signature
 2491 removal under Subsection [~~20A-7-605(3)~~] 20A-7-605(4), the county clerk shall:

2492 (i) ensure that the voter's name [~~and~~], voter identification number, and date of signature
 2493 are not included in the posting described in Subsection 20A-7-607(2)(a); and

2494 (ii) remove the voter's signature from the signature packets and signature packet totals.

2495 (b) The county clerk shall comply with Subsection [(3)] (4)(a) before the later of:

2496 (i) the deadline described in Subsection [(2)] (3); or

2497 (ii) two business days after the day on which the county clerk receives a statement
 2498 requesting signature removal under Subsection [~~20A-7-605(3)~~] 20A-7-605(4).

2499 (c) The local clerk shall post a link in a conspicuous location on the local government's
 2500 website to the posting described in Subsection 20A-7-607(2)(a) during the period of time
 2501 described in Subsection 20A-7-607(2)(a)(i).

2502 [(4)] (5) The county clerk may not certify a signature under Subsection [(2)] (3):

2503 (a) on a referendum packet that is not verified in accordance with Section 20A-7-605;

2504 or

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

~~[(5)]~~ (6) 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 48. Section **20A-7-606.3** is amended to read:

20A-7-606.3. Verification of petition signatures.

(1) As used in this section:

(a) "Substantially similar name" means:

(i) the given name and surname shown on the petition, or both, contain only minor spelling differences when compared to the given name and surname shown on the official register;

(ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;

(iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is accompanied by a first or middle initial or a middle name which is not shown on the other record; or

(iv) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.

(b) "Substantially similar name" does not mean a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.

(2) ~~[The]~~ In relation to an individual who signs a referendum petition with a holographic signature, the county clerk shall use the following procedures in determining whether a signer is a registered voter:

(a) When a signer's name and address shown on the petition exactly match a name and address shown on the official register and the signer's signature appears substantially similar to the signature on the statewide voter registration database, the county clerk shall declare the

2536 signature valid.

2537 (b) When there is no exact match of an address and a name, the county clerk shall
2538 declare the signature valid if:

2539 (i) the address on the petition matches the address of an individual on the official
2540 register with a substantially similar name; and

2541 (ii) the signer's signature appears substantially similar to the signature on the statewide
2542 voter registration database of the individual described in Subsection (2)(b)(i).

2543 (c) When there is no match of an address and a substantially similar name, the county
2544 clerk shall declare the signature valid if:

2545 (i) the birth date or age on the petition matches the birth date or age of an individual on
2546 the official register with a substantially similar name; and

2547 (ii) the signer's signature appears substantially similar to the signature on the statewide
2548 voter registration database of the individual described in Subsection (2)(c)(i).

2549 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county
2550 clerk shall declare the signature to be invalid.

2551 (3) ~~[The]~~ In relation to an individual who, with a holographic signature, signs a
2552 statement to remove the individual's signature from a referendum petition, the county clerk
2553 shall use the following procedures in determining whether to remove a signature from a
2554 petition after receiving a timely, valid statement requesting removal of the signature:

2555 (a) if a signer's name and address shown on the statement and the petition exactly
2556 match a name and address shown on the official register and the signer's signature on both the
2557 statement and the petition appears substantially similar to the signature on the statewide voter
2558 registration database, the county clerk shall remove the signature from the petition;

2559 (b) if there is no exact match of an address and a name, the county clerk shall remove
2560 the signature from the petition if:

2561 (i) the address on the statement and the petition matches the address of an individual
2562 on the official register with a substantially similar name; and

2563 (ii) the signer's signature on both the statement and the petition appears substantially
2564 similar to the signature on the statewide voter registration database of the individual described
2565 in Subsection (3)(b)(i);

2566 (c) if there is no match of an address and a substantially similar name, the county clerk

shall remove the signature from the petition if:

(i) the birth date or age on the statement and petition match the birth date or age of an individual on the official register with a substantially similar name; and

(ii) the signer's signature on both the statement and the petition appears substantially similar to the signature on the statewide voter registration database of the individual described in Subsection (3)(c)(i); and

(d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the county clerk may not remove the signature from the petition.

Section 49. Section **20A-7-607** is amended to read:

20A-7-607. Evaluation by the local clerk -- Determination of election for vote on referendum.

(1) ~~[When]~~ In relation to the manual referendum process, when the local clerk receives a referendum packet from a county clerk, the local clerk shall record the number of the referendum packet received.

(2) ~~[(a)]~~ The county clerk shall:

(a) in relation to the manual referendum process:

(i) ~~post the names [and], voter identification numbers, and dates of signatures~~ described in Subsection ~~20A-7-606~~ 20A-7-616(3)(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 local clerk's website the number of signatures certified as of the date of the update~~[-]; or~~

(b) in relation to the electronic referendum process:

(i) post the names, voter identification numbers, and dates of signatures described in Subsection 20A-7-616(3) 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)]~~ (3) The local clerk:

~~[(i)]~~ (a) shall, except as provided in Subsection ~~[(2)(b)(ii)]~~ (3)(b), declare the petition to be sufficient or insufficient:

(i) in relation to the manual referendum process, no later than 111 days after the day of

the deadline, described in Subsection [20A-7-606](#)~~[(1)]~~(2), to submit a referendum packet to the county clerk; or

(ii) in relation to the electronic referendum process, no later than 111 days after the day of the deadline, described in Subsection [20A-7-616](#)(2), to collect a signature; or

~~[(ii)]~~ (b) may declare the petition to be insufficient before the day described in Subsection ~~[(2)(b)(i)]~~ (3)(a) if:

~~[(A)]~~ (i) in relation to the manual referendum process, the total of all valid signatures on timely and lawfully submitted signature packets that have been certified by the county clerk, 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-7-601](#); ~~or~~

(ii) in relation to the electronic referendum process, the total of all timely and lawfully submitted valid signatures that have been certified by the county clerks, plus the number of timely and lawfully submitted valid signatures received under Subsection [20A-21-201](#)(6)(b) that have not yet been evaluated for certification, is less than the number of names required under Section [20A-7-601](#); or

~~[(B)]~~ (iii) a requirement of this part has not been met.

~~[(c)]~~ (4) (a) If the total number of names certified under ~~[this]~~ Subsection (2) equals or exceeds the number of names required under Section [20A-7-601](#), and the requirements of this part are met, the local clerk shall mark upon the front of the petition the word "sufficient";

~~[(d)]~~ (b) If the total number of names certified under this Subsection ~~[(2)]~~ (3) does not equal or exceed the number of names required under Section [20A-7-601](#) or a requirement of this part is not met, the local clerk shall mark upon the front of the petition the word "insufficient."

~~[(e)]~~ (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's finding.

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

~~[(g)]~~ (5) (a) If the local clerk refuses to accept and file any referendum petition, any voter may apply to a court for an extraordinary writ to compel the local clerk to do so within 10 days after the refusal.

(b) If the court determines that the referendum petition is legally sufficient, the local clerk 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 local clerk's office.

(c) If the court determines that any petition filed is not legally sufficient, the court may enjoin the local clerk and all other officers from:

(i) certifying or printing the ballot title and numbers of that measure on the official ballot for the next election; or

(ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing, or mailing the ballot title and numbers of that measure under Section 20A-7-609.5.

~~[(4)]~~ (6) A petition determined to be sufficient in accordance with this section is qualified for the ballot.

~~[(5)]~~ (7) (a) Except as provided in Subsection ~~[(6)]~~ (7)(b) or (c), if a referendum relates to legislative action taken after April 15, the election officer may not place the referendum on an election ballot until a primary election, a general election, or a special election the following year.

(b) The election officer may place a referendum described in Subsection ~~[(6)]~~ (7)(a) on the ballot for a special, primary, or general election held during the year that the legislative action was taken if the following agree, in writing, on a timeline to place the referendum on that ballot:

(i) the local clerk;

(ii) the county clerk; and

(iii) the attorney for the county or municipality that took the legislative action.

(c) For a referendum on a land use law, if, before August 30, the local clerk or a court determines that the total number of certified names equals or exceeds the number of signatures required in Section 20A-7-601, the election officer shall place the referendum on the election ballot for:

(i) the next general election; or

(ii) another election, if the following agree, in writing, on a timeline to place the referendum on that ballot:

(A) the affected owners, as defined in Section 10-9a-103 or 17-27a-103, as applicable;

(B) the local clerk;

2660 (C) the county clerk; and

2661 (D) the attorney for the county or municipality that took the legislative action.

2662 Section 50. Section **20A-7-611** is amended to read:

2663 **20A-7-611. Temporary stay -- Effective date -- Effect of repeal by local legislative**
2664 **body.**

2665 (1) Any proposed law submitted to the people by referendum petition that is rejected by
2666 the voters at any election is repealed as of the date of the election.

2667 (2) If, at the time during the process described in Subsection [~~20A-7-307~~(2)]
2668 ~~20A-7-607~~(2), the local clerk determines that, at that point in time, an adequate number of
2669 signatures are certified to comply with the signature requirements, the local clerk shall:

2670 (a) issue an order temporarily staying the law from going into effect; and

2671 (b) continue the process of certifying signatures and removing signatures as required by
2672 this part.

2673 (3) The temporary stay described in Subsection (2) remains in effect, regardless of
2674 whether a future count falls below the signature threshold, until the day on which:

2675 (a) if the local clerk declares the petition insufficient, five days after the day on which
2676 the local clerk declares the petition insufficient; or

2677 (b) if the local clerk declares the petition sufficient, the day on which the local
2678 legislative body issues the proclamation described in Section ~~20A-7-610~~.

2679 (4) A proposed law submitted to the people by referendum petition that is approved by
2680 the voters at an election takes effect the later of:

2681 (a) five days after the date of the official proclamation of the vote by the local
2682 legislative body; or

2683 (b) the effective date specified in the proposed law.

2684 (5) If, after the local clerk issues a temporary stay order under Subsection (2)(a), the
2685 local clerk declares the petition insufficient, the proposed law takes effect the later of:

2686 (a) five days after the day on which the local clerk declares the petition insufficient; or

2687 (b) the effective date specified in the proposed law.

2688 (6) (a) A law adopted by the people under this part is not subject to veto.

2689 (b) The local legislative body may amend any laws approved by the people under this
2690 part after the people approve the law.

(7) If the local legislative body repeals a law challenged by referendum petition under this part, the referendum petition is void and no further action on the referendum petition is required.

Section 51. Section **20A-7-612** is amended to read:

20A-7-612. Misconduct of electors and officers -- Penalty.

(1) It is unlawful for an individual to:

(a) sign any name other than the individual's own name to any referendum petition;

(b) sign a referendum knowing that the individual is not a legal voter;

(c) in connection with circulating a referendum petition, represent that a document is an official government document if the individual knows or has reason to know that the document is not an official government document; or

(d) knowingly and willfully violate any provision of this part.

(2) It is unlawful for an individual to sign the verification for a referendum packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing that:

(a) the individual does not meet the residency requirements of Section 20A-2-105;

(b) the individual has not witnessed the signatures ~~[of the individuals whose names appear in the referendum packet]~~ the individual collects or submits; or

(c) one or more individuals whose signatures appear in the referendum packet ~~[(i) is either: (A)]~~ is not registered to vote in Utah ~~[(B) does not intend to become registered to vote in Utah; or]~~ ~~[(ii) appears next to an inaccurate date of signature.]~~

(3) An individual who violates this part is guilty of a class A misdemeanor.

(4) The county attorney or municipal attorney shall prosecute any violation of this section.

Section 52. Section **20A-7-613** is amended to read:

20A-7-613. Property tax referendum petition.

(1) As used in this section, "certified tax rate" means the same as that term is defined in Section 59-2-924.

(2) Except as provided in this section, the requirements of this part apply to a referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that

exceeds the certified tax rate.

(3) Notwithstanding Subsection [~~20A-7-606(1)~~] 20A-7-606(2), the sponsors or an agent of the sponsors shall deliver a signed and verified referendum packet to the county clerk of the county in which the packet was circulated before 5 p.m. no later than the earlier of:

(a) 30 days after the day on which the first individual signs the packet; or

(b) 40 days after the day on which the local clerk complies with Subsection [~~20A-7-604(2)~~] 20A-7-604(3).

(4) Notwithstanding Subsections [~~20A-7-606(2) and (3)~~] 20A-7-606(3) and (4), the county clerk shall take the actions required in Subsections [~~20A-7-606(2) and (3)~~] 20A-7-606(3) and (4) within 10 working days after the day on which the county clerk receives the signed and verified referendum packet as described in Subsection (3).

(5) The local clerk shall take the actions required by Section 20A-7-607 within two working days after:

(a) in relation to the manual referendum process, the day on which the local clerk receives the referendum packets from the county clerk[:]; or

(b) in relation to the electronic referendum process, the deadline described in Subsection 20A-7-616(2).

(6) Notwithstanding Subsection 20A-7-608(2), the local attorney shall prepare the ballot title within two working days after the day on which the referendum petition is declared sufficient for submission to a vote of the people.

(7) (a) Notwithstanding Subsection 20A-7-609(2)(c), a referendum that qualifies for the ballot under this section shall appear on the ballot for the earlier of the next regular general election or the next municipal general election unless a special election is called.

(8) The election officer shall mail manual ballots on a referendum under this section the later of:

(a) the time provided in Section 20A-3a-202 or 20A-16-403; or

(b) the time that ballots are prepared for mailing under this section.

(9) Section 20A-7-402 does not apply to a referendum described in this section.

(10) (a) If a majority of voters does not vote against imposing the tax at a rate calculated to generate the increased revenue budgeted, adopted, and approved by the taxing entity's legislative body:

(i) the certified tax rate for the fiscal year during which the referendum petition is filed is its most recent certified tax rate; and

(ii) the proposed increased revenues for purposes of establishing the certified tax rate for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed increased revenues budgeted, adopted, and approved by the taxing entity's legislative body before the filing of the referendum petition.

(b) If a majority of voters votes against imposing a tax at the rate established by the vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the taxing entity's most recent certified tax rate.

(c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not required to comply with the notice and public hearing requirements of Section 59-2-919 if the taxing entity complies with those notice and public hearing requirements before the referendum petition is filed.

(11) The ballot title shall, at a minimum, include in substantially this form the following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as budgeted, adopted, and approved by the [name of the taxing entity].".

(12) A taxing entity shall pay the county the costs incurred by the county that are directly related to meeting the requirements of this section and that the county would not have incurred but for compliance with this section.

(13) (a) An election officer shall include on a ballot a referendum that has not yet qualified for placement on the ballot, if:

(i) sponsors file an application for a referendum described in this section;

(ii) the ballot will be used for the election for which the sponsors are attempting to qualify the referendum; and

(iii) the deadline for qualifying the referendum for placement on the ballot occurs after the day on which the ballot will be printed.

(b) If an election officer includes on a ballot a referendum described in Subsection (13)(a), the ballot title shall comply with Subsection (11).

(c) If an election officer includes on a ballot a referendum described in Subsection (13)(a) that does not qualify for placement on the ballot, the election officer shall inform the

voters by any practicable method that the referendum has not qualified for the ballot and that votes cast in relation to the referendum will not be counted.

Section 53. Section **20A-7-614** is enacted to read:

20A-7-614. Electronic referendum process -- Form of referendum petition -- Circulation requirements -- Signature collection.

(1) This section applies only to the electronic referendum process.

(2) (a) The first screen presented on the approved device shall include the following statement:

"This REFERENDUM PETITION is addressed to the Honorable _____, County Clerk/City Recorder/Town Clerk:

The citizens of Utah who sign this petition respectfully order that (description of local law or portion of local law being challenged), passed by the _____ be referred to the voters for their approval or rejection at the regular/municipal general election to be held on _____ (month\day\year)."

(b) An individual may not advance to the second screen until the individual clicks a link at the bottom of the first screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."

(3) (a) The second screen presented on the approved device shall include the entire text of the law that is the subject of the referendum petition.

(b) An individual may not advance to the third screen until the individual clicks a link at the bottom of the second screen stating, "By clicking here, I attest that I have read and understand the entire text of the law that is the subject of the referendum petition."

(4) (a) The third screen presented on the approved device shall include a statement indicating whether persons gathering signatures for the petition may be paid for gathering signatures.

(b) An individual may not advance to the fourth screen until the individual clicks a link at the bottom of the third screen stating, "By clicking here, I attest that I have read and understand the information presented on this screen."

(5) The fourth screen presented on the approved device shall include the following statement, followed by links where the individual may click "yes" or "no":

"I have personally reviewed the entirety of each statement presented on this device;

2815 I am personally signing this petition;

2816 I am registered to vote in Utah; and

2817 All information I enter on this device, including my residence and post office address, is
2818 accurate.

2819 It is a class A misdemeanor for an individual to sign a referendum petition with a name
2820 other than the individual's own name, or to knowingly sign the individual's name more than
2821 once for the same measure, or to sign a referendum petition when the individual knows that the
2822 individual is not a registered voter.

2823 Do you wish to continue and sign this petition?"

2824 (6) (a) If the individual clicks "no" in response to the question described in Subsection
2825 (5), the next screen shall include the following statement, "Thank you for your time. Please
2826 return this device to the signature-gatherer."

2827 (b) If the individual clicks "yes" in response to the question described in Subsection
2828 (5), the website, or the application that accesses the website, shall take the signature-gatherer
2829 and the individual signing the petition through the signature process described in Section
2830 20A-21-201.

2831 Section 54. Section **20A-7-615** is enacted to read:

2832 **20A-7-615. Electronic referendum process -- Obtaining signatures -- Request to**
2833 **remove signature.**

2834 (1) This section applies to the electronic referendum process described in Section
2835 20A-21-201.

2836 (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and
2837 resides in the local jurisdiction.

2838 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from
2839 an individual:

2840 (a) verifies that the individual is at least 18 years old and meets the residency
2841 requirements of Section 20A-2-105; and

2842 (b) is informed that each signer is required to read and understand the law that is the
2843 subject of the referendum petition.

2844 (4) (a) A voter who has signed a referendum petition may have the voter's signature
2845 removed from the petition by submitting to the county clerk a statement requesting that the

2846 voter's signature be removed before 5 p.m. no later than the earlier of:

2847 (i) 30 days after the day on which the voter signs the statement requesting removal; or

2848 (ii) 45 days after the day on which the local clerk posts the voter's name under

2849 Subsection [20A-7-616\(3\)](#).

2850 (b) The statement shall include:

2851 (i) the name of the voter;

2852 (ii) the resident address at which the voter is registered to vote;

2853 (iii) the signature of the voter; and

2854 (iv) the date of the signature described in Subsection (4)(b)(iii).

2855 (c) To increase the likelihood of the voter's signature being identified and removed, the
2856 statement may include the voter's birth date or age.

2857 (d) A voter may not submit a signature removal statement by email or other electronic
2858 means, unless the lieutenant governor establishes a signature removal process that is consistent
2859 with the requirements of this section and Section [20A-21-201](#).

2860 (e) A person may only remove an electronic signature from an initiative petition in
2861 accordance with this section.

2862 (f) A county clerk shall analyze a holographic signature, for purposes of removing an
2863 electronic signature from a referendum petition, in accordance with Section [20A-7-606.3](#).

2864 Section 55. Section **20A-7-616** is enacted to read:

2865 **20A-7-616. Electronic referendum process -- Collecting signatures -- Removal of**
2866 **signatures.**

2867 (1) This section applies only to the electronic referendum process.

2868 (2) A signature-gatherer may not collect a signature after 5 p.m. 45 days after the day
2869 on which the first three sponsors receive notice, under Section [20A-7-602.7](#) or [20A-7-602.8](#),
2870 that the referendum is legally referable to voters.

2871 (3) The local clerk shall send to each individual who provides a valid email address
2872 during the signature-gathering process an email that includes the following:

2873 (a) the subject of the email shall include the following statement, "Notice Regarding
2874 Your Petition Signature"; and

2875 (b) the body of the email shall include the following statement in 12-point type:

2876 "You signed a petition for the following referendum:

[insert title of initiative]

To access a copy of the referendum petition, the referendum, 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]."

(4) Except as provided in Subsection (5), the county clerk shall, within two business days after the day on which the signature of an individual who signs a petition is certified under Section 20A-21-201, post the name, voter identification number, and date of signature of the individual on the lieutenant governor's website, in a conspicuous location designated by the lieutenant governor, for at least 45 days.

(5) (a) If the local clerk timely receives a statement requesting signature removal under Subsection 20A-7-615(4), the local clerk shall:

(i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (4); and

(ii) remove the voter's signature from the petition and the petition signature totals.

(b) The local clerk shall comply with Subsection (5)(a) before the later of:

(i) the deadline described in Subsection (4); or

(ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection 20A-7-615(4).

Section 56. Section 20A-9-101 is amended to read:

20A-9-101. Definitions.

As used in this chapter:

(1) (a) "Candidates for elective office" means persons who file a declaration of candidacy under Section 20A-9-202 to run in a regular general election for a federal office, constitutional office, multicounty office, or county office.

(b) "Candidates for elective office" does not mean candidates for:

(i) justice or judge of court of record or not of record;

(ii) presidential elector;

(iii) any political party offices; and

(iv) municipal or local district offices.

(2) "Constitutional office" means the state offices of governor, lieutenant governor,

2908 attorney general, state auditor, and state treasurer.

2909 (3) "Continuing political party" means the same as that term is defined in Section
2910 20A-8-101.

2911 (4) (a) "County office" means an elective office where the officeholder is selected by
2912 voters entirely within one county.

2913 (b) "County office" does not mean:

2914 (i) the office of justice or judge of any court of record or not of record;

2915 (ii) the office of presidential elector;

2916 (iii) any political party offices;

2917 (iv) any municipal or local district offices; and

2918 (v) the office of United States Senator and United States Representative.

2919 (5) "Electronic candidate qualification process" means:

2920 (a) as it relates to a registered political party that is not a qualified political party, the
2921 process for gathering signatures electronically to seek the nomination of a registered political
2922 party, described in:

2923 (i) Section 20A-9-403;

2924 (ii) Section 20a-9-405, except Subsections 20A-9-405(3) and (5); and

2925 (iii) Section 20A-21-201; and

2926 (b) as it relates to a qualified political party, the process, for gathering signatures
2927 electronically to seek the nomination of a registered political party, described in:

2928 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);

2929 (ii) Section 20A-9-408; and

2930 (iii) Section 20A-21-201.

2931 ~~[(5)]~~ (6) "Federal office" means an elective office for United States Senator and United
2932 States Representative.

2933 ~~[(6)]~~ (7) "Filing officer" means:

2934 (a) the lieutenant governor, for:

2935 (i) the office of United States Senator and United States Representative; and

2936 (ii) all constitutional offices;

2937 (b) for the office of a state senator or state representative, the lieutenant governor or the
2938 applicable clerk described in Subsection ~~[(6)]~~ (7)(c) or (d);

2939 (c) the county clerk, for county offices and local school district offices;
 2940 (d) the county clerk in the filer's county of residence, for multicounty offices;
 2941 (e) the city or town clerk, for municipal offices; or
 2942 (f) the local district clerk, for local district offices.
 2943 ~~[(7)]~~ (8) "Local district office" means an elected office in a local district.
 2944 ~~[(8)]~~ (9) "Local government office" includes county offices, municipal offices, and
 2945 local district offices and other elective offices selected by the voters from a political division
 2946 entirely within one county.
 2947 (10) "Manual candidate qualification process" means the process for gathering
 2948 signatures to seek the nomination of a registered political party, using paper signature packets
 2949 that a signer physically signs.
 2950 ~~[(9)]~~ (11) (a) "Multicounty office" means an elective office where the officeholder is
 2951 selected by the voters from more than one county.
 2952 (b) "Multicounty office" does not mean:
 2953 (i) a county office;
 2954 (ii) a federal office;
 2955 (iii) the office of justice or judge of any court of record or not of record;
 2956 (iv) the office of presidential elector;
 2957 (v) any political party offices; or
 2958 (vi) any municipal or local district offices.
 2959 ~~[(10)]~~ (12) "Municipal office" means an elective office in a municipality.
 2960 ~~[(11)]~~ (13) (a) "Political division" means a geographic unit from which an officeholder
 2961 is elected and that an officeholder represents.
 2962 (b) "Political division" includes a county, a city, a town, a local district, a school
 2963 district, a legislative district, and a county prosecution district.
 2964 ~~[(12)]~~ (14) "Qualified political party" means a registered political party that:
 2965 (a) (i) permits a delegate for the registered political party to vote on a candidate
 2966 nomination in the registered political party's convention remotely; or
 2967 (ii) provides a procedure for designating an alternate delegate if a delegate is not
 2968 present at the registered political party's convention;
 2969 (b) does not hold the registered political party's convention before the fourth Saturday

in March of an even-numbered year;

(c) permits a member of the registered political party to seek the registered political party's nomination for any elective office by the member choosing to seek the nomination by either or both of the following methods:

(i) seeking the nomination through the registered political party's convention process, in accordance with the provisions of Section 20A-9-407; or

(ii) seeking the nomination by collecting signatures, in accordance with the provisions of Section 20A-9-408; and

(d) (i) if the registered political party is a continuing political party, no later than 5 p.m. on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the election in the following year, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406; or

(ii) if the registered political party is not a continuing political party, certifies at the time that the registered political party files the petition described in Section 20A-8-103 that, for the next election, the registered political party intends to nominate the registered political party's candidates in accordance with the provisions of Section 20A-9-406.

(15) "Signature," as it relates to a petition for a candidate to seek the nomination of a registered political party, means:

(a) when using the manual candidate qualification process, a holographic signature collected physically on a nomination petition described in Subsection 20A-9-405(3); or

(b) when using the electronic candidate qualification process:

(i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or

(ii) a holographic signature collected electronically under Subsection 20A-21-201(5)(c)(ii)(B).

Section 57. Section 20A-9-403 is amended to read:

20A-9-403. Regular primary elections.

(1) (a) Candidates for elective office that are to be filled at the next regular general election shall be nominated in a regular primary election by direct vote of the people in the manner prescribed in this section. The regular primary election is held on the date specified in Section 20A-1-201.5. Nothing in this section shall affect a candidate's ability to qualify for a regular general election's ballot as an unaffiliated candidate under Section 20A-9-501 or to

participate in a regular general election as a write-in candidate under Section 20A-9-601.

(b) Each registered political party that chooses to have the names of the registered political party's candidates for elective office featured with party affiliation on the ballot at a regular general election shall comply with the requirements of this section and shall nominate the registered political party's candidates for elective office in the manner described in this section.

(c) A filing officer may not permit an official ballot at a regular general election to be produced or used if the ballot denotes affiliation between a registered political party or any other political group and a candidate for elective office who is not nominated in the manner prescribed in this section or in Subsection 20A-9-202(4).

(d) Unless noted otherwise, the dates in this section refer to those that occur in each even-numbered year in which a regular general election will be held.

(2) (a) Each registered political party, in a statement filed with the lieutenant governor, shall:

(i) either declare the registered political party's intent to participate in the next regular primary election or declare that the registered political party chooses not to have the names of the registered political party's candidates for elective office featured on the ballot at the next regular general election; and

(ii) if the registered political party participates in the upcoming regular primary election, identify one or more registered political parties whose members may vote for the registered political party's candidates and whether individuals identified as unaffiliated with a political party may vote for the registered political party's candidates.

(b) (i) A registered political party that is a continuing political party shall file the statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on November 30 of each odd-numbered year.

(ii) An organization that is seeking to become a registered political party under Section 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered political party files the petition described in Section 20A-8-103.

(3) (a) Except as provided in Subsection (3)(e), an individual who submits a declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective office on the regular primary ballot of the registered political party listed on the declaration of

3032 candidacy only if the individual is certified by the appropriate filing officer as having submitted
3033 a [~~set of nomination petitions~~] nomination petition that was:

3034 (i) circulated and completed in accordance with Section [20A-9-405](#); and

3035 (ii) signed by at least 2% of the registered political party's members who reside in the
3036 political division of the office that the individual seeks.

3037 (b) (i) A candidate for elective office shall submit [~~nomination petitions~~] signatures for
3038 a nomination petition to the appropriate filing officer for verification and certification no later
3039 than 5 p.m. on the final day in March.

3040 (ii) A candidate may supplement the candidate's submissions at any time on or before
3041 the filing deadline.

3042 (c) (i) The lieutenant governor shall determine for each elective office the total number
3043 of signatures that must be submitted under Subsection (3)(a)(ii) or [20A-9-408\(8\)](#) by counting
3044 the aggregate number of individuals residing in each elective office's political division who
3045 have designated a particular registered political party on the individuals' voter registration
3046 forms on or before November 15 of each odd-numbered year.

3047 (ii) The lieutenant governor shall publish the determination for each elective office no
3048 later than November 30 of each odd-numbered year.

3049 (d) The filing officer shall:

3050 (i) except as otherwise provided in Section [20A-21-201](#), verify signatures on
3051 nomination petitions in a transparent and orderly manner, no later than 14 days after the day on
3052 which a candidate submits the signatures to the filing officer;

3053 (ii) for all qualifying candidates for elective office who submit nomination petitions to
3054 the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline
3055 described in Subsection [20A-9-202\(1\)\(b\)](#);

3056 (iii) consider active and inactive voters eligible to sign nomination petitions;

3057 (iv) consider an individual who signs a nomination petition a member of a registered
3058 political party for purposes of Subsection (3)(a)(ii) if the individual has designated that
3059 registered political party as the individual's party membership on the individual's voter
3060 registration form; and

3061 (v) except as otherwise provided in Section [20A-21-201](#), utilize procedures described
3062 in Section [20A-7-206.3](#) to verify submitted nomination petition signatures, or use statistical

3063 sampling procedures to verify submitted nomination petition signatures in accordance with
3064 rules made under Subsection (3)(f).

3065 (e) Notwithstanding any other provision in this Subsection (3), a candidate for
3066 lieutenant governor may appear on the regular primary ballot of a registered political party
3067 without submitting nomination petitions if the candidate files a declaration of candidacy and
3068 complies with Subsection 20A-9-202(3).

3069 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
3070 director of elections, within the Office of the Lieutenant Governor, may make rules that:

3071 (i) provide for the use of statistical sampling procedures that:

3072 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and

3073 (B) reflect a bona fide effort to determine the validity of a candidate's entire
3074 submission, using widely recognized statistical sampling techniques; and

3075 (ii) provide for the transparent, orderly, and timely submission, verification, and
3076 certification of nomination petition signatures.

3077 (g) The county clerk shall:

3078 (i) review the declarations of candidacy filed by candidates for local boards of
3079 education to determine if more than two candidates have filed for the same seat;

3080 (ii) place the names of all candidates who have filed a declaration of candidacy for a
3081 local board of education seat on the nonpartisan section of the ballot if more than two
3082 candidates have filed for the same seat; and

3083 (iii) determine the order of the local board of education candidates' names on the ballot
3084 in accordance with Section 20A-6-305.

3085 (4) (a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant
3086 governor shall provide to the county clerks:

3087 (i) a list of the names of all candidates for federal, constitutional, multi-county, single
3088 county, and county offices who have received certifications under Subsection (3), along with
3089 instructions on how those names shall appear on the primary election ballot in accordance with
3090 Section 20A-6-305; and

3091 (ii) a list of unopposed candidates for elective office who have been nominated by a
3092 registered political party under Subsection (5)(c) and instruct the county clerks to exclude the
3093 unopposed candidates from the primary election ballot.

3094 (b) A candidate for lieutenant governor and a candidate for governor campaigning as
3095 joint-ticket running mates shall appear jointly on the primary election ballot.

3096 (c) After the county clerk receives the certified list from the lieutenant governor under
3097 Subsection (4)(a), the county clerk shall post or publish a primary election notice in
3098 substantially the following form:

3099 "Notice is given that a primary election will be held Tuesday, June ____,
3100 ____ (year), to nominate party candidates for the parties and candidates for nonpartisan
3101 local school board positions listed on the primary ballot. The polling place for voting precinct
3102 ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.
3103 Attest: county clerk."

3104 (5) (a) A candidate who, at the regular primary election, receives the highest number of
3105 votes cast for the office sought by the candidate is:

3106 (i) nominated for that office by the candidate's registered political party; or

3107 (ii) for a nonpartisan local school board position, nominated for that office.

3108 (b) If two or more candidates are to be elected to the office at the regular general
3109 election, those party candidates equal in number to positions to be filled who receive the
3110 highest number of votes at the regular primary election are the nominees of the candidates'
3111 party for those positions.

3112 (c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

3113 (A) no individual other than the candidate receives a certification under Subsection (3)
3114 for the regular primary election ballot of the candidate's registered political party for a
3115 particular elective office; or

3116 (B) for an office where more than one individual is to be elected or nominated, the
3117 number of candidates who receive certification under Subsection (3) for the regular primary
3118 election of the candidate's registered political party does not exceed the total number of
3119 candidates to be elected or nominated for that office.

3120 (ii) A candidate who is unopposed for an elective office in the regular primary election
3121 of a registered political party is nominated by the party for that office without appearing on the
3122 primary election ballot.

3123 (6) (a) When a tie vote occurs in any primary election for any national, state, or other
3124 office that represents more than one county, the governor, lieutenant governor, and attorney

general shall, at a public meeting called by the governor and in the presence of the candidates involved, select the nominee by lot cast in whatever manner the governor determines.

(b) When a tie vote occurs in any primary election for any county office, the district court judges of the district in which the county is located shall, at a public meeting called by the judges and in the presence of the candidates involved, select the nominee by lot cast in whatever manner the judges determine.

(7) The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

(8) An individual may not file a declaration of candidacy for a registered political party of which the individual is not a member, except to the extent that the registered political party permits otherwise under the registered political party's bylaws.

Section 58. Section **20A-9-405** is amended to read:

20A-9-405. Nomination petitions for regular primary elections.

(1) This section [~~shall apply~~] applies to the form and circulation of nomination petitions for regular primary elections described in Subsection **20A-9-403(3)(a)**.

(2) A candidate for elective office, and the agents of the candidate, may not circulate nomination petitions until the candidate has submitted a declaration of candidacy in accordance with Subsection **20A-9-202(1)**.

(3) [~~The~~] For the manual candidate qualification process, the nomination petitions shall be in substantially the following form:

(a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

(b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the space above that line blank for purposes of binding;

(c) the petition shall be headed by a caption stating the purpose of the petition and the name of the proposed candidate;

(d) the petition shall feature the word "Warning" followed by the following statement in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to knowingly sign a [~~certificate of nomination signature sheet~~] nomination petition with any name other than the person's own name, or more than once for the same candidate, or if the person is

3156 not registered to vote in this state [~~and does not intend to become registered to vote in this state~~
3157 ~~before signatures are certified by a filing officer~~].";

3158 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively
3159 numbered one through 10;

3160 (f) the signature portion of the petition shall be divided into columns headed by the
3161 following titles:

3162 (i) Registered Voter's Printed Name;

3163 (ii) Signature of Registered Voter;

3164 (iii) Party Affiliation of Registered Voter;

3165 (iv) Birth Date or Age (Optional);

3166 (v) Street Address, City, Zip Code; and

3167 (vi) Date of Signature; and

3168 (g) a photograph of the candidate may appear on the nomination petition.

3169 (4) For the electronic candidate qualification process, the lieutenant governor shall
3170 design an electronic form, using progressive screens, that includes:

3171 (a) the following warning:

3172 "Warning: "It is a class A misdemeanor for anyone to knowingly sign a nomination
3173 petition with any name other than the person's own name, or more than once for the same
3174 candidate, or if the person is not registered to vote in this state."; and

3175 (b) the following information for each individual who signs the petition:

3176 (i) name;

3177 (ii) party affiliation;

3178 (iii) date of birth or age, (optional);

3179 (iv) street address, city, zip code;

3180 (v) date of signature;

3181 (vi) other information required under Section 20A-21-201; and

3182 (vii) other information required by the lieutenant governor.

3183 ~~[(4)]~~ (5) ~~[H]~~ For the manual candidate qualification process, if one or more nomination
3184 petitions are bound together, a page shall be bound to the nomination petition(s) that features
3185 the following printed verification statement to be signed and dated by the petition circulator:

3186 "Verification

3187 State of Utah, County of ____

3188 I, ____, of ____, hereby state that:

3189 I am a Utah resident and am at least 18 years old;

3190 All the names that appear on the signature sheets bound to this page were, to the best of
3191 my knowledge, signed by the persons who professed to be the persons whose names appear on
3192 the signature sheets, and each of them signed the person's name on the signature sheets in my
3193 presence;

3194 I believe that each has printed and signed the person's name and written the person's
3195 street address correctly, and that each signer is registered to vote in Utah [~~or will register to~~
3196 ~~vote in Utah before the county clerk certifies the signatures on the signature sheet]."~~

3197 ~~[(5)]~~ (6) The lieutenant governor shall prepare and make public model nomination
3198 petition forms and associated instructions.

3199 ~~[(6)]~~ (7) A nomination petition circulator must be at least 18 years old and a resident of
3200 the state, but may affiliate with any political party.

3201 ~~[(7)]~~ (8) It is unlawful for any person to:

3202 (a) knowingly sign the nomination petition [~~sheet~~] described in [~~Subsection (3)]~~ this
3203 section or Section 20A-9-408:

3204 (i) with any name other than the person's own name;

3205 (ii) more than once for the same candidate; or

3206 (iii) if the person is not registered to vote in this state [~~and does not intend to become~~
3207 ~~registered to vote in this state prior to 5 p.m. on the final day in March];~~

3208 (b) sign the verification of a [~~certificate of nomination signature sheet described in~~
3209 ~~Subsection (4)]~~ signature for a nomination petition if the person:

3210 (i) does not meet the residency requirements of Section 20A-2-105;

3211 (ii) has not witnessed the signing by those persons whose names appear on the
3212 [~~certificate of nomination signature sheet~~] nomination petition; or

3213 (iii) knows that a person whose signature appears on the [~~certificate of nomination~~
3214 ~~signature sheet~~] nomination petition is not registered to vote in this state [~~and does not intend~~
3215 ~~to become registered to vote in this state];~~

3216 (c) pay compensation to any person to sign a nomination petition; or

3217 (d) pay compensation to any person to circulate a nomination petition, if the

compensation is based directly on the number of signatures submitted to a filing officer rather than on the number of signatures verified or on some other basis.

~~[(8)]~~ (9) Any person violating Subsection ~~[(7)]~~ (8) is guilty of a class A misdemeanor.

~~[(9)]~~ (10) Withdrawal of petition signatures ~~[shall not be permitted]~~ is prohibited.

Section 59. Section **20A-9-408** is amended to read:

20A-9-408. Signature-gathering process to seek the nomination of a qualified political party.

(1) This section describes the requirements for a member of a qualified political party who is seeking the nomination of the qualified political party for an elective office through the signature-gathering process described in this section.

(2) Notwithstanding Subsection **20A-9-201**(7)(a), the form of the declaration of candidacy for a member of a qualified political party who is nominated by, or who is seeking the nomination of, the qualified political party under this section shall be substantially as described in Section **20A-9-408.5**.

(3) Notwithstanding Subsection **20A-9-202**(1)(a), and except as provided in Subsection **20A-9-202**(4), a member of a qualified political party who, under this section, is seeking the nomination of the qualified political party for an elective office that is to be filled at the next general election shall:

(a) within the period beginning on January 1 before the next regular general election and ending at 5 p.m. 52 days after the day on which the Legislature's general session begins, as provided in Section **36-3-201**, and before gathering signatures under this section, file with the filing officer on a form approved by the lieutenant governor a notice of intent to gather signatures for candidacy that includes:

(i) the name of the member who will attempt to become a candidate for a registered political party under this section;

(ii) the name of the registered political party for which the member is seeking nomination;

(iii) the office for which the member is seeking to become a candidate;

(iv) the address and telephone number of the member; and

(v) other information required by the lieutenant governor;

(b) except as provided in Subsection **20A-9-202**(1)(c), file a declaration of candidacy,

3249 in person, with the filing officer:

3250 (i) on or after 48 days after the day on which the Legislature's general session begins,
3251 as provided in Section 36-3-201; and

3252 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session
3253 begins, as provided in Section 36-3-201; and

3254 (c) pay the filing fee.

3255 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political
3256 party who, under this section, is seeking the nomination of the qualified political party for the
3257 office of district attorney within a multicounty prosecution district that is to be filled at the next
3258 general election shall:

3259 (a) on or after January 1 before the next regular general election, and before gathering
3260 signatures under this section, file with the filing officer on a form approved by the lieutenant
3261 governor a notice of intent to gather signatures for candidacy that includes:

3262 (i) the name of the member who will attempt to become a candidate for a registered
3263 political party under this section;

3264 (ii) the name of the registered political party for which the member is seeking
3265 nomination;

3266 (iii) the office for which the member is seeking to become a candidate;

3267 (iv) the address and telephone number of the member; and

3268 (v) other information required by the lieutenant governor;

3269 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,
3270 in person, with the filing officer:

3271 (i) on or after 48 days after the day on which the Legislature's general session begins,
3272 as provided in Section 36-3-201; and

3273 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session
3274 begins, as provided in Section 36-3-201; and

3275 (c) pay the filing fee.

3276 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
3277 who files as the joint-ticket running mate of an individual who is nominated by a qualified
3278 political party, under this section, for the office of governor shall, before the deadline described
3279 in Subsection 20A-9-202(1)(b), file a declaration of candidacy and submit a letter from the

3280 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
3281 mate.

3282 (6) The lieutenant governor shall ensure that the certification described in Subsection
3283 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
3284 under this section.

3285 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
3286 is nominated by a qualified political party under this section, designate the qualified political
3287 party that nominated the candidate.

3288 (8) A member of a qualified political party may seek the nomination of the qualified
3289 political party for an elective office by:

3290 (a) complying with the requirements described in this section; and

3291 (b) collecting signatures, on a form approved by the lieutenant governor that complies
3292 with Subsection 20A-9-405(3), during the period beginning on January 1 of an even-numbered
3293 year and ending at 5 p.m. 14 days before the day on which the qualified political party's
3294 convention for the office is held, in the following amounts:

3295 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
3296 permitted by the qualified political party to vote for the qualified political party's candidates in
3297 a primary election;

3298 (ii) for a congressional district race, 7,000 signatures of registered voters who are
3299 residents of the congressional district and are permitted by the qualified political party to vote
3300 for the qualified political party's candidates in a primary election;

3301 (iii) for a state Senate district race, 2,000 signatures of registered voters who are
3302 residents of the state Senate district and are permitted by the qualified political party to vote for
3303 the qualified political party's candidates in a primary election;

3304 (iv) for a state House district race, 1,000 signatures of registered voters who are
3305 residents of the state House district and are permitted by the qualified political party to vote for
3306 the qualified political party's candidates in a primary election;

3307 (v) for a State Board of Education race, the lesser of:

3308 (A) 2,000 signatures of registered voters who are residents of the State Board of
3309 Education district and are permitted by the qualified political party to vote for the qualified
3310 political party's candidates in a primary election; or

(B) 3% of the registered voters of the qualified political party who are residents of the applicable State Board of Education district; and

(vi) for a county office race, signatures of 3% of the registered voters who are residents of the area permitted to vote for the county office and are permitted by the qualified political party to vote for the qualified political party's candidates in a primary election.

(9) (a) This Subsection (9) applies only to the manual candidate qualification process.

~~[(9)(a)]~~ (b) In order for a member of the qualified political party to qualify as a candidate for the qualified political party's nomination for an elective office under this section, using the manual candidate qualification process, the member shall:

(i) collect the signatures on a form approved by the lieutenant governor, using the same circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

(ii) submit the signatures to the election officer before 5 p.m. no later than 14 days before the day on which the qualified political party holds the party's convention to select candidates, for the elective office, for the qualified political party's nomination.

~~[(b) An individual may not gather signatures under this section until after the individual files a notice of intent to gather signatures for candidacy described in this section.]~~

~~[(c) An individual who files a notice of intent to gather signatures for candidacy, described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files the notice of intent to gather signatures for candidacy:]~~

~~[(i) required to comply with the reporting requirements that a candidate for office is required to comply with; and]~~

~~[(ii) subject to the same enforcement provisions, and civil and criminal penalties, that apply to a candidate for office in relation to the reporting requirements described in Subsection (9)(c)(i).]~~

~~[(d)]~~ (c) Upon timely receipt of the signatures described in Subsections (8) and (9)~~[(a)]~~(b), the election officer shall, no later than the earlier of 14 days after the day on which the election officer receives the signatures, or one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate:

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

(ii) submit the name of each individual described in Subsection ~~[(9)(d)(i)]~~ (9)(c)(i) who is not a Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

(iii) determine whether each signer is a registered voter who is qualified to sign the petition, using the same method, described in Section 20A-7-206.3, used to verify a signature on a petition; and

(iv) certify whether each name is that of a registered voter who is qualified to sign the signature packet.

(10) (a) This Subsection (10) applies only to the electronic candidate qualification process.

(b) In order for a member of the qualified political party to qualify as a candidate for the qualified political party's nomination for an elective office under this section, the member shall, before 5 p.m. no later than 14 days before the day on which the qualified political party holds the party's convention to select candidates, for the elective office, for the qualified political party's nomination, collect signatures electronically:

(i) in accordance with Section 20A-21-201; and

(ii) using progressive screens, in a format approved by the lieutenant governor, that complies with Subsection 20A-9-405(4).

(c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the election officer shall, no later than the earlier of 14 days after the day on which the election officer receives the signatures, or one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate:

(i) check the name of each individual who completes the verification for a signature to determine whether each individual is a resident of Utah and is at least 18 years old; and

(ii) submit the name of each individual described in Subsection (10)(c)(i) who is not a Utah resident or who is not at least 18 years old to the attorney general and the county attorney.

(11) (a) An individual may not gather signatures under this section until after the individual files a notice of intent to gather signatures for candidacy described in this section.

(b) An individual who files a notice of intent to gather signatures for candidacy, described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files

the notice of intent to gather signatures for candidacy:

(i) required to comply with the reporting requirements that a candidate for office is required to comply with; and

(ii) subject to the same enforcement provisions, and civil and criminal penalties, that apply to a candidate for office in relation to the reporting requirements described in Subsection (11)(b)(i).

~~[(e)]~~ (c) Upon timely receipt of the signatures described in Subsections (8) and ~~[(9)(a)]~~ (9)(b), or Subsections (8) and (10)(b), the election officer shall, no later than one day before the day on which the qualified political party holds the convention to select a nominee for the elective office to which the signature packets relate, notify the qualified political party and the lieutenant governor of the name of each member of the qualified political party who qualifies as a nominee of the qualified political party, under this section, for the elective office to which the convention relates.

~~[(f)]~~ (d) Upon receipt of a notice of intent to gather signatures for candidacy described in this section, the lieutenant governor shall post the notice of intent to gather signatures for candidacy on the lieutenant governor's website in the same location that the lieutenant governor posts a declaration of candidacy.

Section 60. Section **20A-21-101** is enacted to read:

20A-21-101. Definitions.

As used in this chapter:

(1) "Approved device" means a device described in Subsection [20A-21-201\(4\)](#).

(2) "Candidate qualification process" means the process, described in Section [20A-9-403](#) or [20A-9-408](#), of gathering signatures to seek the nomination of a registered political party.

(3) "Electronic candidate qualification process" means the same as that term is defined in Section [20A-9-101](#).

(4) "Electronic initiative process" means the same as that term is defined in Section [20A-7-101](#).

(5) "Electronic referendum process" means the same as that term is defined in Section [20A-7-101](#).

(6) "Manual candidate qualification process" means the same as that term is defined in

3404 Section [20A-9-101](#).

3405 (7) "Petition" means:

3406 (a) as it relates to the electronic initiative process or the electronic referendum process,
3407 the electronic record that an individual signs to indicate the individual is in favor of placing the
3408 initiative or referendum on the ballot; or

3409 (b) as it relates to electronic candidate qualification process, the electronic record that
3410 an individual signs to indicate the individual is in favor of placing an individual's name on the
3411 ballot to run for a particular elective office.

3412 (8) "Signature" means:

3413 (a) as it relates to a signature gathered for an initiative or referendum, the same as that
3414 term is defined in Section [20A-7-101](#); or

3415 (b) as it relates to a signature gathered for the candidate qualification process, the same
3416 as that term is defined in Section [20A-9-101](#).

3417 (9) "Website" means:

3418 (a) as it relates to the electronic initiative process or the electronic referendum process,
3419 the website designated by the lieutenant governor for collecting the signatures and other
3420 information relating to the electronic initiative process or the electronic referendum process; or

3421 (b) as it relates to the electronic candidate qualification process, a website designated
3422 by the lieutenant governor for collecting the signatures and other information relating to the
3423 electronic candidate qualification process.

3424 Section 61. Section **20A-21-201** is enacted to read:

3425 **20A-21-201. Electronic signature gathering for an initiative, a referendum, or**
3426 **candidate qualification.**

3427 (1) (a) The lieutenant governor may require all signatures to be gathered electronically,
3428 in accordance with the requirements of this section, for a statewide initiative or referendum.

3429 (b) If the lieutenant governor takes the action described in Subsection (1)(a):

3430 (i) in relation to a statewide initiative, signatures for that initiative:

3431 (A) may only be gathered and submitted electronically, in accordance with this section
3432 and Sections [20A-7-215](#), [20A-7-216](#), and [20A-7-217](#); and

3433 (B) may not be gathered using the traditional signature-gathering process described in
3434 Sections [20A-7-204](#), [20A-7-205](#), and [20A-7-206](#); and

3435 (ii) in relation to a statewide referendum, signatures for that referendum:

3436 (A) may only be gathered and submitted electronically, in accordance with this section
3437 and Sections 20A-7-313, 20A-7-314, and 20A-7-315; and

3438 (B) may not be gathered using the traditional signature-gathering process described in
3439 Sections 20A-7-304, 20A-7-305, and 20A-7-306.

3440 (2) (a) A local clerk may require all signatures to be gathered electronically, in
3441 accordance with the requirements of this section, for a local initiative or referendum.

3442 (b) If the local clerk takes the action described in Subsection (2)(a):

3443 (i) in relation to a local initiative, signatures for that initiative:

3444 (A) may only be gathered and submitted electronically, in accordance with this section
3445 and Sections 20A-7-514, 20A-7-515, and 20A-7-516; and

3446 (B) may not be gathered using the traditional signature-gathering process described in
3447 Sections 20A-7-504, 20A-7-505, and 20A-7-506; and

3448 (ii) in relation to a local referendum, signatures for that referendum:

3449 (A) may only be gathered and submitted electronically, in accordance with this section
3450 and Sections 20A-7-614, 20A-7-615, and 20A-7-616; and

3451 (B) may not be gathered using the traditional signature-gathering process described in
3452 Sections 20A-7-604, 20A-7-605, and 20A-7-606.

3453 (3) (a) The lieutenant governor may require all signatures to be gathered electronically,
3454 in accordance with the requirements of this section, for the candidate qualification process.

3455 (b) If the lieutenant governor takes the action described in Subsection (3)(a), signatures
3456 for the candidate qualification process:

3457 (i) may only be gathered and submitted using the electronic candidate qualification
3458 process; and

3459 (ii) may not be gathered using the manual candidate qualification process.

3460 (4) To gather a signature electronically, a signature-gatherer shall:

3461 (a) use a device provided by the signature-gatherer or a sponsor of the petition that:

3462 (i) is approved by the lieutenant governor;

3463 (ii) except as provided in Subsection (4)(a)(iii), does not store a signature or any other
3464 information relating to an individual signing the petition in any location other than the location
3465 used by the website to store the information;

3466 (iii) does not, on the device, store a signature or any other information relating to an
3467 individual signing the petition except for the minimum time necessary to upload information to
3468 the website;

3469 (iv) does not contain any applications, software, or data other than those approved by
3470 the lieutenant governor; and

3471 (v) complies with cyber-security and other security protocols required by the lieutenant
3472 governor;

3473 (b) use the approved device to securely access a website designated by the lieutenant
3474 governor, directly, or via an application designated by the lieutenant governor;

3475 (c) while connected to the website, present the approved device to an individual
3476 considering signing the petition and, while the signature-gatherer is in the physical presence of
3477 the individual:

3478 (i) wait for the individual to reach each screen presented to the individual on the
3479 approved device; and

3480 (ii) wait for the individual to advance to each subsequent screen by clicking on the
3481 acknowledgement at the bottom of the screen.

3482 (5) Each screen shown on an approved device as part of the signature-gathering process
3483 shall appear as a continuous electronic document that, if the entire document does not appear
3484 on the screen at once, requires the individual viewing the screen to, before advancing to the
3485 next screen, scroll through the document until the individual reaches the end of the document.

3486 (6) After advancing through each screen required for the petition, the signature process
3487 shall proceed as follows:

3488 (a) except as provided in Subsection (6)(b):

3489 (i) the individual desiring to sign the petition shall present the individual's driver
3490 license or state identification card to the signature-gatherer;

3491 (ii) the signature-gatherer shall verify that the individual pictured on the driver license
3492 or state identification card is the individual signing the petition;

3493 (iii) the signature-gatherer shall scan or enter the driver license number or state
3494 identification card number through the approved device; and

3495 (iv) immediately after the signature-gatherer complies with Subsection (6)(a)(iii), the
3496 website shall determine whether the individual desiring to sign the petition is eligible to sign

3497 the petition;

3498 (b) if the individual desiring to sign the petition is unable to provide a driver license or
3499 state identification card to the signature gatherer:

3500 (i) the individual may present other valid voter identification;

3501 (ii) if the valid voter identification contains a picture of the individual, the
3502 signature-gatherer shall verify that the individual pictured is the individual signing the petition;

3503 (iii) if the valid voter identification does not contain a picture of the individual, the
3504 signature-gatherer shall, to the extent reasonably practicable, use the individual's address or
3505 other available means to determine whether the identification relates to the individual
3506 presenting the identification;

3507 (iv) the signature-gatherer shall scan an image of the valid voter identification and
3508 immediately upload the image to the website; and

3509 (v) the individual:

3510 (A) shall enter the individual's address; and

3511 (B) may, at the discretion of the individual, enter the individual's date of birth or age
3512 after the individual clicks on the screen acknowledging that they have read and understand the
3513 following statement, "Birth date or age information is not required, but may be used to verify
3514 your identity with voter registration records. If you choose not to provide it, your signature may
3515 not be verified as a valid signature if you change your address before your signature is verified
3516 or if the information you provide does not match your voter registration records."; and

3517 (c) after completing the process described in Subsection (6)(a) or (b), the screen shall:

3518 (i) except for a petition to qualify a candidate for the ballot, give the individual signing
3519 the petition the opportunity to enter the individual's email address after the individual reads the
3520 following statement, "If you provide your email address, you may receive an email with
3521 additional information relating to the petition you are signing."; and

3522 (ii) (A) if the website determines, under Subsection (6)(a)(iv), that the individual is
3523 eligible to sign the petition, permit the individual to enter the individual's name as the
3524 individual's electronic signature and, immediately after the signature-gather timely complies
3525 with Subsection (10), certify the signature; or

3526 (B) if the individual provides valid voter identification under Subsection (6)(b), permit
3527 the individual to enter the individual's name as the individual's electronic signature.

(7) If an individual provides valid voter identification under Subsection (6)(b), the county clerk shall, within seven days after the day on which the individual submits the valid voter identification, certify the signature if:

(a) the individual is eligible to sign the petition;

(b) the identification provided matches the information on file; and

(c) the signature-gatherer timely complies with Subsection (10).

(8) For each signature submitted under this section, the website shall record:

(a) the information identifying the individual who signs;

(b) the date the signature was collected; and

(c) the name of the signature-gatherer.

(9) An individual who is a signature-gatherer may not sign a petition unless another individual acts as the signature-gatherer when the individual signs the petition.

(10) Except for a petition for a candidate to seek the nomination of a registered political party, each individual who gathers a signature under this section shall, within one business day after the day on which the individual gathers a signature, electronically sign and submit the following statement to the website:

"VERIFICATION OF SIGNATURE-GATHERER

State of Utah, County of _____

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

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

All the signatures that I collected on [Date signatures were gathered] were signed by individuals who professed to be the individuals whose signatures I gathered, and each of the individuals signed the petition in my presence;

I did not knowingly make a misrepresentation of fact concerning the law or proposed law to which the petition relates;

I believe that each individual has signed the individual's name and written the individual's residence correctly, that each signer has read and understands the law to which the petition relates, and that each signer is registered to vote in Utah;

Each signature correctly reflects the date on which the individual signed the petition; and

I have not paid or given anything of value to any individual who signed this petition to

3559 encourage that individual to sign it."

3560 (11) Except for a petition for a candidate to seek the nomination of a registered
3561 political party:

3562 (a) the county clerk may not certify a signature that is not timely verified in accordance
3563 with Subsection (10); and

3564 (b) if a signature certified by a county clerk under Subsection (6)(c)(ii)(A) is not timely
3565 verified in accordance with Subsection (10), the county clerk shall:

3566 (i) revoke the certification;

3567 (ii) remove the signature from the posting described in Subsection [20A-7-217\(4\)](#),
3568 [20A-7-315\(3\)](#), [20A-7-516\(4\)](#), or [20A-7-616\(3\)](#); and

3569 (iii) update the totals described in Subsections [20A-7-217\(5\)\(a\)\(ii\)](#),
3570 [20A-7-315\(5\)\(a\)\(ii\)](#), [20A-7-516\(5\)\(a\)\(ii\)](#), and [20A-7-616\(5\)\(a\)\(ii\)](#).

3571 (12) For a petition for a candidate to seek the nomination of a registered political party,
3572 each individual who gathers a signature under this section shall, within one business day after
3573 the day on which the individual gathers a signature, electronically sign and submit the
3574 following statement to the lieutenant governor in the manner specified by the lieutenant
3575 governor:

3576 "VERIFICATION OF SIGNATURE-GATHERER

3577 State of Utah, County of _____

3578 I, _____, of _____, hereby state that:

3579 I am a resident of Utah and am at least 18 years old;

3580 All the signatures that I collected on [Date signatures were gathered] were signed by
3581 individuals who professed to be the individuals whose signatures I gathered, and each of the
3582 individuals signed the petition in my presence;

3583 I believe that each individual has signed the individual's name and written the
3584 individual's residence correctly and that each signer is registered to vote in Utah; and

3585 Each signature correctly reflects the date on which the individual signed the petition."

3586 (13) For a petition for a candidate to seek the nomination of a registered political party,
3587 the election officer may not certify a signature that is not timely verified in accordance with
3588 Subsection (12).