

**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: Jerry W. Stevenson

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**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 a statewide referendum, or a petition seeking the nomination of a registered political party; or

- for 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:**

None



26 **Other Special Clauses:**

27 This bill provides a special effective date.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **10-9a-509**, as last amended by Laws of Utah 2021, Chapters 140 and 385

31 **11-14-301**, as last amended by Laws of Utah 2021, Chapter 140

32 **17-27a-508**, as last amended by Laws of Utah 2021, Chapters 140 and 385

33 **20A-1-306**, as last amended by Laws of Utah 2019, Chapter 24

34 **20A-1-609**, as last amended by Laws of Utah 2021, Chapters 140 and 418

35 **20A-7-101**, as last amended by Laws of Utah 2021, Chapter 80

36 **20A-7-103**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

37 **20A-7-202**, as last amended by Laws of Utah 2021, Chapter 140

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-7-302**, as last amended by Laws of Utah 2021, Chapter 140

48 **20A-7-303**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last  
49 amended by Coordination Clause, Laws of Utah 2021, Chapter 418

50 **20A-7-304**, as last amended by Laws of Utah 2021, Chapters 140, 418 and last  
51 amended by Coordination Clause, Laws of Utah 2021, Chapter 418

52 **20A-7-304.5**, as enacted by Laws of Utah 2021, Chapter 418

53 **20A-7-305**, as last amended by Laws of Utah 2021, Chapter 140

54 **20A-7-306**, as last amended by Laws of Utah 2021, Chapters 140 and 418

55 **20A-7-306.3**, as last amended by Laws of Utah 2021, Chapter 140

56 **20A-7-307**, as last amended by Laws of Utah 2021, Chapter 140

- 57            [20A-7-312](#), as last amended by Laws of Utah 2019, Chapter 210
- 58            [20A-7-502](#), as last amended by Laws of Utah 2021, Chapter 140
- 59            [20A-7-502.6](#), as enacted by Laws of Utah 2021, Chapter 418
- 60            [20A-7-502.7](#), as last amended by Laws of Utah 2021, Chapter 418
- 61            [20A-7-503](#), 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-7-504](#), as last amended by Laws of Utah 2021, Chapters 140, 418 and last
- 64 amended by Coordination Clause, Laws of Utah 2021, Chapter 418
- 65            [20A-7-505](#), as last amended by Laws of Utah 2021, Chapter 140
- 66            [20A-7-506](#), as last amended by Laws of Utah 2021, Chapters 140 and 418
- 67            [20A-7-506.3](#), as last amended by Laws of Utah 2021, Chapter 140
- 68            [20A-7-507](#), as last amended by Laws of Utah 2021, Chapter 140
- 69            [20A-7-512](#), as last amended by Laws of Utah 2019, Chapter 203
- 70            [20A-7-602](#), as last amended by Laws of Utah 2021, Chapter 140
- 71            [20A-7-602.7](#), as last amended by Laws of Utah 2021, Chapter 418
- 72            [20A-7-602.8](#), as last amended by Laws of Utah 2021, Chapter 418
- 73            [20A-7-603](#), as last amended by Laws of Utah 2021, Chapters 140, 418 and last
- 74 amended by Coordination Clause, Laws of Utah 2021, Chapter 418
- 75            [20A-7-604](#), as last amended by Laws of Utah 2021, Chapters 140, 418 and last
- 76 amended by Coordination Clause, Laws of Utah 2021, Chapter 418
- 77            [20A-7-604.5](#), as enacted by Laws of Utah 2021, Chapter 418
- 78            [20A-7-605](#), as last amended by Laws of Utah 2021, Chapter 140
- 79            [20A-7-606](#), as last amended by Laws of Utah 2021, Chapters 140 and 418
- 80            [20A-7-606.3](#), as last amended by Laws of Utah 2021, Chapter 140
- 81            [20A-7-607](#), as last amended by Laws of Utah 2021, Chapters 80 and 140
- 82            [20A-7-611](#), as last amended by Laws of Utah 2021, Chapter 140
- 83            [20A-7-612](#), as last amended by Laws of Utah 2019, Chapter 203
- 84            [20A-7-613](#), as last amended by Laws of Utah 2021, Chapter 140
- 85            [20A-9-101](#), as last amended by Laws of Utah 2020, Chapter 344
- 86            [20A-9-403](#), as last amended by Laws of Utah 2020, Chapter 22
- 87            [20A-9-405](#), as last amended by Laws of Utah 2018, Chapter 281

88 20A-9-408, as last amended by Laws of Utah 2021, Second Special Session, Chapter 6

89 ENACTS:

90 20A-7-215, Utah Code Annotated 1953

91 20A-7-216, Utah Code Annotated 1953

92 20A-7-217, Utah Code Annotated 1953

93 20A-7-313, Utah Code Annotated 1953

94 20A-7-314, Utah Code Annotated 1953

95 20A-7-315, Utah Code Annotated 1953

96 20A-7-514, Utah Code Annotated 1953

97 20A-7-515, Utah Code Annotated 1953

98 20A-7-516, Utah Code Annotated 1953

99 20A-7-614, Utah Code Annotated 1953

100 20A-7-615, Utah Code Annotated 1953

101 20A-7-616, Utah Code Annotated 1953

102 20A-21-101, Utah Code Annotated 1953

103 20A-21-201, Utah Code Annotated 1953

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

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

107 **10-9a-509. Applicant's entitlement to land use application approval --**

108 **Municipality's requirements and limitations -- Vesting upon submission of development**  
109 **plan and schedule.**

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

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

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

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

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

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

125 (b) The municipality shall process an application without regard to proceedings the  
126 municipality initiated to amend the municipality's ordinances as described in Subsection

127 (1)(a)(ii)(B) if:

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

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

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

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

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

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

141 (i) this chapter;

142 (ii) a municipal ordinance; or

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

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

147 (i) in a land use permit;

148 (ii) on the subdivision plat;

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

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

152 (v) in this chapter; or

153 (vi) in a municipal ordinance.

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

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

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

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

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

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

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

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

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

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

180 (5) Upon a specified public agency's submission of a development plan and schedule as

181 required in Subsection [10-9a-305](#)(8) that complies with the requirements of that subsection, the  
 182 specified public agency vests in the municipality's applicable land use maps, zoning map,  
 183 hookup fees, impact fees, other applicable development fees, and land use regulations in effect  
 184 on the date of submission.

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

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

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

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

193 (i) the relevant land use approval; and

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

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

196 **11-14-301. Issuance of bonds by governing body -- Computation of indebtedness**  
 197 **under constitutional and statutory limitations.**

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

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

204 (b) The 10-year period described in Subsection (2)(a) is tolled if, at any time during the  
 205 10-year period:

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

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

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

212 (B) the authority of the local political subdivision to issue the bonds;  
213 (C) the provisions made for the security or payment of the bonds; or  
214 (D) any other issue that materially and adversely affects the marketability of the bonds,  
215 as determined by the individual or body that holds the executive powers of the local political  
216 subdivision.

217 (c) For a bond described in this section that is approved by voters on or after May 8,  
218 2002, but before May 14, 2019, a tolling period described in Subsection (2)(b)(i) ends on the  
219 later of the day on which:

220 (i) the local clerk determines that the petition is insufficient, in accordance with  
221 Subsection [~~20A-7-607(2)(e)~~] 20A-7-607(3)(d), unless an application, described in Subsection  
222 [~~20A-7-607(3)(a)~~] 20A-7-607(4)(a), is made to a court;

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

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

227 (d) For a bond described in this section that was approved by voters on or after May  
228 14, 2019, a tolling period described in Subsection (2)(b)(i) ends:

229 (i) if a county, city, town, metro township, or court determines, under Section  
230 20A-7-602.7, that the proposed referendum is not legally referable to voters, the later of:

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

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

235 (ii) if a county, city, town, metro township, or court determines, under Section  
236 20A-7-602.7, that the proposed referendum is legally referable to voters, the later of:

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

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



243 obligation law.

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

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

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

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

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

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

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

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

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

272 (5) Where bonds are issued by a city, town, or county payable solely from revenues  
273 derived from the operation of revenue-producing facilities of the city, town, or county, or

274 payable solely from a special fund into which are deposited excise taxes levied and collected by  
275 the city, town, or county, or excise taxes levied by the state and rebated pursuant to law to the  
276 city, town, or county, or any combination of those excise taxes, the bonds shall be included as  
277 bonded indebtedness of the city, town, or county only to the extent required by the Utah  
278 Constitution, and any bonds not so required to be included as bonded indebtedness of the city,  
279 town, or county need not be authorized at an election, except as otherwise provided by the Utah  
280 Constitution, the bonds being hereby expressly excluded from the election requirement of  
281 Section 11-14-201.

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

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

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

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

292 **17-27a-508. Applicant's entitlement to land use application approval --**  
293 **Application relating to land in a high priority transportation corridor -- County's**  
294 **requirements and limitations -- Vesting upon submission of development plan and**  
295 **schedule.**

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

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

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

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

305 application fees, unless:

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

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

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

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

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

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

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

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

324 (i) in this chapter;

325 (ii) in a county ordinance; or

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

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

330 (i) in a land use permit;

331 (ii) on the subdivision plat;

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

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

335 (v) in this chapter; or

336 (vi) in a county ordinance.

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

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

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

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

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

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

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

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

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

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

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

367 date of submission.

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

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

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

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

376 (i) the relevant land use approval; and

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

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

379 **20A-1-306. Electronic signatures prohibited.**

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

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

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

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

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

390 **20A-1-609. Omnibus penalties.**

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

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

395 (c) An individual is not guilty of a crime for, by signing a petition for an initiative or  
396 referendum, falsely making the statement described in Subsection [~~[20A-7-203\(2\)\(d\)\(xx\)](#)~~;  
397 ~~[20A-7-303\(2\)\(d\)\(xx\)](#)~~, ~~[20A-7-503\(2\)\(d\)\(xx\)](#)~~, or ~~[20A-7-603\(2\)\(d\)\(xx\)](#)~~] [20A-7-203\(3\)\(d\)\(xx\)](#),

398 [20A-7-303\(3\)\(d\)\(xx\)](#), [20A-7-503\(3\)\(d\)\(xx\)](#), or [20A-7-603\(3\)\(d\)\(xx\)](#).

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

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

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

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

405 (3) (a) Any individual convicted of any offense under this title forfeits the right to vote  
406 at any election unless the right to vote is restored as provided in Section [20A-2-101.3](#) or  
407 [20A-2-101.5](#).

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

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

411 **20A-7-101. Definitions.**

412 As used in this chapter:

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

416 [~~(1)~~] (2) "Budget officer" means:

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

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

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

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

422 [~~(2)~~] (3) "Certified" means that the county clerk has acknowledged a signature as being  
423 the signature of a registered voter.

424 [~~(3)~~] (4) "Circulation" means the process of submitting an initiative or referendum  
425 petition to legal voters for their signature.

426 (5) "Electronic initiative process" means:

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

429 (b) as it relates to a local initiative, the process, described in Sections [20A-7-514](#) and  
430 [20A-21-201](#), for gathering signatures.

431 (6) "Electronic referendum process" means:

432 (a) as it relates to a statewide referendum, the process, described in Sections

433 [20A-7-313](#) and [20A-21-201](#), for gathering signatures; or

434 (b) as it relates to a local referendum, the process, described in Sections [20A-7-614](#) and

435 [20A-21-201](#), for gathering signatures.

436 [~~(4)~~] (7) "Eligible voter" means a legal voter who resides in the jurisdiction of the  
437 county, city, or town that is holding an election on a ballot proposition.

438 [~~(5)~~] (8) "Final fiscal impact statement" means a financial statement prepared after  
439 voters approve an initiative that contains the information required by Subsection  
440 [20A-7-202.5\(2\)](#) or [20A-7-502.5\(2\)](#).

441 [~~(6)~~] (9) "Initial fiscal impact estimate" means:

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

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

446 [~~(7)~~] (10) "Initiative" means a new law proposed for adoption by the public as provided  
447 in this chapter.

448 [~~(8)~~] (11) "Initiative packet" means a copy of the initiative petition, a copy of the  
449 proposed law, and the signature sheets, all of which have been bound together as a unit.

450 [~~(9)~~] (12) (a) "Land use law" means a law of general applicability, enacted based on the  
451 weighing of broad, competing policy considerations, that relates to the use of land, including  
452 land use regulation, a general plan, a land use development code, an annexation ordinance, the  
453 rezoning of a single property or multiple properties, or a comprehensive zoning ordinance or  
454 resolution.

455 (b) "Land use law" does not include a land use decision, as defined in Section  
456 [10-9a-103](#) or [17-27a-103](#).

457 [~~(10)~~] (13) "Legal signatures" means the number of signatures of legal voters that:

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

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

460           ~~[(11)]~~ (14) "Legal voter" means a person who ~~[(a)]~~ is registered to vote ~~;~~~~or~~ in Utah.  
461           ~~[(b) becomes registered to vote before the county clerk certifies the signatures on an~~  
462 ~~initiative or referendum petition.]~~

463           ~~[(12)]~~ (15) "Legally referable to voters" means:

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

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

468           ~~[(13)]~~ (16) "Local attorney" means the county attorney, city attorney, or town attorney  
469 in whose jurisdiction a local initiative or referendum petition is circulated.

470           ~~[(14)]~~ (17) "Local clerk" means the county clerk, city recorder, or town clerk in whose  
471 jurisdiction a local initiative or referendum petition is circulated.

472           ~~[(15)]~~ (18) (a) "Local law" includes:

473           (i) an ordinance;

474           (ii) a resolution;

475           (iii) a land use law;

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

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

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

479           ~~[(16)]~~ (19) "Local legislative body" means the legislative body of a county, city, town,  
480 or metro township.

481           ~~[(17)]~~ (20) "Local obligation law" means a local law passed by the local legislative  
482 body regarding a bond that was approved by a majority of qualified voters in an election.

483           ~~[(18)]~~ (21) "Local tax law" means a law, passed by a political subdivision with an  
484 annual or biannual calendar fiscal year, that increases a tax or imposes a new tax.

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

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

489           ~~[(19)]~~ (24) "Measure" means a proposed constitutional amendment, an initiative, or  
490 referendum.



491 ~~[(20)]~~ (25) "Referendum" means a process by which a law passed by the Legislature or  
492 by a local legislative body is submitted or referred to the voters for their approval or rejection.

493 ~~[(21)]~~ (26) "Referendum packet" means a copy of the referendum petition, a copy of  
494 the law being submitted or referred to the voters for their approval or rejection, and the  
495 signature sheets, all of which have been bound together as a unit.

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

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

498 (27) "Signature":

499 (a) for a statewide initiative:

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

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

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

505 (B) does not include an electronic signature;

506 (b) for a statewide referendum:

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

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

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

512 (B) does not include an electronic signature;

513 (c) for a local initiative:

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

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

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

519 (B) does not include an electronic signature; or

520 (d) for a local referendum:

521 (i) as it relates to the electronic referendum process, means an electronic signature

522 collected under Section [20A-7-614](#) and Subsection [20A-21-201\(6\)\(c\)](#); or

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

524 (A) means a holographic signature collected physically on a signature sheet described  
525 in Section [20A-7-603](#); and

526 (B) does not include an electronic signature.

527 [~~23~~] (28) "Signature sheets" means sheets in the form required by this chapter that are  
528 used to collect signatures in support of an initiative or referendum.

529 [~~24~~] (29) "Special local ballot proposition" means a local ballot proposition that is  
530 not a standard local ballot proposition.

531 [~~25~~] (30) "Sponsors" means the legal voters who support the initiative or referendum  
532 and who sign the application for petition copies.

533 [~~26~~] (31) (a) "Standard local ballot proposition" means a local ballot proposition for  
534 an initiative or a referendum.

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

537 [~~27~~] (32) "Tax percentage difference" means the difference between the tax rate  
538 proposed by an initiative or an initiative petition and the current tax rate.

539 [~~28~~] (33) "Tax percentage increase" means a number calculated by dividing the tax  
540 percentage difference by the current tax rate and rounding the result to the nearest thousandth.

541 [~~29~~] (34) "Verified" means acknowledged by the person circulating the petition as  
542 required in Sections [20A-7-205](#) and [20A-7-305](#).

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

544 **20A-7-103. Constitutional amendments and other questions submitted by the**  
545 **Legislature -- Publication -- Ballot title -- Procedures for submission to popular vote.**

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

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

551 (3) The legislative general counsel shall:

552 (a) entitle each proposed constitutional amendment "Constitutional Amendment \_\_\_"

553 and assign it a letter according to the requirements of Section [20A-6-107](#);

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

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

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

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

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

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

566 (5) The county clerk of each county shall:

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

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

571 Section 8. Section **20A-7-202** is amended to read:

572 **20A-7-202. Statewide initiative process -- Application procedures -- Time to**  
573 **gather signatures -- Grounds for rejection.**

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

576 (2) The application shall contain:

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

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

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

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

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

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

584 (iii) the text of the proposed law;

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

589 (f) a statement indicating whether persons gathering signatures for the petition may be  
590 paid for gathering signatures[-]; and

591 (g) a statement regarding whether the sponsors will gather signatures using the manual  
592 initiative process or the electronic initiative process.

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

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

597 (4) If the petition fails to qualify for the ballot of the election described in Subsection  
598 [20A-7-201](#)(2)(b), the sponsors shall:

599 (a) submit a new application;

600 (b) obtain new signature sheets; and

601 (c) collect signatures again.

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

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

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

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

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

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

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

614 (6) To evaluate whether the proposed law contains more than one subject under

615 Subsection (5)(d), the lieutenant governor shall apply the same standard provided in Utah  
616 Constitution, Article VI, Section 22, which prohibits a bill from passing that contains more  
617 than one subject.

618 Section 9. Section **20A-7-203** is amended to read:

619 **20A-7-203. Manual initiative process -- Form of initiative petition and signature**  
620 **sheets.**

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

622 [(+) (2) (a) Each proposed initiative petition shall be printed in substantially the  
623 following form:

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

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

628 Each signer says:

629 I have personally signed this petition;

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

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

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

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

636 NOTICE TO SIGNERS:

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

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

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

645 (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the

646 proposed law to each initiative petition.

647 ~~(2)~~ (3) Each signature sheet shall:

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

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

651 (c) include the title of the initiative printed below the horizontal line, in at least  
652 14-point, bold type;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

676 "Date Signed" in 10-point type;

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

678 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words  
679 "Birth Date or Age (optional)" in 10-point type;

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

681 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,  
682 and contain the following statement, "By signing this petition, you are stating that you have  
683 read and understand the law proposed by this petition." in 12-point type;

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

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

687 (i) the words "Fiscal Impact of" followed by the title of the initiative, in at least  
688 12-point, bold type;

689 (ii) except as provided in Subsection [(4)] (5), the initial fiscal impact estimate's  
690 summary statement issued by the Office of the Legislative Fiscal Analyst in accordance with  
691 Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection  
692 20A-7-204.1(5), in not less than 12-point type;

693 (iii) if the initiative petition proposes a tax increase, the following statement in  
694 12-point, bold type:

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

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

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

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

708 or if the information you provide does not match your voter registration records."

709 ~~[(3)]~~ (4) The final page of each initiative packet shall contain the following printed or  
710 typed statement:

711 Verification of signature collector

712 State of Utah, County of \_\_\_\_

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

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

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

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

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

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

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

729 \_\_\_\_\_  
730 (Name) (Residence Address) (Date)

731 ~~[(4)]~~ (5) If the initial fiscal impact estimate described in Subsection ~~[(2)(i)]~~ (3)(f)(ii), as  
732 updated in accordance with Subsection 20A-7-204.1(5), exceeds 200 words, the Office of the  
733 Legislative Fiscal Analyst shall prepare a shorter summary statement, for the purpose of  
734 inclusion on a signature sheet, that does not exceed 200 words.

735 ~~[(5)]~~ (6) If the forms described in this section are substantially followed, the initiative  
736 petitions are sufficient, notwithstanding clerical and merely technical errors.

737 ~~[(6)]~~ (7) An individual's status as a resident, under Subsection ~~[(3)]~~ (4), is determined  
738 in accordance with Section 20A-2-105.



739 Section 10. Section **20A-7-204** is amended to read:

740 **20A-7-204. Manual initiative process -- Circulation requirements -- Lieutenant**  
741 **governor to provide sponsors with materials.**

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

743 ~~[(1)]~~ (2) In order to obtain the necessary number of signatures required by this part, the  
744 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
745 in Subsection ~~[(2)]~~ (3), circulate initiative packets that meet the form requirements of this part.

746 ~~[(2)]~~ (3) The lieutenant governor shall furnish to the sponsors:

747 (a) a copy of the initiative petition, with any change submitted under Subsection  
748 [20A-7-204.1\(5\)](#); and

749 (b) a signature sheet.

750 ~~[(3)]~~ (4) The sponsors of the petition shall:

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

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

755 ~~[(4)]~~ (5) (a) The sponsors or an agent of the sponsors may prepare the initiative for  
756 circulation by creating multiple initiative packets.

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

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

761 ~~[(5)]~~ (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

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

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

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

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

769 (ii) circulate or submit a signature packet that is not numbered in the manner directed

770 by the lieutenant governor's office.

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

773 Section 11. Section **20A-7-205** is amended to read:

774 **20A-7-205. Manual initiative process -- Obtaining signatures -- Verification --**  
775 **Removal of signature.**

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

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

778 ~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each  
779 signature sheet was signed:

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

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

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

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

787 ~~[(3)]~~ (4) (a) A voter who has signed an initiative petition may have the voter's signature  
788 removed from the petition by submitting to the county clerk a statement requesting that the  
789 voter's signature be removed before 5 p.m. no later than the earlier of:

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

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

792 (B) 90 days after the day on which the lieutenant governor posts the voter's name under  
793 Subsection **20A-7-207(2)**~~[(a)]~~; or

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

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

796 (B) 45 days after the day on which the lieutenant governor posts the voter's name under  
797 Subsection **20A-7-207(2)**~~[(a)]~~.

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

799 (A) the name of the voter;

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

- 801 (C) the signature of the voter; and
- 802 (D) the date of the signature described in Subsection [~~(3)~~] (4)(b)(i)(C).
- 803 (ii) To increase the likelihood of the voter's signature being identified and removed, the
- 804 statement may include the voter's birth date or age.
- 805 (c) A voter may not submit a statement by email or other electronic means.
- 806 (d) In order for the signature to be removed, the county clerk must receive the
- 807 statement before 5 p.m. no later than the applicable deadline described in Subsection [~~(3)~~]
- 808 (4)(a).
- 809 (e) A person may only remove a signature from an initiative petition in accordance
- 810 with this Subsection [~~(3)~~] (4).
- 811 (f) A county clerk shall analyze a signature, for purposes of removing a signature from
- 812 an initiative petition, in accordance with Section 20A-7-206.3.
- 813 Section 12. Section 20A-7-206 is amended to read:
- 814 **20A-7-206. Manual initiative process -- Submitting the initiative petition --**
- 815 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**
- 816 (1) This section applies only to the manual initiative process.
- 817 [~~(1)~~] (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and
- 818 verified initiative packet to the county clerk of the county in which the packet was circulated
- 819 before 5 p.m. no later than the earlier of:
- 820 (i) 30 days after the day on which the first individual signs the initiative packet;
- 821 (ii) 316 days after the day on which the application for the initiative petition is filed; or
- 822 (iii) the February 15 immediately before the next regular general election immediately
- 823 after the application is filed under Section 20A-7-202.
- 824 (b) A person may not submit an initiative packet after the deadline described in
- 825 Subsection [~~(1)~~] (2)(a).
- 826 (c) Before delivering a packet to the county clerk under Subsection [~~(1)~~] (2), the
- 827 sponsors shall send an email to each individual who provides a legible, valid email address on
- 828 the form described in Subsection 20A-7-203[~~(2)~~](3)(d) that includes the following:
- 829 (i) the subject of the email shall include the following statement, "Notice Regarding
- 830 Your Petition Signature";
- 831 (ii) the body of the email shall include the following statement in 12-point type:

832 "You signed a petition for the following initiative:

833 [insert title of initiative]

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

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

841 Verification of initiative sponsor

842 State of Utah, County of \_\_\_\_\_

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

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

845 I sent, or caused to be sent, to each individual who provided a legible, valid email  
846 address on a signature packet submitted to the county clerk in relation to the initiative petition,  
847 the email described in Utah Code Subsection 20A-7-206~~[(+)]~~(2)(c).

848 \_\_\_\_\_  
849 (Name) (Residence Address) (Date)

850 (e) Signatures gathered for the initiative petition are not valid if the sponsors do not  
851 comply with this Subsection ~~[(+)]~~ (2).

852 ~~[(2)]~~ (3) The county clerk shall, within 21 days after the day on which the county clerk  
853 receives the packet:

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

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

857 (c) except as provided in Subsection ~~[(3)]~~ (4), post the name ~~[and]~~, voter identification  
858 number, and date of signature of each registered voter certified under Subsection ~~[(2)]~~ (3)(b) on  
859 the lieutenant governor's website, in a conspicuous location designated by the lieutenant  
860 governor; and

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

862 ~~[(3)]~~ (4) (a) If the county clerk timely receives a statement requesting signature

863 removal under Subsection 20A-7-205~~(3)~~(4), the county clerk shall:

864 (i) ensure that the voter's name ~~[and]~~, voter identification number, and date of signature  
865 are not included in the posting described in Subsection ~~(2)~~ (3)(c); and

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

867 (b) The county clerk shall comply with Subsection ~~(3)~~ (4)(a) before the later of:

868 (i) the deadline described in Subsection ~~(2)~~ (3); or

869 (ii) two business days after the day on which the county clerk receives a statement  
870 requesting signature removal under Subsection 20A-7-205~~(3)~~(4).

871 ~~(4)~~ (5) The county clerk may not certify a signature under Subsection ~~(2)~~ (3):

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

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

874 ~~(5)~~ (6) A person may not retrieve an initiative packet from a county clerk, or make  
875 any alterations or corrections to an initiative packet, after the initiative packet is submitted to  
876 the county clerk.

877 Section 13. Section 20A-7-206.3 is amended to read:

878 **20A-7-206.3. Verification of petition signatures.**

879 (1) As used in this section:

880 (a) "Substantially similar name" means:

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

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

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

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

894 on the other record.

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

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

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

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

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

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

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

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

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

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

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

923 (a) if a signer's name and address shown on the statement and the petition exactly  
924 match a name and address shown on the official register and the signer's signature on both the

925 statement and the petition appears substantially similar to the signature on the statewide voter  
 926 registration database, the county clerk shall remove the signature from the petition;

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

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

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

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

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

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

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

943 Section 14. Section **20A-7-207** is amended to read:

944 **20A-7-207. Evaluation by the lieutenant governor.**

945 (1) [~~When~~] In relation to the manual initiative process, when the lieutenant governor  
 946 receives an initiative packet from a county clerk, the lieutenant governor shall record the  
 947 number of the initiative packet received.

948 (2) [~~(a)~~] The county clerk shall:

949 (a) in relation to the manual initiative process:

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

953 (A) for an initiative packet received by the county clerk before December 1, for at least  
 954 90 days; or

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

956 least 45 days; and

957 (ii) update on the lieutenant governor's website the number of signatures certified as of  
958 the date of the update[-]; or

959 (b) in relation to the electronic initiative process:

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

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

965 (B) for a signature received by the county clerk on or after December 1, for at least 45  
966 days; and

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

969 ~~[(b)]~~ (3) The lieutenant governor:

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

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

975 ~~[(A)]~~ (i) in relation to the manual initiative process, the total of all valid signatures on  
976 timely and lawfully submitted signature packets that have been certified by the county clerks,  
977 plus the number of signatures on timely and lawfully submitted signature packets that have not  
978 yet been evaluated for certification, is less than the number of names required under Section  
979 20A-7-201; ~~[(or)]~~

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

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

986 ~~[(e)]~~ (4) (a) If the total number of names certified under ~~[(this)]~~ Subsection ~~[(2)]~~ (3)



987 equals or exceeds the number of names required under Section [20A-7-201](#), and the  
988 requirements of this part are met, the lieutenant governor shall mark upon the front of the  
989 petition the word "sufficient."

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

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

996 ~~[(3)]~~ (5) After a petition is declared insufficient, a person may not submit additional  
997 signatures to qualify the petition for the ballot.

998 ~~[(4)]~~ (6) (a) If the lieutenant governor refuses to accept and file an initiative petition  
999 that a voter believes is legally sufficient, the voter may, no later than May 15, apply to the  
1000 appropriate court for an extraordinary writ to compel the lieutenant governor to accept and file  
1001 the initiative petition.

1002 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant  
1003 governor shall file the petition, with a verified copy of the judgment attached to the petition, as  
1004 of the date on which the petition was originally offered for filing in the lieutenant governor's  
1005 office.

1006 (c) If the court determines that a petition filed is not legally sufficient, the court may  
1007 enjoin the lieutenant governor and all other officers from certifying or printing the ballot title  
1008 and numbers of that measure on the official ballot.

1009 ~~[(5)]~~ (7) A petition determined to be sufficient in accordance with this section is  
1010 qualified for the ballot.

1011 Section 15. Section [20A-7-213](#) is amended to read:

1012 **[20A-7-213. Misconduct of electors and officers -- Penalty.](#)**

1013 (1) It is unlawful for any person to:

1014 (a) sign any name other than the person's own to an initiative petition or a statement  
1015 described in Subsection ~~[[20A-7-205\(3\)](#)]~~ [20A-7-205\(4\)](#) or [20A-7-216\(4\)](#);

1016 (b) knowingly sign the person's name more than once for the same measure at one  
1017 election;

1018 (c) knowingly indicate [~~on an initiative packet~~] that a person who signed [~~the packet~~  
1019 an initiative petition signed the [~~packet~~] petition on a date other than the date that the person  
1020 signed the [~~packet~~] petition;

1021 (d) sign an initiative petition knowing the person is not a legal voter; or

1022 (e) knowingly and willfully violate any provision of this part.

1023 (2) It is unlawful for any person to sign the verification for an initiative packet, or to  
1024 electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing  
1025 that:

1026 (a) the person does not meet the residency requirements of Section 20A-2-105;

1027 (b) the signature date [~~next to~~] associated with the person's [~~name on the initiative~~  
1028 packet] signature for the initiative petition is not the date that the person signed the [~~packet~~]  
1029 petition;

1030 (c) the person has not witnessed the signatures of those persons [~~whose names appear~~  
1031 in the initiative packet] whose signatures the person collects or submits; or

1032 (d) one or more [~~persons whose signatures appear in the initiative packet is either: (i)~~  
1033 individuals who signed the initiative petition are not registered to vote in Utah [~~; or~~].  
1034 [~~(ii) does not intend to become registered to vote in Utah.~~]

1035 (3) It is unlawful for any person to:

1036 (a) pay a person to sign an initiative petition;

1037 (b) pay a person to remove the person's signature from an initiative petition;

1038 (c) accept payment to sign an initiative petition; or

1039 (d) accept payment to have the person's name removed from an initiative petition.

1040 (4) Any person violating this section is guilty of a class A misdemeanor.

1041 Section 16. Section **20A-7-215** is enacted to read:

1042 **20A-7-215. Electronic initiative process -- Form of initiative petition -- Circulation**  
1043 **requirements -- Signature collection.**

1044 (1) This section applies only to the electronic initiative process.

1045 (2) (a) The first screen presented on the approved device shall include the following  
1046 statement:

1047 "This INITIATIVE PETITION is addressed to the Honorable \_\_\_\_\_, Lieutenant  
1048 Governor:

1049 The citizens of Utah who sign this petition respectfully demand that the following  
1050 proposed law be submitted to the legal voters/Legislature of Utah for their/its approval or  
1051 rejection at the regular general election/session to be held/ beginning on  
1052 \_\_\_\_\_ (month\day\year)."

1053 (b) An individual may not advance to the second screen until the individual clicks a  
1054 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
1055 understand the information presented on this screen."

1056 (3) (a) The second screen presented on the approved device shall include the following  
1057 statement:

1058 "Public hearings to discuss this petition were held at: (list dates and locations of public  
1059 hearings.)"

1060 (b) An individual may not advance to the third screen until the individual clicks a link  
1061 at the bottom of the second screen stating, "By clicking here, I attest that I have read and  
1062 understand the information presented on this screen."

1063 (4) (a) The third screen presented on the approved device shall include the title of  
1064 proposed law, described in Subsection [20A-7-202\(2\)\(d\)\(i\)](#), followed by the entire text of the  
1065 proposed law.

1066 (b) An individual may not advance to the fourth screen until the individual clicks a link  
1067 at the bottom of the third screen stating, "By clicking here, I attest that I have read and  
1068 understand the entire text of the proposed law."

1069 (5) Subsequent screens shall be presented on the device in the following order, with the  
1070 individual viewing the device being required, before advancing to the next screen, to click a  
1071 link at the bottom of the screen with the following statement: "By clicking here, I attest that I  
1072 have read and understand the information presented on this screen.";

1073 (a) a description of all proposed sources of funding for the costs associated with the  
1074 proposed law, including the proposed percentage of total funding from each source;

1075 (b) (i) if the initiative petition proposes a tax increase, the following statement, "This  
1076 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax  
1077 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
1078 increase in the current tax rate."; or

1079 (ii) if the initiative petition does not propose a tax increase, the following statement,

1080 "This initiative petition does not propose a tax increase.";

1081 (c) the initial fiscal impact estimate's summary statement issued by the Office of the  
1082 Legislative Fiscal Analyst in accordance with Subsection [20A-7-202.5\(2\)\(a\)](#), including any  
1083 update in accordance with Subsection [20A-7-204.1\(5\)](#);

1084 (d) a statement indicating whether persons gathering signatures for the petition may be  
1085 paid for gathering signatures; and

1086 (e) the following statement, followed by links where the individual may click "yes" or  
1087 "no":

1088 "I have personally reviewed the entirety of each statement presented on this device;

1089 I am personally signing this petition;

1090 I am registered to vote in Utah; and

1091 All information I enter on this device, including my residence and post office address, is  
1092 accurate.

1093 It is a class A misdemeanor for an individual to sign an initiative petition with a name  
1094 other than the individual's own name, or to knowingly sign the individual's name more than  
1095 once for the same measure, or to sign an initiative petition when the individual knows that the  
1096 individual is not a registered voter.

1097 WARNING

1098 Even if your voter registration record is classified as private, your name, voter  
1099 identification number, and date of signature in relation to signing this petition will be made  
1100 public.

1101 Do you wish to continue and sign this petition?"

1102 (6) (a) If the individual clicks "no" in response to the question described in Subsection  
1103 (5)(e), the next screen shall include the following statement, "Thank you for your time. Please  
1104 return this device to the signature-gatherer."

1105 (b) If the individual clicks "yes" in response to the question described in Subsection  
1106 (5)(e), the website, or the application that accesses the website, shall take the signature-gatherer  
1107 and the individual signing the petition through the signature process described in Section  
1108 [20A-21-201](#).

1109 Section 17. Section **20A-7-216** is enacted to read:

1110 **20A-7-216. Electronic initiative process -- Obtaining signatures -- Request to**

1111 **remove signature.**

1112 (1) This section applies to the electronic initiative process.

1113 (2) A Utah voter may sign an initiative if the voter is a legal voter.

1114 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
1115 an individual:

1116 (a) verifies that the individual is at least 18 years old and meets the residency  
1117 requirements of Section [20A-2-105](#); and

1118 (b) is informed that each signer is required to read and understand the law proposed by  
1119 the initiative.

1120 (4) A voter who has signed an initiative petition may have the voter's signature  
1121 removed from the petition by submitting to the county clerk a statement requesting that the  
1122 voter's signature be removed before 5 p.m. no later than the earlier of:

1123 (a) for an electronic signature gathered before December 1:

1124 (i) 30 days after the day on which the voter signs the signature removal statement; or

1125 (ii) 90 days after the day on which the county clerk posts the voter's name under  
1126 Subsection [20A-7-217\(4\)](#); or

1127 (b) for an electronic signature gathered on or after December 1:

1128 (i) 30 days after the day on which the voter signs the signature removal statement; or

1129 (ii) 45 days after the day on which the county clerk posts the voter's name under  
1130 Subsection [20A-7-217\(4\)](#).

1131 (5) (a) The statement shall include:

1132 (i) the name of the voter;

1133 (ii) the resident address at which the voter is registered to vote;

1134 (iii) the signature of the voter; and

1135 (iv) the date of the signature described in Subsection (5)(a)(iii).

1136 (b) To increase the likelihood of the voter's signature being identified and removed, the  
1137 statement may include the voter's birth date or age.

1138 (c) A voter may not submit a signature removal statement by email or other electronic  
1139 means, unless the lieutenant governor establishes a signature removal process that is consistent  
1140 with the requirements of this section and Section [20A-21-201](#).

1141 (d) A person may only remove an electronic signature from an initiative petition in

1142 accordance with this section.

1143 (e) A county clerk shall analyze a holographic signature, for purposes of removing an  
1144 electronic signature from an initiative petition, in accordance with Section [20A-7-206.3](#).

1145 Section 18. Section [20A-7-217](#) is enacted to read:

1146 **[20A-7-217. Electronic initiative process -- Collecting signatures -- Email](#)**  
1147 **notification -- Removal of signatures.**

1148 (1) This section applies only to the electronic initiative process.

1149 (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:

1150 (a) 316 days after the day on which the application for the initiative petition is filed; or

1151 (b) the February 15 immediately before the next regular general election immediately  
1152 after the application is filed under Section [20A-7-202](#).

1153 (3) The lieutenant governor shall send to each individual who provides a valid email  
1154 address during the signature-gathering process an email that includes the following:

1155 (a) the subject of the email shall include the following statement, "Notice Regarding  
1156 Your Petition Signature"; and

1157 (b) the body of the email shall include the following statement in 12-point type:

1158 "You signed a petition for the following initiative:

1159 [insert title of initiative]

1160 To access a copy of the initiative petition, the initiative, the fiscal impact statement, and  
1161 information on the deadline for removing your signature from the petition, please visit the  
1162 following link: [insert a uniform resource locator that takes the individual directly to the page  
1163 on the lieutenant governor's website that includes the information referred to in the email]."

1164 (4) Except as provided in Subsection (5), the county clerk shall, within two business  
1165 days after the day on which the signature of an individual who signs a petition is certified under  
1166 Section [20A-21-201](#), post the name, voter identification number, and date of signature of the  
1167 individual on the lieutenant governor's website, in a conspicuous location designated by the  
1168 lieutenant governor.

1169 (5) (a) If the county clerk timely receives a statement requesting signature removal  
1170 under Subsection [20A-7-216\(4\)](#), the county clerk shall:

1171 (i) ensure that the voter's name, voter identification number, and date of signature are  
1172 not included in the posting described in Subsection (4); and

1173 (ii) remove the voter's signature from the petition and the petition signature totals.

1174 (b) The county clerk shall comply with Subsection (5)(a) before the later of:

1175 (i) the deadline described in Subsection (4); or

1176 (ii) two business days after the day on which the county clerk receives a statement

1177 requesting signature removal under Subsection 20A-7-216(4).

1178 Section 19. Section 20A-7-302 is amended to read:

1179 **20A-7-302. Referendum process -- Application procedures.**

1180 (1) Individuals wishing to circulate a referendum petition shall file an application with  
1181 the lieutenant governor before 5 p.m. within five calendar days after the day on which the  
1182 legislative session at which the law passed ends.

1183 (2) The application shall contain:

1184 (a) the name and residence address of at least five sponsors of the referendum petition;

1185 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

1186 (c) a statement indicating whether persons gathering signatures for the petition may be  
1187 paid for gathering signatures;

1188 (d) the signature of each of the sponsors, attested to by a notary public; [~~and~~]

1189 (e) a copy of the law[-]; and

1190 (f) a statement regarding whether the sponsors will gather signatures using the manual  
1191 referendum process or the electronic referendum process.

1192 Section 20. Section 20A-7-303 is amended to read:

1193 **20A-7-303. Manual referendum process -- Form of referendum petition and**  
1194 **signature sheets.**

1195 (1) This section applies only to the manual referendum process.

1196 [(+)] (2) (a) Each proposed referendum petition shall be printed in substantially the  
1197 following form:

1198 "REFERENDUM PETITION To the Honorable \_\_\_\_, Lieutenant Governor:

1199 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.  
1200 \_\_\_\_, entitled (title of act, and, if the petition is against less than the whole act, set forth here  
1201 the part or parts on which the referendum is sought), passed by the Legislature of the state of  
1202 Utah during the \_\_\_\_ Session, be referred to the people of Utah for their approval or rejection  
1203 at a regular general election or a statewide special election;

1204 Each signer says:  
1205 I have personally signed this petition;  
1206 The date next to my signature correctly reflects the date that I actually signed the  
1207 petition;  
1208 I have personally reviewed the entire statement included with this packet;  
1209 I am registered to vote in Utah [~~or intend to become registered to vote in Utah before~~  
1210 ~~the certification of the petition names by the county clerk~~]; and  
1211 My residence and post office address are written correctly after my name."  
1212 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the  
1213 law that is the subject of the referendum to each referendum petition.  
1214 [~~(2)~~] (3) Each signature sheet shall:  
1215 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;  
1216 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
1217 that line blank for the purpose of binding;  
1218 (c) include the title of the referendum printed below the horizontal line, in at least  
1219 14-point, bold type;  
1220 (d) include a table immediately below the title of the referendum, and beginning .5 inch  
1221 from the left side of the paper, as follows:  
1222 (i) the first column shall be .5 inch wide and include three rows;  
1223 (ii) the first row of the first column shall be .85 inch tall and contain the words "For  
1224 Office Use Only" in 10-point type;  
1225 (iii) the second row of the first column shall be .35 inch tall;  
1226 (iv) the third row of the first column shall be .5 inch tall;  
1227 (v) the second column shall be 2.75 inches wide;  
1228 (vi) the first row of the second column shall be .35 inch tall and contain the words  
1229 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;  
1230 (vii) the second row of the second column shall be .5 inch tall;  
1231 (viii) the third row of the second column shall be .35 inch tall and contain the words  
1232 "Street Address, City, Zip Code" in 10-point type;  
1233 (ix) the fourth row of the second column shall be .5 inch tall;  
1234 (x) the third column shall be 2.75 inches wide;



1235 (xi) the first row of the third column shall be .35 inch tall and contain the words  
 1236 "Signature of Registered Voter" in 10-point type;

1237 (xii) the second row of the third column shall be .5 inch tall;

1238 (xiii) the third row of the third column shall be .35 inch tall and contain the words  
 1239 "Email Address (optional, to receive additional information)" in 10-point type;

1240 (xiv) the fourth row of the third column shall be .5 inch tall;

1241 (xv) the fourth column shall be one inch wide;

1242 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words  
 1243 "Date Signed" in 10-point type;

1244 (xvii) the second row of the fourth column shall be .5 inch tall;

1245 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words  
 1246 "Birth Date or Age (optional)" in 10-point type;

1247 (xix) the fourth row of the third column shall be .5 inch tall; and

1248 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,  
 1249 and contain the following words "By signing this petition, you are stating that you have read  
 1250 and understand the law that this petition seeks to overturn." in 12-point type;

1251 (e) the table described in Subsection ~~[(2)]~~ (3)(d) shall be repeated, leaving sufficient  
 1252 room at the bottom of the sheet for the information described in Subsection ~~[(2)]~~ (3)(f); and

1253 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,  
 1254 followed by the following statement in not less than eight-point type:

1255 "It is a class A misdemeanor for an individual to sign a referendum petition with a name  
 1256 other than the individual's own name, or to knowingly sign the individual's name more than  
 1257 once for the same measure, or to sign a referendum petition when the individual knows that the  
 1258 individual is not a registered voter ~~[and knows that the individual does not intend to become  
 1259 registered to vote before the certification of the petition names by the county clerk].~~

1260 Birth date or age information is not required, but it may be used to verify your identity  
 1261 with voter registration records. If you choose not to provide it, your signature may not be  
 1262 verified as a valid signature if you change your address before petition signatures are verified  
 1263 or if the information you provide does not match your voter registration records."

1264 ~~[(3)]~~ (4) The final page of each referendum packet shall contain the following printed  
 1265 or typed statement:

1266 Verification of signature collector

1267 State of Utah, County of \_\_\_\_

1268 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

1269 I am a Utah resident and am at least 18 years old;

1270 All the names that appear in this packet were signed by individuals who professed to be  
1271 the individuals whose names appear in it, and each of the individuals signed the individual's  
1272 name on it in my presence;

1273 I did not knowingly make a misrepresentation of fact concerning the law this petition  
1274 seeks to overturn;

1275 I believe that each individual has printed and signed the individual's name and written  
1276 the individual's post office address and residence correctly, that each signer has read and  
1277 understands the law that the referendum seeks to overturn, and that each signer is registered to  
1278 vote in Utah [~~or intends to become registered to vote before the certification of the petition~~  
1279 ~~names by the county clerk~~].

1280 Each individual who signed the packet wrote the correct date of signature next to the  
1281 individual's name.

1282 I have not paid or given anything of value to any individual who signed this petition to  
1283 encourage that individual to sign it.

1284 \_\_\_\_\_  
1285 (Name) (Residence Address) (Date).

1286 [~~(4)~~] (5) If the forms described in this section are substantially followed, the  
1287 referendum petitions are sufficient, notwithstanding clerical and merely technical errors.

1288 [~~(5)~~] (6) An individual's status as a resident, under Subsection [~~(3)~~] (4), is determined  
1289 in accordance with Section [20A-2-105](#).

1290 Section 21. Section **20A-7-304** is amended to read:

1291 **20A-7-304. Manual referendum process -- Circulation requirements --**

1292 **Lieutenant governor to provide sponsors with materials.**

1293 (1) This section applies only to the manual referendum process.

1294 [~~(1)~~] (2) In order to obtain the necessary number of signatures required by this part, the  
1295 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
1296 in Subsection [~~(2)~~] (3), circulate referendum packets that meet the form requirements of this

1297 part.

1298 ~~[(2)]~~ (3) The lieutenant governor shall furnish to the sponsors:

1299 (a) a copy of the referendum petition; and

1300 (b) a signature sheet.

1301 ~~[(3)]~~ (4) The sponsors of the petition shall:

1302 (a) arrange and pay for the printing of all additional copies of the petition and signature  
1303 sheets; and

1304 (b) ensure that the copies of the petition and signature sheets meet the form

1305 requirements of this section.

1306 ~~[(4)]~~ (5) (a) The sponsors or an agent of the sponsors may prepare the referendum for  
1307 circulation by creating multiple referendum packets.

1308 (b) The sponsors or an agent of the sponsors shall create referendum packets by  
1309 binding a copy of the referendum and no more than 50 signature sheets together at the top in a  
1310 manner that the packets may be conveniently opened for signing.

1311 (c) A referendum packet is not required to have a uniform number of signature sheets.

1312 ~~[(5)]~~ (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1313 (i) contact the lieutenant governor's office to receive a range of numbers that the  
1314 sponsors may use to number signature packets; and

1315 (ii) number each signature packet, sequentially, within the range of numbers provided  
1316 by the lieutenant governor's office, starting with the lowest number in the range.

1317 (b) The sponsors or an agent of the sponsors may not:

1318 (i) number a signature packet in a manner not directed by the lieutenant governor's  
1319 office; or

1320 (ii) circulate or submit a signature packet that is not numbered in the manner directed  
1321 by the lieutenant governor's office.

1322 (c) The lieutenant governor shall keep a record of the number range provided under  
1323 Subsection ~~[(5)]~~ (6)(a).

1324 Section 22. Section **20A-7-304.5** is amended to read:

1325 **20A-7-304.5. Posting referendum information.**

1326 (1) On the day on which the lieutenant governor complies with Subsection

1327 ~~[20A-7-304(2)]~~ 20A-7-304(3), or provides the sponsors with access to the website defined in

1328 Section 20A-21-101, the lieutenant governor shall post the following information together in a  
1329 conspicuous place on the lieutenant governor's website:

- 1330 (a) the referendum petition;
- 1331 (b) the referendum; and
- 1332 (c) information describing how an individual may remove the individual's signature  
1333 from the ~~[signature packet]~~ petition.

1334 (2) The lieutenant governor shall:

1335 (a) promptly update the information described in Subsection (1) if the information  
1336 changes; and

1337 (b) maintain the information described in Subsection (1) on the lieutenant governor's  
1338 website until the referendum fails to qualify for the ballot or is passed or defeated at an  
1339 election.

1340 Section 23. Section **20A-7-305** is amended to read:

1341 **20A-7-305. Manual referendum process -- Obtaining signatures -- Verification --**

1342 **Removal of signature.**

1343 (1) This section applies only to the manual referendum process.

1344 ~~[(1)]~~ (2) A Utah voter may sign a referendum petition if the voter is a legal voter.

1345 ~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each  
1346 signature sheet was signed:

1347 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;

1348 (ii) verifies each signature sheet by completing the verification printed on the last page  
1349 of each referendum packet; and

1350 (iii) is informed that each signer is required to read and understand the law that the  
1351 referendum seeks to overturn.

1352 (b) An individual may not sign the verification printed on the last page of the  
1353 referendum packet if the person signed a signature sheet in the referendum packet.

1354 ~~[(3)]~~ (4) (a) A voter who has signed a referendum petition may have the voter's  
1355 signature removed from the petition by submitting to the county clerk a statement requesting  
1356 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1357 (i) 30 days after the day on which the voter signs the statement requesting removal; or

1358 (ii) 45 days after the day on which the lieutenant governor posts the voter's name under

1359 Subsection [20A-7-307\(2\)](#)~~(a)~~.

1360 (b) (i) The statement shall include:

1361 (A) the name of the voter;

1362 (B) the resident address at which the voter is registered to vote;

1363 (C) the signature of the voter; and

1364 (D) the date of the signature described in Subsection ~~(3)~~ [\(4\)](#)(b)(i)(C).

1365 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
1366 statement may include the voter's birth date or age.

1367 (c) A voter may not submit a statement by email or other electronic means.

1368 (d) In order for the signature to be removed, the county clerk must receive the  
1369 statement before 5 p.m. no later than 45 days after the day on which the lieutenant governor  
1370 posts the voter's name under Subsection [20A-7-307\(2\)](#)~~(a)~~.

1371 (e) A person may only remove a signature from a referendum petition in accordance  
1372 with this Subsection ~~(3)~~ [\(4\)](#).

1373 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
1374 a referendum petition, in accordance with Section ~~[20A-7-206.3]~~ [20A-7-306.3](#).

1375 Section 24. Section **20A-7-306** is amended to read:

1376 **20A-7-306. Manual referendum process -- Submitting the referendum petition --**  
1377 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**

1378 (1) This section applies only to the manual referendum process.

1379 ~~(1)~~ [\(2\)](#) (a) The sponsors, or an agent of the sponsors, shall submit a signed and  
1380 verified referendum packet to the county clerk of the county in which the packet was circulated  
1381 before 5 p.m. no later than the earlier of:

1382 (i) 30 days after the day on which the first individual signs the referendum packet; or

1383 (ii) 40 days after the day on which the legislative session at which the law passed ends.

1384 (b) A person may not submit a referendum packet after the deadline described in

1385 Subsection ~~(1)~~ [\(2\)](#)(a).

1386 ~~(2)~~ [\(3\)](#) No later than 21 days after the day on which the county clerk receives a  
1387 verified referendum packet, the county clerk shall:

1388 (a) determine whether each signer is a registered voter according to the requirements of  
1389 Section [20A-7-306.3](#);

- 1390 (b) certify on the petition whether each name is that of a registered voter;
- 1391 (c) except as provided in Subsection ~~[(3)]~~ (4), post the name ~~[and]~~, voter identification
- 1392 number, and date of signature of each registered voter certified under Subsection ~~[(2)]~~ (3)(b) on
- 1393 the lieutenant governor's website, in a conspicuous location designated by the lieutenant
- 1394 governor; and
- 1395 (d) deliver the verified packet to the lieutenant governor.
- 1396 ~~[(3)]~~ (4) (a) If the county clerk timely receives a statement requesting signature
- 1397 removal under Subsection 20A-7-305~~[(3)]~~(4), the county clerk shall:
- 1398 (i) ensure that the voter's name ~~[and]~~, voter identification number, and date of signature
- 1399 are not included in the posting described in Subsection ~~[(2)]~~ (3)(c); and
- 1400 (ii) remove the voter's signature from the signature packets and signature packet totals.
- 1401 (b) The county clerk shall comply with Subsection ~~[(3)]~~ (4)(a) before the later of:
- 1402 (i) the deadline described in Subsection ~~[(2)]~~ (3); or
- 1403 (ii) two business days after the day on which the county clerk receives a statement
- 1404 requesting signature removal under Subsection 20A-7-305~~[(3)]~~(4).
- 1405 ~~[(4)]~~ (5) The county clerk may not certify a signature under Subsection ~~[(2)]~~ (3):
- 1406 (a) on an initiative packet that is not verified in accordance with Section 20A-7-305; or
- 1407 (b) that does not have a date of signature next to the signature.
- 1408 ~~[(5)]~~ (6) A person may not retrieve a referendum packet from a county clerk, or make
- 1409 any alterations or corrections to a referendum packet, after the referendum packet is submitted
- 1410 to the county clerk.
- 1411 Section 25. Section 20A-7-306.3 is amended to read:
- 1412 **20A-7-306.3. Verification of petition signatures.**
- 1413 (1) As used in this section:
- 1414 (a) "Substantially similar name" means:
- 1415 (i) the given name and surname shown on the petition, or both, contain only minor
- 1416 spelling differences when compared to the given name and surname shown on the official
- 1417 register;
- 1418 (ii) the surname shown on the petition exactly matches the surname shown on the
- 1419 official register, and the given names differ only because one of the given names shown is a
- 1420 commonly used abbreviation or variation of the other;

1421 (iii) the surname shown on the petition exactly matches the surname shown on the  
1422 official register, and the given names differ only because one of the given names shown is  
1423 accompanied by a first or middle initial or a middle name which is not shown on the other  
1424 record; or

1425 (iv) the surname shown on the petition exactly matches the surname shown on the  
1426 official register, and the given names differ only because one of the given names shown is an  
1427 alphabetically corresponding initial that has been provided in the place of a given name shown  
1428 on the other record.

1429 (b) "Substantially similar name" does not include a name having an initial or a middle  
1430 name shown on the petition that does not match a different initial or middle name shown on the  
1431 official register.

1432 (2) ~~[The]~~ In relation to an individual who signs a referendum petition with a  
1433 holographic signature, the county clerk shall use the following procedures in determining  
1434 whether a signer is a registered voter:

1435 (a) When a signer's name and address shown on the petition exactly match a name and  
1436 address shown on the official register and the signer's signature appears substantially similar to  
1437 the signature on the statewide voter registration database, the county clerk shall declare the  
1438 signature valid.

1439 (b) When there is no exact match of an address and a name, the county clerk shall  
1440 declare the signature valid if:

1441 (i) the address on the petition matches the address of a person on the official register  
1442 with a substantially similar name; and

1443 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1444 voter registration database of the person described in Subsection (2)(b)(i).

1445 (c) When there is no match of an address and a substantially similar name, the county  
1446 clerk shall declare the signature valid if:

1447 (i) the birth date or age on the petition matches the birth date or age of a person on the  
1448 official register with a substantially similar name; and

1449 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1450 voter registration database of the person described in Subsection (2)(c)(i).

1451 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county

1452 clerk shall declare the signature to be invalid.

1453 (3) [~~The~~] In relation to an individual who, with a holographic signature, signs a  
1454 statement to remove the individual's signature from a referendum petition, the county clerk  
1455 shall use the following procedures in determining whether to remove a signature from a  
1456 petition after receiving a timely, valid statement requesting removal of the signature:

1457 (a) if a signer's name and address shown on the statement and the petition exactly  
1458 match a name and address shown on the official register and the signer's signature on both the  
1459 statement and the petition appears substantially similar to the signature on the statewide voter  
1460 registration database, the county clerk shall remove the signature from the petition;

1461 (b) if there is no exact match of an address and a name, the county clerk shall remove  
1462 the signature from the petition if:

1463 (i) the address on the statement and the petition matches the address of an individual  
1464 on the official register with a substantially similar name; and

1465 (ii) the signer's signature on both the statement and the petition appears substantially  
1466 similar to the signature on the statewide voter registration database of the individual described  
1467 in Subsection (3)(b)(i);

1468 (c) if there is no match of an address and a substantially similar name, the county clerk  
1469 shall remove the signature from the petition if:

1470 (i) the birth date or age on the statement and petition match the birth date or age of an  
1471 individual on the official register with a substantially similar name; and

1472 (ii) the signer's signature on both the statement and the petition appears substantially  
1473 similar to the signature on the statewide voter registration database of the individual described  
1474 in Subsection (3)(c)(i); and

1475 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
1476 county clerk may not remove the signature from the petition.

1477 Section 26. Section **20A-7-307** is amended to read:

1478 **20A-7-307. Evaluation by the lieutenant governor.**

1479 (1) [~~When~~] In relation to the manual referendum process, when the lieutenant governor  
1480 receives a referendum packet from a county clerk, the lieutenant governor shall record the  
1481 number of the referendum packet received.

1482 (2) [~~(a)~~] The county clerk shall:



1483 (a) in relation to the manual referendum process:

1484 (i) post the names [~~and~~], voter identification numbers, and dates of signatures  
1485 described in Subsection 20A-7-306(3)(c) on the lieutenant governor's website, in a conspicuous  
1486 location designated by the lieutenant governor, for at least 45 days; and

1487 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1488 the date of the update[-]; or

1489 (b) in relation to the electronic referendum process:

1490 (i) post the names, voter identification numbers, and dates of signatures described in  
1491 Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous location  
1492 designated by the lieutenant governor, for at least 45 days; and

1493 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1494 the date of the update.

1495 [~~(b)~~] (3) The lieutenant governor:

1496 [~~(i)~~] (a) shall, except as provided in Subsection [~~(2)(b)(i)~~] (3)(b), declare the petition  
1497 to be sufficient or insufficient 106 days after the end of the legislative session at which the law  
1498 passed; or

1499 [~~(i)~~] (b) may declare the petition to be insufficient before the day described in  
1500 Subsection [~~(2)(b)(i)~~] (3)(a) if:

1501 [~~(A)~~] (i) in relation to the manual referendum process, the total of all valid signatures  
1502 on timely and lawfully submitted signature packets that have been certified by the county  
1503 clerks, plus the number of signatures on timely and lawfully submitted signature packets that  
1504 have not yet been evaluated for certification, is less than the number of names required under  
1505 Section 20A-7-301; [~~or~~]

1506 (ii) in relation to the electronic referendum process, the total of all timely and lawfully  
1507 submitted valid signatures that have been certified by the county clerks, plus the number of  
1508 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)  
1509 that have not yet been evaluated for certification, is less than the number of names required  
1510 under Section 20A-7-301; or

1511 [~~(B)~~] (iii) a requirement of this part has not been met.

1512 [~~(c)~~] (4) (a) If the total number of names certified under [~~this~~] Subsection [~~(2)~~] (3)  
1513 equals or exceeds the number of names required under Section 20A-7-301, and the

1514 requirements of this part are met, the lieutenant governor shall mark upon the front of the  
1515 petition the word "sufficient."

1516 ~~[(d)]~~ (b) If the total number of names certified under ~~[this]~~ Subsection ~~[(2)]~~ (3) does  
1517 not equal or exceed the number of names required under Section 20A-7-301 or a requirement  
1518 of this part is not met, the lieutenant governor shall mark upon the front of the petition the  
1519 word "insufficient."

1520 ~~[(e)]~~ (c) The lieutenant governor shall immediately notify any one of the sponsors of  
1521 the lieutenant governor's finding.

1522 ~~[(f)]~~ (d) After a petition is declared insufficient, a person may not submit additional  
1523 signatures to qualify the petition for the ballot.

1524 ~~[(3)]~~ (5) (a) If the lieutenant governor refuses to accept and file a referendum that a  
1525 voter believes is legally sufficient, the voter may, no later than 10 days after the day on which  
1526 the lieutenant governor declares the petition insufficient, apply to the appropriate court for an  
1527 extraordinary writ to compel the lieutenant governor to accept and file the referendum petition.

1528 (b) If the court determines that the referendum petition is legally sufficient, the  
1529 lieutenant governor shall file the petition, with a verified copy of the judgment attached to the  
1530 referendum petition, as of the date on which the petition was originally offered for filing in the  
1531 lieutenant governor's office.

1532 (c) If the court determines that a petition filed is not legally sufficient, the court may  
1533 enjoin the lieutenant governor and all other officers from certifying or printing the ballot title  
1534 and numbers of that measure on the official ballot.

1535 ~~[(4)]~~ (6) A petition determined to be sufficient in accordance with this section is  
1536 qualified for the ballot.

1537 Section 27. Section 20A-7-312 is amended to read:

1538 **20A-7-312. Misconduct of electors and officers -- Penalty.**

1539 (1) It is unlawful for any person to:

1540 (a) sign any name other than the person's own to a referendum petition;

1541 (b) knowingly sign the person's name more than once for the same measure at one  
1542 election;

1543 (c) knowingly indicate ~~[on a referendum packet]~~ that a person who signed ~~[the packet~~  
1544 ~~signed the packet]~~ a referendum petition signed the petition on a date other than the date that

1545 the person signed the ~~[packet]~~ petition;

1546 (d) sign a referendum knowing the person is not a legal voter; or

1547 (e) knowingly and willfully violate any provision of this part.

1548 (2) It is unlawful for any person to sign the verification for a referendum packet, or to

1549 electronically sign the verification for a signature under Subsection 20A-21-201(9) knowing

1550 that:

1551 (a) the person does not meet the residency requirements of Section 20A-2-105;

1552 (b) the signature date ~~[next to]~~ associated with the person's ~~[name on the referendum~~  
1553 ~~packet]~~ signature for the referendum is not the date that the person signed the ~~[packet]~~ petition;

1554 (c) the person has not witnessed the signatures of those persons whose ~~[names appear~~  
1555 ~~in the referendum packet]~~ signatures the person collects or submits; or

1556 (d) one or more ~~[persons whose signatures appear in the referendum packet is either:~~

1557 ~~(i)]~~ individuals who sign the referendum are not registered to vote in Utah~~[-or].~~

1558 ~~[(ii) does not intend to become registered to vote in Utah.]~~

1559 (3) It is unlawful for any person to:

1560 (a) pay a person to sign a referendum petition;

1561 (b) pay a person to remove the person's signature from a referendum petition;

1562 (c) accept payment to sign a referendum petition; or

1563 (d) accept payment to have the person's name removed from a referendum petition.

1564 (4) Any person violating this section is guilty of a class A misdemeanor.

1565 Section 28. Section 20A-7-313 is enacted to read:

1566 **20A-7-313. Electronic referendum process -- Form of referendum petition --**

1567 **Circulation requirements -- Signature collection.**

1568 (1) This section applies only to the electronic referendum process.

1569 (2) (a) The first screen presented on the approved device shall include the following  
1570 statement:

1571 "This REFERENDUM PETITION is addressed to the Honorable \_\_\_\_\_, Lieutenant  
1572 Governor:

1573 The citizens of Utah who sign this petition respectfully order that Senate (or House)

1574 Bill No. \_\_\_\_\_, entitled (title of act, and, if the petition is against less than the whole act, set

1575 forth here the part or parts on which the referendum is sought), passed by the Legislature of the

1576 state of Utah during the Session, be referred to the people of Utah for their approval or  
1577 rejection at a regular general election or a statewide special election."

1578 (b) An individual may not advance to the second screen until the individual clicks a  
1579 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
1580 understand the information presented on this screen."

1581 (3) (a) The second screen presented on the approved device shall include the entire text  
1582 of the law that is the subject of the referendum petition.

1583 (b) An individual may not advance to the third screen until the individual clicks a link  
1584 at the bottom of the second screen stating, "By clicking here, I attest that I have read and  
1585 understand the entire text of the law that is the subject of the referendum petition."

1586 (4) (a) The third screen presented on the approved device shall include a statement  
1587 indicating whether persons gathering signatures for the petition may be paid for gathering  
1588 signatures.

1589 (b) An individual may not advance to the fourth screen until the individual clicks a link  
1590 at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
1591 understand the information presented on this screen."

1592 (5) The fourth screen presented on the approved device shall include the following  
1593 statement, followed by links where the individual may click "yes" or "no":

1594 "I have personally reviewed the entirety of each statement presented on this device;  
1595 I am personally signing this petition;

1596 I am registered to vote in Utah; and

1597 All information I enter on this device, including my residence and post office address, is  
1598 accurate.

1599 It is a class A misdemeanor for an individual to sign a referendum petition with a name  
1600 other than the individual's own name, or to knowingly sign the individual's name more than  
1601 once for the same measure, or to sign a referendum petition when the individual knows that the  
1602 individual is not a registered voter.

1603 WARNING

1604 Even if your voter registration record is classified as private, your name, voter  
1605 identification number, and date of signature in relation to signing this petition will be made  
1606 public.

1607 Do you wish to continue and sign this petition?"

1608 (6) (a) If the individual clicks "no" in response to the question described in Subsection  
1609 (5), the next screen shall include the following statement, "Thank you for your time. Please  
1610 return this device to the signature-gatherer."

1611 (b) If the individual clicks "yes" in response to the question described in Subsection  
1612 (5), the website, or the application that accesses the website, shall take the signature-gatherer  
1613 and the individual signing the petition through the signature process described in Section  
1614 20A-21-201.

1615 Section 29. Section **20A-7-314** is enacted to read:

1616 **20A-7-314. Electronic referendum process -- Obtaining signatures -- Request to**  
1617 **remove signature.**

1618 (1) This section applies to the electronic referendum process.

1619 (2) A Utah voter may sign a referendum petition if the voter is a legal voter.

1620 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
1621 an individual:

1622 (a) verifies that the individual is at least 18 years old and meets the residency  
1623 requirements of Section [20A-2-105](#); and

1624 (b) is informed that each signer is required to read and understand the law that is the  
1625 subject of the referendum petition.

1626 (4) A voter who has signed a referendum petition may have the voter's signature  
1627 removed from the petition by submitting to the county clerk a statement requesting that the  
1628 voter's signature be removed before 5 p.m. no later than the earlier of:

1629 (a) 30 days after the day on which the voter signs the statement requesting removal; or

1630 (b) 45 days after the day on which the lieutenant governor posts the voter's name under

1631 Subsection [20A-7-315](#)(4).

1632 (5) (a) The statement shall include:

1633 (i) the name of the voter;

1634 (ii) the resident address at which the voter is registered to vote;

1635 (iii) the signature of the voter; and

1636 (iv) the date of the signature described in Subsection (5)(a)(iii).

1637 (b) To increase the likelihood of the voter's signature being identified and removed, the

1638 statement may include the voter's birth date or age.

1639 (c) A voter may not submit a signature removal statement by email or other electronic  
1640 means, unless the lieutenant governor establishes a signature removal process that is consistent  
1641 with the requirements of this section and Section [20A-21-201](#).

1642 (d) A person may only remove an electronic signature from a referendum petition in  
1643 accordance with this section.

1644 (e) A county clerk shall analyze a holographic signature, for purposes of removing an  
1645 electronic signature from a referendum petition, in accordance with Section [20A-7-306.3](#).

1646 Section 30. Section **20A-7-315** is enacted to read:

1647 **20A-7-315. Electronic referendum process -- Collecting signatures ---- Removal of**  
1648 **signatures.**

1649 (1) This section applies only to the electronic referendum process.

1650 (2) A signature-gatherer may not collect a signature after 5 p.m., 40 days after the day  
1651 on which the legislative session at which the law passed ends.

1652 (3) The lieutenant governor shall send to each individual who provides a valid email  
1653 address during the signature-gathering process an email that includes the following:

1654 (a) the subject of the email shall include the following statement, "Notice Regarding  
1655 Your Petition Signature"; and

1656 (b) the body of the email shall include the following statement in 12-point type:

1657 "You signed a petition for the following referendum:

1658 [insert title of initiative]

1659 To access a copy of the referendum petition, the referendum, and information on the  
1660 deadline for removing your signature from the petition, please visit the following link: [insert a  
1661 uniform resource locator that takes the individual directly to the page on the lieutenant  
1662 governor's website that includes the information referred to in the email]."

1663 (4) Except as provided in Subsection (5), the county clerk shall, within two business  
1664 days after the day on which the signature of an individual who signs a petition is certified under  
1665 Section [20A-21-201](#), post the name, voter identification number, and date of signature of the  
1666 individual on the lieutenant governor's website, in a conspicuous location designated by the  
1667 lieutenant governor.

1668 (5) (a) If the county clerk timely receives a statement requesting signature removal

1669 under Subsection 20A-7-314(4), the county clerk shall:

1670 (i) ensure that the voter's name, voter identification number, and date of signature are  
 1671 not included in the posting described in Subsection (4); and

1672 (ii) remove the voter's signature from the petition and the petition signature totals.

1673 (b) The county clerk shall comply with Subsection (5)(a) before the later of:

1674 (i) the deadline described in Subsection (4); or

1675 (ii) two business days after the day on which the county clerk receives a statement  
 1676 requesting signature removal under Subsection 20A-7-314(4).

1677 Section 31. Section **20A-7-502** is amended to read:

1678 **20A-7-502. Local initiative process -- Application procedures.**

1679 (1) Individuals wishing to circulate an initiative petition shall file an application with  
 1680 the local clerk.

1681 (2) The application shall contain:

1682 (a) the name and residence address of at least five sponsors of the initiative petition;

1683 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

1684 (c) the signature of each of the sponsors, acknowledged by a notary public;

1685 (d) a copy of the proposed law that includes:

1686 (i) the title of the proposed law that clearly expresses the subject of the law;

1687 (ii) a description of all proposed sources of funding for the costs associated with the  
 1688 proposed law, including the proposed percentage of total funding from each source; and

1689 (iii) the text of the proposed law;

1690 (e) if the initiative petition proposes a tax increase, the following statement, "This  
 1691 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax  
 1692 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
 1693 increase in the current tax rate."; [~~and~~]

1694 (f) a statement indicating whether persons gathering signatures for the petition may be  
 1695 paid for gathering signatures[.]; and

1696 (g) a statement regarding whether the sponsors will gather signatures using the manual  
 1697 initiative process or the electronic initiative process.

1698 (3) A proposed law submitted under this section may not contain more than one subject  
 1699 to the same extent a bill may not pass containing more than one subject as provided in Utah

1700 Constitution, Article VI, Section 22.

1701 Section 32. Section **20A-7-502.6** is amended to read:

1702 **20A-7-502.6. Posting initiative information.**

1703 (1) Within one business day after the day on which the local clerk's office receives the  
1704 initial fiscal impact estimate under Subsection **20A-7-502.5**(4)(a), the local clerk shall post the  
1705 following information together in a conspicuous place on the local clerk's website:

1706 (a) the initiative petition;

1707 (b) the initiative;

1708 (c) the fiscal impact estimate; and

1709 (d) information describing how an individual may remove the individual's signature  
1710 from the signature [~~packet~~] petition.

1711 (2) The local clerk shall:

1712 (a) promptly update the information described in Subsection (1) if the information  
1713 changes; and

1714 (b) maintain the information described in Subsection (1) on the local clerk's website  
1715 until the initiative fails to qualify for the ballot or is passed or defeated at an election.

1716 Section 33. Section **20A-7-502.7** is amended to read:

1717 **20A-7-502.7. Referability to voters.**

1718 (1) Within 20 days after the day on which an eligible voter files an application to  
1719 circulate an initiative petition under Section **20A-7-502**, counsel for the county, city, town, or  
1720 metro township to which the initiative pertains shall:

1721 (a) review the proposed law in the initiative application to determine whether the law is  
1722 legally referable to voters; and

1723 (b) notify the first three sponsors, in writing, whether the proposed law is:

1724 (i) legally referable to voters; or

1725 (ii) rejected as not legally referable to voters.

1726 (2) A proposed law in an initiative application is legally referable to voters unless:

1727 (a) the proposed law is patently unconstitutional;

1728 (b) the proposed law is nonsensical;

1729 (c) the proposed law is administrative, rather than legislative, in nature;

1730 (d) the proposed law could not become law if passed;



1731 (e) the proposed law contains more than one subject as evaluated in accordance with  
1732 Subsection [20A-7-502\(3\)](#);

1733 (f) the subject of the proposed law is not clearly expressed in the law's title;

1734 (g) the proposed law is identical or substantially similar to a legally referable proposed  
1735 law sought by an initiative application submitted to the local clerk, under Section [20A-7-502](#),  
1736 within two years before the day on which the application for the current proposed initiative is  
1737 filed; or

1738 (h) the application for the proposed law was not timely filed or does not comply with  
1739 the requirements of this part.

1740 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
1741 or metro township may not:

1742 (a) reject a proposed initiative as not legally referable to voters; or

1743 (b) bring a legal action, other than to appeal a court decision, challenging a proposed  
1744 initiative on the grounds that the proposed initiative is not legally referable to voters.

1745 (4) If a county, city, town, or metro township rejects a proposed initiative, a sponsor of  
1746 the proposed initiative may, within 10 days after the day on which a sponsor is notified under  
1747 Subsection (1)(b), appeal the decision to:

1748 (a) district court; or

1749 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

1750 (5) If, on appeal, the court determines that the law proposed in the initiative petition is  
1751 legally referable to voters, the local clerk shall comply with Subsection [~~[20A-7-504\(2\)](#)~~  
1752 [20A-7-504\(3\)](#)], or give the sponsors access to the website defined in Section [20A-21-101](#),  
1753 within five days after the day on which the determination, and any appeal of the determination,  
1754 is final.

1755 Section 34. Section [20A-7-503](#) is amended to read:

1756 **[20A-7-503. Manual initiative process -- Form of initiative petitions and signature](#)**  
1757 **sheets.**

1758 (1) This section applies only to the manual initiative process.

1759 [(+)] (2) (a) Each proposed initiative petition shall be printed in substantially the  
1760 following form:

1761 "INITIATIVE PETITION To the Honorable \_\_\_\_\_, County Clerk/City Recorder/Town

1762 Clerk:

1763 We, the undersigned citizens of Utah, respectfully demand that the following proposed  
1764 law be submitted to: the legislative body for its approval or rejection at its next meeting; and  
1765 the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes  
1766 no action on it.

1767 Each signer says:

1768 I have personally signed this petition;

1769 The date next to my signature correctly reflects the date that I actually signed the  
1770 petition;

1771 I have personally reviewed the entire statement included with this packet;

1772 I am registered to vote in Utah [~~or intend to become registered to vote in Utah before~~  
1773 ~~the certification of the petition names by the county clerk~~]; and

1774 My residence and post office address are written correctly after my name."

1775 (b) If the initiative petition proposes a tax increase, the following statement shall  
1776 appear, in at least 14-point, bold type, immediately following the information described in  
1777 Subsection [~~(+)~~] (2)(a):

1778 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert  
1779 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)  
1780 percent increase in the current tax rate."

1781 (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the  
1782 proposed law to each initiative petition.

1783 [~~(2)~~] (3) Each signature sheet shall:

1784 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1785 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
1786 that line blank for the purpose of binding;

1787 (c) include the title of the initiative printed below the horizontal line, in at least  
1788 14-point, bold type;

1789 (d) include a table immediately below the title of the initiative, and beginning .5 inch  
1790 from the left side of the paper, as follows:

1791 (i) the first column shall be .5 inch wide and include three rows;

1792 (ii) the first row of the first column shall be .85 inch tall and contain the words "For

- 1793 Office Use Only" in 10-point type;
- 1794 (iii) the second row of the first column shall be .35 inch tall;
- 1795 (iv) the third row of the first column shall be .5 inch tall;
- 1796 (v) the second column shall be 2.75 inches wide;
- 1797 (vi) the first row of the second column shall be .35 inch tall and contain the words
- 1798 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
- 1799 (vii) the second row of the second column shall be .5 inch tall;
- 1800 (viii) the third row of the second column shall be .35 inch tall and contain the words
- 1801 "Street Address, City, Zip Code" in 10-point type;
- 1802 (ix) the fourth row of the second column shall be .5 inch tall;
- 1803 (x) the third column shall be 2.75 inches wide;
- 1804 (xi) the first row of the third column shall be .35 inch tall and contain the words
- 1805 "Signature of Registered Voter" in 10-point type;
- 1806 (xii) the second row of the third column shall be .5 inch tall;
- 1807 (xiii) the third row of the third column shall be .35 inch tall and contain the words
- 1808 "Email Address (optional, to receive additional information)" in 10-point type;
- 1809 (xiv) the fourth row of the third column shall be .5 inch tall;
- 1810 (xv) the fourth column shall be one inch wide;
- 1811 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
- 1812 "Date Signed" in 10-point type;
- 1813 (xvii) the second row of the fourth column shall be .5 inch tall;
- 1814 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
- 1815 "Birth Date or Age (optional)" in 10-point type;
- 1816 (xix) the fourth row of the third column shall be .5 inch tall; and
- 1817 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
- 1818 and contain the following words "By signing this petition, you are stating that you have read
- 1819 and understand the law proposed by this petition." in 12-point type;
- 1820 (e) the table described in Subsection [(2)] (3)(d) shall be repeated, leaving sufficient
- 1821 room at the bottom of the sheet for the information described in Subsection [(2)] (3)(f); and
- 1822 (f) at the bottom of the sheet, include in the following order:
- 1823 (i) the words "Fiscal impact of" followed by the title of the initiative, in at least

1824 12-point, bold type;

1825 (ii) the initial fiscal impact estimate's summary statement issued by the budget officer  
1826 in accordance with Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and  
1827 distributing information related to the initiative petition in accordance with Subsection  
1828 20A-7-502.5(3), in not less than 12-point, bold type;

1829 (iii) if the initiative petition proposes a tax increase, the following statement in  
1830 12-point, bold type:

1831 "This initiative petition seeks to increase the current (insert name of tax) rate by (insert  
1832 the tax percentage difference) percent, resulting in a(n) (insert the tax percentage increase)  
1833 percent increase in the current tax rate."; and

1834 (iv) the word "Warning," in 12-point, bold type, followed by the following statement in  
1835 not less than eight-point type:

1836 "It is a class A misdemeanor for an individual to sign an initiative petition with a name  
1837 other than the individual's own name, or to knowingly sign the individual's name more than  
1838 once for the same measure, or to sign an initiative petition when the individual knows that the  
1839 individual is not a registered voter [~~and knows that the individual does not intend to become~~  
1840 ~~registered to vote before the certification of the petition names by the county clerk~~].

1841 Birth date or age information is not required, but it may be used to verify your identity  
1842 with voter registration records. If you choose not to provide it, your signature may not be  
1843 verified as a valid signature if you change your address before petition signatures are verified  
1844 or if the information you provide does not match your voter registration records."

1845 ~~[(3)]~~ (4) The final page of each initiative packet shall contain the following printed or  
1846 typed statement:

1847 \_Verification of signature collector

1848 State of Utah, County of \_\_\_\_

1849 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

1850 I am a resident of Utah and am at least 18 years old;

1851 All the names that appear in this packet were signed by individuals who professed to be  
1852 the individuals whose names appear in it, and each of the individuals signed the individual's  
1853 name on it in my presence;

1854 I did not knowingly make a misrepresentation of fact concerning the law proposed by

1855 the initiative;

1856 I believe that each individual has printed and signed the individual's name and written  
1857 the individual's post office address and residence correctly, that each signer has read and  
1858 understands the law proposed by the initiative, and that each signer is registered to vote in Utah  
1859 [~~or intends to become registered to vote before the certification of the petition names by the~~  
1860 ~~county clerk~~].

1861 \_\_\_\_\_  
1862 (Name) (Residence Address) (Date)

1863 Each individual who signed the packet wrote the correct date of signature next to the  
1864 individual's name.

1865 I have not paid or given anything of value to any individual who signed this petition to  
1866 encourage that individual to sign it.

1867 \_\_\_\_\_  
1868 (Name) (Residence Address) (Date)".

1869 ~~[(4)]~~ (5) If the forms described in this section are substantially followed, the initiative  
1870 petitions are sufficient, notwithstanding clerical and merely technical errors.

1871 ~~[(5)]~~ (6) An individual's status as a resident, under Subsection ~~[(3)]~~ (4), is determined  
1872 in accordance with Section 20A-2-105.

1873 Section 35. Section 20A-7-504 is amended to read:

1874 **20A-7-504. Manual initiative process -- Circulation requirements -- Local clerk to**  
1875 **provide sponsors with materials.**

1876 (1) This section applies only to the manual initiative process.

1877 ~~[(1)]~~ (2) In order to obtain the necessary number of signatures required by this part, the  
1878 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
1879 in Subsections ~~[(2)]~~ (3) and 20A-7-401.5(4)(b), circulate initiative packets that meet the form  
1880 requirements of this part.

1881 ~~[(2)]~~ (3) Within five days after the day on which a county, city, town, metro township,  
1882 or court determines, in accordance with Section 20A-7-502.7, that a law proposed in an  
1883 initiative petition is legally referable to voters, the local clerk shall furnish to the sponsors:

- 1884 (a) a copy of the initiative petition; and

1885 (b) a signature sheet.

1886 [~~(3)~~] (4) The sponsors of the petition shall:

1887 (a) arrange and pay for the printing of all additional copies of the petition and signature

1888 sheets; and

1889 (b) ensure that the copies of the petition and signature sheets meet the form

1890 requirements of this section.

1891 [~~(4)~~] (5) (a) The sponsors or an agent of the sponsors may prepare the initiative for

1892 circulation by creating multiple initiative packets.

1893 (b) The sponsors or an agent of the sponsors shall create initiative packets by binding a

1894 copy of the initiative petition and no more than 50 signature sheets together at the top in a

1895 manner that the packets may be conveniently opened for signing.

1896 (c) An initiative packet is not required to have a uniform number of signature sheets.

1897 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of

1898 the proposition information pamphlet provided to the sponsors under Subsection

1899 [20A-7-401.5\(4\)\(b\)](#).

1900 [~~(5)~~] (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1901 (i) contact the county clerk to receive a range of numbers that the sponsors may use to

1902 number signature packets; and

1903 (ii) number each signature packet, sequentially, within the range of numbers provided

1904 by the county clerk, starting with the lowest number in the range.

1905 (b) The sponsors or an agent of the sponsors may not:

1906 (i) number a signature packet in a manner not directed by the county clerk; or

1907 (ii) circulate or submit a signature packet that is not numbered in the manner directed

1908 by the county clerk.

1909 (c) The county clerk shall keep a record of the number range provided under

1910 Subsection [~~(5)~~] (6)(a).

1911 Section 36. Section **20A-7-505** is amended to read:

1912 **20A-7-505. Manual initiative process -- Obtaining signatures -- Verification --**

1913 **Removal of signature.**

1914 (1) This section applies only to the manual initiative process.

1915 [~~(+)~~] (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and

1916 resides in the local jurisdiction.

1917 ~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each  
1918 signature sheet was signed:

1919 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;

1920 (ii) verifies each signature sheet by completing the verification printed on the last page  
1921 of each initiative packet; and

1922 (iii) is informed that each signer is required to read and understand the law proposed by  
1923 the initiative.

1924 (b) An individual may not sign the verification printed on the last page of the initiative  
1925 packet if the individual signed a signature sheet in the initiative packet.

1926 ~~[(3)]~~ (4) (a) A voter who has signed an initiative petition may have the voter's signature  
1927 removed from the petition by submitting a statement requesting that the voter's signature be  
1928 removed before 5 p.m. no later than the earlier of:

1929 (i) 30 days after the day on which the voter signs the signature removal statement;

1930 (ii) 90 days after the day on which the local clerk posts the voter's name under

1931 Subsection 20A-7-507(2)~~[(a)]~~;

1932 (iii) 316 days after the day on which the application is filed; or

1933 (iv) (A) for a county initiative, April 15 immediately before the next regular general  
1934 election immediately after the application is filed under Section 20A-7-502; or

1935 (B) for a municipal initiative, April 15 immediately before the next municipal general  
1936 election immediately after the application is filed under Section 20A-7-502.

1937 (b) (i) The statement shall include:

1938 (A) the name of the voter;

1939 (B) the resident address at which the voter is registered to vote;

1940 (C) the signature of the voter; and

1941 (D) the date of the signature described in Subsection ~~[(3)]~~ (4)(b)(i)(C).

1942 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
1943 statement may include the voter's birth date or age.

1944 (c) A voter may not submit a statement by email or other electronic means.

1945 (d) In order for the signature to be removed, the county clerk must receive the  
1946 statement before 5 p.m. no later than the applicable deadline described in Subsection ~~[(3)]~~

1947 (4)(a).

1948 (e) A person may only remove a signature from an initiative petition in accordance  
1949 with this Subsection [~~(3)~~] (4)(a).

1950 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
1951 an initiative petition, in accordance with Section [20A-7-506.3](#).

1952 Section 37. Section **20A-7-506** is amended to read:

1953 **20A-7-506. Manual initiative process -- Submitting the initiative petition --**  
1954 **Certification of signatures by the county clerks -- Transfer to local clerk.**

1955 (1) This section applies only to the manual initiative process.

1956 [~~(1)~~] (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and  
1957 verified initiative packet to the county clerk of the county in which the packet was circulated  
1958 before 5 p.m. no later than the earlier of:

1959 (i) 30 days after the day on which the first individual signs the initiative packet;

1960 (ii) 316 days after the day on which the application is filed; or

1961 (iii) (A) for a county initiative, April 15 immediately before the next regular general  
1962 election immediately after the application is filed under Section [20A-7-502](#); or

1963 (B) for a municipal initiative, April 15 immediately before the next municipal general  
1964 election immediately after the application is filed under Section [20A-7-502](#).

1965 (b) A person may not submit an initiative packet after the deadline established in  
1966 Subsection [~~(1)~~] (2)(a).

1967 (c) Before delivering a packet to the county clerk under Subsection [~~(1)~~] (2), the  
1968 sponsors shall send an email to each individual who provides a legible, valid email address on  
1969 the form described in Subsection [20A-7-503](#)[~~(2)~~](3)(d) that includes the following:

1970 (i) the subject of the email shall include the following statement, "Notice Regarding  
1971 Your Petition Signature"; and

1972 (ii) the body of the email shall include the following statement in 12-point type:

1973 "You signed a petition for the following initiative:

1974 [insert title of initiative]

1975 To access a copy of the initiative petition, the initiative, the fiscal impact statement, and  
1976 information on the deadline for removing your signature from the petition, please visit the  
1977 following link: [insert a uniform resource locator that takes the individual directly to the page



1978 on the county clerk's website that includes the information referred to in the email]."

1979 (d) When the sponsors submit the final signature packet to the county clerk, the  
1980 sponsors shall submit to the county clerk the following written verification, completed and  
1981 signed by each of the sponsors:

1982 "Verification of initiative sponsor

1983 State of Utah, County of \_\_\_\_\_

1984 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

1985 I am a sponsor of the initiative petition entitled \_\_\_\_\_;

1986 I sent, or caused to be sent, to each individual who provided a legible, valid email  
1987 address on a signature packet submitted to the county clerk in relation to the initiative petition,  
1988 the email described in Utah Code Subsection 20A-7-506~~(1)(c)~~(2)(c).

1989 \_\_\_\_\_

1990 (Name) (Residence Address) (Date)".

1991 (e) Signatures gathered for the initiative petition are not valid if the sponsors do not  
1992 comply with this Subsection ~~(1)~~ (2).

1993 ~~(2)~~ (3) The county clerk shall, within 21 days after the day on which the county clerk  
1994 receives the packet:

1995 (a) determine whether each signer is a registered voter according to the requirements of  
1996 Section 20A-7-506.3;

1997 (b) certify on the petition whether each name is that of a registered voter;

1998 (c) except as provided in Subsection ~~(3)~~ (4), post the name ~~and~~, voter identification  
1999 number, and date of signature of each registered voter certified under Subsection ~~(2)~~ (3)(b) on  
2000 the lieutenant governor's website, in a conspicuous location designated by the lieutenant  
2001 governor; and

2002 (d) deliver the verified initiative packet to the local clerk.

2003 ~~(3)~~ (4) (a) If the county clerk timely receives a statement requesting signature  
2004 removal under Subsection 20A-7-505~~(3)~~(4), the county clerk shall:

2005 (i) ensure that the voter's name ~~and~~, voter identification number, and date of signature  
2006 are not included in the posting described in Subsection ~~(2)~~ (3)(c); and

2007 (ii) remove the voter's signature from the signature packets and signature packet totals.

2008 (b) The county clerk shall comply with Subsection ~~(3)~~ (4)(a) before the later of:

2009 (i) the deadline described in Subsection [~~(2)~~] (3); or  
2010 (ii) two business days after the day on which the county clerk receives a statement  
2011 requesting signature removal under Subsection [~~20A-7-505(3)~~] 20A-7-505(4).

2012 (c) The local clerk shall post a link in a conspicuous location on the local government's  
2013 website to the posting described in Subsection [~~(2)~~] (3)(c) during the period of time described  
2014 in Subsection [~~20A-7-507(2)(a)(i)~~] 20A-7-507(3)(a).

2015 [~~(4)~~] (5) The county clerk may not certify a signature under Subsection [~~(2)~~] (3) on an  
2016 initiative packet that is not verified in accordance with Section 20A-7-505.

2017 [~~(5)~~] (6) A person may not retrieve an initiative packet from a county clerk, or make  
2018 any alterations or corrections to an initiative packet, after the initiative packet is submitted to  
2019 the county clerk.

2020 Section 38. Section **20A-7-506.3** is amended to read:

2021 **20A-7-506.3. Verification of petition signatures.**

2022 (1) As used in this section:

2023 (a) "Substantially similar name" means:

2024 (i) the given name and surname shown on the petition, or both, contain only minor  
2025 spelling differences when compared to the given name and surname shown on the official  
2026 register;

2027 (ii) the surname shown on the petition exactly matches the surname shown on the  
2028 official register, and the given names differ only because one of the given names shown is a  
2029 commonly used abbreviation or variation of the other;

2030 (iii) the surname shown on the petition exactly matches the surname shown on the  
2031 official register, and the given names differ only because one of the given names shown is  
2032 accompanied by a first or middle initial or a middle name which is not shown on the other  
2033 record; or

2034 (iv) the surname shown on the petition exactly matches the surname shown on the  
2035 official register, and the given names differ only because one of the given names shown is an  
2036 alphabetically corresponding initial that has been provided in the place of a given name shown  
2037 on the other record.

2038 (b) "Substantially similar name" does not mean a name having an initial or a middle  
2039 name shown on the petition that does not match a different initial or middle name shown on the

2040 official register.

2041 (2) ~~[The]~~ In relation to an individual who signs an initiative petition with a holographic  
2042 signature, the county clerk shall use the following procedures in determining whether a signer  
2043 is a registered voter:

2044 (a) When a signer's name and address shown on the petition exactly match a name and  
2045 address shown on the official register and the signer's signature appears substantially similar to  
2046 the signature on the statewide voter registration database, the county clerk shall declare the  
2047 signature valid.

2048 (b) When there is no exact match of an address and a name, the county clerk shall  
2049 declare the signature valid if:

2050 (i) the address on the petition matches the address of an individual on the official  
2051 register with a substantially similar name; and

2052 (ii) the signer's signature appears substantially similar to the signature on the statewide  
2053 voter registration database of the individual described in Subsection (2)(b)(i).

2054 (c) When there is no match of an address and a substantially similar name, the county  
2055 clerk shall declare the signature valid if:

2056 (i) the birth date or age on the petition matches the birth date or age of an individual on  
2057 the official register with a substantially similar name; and

2058 (ii) the signer's signature appears substantially similar to the signature on the statewide  
2059 voter registration database of the individual described in Subsection (2)(c)(i).

2060 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the  
2061 county clerk shall declare the signature to be invalid.

2062 (3) ~~[The]~~ In relation to an individual who, with a holographic signature, signs a  
2063 statement to remove the individual's signature from an initiative petition, the county clerk shall  
2064 use the following procedures in determining whether to remove a signature from a petition  
2065 after receiving a timely, valid statement requesting removal of the signature:

2066 (a) if a signer's name and address shown on the statement and the petition exactly  
2067 match a name and address shown on the official register and the signer's signature on both the  
2068 statement and the petition appears substantially similar to the signature on the statewide voter  
2069 registration database, the county clerk shall remove the signature from the petition;

2070 (b) if there is no exact match of an address and a name, the county clerk shall remove

2071 the signature from the petition if:

2072 (i) the address on the statement and the petition matches the address of an individual  
2073 on the official register with a substantially similar name; and

2074 (ii) the signer's signature on both the statement and the petition appears substantially  
2075 similar to the signature on the statewide voter registration database of the individual described  
2076 in Subsection (3)(b)(i);

2077 (c) if there is no match of an address and a substantially similar name, the county clerk  
2078 shall remove the signature from the petition if:

2079 (i) the birth date or age on the statement and petition match the birth date or age of an  
2080 individual on the official register with a substantially similar name; and

2081 (ii) the signer's signature on both the statement and the petition appears substantially  
2082 similar to the signature on the statewide voter registration database of the individual described  
2083 in Subsection (3)(c)(i); and

2084 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
2085 county clerk may not remove the signature from the petition.

2086 Section 39. Section **20A-7-507** is amended to read:

2087 **20A-7-507. Evaluation by the local clerk.**

2088 (1) [~~When~~] In relation to the manual initiative process, when a local clerk receives an  
2089 initiative packet from a county clerk, the local clerk shall record the number of the initiative  
2090 packet received.

2091 (2) [~~(a)~~] The county clerk shall:

2092 (a) in relation to the manual initiative process:

2093 (i) post the names [~~and~~], voter identification numbers, and dates of signatures  
2094 described in Subsection [~~20A-7-506(2)(c)] 20A-7-506(3)(c)~~ on the lieutenant governor's  
2095 website, in a conspicuous location designated by the lieutenant governor, for at least 90 days;  
2096 and

2097 (ii) update on the local government's website the number of signatures certified as of  
2098 the date of the update[-]; or

2099 (b) in relation to the electronic initiative process:

2100 (i) post the names, voter identification numbers, and dates of signatures described in  
2101 Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous location

2102 designated by the lieutenant governor, for at least 90 days; and

2103 (ii) update on the local government's website the number of signatures certified as of  
2104 the date of the update.

2105 ~~[(b)]~~ (3) The local clerk:

2106 ~~[(i)]~~ (a) shall, except as provided in Subsection ~~[(2)(b)(ii)]~~ (3)(b), declare the petition  
2107 to be sufficient or insufficient;

2108 (i) in relation to the manual initiative process, no later than 21 days after the day of the  
2109 applicable deadline described in Subsection ~~[20A-7-506(1)(a)]~~ 20A-7-506(2)(a); or

2110 (ii) in relation to the electronic initiative process, no later than 21 days after the day of  
2111 the applicable deadline described in Subsection 20A-7-516(2); or

2112 ~~[(i)]~~ (b) may declare the petition to be insufficient before the day described in  
2113 Subsection ~~[(2)(b)(i)]~~ (3)(a) if:

2114 ~~[(A)]~~ (i) in relation to the manual initiative process, the total of all valid signatures on  
2115 timely and lawfully submitted signature packets that have been certified by the county clerks,  
2116 plus the number of signatures on timely and lawfully submitted signature packets that have not  
2117 yet been evaluated for certification, is less than the number of names required under Section  
2118 20A-7-501; ~~[or]~~

2119 (ii) in relation to the electronic initiative process, the total of all timely and lawfully  
2120 submitted valid signatures that have been certified by the county clerks, plus the number of  
2121 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)  
2122 that have not yet been evaluated for certification, is less than the number of names required  
2123 under Section 20A-7-501; or

2124 ~~[(B)]~~ (iii) a requirement of this part has not been met.

2125 ~~[(c)]~~ (4) (a) If the total number of names certified ~~[names from each verified signature~~  
2126 ~~sheet]~~ under Subsection (3) equals or exceeds the number of names required by Section  
2127 20A-7-501 and the requirements of this part are met, the local clerk shall mark upon the front  
2128 of the petition the word "sufficient."

2129 ~~[(d)]~~ (b) If the total number of names certified ~~[names from each verified signature~~  
2130 ~~sheet]~~ under Subsection (3) does not equal or exceed the number of names required by Section  
2131 20A-7-501 or a requirement of this part is not met, the local clerk shall mark upon the front of  
2132 the petition the word "insufficient."

2133           ~~[(e)]~~ (c) The local clerk shall immediately notify any one of the sponsors of the local  
2134 clerk's finding.

2135           ~~[(f)]~~ (d) After a petition is declared insufficient, a person may not submit additional  
2136 signatures to qualify the petition for the ballot.

2137           ~~[(g)]~~ (5) If the local clerk finds the total number of certified signatures from each  
2138 verified signature sheet to be insufficient, any sponsor may file a written demand with the local  
2139 clerk for a recount of the signatures appearing on the initiative petition in the presence of any  
2140 sponsor.

2141           ~~[(4)]~~ (6) A petition determined to be sufficient in accordance with this section is  
2142 qualified for the ballot.

2143           Section 40. Section **20A-7-512** is amended to read:

2144           **20A-7-512. Misconduct of electors and officers -- Penalty.**

2145           (1) It is unlawful for any individual to:

2146           (a) sign any name other than the individual's own name to any initiative petition;

2147           (b) sign an initiative knowing the individual is not a legal voter; or

2148           (c) knowingly and willfully violate any provision of this part.

2149           (2) It is unlawful for any individual to sign the verification for an initiative packet, or  
2150 to electronically sign the verification for a signature under Subsection [20A-21-201\(9\)](#), knowing  
2151 that:

2152           (a) the individual does not meet the residency requirements of Section [20A-2-105](#);

2153           (b) the individual has not witnessed the signatures of the individuals whose ~~[names~~  
2154 ~~appear in the initiative packet]~~ signatures the individual collects or submits; or

2155           (c) one or more individuals ~~[whose signatures appear in the initiative packet is either:~~

2156 ~~(i)] who signed the initiative petition are not registered to vote in Utah[; or].~~

2157           ~~[(ii) does not intend to become registered to vote in Utah.]~~

2158           (3) An individual who violates this part is guilty of a class A misdemeanor.

2159           Section 41. Section **20A-7-514** is enacted to read:

2160           **20A-7-514. Electronic initiative process - Form of initiative petition -- Circulation**  
2161 **requirements -- Signature collection.**

2162           (1) This section applies only to the electronic initiative process.

2163           (2) (a) The first screen presented on the approved device shall include the following

2164 statement:

2165 "This INITIATIVE PETITION is addressed to the Honorable \_\_\_\_\_, County Clerk/City  
2166 Recorder/Town Clerk:

2167 The citizens of Utah who sign this petition respectfully demand that the following  
2168 proposed law be submitted to: the legislative body for its approval or rejection at its next  
2169 meeting; and the legal voters of the county/city/town, if the legislative body rejects the  
2170 proposed law or takes no action on it."

2171 (b) An individual may not advance to the second screen until the individual clicks a  
2172 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
2173 understand the information presented on this screen."

2174 (3) (a) The second screen presented on the approved device shall include the title of  
2175 proposed law, described in Subsection 20A-7-502(2)(d)(i), followed by the entire text of the  
2176 proposed law.

2177 (b) An individual may not advance to the third screen until the individual clicks a link  
2178 at the bottom of the second screen stating, "By clicking here, I attest that I have read and  
2179 understand the entire text of the proposed law."

2180 (4) Subsequent screens shall be presented on the device in the following order, with the  
2181 individual viewing the device being required, before advancing to the next screen, to click a  
2182 link at the bottom of the screen with the following statement, "By clicking here, I attest that I  
2183 have read and understand the information presented on this screen.";

2184 (a) (i) if the initiative petition proposes a tax increase, the following statement, "This  
2185 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax  
2186 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
2187 increase in the current tax rate."; or

2188 (ii) if the initiative petition does not propose a tax increase, the following statement,  
2189 "This initiative petition does not propose a tax increase.";

2190 (b) the initial fiscal impact estimate's summary statement issued by the budget officer  
2191 in accordance with Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and  
2192 distributing information related to the initiative petition in accordance with Subsection  
2193 20A-7-502.5(3);

2194 (c) a statement indicating whether persons gathering signatures for the petition may be

2195 paid for gathering signatures; and

2196 (d) the following statement, followed by links where the individual may click "yes" or

2197 "no":

2198 "I have personally reviewed the entirety of each statement presented on this device;

2199 I am personally signing this petition;

2200 I am registered to vote in Utah; and

2201 All information I enter on this device, including my residence and post office address, is  
2202 accurate.

2203 It is a class A misdemeanor for an individual to sign an initiative petition with a name  
2204 other than the individual's own name, or to knowingly sign the individual's name more than  
2205 once for the same measure, or to sign an initiative petition when the individual knows that the  
2206 individual is not a registered voter.

2207 WARNING

2208 Even if your voter registration record is classified as private, your name, voter  
2209 identification number, and date of signature in relation to signing this petition will be made  
2210 public.

2211 Do you wish to continue and sign this petition?"

2212 (5) (a) If the individual clicks "no" in response to the question described in Subsection  
2213 (4)(d), the next screen shall include the following statement, "Thank you for your time. Please  
2214 return this device to the signature-gatherer."

2215 (b) If the individual clicks "yes" in response to the question described in Subsection  
2216 (4)(d), the website, or the application that accesses the website, shall take the signature-gatherer  
2217 and the individual signing the petition through the signature process described in Section  
2218 [20A-21-201](#).

2219 Section 42. Section **20A-7-515** is enacted to read:

2220 **20A-7-515. Electronic initiative process -- Obtaining signatures -- Request to**  
2221 **remove signature.**

2222 (1) This section applies to the electronic initiative process.

2223 (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and  
2224 resides in the local jurisdiction.

2225 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from



2226 an individual:

2227 (a) verifies that the individual is at least 18 years old and meets the residency

2228 requirements of Section 20A-2-105; and

2229 (b) is informed that each signer is required to read and understand the law proposed by

2230 the initiative.

2231 (4) (a) A voter who has signed an initiative petition may have the voter's signature

2232 removed from the petition by submitting to the county clerk a statement requesting that the

2233 voter's signature be removed before 5 p.m. no later than the earlier of:

2234 (i) 30 days after the day on which the voter signs the signature removal statement;

2235 (ii) 90 days after the day on which the local clerk posts the voter's name under

2236 Subsection 20A-7-516(4);

2237 (iii) 316 days after the day on which the application is filed; or

2238 (iv) (A) for a county initiative, April 15 immediately before the next regular general

2239 election immediately after the application is filed under Section 20A-7-502; or

2240 (B) for a municipal initiative, April 15 immediately before the next municipal general

2241 election immediately after the application is filed under Section 20A-7-502.

2242 (b) The statement shall include:

2243 (i) the name of the voter;

2244 (ii) the resident address at which the voter is registered to vote;

2245 (iii) the signature of the voter; and

2246 (iv) the date of the signature described in Subsection (4)(b)(iii).

2247 (c) To increase the likelihood of the voter's signature being identified and removed, the

2248 statement may include the voter's birth date or age.

2249 (d) A voter may not submit a signature removal statement by email or other electronic

2250 means, unless the lieutenant governor establishes a signature removal process that is consistent

2251 with the requirements of this section and Section 20A-21-201.

2252 (e) A person may only remove an electronic signature from an initiative petition in

2253 accordance with this section.

2254 (f) A county clerk shall analyze a holographic signature, for purposes of removing an

2255 electronic signature from an initiative petition, in accordance with Section 20A-7-506.3.

2256 Section 43. Section 20A-7-516 is enacted to read:

2257           20A-7-516. Electronic initiative process -- Collecting signatures -- Email  
2258 **notification -- Removal of signatures.**

2259           (1) This section applies only to the electronic initiative process.  
2260           (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:  
2261           (a) 316 days after the day on which the application is filed; or  
2262           (b) (i) for a county initiative, April 15 immediately before the next regular general  
2263 election immediately after the application is filed under Section [20A-7-502](#); or  
2264           (ii) for a municipal initiative, April 15 immediately before the next municipal general  
2265 election immediately after the application is filed under Section [20A-7-502](#).  
2266           (3) The local clerk shall send to each individual who provides a valid email address  
2267 during the signature-gathering process an email that includes the following:  
2268           (a) the subject of the email shall include the following statement, "Notice Regarding  
2269 Your Petition Signature"; and  
2270           (b) the body of the email shall include the following statement in 12-point type:  
2271           "You signed a petition for the following initiative:  
2272           [insert title of initiative]  
2273           To access a copy of the initiative petition, the initiative, the fiscal impact statement, and  
2274 information on the deadline for removing your signature from the petition, please visit the  
2275 following link: [insert a uniform resource locator that takes the individual directly to the page  
2276 on the lieutenant governor's website that includes the information referred to in the email]."  
2277           (4) Except as provided in Subsection (5), the county clerk shall, within two business  
2278 days after the day on which the signature of an individual who signs a petition is certified under  
2279 Section [20A-21-201](#), post the name, voter identification number, and date of signature of the  
2280 individual on the lieutenant governor's website, in a conspicuous location designated by the  
2281 lieutenant governor.  
2282           (5) (a) If the local clerk timely receives a statement requesting signature removal under  
2283 Subsection [20A-7-515](#)(4), the local clerk shall:  
2284           (i) ensure that the voter's name, voter identification number, and date of signature are  
2285 not included in the posting described in Subsection (4); and  
2286           (ii) remove the voter's signature from the petition and the petition signature totals.  
2287           (b) The local clerk shall comply with Subsection (5)(a) before the later of:

- 2288 (i) the deadline described in Subsection (4); or
- 2289 (ii) two business days after the day on which the county clerk receives a statement
- 2290 requesting signature removal under Subsection 20A-7-515(4).

2291 Section 44. Section **20A-7-602** is amended to read:

2292 **20A-7-602. Local referendum process -- Application procedures.**

2293 (1) Individuals wishing to circulate a referendum petition shall file an application with  
2294 the local clerk.

2295 (2) The application shall contain:

2296 (a) the name and residence address of at least five sponsors of the referendum petition;

2297 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

2298 (c) a statement indicating whether persons gathering signatures for the petition may be  
2299 paid for gathering signatures;

2300 (d) the signature of each of the sponsors, acknowledged by a notary public; [~~and~~]

2301 (e) (i) if the referendum challenges an ordinance or resolution, one copy of the law; or

2302 (ii) if the referendum challenges a local law that is not an ordinance or resolution, a  
2303 written description of the local law, including the result of the vote on the local law[:]; and

2304 (f) a statement regarding whether the sponsors will gather signatures using the manual  
2305 referendum process or the electronic referendum process.

2306 Section 45. Section **20A-7-602.7** is amended to read:

2307 **20A-7-602.7. Referability to voters of local law other than land use law.**

2308 (1) Within 20 days after the day on which an eligible voter files an application to  
2309 circulate a referendum petition under Section 20A-7-602 for a local law other than a land use  
2310 law, counsel for the county, city, town, or metro township to which the referendum pertains  
2311 shall:

2312 (a) review the application to determine whether the proposed referendum is legally  
2313 referable to voters; and

2314 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

2315 (i) legally referable to voters; or

2316 (ii) rejected as not legally referable to voters.

2317 (2) For a local law other than a land use law, a proposed referendum is legally referable  
2318 to voters unless:

2319 (a) the proposed referendum challenges an action that is administrative, rather than  
2320 legislative, in nature;

2321 (b) the proposed referendum challenges more than one law passed by the local  
2322 legislative body; or

2323 (c) the application for the proposed referendum was not timely filed or does not  
2324 comply with the requirements of this part.

2325 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
2326 or metro township may not, for a local law other than a land use law:

2327 (a) reject a proposed referendum as not legally referable to voters; or

2328 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
2329 proposed referendum on the grounds that the proposed referendum is not legally referable to  
2330 voters.

2331 (4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a  
2332 proposed referendum concerning a local law other than a land use law, a sponsor of the  
2333 proposed referendum may, within 10 days after the day on which a sponsor is notified under  
2334 Subsection (1)(b), challenge or appeal the decision to:

2335 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

2336 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
2337 under Subsection (4)(a)(i).

2338 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection  
2339 (4)(a) terminates the referendum.

2340 (5) If, on a challenge or appeal, the court determines that the proposed referendum  
2341 described in Subsection (4) is legally referable to voters, the local clerk shall comply with  
2342 Subsection [~~20A-7-604(2)~~] 20A-7-604(3), or give the sponsors access to the website defined in  
2343 Section 20A-21-101, within five days after the day on which the determination, and any  
2344 challenge or appeal of the determination, is final.

2345 Section 46. Section **20A-7-602.8** is amended to read:

2346 **20A-7-602.8. Referability to voters of local land use law.**

2347 (1) Within 20 days after the day on which an eligible voter files an application to  
2348 circulate a referendum petition under Section 20A-7-602 for a land use law, counsel for the  
2349 county, city, town, or metro township to which the referendum pertains shall:

2350 (a) review the application to determine whether the proposed referendum is legally  
2351 referable to voters; and

2352 (b) notify the first three sponsors, in writing, whether the proposed referendum is:  
2353 (i) legally referable to voters; or  
2354 (ii) rejected as not legally referable to voters.

2355 (2) For a land use law, a proposed referendum is legally referable to voters unless:  
2356 (a) the proposed referendum challenges an action that is administrative, rather than  
2357 legislative, in nature;  
2358 (b) the proposed referendum challenges a land use decision, rather than a land use  
2359 regulation, as those terms are defined in Section [10-9a-103](#) or [17-27a-103](#);  
2360 (c) the proposed referendum challenges more than one law passed by the local  
2361 legislative body; or  
2362 (d) the application for the proposed referendum was not timely filed or does not  
2363 comply with the requirements of this part.

2364 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
2365 or metro township may not, for a land use law:  
2366 (a) reject a proposed referendum as not legally referable to voters; or  
2367 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
2368 proposed referendum on the grounds that the proposed referendum is not legally referable to  
2369 voters.

2370 (4) (a) If a county, city, town, or metro township rejects a proposed referendum  
2371 concerning a land use law, a sponsor of the proposed referendum may, within seven days after  
2372 the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision  
2373 to:  
2374 (i) the Supreme Court, by means of an extraordinary writ, if possible; or  
2375 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
2376 under Subsection (4)(a)(i).

2377 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection  
2378 (4)(a) terminates the referendum.

2379 (5) If, on challenge or appeal, the court determines that the proposed referendum is  
2380 legally referable to voters, the local clerk shall comply with Subsection [[20A-7-604\(2\)](#)]

2381 [20A-7-604\(3\)](#), or give the sponsors access to the website defined in Section [20A-21-101](#),  
2382 within five days after the day on which the determination, and any challenge or appeal of the  
2383 determination, is final.

2384 Section 47. Section **20A-7-603** is amended to read:

2385 **20A-7-603. Manual referendum process -- Form of referendum petition and**  
2386 **signature sheets.**

2387 (1) This section applies only to the manual referendum process.

2388 [(+)] (2) (a) Each proposed referendum petition shall be printed in substantially the  
2389 following form:

2390 "REFERENDUM PETITION To the Honorable \_\_\_\_\_, County Clerk/City  
2391 Recorder/Town Clerk:

2392 We, the undersigned citizens of Utah, respectfully order that (description of local law or  
2393 portion of local law being challenged), passed by the \_\_\_\_\_ be referred to the voters for their  
2394 approval or rejection at the regular/municipal general election to be held on  
2395 \_\_\_\_\_(month\day\year);

2396 Each signer says:

2397 I have personally signed this petition;

2398 The date next to my signature correctly reflects the date that I actually signed the  
2399 petition;

2400 I have personally reviewed the entire statement included with this packet;

2401 I am registered to vote in Utah [~~or intend to become registered to vote in Utah before~~  
2402 ~~the certification of the petition names by the county clerk~~]; and

2403 My residence and post office address are written correctly after my name."

2404 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the  
2405 law that is the subject of the referendum to each referendum petition.

2406 [(2)] (3) Each signature sheet shall:

2407 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2408 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
2409 that line blank for the purpose of binding;

2410 (c) include the title of the referendum printed below the horizontal line, in at least  
2411 14-point type;

- 2412 (d) include a table immediately below the title of the referendum, and beginning .5 inch  
2413 from the left side of the paper, as follows:
- 2414 (i) the first column shall be .5 inch wide and include three rows;
  - 2415 (ii) the first row of the first column shall be .85 inch tall and contain the words "For  
2416 Office Use Only" in 10-point type;
  - 2417 (iii) the second row of the first column shall be .35 inch tall;
  - 2418 (iv) the third row of the first column shall be .5 inch tall;
  - 2419 (v) the second column shall be 2.75 inches wide;
  - 2420 (vi) the first row of the second column shall be .35 inch tall and contain the words  
2421 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
  - 2422 (vii) the second row of the second column shall be .5 inch tall;
  - 2423 (viii) the third row of the second column shall be .35 inch tall and contain the words  
2424 "Street Address, City, Zip Code" in 10-point type;
  - 2425 (ix) the fourth row of the second column shall be .5 inch tall;
  - 2426 (x) the third column shall be 2.75 inches wide;
  - 2427 (xi) the first row of the third column shall be .35 inch tall and contain the words  
2428 "Signature of Registered Voter" in 10-point type;
  - 2429 (xii) the second row of the third column shall be .5 inch tall;
  - 2430 (xiii) the third row of the third column shall be .35 inch tall and contain the words  
2431 "Email Address (optional, to receive additional information)" in 10-point type;
  - 2432 (xiv) the fourth row of the third column shall be .5 inch tall;
  - 2433 (xv) the fourth column shall be one inch wide;
  - 2434 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words  
2435 "Date Signed" in 10-point type;
  - 2436 (xvii) the second row of the fourth column shall be .5 inch tall;
  - 2437 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words  
2438 "Birth Date or Age (optional)" in 10-point type;
  - 2439 (xix) the fourth row of the third column shall be .5 inch tall; and
  - 2440 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,  
2441 and contain the following words, "By signing this petition, you are stating that you have read  
2442 and understand the law that this petition seeks to overturn." in 12-point type;

2443 (e) the table described in Subsection [(2)] (3)(d) shall be repeated, leaving sufficient  
2444 room at the bottom of the sheet or the information described in Subsection [(2)] (3)(f); and

2445 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,  
2446 followed by the following statement in not less than eight-point type:

2447 "It is a class A misdemeanor for an individual to sign a referendum petition with a name  
2448 other than the individual's own name, or to knowingly sign the individual's name more than  
2449 once for the same measure, or to sign a referendum petition when the individual knows that the  
2450 individual is not a registered voter [~~and knows that the individual does not intend to become~~  
2451 ~~registered to vote before the certification of the petition names by the county clerk~~].

2452 Birth date or age information is not required, but it may be used to verify your identity  
2453 with voter registration records. If you choose not to provide it, your signature may not be  
2454 verified as a valid signature if you change your address before petition signatures are verified  
2455 or if the information you provide does not match your voter registration records."

2456 [(3)] (4) The final page of each referendum packet shall contain the following printed  
2457 or typed statement:

2458 "Verification of signature collector

2459 State of Utah, County of \_\_\_\_\_

2460 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

2461 I am a resident of Utah and am at least 18 years old;

2462 All the names that appear in this packet were signed by individuals who professed to be  
2463 the individuals whose names appear in it, and each of the individuals signed the individual's  
2464 name on it in my presence;

2465 I did not knowingly make a misrepresentation of fact concerning the law this petition  
2466 seeks to overturn;

2467 I believe that each individual has printed and signed the individual's name and written  
2468 the individual's post office address and residence correctly, that each signer has read and  
2469 understands the law that the referendum seeks to overturn, and that each signer is registered to  
2470 vote in Utah [~~or intends to become registered to vote before the certification of the petition~~  
2471 ~~names by the county clerk~~].

2472 \_\_\_\_\_  
2473 (Name) (Residence Address) (Date)



2474 Each individual who signed the packet wrote the correct date of signature next to the  
2475 individual's name.

2476 I have not paid or given anything of value to any individual who signed this petition to  
2477 encourage that individual to sign it.

2478 \_\_\_\_\_  
2479 (Name) (Residence Address) (Date)".

2480 [~~4~~] (5) If the forms described in this section are substantially followed, the  
2481 referendum petitions are sufficient, notwithstanding clerical and merely technical errors.

2482 [~~5~~] (6) An individual's status as a resident, under Subsection [~~3~~] (4), is determined  
2483 in accordance with Section [20A-2-105](#).

2484 Section 48. Section [20A-7-604](#) is amended to read:

2485 **[20A-7-604. Manual referendum process -- Circulation requirements -- Local](#)**  
2486 **clerk to provide sponsors with materials.**

2487 (1) This section applies only to the manual referendum process.

2488 [~~1~~] (2) In order to obtain the necessary number of signatures required by this part, the  
2489 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
2490 in Subsections [~~2~~] (3) and [20A-7-401.5\(4\)\(b\)](#), circulate referendum packets that meet the  
2491 form requirements of this part.

2492 [~~2~~] (3) Within five days after the day on which a county, city, town, metro township,  
2493 or court determines, in accordance with Section [20A-7-602.7](#), that a proposed referendum is  
2494 legally referable to voters, the local clerk shall furnish to the sponsors:

2495 (a) a copy of the referendum petition; and

2496 (b) a signature sheet.

2497 [~~3~~] (4) The sponsors of the petition shall:

2498 (a) arrange and pay for the printing of all additional copies of the petition and signature  
2499 sheets; and

2500 (b) ensure that the copies of the petition and signature sheets meet the form  
2501 requirements of this section.

2502 [~~4~~] (5) (a) The sponsors or an agent of the sponsors may prepare the referendum for  
2503 circulation by creating multiple referendum packets.

2504 (b) The sponsors or an agent of the sponsors shall create referendum packets by

2505 binding a copy of the referendum petition and no more than 50 signature sheets together at the  
2506 top in a manner that the packets may be conveniently opened for signing.

2507 (c) A referendum packet is not required to have a uniform number of signature sheets.

2508 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of  
2509 the proposition information pamphlet provided to the sponsors under Subsection  
2510 [20A-7-401.5\(4\)\(b\)](#).

2511 ~~[(5)]~~ (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

2512 (i) contact the county clerk to receive a range of numbers that the sponsors may use to  
2513 number signature packets; and

2514 (ii) number each signature packet, sequentially, within the range of numbers provided  
2515 by the county clerk, starting with the lowest number in the range.

2516 (b) The sponsors or an agent of the sponsors may not:

2517 (i) number a signature packet in a manner not directed by the county clerk; or

2518 (ii) circulate or submit a signature packet that is not numbered in the manner directed  
2519 by the county clerk.

2520 (c) The county clerk shall keep a record of the number range provided under  
2521 Subsection ~~[(5)]~~ (6)(a).

2522 Section 49. Section **20A-7-604.5** is amended to read:

2523 **20A-7-604.5. Posting referendum information.**

2524 (1) On the day on which the local clerk complies with Subsection [~~20A-7-604(2)~~]  
2525 [20A-7-604\(3\)](#), or gives the sponsors access to the website defined in Section [20A-21-101](#), the  
2526 local clerk shall post the following information together in a conspicuous place on the local  
2527 clerk's website:

2528 (a) the referendum petition;

2529 (b) the referendum; and

2530 (c) information describing how an individual may remove the individual's signature  
2531 from the ~~[signature packet]~~ petition.

2532 (2) The local clerk shall:

2533 (a) promptly update the information described in Subsection (1) if the information  
2534 changes; and

2535 (b) maintain the information described in Subsection (1) on the local clerk's website

2536 until the referendum fails to qualify for the ballot or is passed or defeated at an election.

2537 Section 50. Section **20A-7-605** is amended to read:

2538 **20A-7-605. Manual referendum process -- Obtaining signatures -- Verification --**

2539 **Removal of signature.**

2540 (1) This section applies only to the manual referendum process.

2541 ~~[(1)]~~ (2) A Utah voter may sign a local referendum petition if the voter is a legal voter  
2542 and resides in the local jurisdiction.

2543 ~~[(2)]~~ (3) (a) The sponsors shall ensure that the individual in whose presence each  
2544 signature sheet was signed:

2545 (i) is at least 18 years old and meets the residency requirements of Section **20A-2-105**;

2546 (ii) verifies each signature sheet by completing the verification printed on the last page  
2547 of each referendum packet; and

2548 (iii) is informed that each signer is required to read and understand the law that the  
2549 referendum seeks to overturn.

2550 (b) An individual may not sign the verification printed on the last page of the  
2551 referendum packet if the individual signed a signature sheet in the referendum packet.

2552 ~~[(3)]~~ (4) (a) A voter who has signed a referendum petition may have the voter's  
2553 signature removed from the petition by submitting to the county clerk a statement requesting  
2554 that the voter's signature be removed no later than the earlier of:

2555 (i) 30 days after the day on which the voter signs the statement requesting removal; or

2556 (ii) 45 days after the day on which the local clerk posts the voter's name under

2557 Subsection **20A-7-607(2)(a)**.

2558 (b) (i) The statement shall include:

2559 (A) the name of the voter;

2560 (B) the resident address at which the voter is registered to vote;

2561 (C) the signature of the voter; and

2562 (D) the date of the signature described in Subsection ~~[(3)]~~ (4)(b)(i)(C).

2563 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
2564 statement may include the voter's birth date or age.

2565 (c) A voter may not submit a statement by email or other electronic means.

2566 (d) In order for the signature to be removed, the county clerk must receive the

2567 statement before 5 p.m. no later than 45 days after the day on which the local clerk posts the  
2568 voter's name under Subsection [20A-7-607\(2\)\(a\)](#).

2569 (e) A person may only remove a signature from a referendum petition in accordance  
2570 with this Subsection [~~(3)~~] (4).

2571 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
2572 a referendum petition, in accordance with Section [20A-7-606.3](#).

2573 Section 51. Section [20A-7-606](#) is amended to read:

2574 **[20A-7-606](#). Manual referendum process -- Submitting the referendum petition --**

2575 **Certification of signatures by the county clerks -- Transfer to local clerk.**

2576 (1) This section applies only to the manual referendum process.

2577 ~~(1)~~ (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and  
2578 verified referendum packet to the county clerk of the county in which the packet was circulated  
2579 before 5 p.m. no later than the earlier of:

2580 (i) 30 days after the day on which the first individual signs the referendum packet; or

2581 (ii) 45 days after the day on which the sponsors receive the items described in

2582 Subsection [~~20A-7-604(2)~~] [20A-7-604\(3\)](#) or from the local clerk.

2583 (b) A person may not submit a referendum packet after the deadline described in  
2584 Subsection ~~(1)~~ (2)(a).

2585 ~~(2)~~ (3) No later than 21 days after the day on which a county clerk receives a verified  
2586 referendum packet under Subsection ~~(1)~~ (2)(a), the county clerk shall:

2587 (a) determine whether each signer is a registered voter according to the requirements of  
2588 Section [20A-7-606.3](#);

2589 (b) certify on the petition whether each name is that of a registered voter;

2590 (c) provide the name [~~and~~]<sub>2</sub> voter identification number, and date of signature of each  
2591 registered voter certified under Subsection ~~(2)~~ (3)(b); and

2592 (d) deliver the verified packet to the local clerk.

2593 ~~(3)~~ (4) (a) If the county clerk timely receives a statement requesting signature  
2594 removal under Subsection [~~20A-7-605(3)~~] [20A-7-605\(4\)](#), the county clerk shall:

2595 (i) ensure that the voter's name [~~and~~]<sub>2</sub> voter identification number, and date of signature  
2596 are not included in the posting described in Subsection [20A-7-607\(2\)\(a\)](#); and

2597 (ii) remove the voter's signature from the signature packets and signature packet totals.

2598 (b) The county clerk shall comply with Subsection [~~(3)~~] (4)(a) before the later of:

2599 (i) the deadline described in Subsection [~~(2)~~] (3); or

2600 (ii) two business days after the day on which the county clerk receives a statement  
2601 requesting signature removal under Subsection [~~20A-7-605(3)~~] 20A-7-605(4).

2602 (c) The local clerk shall post a link in a conspicuous location on the local government's  
2603 website to the posting described in Subsection 20A-7-607(2)(a) during the period of time  
2604 described in Subsection 20A-7-607(2)(a)(i).

2605 [~~(4)~~] (5) The county clerk may not certify a signature under Subsection [~~(2)~~] (3):

2606 (a) on a referendum packet that is not verified in accordance with Section 20A-7-605;

2607 or

2608 (b) that does not have a date of signature next to the signature.

2609 [~~(5)~~] (6) A person may not retrieve a referendum packet from a county clerk, or make  
2610 any alterations or corrections to a referendum packet, after the referendum packet is submitted  
2611 to the county clerk.

2612 Section 52. Section **20A-7-606.3** is amended to read:

2613 **20A-7-606.3. Verification of petition signatures.**

2614 (1) As used in this section:

2615 (a) "Substantially similar name" means:

2616 (i) the given name and surname shown on the petition, or both, contain only minor  
2617 spelling differences when compared to the given name and surname shown on the official  
2618 register;

2619 (ii) the surname shown on the petition exactly matches the surname shown on the  
2620 official register, and the given names differ only because one of the given names shown is a  
2621 commonly used abbreviation or variation of the other;

2622 (iii) the surname shown on the petition exactly matches the surname shown on the  
2623 official register, and the given names differ only because one of the given names shown is  
2624 accompanied by a first or middle initial or a middle name which is not shown on the other  
2625 record; or

2626 (iv) the surname shown on the petition exactly matches the surname shown on the  
2627 official register, and the given names differ only because one of the given names shown is an  
2628 alphabetically corresponding initial that has been provided in the place of a given name shown

2629 on the other record.

2630 (b) "Substantially similar name" does not mean a name having an initial or a middle  
2631 name shown on the petition that does not match a different initial or middle name shown on the  
2632 official register.

2633 (2) ~~[The]~~ In relation to an individual who signs a referendum petition with a  
2634 holographic signature, the county clerk shall use the following procedures in determining  
2635 whether a signer is a registered voter:

2636 (a) When a signer's name and address shown on the petition exactly match a name and  
2637 address shown on the official register and the signer's signature appears substantially similar to  
2638 the signature on the statewide voter registration database, the county clerk shall declare the  
2639 signature valid.

2640 (b) When there is no exact match of an address and a name, the county clerk shall  
2641 declare the signature valid if:

2642 (i) the address on the petition matches the address of an individual on the official  
2643 register with a substantially similar name; and

2644 (ii) the signer's signature appears substantially similar to the signature on the statewide  
2645 voter registration database of the individual described in Subsection (2)(b)(i).

2646 (c) When there is no match of an address and a substantially similar name, the county  
2647 clerk shall declare the signature valid if:

2648 (i) the birth date or age on the petition matches the birth date or age of an individual on  
2649 the official register with a substantially similar name; and

2650 (ii) the signer's signature appears substantially similar to the signature on the statewide  
2651 voter registration database of the individual described in Subsection (2)(c)(i).

2652 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county  
2653 clerk shall declare the signature to be invalid.

2654 (3) ~~[The]~~ In relation to an individual who, with a holographic signature, signs a  
2655 statement to remove the individual's signature from a referendum petition, the county clerk  
2656 shall use the following procedures in determining whether to remove a signature from a  
2657 petition after receiving a timely, valid statement requesting removal of the signature:

2658 (a) if a signer's name and address shown on the statement and the petition exactly  
2659 match a name and address shown on the official register and the signer's signature on both the

2660 statement and the petition appears substantially similar to the signature on the statewide voter  
 2661 registration database, the county clerk shall remove the signature from the petition;

2662 (b) if there is no exact match of an address and a name, the county clerk shall remove  
 2663 the signature from the petition if:

2664 (i) the address on the statement and the petition matches the address of an individual  
 2665 on the official register with a substantially similar name; and

2666 (ii) the signer's signature on both the statement and the petition appears substantially  
 2667 similar to the signature on the statewide voter registration database of the individual described  
 2668 in Subsection (3)(b)(i);

2669 (c) if there is no match of an address and a substantially similar name, the county clerk  
 2670 shall remove the signature from the petition if:

2671 (i) the birth date or age on the statement and petition match the birth date or age of an  
 2672 individual on the official register with a substantially similar name; and

2673 (ii) the signer's signature on both the statement and the petition appears substantially  
 2674 similar to the signature on the statewide voter registration database of the individual described  
 2675 in Subsection (3)(c)(i); and

2676 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
 2677 county clerk may not remove the signature from the petition.

2678 Section 53. Section **20A-7-607** is amended to read:

2679 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**  
 2680 **referendum.**

2681 (1) [~~When~~] In relation to the manual referendum process, when the local clerk receives  
 2682 a referendum packet from a county clerk, the local clerk shall record the number of the  
 2683 referendum packet received.

2684 (2) [~~(a)~~] The county clerk shall:

2685 (a) in relation to the manual referendum process:

2686 (i) post the names [~~and~~], voter identification numbers, and dates of signatures  
 2687 described in Subsection **20A-7-606(3)(c)** on the lieutenant governor's website, in a conspicuous  
 2688 location designated by the lieutenant governor, for at least 45 days; and

2689 (ii) update on the local clerk's website the number of signatures certified as of the date  
 2690 of the update[-]; or

2691 (b) in relation to the electronic referendum process:  
2692 (i) post the names, voter identification numbers, and dates of signatures described in  
2693 Subsection 20A-7-616(3) on the lieutenant governor's website, in a conspicuous location  
2694 designated by the lieutenant governor, for at least 45 days; and  
2695 (ii) update on the lieutenant governor's website the number of signatures certified as of  
2696 the date of the update.  
2697 ~~[(b)]~~ (3) The local clerk:  
2698 ~~[(i)]~~ (a) shall, except as provided in Subsection ~~[(2)(b)(ii)]~~ (3)(b), declare the petition  
2699 to be sufficient or insufficient;  
2700 (i) in relation to the manual referendum process, no later than 111 days after the day of  
2701 the deadline, described in Subsection 20A-7-606~~[(1)]~~(2), to submit a referendum packet to the  
2702 county clerk; or  
2703 (ii) in relation to the electronic referendum process, no later than 111 days after the day  
2704 of the deadline, described in Subsection 20A-7-616(2), to collect a signature; or  
2705 ~~[(i)]~~ (b) may declare the petition to be insufficient before the day described in  
2706 Subsection ~~[(2)(b)(i)]~~ (3)(a) if:  
2707 ~~[(A)]~~ (i) in relation to the manual referendum process, the total of all valid signatures  
2708 on timely and lawfully submitted signature packets that have been certified by the county clerk,  
2709 plus the number of signatures on timely and lawfully submitted signature packets that have not  
2710 yet been evaluated for certification, is less than the number of names required under Section  
2711 20A-7-601; ~~or~~  
2712 (ii) in relation to the electronic referendum process, the total of all timely and lawfully  
2713 submitted valid signatures that have been certified by the county clerks, plus the number of  
2714 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)  
2715 that have not yet been evaluated for certification, is less than the number of names required  
2716 under Section 20A-7-601; or  
2717 ~~[(B)]~~ (iii) a requirement of this part has not been met.  
2718 ~~[(c)]~~ (4) (a) If the total number of names certified under ~~[this]~~ Subsection (2) equals or  
2719 exceeds the number of names required under Section 20A-7-601, and the requirements of this  
2720 part are met, the local clerk shall mark upon the front of the petition the word "sufficient";  
2721 ~~[(d)]~~ (b) If the total number of names certified under this Subsection ~~[(2)]~~ (3) does not



2722 equal or exceed the number of names required under Section 20A-7-601 or a requirement of  
2723 this part is not met, the local clerk shall mark upon the front of the petition the word  
2724 "insufficient."

2725 ~~[(e)]~~ (c) The local clerk shall immediately notify any one of the sponsors of the local  
2726 clerk's finding.

2727 ~~[(f)]~~ (d) After a petition is declared insufficient, a person may not submit additional  
2728 signatures to qualify the petition for the ballot.

2729 ~~[(3)]~~ (5) (a) If the local clerk refuses to accept and file any referendum petition, any  
2730 voter may apply to a court for an extraordinary writ to compel the local clerk to do so within 10  
2731 days after the refusal.

2732 (b) If the court determines that the referendum petition is legally sufficient, the local  
2733 clerk shall file the petition, with a verified copy of the judgment attached to the petition, as of  
2734 the date on which the petition was originally offered for filing in the local clerk's office.

2735 (c) If the court determines that any petition filed is not legally sufficient, the court may  
2736 enjoin the local clerk and all other officers from:

2737 (i) certifying or printing the ballot title and numbers of that measure on the official  
2738 ballot for the next election; or

2739 (ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing,  
2740 or mailing the ballot title and numbers of that measure under Section 20A-7-609.5.

2741 ~~[(4)]~~ (6) A petition determined to be sufficient in accordance with this section is  
2742 qualified for the ballot.

2743 ~~[(5)]~~ (7) (a) Except as provided in Subsection ~~[(6)]~~ (7)(b) or (c), if a referendum relates  
2744 to legislative action taken after April 15, the election officer may not place the referendum on  
2745 an election ballot until a primary election, a general election, or a special election the following  
2746 year.

2747 (b) The election officer may place a referendum described in Subsection ~~[(6)]~~ (7)(a) on  
2748 the ballot for a special, primary, or general election held during the year that the legislative  
2749 action was taken if the following agree, in writing, on a timeline to place the referendum on  
2750 that ballot:

2751 (i) the local clerk;

2752 (ii) the county clerk; and

2753 (iii) the attorney for the county or municipality that took the legislative action.  
2754 (c) For a referendum on a land use law, if, before August 30, the local clerk or a court  
2755 determines that the total number of certified names equals or exceeds the number of signatures  
2756 required in Section 20A-7-601, the election officer shall place the referendum on the election  
2757 ballot for:

- 2758 (i) the next general election; or
- 2759 (ii) another election, if the following agree, in writing, on a timeline to place the  
2760 referendum on that ballot:
  - 2761 (A) the affected owners, as defined in Section 10-9a-103 or 17-27a-103, as applicable;
  - 2762 (B) the local clerk;
  - 2763 (C) the county clerk; and
  - 2764 (D) the attorney for the county or municipality that took the legislative action.

2765 Section 54. Section 20A-7-611 is amended to read:

2766 **20A-7-611. Temporary stay -- Effective date -- Effect of repeal by local legislative**  
2767 **body.**

2768 (1) Any proposed law submitted to the people by referendum petition that is rejected by  
2769 the voters at any election is repealed as of the date of the election.

2770 (2) If, at the time during the process described in Subsection [20A-7-307(2)]  
2771 20A-7-607(2), the local clerk determines that, at that point in time, an adequate number of  
2772 signatures are certified to comply with the signature requirements, the local clerk shall:

- 2773 (a) issue an order temporarily staying the law from going into effect; and
- 2774 (b) continue the process of certifying signatures and removing signatures as required by  
2775 this part.

2776 (3) The temporary stay described in Subsection (2) remains in effect, regardless of  
2777 whether a future count falls below the signature threshold, until the day on which:

2778 (a) if the local clerk declares the petition insufficient, five days after the day on which  
2779 the local clerk declares the petition insufficient; or

2780 (b) if the local clerk declares the petition sufficient, the day on which the local  
2781 legislative body issues the proclamation described in Section 20A-7-610.

2782 (4) A proposed law submitted to the people by referendum petition that is approved by  
2783 the voters at an election takes effect the later of:

2784 (a) five days after the date of the official proclamation of the vote by the local  
2785 legislative body; or

2786 (b) the effective date specified in the proposed law.

2787 (5) If, after the local clerk issues a temporary stay order under Subsection (2)(a), the  
2788 local clerk declares the petition insufficient, the proposed law takes effect the later of:

2789 (a) five days after the day on which the local clerk declares the petition insufficient; or

2790 (b) the effective date specified in the proposed law.

2791 (6) (a) A law adopted by the people under this part is not subject to veto.

2792 (b) The local legislative body may amend any laws approved by the people under this  
2793 part after the people approve the law.

2794 (7) If the local legislative body repeals a law challenged by referendum petition under  
2795 this part, the referendum petition is void and no further action on the referendum petition is  
2796 required.

2797 Section 55. Section **20A-7-612** is amended to read:

2798 **20A-7-612. Misconduct of electors and officers -- Penalty.**

2799 (1) It is unlawful for an individual to:

2800 (a) sign any name other than the individual's own name to any referendum petition;

2801 (b) sign a referendum knowing that the individual is not a legal voter;

2802 (c) in connection with circulating a referendum petition, represent that a document is  
2803 an official government document if the individual knows or has reason to know that the  
2804 document is not an official government document; or

2805 (d) knowingly and willfully violate any provision of this part.

2806 (2) It is unlawful for an individual to sign the verification for a referendum packet, or  
2807 to electronically sign the verification for a signature under Subsection [20A-21-201\(9\)](#), knowing  
2808 that:

2809 (a) the individual does not meet the residency requirements of Section [20A-2-105](#);

2810 (b) the individual has not witnessed the signatures [~~of the individuals whose names~~  
2811 ~~appear in the referendum packet~~] the individual collects or submits; or

2812 (c) one or more individuals whose signatures appear in the referendum packet [~~:(i) is~~  
2813 ~~either: (A)] is not registered to vote in Utah[; ~~or~~].~~

2814 [~~(B) does not intend to become registered to vote in Utah; or~~]

2815 ~~[(ii) appears next to an inaccurate date of signature.]~~

2816 (3) An individual who violates this part is guilty of a class A misdemeanor.

2817 (4) The county attorney or municipal attorney shall prosecute any violation of this  
2818 section.

2819 Section 56. Section **20A-7-613** is amended to read:

2820 **20A-7-613. Property tax referendum petition.**

2821 (1) As used in this section, "certified tax rate" means the same as that term is defined in  
2822 Section **59-2-924**.

2823 (2) Except as provided in this section, the requirements of this part apply to a  
2824 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that  
2825 exceeds the certified tax rate.

2826 (3) Notwithstanding Subsection [~~20A-7-606(1)~~] 20A-7-606(2), the sponsors or an  
2827 agent of the sponsors shall deliver a signed and verified referendum packet to the county clerk  
2828 of the county in which the packet was circulated before 5 p.m. no later than the earlier of:

2829 (a) 30 days after the day on which the first individual signs the packet; or

2830 (b) 40 days after the day on which the local clerk complies with Subsection

2831 [~~20A-7-604(2)~~] 20A-7-604(3).

2832 (4) Notwithstanding Subsections [~~20A-7-606(2) and (3)~~] 20A-7-606(3) and (4), the  
2833 county clerk shall take the actions required in Subsections [~~20A-7-606(2) and (3)~~]  
2834 20A-7-606(3) and (4) within 10 working days after the day on which the county clerk receives  
2835 the signed and verified referendum packet as described in Subsection (3).

2836 (5) The local clerk shall take the actions required by Section **20A-7-607** within two  
2837 working days after:

2838 (a) in relation to the manual referendum process, the day on which the local clerk  
2839 receives the referendum packets from the county clerk[-]; or

2840 (b) in relation to the electronic referendum process, the deadline described in  
2841 Subsection 20A-7-616(2).

2842 (6) Notwithstanding Subsection **20A-7-608(2)**, the local attorney shall prepare the  
2843 ballot title within two working days after the day on which the referendum petition is declared  
2844 sufficient for submission to a vote of the people.

2845 (7) (a) Notwithstanding Subsection **20A-7-609(2)(c)**, a referendum that qualifies for

2846 the ballot under this section shall appear on the ballot for the earlier of the next regular general  
2847 election or the next municipal general election unless a special election is called.

2848 (8) The election officer shall mail manual ballots on a referendum under this section the  
2849 later of:

2850 (a) the time provided in Section 20A-3a-202 or 20A-16-403; or

2851 (b) the time that ballots are prepared for mailing under this section.

2852 (9) Section 20A-7-402 does not apply to a referendum described in this section.

2853 (10) (a) If a majority of voters does not vote against imposing the tax at a rate  
2854 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing  
2855 entity's legislative body:

2856 (i) the certified tax rate for the fiscal year during which the referendum petition is filed  
2857 is its most recent certified tax rate; and

2858 (ii) the proposed increased revenues for purposes of establishing the certified tax rate  
2859 for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed  
2860 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body  
2861 before the filing of the referendum petition.

2862 (b) If a majority of voters votes against imposing a tax at the rate established by the  
2863 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the  
2864 taxing entity's most recent certified tax rate.

2865 (c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not  
2866 required to comply with the notice and public hearing requirements of Section 59-2-919 if the  
2867 taxing entity complies with those notice and public hearing requirements before the referendum  
2868 petition is filed.

2869 (11) The ballot title shall, at a minimum, include in substantially this form the  
2870 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount  
2871 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as  
2872 budgeted, adopted, and approved by the [name of the taxing entity].".

2873 (12) A taxing entity shall pay the county the costs incurred by the county that are  
2874 directly related to meeting the requirements of this section and that the county would not have  
2875 incurred but for compliance with this section.

2876 (13) (a) An election officer shall include on a ballot a referendum that has not yet

2877 qualified for placement on the ballot, if:

2878 (i) sponsors file an application for a referendum described in this section;

2879 (ii) the ballot will be used for the election for which the sponsors are attempting to  
2880 qualify the referendum; and

2881 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after  
2882 the day on which the ballot will be printed.

2883 (b) If an election officer includes on a ballot a referendum described in Subsection  
2884 (13)(a), the ballot title shall comply with Subsection (11).

2885 (c) If an election officer includes on a ballot a referendum described in Subsection  
2886 (13)(a) that does not qualify for placement on the ballot, the election officer shall inform the  
2887 voters by any practicable method that the referendum has not qualified for the ballot and that  
2888 votes cast in relation to the referendum will not be counted.

2889 Section 57. Section **20A-7-614** is enacted to read:

2890 **20A-7-614. Electronic referendum process -- Form of referendum petition --**

2891 **Circulation requirements -- Signature collection.**

2892 (1) This section applies only to the electronic referendum process.

2893 (2) (a) The first screen presented on the approved device shall include the following  
2894 statement:

2895 "This REFERENDUM PETITION is addressed to the Honorable \_\_\_\_\_, County  
2896 Clerk/City Recorder/Town Clerk:

2897 The citizens of Utah who sign this petition respectfully order that (description of local  
2898 law or portion of local law being challenged), passed by the \_\_\_\_\_ be referred to the voters for  
2899 their approval or rejection at the regular/municipal general election to be held on  
2900 \_\_\_\_\_ (month\day\year)."

2901 (b) An individual may not advance to the second screen until the individual clicks a  
2902 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
2903 understand the information presented on this screen."

2904 (3) (a) The second screen presented on the approved device shall include the entire text  
2905 of the law that is the subject of the referendum petition.

2906 (b) An individual may not advance to the third screen until the individual clicks a link  
2907 at the bottom of the second screen stating, "By clicking here, I attest that I have read and

2908 understand the entire text of the law that is the subject of the referendum petition."

2909 (4) (a) The third screen presented on the approved device shall include a statement  
2910 indicating whether persons gathering signatures for the petition may be paid for gathering  
2911 signatures.

2912 (b) An individual may not advance to the fourth screen until the individual clicks a link  
2913 at the bottom of the third screen stating, "By clicking here, I attest that I have read and  
2914 understand the information presented on this screen."

2915 (5) The fourth screen presented on the approved device shall include the following  
2916 statement, followed by links where the individual may click "yes" or "no":

2917 "I have personally reviewed the entirety of each statement presented on this device;

2918 I am personally signing this petition;

2919 I am registered to vote in Utah; and

2920 All information I enter on this device, including my residence and post office address, is  
2921 accurate.

2922 It is a class A misdemeanor for an individual to sign a referendum petition with a name  
2923 other than the individual's own name, or to knowingly sign the individual's name more than  
2924 once for the same measure, or to sign a referendum petition when the individual knows that the  
2925 individual is not a registered voter.

2926 Do you wish to continue and sign this petition?"

2927 (6) (a) If the individual clicks "no" in response to the question described in Subsection  
2928 (5), the next screen shall include the following statement, "Thank you for your time. Please  
2929 return this device to the signature-gatherer."

2930 (b) If the individual clicks "yes" in response to the question described in Subsection  
2931 (5), the website, or the application that accesses the website, shall take the signature-gatherer  
2932 and the individual signing the petition through the signature process described in Section  
2933 [20A-21-201](#).

2934 Section 58. Section **20A-7-615** is enacted to read:

2935 **20A-7-615. Electronic referendum process -- Obtaining signatures -- Request to**  
2936 **remove signature.**

2937 (1) This section applies to the electronic referendum process described in Section  
2938 [20A-21-201](#).

2939           (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and  
2940 resides in the local jurisdiction.

2941           (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
2942 an individual:

2943           (a) verifies that the individual is at least 18 years old and meets the residency  
2944 requirements of Section [20A-2-105](#); and

2945           (b) is informed that each signer is required to read and understand the law that is the  
2946 subject of the referendum petition.

2947           (4) (a) A voter who has signed a referendum petition may have the voter's signature  
2948 removed from the petition by submitting to the county clerk a statement requesting that the  
2949 voter's signature be removed before 5 p.m. no later than the earlier of:

2950           (i) 30 days after the day on which the voter signs the statement requesting removal; or

2951           (ii) 45 days after the day on which the local clerk posts the voter's name under  
2952 Subsection [20A-7-616\(3\)](#).

2953           (b) The statement shall include:

2954           (i) the name of the voter;

2955           (ii) the resident address at which the voter is registered to vote;

2956           (iii) the signature of the voter; and

2957           (iv) the date of the signature described in Subsection (4)(b)(iii).

2958           (c) To increase the likelihood of the voter's signature being identified and removed, the  
2959 statement may include the voter's birth date or age.

2960           (d) A voter may not submit a signature removal statement by email or other electronic  
2961 means, unless the lieutenant governor establishes a signature removal process that is consistent  
2962 with the requirements of this section and Section [20A-21-201](#).

2963           (e) A person may only remove an electronic signature from an initiative petition in  
2964 accordance with this section.

2965           (f) A county clerk shall analyze a holographic signature, for purposes of removing an  
2966 electronic signature from a referendum petition, in accordance with Section [20A-7-606.3](#).

2967           Section 59. Section **20A-7-616** is enacted to read:

2968           **20A-7-616. Electronic referendum process -- Collecting signatures -- Removal of**  
2969 **signatures.**



- 2970 (1) This section applies only to the electronic referendum process.
- 2971 (2) A signature-gatherer may not collect a signature after 5 p.m. 45 days after the day  
2972 on which the first three sponsors receive notice, under Section [20A-7-602.7](#) or [20A-7-602.8](#),  
2973 that the referendum is legally referable to voters.
- 2974 (3) The local clerk shall send to each individual who provides a valid email address  
2975 during the signature-gathering process an email that includes the following:
- 2976 (a) the subject of the email shall include the following statement, "Notice Regarding  
2977 Your Petition Signature"; and
- 2978 (b) the body of the email shall include the following statement in 12-point type:  
2979 "You signed a petition for the following referendum:  
2980 [insert title of initiative]
- 2981 To access a copy of the referendum petition, the referendum, and information on the  
2982 deadline for removing your signature from the petition, please visit the following link: [insert a  
2983 uniform resource locator that takes the individual directly to the page on the lieutenant  
2984 governor's website that includes the information referred to in the email]."
- 2985 (4) Except as provided in Subsection (5), the county clerk shall, within two business  
2986 days after the day on which the signature of an individual who signs a petition is certified under  
2987 Section [20A-21-201](#), post the name, voter identification number, and date of signature of the  
2988 individual on the lieutenant governor's website, in a conspicuous location designated by the  
2989 lieutenant governor, for at least 45 days.
- 2990 (5) (a) If the local clerk timely receives a statement requesting signature removal under  
2991 Subsection [20A-7-615\(4\)](#), the local clerk shall:
- 2992 (i) ensure that the voter's name, voter identification number, and date of signature are  
2993 not included in the posting described in Subsection (4); and
- 2994 (ii) remove the voter's signature from the petition and the petition signature totals.
- 2995 (b) The local clerk shall comply with Subsection (5)(a) before the later of:
- 2996 (i) the deadline described in Subsection (4); or  
2997 (ii) two business days after the day on which the county clerk receives a statement  
2998 requesting signature removal under Subsection [20A-7-615\(4\)](#).
- 2999 Section 60. Section **20A-9-101** is amended to read:
- 3000 **20A-9-101. Definitions.**

3001 As used in this chapter:

3002 (1) (a) "Candidates for elective office" means persons who file a declaration of  
3003 candidacy under Section 20A-9-202 to run in a regular general election for a federal office,  
3004 constitutional office, multicounty office, or county office.

3005 (b) "Candidates for elective office" does not mean candidates for:

3006 (i) justice or judge of court of record or not of record;

3007 (ii) presidential elector;

3008 (iii) any political party offices; and

3009 (iv) municipal or local district offices.

3010 (2) "Constitutional office" means the state offices of governor, lieutenant governor,  
3011 attorney general, state auditor, and state treasurer.

3012 (3) "Continuing political party" means the same as that term is defined in Section  
3013 20A-8-101.

3014 (4) (a) "County office" means an elective office where the officeholder is selected by  
3015 voters entirely within one county.

3016 (b) "County office" does not mean:

3017 (i) the office of justice or judge of any court of record or not of record;

3018 (ii) the office of presidential elector;

3019 (iii) any political party offices;

3020 (iv) any municipal or local district offices; and

3021 (v) the office of United States Senator and United States Representative.

3022 (5) "Electronic candidate qualification process" means:

3023 (a) as it relates to a registered political party that is not a qualified political party, the  
3024 process for gathering signatures electronically to seek the nomination of a registered political  
3025 party, described in:

3026 (i) Section 20A-9-403;

3027 (ii) Section 20a-9-405, except Subsections 20A-9-405(3) and (5); and

3028 (iii) Section 20A-21-201; and

3029 (b) as it relates to a qualified political party, the process, for gathering signatures  
3030 electronically to seek the nomination of a registered political party, described in:

3031 (i) Section 20A-9-405, except Subsections 20A-9-405(3) and (5);

3032            (ii) Section 20A-9-408; and  
3033            (iii) Section 20A-21-201.  
3034            [~~5~~] (6) "Federal office" means an elective office for United States Senator and United  
3035 States Representative.  
3036            [~~6~~] (7) "Filing officer" means:  
3037            (a) the lieutenant governor, for:  
3038            (i) the office of United States Senator and United States Representative; and  
3039            (ii) all constitutional offices;  
3040            (b) for the office of a state senator or state representative, the lieutenant governor or the  
3041 applicable clerk described in Subsection [~~6~~] (7)(c) or (d);  
3042            (c) the county clerk, for county offices and local school district offices;  
3043            (d) the county clerk in the filer's county of residence, for multicounty offices;  
3044            (e) the city or town clerk, for municipal offices; or  
3045            (f) the local district clerk, for local district offices.  
3046            [~~7~~] (8) "Local district office" means an elected office in a local district.  
3047            [~~8~~] (9) "Local government office" includes county offices, municipal offices, and  
3048 local district offices and other elective offices selected by the voters from a political division  
3049 entirely within one county.  
3050            (10) "Manual candidate qualification process" means the process for gathering  
3051 signatures to seek the nomination of a registered political party, using paper signature packets  
3052 that a signer physically signs.  
3053            [~~9~~] (11) (a) "Multicounty office" means an elective office where the officeholder is  
3054 selected by the voters from more than one county.  
3055            (b) "Multicounty office" does not mean:  
3056            (i) a county office;  
3057            (ii) a federal office;  
3058            (iii) the office of justice or judge of any court of record or not of record;  
3059            (iv) the office of presidential elector;  
3060            (v) any political party offices; or  
3061            (vi) any municipal or local district offices.  
3062            [~~10~~] (12) "Municipal office" means an elective office in a municipality.

3063            [~~(H)~~] (13) (a) "Political division" means a geographic unit from which an officeholder  
3064 is elected and that an officeholder represents.

3065            (b) "Political division" includes a county, a city, a town, a local district, a school  
3066 district, a legislative district, and a county prosecution district.

3067            [~~(H2)~~] (14) "Qualified political party" means a registered political party that:

3068            (a) (i) permits a delegate for the registered political party to vote on a candidate  
3069 nomination in the registered political party's convention remotely; or

3070            (ii) provides a procedure for designating an alternate delegate if a delegate is not  
3071 present at the registered political party's convention;

3072            (b) does not hold the registered political party's convention before the fourth Saturday  
3073 in March of an even-numbered year;

3074            (c) permits a member of the registered political party to seek the registered political  
3075 party's nomination for any elective office by the member choosing to seek the nomination by  
3076 either or both of the following methods:

3077            (i) seeking the nomination through the registered political party's convention process,  
3078 in accordance with the provisions of Section 20A-9-407; or

3079            (ii) seeking the nomination by collecting signatures, in accordance with the provisions  
3080 of Section 20A-9-408; and

3081            (d) (i) if the registered political party is a continuing political party, no later than 5 p.m.  
3082 on September 30 of an odd-numbered year, certifies to the lieutenant governor that, for the  
3083 election in the following year, the registered political party intends to nominate the registered  
3084 political party's candidates in accordance with the provisions of Section 20A-9-406; or

3085            (ii) if the registered political party is not a continuing political party, certifies at the  
3086 time that the registered political party files the petition described in Section 20A-8-103 that, for  
3087 the next election, the registered political party intends to nominate the registered political  
3088 party's candidates in accordance with the provisions of Section 20A-9-406.

3089            (15) "Signature," as it relates to a petition for a candidate to seek the nomination of a  
3090 registered political party, means:

3091            (a) when using the manual candidate qualification process, a holographic signature  
3092 collected physically on a nomination petition described in Subsection 20A-9-405(3); or

3093            (b) when using the electronic candidate qualification process:

3094 (i) an electronic signature collected under Subsection 20A-21-201(6)(c)(ii)(A); or

3095 (ii) a holographic signature collected electronically under Subsection

3096 20A-21-201(5)(c)(ii)(B).

3097 Section 61. Section **20A-9-403** is amended to read:

3098 **20A-9-403. Regular primary elections.**

3099 (1) (a) Candidates for elective office that are to be filled at the next regular general  
3100 election shall be nominated in a regular primary election by direct vote of the people in the  
3101 manner prescribed in this section. The regular primary election is held on the date specified in  
3102 Section **20A-1-201.5**. Nothing in this section shall affect a candidate's ability to qualify for a  
3103 regular general election's ballot as an unaffiliated candidate under Section **20A-9-501** or to  
3104 participate in a regular general election as a write-in candidate under Section **20A-9-601**.

3105 (b) Each registered political party that chooses to have the names of the registered  
3106 political party's candidates for elective office featured with party affiliation on the ballot at a  
3107 regular general election shall comply with the requirements of this section and shall nominate  
3108 the registered political party's candidates for elective office in the manner described in this  
3109 section.

3110 (c) A filing officer may not permit an official ballot at a regular general election to be  
3111 produced or used if the ballot denotes affiliation between a registered political party or any  
3112 other political group and a candidate for elective office who is not nominated in the manner  
3113 prescribed in this section or in Subsection **20A-9-202(4)**.

3114 (d) Unless noted otherwise, the dates in this section refer to those that occur in each  
3115 even-numbered year in which a regular general election will be held.

3116 (2) (a) Each registered political party, in a statement filed with the lieutenant governor,  
3117 shall:

3118 (i) either declare the registered political party's intent to participate in the next regular  
3119 primary election or declare that the registered political party chooses not to have the names of  
3120 the registered political party's candidates for elective office featured on the ballot at the next  
3121 regular general election; and

3122 (ii) if the registered political party participates in the upcoming regular primary  
3123 election, identify one or more registered political parties whose members may vote for the  
3124 registered political party's candidates and whether individuals identified as unaffiliated with a

3125 political party may vote for the registered political party's candidates.

3126 (b) (i) A registered political party that is a continuing political party shall file the  
3127 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on  
3128 November 30 of each odd-numbered year.

3129 (ii) An organization that is seeking to become a registered political party under Section  
3130 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered  
3131 political party files the petition described in Section 20A-8-103.

3132 (3) (a) Except as provided in Subsection (3)(e), an individual who submits a  
3133 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective  
3134 office on the regular primary ballot of the registered political party listed on the declaration of  
3135 candidacy only if the individual is certified by the appropriate filing officer as having submitted  
3136 a [~~set of nomination petitions~~] nomination petition that was:

3137 (i) circulated and completed in accordance with Section 20A-9-405; and

3138 (ii) signed by at least 2% of the registered political party's members who reside in the  
3139 political division of the office that the individual seeks.

3140 (b) (i) A candidate for elective office shall submit [~~nomination petitions~~] signatures for  
3141 a nomination petition to the appropriate filing officer for verification and certification no later  
3142 than 5 p.m. on the final day in March.

3143 (ii) A candidate may supplement the candidate's submissions at any time on or before  
3144 the filing deadline.

3145 (c) (i) The lieutenant governor shall determine for each elective office the total number  
3146 of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting  
3147 the aggregate number of individuals residing in each elective office's political division who  
3148 have designated a particular registered political party on the individuals' voter registration  
3149 forms on or before November 15 of each odd-numbered year.

3150 (ii) The lieutenant governor shall publish the determination for each elective office no  
3151 later than November 30 of each odd-numbered year.

3152 (d) The filing officer shall:

3153 (i) except as otherwise provided in Section 20A-21-201, verify signatures on  
3154 nomination petitions in a transparent and orderly manner, no later than 14 days after the day on  
3155 which a candidate submits the signatures to the filing officer;

3156 (ii) for all qualifying candidates for elective office who submit nomination petitions to  
3157 the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline  
3158 described in Subsection [20A-9-202\(1\)\(b\)](#);

3159 (iii) consider active and inactive voters eligible to sign nomination petitions;

3160 (iv) consider an individual who signs a nomination petition a member of a registered  
3161 political party for purposes of Subsection (3)(a)(ii) if the individual has designated that  
3162 registered political party as the individual's party membership on the individual's voter  
3163 registration form; and

3164 (v) except as otherwise provided in Section [20A-21-201](#), utilize procedures described  
3165 in Section [20A-7-206.3](#) to verify submitted nomination petition signatures, or use statistical  
3166 sampling procedures to verify submitted nomination petition signatures in accordance with  
3167 rules made under Subsection (3)(f).

3168 (e) Notwithstanding any other provision in this Subsection (3), a candidate for  
3169 lieutenant governor may appear on the regular primary ballot of a registered political party  
3170 without submitting nomination petitions if the candidate files a declaration of candidacy and  
3171 complies with Subsection [20A-9-202\(3\)](#).

3172 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
3173 director of elections, within the Office of the Lieutenant Governor, may make rules that:

3174 (i) provide for the use of statistical sampling procedures that:

3175 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and

3176 (B) reflect a bona fide effort to determine the validity of a candidate's entire  
3177 submission, using widely recognized statistical sampling techniques; and

3178 (ii) provide for the transparent, orderly, and timely submission, verification, and  
3179 certification of nomination petition signatures.

3180 (g) The county clerk shall:

3181 (i) review the declarations of candidacy filed by candidates for local boards of  
3182 education to determine if more than two candidates have filed for the same seat;

3183 (ii) place the names of all candidates who have filed a declaration of candidacy for a  
3184 local board of education seat on the nonpartisan section of the ballot if more than two  
3185 candidates have filed for the same seat; and

3186 (iii) determine the order of the local board of education candidates' names on the ballot

3187 in accordance with Section 20A-6-305.

3188 (4) (a) Before the deadline described in Subsection 20A-9-409(4)(c), the lieutenant  
3189 governor shall provide to the county clerks:

3190 (i) a list of the names of all candidates for federal, constitutional, multi-county, single  
3191 county, and county offices who have received certifications under Subsection (3), along with  
3192 instructions on how those names shall appear on the primary election ballot in accordance with  
3193 Section 20A-6-305; and

3194 (ii) a list of unopposed candidates for elective office who have been nominated by a  
3195 registered political party under Subsection (5)(c) and instruct the county clerks to exclude the  
3196 unopposed candidates from the primary election ballot.

3197 (b) A candidate for lieutenant governor and a candidate for governor campaigning as  
3198 joint-ticket running mates shall appear jointly on the primary election ballot.

3199 (c) After the county clerk receives the certified list from the lieutenant governor under  
3200 Subsection (4)(a), the county clerk shall post or publish a primary election notice in  
3201 substantially the following form:

3202 "Notice is given that a primary election will be held Tuesday, June \_\_\_\_,  
3203 \_\_\_\_ (year), to nominate party candidates for the parties and candidates for nonpartisan  
3204 local school board positions listed on the primary ballot. The polling place for voting precinct  
3205 \_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.  
3206 Attest: county clerk."

3207 (5) (a) A candidate who, at the regular primary election, receives the highest number of  
3208 votes cast for the office sought by the candidate is:

3209 (i) nominated for that office by the candidate's registered political party; or

3210 (ii) for a nonpartisan local school board position, nominated for that office.

3211 (b) If two or more candidates are to be elected to the office at the regular general  
3212 election, those party candidates equal in number to positions to be filled who receive the  
3213 highest number of votes at the regular primary election are the nominees of the candidates'  
3214 party for those positions.

3215 (c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

3216 (A) no individual other than the candidate receives a certification under Subsection (3)  
3217 for the regular primary election ballot of the candidate's registered political party for a



3218 particular elective office; or

3219 (B) for an office where more than one individual is to be elected or nominated, the  
3220 number of candidates who receive certification under Subsection (3) for the regular primary  
3221 election of the candidate's registered political party does not exceed the total number of  
3222 candidates to be elected or nominated for that office.

3223 (ii) A candidate who is unopposed for an elective office in the regular primary election  
3224 of a registered political party is nominated by the party for that office without appearing on the  
3225 primary election ballot.

3226 (6) (a) When a tie vote occurs in any primary election for any national, state, or other  
3227 office that represents more than one county, the governor, lieutenant governor, and attorney  
3228 general shall, at a public meeting called by the governor and in the presence of the candidates  
3229 involved, select the nominee by lot cast in whatever manner the governor determines.

3230 (b) When a tie vote occurs in any primary election for any county office, the district  
3231 court judges of the district in which the county is located shall, at a public meeting called by  
3232 the judges and in the presence of the candidates involved, select the nominee by lot cast in  
3233 whatever manner the judges determine.

3234 (7) The expense of providing all ballots, blanks, or other supplies to be used at any  
3235 primary election provided for by this section, and all expenses necessarily incurred in the  
3236 preparation for or the conduct of that primary election shall be paid out of the treasury of the  
3237 county or state, in the same manner as for the regular general elections.

3238 (8) An individual may not file a declaration of candidacy for a registered political party  
3239 of which the individual is not a member, except to the extent that the registered political party  
3240 permits otherwise under the registered political party's bylaws.

3241 Section 62. Section **20A-9-405** is amended to read:

3242 **20A-9-405. Nomination petitions for regular primary elections.**

3243 (1) This section [~~shall apply~~] applies to the form and circulation of nomination  
3244 petitions for regular primary elections described in Subsection **20A-9-403(3)(a)**.

3245 (2) A candidate for elective office, and the agents of the candidate, may not circulate  
3246 nomination petitions until the candidate has submitted a declaration of candidacy in accordance  
3247 with Subsection **20A-9-202(1)**.

3248 (3) [~~The~~] For the manual candidate qualification process, the nomination petitions shall

3249 be in substantially the following form:

3250 (a) the petition shall be printed on paper 8-1/2 inches long and 11 inches wide;

3251 (b) the petition shall be ruled with a horizontal line 3/4 inch from the top, with the  
3252 space above that line blank for purposes of binding;

3253 (c) the petition shall be headed by a caption stating the purpose of the petition and the  
3254 name of the proposed candidate;

3255 (d) the petition shall feature the word "Warning" followed by the following statement  
3256 in no less than eight-point, single leaded type: "It is a class A misdemeanor for anyone to  
3257 knowingly sign a [~~certificate of nomination signature sheet~~] nomination petition with any name  
3258 other than the person's own name, or more than once for the same candidate, or if the person is  
3259 not registered to vote in this state [~~and does not intend to become registered to vote in this state~~  
3260 ~~before signatures are certified by a filing officer].";~~

3261 (e) the petition shall feature 10 lines spaced one-half inch apart and consecutively  
3262 numbered one through 10;

3263 (f) the signature portion of the petition shall be divided into columns headed by the  
3264 following titles:

3265 (i) Registered Voter's Printed Name;

3266 (ii) Signature of Registered Voter;

3267 (iii) Party Affiliation of Registered Voter;

3268 (iv) Birth Date or Age (Optional);

3269 (v) Street Address, City, Zip Code; and

3270 (vi) Date of Signature; and

3271 (g) a photograph of the candidate may appear on the nomination petition.

3272 (4) For the electronic candidate qualification process, the lieutenant governor shall  
3273 design an electronic form, using progressive screens, that includes:

3274 (a) the following warning:

3275 "Warning: "It is a class A misdemeanor for anyone to knowingly sign a nomination  
3276 petition with any name other than the person's own name, or more than once for the same  
3277 candidate, or if the person is not registered to vote in this state."; and

3278 (b) the following information for each individual who signs the petition:

3279 (i) name;

- 3280 (ii) party affiliation;  
 3281 (iii) date of birth or age, (optional);  
 3282 (iv) street address, city, zip code;  
 3283 (v) date of signature;  
 3284 (vi) other information required under Section [20A-21-201](#); and  
 3285 (vii) other information required by the lieutenant governor.

3286 [~~4~~] (5) [H] For the manual candidate qualification process, if one or more nomination  
 3287 petitions are bound together, a page shall be bound to the nomination petition(s) that features  
 3288 the following printed verification statement to be signed and dated by the petition circulator:

3289 "Verification

3290 State of Utah, County of \_\_\_\_

3291 I, \_\_\_\_, of \_\_\_\_, hereby state that:

3292 I am a Utah resident and am at least 18 years old;

3293 All the names that appear on the signature sheets bound to this page were, to the best of  
 3294 my knowledge, signed by the persons who professed to be the persons whose names appear on  
 3295 the signature sheets, and each of them signed the person's name on the signature sheets in my  
 3296 presence;

3297 I believe that each has printed and signed the person's name and written the person's  
 3298 street address correctly, and that each signer is registered to vote in Utah [~~or will register to~~  
 3299 ~~vote in Utah before the county clerk certifies the signatures on the signature sheet]."~~

3300 [~~5~~] (6) The lieutenant governor shall prepare and make public model nomination  
 3301 petition forms and associated instructions.

3302 [~~6~~] (7) A nomination petition circulator must be at least 18 years old and a resident of  
 3303 the state, but may affiliate with any political party.

3304 [~~7~~] (8) It is unlawful for any person to:

3305 (a) knowingly sign the nomination petition [~~sheet~~] described in [~~Subsection (3)~~] this  
 3306 section or Section [20A-9-408](#):

3307 (i) with any name other than the person's own name;

3308 (ii) more than once for the same candidate; or

3309 (iii) if the person is not registered to vote in this state [~~and does not intend to become~~  
 3310 ~~registered to vote in this state prior to 5 p.m. on the final day in March];~~

3311 (b) sign the verification of a [~~certificate of nomination signature sheet described in~~  
3312 ~~Subsection (4)~~] signature for a nomination petition if the person:

3313 (i) does not meet the residency requirements of Section [20A-2-105](#);

3314 (ii) has not witnessed the signing by those persons whose names appear on the

3315 [~~certificate of nomination signature sheet~~] nomination petition; or

3316 (iii) knows that a person whose signature appears on the [~~certificate of nomination~~  
3317 ~~signature sheet~~] nomination petition is not registered to vote in this state [~~and does not intend~~  
3318 ~~to become registered to vote in this state~~];

3319 (c) pay compensation to any person to sign a nomination petition; or

3320 (d) pay compensation to any person to circulate a nomination petition, if the  
3321 compensation is based directly on the number of signatures submitted to a filing officer rather  
3322 than on the number of signatures verified or on some other basis.

3323 [~~(8)~~] (9) Any person violating Subsection [~~(7)~~] (8) is guilty of a class A misdemeanor.

3324 [~~(9)~~] (10) Withdrawal of petition signatures [~~shall not be permitted~~] is prohibited.

3325 Section 63. Section **20A-9-408** is amended to read:

3326 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**  
3327 **political party.**

3328 (1) This section describes the requirements for a member of a qualified political party  
3329 who is seeking the nomination of the qualified political party for an elective office through the  
3330 signature-gathering process described in this section.

3331 (2) Notwithstanding Subsection [20A-9-201\(7\)\(a\)](#), the form of the declaration of  
3332 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
3333 the nomination of, the qualified political party under this section shall be substantially as  
3334 described in Section [20A-9-408.5](#).

3335 (3) Notwithstanding Subsection [20A-9-202\(1\)\(a\)](#), and except as provided in Subsection  
3336 [20A-9-202\(4\)](#), a member of a qualified political party who, under this section, is seeking the  
3337 nomination of the qualified political party for an elective office that is to be filled at the next  
3338 general election shall:

3339 (a) within the period beginning on January 1 before the next regular general election  
3340 and ending at 5 p.m. 52 days after the day on which the Legislature's general session begins, as  
3341 provided in Section [36-3-201](#), and before gathering signatures under this section, file with the

3342 filing officer on a form approved by the lieutenant governor a notice of intent to gather  
3343 signatures for candidacy that includes:

- 3344 (i) the name of the member who will attempt to become a candidate for a registered  
3345 political party under this section;
- 3346 (ii) the name of the registered political party for which the member is seeking  
3347 nomination;
- 3348 (iii) the office for which the member is seeking to become a candidate;
- 3349 (iv) the address and telephone number of the member; [~~and~~]
- 3350 (v) a statement regarding whether the candidate will gather signatures using the  
3351 electronic candidate qualification process or the manual candidate qualification process; and  
3352 [(~~v~~)] (vi) other information required by the lieutenant governor;
- 3353 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,  
3354 in person, with the filing officer:
  - 3355 (i) on or after 48 days after the day on which the Legislature's general session begins,  
3356 as provided in Section 36-3-201; and
  - 3357 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session  
3358 begins, as provided in Section 36-3-201; and
  - 3359 (c) pay the filing fee.
- 3360 (4) Notwithstanding Subsection 20A-9-202(2)(a), a member of a qualified political  
3361 party who, under this section, is seeking the nomination of the qualified political party for the  
3362 office of district attorney within a multicounty prosecution district that is to be filled at the next  
3363 general election shall:
  - 3364 (a) on or after January 1 before the next regular general election, and before gathering  
3365 signatures under this section, file with the filing officer on a form approved by the lieutenant  
3366 governor a notice of intent to gather signatures for candidacy that includes:
    - 3367 (i) the name of the member who will attempt to become a candidate for a registered  
3368 political party under this section;
    - 3369 (ii) the name of the registered political party for which the member is seeking  
3370 nomination;
    - 3371 (iii) the office for which the member is seeking to become a candidate;
    - 3372 (iv) the address and telephone number of the member; and

- 3373 (v) other information required by the lieutenant governor;
- 3374 (b) except as provided in Subsection 20A-9-202(1)(c), file a declaration of candidacy,
- 3375 in person, with the filing officer:
- 3376 (i) on or after 48 days after the day on which the Legislature's general session begins,
- 3377 as provided in Section 36-3-201; and
- 3378 (ii) before 5 p.m. 52 days after the day on which the Legislature's general session
- 3379 begins, as provided in Section 36-3-201; and
- 3380 (c) pay the filing fee.
- 3381 (5) Notwithstanding Subsection 20A-9-202(3)(a)(iii), a lieutenant governor candidate
- 3382 who files as the joint-ticket running mate of an individual who is nominated by a qualified
- 3383 political party, under this section, for the office of governor shall, before the deadline described
- 3384 in Subsection 20A-9-202(1)(b), file a declaration of candidacy and submit a letter from the
- 3385 candidate for governor that names the lieutenant governor candidate as a joint-ticket running
- 3386 mate.
- 3387 (6) The lieutenant governor shall ensure that the certification described in Subsection
- 3388 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party
- 3389 under this section.
- 3390 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who
- 3391 is nominated by a qualified political party under this section, designate the qualified political
- 3392 party that nominated the candidate.
- 3393 (8) A member of a qualified political party may seek the nomination of the qualified
- 3394 political party for an elective office by:
- 3395 (a) complying with the requirements described in this section; and
- 3396 (b) collecting signatures, on a form approved by the lieutenant governor that complies
- 3397 with Subsection 20A-9-405(3), during the period beginning on January 1 of an even-numbered
- 3398 year and ending at 5 p.m. 14 days before the day on which the qualified political party's
- 3399 convention for the office is held, in the following amounts:
- 3400 (i) for a statewide race, 28,000 signatures of registered voters in the state who are
- 3401 permitted by the qualified political party to vote for the qualified political party's candidates in
- 3402 a primary election;
- 3403 (ii) for a congressional district race, 7,000 signatures of registered voters who are

3404 residents of the congressional district and are permitted by the qualified political party to vote  
3405 for the qualified political party's candidates in a primary election;

3406 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
3407 residents of the state Senate district and are permitted by the qualified political party to vote for  
3408 the qualified political party's candidates in a primary election;

3409 (iv) for a state House district race, 1,000 signatures of registered voters who are  
3410 residents of the state House district and are permitted by the qualified political party to vote for  
3411 the qualified political party's candidates in a primary election;

3412 (v) for a State Board of Education race, the lesser of:

3413 (A) 2,000 signatures of registered voters who are residents of the State Board of  
3414 Education district and are permitted by the qualified political party to vote for the qualified  
3415 political party's candidates in a primary election; or

3416 (B) 3% of the registered voters of the qualified political party who are residents of the  
3417 applicable State Board of Education district; and

3418 (vi) for a county office race, signatures of 3% of the registered voters who are residents  
3419 of the area permitted to vote for the county office and are permitted by the qualified political  
3420 party to vote for the qualified political party's candidates in a primary election.

3421 (9) (a) This Subsection (9) applies only to the manual candidate qualification process.

3422 ~~[(9)(a)]~~ (b) In order for a member of the qualified political party to qualify as a  
3423 candidate for the qualified political party's nomination for an elective office under this section,  
3424 using the manual candidate qualification process, the member shall:

3425 (i) collect the signatures on a form approved by the lieutenant governor, using the same  
3426 circulation and verification requirements described in Sections [20A-7-204](#) and [20A-7-205](#); and

3427 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days  
3428 before the day on which the qualified political party holds the party's convention to select  
3429 candidates, for the elective office, for the qualified political party's nomination.

3430 ~~[(b) An individual may not gather signatures under this section until after the  
3431 individual files a notice of intent to gather signatures for candidacy described in this section.]~~

3432 ~~[(c) An individual who files a notice of intent to gather signatures for candidacy,  
3433 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files  
3434 the notice of intent to gather signatures for candidacy:]~~

3435 ~~[(i) required to comply with the reporting requirements that a candidate for office is~~  
3436 ~~required to comply with; and]~~

3437 ~~[(ii) subject to the same enforcement provisions, and civil and criminal penalties, that~~  
3438 ~~apply to a candidate for office in relation to the reporting requirements described in Subsection~~  
3439 ~~(9)(c)(i).]~~

3440 ~~[(d)]~~ (c) Upon timely receipt of the signatures described in Subsections (8) and  
3441 (9)~~(a)~~(b), the election officer shall, no later than the earlier of 14 days after the day on which  
3442 the election officer receives the signatures, or one day before the day on which the qualified  
3443 political party holds the convention to select a nominee for the elective office to which the  
3444 signature packets relate:

3445 (i) check the name of each individual who completes the verification for a signature  
3446 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

3447 (ii) submit the name of each individual described in Subsection ~~[(9)(d)(i)]~~ (9)(c)(i) who  
3448 is not a Utah resident or who is not at least 18 years old to the attorney general and the county  
3449 attorney;

3450 (iii) determine whether each signer is a registered voter who is qualified to sign the  
3451 petition, using the same method, described in Section 20A-7-206.3, used to verify a signature  
3452 on a petition; and

3453 (iv) certify whether each name is that of a registered voter who is qualified to sign the  
3454 signature packet.

3455 (10) (a) This Subsection (10) applies only to the electronic candidate qualification  
3456 process.

3457 (b) In order for a member of the qualified political party to qualify as a candidate for  
3458 the qualified political party's nomination for an elective office under this section, the member  
3459 shall, before 5 p.m. no later than 14 days before the day on which the qualified political party  
3460 holds the party's convention to select candidates, for the elective office, for the qualified  
3461 political party's nomination, collect signatures electronically:

3462 (i) in accordance with Section 20A-21-201; and

3463 (ii) using progressive screens, in a format approved by the lieutenant governor, that  
3464 complies with Subsection 20A-9-405(4).

3465 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the



3466 election officer shall, no later than the earlier of 14 days after the day on which the election  
3467 officer receives the signatures, or one day before the day on which the qualified political party  
3468 holds the convention to select a nominee for the elective office to which the signature packets  
3469 relate:

3470 (i) check the name of each individual who completes the verification for a signature to  
3471 determine whether each individual is a resident of Utah and is at least 18 years old; and

3472 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not a  
3473 Utah resident or who is not at least 18 years old to the attorney general and the county attorney.

3474 (11) (a) An individual may not gather signatures under this section until after the  
3475 individual files a notice of intent to gather signatures for candidacy described in this section.

3476 (b) An individual who files a notice of intent to gather signatures for candidacy,  
3477 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files  
3478 the notice of intent to gather signatures for candidacy:

3479 (i) required to comply with the reporting requirements that a candidate for office is  
3480 required to comply with; and

3481 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
3482 apply to a candidate for office in relation to the reporting requirements described in Subsection  
3483 (11)(b)(i).

3484 ~~[(e)]~~ (c) Upon timely receipt of the signatures described in Subsections (8) and ~~[(9)(a)]~~  
3485 (9)(b), or Subsections (8) and (10)(b), the election officer shall, no later than one day before the  
3486 day on which the qualified political party holds the convention to select a nominee for the  
3487 elective office to which the signature packets relate, notify the qualified political party and the  
3488 lieutenant governor of the name of each member of the qualified political party who qualifies  
3489 as a nominee of the qualified political party, under this section, for the elective office to which  
3490 the convention relates.

3491 ~~[(f)]~~ (d) Upon receipt of a notice of intent to gather signatures for candidacy described  
3492 in this section, the lieutenant governor shall post the notice of intent to gather signatures for  
3493 candidacy on the lieutenant governor's website in the same location that the lieutenant governor  
3494 posts a declaration of candidacy.

3495 Section 64. Section **20A-21-101** is enacted to read:

3496 **20A-21-101. Definitions.**

3497 As used in this chapter:

3498 (1) "Approved device" means a device described in Subsection [20A-21-201\(4\)](#).

3499 (2) "Candidate qualification process" means the process, described in Section  
3500 [20A-9-403](#) or [20A-9-408](#), of gathering signatures to seek the nomination of a registered  
3501 political party.

3502 (3) "Electronic candidate qualification process" means the same as that term is defined  
3503 in Section [20A-9-101](#).

3504 (4) "Electronic initiative process" means the same as that term is defined in Section  
3505 [20A-7-101](#).

3506 (5) "Electronic referendum process" means the same as that term is defined in Section  
3507 [20A-7-101](#).

3508 (6) "Manual candidate qualification process" means the same as that term is defined in  
3509 Section [20A-9-101](#).

3510 (7) "Petition" means:

3511 (a) as it relates to the electronic initiative process or the electronic referendum process,  
3512 the electronic record that an individual signs to indicate the individual is in favor of placing the  
3513 initiative or referendum on the ballot; or

3514 (b) as it relates to electronic candidate qualification process, the electronic record that  
3515 an individual signs to indicate the individual is in favor of placing an individual's name on the  
3516 ballot to run for a particular elective office.

3517 (8) "Signature" means:

3518 (a) as it relates to a signature gathered for an initiative or referendum, the same as that  
3519 term is defined in Section [20A-7-101](#); or

3520 (b) as it relates to a signature gathered for the candidate qualification process, the same  
3521 as that term is defined in Section [20A-9-101](#).

3522 (9) "Website" means:

3523 (a) as it relates to the electronic initiative process or the electronic referendum process,  
3524 the website designated by the lieutenant governor for collecting the signatures and other  
3525 information relating to the electronic initiative process or the electronic referendum process; or

3526 (b) as it relates to the electronic candidate qualification process, a website designated  
3527 by the lieutenant governor for collecting the signatures and other information relating to the

3528 electronic candidate qualification process.

3529 Section 65. Section **20A-21-201** is enacted to read:

3530 **20A-21-201. Electronic signature gathering for an initiative, a referendum, or**  
3531 **candidate qualification.**

3532 (1) (a) The sponsors of a statewide initiative or a statewide referendum may elect,  
3533 when the sponsors file the petition, whether the sponsors will gather signatures manually or  
3534 electronically in accordance with the requirements of this section.

3535 (b) If the sponsors elect, under Subsections [20A-7-202\(2\)\(g\)](#) or [20A-7-302\(2\)\(f\)](#), to  
3536 gather signatures electronically:

3537 (i) in relation to a statewide initiative, signatures for that initiative:

3538 (A) may only be gathered and submitted electronically, in accordance with this section  
3539 and Sections [20A-7-215](#), [20A-7-216](#), and [20A-7-217](#); and

3540 (B) may not be gathered using the manual signature-gathering process described in  
3541 Sections [20A-7-204](#), [20A-7-205](#), and [20A-7-206](#); and

3542 (ii) in relation to a statewide referendum, signatures for that referendum:

3543 (A) may only be gathered and submitted electronically, in accordance with this section  
3544 and Sections [20A-7-313](#), [20A-7-314](#), and [20A-7-315](#); and

3545 (B) may not be gathered using the manual signature-gathering process described in  
3546 Sections [20A-7-304](#), [20A-7-305](#), and [20A-7-306](#).

3547 (2) (a) The sponsors of a local initiative or a local referendum may elect, when the  
3548 sponsors file the petition, whether the sponsors will gather signatures manually or  
3549 electronically in accordance with the requirements of this section.

3550 (b) If the sponsors elect, under Subsections [20A-7-502\(2\)\(g\)](#) or [20A-7-602\(2\)\(f\)](#), to  
3551 gather signatures electronically:

3552 (i) in relation to a local initiative, signatures for that initiative:

3553 (A) may only be gathered and submitted electronically, in accordance with this section  
3554 and Sections [20A-7-514](#), [20A-7-515](#), and [20A-7-516](#); and

3555 (B) may not be gathered using the manual signature-gathering process described in  
3556 Sections [20A-7-504](#), [20A-7-505](#), and [20A-7-506](#); and

3557 (ii) in relation to a local referendum, signatures for that referendum:

3558 (A) may only be gathered and submitted electronically, in accordance with this section

3559 and Sections [20A-7-614](#), [20A-7-615](#), and [20A-7-616](#); and

3560 (B) may not be gathered using the manual signature-gathering process described in  
3561 Sections [20A-7-604](#), [20A-7-605](#), and [20A-7-606](#).

3562 (3) (a) A candidate who intends to gather signatures to qualify for the ballot shall,  
3563 when the candidate files a notice of intent to gather signatures, determine whether the candidate  
3564 will gather signatures using the electronic candidate qualification process or the manual  
3565 candidate qualification process.

3566 (b) If a candidate determines, under Subsection [20A-9-408\(3\)\(a\)\(v\)](#) to gather signatures  
3567 using the electronic candidate qualification process, signatures for the candidate:

3568 (i) may only be gathered and submitted using the electronic candidate qualification  
3569 process; and

3570 (ii) may not be gathered using the manual candidate qualification process.

3571 (4) To gather a signature electronically, a signature-gatherer shall:

3572 (a) use a device provided by the signature-gatherer or a sponsor of the petition that:

3573 (i) is approved by the lieutenant governor;

3574 (ii) except as provided in Subsection (4)(a)(iii), does not store a signature or any other  
3575 information relating to an individual signing the petition in any location other than the location  
3576 used by the website to store the information;

3577 (iii) does not, on the device, store a signature or any other information relating to an  
3578 individual signing the petition except for the minimum time necessary to upload information to  
3579 the website;

3580 (iv) does not contain any applications, software, or data other than those approved by  
3581 the lieutenant governor; and

3582 (v) complies with cyber-security and other security protocols required by the lieutenant  
3583 governor;

3584 (b) use the approved device to securely access a website designated by the lieutenant  
3585 governor, directly, or via an application designated by the lieutenant governor;

3586 (c) while connected to the website, present the approved device to an individual  
3587 considering signing the petition and, while the signature-gatherer is in the physical presence of  
3588 the individual:

3589 (i) wait for the individual to reach each screen presented to the individual on the

3590 approved device; and

3591 (ii) wait for the individual to advance to each subsequent screen by clicking on the  
3592 acknowledgement at the bottom of the screen.

3593 (5) Each screen shown on an approved device as part of the signature-gathering process  
3594 shall appear as a continuous electronic document that, if the entire document does not appear  
3595 on the screen at once, requires the individual viewing the screen to, before advancing to the  
3596 next screen, scroll through the document until the individual reaches the end of the document.

3597 (6) After advancing through each screen required for the petition, the signature process  
3598 shall proceed as follows:

3599 (a) except as provided in Subsection (6)(b):

3600 (i) the individual desiring to sign the petition shall present the individual's driver  
3601 license or state identification card to the signature-gatherer;

3602 (ii) the signature-gatherer shall verify that the individual pictured on the driver license  
3603 or state identification card is the individual signing the petition;

3604 (iii) the signature-gatherer shall scan or enter the driver license number or state  
3605 identification card number through the approved device; and

3606 (iv) immediately after the signature-gatherer complies with Subsection (6)(a)(iii), the  
3607 website shall determine whether the individual desiring to sign the petition is eligible to sign  
3608 the petition;

3609 (b) if the individual desiring to sign the petition is unable to provide a driver license or  
3610 state identification card to the signature gatherer:

3611 (i) the individual may present other valid voter identification;

3612 (ii) if the valid voter identification contains a picture of the individual, the  
3613 signature-gatherer shall verify that the individual pictured is the individual signing the petition;

3614 (iii) if the valid voter identification does not contain a picture of the individual, the  
3615 signature-gatherer shall, to the extent reasonably practicable, use the individual's address or  
3616 other available means to determine whether the identification relates to the individual  
3617 presenting the identification;

3618 (iv) the signature-gatherer shall scan an image of the valid voter identification and  
3619 immediately upload the image to the website; and

3620 (v) the individual:

3621 (A) shall enter the individual's address; and  
3622 (B) may, at the discretion of the individual, enter the individual's date of birth or age  
3623 after the individual clicks on the screen acknowledging that they have read and understand the  
3624 following statement, "Birth date or age information is not required, but may be used to verify  
3625 your identity with voter registration records. If you choose not to provide it, your signature may  
3626 not be verified as a valid signature if you change your address before your signature is verified  
3627 or if the information you provide does not match your voter registration records."; and  
3628 (c) after completing the process described in Subsection (6)(a) or (b), the screen shall:  
3629 (i) except for a petition to qualify a candidate for the ballot, give the individual signing  
3630 the petition the opportunity to enter the individual's email address after the individual reads the  
3631 following statement, "If you provide your email address, you may receive an email with  
3632 additional information relating to the petition you are signing."; and  
3633 (ii) (A) if the website determines, under Subsection (6)(a)(iv), that the individual is  
3634 eligible to sign the petition, permit the individual to enter the individual's name as the  
3635 individual's electronic signature and, immediately after the signature-gatherer timely complies  
3636 with Subsection (10), certify the signature; or  
3637 (B) if the individual provides valid voter identification under Subsection (6)(b), permit  
3638 the individual to enter the individual's name as the individual's electronic signature.  
3639 (7) If an individual provides valid voter identification under Subsection (6)(b), the  
3640 county clerk shall, within seven days after the day on which the individual submits the valid  
3641 voter identification, certify the signature if:  
3642 (a) the individual is eligible to sign the petition;  
3643 (b) the identification provided matches the information on file; and  
3644 (c) the signature-gatherer timely complies with Subsection (10).  
3645 (8) For each signature submitted under this section, the website shall record:  
3646 (a) the information identifying the individual who signs;  
3647 (b) the date the signature was collected; and  
3648 (c) the name of the signature-gatherer.  
3649 (9) An individual who is a signature-gatherer may not sign a petition unless another  
3650 individual acts as the signature-gatherer when the individual signs the petition.  
3651 (10) Except for a petition for a candidate to seek the nomination of a registered

3652 political party, each individual who gathers a signature under this section shall, within one  
3653 business day after the day on which the individual gathers a signature, electronically sign and  
3654 submit the following statement to the website:

3655 "VERIFICATION OF SIGNATURE-GATHERER

3656 State of Utah, County of \_\_\_\_\_

3657 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

3658 I am a resident of Utah and am at least 18 years old;

3659 All the signatures that I collected on [Date signatures were gathered] were signed by  
3660 individuals who professed to be the individuals whose signatures I gathered, and each of the  
3661 individuals signed the petition in my presence;

3662 I did not knowingly make a misrepresentation of fact concerning the law or proposed  
3663 law to which the petition relates;

3664 I believe that each individual has signed the individual's name and written the  
3665 individual's residence correctly, that each signer has read and understands the law to which the  
3666 petition relates, and that each signer is registered to vote in Utah;

3667 Each signature correctly reflects the date on which the individual signed the petition;  
3668 and

3669 I have not paid or given anything of value to any individual who signed this petition to  
3670 encourage that individual to sign it."

3671 (11) Except for a petition for a candidate to seek the nomination of a registered  
3672 political party:

3673 (a) the county clerk may not certify a signature that is not timely verified in accordance  
3674 with Subsection (10); and

3675 (b) if a signature certified by a county clerk under Subsection (6)(c)(ii)(A) is not timely  
3676 verified in accordance with Subsection (10), the county clerk shall:

3677 (i) revoke the certification;

3678 (ii) remove the signature from the posting described in Subsection [20A-7-217\(4\)](#),  
3679 [20A-7-315\(3\)](#), [20A-7-516\(4\)](#), or [20A-7-616\(3\)](#); and

3680 (iii) update the totals described in Subsections [20A-7-217\(5\)\(a\)\(ii\)](#),  
3681 [20A-7-315\(5\)\(a\)\(ii\)](#), [20A-7-516\(5\)\(a\)\(ii\)](#), and [20A-7-616\(5\)\(a\)\(ii\)](#).

3682 (12) For a petition for a candidate to seek the nomination of a registered political party,

3683 each individual who gathers a signature under this section shall, within one business day after  
3684 the day on which the individual gathers a signature, electronically sign and submit the  
3685 following statement to the lieutenant governor in the manner specified by the lieutenant  
3686 governor:

3687 "VERIFICATION OF SIGNATURE-GATHERER

3688 State of Utah, County of \_\_\_\_\_

3689 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

3690 I am a resident of Utah and am at least 18 years old;

3691 All the signatures that I collected on [Date signatures were gathered] were signed by  
3692 individuals who professed to be the individuals whose signatures I gathered, and each of the  
3693 individuals signed the petition in my presence;

3694 I believe that each individual has signed the individual's name and written the  
3695 individual's residence correctly and that each signer is registered to vote in Utah; and

3696 Each signature correctly reflects the date on which the individual signed the petition."

3697 (13) For a petition for a candidate to seek the nomination of a registered political party,  
3698 the election officer may not certify a signature that is not timely verified in accordance with  
3699 Subsection (12).

3700 **Section 66. Effective date.**

3701 This bill takes effect on January 1, 2023, except that the changes to Section [20A-7-103](#)  
3702 take effect on May 4, 2022.