

1                   **INITIATIVE AND REFERENDUM MODIFICATIONS**

2                                   2023 GENERAL SESSION

3                                   STATE OF UTAH

4                   **Chief Sponsor: Calvin R. Musselman**

5                                   Senate Sponsor: David G. Buxton

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7   **LONG TITLE**

8   **General Description:**

9           This bill amends provisions relating to initiatives and referenda.

10   **Highlighted Provisions:**

11           This bill:

- 12           ▶ defines terms;
- 13           ▶ amends provisions relating to initiatives and referenda to clarify provisions and
- 14 requirements, to clarify who is responsible for certain requirements, and to use
- 15 consistent terms;
- 16           ▶ revises provisions relating to initiatives and referenda to create consistency;
- 17           ▶ modifies and adds criminal provisions to create consistency;
- 18           ▶ amends forms and procedures;
- 19           ▶ provides and modifies deadlines for certain requirements;
- 20           ▶ modifies requirements relating to public hearings held by sponsors in relation to a
- 21 statewide initiative;
- 22           ▶ modifies certain public notice requirements; and
- 23           ▶ makes technical and conforming changes.

24   **Money Appropriated in this Bill:**

25           None

26   **Other Special Clauses:**

27           This bill provides a coordination clause.

28   **Utah Code Sections Affected:**

29 AMENDS:

- 30 **20A-7-101**, as last amended by Laws of Utah 2022, Chapters 288, 325
- 31 **20A-7-201**, as last amended by Laws of Utah 2019, Chapter 217
- 32 **20A-7-202**, as last amended by Laws of Utah 2021, Chapter 140
- 33 **20A-7-202.5**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20
- 34 **20A-7-202.7**, as enacted by Laws of Utah 2021, Chapter 418
- 35 **20A-7-203**, as last amended by Laws of Utah 2022, Chapter 325
- 36 **20A-7-204**, as last amended by Laws of Utah 2022, Chapter 325
- 37 **20A-7-204.1**, as last amended by Laws of Utah 2021, Chapters 84, 345
- 38 **20A-7-205**, as last amended by Laws of Utah 2022, Chapter 325
- 39 **20A-7-206**, as last amended by Laws of Utah 2022, Chapter 325
- 40 **20A-7-206.1**, as enacted by Laws of Utah 2021, Chapter 140
- 41 **20A-7-206.3**, as last amended by Laws of Utah 2022, Chapter 325
- 42 **20A-7-207**, as last amended by Laws of Utah 2022, Chapter 325
- 43 **20A-7-208**, as last amended by Laws of Utah 2019, Chapter 275
- 44 **20A-7-209**, as last amended by Laws of Utah 2022, Chapter 251
- 45 **20A-7-211**, as last amended by Laws of Utah 2022, Chapter 18
- 46 **20A-7-213**, as last amended by Laws of Utah 2022, Chapter 325
- 47 **20A-7-214**, as last amended by Laws of Utah 2019, Chapter 275
- 48 **20A-7-215**, as enacted by Laws of Utah 2022, Chapter 325
- 49 **20A-7-216**, as enacted by Laws of Utah 2022, Chapter 325
- 50 **20A-7-217**, as enacted by Laws of Utah 2022, Chapter 325
- 51 **20A-7-301**, as last amended by Laws of Utah 2021, Chapter 140
- 52 **20A-7-302**, as last amended by Laws of Utah 2021, Chapter 140
- 53 **20A-7-303**, as last amended by Laws of Utah 2022, Chapter 325
- 54 **20A-7-304**, as last amended by Laws of Utah 2022, Chapter 325
- 55 **20A-7-304.5**, as last amended by Laws of Utah 2022, Chapter 325

- 56        **20A-7-305**, as last amended by Laws of Utah 2022, Chapter 325
- 57        **20A-7-306**, as last amended by Laws of Utah 2022, Chapter 325
- 58        **20A-7-306.3**, as last amended by Laws of Utah 2022, Chapter 325
- 59        **20A-7-307**, as last amended by Laws of Utah 2022, Chapters 274, 325
- 60        **20A-7-308**, as last amended by Laws of Utah 2022, Chapter 251
- 61        **20A-7-309**, as last amended by Laws of Utah 2021, Chapter 140
- 62        **20A-7-310**, as last amended by Laws of Utah 2020, Chapter 166
- 63        **20A-7-311**, as last amended by Laws of Utah 2021, Chapter 140
- 64        **20A-7-312**, as last amended by Laws of Utah 2022, Chapter 325
- 65        **20A-7-313**, as enacted by Laws of Utah 2022, Chapter 325
- 66        **20A-7-314**, as enacted by Laws of Utah 2022, Chapter 325
- 67        **20A-7-315**, as enacted by Laws of Utah 2022, Chapter 325
- 68        **20A-7-501**, as last amended by Laws of Utah 2019, Chapter 203
- 69        **20A-7-502**, as last amended by Laws of Utah 2021, Chapter 140
- 70        **20A-7-502.5**, as last amended by Laws of Utah 2019, Chapter 203
- 71        **20A-7-502.6**, as last amended by Laws of Utah 2022, Chapter 325
- 72        **20A-7-502.7**, as last amended by Laws of Utah 2022, Chapter 325
- 73        **20A-7-503**, as last amended by Laws of Utah 2022, Chapter 325
- 74        **20A-7-504**, as last amended by Laws of Utah 2022, Chapter 325
- 75        **20A-7-505**, as last amended by Laws of Utah 2022, Chapter 325
- 76        **20A-7-506**, as last amended by Laws of Utah 2022, Chapter 325
- 77        **20A-7-506.3**, as last amended by Laws of Utah 2022, Chapter 325
- 78        **20A-7-507**, as last amended by Laws of Utah 2022, Chapter 325
- 79        **20A-7-508**, as last amended by Laws of Utah 2022, Chapter 251
- 80        **20A-7-510**, as last amended by Laws of Utah 2021, Chapter 140
- 81        **20A-7-512**, as last amended by Laws of Utah 2022, Chapter 325
- 82        **20A-7-513**, as last amended by Laws of Utah 2019, Chapter 203

- 83            **20A-7-514**, as enacted by Laws of Utah 2022, Chapter 325
- 84            **20A-7-515**, as enacted by Laws of Utah 2022, Chapter 325
- 85            **20A-7-516**, as enacted by Laws of Utah 2022, Chapter 325
- 86            **20A-7-601**, as last amended by Laws of Utah 2022, Chapter 406
- 87            **20A-7-602**, as last amended by Laws of Utah 2021, Chapter 140
- 88            **20A-7-602.5**, as last amended by Laws of Utah 2019, Chapter 203
- 89            **20A-7-602.7**, as last amended by Laws of Utah 2022, Chapter 325
- 90            **20A-7-602.8**, as last amended by Laws of Utah 2022, Chapters 325, 406
- 91            **20A-7-603**, as last amended by Laws of Utah 2022, Chapter 325
- 92            **20A-7-604**, as last amended by Laws of Utah 2022, Chapter 325
- 93            **20A-7-604.5**, as last amended by Laws of Utah 2022, Chapter 325
- 94            **20A-7-605**, as last amended by Laws of Utah 2022, Chapter 325
- 95            **20A-7-606**, as last amended by Laws of Utah 2022, Chapter 325
- 96            **20A-7-606.3**, as last amended by Laws of Utah 2022, Chapter 325
- 97            **20A-7-607**, as last amended by Laws of Utah 2022, Chapters 274, 325
- 98            **20A-7-608**, as last amended by Laws of Utah 2022, Chapter 251
- 99            **20A-7-609**, as last amended by Laws of Utah 2014, Chapter 396
- 100           **20A-7-610**, as last amended by Laws of Utah 2021, Chapter 140
- 101           **20A-7-611**, as last amended by Laws of Utah 2022, Chapters 18, 325
- 102           **20A-7-612**, as last amended by Laws of Utah 2022, Chapter 325
- 103           **20A-7-614**, as enacted by Laws of Utah 2022, Chapter 325
- 104           **20A-7-615**, as enacted by Laws of Utah 2022, Chapter 325
- 105           **20A-7-616**, as enacted by Laws of Utah 2022, Chapter 325
- 106           **20A-7-702**, as last amended by Laws of Utah 2022, Chapter 11

**Utah Code Sections Affected by Coordination Clause:**

- 108           **20A-7-204.1**, as last amended by Laws of Utah 2021, Chapters 84 and 345

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

111 Section 1. Section **20A-7-101** is amended to read:

112 **20A-7-101. Definitions.**

113 As used in this chapter:

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

117 (2) "Budget officer" means:

118 (a) for a county, the person designated as finance officer as defined in Section **17-36-3**;

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

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

121 (d) for a metro township, the person described in Subsection (2)(a) for the county in  
122 which the metro township is located.

123 (3) "Certified" means that the county clerk has acknowledged a signature as being the  
124 signature of a registered voter.

125 (4) "Circulation" means the process of submitting an initiative petition or a referendum  
126 petition to legal voters for their signature.

127 (5) "Electronic initiative process" means:

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

130 (b) as it relates to a local initiative, the process, described in Sections **20A-7-514** and  
131 **20A-21-201**, for gathering signatures.

132 (6) "Electronic referendum process" means:

133 (a) as it relates to a statewide referendum, the process, described in Sections  
134 **20A-7-313** and **20A-21-201**, for gathering signatures; or

135 (b) as it relates to a local referendum, the process, described in Sections **20A-7-614** and  
136 **20A-21-201**, for gathering signatures.

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

139 (8) "Final fiscal impact statement" means a financial statement prepared after voters  
140 approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or  
141 20A-7-502.5(2).

142 (9) "Initial fiscal impact [~~estimate~~] statement" means[:]  
143 [~~(a)~~] a financial statement prepared under Section 20A-7-202.5 after the filing of [~~an~~] a  
144 statewide initiative application [~~for an initiative petition; or~~].

145 [~~(b)~~] (10) "Initial fiscal impact and legal statement" means a financial and legal  
146 statement prepared under Section 20A-7-502.5 or 20A-7-602.5 for [~~an~~] a local initiative or a  
147 local referendum [~~petition~~].

148 [~~(10)~~] (11) "Initiative" means a new law proposed for adoption by the public as  
149 provided in this chapter.

150 (12) "Initiative application" means:

151 (a) for a statewide initiative, an application described in Subsection 20A-7-202(2) that  
152 includes all the information, statements, documents, and notarized signatures required under  
153 Subsection 20A-7-202(2); or

154 (b) for a local initiative, an application described in Subsection 20A-7-502(2) that  
155 includes all the information, statements, documents, and notarized signatures required under  
156 Subsection 20A-7-502(2).

157 [~~(11)~~] (13) "Initiative packet" means a copy of the initiative petition, a copy of the  
158 proposed law, and the signature sheets, all of which have been bound together as a unit.

159 (14) "Initiative petition":

160 (a) as it relates to a statewide initiative, using the manual initiative process:

161 (i) means the form described in Subsection 20A-7-203(2)(a), petitioning for  
162 submission of the initiative to the Legislature or the legal voters; and

163 (ii) if the initiative proposes a tax increase, includes the statement described in

164 Subsection 20A-7-203(2)(b);

165 (b) as it relates to a statewide initiative, using the electronic initiative process:

166 (i) means the form described in Subsections 20A-7-215(2) and (3), petitioning for  
167 submission of the initiative to the Legislature or the legal voters; and

168 (ii) if the initiative proposes a tax increase, includes the statement described in  
169 Subsection 20A-7-215(5)(b);

170 (c) as it relates to a local initiative, using the manual initiative process:

171 (i) means the form described in Subsection 20A-7-503(2)(a), petitioning for  
172 submission of the initiative to the legislative body or the legal voters; and

173 (ii) if the initiative proposes a tax increase, includes the statement described in  
174 Subsection 20A-7-503(2)(b); or

175 (d) as it relates to a local initiative, using the electronic initiative process:

176 (i) means the form described in Subsection 20A-7-514(2)(a), petitioning for  
177 submission of the initiative to the legislative body or the legal voters; and

178 (ii) if the initiative proposes a tax increase, includes the statement described in  
179 Subsection 20A-7-514(4)(a).

180 [~~12~~] (15) (a) "Land use law" means a law of general applicability, enacted based on  
181 the weighing of broad, competing policy considerations, that relates to the use of land,  
182 including land use regulation, a general plan, a land use development code, an annexation  
183 ordinance, the rezoning of a single property or multiple properties, or a comprehensive zoning  
184 ordinance or resolution.

185 (b) "Land use law" does not include a land use decision, as defined in Section  
186 10-9a-103 or 17-27a-103.

187 [~~13~~] (16) "Legal signatures" means the number of signatures of legal voters that:

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

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

190 [~~14~~] (17) "Legal voter" means [~~a person~~] an individual who is registered to vote in

191 Utah.

192 ~~[(15)]~~ (18) "Legally referable to voters" means:

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

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

197 ~~[(16)]~~ (19) "Local attorney" means the county attorney, city attorney, or town attorney  
198 in whose jurisdiction a local initiative or referendum petition is circulated.

199 ~~[(17)]~~ (20) "Local clerk" means the county clerk, city recorder, or town clerk in whose  
200 jurisdiction a local initiative or referendum petition is circulated.

201 ~~[(18)]~~ (21) (a) "Local law" includes:

202 (i) an ordinance;

203 (ii) a resolution;

204 (iii) a land use law;

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

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

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

208 ~~[(19)]~~ (22) "Local legislative body" means the legislative body of a county, city, town,  
209 or metro township.

210 ~~[(20)]~~ (23) "Local obligation law" means a local law passed by the local legislative  
211 body regarding a bond that was approved by a majority of qualified voters in an election.

212 ~~[(21)]~~ (24) "Local tax law" means a law, passed by a political subdivision with an  
213 annual or biannual calendar fiscal year, that increases a tax or imposes a new tax.

214 ~~[(22)]~~ (25) "Manual initiative process" means the process for gathering signatures for  
215 an initiative using paper signature packets that a signer physically signs.

216 ~~[(23)]~~ (26) "Manual referendum process" means the process for gathering signatures  
217 for a referendum using paper signature packets that a signer physically signs.



218            [~~(24)~~] (27) "Measure" means a proposed constitutional amendment, an initiative, or  
219 referendum.

220            [~~(25)~~] (28) "Referendum" means a process by which a law passed by the Legislature or  
221 by a local legislative body is submitted or referred to the voters for their approval or rejection.

222            (29) "Referendum application" means:

223            (a) for a statewide referendum, an application described in Subsection 20A-7-302(2)  
224 that includes all the information, statements, documents, and notarized signatures required  
225 under Subsection 20A-7-302(2); or

226            (b) for a local referendum, an application described in Subsection 20A-7-602(2) that  
227 includes all the information, statements, documents, and notarized signatures required under  
228 Subsection 20A-7-602(2).

229            [~~(26)~~] (30) "Referendum packet" means a copy of the referendum petition, a copy of  
230 the law being submitted or referred to the voters for their approval or rejection, and the  
231 signature sheets, all of which have been bound together as a unit.

232            (31) "Referendum petition" means:

233            (a) as it relates to a statewide referendum, using the manual referendum process, the  
234 form described in Subsection 20A-7-303(2)(a), petitioning for submission of a law passed by  
235 the Legislature to legal voters for their approval or rejection;

236            (b) as it relates to a statewide referendum, using the electronic referendum process, the  
237 form described in Subsection 20A-7-313(2), petitioning for submission of a law passed by the  
238 Legislature to legal voters for their approval or rejection;

239            (c) as it relates to a local referendum, using the manual referendum process, the form  
240 described in Subsection 20A-7-603(2)(a), petitioning for submission of a local law to legal  
241 voters for their approval or rejection; or

242            (d) as it relates to a local referendum, using the electronic referendum process, the form  
243 described in Subsection 20A-7-614(2), petitioning for submission of a local law to legal voters  
244 for their approval or rejection.

245            [~~(27)~~] (32) "Signature":  
246            (a) for a statewide initiative:  
247            (i) as it relates to the electronic initiative process, means an electronic signature  
248 collected under Section 20A-7-215 and Subsection 20A-21-201(6)(c); or  
249            (ii) as it relates to the manual initiative process:  
250            (A) means a holographic signature collected physically on a signature sheet described  
251 in Section 20A-7-203; and  
252            (B) does not include an electronic signature;  
253            (b) for a statewide referendum:  
254            (i) as it relates to the electronic referendum process, means an electronic signature  
255 collected under Section 20A-7-313 and Subsection 20A-21-201(6)(c); or  
256            (ii) as it relates to the manual referendum process:  
257            (A) means a holographic signature collected physically on a signature sheet described  
258 in Section 20A-7-303; and  
259            (B) does not include an electronic signature;  
260            (c) for a local initiative:  
261            (i) as it relates to the electronic initiative process, means an electronic signature  
262 collected under Section 20A-7-514 and Subsection 20A-21-201(6)(c); or  
263            (ii) as it relates to the manual initiative process:  
264            (A) means a holographic signature collected physically on a signature sheet described  
265 in Section 20A-7-503; and  
266            (B) does not include an electronic signature; or  
267            (d) for a local referendum:  
268            (i) as it relates to the electronic referendum process, means an electronic signature  
269 collected under Section 20A-7-614 and Subsection 20A-21-201(6)(c); or  
270            (ii) as it relates to the manual referendum process:  
271            (A) means a holographic signature collected physically on a signature sheet described

272 in Section 20A-7-603; and

273 (B) does not include an electronic signature.

274 ~~[(28)]~~ (33) "Signature sheets" means sheets in the form required by this chapter that are  
275 used under the manual initiative process or the manual referendum process to collect signatures  
276 in support of an initiative or referendum.

277 ~~[(29)]~~ (34) "Special local ballot proposition" means a local ballot proposition that is  
278 not a standard local ballot proposition.

279 ~~[(30)]~~ (35) "Sponsors" means the legal voters who support the initiative or referendum  
280 and who sign the initiative application or referendum application ~~[for petition copies]~~.

281 ~~[(31)]~~ (36) (a) "Standard local ballot proposition" means a local ballot proposition for  
282 an initiative or a referendum.

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

285 ~~[(32)]~~ (37) "Tax percentage difference" means the difference between the tax rate  
286 proposed by an initiative or an initiative petition and the current tax rate.

287 ~~[(33)]~~ (38) "Tax percentage increase" means a number calculated by dividing the tax  
288 percentage difference by the current tax rate and rounding the result to the nearest thousandth.

289 ~~[(34)]~~ (39) "Verified" means acknowledged by the person circulating the petition as  
290 required in Sections 20A-7-205 and 20A-7-305.

291 Section 2. Section 20A-7-201 is amended to read:

292 **20A-7-201. Statewide initiatives -- Signature requirements -- Submission to the**  
293 **Legislature or to a vote of the people.**

294 (1) (a) A person seeking to have an initiative submitted to the Legislature for approval  
295 or rejection shall, after filing an initiative application, obtain:

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

298 (ii) from at least 26 Utah State Senate districts, legal signatures equal to 4% of the

299 number of active voters in that district on January 1 immediately following the last regular  
300 general election.

301 (b) If, at any time not less than 10 days before the beginning of the next annual general  
302 session of the Legislature, [~~immediately after the application is filed under Section 20A-7-202~~  
303 ~~and specified on the petition under Section 20A-7-203~~] the lieutenant governor declares  
304 [~~sufficient any~~] that an initiative petition [that] designated under Subsection 20A-7-202(2)(c)(i)  
305 for submission to the Legislature is signed by [enough] a sufficient number of voters to meet  
306 the requirements of [this] Subsection (1)(a), the lieutenant governor shall deliver a copy of the  
307 initiative petition, the text of the proposed law, and the cover sheet [required by] described in  
308 Subsection (1)(c) to the president of the Senate, the speaker of the House, and the director of  
309 the Office of Legislative Research and General Counsel.

310 (c) [~~In delivering a copy of the petition, the~~] The lieutenant governor shall [~~include~~]  
311 prepare a cover sheet for a petition declared sufficient under Subsection (1)(b) that contains:

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

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

316 (iii) the total number of certified signatures [~~received~~] obtained for the [~~submitted~~]  
317 initiative petition; and

318 (iv) the total number of certified signatures [~~received~~] obtained from each Utah State  
319 Senate district for the [~~submitted~~] initiative petition.

320 (2) (a) A person seeking to have an initiative submitted to a vote of the people for  
321 approval or rejection shall, after filing an initiative application, obtain:

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

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

326 general election.

327 (b) If an initiative petition meets the requirements of this part and the lieutenant  
328 governor declares that the initiative petition [to be] is signed by a sufficient number of voters to  
329 meet the requirements of Subsection (2)(a), the lieutenant governor shall submit the proposed  
330 law to a vote of the people at the next regular general election:

331 (i) immediately after the application is filed under Section 20A-7-202; and

332 (ii) specified on the petition under Section 20A-7-203.

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

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

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

339 Section 3. Section 20A-7-202 is amended to read:

340 **20A-7-202. Statewide initiative process -- Initiative application procedures --**  
341 **Time to gather signatures -- Grounds for rejection.**

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

344 (2) The initiative application shall [~~contain~~] include:

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

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

347 (c) a statement indicating whether the initiative will be presented to:

348 (i) the Legislature under Subsection 20A-7-201(1); or

349 (ii) a vote of the people under Subsection 20A-7-201(2);

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

351 [~~(d)~~] (e) a copy of the proposed law that includes, in the following order:

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

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

355 (iii) the text of the proposed law;

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

360 ~~[(f)]~~ (g) a statement indicating whether persons gathering signatures for the initiative  
361 petition may be paid for gathering signatures.

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

364 (b) The initiative application and the initiative application's contents are public when  
365 filed with the lieutenant governor.

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

368 (a) submit a new initiative application;

369 (b) obtain new signature sheets; and

370 (c) collect signatures again.

371 (5) The lieutenant governor shall reject ~~[the]~~ an initiative application or an initiative  
372 application addendum filed under Subsection ~~[[20A-7-204.1\(5\)](#)]~~ [20A-7-204.1\(6\)](#) and not issue  
373 ~~[circulation]~~ signature sheets if:

374 (a) the proposed law:

375 ~~[(a)]~~ (i) ~~[the law proposed by the initiative]~~ is patently unconstitutional;

376 ~~[(b)]~~ (ii) ~~[the law proposed by the initiative]~~ is nonsensical;

377 ~~[(c)]~~ (iii) ~~[the proposed law]~~ could not become law if passed;

378 ~~[(d)]~~ (iv) ~~[the proposed law]~~ contains more than one subject as evaluated in accordance  
379 with Subsection (6); or

380 ~~[(e) the subject of the proposed law is not clearly expressed in the law's title; or]~~  
 381 ~~[(f) (v) [the law proposed by the initiative]~~ is identical or substantially similar to a law  
 382 proposed by an initiative for which signatures were submitted to the county clerks and  
 383 lieutenant governor for certification within two years preceding the date on which the initiative  
 384 application for the new initiative is filed[-]; or

385 (b) the subject of the proposed law is not clearly expressed in the law's title.

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

390 Section 4. Section **20A-7-202.5** is amended to read:

391 **20A-7-202.5. Initial fiscal impact statement -- Preparation of statement --**  
 392 **Challenge to statement.**

393 (1) Within three working days after the day on which the lieutenant governor receives  
 394 an initiative application ~~[for an initiative petition]~~, the lieutenant governor shall submit a copy  
 395 of the initiative application to the Office of the Legislative Fiscal Analyst.

396 (2) (a) The Office of the Legislative Fiscal Analyst shall prepare an unbiased, good  
 397 faith initial fiscal impact ~~[estimate of]~~ statement for the proposed law ~~[proposed by the~~  
 398 initiative], not exceeding 100 words plus 100 words per revenue source created or impacted by  
 399 the proposed law, that contains:

400 (i) a description of the total estimated fiscal impact of the proposed law over the time  
 401 period or time periods determined by the Office of the Legislative Fiscal Analyst to be most  
 402 useful in understanding the estimated fiscal impact of the proposed law;

403 (ii) if the proposed law would increase taxes, decrease taxes, or impose a new tax, a  
 404 dollar amount representing the total estimated increase or decrease for each type of tax affected  
 405 under the proposed law, a dollar amount showing the estimated amount of a new tax, and a  
 406 dollar amount representing the total estimated increase or decrease in taxes under the proposed

407 law;

408 (iii) if the proposed law would increase a particular tax or tax rate, the tax percentage  
409 difference and the tax percentage increase for each tax or tax rate increased;

410 (iv) if the proposed law would result in the issuance or a change in the status of bonds,  
411 notes, or other debt instruments, a dollar amount representing the total estimated increase or  
412 decrease in public debt under the proposed law;

413 (v) a dollar amount representing the estimated cost or savings, if any, to state or local  
414 government entities under the proposed law;

415 (vi) if the proposed law would increase costs to state government, a listing of all  
416 sources of funding for the estimated costs; and

417 (vii) a concise description and analysis titled "Funding Source," not to exceed 100  
418 words for each funding source, of the funding source information described in Subsection  
419 ~~[20A-7-202(2)(d)(ii)]~~ 20A-7-202(2)(e)(ii).

420 (b) If the proposed law is estimated to have no fiscal impact, the Office of the  
421 Legislative Fiscal Analyst shall include a summary statement in the initial fiscal impact  
422 statement in substantially the following form:

423 "The Office of the Legislative Fiscal Analyst estimates that the law proposed by this  
424 initiative would have no significant fiscal impact and would not result in either an increase or  
425 decrease in taxes or debt."

426 (3) Within 25 calendar days after the day on which the lieutenant governor delivers a  
427 copy of the initiative application, the Office of the Legislative Fiscal Analyst shall:

428 (a) deliver a copy of the initial fiscal impact ~~[estimate]~~ statement to the lieutenant  
429 governor's office; and

430 (b) mail a copy of the initial fiscal impact ~~[estimate]~~ statement to the first five sponsors  
431 named in the initiative application.

432 (4) (a) (i) Three or more of the sponsors of the initiative petition may, within 20  
433 calendar days after the day on which the Office of the Legislative Fiscal Analyst delivers the



434 initial fiscal impact [~~estimate~~] statement to the lieutenant governor's office, file a petition with  
435 the appropriate court, alleging that the initial fiscal impact [~~estimate~~] statement, taken as a  
436 whole, is an inaccurate estimate of the fiscal impact of the initiative.

437 (ii) After receipt of the appeal, the court shall direct the lieutenant governor to send  
438 notice of the petition filed with the court to:

439 (A) any person or group that has filed an argument with the lieutenant governor's office  
440 for or against the [~~measure~~] initiative that is the subject of the challenge; and

441 (B) any political issues committee established under Section 20A-11-801 that has filed  
442 written or electronic notice with the lieutenant governor that identifies the name, mailing or  
443 email address, and telephone number of the person designated to receive notice about any  
444 issues relating to the initiative.

445 (b) (i) There is a presumption that the initial fiscal impact [~~estimate~~] statement  
446 prepared by the Office of the Legislative Fiscal Analyst is based upon reasonable assumptions,  
447 uses reasonable data, and applies accepted analytical methods to present the estimated fiscal  
448 impact of the initiative.

449 (ii) The court may not revise the contents of, or direct the revision of, the initial fiscal  
450 impact [~~estimate~~] statement unless the plaintiffs rebut the presumption by clear and convincing  
451 evidence that establishes that the initial fiscal [~~estimate~~] impact statement, taken as a whole, is  
452 an inaccurate statement of the estimated fiscal impact of the initiative.

453 (iii) The court may refer an issue related to the initial fiscal impact [~~estimate~~] statement  
454 to a master to examine the issue and make a report in accordance with Utah Rules of Civil  
455 Procedure, Rule 53.

456 (c) The court shall certify to the lieutenant governor a fiscal impact [~~estimate~~]  
457 statement for the [~~measure~~] initiative that meets the requirements of this section.

458 Section 5. Section 20A-7-202.7 is amended to read:

459 **20A-7-202.7. Posting initiative information.**

460 (1) Within one business day after the day on which the lieutenant governor receives the

461 initial fiscal impact statement under Subsection 20A-7-202.5(3)(a), the lieutenant governor  
462 shall post the following information together in a conspicuous place on the lieutenant  
463 governor's website:

- 464 (a) the initiative application;
- 465 ~~[(a)]~~ (b) the initiative petition;
- 466 ~~[(b)]~~ (c) the ~~[initiative]~~ text of the proposed law;
- 467 ~~[(c)]~~ (d) the initial fiscal impact statement; and
- 468 ~~[(d)]~~ (e) information describing how an individual may remove the individual's  
469 signature from the ~~[signature packet]~~ initiative petition.

470 (2) The lieutenant governor shall:

471 (a) promptly update the information described in Subsection (1) if the information  
472 changes; and

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

475 Section 6. Section 20A-7-203 is amended to read:

476 **20A-7-203. Manual initiative process -- Form of initiative petition and signature**  
477 **sheets.**

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

479 (2) (a) Each proposed initiative petition shall be printed in substantially the following  
480 form:

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

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

485 Each signer says:

486 I have personally signed this initiative petition;

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

488 initiative petition;

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

490 I am registered to vote in Utah; and

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

492 NOTICE TO SIGNERS:

493 Public hearings to discuss this [~~petition~~] initiative were held at: (list dates and locations  
494 of public hearings.)".

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

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

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

503 (3) Each initiative signature sheet shall:

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

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

507 (c) include the title of the initiative printed below the horizontal line, in at least  
508 14-point, bold type;

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

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

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

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

515 (iv) the third row of the first column shall be .5 inch tall;  
516 (v) the second column shall be 2.75 inches wide;  
517 (vi) the first row of the second column shall be .35 inch tall and contain the words  
518 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;  
519 (vii) the second row of the second column shall be .5 inch tall;  
520 (viii) the third row of the second column shall be .35 inch tall and contain the words  
521 "Street Address, City, Zip Code" in 10-point type;  
522 (ix) the fourth row of the second column shall be .5 inch tall;  
523 (x) the third column shall be 2.75 inches wide;  
524 (xi) the first row of the third column shall be .35 inch tall and contain the words  
525 "Signature of Registered Voter" in 10-point type;  
526 (xii) the second row of the third column shall be .5 inch tall;  
527 (xiii) the third row of the third column shall be .35 inch tall and contain the words  
528 "Email Address (optional, to receive additional information)" in 10-point type;  
529 (xiv) the fourth row of the third column shall be .5 inch tall;  
530 (xv) the fourth column shall be one inch wide;  
531 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words  
532 "Date Signed" in 10-point type;  
533 (xvii) the second row of the fourth column shall be .5 inch tall;  
534 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words  
535 "Birth Date or Age (optional)" in 10-point type;  
536 (xix) the fourth row of the third column shall be .5 inch tall; and  
537 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,  
538 and contain the following statement, "By signing this initiative petition, you are stating that you  
539 have read and understand the law proposed by this initiative petition." in 12-point type;  
540 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at  
541 the bottom of the sheet for the information described in Subsection (3)(f); and

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

543 (i) the words "Fiscal Impact of" followed by the title of the initiative, in at least  
544 12-point, bold type;

545 (ii) except as provided in Subsection (5), the initial fiscal impact [~~estimate's summary~~]  
546 statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection  
547 [20A-7-202.5\(2\)\(a\)](#), including any update in accordance with Subsection [~~20A-7-204.1(5)~~]  
548 [20A-7-204.1\(6\)](#), in not less than 12-point type;

549 (iii) if the initiative [~~petition~~] proposes a tax increase, the following statement in  
550 12-point, bold type:

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

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

556 "It is a class A misdemeanor for an individual to sign an initiative petition with a name  
557 other than the individual's own name, or to knowingly sign the individual's name more than  
558 once for the same [~~measure~~] initiative petition, or to sign an initiative petition when the  
559 individual knows that the individual is not a registered voter.

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

564 (4) The final page of each initiative packet shall contain the following printed or typed  
565 statement:

566 Verification of signature collector

567 State of Utah, County of \_\_\_\_

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

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

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

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

575 I believe that each individual has printed and signed the individual's name and written  
576 the individual's post office address and residence correctly, that each signer has read and  
577 understands the law proposed by the initiative, and that each signer is registered to vote in  
578 Utah.

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

581 I have not paid or given anything of value to any individual who signed this [~~petition~~]  
582 initiative packet to encourage that individual to sign it.

---

583  
584 (Name) (Residence Address) (Date)

585 (5) If the initial fiscal impact [~~estimate~~] statement described in Subsection (3)(f)(ii), as  
586 updated in accordance with Subsection [~~20A-7-204.1(5)~~] 20A-7-204.1(6), exceeds 200 words,  
587 the Office of the Legislative Fiscal Analyst shall prepare a shorter summary statement, for the  
588 purpose of inclusion on [~~a~~] an initiative signature sheet, that does not exceed 200 words.

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

591 (7) An individual's status as a resident, under Subsection (4), is determined in  
592 accordance with Section 20A-2-105.

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

594 **20A-7-204. Manual initiative process -- Circulation requirements -- Lieutenant**  
595 **governor to provide sponsors with materials.**

- 596 (1) This section applies only to the manual initiative process.
- 597 (2) In order to obtain the necessary number of signatures required by this part, the  
598 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
599 in Subsection (3), circulate initiative packets that meet the form requirements of this part.
- 600 (3) The lieutenant governor shall ~~[furnish to]~~ provide the sponsors~~[:] with~~  
601 ~~[(a)] a copy of the initiative petition[,with any change submitted under Subsection~~  
602 ~~20A-7-204.1(5); and]~~  
603 ~~[(b)] and~~ a signature sheet[:] within three days after the day on which the following  
604 conditions are fulfilled:
- 605 (a) the sponsors hold the final hearing required under Section 20A-7-204.1;  
606 (b) the sponsors provide to the Office of the Lieutenant Governor the video tape, audio  
607 tape, or comprehensive minutes described in Subsection 20A-7-204.1(5) for each public  
608 hearing described in Section 20A-7-204.1;
- 609 (c) (i) the sponsors give written notice to the Office of the Lieutenant Governor that the  
610 sponsors waive the opportunity to change the text of the proposed law under Subsection  
611 20A-7-204.1(6);
- 612 (ii) the deadline, described in Subsection 20A-7-204.1(6)(a), for changing the text of  
613 the proposed law passes without the sponsors filing an application addendum in accordance  
614 with Subsection 20A-7-204.1(6); or
- 615 (iii) if the sponsors file an application addendum in accordance with Subsection  
616 20A-7-204.1(6), the Office of the Legislative Fiscal Analyst provides to the Office of the  
617 Lieutenant Governor:
- 618 (A) an updated initial fiscal impact statement, in accordance with Subsection  
619 20A-7-204.1(6)(b); or
- 620 (B) a written notice indicating that no changes to the initial fiscal impact statement are  
621 necessary; and
- 622 (d) the sponsors sign an agreement, under Subsection (6)(a), with the Office of the

623 Lieutenant Governor specifying the range of numbers that the sponsors will use to number the  
624 initiative packets.

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

626 (a) arrange and pay for the printing of all [~~additional copies of the petition and~~  
627 ~~signature sheets~~] documents that are part of the initiative packets; and

628 (b) ensure that the [~~copies of the petition and signature sheets~~] initiative packets and  
629 the documents described in Subsection (4)(a) meet the [~~form~~] requirements of this [~~section~~]  
630 part.

631 (5) (a) The sponsors or an agent of the sponsors may prepare the initiative packets for  
632 circulation by creating multiple initiative packets.

633 (b) The sponsors or an agent of the sponsors shall create the initiative packets by  
634 binding a copy of the initiative petition with the text of the proposed law, including any  
635 modification made under Subsection 20A-7-204.1(6) and no more than 50 signature sheets  
636 together at the top in a manner that the initiative packets may be conveniently opened for  
637 signing.

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

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

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

642 (ii) sign an agreement with the Office of the Lieutenant Governor, specifying the range  
643 of numbers that the sponsors will use to number the initiative packets; and

644 [~~(i)~~] (iii) number each [~~signature~~] initiative packet, sequentially, within the range of  
645 numbers provided by the lieutenant governor's office, starting with the lowest number in the  
646 range.

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

648 (i) number [~~a signature~~] an initiative packet in a manner not directed by the lieutenant  
649 governor's office; or



650 (ii) circulate or submit [~~a signature~~] an initiative packet that is not numbered in the  
651 manner directed by the lieutenant governor's office.

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

654 Section 8. Section **20A-7-204.1** is amended to read:

655 **20A-7-204.1. Public hearings to be held before initiative packets are circulated --**  
656 **Changes to a proposed law or an initial fiscal impact statement.**

657 (1) (a) After issuance of the initial fiscal impact [~~estimate~~] statement by the Office of  
658 the Legislative Fiscal Analyst and before circulating initiative [~~petitions~~] packets for signature  
659 statewide, sponsors of the initiative [~~petition~~] shall hold at least seven public hearings  
660 throughout Utah as follows:

661 (i) one in the Bear River region -- Box Elder, Cache, or Rich County;

662 (ii) one in the Southwest region -- Beaver, Garfield, Iron, Kane, or Washington  
663 County;

664 (iii) one in the Mountain region -- Summit, Utah, or Wasatch County;

665 (iv) one in the Central region -- Juab, Millard, Piute, Sanpete, Sevier, or Wayne  
666 County;

667 (v) one in the Southeast region -- Carbon, Emery, Grand, or San Juan County;

668 (vi) one in the Uintah Basin region -- Daggett, Duchesne, or Uintah County; and

669 (vii) one in the Wasatch Front region -- Davis, Morgan, Salt Lake, Tooele, or Weber  
670 County.

671 (b) Of the seven public hearings, the sponsors of the initiative shall hold at least two of  
672 the public hearings in a first or second class county, but not in the same county.

673 (c) The sponsors may not hold a public hearing described in this section until the later  
674 of:

675 (i) one day after the day on which a sponsor receives a copy of the initial fiscal impact  
676 [~~estimate~~] statement under Subsection **20A-7-202.5(3)(b)**; or

677 (ii) if three or more sponsors file a petition for an action challenging the accuracy of  
678 the initial fiscal impact statement under Section [20A-7-202.5](#), the day after the day on which  
679 the action is final.

680 (2) The sponsors shall:

681 (a) before 5 p.m. at least [~~three~~] 10 calendar days before the date of the public hearing,  
682 provide written notice of the public hearing to:

683 (i) the lieutenant governor for posting on the state's website; and

684 (ii) each state senator, state representative, and county commission or county council  
685 member who is elected in whole or in part from the region where the public hearing will be  
686 held; and

687 (b) publish written notice of the public hearing, including the time, date, and location  
688 of the public hearing, in each county in the region where the public hearing will be held:

689 (i) (A) at least three calendar days before the day of the public hearing, in a newspaper  
690 of general circulation in the county;

691 (B) if there is no newspaper of general circulation in the county, at least three calendar  
692 days before the day of the public hearing, by posting one copy of the notice, and at least one  
693 additional copy of the notice per 2,000 population of the county, in places within the county  
694 that are most likely to give notice to the residents of the county; or

695 (C) at least seven days before the day of the public hearing, by mailing notice to each  
696 residence in the county; and

697 [~~(ii) on the Utah Public Notice Website created in Section [63A-16-601](#), for at least  
698 three calendar days before the day of the public hearing;~~]

699 (ii) in accordance with Section [45-1-101](#), for at least three calendar days before the day  
700 of the public hearing.

701 (3) The election officer for each county in the region where the public hearing is held  
702 shall ensure that written notice of the public hearing, including the time, date, and location of  
703 the public hearing, is published:

704 ~~[(iii) in accordance with Section 45-1-101, for at least three calendar days before the~~  
705 ~~day of the public hearing; and]~~

706 (a) on the Utah Public Notice Website created in Section 63A-16-601, for at least three  
707 calendar days before the day of the public hearing; and

708 ~~[(iv)]~~ (b) on the county's website for at least three calendar days before the day of the  
709 public hearing.

710 ~~[(3)]~~ (4) If the initiative [~~petition~~] proposes a tax increase, the written notice described  
711 in Subsection (2) shall include the following statement, in bold, in the same font and point size  
712 as the largest font and point size appearing in the notice:

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

716 ~~[(4)]~~ (5) (a) During the public hearing, the sponsors shall either:

717 (i) video tape or audio tape the public hearing [~~and, when the hearing is complete,~~  
718 ~~deposit the complete audio or video tape of the meeting with the lieutenant governor]; or~~

719 (ii) take comprehensive minutes of the public hearing, detailing the names and titles of  
720 each speaker and summarizing each speaker's comments.

721 (b) The lieutenant governor shall make copies of the tapes or minutes available to the  
722 public.

723 (c) For each public hearing, the sponsors shall:

724 (i) during the entire time that the public hearing is held, post a copy of the initial fiscal  
725 impact statement in a conspicuous location at the entrance to the room where the sponsors hold  
726 the public hearing; and

727 (ii) place at least 50 copies of the initial fiscal impact statement, for distribution to  
728 public hearing attendees, in a conspicuous location at the entrance to the room where the  
729 sponsors hold the public hearing.

730 (d) Regardless of whether an individual is present to observe or speak at a public

731 hearing:

732 (i) the sponsors may not end the public hearing until at least one hour after the public  
733 hearing begins; and

734 (ii) the sponsors shall provide at least one hour at the public hearing that is open for  
735 public comment.

736 ~~[(5)]~~ (6) (a) Before 5 p.m. within 14 days after the day on which the sponsors conduct  
737 the seventh public hearing described in Subsection (1)(a), and before circulating an initiative  
738 ~~[petition]~~ signature packet for signatures, the sponsors of the initiative ~~[petition]~~ may change  
739 the text of the proposed law if:

740 (i) a change to the text is:

741 (A) germane to the text of the proposed law filed with the lieutenant governor under  
742 Section [20A-7-202](#); and

743 (B) consistent with the requirements of Subsection [20A-7-202\(5\)](#); and

744 (ii) each sponsor signs, attested to by a notary public, an application addendum to  
745 change the text of the proposed law.

746 (b) (i) Within three working days after the day on which the lieutenant governor  
747 receives an application addendum to change the text of the proposed law ~~[in]~~ for an initiative  
748 ~~[petition]~~, the lieutenant governor shall submit a copy of the application addendum to the  
749 Office of the Legislative Fiscal Analyst.

750 (ii) The Office of the Legislative Fiscal Analyst shall:

751 (A) update the initial fiscal impact ~~[estimate]~~ statement, by following the procedures  
752 and requirements of Section [20A-7-202.5](#) to reflect a change to the text of the proposed law~~[-];~~

753 or

754 (B) provide written notice to the Office of the Lieutenant Governor indicating that no  
755 changes to the initial fiscal impact statement are necessary.

756 Section 9. Section [20A-7-205](#) is amended to read:

757 **20A-7-205. Manual initiative process -- Obtaining signatures -- Verification --**

758 **Removal of signature.**

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

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

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

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

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

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

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

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

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

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

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

776 Subsection [20A-7-207\(2\)](#); or

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

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

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

780 Subsection [20A-7-207\(2\)](#).

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

782 (A) the name of the voter;

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

784 (C) the signature of the voter; and

785 (D) the date of the signature described in Subsection (4)(b)(i)(C).  
786 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
787 statement may include the voter's birth date or age.  
788 (c) A voter may not submit a statement by email or other electronic means.  
789 (d) In order for the signature to be removed, the county clerk must receive the  
790 statement before 5 p.m. no later than the applicable deadline described in Subsection (4)(a).  
791 (e) A person may only remove a signature from an initiative petition in accordance  
792 with this Subsection (4).  
793 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
794 an initiative petition, in accordance with Section [20A-7-206.3](#).  
795 Section 10. Section [20A-7-206](#) is amended to read:  
796 **20A-7-206. Manual initiative process -- Submitting initiative packets --**  
797 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**  
798 (1) This section applies only to the manual initiative process.  
799 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
800 initiative packet to the county clerk of the county in which the initiative packet was circulated  
801 before 5 p.m. no later than the earlier of:  
802 (i) 30 days after the day on which the first individual signs the initiative packet;  
803 (ii) 316 days after the day on which the initiative application [~~for the initiative petition~~]  
804 is filed; or  
805 (iii) the February 15 immediately before the next regular general election immediately  
806 after the initiative application is filed under Section [20A-7-202](#).  
807 (b) A person may not submit an initiative packet after the deadline described in  
808 Subsection (2)(a).  
809 (c) Before delivering [~~a~~] an initiative packet to the county clerk under Subsection (2),  
810 the sponsors shall send an email to each individual who provides a legible, valid email address  
811 on the form described in Subsection [20A-7-203\(3\)\(d\)](#) that includes the following:

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

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

815 "You signed a petition for the following initiative:

816 [insert title of initiative]

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

821 (d) When the sponsors submit the final [signature] initiative packet to the county clerk,  
822 the sponsors shall submit to the county clerk the following written verification, completed and  
823 signed by each of the sponsors:

824 Verification of initiative sponsor

825 State of Utah, County of \_\_\_\_\_

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

827 I am a sponsor of the initiative [petition] entitled \_\_\_\_\_;

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

831 \_\_\_\_\_

832 (Name) (Residence Address) (Date)

833 (e) Signatures gathered for the initiative [petition] are not valid if the sponsors do not  
834 comply with this Subsection (2).

835 (3) The county clerk shall, within 21 days after the day on which the county clerk  
836 receives [the] an initiative packet:

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

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

841 (c) except as provided in Subsection (4), post the name, voter identification number,  
842 and date of signature of each registered voter certified under Subsection (3)(b) on the lieutenant  
843 governor's website, in a conspicuous location designated by the lieutenant governor; and

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

845 (4) (a) If the county clerk timely receives a statement requesting signature removal  
846 under Subsection 20A-7-205(4), the county clerk shall:

847 (i) ensure that the voter's name, voter identification number, and date of signature are  
848 not included in the posting described in Subsection (3)(c); and

849 (ii) remove the voter's signature from the [~~signature packets and signature packet~~]  
850 initiative petition and the signature totals.

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

852 (i) the deadline described in Subsection (3); or

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

855 (5) The county clerk may not certify a signature under Subsection (3):

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

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

858 (6) A person may not retrieve an initiative packet from a county clerk, or make any  
859 alterations or corrections to an initiative packet, after the initiative packet is submitted to the  
860 county clerk.

861 Section 11. Section 20A-7-206.1 is amended to read:

862 **20A-7-206.1. Provisions relating only to process for submitting an initiative to the**  
863 **Legislature for approval or rejection.**

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



866 (2) Notwithstanding Section 20A-7-205, in order to qualify an initiative petition for  
867 submission to the Legislature, the sponsors, or an agent of the sponsors, shall deliver each  
868 signed and verified initiative packet to the county clerk of the county in which the initiative  
869 packet was circulated before 5 p.m. no later than November 15 before the next annual general  
870 session of the Legislature immediately after the initiative application is filed under Section  
871 20A-7-202.

872 (3) Notwithstanding Section 20A-7-205, no later than December 15 before the annual  
873 general session of the Legislature, the county clerk shall, for an initiative for submission to the  
874 Legislature:

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

877 (b) certify on the [~~petition~~] initiative packet whether each name is that of a registered  
878 voter; and

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

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

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

885 Section 12. Section 20A-7-206.3 is amended to read:

886 **20A-7-206.3. Verification of petition signatures.**

887 (1) As used in this section:

888 (a) "Substantially similar name" means:

889 (i) the given name [~~and~~], the surname [~~shown on the petition~~], or both, provided by the  
890 individual with the individual's petition signature, contain only minor spelling differences when  
891 compared to the given name and surname shown on the official register;

892 (ii) the surname [~~shown on the petition~~] provided by the individual with the

893 individual's petition signature exactly matches the surname shown on the official register, and  
894 the given names differ only because one of the given names shown is a commonly used  
895 abbreviation or variation of the other;

896 (iii) the surname [~~shown on the petition~~] provided by the individual with the  
897 individual's petition signature exactly matches the surname shown on the official register, and  
898 the given names differ only because one of the given names shown is accompanied by a first or  
899 middle initial or a middle name which is not shown on the other record; or

900 (iv) the surname [~~shown on the petition~~] provided by the individual with the  
901 individual's petition signature exactly matches the surname shown on the official register, and  
902 the given names differ only because one of the given names shown is an alphabetically  
903 corresponding initial that has been provided in the place of a given name shown on the other  
904 record.

905 (b) "Substantially similar name" does not include a name having an initial or a middle  
906 name [~~shown on the petition~~] provided by the individual with the individual's petition signature  
907 that does not match a different initial or middle name shown on the official register.

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

911 (a) if a signer's name and address [~~shown on the petition~~] provided by the individual  
912 with the individual's petition signature exactly match a name and address shown on the official  
913 register and the signer's signature appears substantially similar to the signature on the statewide  
914 voter registration database, the county clerk shall declare the signature valid;

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

917 (i) the address [~~on the petition~~] provided by the individual with the individual's petition  
918 signature matches the address of an individual on the official register with a substantially  
919 similar name; and

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

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

924 (i) the birth date or age [~~on the petition~~] provided by the individual with the  
925 individual's petition signature matches the birth date or age of an individual on the official  
926 register with a substantially similar name; and

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

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

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

935 (a) if a signer's name and address shown on the statement and the initiative petition  
936 exactly match a name and address shown on the official register and the signer's [~~signature~~]  
937 signatures on both the statement and the initiative petition [~~appears~~] appear substantially  
938 similar to the signature on the statewide voter registration database, the county clerk shall  
939 remove the signature from the initiative petition;

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

942 (i) the address on the statement and the [~~petition matches~~] address provided by the  
943 individual with the individual's petition signature match the address of an individual on the  
944 official register with a substantially similar name; and

945 (ii) the signer's [~~signature~~] signatures on both the statement and the initiative petition  
946 [~~appears~~] appear substantially similar to the signature on the statewide voter registration

947 database of the individual described in Subsection (3)(b)(i);

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

950 (i) the birth date or age on the statement and [~~petition~~] the birth date or age provided by  
951 the individual with the individual's petition signature match the birth date or age of an  
952 individual on the official register with a substantially similar name; and

953 (ii) the signer's [~~signature~~] signatures on both the statement and the initiative petition  
954 [~~appears~~] appear substantially similar to the signature on the statewide voter registration  
955 database of the individual described in Subsection (3)(c)(i); and

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

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

959 **20A-7-207. Evaluation by the lieutenant governor.**

960 (1) In relation to the manual initiative process, when the lieutenant governor receives  
961 an initiative packet from a county clerk, the lieutenant governor shall record the number of the  
962 initiative packet received.

963 (2) The county clerk shall:

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

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

968 (A) for an initiative packet received by the county clerk before December 1, for at least  
969 90 days; or

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

972 (ii) update on the lieutenant governor's website the number of signatures certified as of  
973 the date of the update; or

974 (b) in relation to the electronic initiative process:  
975 (i) post the names, voter identification numbers, and dates of signatures described in  
976 Subsection 20A-7-217(4) on the lieutenant governor's website, in a conspicuous location  
977 designated by the lieutenant governor:  
978 (A) for a signature received by the county clerk before December 1, for at least 90  
979 days; or  
980 (B) for a signature received by the county clerk on or after December 1, for at least 45  
981 days; and  
982 (ii) update on the lieutenant governor's website the number of signatures certified as of  
983 the date of the update.  
984 (3) The lieutenant governor:  
985 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be  
986 sufficient or insufficient on April 30 before the regular general election described in Subsection  
987 20A-7-201(2)(b); or  
988 (b) may declare the initiative petition to be insufficient before the day described in  
989 Subsection (3)(a) if:  
990 (i) in relation to the manual initiative process, the total of all valid signatures on timely  
991 and lawfully submitted [~~signature~~] initiative packets that have been certified by the county  
992 clerks, plus the number of signatures on timely and lawfully submitted [~~signature~~] initiative  
993 packets that have not yet been evaluated for certification, is less than the number of names  
994 required under Section 20A-7-201;  
995 (ii) in relation to the electronic initiative process, the total of all timely and lawfully  
996 submitted valid signatures that have been certified by the county clerks, plus the number of  
997 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)  
998 that have not yet been evaluated for certification, is less than the number of names required  
999 under Section 20A-7-201; or  
1000 (iii) a requirement of this part has not been met.

1001 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds  
1002 the number of names required under Section 20A-7-201, and the requirements of this part are  
1003 met, the lieutenant governor shall mark upon the front of the initiative petition the word  
1004 "sufficient."

1005 (b) If the total number of names certified under Subsection (3) does not equal or  
1006 exceed the number of names required under Section 20A-7-201 or a requirement of this part is  
1007 not met, the lieutenant governor shall mark upon the front of the initiative petition the word  
1008 "insufficient."

1009 (c) The lieutenant governor shall immediately notify any one of the sponsors of the  
1010 lieutenant governor's finding.

1011 (5) After [a] an initiative petition is declared insufficient, a person may not submit  
1012 additional signatures to qualify the [~~petition~~] initiative for the ballot.

1013 (6) (a) If the lieutenant governor refuses to [~~accept and file~~] declare an initiative  
1014 petition sufficient that a voter believes is legally sufficient, the voter may, no later than May 15,  
1015 apply to the appropriate court for an [~~extraordinary writ to compel the lieutenant governor to~~  
1016 ~~accept and file~~] order finding the initiative petition legally sufficient.

1017 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant  
1018 governor shall [~~file the petition, with a verified copy of the judgment attached to the petition,~~]  
1019 mark the petition "sufficient" and consider the declaration of sufficiency effective as of the date  
1020 on which the initiative petition [~~was originally offered for filing in~~] should have been declared  
1021 sufficient by the lieutenant governor's office.

1022 (c) If the court determines that [a] the initiative petition [~~filed~~] is not legally sufficient,  
1023 the court may enjoin the lieutenant governor and all other officers from certifying or printing  
1024 the ballot title and numbers of that measure on the official ballot.

1025 (7) [A] An initiative petition determined to be sufficient in accordance with this section  
1026 is qualified for the ballot.

1027 Section 14. Section 20A-7-208 is amended to read:

1028 **20A-7-208. Disposition of initiative petitions by the Legislature.**

1029 (1) (a) Except as provided in Subsection (1)(b), when the lieutenant governor delivers  
1030 an initiative petition to the Legislature, the law proposed by that initiative petition shall be  
1031 either enacted or rejected without change or amendment by the Legislature.

1032 (b) The speaker of the House and the president of the Senate may direct legislative staff  
1033 to make technical corrections authorized by Section 36-12-12.

1034 (c) If any law proposed by an initiative petition is enacted by the Legislature, the law is  
1035 subject to referendum the same as other laws.

1036 (2) If any law proposed by [a] an initiative petition is not enacted by the Legislature,  
1037 that proposed law shall be submitted to a vote of the people at the next regular general election  
1038 if:

1039 (a) sufficient additional signatures to the petition are first obtained to bring the total  
1040 number of signatures up to the number required by Subsection 20A-7-201(2); and

1041 (b) those additional signatures are verified, certified by the county clerks, and declared  
1042 sufficient by the lieutenant governor as provided in this part.

1043 Section 15. Section 20A-7-209 is amended to read:

1044 **20A-7-209. Short title and summary of initiative -- Duties of lieutenant governor**  
1045 **and Office of Legislative Research and General Counsel.**

1046 (1) On or before June 5 before the regular general election, the lieutenant governor  
1047 shall deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of  
1048 Legislative Research and General Counsel.

1049 (2) (a) The Office of Legislative Research and General Counsel shall:

1050 (i) entitle each [~~state~~] statewide initiative that has qualified for the ballot "Proposition  
1051 Number \_\_\_" and give it a number as assigned under Section 20A-6-107;

1052 (ii) prepare for each initiative:

1053 (A) an impartial short title, not exceeding 25 words, that generally describes the subject  
1054 of the initiative; and

1055 (B) an impartial summary of the contents of the ~~[measure]~~ initiative, not exceeding 125  
1056 words; and

1057 (iii) ~~[return each petition;]~~ provide each short title~~[-]~~ and summary to the lieutenant  
1058 governor on or before June 26.

1059 (b) The short title and summary may be distinct from the title of the proposed law  
1060 ~~attached to the initiative petition~~].

1061 (c) If the initiative proposes a tax increase, the Office of Legislative Research and  
1062 General Counsel shall include the following statement, in bold, in the summary:

1063 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax  
1064 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
1065 increase in the current tax rate."

1066 (d) For each ~~[state]~~ statewide initiative, the official ballot shall show, in the following  
1067 order:

1068 (i) the number of the initiative, determined in accordance with Section [20A-6-107](#);

1069 (ii) the short title; and

1070 (iii) the initial fiscal impact ~~[estimate]~~ statement prepared under Section [20A-7-202.5](#),  
1071 as updated under Section [20A-7-204.1](#).

1072 (e) For each ballot that includes an initiative or referendum, the election officer shall  
1073 include with the ballot a separate ballot proposition insert that includes the short title and  
1074 summary for each initiative and referendum on the ballot and a link to a location on the  
1075 lieutenant governor's website where a voter may review additional information relating to each  
1076 initiative or referendum, including:

1077 (i) for an initiative, the information described in Subsection [20A-7-202\(2\)](#), the fiscal  
1078 impact ~~[estimate]~~ statement described in Section [20A-7-202.5](#), as updated, and the arguments  
1079 relating to the initiative that are included in the voter information pamphlet; or

1080 (ii) for a referendum, the information described in Subsection [20A-7-302\(2\)](#) and the  
1081 arguments relating to the referendum that are included in the voter information pamphlet.



1082 (f) For each ballot that includes an initiative or referendum, the ballot shall include the  
1083 following statement at the beginning of the portion of the ballot that includes ballot measures,  
1084 "The ballot proposition sheet included with this ballot contains an impartial summary of each  
1085 initiative and referendum on this ballot."

1086 (3) On or before June 27, the lieutenant governor shall mail a copy of the short title and  
1087 summary to any sponsor of the petition.

1088 (4) (a) (i) At least three of the sponsors of the petition may, on or before July 6,  
1089 challenge the wording of the short title and summary prepared by the Office of Legislative  
1090 Research and General Counsel to the appropriate court.

1091 (ii) After receipt of the challenge, the court shall direct the lieutenant governor to send  
1092 notice of the challenge to:

1093 (A) any person or group that has filed an argument for or against the [measure]  
1094 initiative that is the subject of the challenge; or

1095 (B) any political issues committee established under Section 20A-11-801 that has filed  
1096 written or electronic notice with the lieutenant governor that identifies the name, mailing or  
1097 email address, and telephone number of the individual designated to receive notice about any  
1098 issues relating to the initiative.

1099 (b) (i) There is a presumption that the short title prepared by the Office of Legislative  
1100 Research and General Counsel is an impartial description of the contents of the initiative.

1101 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the  
1102 presumption by clearly and convincingly establishing that the short title is false or biased.

1103 (iii) There is a presumption that the summary prepared by the Office of Legislative  
1104 Research and General Counsel is an impartial summary of the contents of the initiative.

1105 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut  
1106 the presumption by clearly and convincingly establishing that the summary is false or biased.

1107 (c) The court shall:

1108 (i) examine the short title and summary;

1109 (ii) hear arguments; and  
1110 (iii) enter an order consistent with the requirements of this section.  
1111 (d) The lieutenant governor shall, in accordance with the court's order, certify the short  
1112 title and summary to the county clerks for inclusion in the ballot and ballot proposition insert,  
1113 as required by this section.

1114 Section 16. Section **20A-7-211** is amended to read:

1115 **20A-7-211. Return and canvass -- Conflicting measures -- Law effective on**  
1116 **proclamation.**

1117 (1) The votes on the law proposed by the initiative petition shall be counted,  
1118 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

1119 (2) After the state board of canvassers completes the canvass, the lieutenant governor  
1120 shall certify to the governor the vote for and against the law proposed by the initiative petition.

1121 (3) (a) The governor shall immediately issue a proclamation that:

1122 (i) gives the total number of votes cast in the state for and against each law proposed by  
1123 an initiative petition; and

1124 (ii) declares those laws proposed by an initiative petition that ~~[were]~~ are approved by  
1125 majority vote to be in full force and effect on the date described in Subsection [20A-7-212](#)(2).

1126 (b) When the governor believes that two proposed laws, or that parts of two proposed  
1127 laws approved by the people at the same election are entirely in conflict, the governor shall  
1128 proclaim ~~[that measure to be law]~~ as law the initiative that receives the greatest number of  
1129 affirmative votes, regardless of the difference in the majorities which those ~~[measures]~~  
1130 initiatives receive.

1131 (c) Within 10 days after the day of the governor's proclamation, any qualified voter  
1132 who signed the initiative petition proposing the law that is declared by the governor to be  
1133 superseded by another ~~[measure]~~ initiative approved at the same election may bring an action  
1134 in the appropriate court to review the governor's decision.

1135 (4) Within 10 days after the day on which the court issues an order in an action

1136 described in Subsection (3)(c), the governor shall:

1137 (a) proclaim as law all [~~those measures~~] initiatives approved by the people [~~as law~~] that  
1138 the court determines are not entirely in conflict; and

1139 (b) of [~~all those measures~~] the initiatives approved by the people [~~as law~~] that the court  
1140 determines to be entirely in conflict, proclaim as law, regardless of the difference in majorities,  
1141 the law that receives the greatest number of affirmative votes, to be in full force and effect on  
1142 the date described in Subsection [20A-7-212\(2\)](#).

1143 Section 17. Section **20A-7-213** is amended to read:

1144 **20A-7-213. Misconduct of electors and officers -- Penalty.**

1145 (1) It is unlawful for [~~any person~~] an individual to:

1146 (a) sign any name other than the [~~person's~~] individual's own to an initiative petition or a  
1147 statement described in Subsection [20A-7-205\(4\)](#) or [20A-7-216\(4\)](#);

1148 (b) knowingly sign the [~~person's~~] individual's name more than once for the same  
1149 [~~measure~~] initiative at one election;

1150 (c) knowingly indicate that [~~a person~~] an individual who signed an initiative petition  
1151 signed the initiative petition on a date other than the date that the [~~person~~] individual signed the  
1152 initiative petition;

1153 (d) sign an initiative petition knowing the [~~person~~] individual is not a legal voter; or

1154 (e) knowingly and willfully violate any provision of this part.

1155 (2) It is unlawful for [~~any person~~] an individual to sign the verification for an initiative  
1156 packet, or to electronically sign the verification for a signature under Subsection  
1157 [20A-21-201\(9\)](#), knowing that:

1158 (a) the [~~person~~] individual does not meet the residency requirements of Section  
1159 [20A-2-105](#);

1160 (b) the signature date associated with the [~~person's~~] individual's signature for the  
1161 initiative petition is not the date that the [~~person~~] individual signed the initiative petition;

1162 (c) the [~~person~~] individual has not witnessed the signatures of those [~~persons~~]

1163 individuals whose signatures the [~~person~~] individual collects or submits; or

1164 (d) one or more individuals who signed the initiative petition are not registered to vote  
1165 in Utah.

1166 (3) It is unlawful for [~~any person~~] an individual to:

1167 (a) pay [~~a person~~] an individual to sign an initiative petition;

1168 (b) pay [~~a person~~] an individual to remove the [~~person's~~] individual's signature from an  
1169 initiative petition;

1170 (c) accept payment to sign an initiative petition; or

1171 (d) accept payment to have the [~~person's~~] individual's name removed from an initiative  
1172 petition.

1173 (4) [~~Any person violating~~] A violation of this section is [~~guilty of~~] a class A  
1174 misdemeanor.

1175 Section 18. Section **20A-7-214** is amended to read:

1176 **20A-7-214. Fiscal review -- Repeal, amendment, or resubmission.**

1177 (1) No later than 60 days after the date of an election in which the voters approve an  
1178 initiative [~~petition~~], the Office of the Legislative Fiscal Analyst shall:

1179 (a) for each initiative approved by the voters, prepare a final fiscal impact statement,  
1180 using current financial information and containing the information required by Subsection

1181 20A-7-202.5(2); and

1182 (b) deliver a copy of the final fiscal impact statement to:

1183 (i) the president of the Senate;

1184 (ii) the minority leader of the Senate;

1185 (iii) the speaker of the House of Representatives;

1186 (iv) the minority leader of the House of Representatives; and

1187 (v) the first five sponsors listed on the initiative application.

1188 (2) If the final fiscal impact statement exceeds the estimate in the initial fiscal impact  
1189 [~~estimate~~] statement by 25% or more, the Legislature shall review the final fiscal impact

1190 statement and may, in any legislative session following the election in which the voters  
1191 [~~approved~~] approve the initiative [~~petition~~]:

- 1192 (a) repeal the law established by passage of the initiative;
- 1193 (b) amend the law established by passage of the initiative; or
- 1194 (c) pass a joint or concurrent resolution informing the voters that they may file an  
1195 initiative petition to repeal the law enacted by [~~the~~] passage of the initiative.

1196 Section 19. Section **20A-7-215** is amended to read:

1197 **20A-7-215. Electronic initiative process -- Form of initiative petition --**  
1198 **Circulation requirements -- Signature collection.**

1199 (1) This section applies only to the electronic initiative process.

1200 (2) (a) The first screen presented on the approved device shall include the following  
1201 statement:

1202 "This INITIATIVE PETITION is addressed to the Honorable \_\_\_\_\_, Lieutenant  
1203 Governor:

1204 The citizens of Utah who sign this petition respectfully demand that the following  
1205 proposed law be submitted to the legal voters/Legislature of Utah for their/its approval or  
1206 rejection at the regular general election/session to be held/beginning on  
1207 \_\_\_\_\_ (month\day\year)."

1208 (b) An individual may not advance to the second screen until the individual clicks a  
1209 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
1210 understand the information presented on this screen."

1211 (3) (a) The second screen presented on the approved device shall include the following  
1212 statement:

1213 "Public hearings to discuss this [~~petition~~] initiative were held at: (list dates and  
1214 locations of public hearings.)".

1215 (b) An individual may not advance to the third screen until the individual clicks a link  
1216 at the bottom of the second screen stating, "By clicking here, I attest that I have read and

1217 understand the information presented on this screen."

1218 (4) (a) The third screen presented on the approved device shall include the title of  
1219 proposed law, described in Subsection [~~20A-7-202(2)(d)(i)~~] 20A-7-202(2)(e)(i), followed by  
1220 the entire text of the proposed law.

1221 (b) An individual may not advance to the fourth screen until the individual clicks a link  
1222 at the bottom of the third screen stating, "By clicking here, I attest that I have read and  
1223 understand the entire text of the proposed law."

1224 (5) Subsequent screens shall be presented on the device in the following order, with the  
1225 individual viewing the device being required, before advancing to the next screen, to click a  
1226 link at the bottom of the screen with the following statement: "By clicking here, I attest that I  
1227 have read and understand the information presented on this screen.":

1228 (a) a description of all proposed sources of funding for the costs associated with the  
1229 proposed law, including the proposed percentage of total funding from each source;

1230 (b) (i) if the initiative [~~petition~~] proposes a tax increase, the following statement, "This  
1231 initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by (insert the tax  
1232 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
1233 increase in the current tax rate."; or

1234 (ii) if the initiative [~~petition~~] does not propose a tax increase, the following statement,  
1235 "This initiative [~~petition~~] does not propose a tax increase.";

1236 (c) the initial fiscal impact [~~estimate's summary~~] statement issued by the Office of the  
1237 Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(a), including any  
1238 update in accordance with Subsection [~~20A-7-204.1(5)~~] 20A-7-204.1(6);

1239 (d) a statement indicating whether persons gathering signatures for the initiative  
1240 petition may be paid for gathering signatures; and

1241 (e) the following statement, followed by links where the individual may click "yes" or  
1242 "no":

1243 "I have personally reviewed the entirety of each statement presented on this device;

1244 I am personally signing this initiative petition;

1245 I am registered to vote in Utah; and

1246 All information I enter on this device, including my residence and post office address, is

1247 accurate.

1248 It is a class A misdemeanor for an individual to sign an initiative petition with a name

1249 other than the individual's own name, or to knowingly sign the individual's name more than

1250 once for the same [~~measure~~] initiative petition, or to sign an initiative petition when the

1251 individual knows that the individual is not a registered voter.

1252 WARNING

1253 Even if your voter registration record is classified as private, your name, voter

1254 identification number, and date of signature in relation to signing this initiative petition will be

1255 made public.

1256 Do you wish to continue and sign this initiative petition?"

1257 (6) (a) If the individual clicks "no" in response to the question described in Subsection

1258 (5)(e), the next screen shall include the following statement, "Thank you for your time. Please

1259 return this device to the signature-gatherer."

1260 (b) If the individual clicks "yes" in response to the question described in Subsection

1261 (5)(e), the website, or the application that accesses the website, shall take the signature-gatherer

1262 and the individual signing the initiative petition through the signature process described in

1263 Section [20A-21-201](#).

1264 Section 20. Section **20A-7-216** is amended to read:

1265 **20A-7-216. Electronic initiative process -- Obtaining signatures -- Request to**

1266 **remove signature.**

1267 (1) This section applies to the electronic initiative process.

1268 (2) A Utah voter may sign an initiative petition if the voter is a legal voter.

1269 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from

1270 an individual:

1271 (a) verifies that the individual is at least 18 years old and meets the residency  
1272 requirements of Section 20A-2-105; and

1273 (b) is informed that each signer is required to read and understand the law proposed by  
1274 the initiative.

1275 (4) A voter who has signed an initiative petition may have the voter's signature  
1276 removed from the initiative petition by submitting to the county clerk a statement requesting  
1277 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1278 (a) for an electronic signature gathered before December 1:

1279 (i) 30 days after the day on which the voter signs the signature removal statement; or

1280 (ii) 90 days after the day on which the county clerk posts the voter's name under

1281 Subsection 20A-7-217(4); or

1282 (b) for an electronic signature gathered on or after December 1:

1283 (i) 30 days after the day on which the voter signs the signature removal statement; or

1284 (ii) 45 days after the day on which the county clerk posts the voter's name under

1285 Subsection 20A-7-217(4).

1286 (5) (a) The statement shall include:

1287 (i) the name of the voter;

1288 (ii) the resident address at which the voter is registered to vote;

1289 (iii) the signature of the voter; and

1290 (iv) the date of the signature described in Subsection (5)(a)(iii).

1291 (b) To increase the likelihood of the voter's signature being identified and removed, the  
1292 statement may include the voter's birth date or age.

1293 (c) A voter may not submit a signature removal statement by email or other electronic  
1294 means, unless the lieutenant governor establishes a signature removal process that is consistent  
1295 with the requirements of this section and Section 20A-21-201.

1296 (d) A person may only remove an electronic signature from an initiative petition in  
1297 accordance with this section.



1298 (e) A county clerk shall analyze a holographic signature, for purposes of removing an  
1299 electronic signature from an initiative petition, in accordance with Section 20A-7-206.3.

1300 Section 21. Section 20A-7-217 is amended to read:

1301 **20A-7-217. Electronic initiative process -- Collecting signatures -- Email**  
1302 **notification -- Removal of signatures.**

1303 (1) This section applies only to the electronic initiative process.

1304 (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:

1305 (a) 316 days after the day on which the initiative application [~~for the initiative petition~~]  
1306 is filed; or

1307 (b) the February 15 immediately before the next regular general election immediately  
1308 after the initiative application is filed under Section 20A-7-202.

1309 (3) The lieutenant governor shall send to each individual who provides a valid email  
1310 address during the signature-gathering process an email that includes the following:

1311 (a) the subject of the email shall include the following statement, "Notice Regarding  
1312 Your Petition Signature"; and

1313 (b) the body of the email shall include the following statement in 12-point type:

1314 "You signed a petition for the following initiative:

1315 [insert title of initiative]

1316 To access a copy of the initiative petition, the text of the law proposed by the initiative,  
1317 the fiscal impact statement, and information on the deadline for removing your signature from  
1318 the initiative petition, please visit the following link: [insert a uniform resource locator that  
1319 takes the individual directly to the page on the lieutenant governor's website that includes the  
1320 information referred to in the email]."

1321 (4) Except as provided in Subsection (5), the county clerk shall, within two business  
1322 days after the day on which the signature of an individual who signs [~~a~~] an initiative petition is  
1323 certified under Section 20A-21-201, post the name, voter identification number, and date of  
1324 signature of the individual on the lieutenant governor's website, in a conspicuous location

1325 designated by the lieutenant governor.

1326 (5) (a) If the county clerk timely receives a statement requesting signature removal  
1327 under Subsection 20A-7-216(4), the county clerk shall:

1328 (i) ensure that the voter's name, voter identification number, and date of signature are  
1329 not included in the posting described in Subsection (4); and

1330 (ii) remove the voter's signature from the initiative petition and the initiative petition  
1331 signature totals.

1332 (b) The county clerk shall comply with Subsection (5)(a) before the later of:

1333 (i) the deadline described in Subsection (4); or

1334 (ii) two business days after the day on which the county clerk receives a statement  
1335 requesting signature removal under Subsection 20A-7-216(4).

1336 Section 22. Section 20A-7-301 is amended to read:

1337 **20A-7-301. Referendum -- Signature requirements -- Submission to voters.**

1338 (1) (a) A person seeking to have a law passed by the Legislature submitted to a vote of  
1339 the people shall, after filing a referendum application, obtain:

1340 (i) legal signatures equal to 8% of the number of active voters in the state on January 1  
1341 immediately following the last regular general election; and

1342 (ii) from at least 15 Senate districts, legal signatures equal to 8% of the number of  
1343 active voters in that Senate district on January 1 immediately following the last regular general  
1344 election.

1345 (b) When the lieutenant governor declares that a referendum petition is signed by a  
1346 sufficient [~~under this part~~] number of voters to meet the requirements of Subsection (1)(a), the  
1347 governor shall issue an executive order that:

1348 (i) directs that the referendum be submitted to the voters at the next regular general  
1349 election; or

1350 (ii) calls a special election according to the requirements of Section 20A-1-203 and  
1351 directs that the referendum be submitted to the voters at that special election.

1352 (2) When the lieutenant governor declares that a referendum petition [~~has been~~  
 1353 ~~declared~~] is signed by a sufficient number of voters, the law that is the subject of the petition  
 1354 does not take effect unless and until it is approved by a vote of the people at a regular general  
 1355 election or a statewide special election.

1356 (3) The lieutenant governor shall provide the following information to any interested  
 1357 person:

1358 (a) the number of active voters in the state on January 1 immediately following the last  
 1359 regular general election; and

1360 (b) for each county, the number of active voters in that Senate district on January 1  
 1361 immediately following the last regular general election.

1362 Section 23. Section **20A-7-302** is amended to read:

1363 **20A-7-302. Referendum process -- Application procedures.**

1364 (1) Individuals wishing to circulate a referendum petition shall file [~~an~~] a referendum  
 1365 application with the lieutenant governor before 5 p.m. within five calendar days after the day  
 1366 on which the legislative session at which the law passed ends.

1367 (2) The referendum application shall [~~contain~~] include:

1368 (a) the name and residence address of at least five sponsors of the referendum petition;

1369 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

1370 (c) a statement indicating whether persons gathering signatures for the referendum  
 1371 petition may be paid for gathering signatures;

1372 (d) the signature of each of the sponsors, attested to by a notary public; and

1373 (e) a copy of the law that is the subject of the proposed referendum.

1374 Section 24. Section **20A-7-303** is amended to read:

1375 **20A-7-303. Manual referendum process -- Form of referendum petition and**  
 1376 **signature sheets.**

1377 (1) This section applies only to the manual referendum process.

1378 (2) (a) Each proposed referendum petition shall be printed in substantially the

1379 following form:

1380 "REFERENDUM PETITION To the Honorable \_\_\_\_, Lieutenant Governor:

1381 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.  
1382 \_\_\_\_, entitled (title of act, and, if the petition is against less than the whole act, set forth here  
1383 the part or parts on which the referendum is sought), passed by the Legislature of the state of  
1384 Utah during the \_\_\_\_ Session, be referred to the people of Utah for their approval or rejection  
1385 at a regular general election or a statewide special election;

1386 Each signer says:

1387 I have personally signed this referendum petition;

1388 The date next to my signature correctly reflects the date that I actually signed the  
1389 referendum petition;

1390 I have personally reviewed the entire statement included with this referendum packet;

1391 I am registered to vote in Utah; and

1392 My residence and post office address are written correctly after my name."

1393 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the  
1394 law that is the subject of the referendum to each referendum petition.

1395 (3) Each referendum signature sheet shall:

1396 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1397 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
1398 that line blank for the purpose of binding;

1399 (c) include the title of the referendum printed below the horizontal line, in at least  
1400 14-point, bold type;

1401 (d) include a table immediately below the title of the referendum, and beginning .5 inch  
1402 from the left side of the paper, as follows:

1403 (i) the first column shall be .5 inch wide and include three rows;

1404 (ii) the first row of the first column shall be .85 inch tall and contain the words "For  
1405 Office Use Only" in 10-point type;

- 1406 (iii) the second row of the first column shall be .35 inch tall;
- 1407 (iv) the third row of the first column shall be .5 inch tall;
- 1408 (v) the second column shall be 2.75 inches wide;
- 1409 (vi) the first row of the second column shall be .35 inch tall and contain the words
- 1410 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
- 1411 (vii) the second row of the second column shall be .5 inch tall;
- 1412 (viii) the third row of the second column shall be .35 inch tall and contain the words
- 1413 "Street Address, City, Zip Code" in 10-point type;
- 1414 (ix) the fourth row of the second column shall be .5 inch tall;
- 1415 (x) the third column shall be 2.75 inches wide;
- 1416 (xi) the first row of the third column shall be .35 inch tall and contain the words
- 1417 "Signature of Registered Voter" in 10-point type;
- 1418 (xii) the second row of the third column shall be .5 inch tall;
- 1419 (xiii) the third row of the third column shall be .35 inch tall and contain the words
- 1420 "Email Address (optional, to receive additional information)" in 10-point type;
- 1421 (xiv) the fourth row of the third column shall be .5 inch tall;
- 1422 (xv) the fourth column shall be one inch wide;
- 1423 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
- 1424 "Date Signed" in 10-point type;
- 1425 (xvii) the second row of the fourth column shall be .5 inch tall;
- 1426 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
- 1427 "Birth Date or Age (optional)" in 10-point type;
- 1428 (xix) the fourth row of the third column shall be .5 inch tall; and
- 1429 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
- 1430 and contain the following words "By signing this referendum petition, you are stating that you
- 1431 have read and understand the law that this referendum petition seeks to overturn." in 12-point
- 1432 type;

1433 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at  
1434 the bottom of the sheet for the information described in Subsection (3)(f); and

1435 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,  
1436 followed by the following statement in not less than eight-point type:

1437 "It is a class A misdemeanor for an individual to sign a referendum petition with a name  
1438 other than the individual's own name, or to knowingly sign the individual's name more than  
1439 once for the same [~~measure~~] referendum petition, or to sign a referendum petition when the  
1440 individual knows that the individual is not a registered voter.

1441 Birth date or age information is not required, but it may be used to verify your identity  
1442 with voter registration records. If you choose not to provide it, your signature may not be  
1443 verified as a valid signature if you change your address before petition signatures are verified  
1444 or if the information you provide does not match your voter registration records."

1445 (4) The final page of each referendum packet shall contain the following printed or  
1446 typed statement:

1447 Verification of signature collector

1448 State of Utah, County of \_\_\_\_

1449 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

1450 I am a Utah resident and am at least 18 years old;

1451 All the names that appear in this referendum packet were signed by individuals who  
1452 professed to be the individuals whose names appear in it, and each of the individuals signed the  
1453 individual's name on it in my presence;

1454 I did not knowingly make a misrepresentation of fact concerning the law this petition  
1455 seeks to overturn;

1456 I believe that each individual has printed and signed the individual's name and written  
1457 the individual's post office address and residence correctly, that each signer has read and  
1458 understands the law that the referendum seeks to overturn, and that each signer is registered to  
1459 vote in Utah.

1460 Each individual who signed the referendum packet wrote the correct date of signature  
 1461 next to the individual's name.

1462 I have not paid or given anything of value to any individual who signed this [~~petition~~]  
 1463 referendum packet to encourage that individual to sign it.

1464 \_\_\_\_\_  
 1465 (Name) (Residence Address) (Date).

1466 (5) If the forms described in this section are substantially followed, the referendum  
 1467 petitions are sufficient, notwithstanding clerical and merely technical errors.

1468 (6) An individual's status as a resident, under Subsection (4), is determined in  
 1469 accordance with Section [20A-2-105](#).

1470 Section 25. Section **20A-7-304** is amended to read:

1471 **20A-7-304. Manual referendum process -- Circulation requirements --**  
 1472 **Lieutenant governor to provide sponsors with materials.**

1473 (1) This section applies only to the manual referendum process.

1474 (2) In order to obtain the necessary number of signatures required by this part, the  
 1475 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
 1476 in Subsection (3), circulate referendum packets that meet the form requirements of this part.

1477 (3) The lieutenant governor shall [~~furnish to~~] provide the sponsors[;] with  
 1478 [~~(a)~~] a copy of the referendum petition[;] and  
 1479 [~~(b)~~] a signature sheet[;] within three days after the day on which the sponsors sign an  
 1480 agreement, under Subsection (6)(a), with the Office of the Lieutenant Governor specifying the  
 1481 range of numbers that the sponsors will use to number the referendum packets.

1482 (4) The sponsors of the referendum petition shall:

1483 (a) arrange and pay for the printing of [~~all additional copies of the petition and~~  
 1484 ~~signature sheets~~] all documents that are part of the referendum packets; and

1485 (b) ensure that the [~~copies of the petition and signature sheets~~] referendum packets and  
 1486 the documents described in Subsection (4)(a) meet the form requirements of this section.

1487 (5) (a) The sponsors or an agent of the sponsors may prepare the referendum packets  
1488 for circulation by creating multiple referendum packets.

1489 (b) The sponsors or an agent of the sponsors shall create referendum packets by  
1490 binding a copy of the referendum petition with the text of the law that is the subject of the  
1491 referendum and no more than 50 signature sheets together at the top in a manner that the  
1492 referendum packets may be conveniently opened for signing.

1493 (c) A referendum packet is not required to have a uniform number of signature sheets.

1494 (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1495 (i) contact the lieutenant governor's office to receive a range of numbers that the  
1496 sponsors may use to number [~~signature~~] referendum packets; [~~and~~]

1497 (ii) sign an agreement with the Office of the Lieutenant Governor, specifying the range  
1498 of numbers that the sponsor will use to number the referendum packets; and

1499 [~~(ii)~~] (iii) number each [~~signature~~] referendum packet, sequentially, within the range of  
1500 numbers provided by the lieutenant governor's office, starting with the lowest number in the  
1501 range.

1502 (b) The sponsors or an agent of the sponsors may not:

1503 (i) number a [~~signature~~] referendum packet in a manner not directed by the lieutenant  
1504 governor's office; or

1505 (ii) circulate or submit a [~~signature~~] referendum packet that is not numbered in the  
1506 manner directed by the lieutenant governor's office.

1507 [~~(c) The lieutenant governor shall keep a record of the number range provided under~~  
1508 ~~Subsection (6)(a).]~~

1509 Section 26. Section **20A-7-304.5** is amended to read:

1510 **20A-7-304.5. Posting referendum information.**

1511 (1) On the day on which the lieutenant governor complies with Subsection  
1512 **20A-7-304(3)**, or provides the sponsors with access to the website defined in Section  
1513 **20A-21-101**, the lieutenant governor shall post the following information together in a



1514 conspicuous place on the lieutenant governor's website:

1515 (a) the referendum petition;

1516 (b) a copy of the law that is the subject of the referendum petition; and

1517 (c) information describing how an individual may remove the individual's signature  
1518 from the referendum petition.

1519 (2) The lieutenant governor shall:

1520 (a) promptly update the information described in Subsection (1) if the information  
1521 changes; and

1522 (b) maintain the information described in Subsection (1) on the lieutenant governor's  
1523 website until the referendum fails to qualify for the ballot or is passed or defeated at an  
1524 election.

1525 Section 27. Section **20A-7-305** is amended to read:

1526 **20A-7-305. Manual referendum process -- Obtaining signatures -- Verification --**

1527 **Removal of signature.**

1528 (1) This section applies only to the manual referendum process.

1529 (2) A Utah voter may sign a referendum petition if the voter is a legal voter.

1530 (3) (a) The sponsors shall ensure that the individual in whose presence each [~~signature~~  
1531 ~~sheet~~] referendum packet was signed:

1532 (i) is at least 18 years old and meets the residency requirements of Section **20A-2-105**;

1533 (ii) verifies each [~~signature sheet~~] referendum packet by completing the verification  
1534 printed on the last page of each referendum packet; and

1535 (iii) is informed that each signer is required to read and understand the law that the  
1536 referendum seeks to overturn.

1537 (b) An individual may not sign the verification printed on the last page of the  
1538 referendum packet if the person signed a signature sheet in the referendum packet.

1539 (4) (a) A voter who has signed a referendum petition may have the voter's signature  
1540 removed from the referendum petition by submitting to the county clerk a statement requesting

1541 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1542 (i) 30 days after the day on which the voter signs the statement requesting removal; or

1543 (ii) 45 days after the day on which the lieutenant governor posts the voter's name under

1544 Subsection [20A-7-307\(2\)](#).

1545 (b) (i) The statement shall include:

1546 (A) the name of the voter;

1547 (B) the resident address at which the voter is registered to vote;

1548 (C) the signature of the voter; and

1549 (D) the date of the signature described in Subsection (4)(b)(i)(C).

1550 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
1551 statement may include the voter's birth date or age.

1552 (c) A voter may not submit a statement by email or other electronic means.

1553 (d) In order for the signature to be removed, the county clerk must receive the

1554 statement before 5 p.m. no later than 45 days after the day on which the lieutenant governor  
1555 posts the voter's name under Subsection [20A-7-307\(2\)](#).

1556 (e) A person may only remove a signature from a referendum petition in accordance  
1557 with this Subsection (4).

1558 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
1559 a referendum petition, in accordance with Section [20A-7-306.3](#).

1560 Section 28. Section [20A-7-306](#) is amended to read:

1561 **20A-7-306. Manual referendum process -- Submitting the referendum petition --**  
1562 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**

1563 (1) This section applies only to the manual referendum process.

1564 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
1565 referendum packet to the county clerk of the county in which the referendum packet was  
1566 circulated before 5 p.m. no later than the earlier of:

1567 (i) 30 days after the day on which the first individual signs the referendum packet; or

1568 (ii) 40 days after the day on which the legislative session at which the law passed ends.

1569 (b) A person may not submit a referendum packet after the deadline described in  
1570 Subsection (2)(a).

1571 (3) No later than 21 days after the day on which the county clerk receives a verified  
1572 referendum packet, the county clerk shall:

1573 (a) determine whether each signer is a registered voter according to the requirements of  
1574 Section [20A-7-306.3](#);

1575 (b) certify on the [~~petition~~] referendum packet whether each name is that of a registered  
1576 voter;

1577 (c) except as provided in Subsection (4), post the name, voter identification number,  
1578 and date of signature of each registered voter certified under Subsection (3)(b) on the lieutenant  
1579 governor's website, in a conspicuous location designated by the lieutenant governor; and

1580 (d) deliver the verified referendum packet to the lieutenant governor.

1581 (4) (a) If the county clerk timely receives a statement requesting signature removal  
1582 under Subsection [20A-7-305](#)(4), the county clerk shall:

1583 (i) ensure that the voter's name, voter identification number, and date of signature are  
1584 not included in the posting described in Subsection (3)(c); and

1585 (ii) remove the voter's signature from the [~~signature packets and signature packet~~]  
1586 referendum petition and the signature totals.

1587 (b) The county clerk shall comply with Subsection (4)(a) before the later of:

1588 (i) the deadline described in Subsection (3); or

1589 (ii) two business days after the day on which the county clerk receives a statement  
1590 requesting signature removal under Subsection [20A-7-305](#)(4).

1591 (5) The county clerk may not certify a signature under Subsection (3):

1592 (a) on [~~an initiative~~] a referendum packet that is not verified in accordance with  
1593 Section [20A-7-305](#); or

1594 (b) that does not have a date of signature next to the signature.

1595 (6) A person may not retrieve a referendum packet from a county clerk, or make any  
1596 alterations or corrections to a referendum packet, after the referendum packet is submitted to  
1597 the county clerk.

1598 Section 29. Section **20A-7-306.3** is amended to read:

1599 **20A-7-306.3. Verification of petition signatures.**

1600 (1) As used in this section:

1601 (a) "Substantially similar name" means:

1602 (i) the given name [~~and~~], the surname [shown on the petition], or both, provided by the  
1603 individual with the individual's petition signature contain only minor spelling differences when  
1604 compared to the given name and surname shown on the official register;

1605 (ii) the surname [~~shown on the petition]~~ provided by the individual with the  
1606 individual's petition signature exactly matches the surname shown on the official register, and  
1607 the given names differ only because one of the given names shown is a commonly used  
1608 abbreviation or variation of the other;

1609 (iii) the surname [~~shown on the petition]~~ provided by the individual with the  
1610 individual's petition signature exactly matches the surname shown on the official register, and  
1611 the given names differ only because one of the given names shown is accompanied by a first or  
1612 middle initial or a middle name which is not shown on the other record; or

1613 (iv) the surname [~~shown on the petition]~~ provided by the individual with the  
1614 individual's petition signature exactly matches the surname shown on the official register, and  
1615 the given names differ only because one of the given names shown is an alphabetically  
1616 corresponding initial that has been provided in the place of a given name shown on the other  
1617 record.

1618 (b) "Substantially similar name" does not include a name having an initial or a middle  
1619 name [~~shown on the petition]~~ provided by the individual with the individual's petition signature  
1620 that does not match a different initial or middle name shown on the official register.

1621 (2) In relation to an individual who signs a referendum petition with a holographic

1622 signature, the county clerk shall use the following procedures in determining whether a signer  
1623 is a registered voter:

1624 (a) [~~When~~] if a signer's name and address [~~shown on the petition~~] provided by the  
1625 individual with the individual's petition signature exactly match a name and address shown on  
1626 the official register and the signer's signature appears substantially similar to the signature on  
1627 the statewide voter registration database, the county clerk shall declare the signature valid[-];

1628 (b) [~~When~~] if there is no exact match of an address and a name, the county clerk shall  
1629 declare the signature valid if:

1630 (i) the address [~~on the petition~~] provided by the individual with the individual's petition  
1631 signature matches the address of a person on the official register with a substantially similar  
1632 name; and

1633 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1634 voter registration database of the person described in Subsection (2)(b)(i)[-];

1635 (c) [~~When~~] if there is no match of an address and a substantially similar name, the  
1636 county clerk shall declare the signature valid if:

1637 (i) the birth date or age [~~on the petition~~] provided by the individual with the  
1638 individual's petition signature matches the birth date or age of a person on the official register  
1639 with a substantially similar name; and

1640 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1641 voter registration database of the person described in Subsection (2)(c)(i)[-]; and

1642 (d) [~~H~~] if a signature is not declared valid under Subsection (2)(a), (b), or (c), the  
1643 county clerk shall declare the signature to be invalid.

1644 (3) In relation to an individual who, with a holographic signature, signs a statement to  
1645 remove the individual's signature from a referendum petition, the county clerk shall use the  
1646 following procedures in determining whether to remove a signature from a referendum petition  
1647 after receiving a timely, valid statement requesting removal of the signature:

1648 (a) if a signer's name and address shown on the statement and the referendum petition

1649 exactly match a name and address shown on the official register and the signer's [~~signature~~]  
1650 signatures on both the statement and the referendum petition [~~appears~~] appear substantially  
1651 similar to the signature on the statewide voter registration database, the county clerk shall  
1652 remove the signature from the referendum petition;

1653 (b) if there is no exact match of an address and a name, the county clerk shall remove  
1654 the signature from the referendum petition if:

1655 (i) the address on the statement and the [~~petition matches~~] address provided by the  
1656 individual with the individual's petition signature match the address of an individual on the  
1657 official register with a substantially similar name; and

1658 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition  
1659 [~~appears~~] appear substantially similar to the signature on the statewide voter registration  
1660 database of the individual described in Subsection (3)(b)(i);

1661 (c) if there is no match of an address and a substantially similar name, the county clerk  
1662 shall remove the signature from the referendum petition if:

1663 (i) the birth date or age on the statement and [~~petition~~] the birth date or age provided by  
1664 the individual with the individual's petition signature match the birth date or age of an  
1665 individual on the official register with a substantially similar name; and

1666 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition  
1667 [~~appears~~] appear substantially similar to the signature on the statewide voter registration  
1668 database of the individual described in Subsection (3)(c)(i); and

1669 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
1670 county clerk may not remove the signature from the referendum petition.

1671 Section 30. Section **20A-7-307** is amended to read:

1672 **20A-7-307. Evaluation by the lieutenant governor.**

1673 (1) In relation to the manual referendum process, when the lieutenant governor receives  
1674 a referendum packet from a county clerk, the lieutenant governor shall record the number of the  
1675 referendum packet received.

1676 (2) The county clerk shall:  
1677 (a) in relation to the manual referendum process:  
1678 (i) post the names, voter identification numbers, and dates of signatures described in  
1679 Subsection [~~20A-7-306(2)(c)~~] 20A-7-306(3)(c) on the lieutenant governor's website, in a  
1680 conspicuous location designated by the lieutenant governor, for at least 45 days; and  
1681 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1682 the date of the update; or  
1683 (b) in relation to the electronic referendum process:  
1684 (i) post the names, voter identification numbers, and dates of signatures described in  
1685 Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous location  
1686 designated by the lieutenant governor, for at least 45 days; and  
1687 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1688 the date of the update.  
1689 (3) The lieutenant governor:  
1690 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be  
1691 sufficient or insufficient 106 days after the end of the legislative session at which the law  
1692 passed; or  
1693 (b) may declare the referendum petition to be insufficient before the day described in  
1694 Subsection (3)(a) if:  
1695 (i) in relation to the manual referendum process, the total of all valid signatures on  
1696 timely and lawfully submitted [~~signature~~] referendum packets that have been certified by the  
1697 county clerks, plus the number of signatures on timely and lawfully submitted [~~signature~~]  
1698 referendum packets that have not yet been evaluated for certification, is less than the number of  
1699 names required under Section 20A-7-301;  
1700 (ii) in relation to the electronic referendum process, the total of all timely and lawfully  
1701 submitted valid signatures that have been certified by the county clerks, plus the number of  
1702 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)

1703 that have not yet been evaluated for certification, is less than the number of names required  
1704 under Section 20A-7-301; or

1705 (iii) a requirement of this part has not been met.

1706 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds  
1707 the number of names required under Section 20A-7-301, and the requirements of this part are  
1708 met, the lieutenant governor shall mark upon the front of the referendum petition the word  
1709 "sufficient."

1710 (b) If the total number of names certified under Subsection (3) does not equal or  
1711 exceed the number of names required under Section 20A-7-301 or a requirement of this part is  
1712 not met, the lieutenant governor shall mark upon the front of the referendum petition the word  
1713 "insufficient."

1714 (c) The lieutenant governor shall immediately notify any one of the sponsors of the  
1715 lieutenant governor's finding.

1716 (d) After a referendum petition is declared insufficient, a person may not submit  
1717 additional signatures to qualify the [~~petition~~] referendum for the ballot.

1718 (5) (a) If the lieutenant governor refuses to [~~accept and file~~] declare a referendum  
1719 petition sufficient that a voter believes is legally sufficient, the voter may, no later than 10 days  
1720 after the day on which the lieutenant governor declares the petition insufficient, apply to the  
1721 appropriate court for [~~an extraordinary writ to compel the lieutenant governor to accept and~~  
1722 ~~file~~] an order finding the referendum petition legally sufficient.

1723 (b) If the court determines that the referendum petition is legally sufficient, the  
1724 lieutenant governor shall [~~file the petition, with a verified copy of the judgment attached to the~~  
1725 ~~referendum petition,~~] mark the referendum petition "sufficient" and consider the declaration of  
1726 sufficiency effective as of the date on which the referendum petition [~~was originally offered for~~  
1727 ~~filing in~~] should have been declared sufficient by the lieutenant governor's office.

1728 (c) If the court determines that a referendum petition filed is not legally sufficient, the  
1729 court may enjoin the lieutenant governor and all other officers from certifying or printing the



1730 ballot title and numbers of that measure on the official ballot.

1731 (6) A referendum petition determined to be sufficient in accordance with this section is  
1732 qualified for the ballot.

1733 Section 31. Section **20A-7-308** is amended to read:

1734 **20A-7-308. Short title and summary of referendum -- Duties of lieutenant**  
1735 **governor and Office of Legislative Research and General Counsel.**

1736 (1) Whenever a referendum petition is declared sufficient for submission to a vote of  
1737 the people, the lieutenant governor shall deliver a copy of the referendum petition and the  
1738 [~~proposed law~~] law to which the referendum relates to the Office of Legislative Research and  
1739 General Counsel.

1740 (2) (a) The Office of Legislative Research and General Counsel shall:

1741 (i) entitle each [~~state~~] statewide referendum that qualifies for the ballot "Proposition  
1742 Number \_\_" and assign a number to the referendum in accordance with Section [20A-6-107](#);

1743 (ii) prepare for each referendum:

1744 (A) an impartial short title, not exceeding 25 words, that generally describes the  
1745 [~~measure~~] law to which the referendum relates; and

1746 (B) an impartial summary of the contents of the [~~measure~~] law to which the referendum  
1747 relates, not exceeding 125 words; and

1748 (iii) submit the short title and summary to the lieutenant governor within 15 days after  
1749 the day on which the Office of Legislative Research and General Counsel receives the petition  
1750 under Subsection (1).

1751 (b) The short title and summary may be distinct from the title of the law that is the  
1752 subject of the [~~petition~~] referendum.

1753 (c) For each [~~state~~] statewide referendum, the official ballot shall show, in the  
1754 following order:

1755 (i) the number of the referendum, determined in accordance with Section [20A-6-107](#);  
1756 and

1757 (ii) the short title described in this section.

1758 (d) For each ballot that includes an initiative or referendum, the election officer shall  
1759 include with the ballot a separate ballot proposition insert that includes the short title and  
1760 summary for each initiative and referendum on the ballot and a link to a location on the  
1761 lieutenant governor's website where a voter may review additional information relating to each  
1762 initiative or referendum, including:

1763 (i) for an initiative, the information described in Subsection 20A-7-202(2), the fiscal  
1764 impact [~~estimate~~] statement described in Section 20A-7-202.5, as updated, and the arguments  
1765 relating to the initiative that are included in the voter information pamphlet; or

1766 (ii) for a referendum, the information described in Subsection 20A-7-302(2) and the  
1767 arguments relating to the referendum that are included in the voter information pamphlet.

1768 (e) For each ballot that includes an initiative or referendum, the ballot shall include the  
1769 following statement at the beginning of the portion of the ballot that includes ballot measures,  
1770 "The ballot proposition sheet included with this ballot contains an impartial summary of each  
1771 initiative and referendum on this ballot."

1772 (3) Immediately after the Office of Legislative Research and General Counsel submits  
1773 the short title and summary to the lieutenant governor, the lieutenant governor shall mail or  
1774 email a copy of the short title and summary to any of the sponsors of the referendum petition.

1775 (4) (a) (i) At least three of the sponsors of the referendum petition may, within 15 days  
1776 after the day on which the lieutenant governor mails the short title and summary, challenge the  
1777 wording of the short title and summary prepared by the Office of Legislative Research and  
1778 General Counsel to the appropriate court.

1779 (ii) After receipt of the appeal, the court shall direct the lieutenant governor to send  
1780 notice of the appeal to:

1781 (A) any person or group that has filed an argument for or against the [~~measure that is~~  
1782 ~~the subject of the challenge~~] law to which the referendum relates; and

1783 (B) any political issues committee established under Section 20A-11-801 that has filed

1784 written or electronic notice with the lieutenant governor that identifies the name, mailing or  
 1785 email address, and telephone number of the person designated to receive notice about any  
 1786 issues relating to the referendum.

1787 (b) (i) There is a presumption that the short title prepared by the Office of Legislative  
 1788 Research and General Counsel is an impartial description of the contents of the referendum.

1789 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the  
 1790 presumption by clearly and convincingly establishing that the short title is false or biased.

1791 (iii) There is a presumption that the summary prepared by the Office of Legislative  
 1792 Research and General Counsel is an impartial summary of the contents of the [measure] law to  
 1793 which the referendum relates.

1794 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut  
 1795 the presumption by clearly and convincingly establishing that the summary is false or biased.

1796 (c) The court shall:

1797 (i) examine the short title and summary;

1798 (ii) hear arguments; and

1799 (iii) enter an order consistent with the requirements of this section.

1800 (d) The lieutenant governor shall, in accordance with the court's order, certify the short  
 1801 title and summary to the county clerks for inclusion in the ballot or ballot proposition insert, as  
 1802 required by this section.

1803 Section 32. Section **20A-7-309** is amended to read:

1804 **20A-7-309. Form of ballot -- Manner of voting.**

1805 (1) A county clerk shall ensure that the number and ballot title certified by the  
 1806 lieutenant governor are presented upon the official ballot with, immediately adjacent to the  
 1807 number and ballot title, the words "For" and "Against," each word presented with an adjacent  
 1808 square in which a voter may indicate the voter's vote.

1809 (2) (a) (i) A voter desiring to vote in favor of the law that is the subject of the  
 1810 referendum shall mark the square adjacent to the word "For."

1811 (ii) The law that is the subject of the referendum takes effect if a majority of voters  
1812 mark "For."

1813 (b) (i) A voter desiring to vote against the law that is the subject of the referendum  
1814 [~~petition~~] shall mark the square adjacent to the word "Against."

1815 (ii) The law that is the subject of the referendum does not take effect if a majority of  
1816 voters mark "Against."

1817 Section 33. Section **20A-7-310** is amended to read:

1818 **20A-7-310. Return and canvass -- Conflicting measures.**

1819 (1) The votes on the law [~~proposed by~~] that is the subject of the referendum petition  
1820 shall be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3,  
1821 Canvassing Returns.

1822 (2) After the state board of canvassers completes its canvass, the lieutenant governor  
1823 shall certify to the governor the vote for and against the law [~~proposed by~~] that is the subject of  
1824 the referendum petition.

1825 (3) (a) The governor shall immediately issue a proclamation that:

1826 (i) gives the total number of votes cast in the state for and against each law [~~proposed~~  
1827 ~~by~~] that is the subject of a referendum petition; and

1828 (ii) declares those laws [~~proposed by~~] that are the subject of a referendum petition that  
1829 [~~were~~] are approved by majority vote to be in full force and effect as the law of Utah on the  
1830 effective date described in Section **20A-7-311**.

1831 (b) When the governor [~~believes~~] determines that two [~~proposed~~] laws, or that parts of  
1832 two [~~proposed~~] laws approved by the people at the same election are entirely in conflict, the  
1833 governor shall proclaim [~~that measure~~] to be law the law that [~~has~~] received the greatest  
1834 number of affirmative votes, regardless of the difference in the majorities which those  
1835 [~~measures have~~] approved laws received.

1836 (4) (a) Within 10 days after the [~~governor's~~] day on which the governor issues the  
1837 proclamation described in Subsection (3), any qualified voter who signed the referendum

1838 petition [~~proposing~~] for the law that is declared by the governor to be superseded by another  
1839 [~~measure~~] law approved at the same election may apply to the appropriate court to review the  
1840 governor's decision.

1841 (b) The court shall:

1842 (i) consider the matter and decide whether the [~~proposed~~] approved laws are in  
1843 conflict; and

1844 (ii) enter an order consistent with the court's decision.

1845 (5) Within 10 days after the day on which the court enters an order described in  
1846 Subsection (4)(b)(ii), the governor shall:

1847 (a) proclaim as law all those [~~measures~~] laws approved by the people [~~as law~~] that the  
1848 court determines are not in conflict; and

1849 (b) of all those [~~measures~~] laws approved by the people as law that the court  
1850 determines to be in conflict, proclaim as law the one that receives the greatest number of  
1851 affirmative votes, regardless of difference in majorities.

1852 Section 34. Section **20A-7-311** is amended to read:

1853 **20A-7-311. Temporary stay -- Effective date -- Effect of repeal by Legislature.**

1854 (1) If, at the time during the counting period described in Section **20A-7-307**, the  
1855 lieutenant governor determines that, at that point in time, an adequate number of signatures are  
1856 certified to comply with the signature requirements, the lieutenant governor shall:

1857 (a) issue an order temporarily staying the law from going into effect; and

1858 (b) continue the process of certifying signatures and removing signatures as required by  
1859 this part.

1860 (2) The temporary stay described in Subsection (1) remains in effect, regardless of  
1861 whether a future count falls below the signature threshold, until the day on which:

1862 (a) if the lieutenant governor declares the referendum petition insufficient, five days  
1863 after the day on which the lieutenant governor declares the referendum petition insufficient; or

1864 (b) if the lieutenant governor declares the referendum petition sufficient, the day on

1865 which governor issues the proclamation described in Section 20A-7-310.

1866 (3) A [~~proposed~~] law submitted to the people by referendum [~~petition~~] that is approved  
1867 by the voters at an election takes effect the later of:

1868 (a) five days after the date of the official proclamation of the vote by the governor; or

1869 (b) the effective date specified in the [~~proposed~~] approved law.

1870 (4) If, after the lieutenant governor issues a temporary stay order under Subsection  
1871 (1)(a), the lieutenant governor declares the referendum petition insufficient, the [~~proposed~~] law  
1872 that is the subject of the referendum petition takes effect the later of:

1873 (a) five days after the day on which the lieutenant governor declares the referendum  
1874 petition insufficient; or

1875 (b) the effective date specified in the [~~proposed~~] law that is the subject of the  
1876 referendum petition.

1877 (5) (a) The governor may not veto a law [~~adopted~~] approved by the people.

1878 (b) The Legislature may amend any laws approved by the people at any legislative  
1879 session after the people approve the law.

1880 (6) If the Legislature repeals a law challenged by referendum petition under this part,  
1881 the referendum petition is void and no further action on the referendum petition is required.

1882 Section 35. Section 20A-7-312 is amended to read:

1883 **20A-7-312. Misconduct of electors and officers -- Penalty.**

1884 (1) It is unlawful for any person to:

1885 (a) sign any name other than the person's own to a referendum petition;

1886 (b) knowingly sign the person's name more than once for the same [~~measure~~]  
1887 referendum petition at one election;

1888 (c) knowingly indicate that a person who signed a referendum petition signed the  
1889 referendum petition on a date other than the date that the person signed the petition;

1890 (d) sign a referendum petition knowing the person is not a legal voter; or

1891 (e) knowingly and willfully violate any provision of this part.

1892 (2) It is unlawful for any person to sign the verification for a referendum packet, or to  
1893 electronically sign the verification for a signature under Subsection 20A-21-201(9) knowing  
1894 that:

1895 (a) the person does not meet the residency requirements of Section 20A-2-105;

1896 (b) the signature date associated with the person's signature for the referendum petition  
1897 is not the date that the person signed the referendum petition;

1898 (c) the person has not witnessed the signatures of those persons whose signatures the  
1899 person collects or submits; or

1900 (d) one or more individuals who sign the referendum petition are not registered to vote  
1901 in Utah.

1902 (3) It is unlawful for any person to:

1903 (a) pay a person to sign a referendum petition;

1904 (b) pay a person to remove the person's signature from a referendum petition;

1905 (c) accept payment to sign a referendum petition; or

1906 (d) accept payment to have the person's name removed from a referendum petition.

1907 (4) Any person violating this section is guilty of a class A misdemeanor.

1908 Section 36. Section 20A-7-313 is amended to read:

1909 **20A-7-313. Electronic referendum process -- Form of referendum petition --**

1910 **Circulation requirements -- Signature collection.**

1911 (1) This section applies only to the electronic referendum process.

1912 (2) (a) The first screen presented on the approved device shall include the following  
1913 statement:

1914 "This REFERENDUM PETITION is addressed to the Honorable \_\_\_\_\_, Lieutenant  
1915 Governor:

1916 The citizens of Utah who sign this petition respectfully order that Senate (or House)  
1917 Bill No. \_\_\_\_\_, entitled (title of act, and, if the petition is against less than the whole act, set  
1918 forth here the part or parts on which the referendum is sought), passed by the Legislature of the

1919 state of Utah during the \_\_\_\_ Session, be referred to the people of Utah for their approval or  
1920 rejection at a regular general election or a statewide special election."

1921 (b) An individual may not advance to the second screen until the individual clicks a  
1922 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
1923 understand the information presented on this screen."

1924 (3) (a) The second screen presented on the approved device shall include the entire text  
1925 of the law that is the subject of the referendum petition.

1926 (b) An individual may not advance to the third screen until the individual clicks a link  
1927 at the bottom of the second screen stating, "By clicking here, I attest that I have read and  
1928 understand the entire text of the law that is the subject of the referendum petition."

1929 (4) (a) The third screen presented on the approved device shall include a statement  
1930 indicating whether persons gathering signatures for the referendum petition may be paid for  
1931 gathering signatures.

1932 (b) An individual may not advance to the fourth screen until the individual clicks a link  
1933 at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
1934 understand the information presented on this screen."

1935 (5) The fourth screen presented on the approved device shall include the following  
1936 statement, followed by links where the individual may click "yes" or "no":

1937 "I have personally reviewed the entirety of each statement presented on this device;

1938 I am personally signing this referendum petition;

1939 I am registered to vote in Utah; and

1940 All information I enter on this device, including my residence and post office address, is  
1941 accurate.

1942 It is a class A misdemeanor for an individual to sign a referendum petition with a name  
1943 other than the individual's own name, or to knowingly sign the individual's name more than  
1944 once for the same [~~measure~~] referendum petition, or to sign a referendum petition when the  
1945 individual knows that the individual is not a registered voter.



1946           WARNING

1947           Even if your voter registration record is classified as private, your name, voter  
1948 identification number, and date of signature in relation to signing this referendum petition will  
1949 be made public.

1950           Do you wish to continue and sign this referendum petition?"

1951           (6) (a) If the individual clicks "no" in response to the question described in Subsection  
1952 (5), the next screen shall include the following statement, "Thank you for your time. Please  
1953 return this device to the signature-gatherer."

1954           (b) If the individual clicks "yes" in response to the question described in Subsection  
1955 (5), the website, or the application that accesses the website, shall take the signature-gatherer  
1956 and the individual signing the referendum petition through the signature process described in  
1957 Section [20A-21-201](#).

1958           Section 37. Section **20A-7-314** is amended to read:

1959           **20A-7-314. Electronic referendum process -- Obtaining signatures -- Request to**  
1960 **remove signature.**

1961           (1) This section applies to the electronic referendum process.

1962           (2) A Utah voter may sign a referendum petition if the voter is a legal voter.

1963           (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
1964 an individual:

1965           (a) verifies that the individual is at least 18 years old and meets the residency  
1966 requirements of Section [20A-2-105](#); and

1967           (b) is informed that each signer is required to read and understand the law that is the  
1968 subject of the referendum petition.

1969           (4) A voter who has signed a referendum petition may have the voter's signature  
1970 removed from the referendum petition by submitting to the county clerk a statement requesting  
1971 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1972           (a) 30 days after the day on which the voter signs the statement requesting removal; or

1973 (b) 45 days after the day on which the lieutenant governor posts the voter's name under  
1974 Subsection [20A-7-315\(4\)](#).

1975 (5) (a) The statement shall include:

1976 (i) the name of the voter;

1977 (ii) the resident address at which the voter is registered to vote;

1978 (iii) the signature of the voter; and

1979 (iv) the date of the signature described in Subsection (5)(a)(iii).

1980 (b) To increase the likelihood of the voter's signature being identified and removed, the  
1981 statement may include the voter's birth date or age.

1982 (c) A voter may not submit a signature removal statement by email or other electronic  
1983 means, unless the lieutenant governor establishes a signature removal process that is consistent  
1984 with the requirements of this section and Section [20A-21-201](#).

1985 (d) A person may only remove an electronic signature from a referendum petition in  
1986 accordance with this section.

1987 (e) A county clerk shall analyze a holographic signature, for purposes of removing an  
1988 electronic signature from a referendum petition, in accordance with Section [20A-7-306.3](#).

1989 Section 38. Section **20A-7-315** is amended to read:

1990 **20A-7-315. Electronic referendum process -- Collecting signatures -- Removal of**  
1991 **signatures.**

1992 (1) This section applies only to the electronic referendum process.

1993 (2) A signature-gatherer may not collect a signature after 5 p.m., 40 days after the day  
1994 on which the legislative session at which the law passed ends.

1995 (3) The lieutenant governor shall send to each individual who provides a valid email  
1996 address during the signature-gathering process an email that includes the following:

1997 (a) the subject of the email shall include the following statement, "Notice Regarding  
1998 Your Petition Signature"; and

1999 (b) the body of the email shall include the following statement in 12-point type:

2000 "You signed a petition for the following referendum:  
2001 [insert title of [~~initiative~~] referendum]  
2002 To access a copy of the referendum petition, the law that is the subject of the  
2003 referendum petition, and information on the deadline for removing your signature from the  
2004 referendum petition, please visit the following link: [insert a uniform resource locator that takes  
2005 the individual directly to the page on the lieutenant governor's website that includes the  
2006 information referred to in the email]."

2007 (4) Except as provided in Subsection (5), the county clerk shall, within two business  
2008 days after the day on which the signature of an individual who signs a referendum petition is  
2009 certified under Section 20A-21-201, post the name, voter identification number, and date of  
2010 signature of the individual on the lieutenant governor's website, in a conspicuous location  
2011 designated by the lieutenant governor.

2012 (5) (a) If the county clerk timely receives a statement requesting signature removal  
2013 under Subsection 20A-7-314(4), the county clerk shall:

2014 (i) ensure that the voter's name, voter identification number, and date of signature are  
2015 not included in the posting described in Subsection (4); and

2016 (ii) remove the voter's signature from the referendum petition and the [~~petition~~]  
2017 signature totals.

2018 (b) The county clerk shall comply with Subsection (5)(a) before the later of:

2019 (i) the deadline described in Subsection (4); or

2020 (ii) two business days after the day on which the county clerk receives a statement  
2021 requesting signature removal under Subsection 20A-7-314(4).

2022 Section 39. Section 20A-7-501 is amended to read:

2023 **20A-7-501. Initiatives -- Signature requirements -- Time requirements.**

2024 (1) As used in this section:

2025 (a) "Number of active voters" means the number of active voters in the county, city, or  
2026 town on the immediately preceding January 1.

2027 (b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)  
2028 or (2)(b).

2029 (2) An eligible voter seeking to have an initiative submitted to a local legislative body  
2030 or to a vote of the people for approval or rejection shall, after filing an initiative application,  
2031 obtain legal signatures equal to:

2032 (a) for a county of the first class:

2033 (i) 7.75% of the number of active voters in the county; and

2034 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%  
2035 of the county's voter participation areas;

2036 (b) for a metro township with a population of 100,000 or more, or a city of the first  
2037 class:

2038 (i) 7.5% of the number of active voters in the metro township or city; and

2039 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%  
2040 of the metro township's or city's voter participation areas;

2041 (c) for a county of the second class:

2042 (i) 8% of the number of active voters in the county; and

2043 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of  
2044 the county's voter participation areas;

2045 (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
2046 a city of the second class:

2047 (i) 8.25% of the number of active voters in the metro township or city; and

2048 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%  
2049 of the metro township's or city's voter participation areas;

2050 (e) for a county of the third class:

2051 (i) 9.5% of the number of active voters in the county; and

2052 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%  
2053 of the county's voter participation areas;

2054 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a  
2055 city of the third class:

2056 (i) 10% of the number of active voters in the metro township or city; and

2057 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%  
2058 of the metro township's or city's voter participation areas;

2059 (g) for a county of the fourth class:

2060 (i) 11.5% of the number of active voters in the county; and

2061 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%  
2062 of the county's voter participation areas;

2063 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a  
2064 city of the fourth class:

2065 (i) 11.5% of the number of active voters in the metro township or city; and

2066 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%  
2067 of the metro township's or city's voter participation areas;

2068 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city  
2069 of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro  
2070 township, city, or county; or

2071 (j) for a metro township with a population of less than 1,000, a town, or a county of the  
2072 sixth class, 35% of the number of active voters in the metro township, town, or county.

2073 (3) If the total number of certified [~~names from each verified signature sheet~~]  
2074 signatures collected for the initiative petition equals or exceeds the number of [~~names~~]  
2075 signatures required by this section, the clerk or recorder shall deliver the proposed law to the  
2076 local legislative body at the local legislative body's next meeting.

2077 (4) (a) The local legislative body shall either adopt or reject the proposed law without  
2078 change or amendment within 30 days after the day on which the local legislative body receives  
2079 the proposed law under Subsection (3).

2080 (b) The local legislative body may:

- 2081 (i) adopt the proposed law and refer the proposed law to the people;
- 2082 (ii) adopt the proposed law without referring the proposed law to the people; or
- 2083 (iii) reject the proposed law.
- 2084 (c) If the local legislative body adopts the proposed law but does not refer the proposed
- 2085 law to the people, the proposed law is subject to referendum as with other local laws.
- 2086 (d) (i) If a county legislative body rejects a proposed law, or takes no action on a
- 2087 proposed law, the county clerk shall submit the proposed law to the voters of the county at the
- 2088 next regular general election immediately after the [~~petition~~] initiative application for the
- 2089 proposed law is filed under Section 20A-7-502.
- 2090 (ii) If a local legislative body of a municipality rejects a proposed law, or takes no
- 2091 action on a proposed law, the municipal recorder or clerk shall submit the proposed law to the
- 2092 voters of the municipality at the next municipal general election immediately after the
- 2093 [~~petition~~] initiative application is filed under Section 20A-7-502.
- 2094 (e) (i) If a local legislative body rejects a proposed law, or takes no action on a
- 2095 proposed law, the local legislative body may adopt a competing local law.
- 2096 (ii) The local legislative body shall prepare and adopt the competing local law within
- 2097 the 30-day period described in Subsection (4)(a).
- 2098 (iii) If a local legislative body adopts a competing local law, the clerk or recorder shall
- 2099 refer the competing local law to the voters of the county or municipality at the same election at
- 2100 which the [~~initiative proposal~~] law proposed by initiative is submitted under Subsection (4)(d).
- 2101 (f) If conflicting local laws are submitted to the people at the same election and two or
- 2102 more of the conflicting measures are approved by the people, the [~~measure~~] proposed law that
- 2103 receives the greatest number of affirmative votes shall control all conflicts.
- 2104 Section 40. Section 20A-7-502 is amended to read:
- 2105 **20A-7-502. Local initiative process -- Application procedures.**
- 2106 (1) Individuals wishing to circulate an initiative petition shall file an initiative
- 2107 application with the local clerk.

- 2108 (2) The initiative application shall [~~contain~~] include:
- 2109 (a) the name and residence address of at least five sponsors of the initiative petition;
- 2110 (b) a statement indicating that each of the sponsors is registered to vote in Utah;
- 2111 (c) the signature of each of the sponsors, acknowledged by a notary public;
- 2112 (d) a copy of the proposed law that includes:
- 2113 (i) the title of the proposed law that clearly expresses the subject of the law;
- 2114 (ii) a description of all proposed sources of funding for the costs associated with the
- 2115 proposed law, including the proposed percentage of total funding from each source; and
- 2116 (iii) the text of the proposed law;
- 2117 (e) if the initiative petition proposes a tax increase, the following statement, "This
- 2118 initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by (insert the tax
- 2119 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
- 2120 increase in the current tax rate."; and
- 2121 (f) a statement indicating whether persons gathering signatures for the initiative
- 2122 petition may be paid for gathering signatures.

2123 (3) A proposed law submitted under this section may not contain more than one subject

2124 to the same extent that a bill may not pass containing more than one subject as provided in

2125 Utah Constitution, Article VI, Section 22.

2126 Section 41. Section **20A-7-502.5** is amended to read:

2127 **20A-7-502.5. Initial fiscal and legal impact statement -- Preparation of statement.**

2128 (1) Within three business days after the day on which the local clerk receives an

2129 initiative application [~~for an initiative petition~~], the local clerk shall submit a copy of the

2130 [~~proposed law~~] initiative application to the county, city, or town's budget officer.

2131 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good

2132 faith [~~estimate of the~~] initial fiscal and legal impact [~~of~~] statement for the proposed law

2133 [~~proposed by the initiative~~] that contains:

- 2134 (i) a dollar amount representing the total estimated fiscal impact of the proposed law;

2135 (ii) if the proposed law would increase or decrease taxes, a dollar amount representing  
2136 the total estimated increase or decrease for each type of tax affected under the proposed law  
2137 and a dollar amount representing the total estimated increase or decrease in taxes under the  
2138 proposed law;

2139 (iii) if the proposed law would increase taxes, the tax percentage difference and the tax  
2140 percentage increase;

2141 (iv) if the proposed law would result in the issuance or a change in the status of bonds,  
2142 notes, or other debt instruments, a dollar amount representing the total estimated increase or  
2143 decrease in public debt under the proposed law;

2144 (v) a listing of all sources of funding for the estimated costs associated with the  
2145 proposed law showing each source of funding and the percentage of total funding provided  
2146 from each source;

2147 (vi) a dollar amount representing the estimated costs or savings, if any, to state and  
2148 local government entities under the proposed law;

2149 (vii) the proposed law's legal impact, including:

2150 (A) any significant effects on a person's vested property rights;

2151 (B) any significant effects on other laws or ordinances;

2152 (C) any significant legal liability the city, county, or town may incur; and

2153 (D) any other significant legal impact as determined by the budget officer and the legal  
2154 counsel; and

2155 (viii) a concise explanation, not exceeding 100 words, of the [~~above~~] information  
2156 described in this Subsection (2)(a) and of the estimated fiscal impact, if any, under the  
2157 proposed law.

2158 (b) (i) If the proposed law is estimated to have no fiscal impact, the local budget officer  
2159 shall include a summary statement in the initial fiscal impact and legal statement in  
2160 substantially the following form:

2161 "The (title of the local budget officer) estimates that the law proposed by this initiative



2162 would have no significant fiscal impact and would not result in either an increase or decrease in  
2163 taxes or debt."

2164 (ii) If the proposed law is estimated to have a fiscal impact, the local budget officer  
2165 shall include a summary statement in the initial fiscal impact [~~estimate~~] and legal statement in  
2166 substantially the following form:

2167 "The (title of the local budget officer) estimates that the law proposed by this initiative  
2168 would result in a total fiscal expense/savings of \$\_\_\_\_\_, which includes a (type of tax or  
2169 taxes) tax increase/decrease of \$\_\_\_\_\_ and a \$\_\_\_\_\_ increase/decrease in public debt."

2170 (iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise  
2171 difficult to reasonably express in a summary statement, the local budget officer may include in  
2172 the summary statement a brief explanation that identifies those factors affecting the variability  
2173 or difficulty of the estimate.

2174 (iv) If the proposed law would increase taxes, the local budget officer shall include a  
2175 summary statement in the initial fiscal impact and legal statement in substantially the following  
2176 form:

2177 "This initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by  
2178 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage  
2179 increase) percent increase in the current tax rate."

2180 (3) The budget officer shall prepare an unbiased, good faith estimate of the cost of  
2181 printing and distributing information related to the initiative petition in the voter information  
2182 pamphlet as required by Section [20A-7-402](#).

2183 (4) Within 20 calendar days after the day on which the local clerk submits a copy of the  
2184 proposed law under Subsection (1), the budget officer shall:

2185 (a) deliver a copy of the initial fiscal impact [~~estimate, including the legal impact~~  
2186 ~~estimate,~~] and legal statement to the local clerk's office; and

2187 (b) mail a copy of the initial fiscal impact [~~estimate, including the legal impact~~  
2188 ~~estimate,~~] and legal statement to the first three sponsors named in the initiative application.

2189 Section 42. Section **20A-7-502.6** is amended to read:

2190 **20A-7-502.6. Posting initiative information.**

2191 (1) Within one business day after the day on which the local clerk's office receives the  
2192 initial fiscal impact [~~estimate~~] and legal statement under Subsection **20A-7-502.5(4)(a)**, the  
2193 local clerk shall post the following information together in a conspicuous place on the local  
2194 clerk's website:

2195 (a) the initiative application;

2196 [~~(a)~~] (b) the initiative petition;

2197 [~~(b)~~] (c) the [~~initiative~~] text of the proposed law;

2198 [~~(c)~~] (d) the initial fiscal impact [~~estimate~~] and legal statement; and

2199 [~~(d)~~] (e) information describing how an individual may remove the individual's  
2200 signature from the [~~signature~~] initiative petition.

2201 (2) The local clerk shall:

2202 (a) promptly update the information described in Subsection (1) if the information  
2203 changes; and

2204 (b) maintain the information described in Subsection (1) on the local clerk's website  
2205 until the initiative fails to qualify for the ballot or is passed or defeated at an election.

2206 Section 43. Section **20A-7-502.7** is amended to read:

2207 **20A-7-502.7. Referability to voters.**

2208 (1) Within 20 days after the day on which an eligible voter files an initiative  
2209 application [~~to circulate an initiative petition~~] under Section **20A-7-502**, counsel for the county,  
2210 city, town, or metro township to which the initiative pertains shall:

2211 (a) review the proposed law [~~in~~] that is the subject of the initiative application to  
2212 determine whether the law is legally referable to voters; and

2213 (b) notify the first three sponsors, in writing, whether the proposed law is:

2214 (i) legally referable to voters; or

2215 (ii) rejected as not legally referable to voters.

2216 (2) A proposed law ~~[it]~~ that is the subject of an initiative application is legally  
 2217 referable to voters unless:

2218 (a) the proposed law:

2219 (i) is patently unconstitutional;

2220 ~~[(b)]~~ (ii) ~~[the proposed law]~~ is nonsensical;

2221 ~~[(c)]~~ (iii) ~~[the proposed law]~~ is administrative, rather than legislative, in nature;

2222 ~~[(d)]~~ (iv) ~~[the proposed law]~~ could not become law if passed;

2223 ~~[(e)]~~ (v) ~~[the proposed law]~~ contains more than one subject as evaluated in accordance  
 2224 with Subsection [20A-7-502\(3\)](#); or

2225 ~~[(f) the subject of the proposed law is not clearly expressed in the law's title;]~~

2226 ~~[(g)]~~ (b) ~~[the proposed law]~~ is identical or substantially similar to a legally referable  
 2227 proposed law sought by an initiative application submitted to the local clerk, under Section  
 2228 [20A-7-502](#), within two years before the day on which the initiative application for the current  
 2229 proposed ~~[initiative]~~ law is filed; ~~[or]~~

2230 (c) the subject of the proposed law is not clearly expressed in the law's title; or

2231 ~~[(h)]~~ (d) the initiative application ~~[for the proposed law]~~ was not timely filed or does  
 2232 not comply with the requirements of this part.

2233 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
 2234 or metro township may not:

2235 (a) reject a proposed initiative as not legally referable to voters; or

2236 (b) bring a legal action, other than to appeal a court decision, challenging a proposed  
 2237 initiative on the grounds that the proposed initiative is not legally referable to voters.

2238 (4) If a county, city, town, or metro township rejects a proposed initiative, a sponsor of  
 2239 the proposed initiative may, within 10 days after the day on which a sponsor is notified under  
 2240 Subsection (1)(b), appeal the decision to:

2241 (a) district court; or

2242 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

2243 (5) If, on appeal, the court determines that the law proposed [in] by the initiative  
2244 [petition] application is legally referable to voters, the local clerk shall comply with Subsection  
2245 20A-7-504(3), or give the sponsors access to the website defined in Section 20A-21-101,  
2246 within five days after the day on which the determination, and any appeal of the determination,  
2247 is final.

2248 Section 44. Section 20A-7-503 is amended to read:

2249 **20A-7-503. Manual initiative process -- Form of initiative petition and signature**  
2250 **sheet.**

2251 (1) This section applies only to the manual initiative process.

2252 (2) (a) Each proposed initiative petition shall be printed in substantially the following  
2253 form:

2254 "INITIATIVE PETITION To the Honorable \_\_\_\_\_, County Clerk/City Recorder/Town  
2255 Clerk:

2256 We, the undersigned citizens of Utah, respectfully demand that the following proposed  
2257 law be submitted to: the legislative body for its approval or rejection at its next meeting; and  
2258 the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes  
2259 no action on it.

2260 Each signer says:

2261 I have personally signed this initiative petition;

2262 The date next to my signature correctly reflects the date that I actually signed the  
2263 petition;

2264 I have personally reviewed the entire statement included with this packet;

2265 I am registered to vote in Utah; and

2266 My residence and post office address are written correctly after my name."

2267 (b) If the initiative [petition] proposes a tax increase, the following statement shall  
2268 appear, in at least 14-point, bold type, immediately following the information described in  
2269 Subsection (2)(a):

2270 "This initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by  
2271 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage  
2272 increase) percent increase in the current tax rate."

2273 (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the  
2274 proposed law to each initiative petition.

2275 (3) Each initiative signature sheet shall:

2276 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2277 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
2278 that line blank for the purpose of binding;

2279 (c) include the title of the initiative printed below the horizontal line, in at least  
2280 14-point, bold type;

2281 (d) include a table immediately below the title of the initiative, and beginning .5 inch  
2282 from the left side of the paper, as follows:

2283 (i) the first column shall be .5 inch wide and include three rows;

2284 (ii) the first row of the first column shall be .85 inch tall and contain the words "For  
2285 Office Use Only" in 10-point type;

2286 (iii) the second row of the first column shall be .35 inch tall;

2287 (iv) the third row of the first column shall be .5 inch tall;

2288 (v) the second column shall be 2.75 inches wide;

2289 (vi) the first row of the second column shall be .35 inch tall and contain the words  
2290 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

2291 (vii) the second row of the second column shall be .5 inch tall;

2292 (viii) the third row of the second column shall be .35 inch tall and contain the words  
2293 "Street Address, City, Zip Code" in 10-point type;

2294 (ix) the fourth row of the second column shall be .5 inch tall;

2295 (x) the third column shall be 2.75 inches wide;

2296 (xi) the first row of the third column shall be .35 inch tall and contain the words

2297 "Signature of Registered Voter" in 10-point type;

2298 (xii) the second row of the third column shall be .5 inch tall;

2299 (xiii) the third row of the third column shall be .35 inch tall and contain the words

2300 "Email Address (optional, to receive additional information)" in 10-point type;

2301 (xiv) the fourth row of the third column shall be .5 inch tall;

2302 (xv) the fourth column shall be one inch wide;

2303 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words

2304 "Date Signed" in 10-point type;

2305 (xvii) the second row of the fourth column shall be .5 inch tall;

2306 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words

2307 "Birth Date or Age (optional)" in 10-point type;

2308 (xix) the fourth row of the third column shall be .5 inch tall; and

2309 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,

2310 and contain the following words "By signing this initiative petition, you are stating that you

2311 have read and understand the law proposed by this initiative petition." in 12-point type;

2312 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at

2313 the bottom of the sheet for the information described in Subsection (3)(f); and

2314 (f) at the bottom of the sheet, include in the following order:

2315 (i) the words "Fiscal and legal impact of" followed by the title of the initiative, in at

2316 least 12-point, bold type;

2317 (ii) the summary statement in the initial fiscal impact [~~estimate's summary~~] and legal

2318 statement issued by the budget officer in accordance with Subsection [20A-7-502.5\(2\)\(b\)](#) and

2319 the cost estimate for printing and distributing information related to the initiative petition in

2320 accordance with Subsection [20A-7-502.5\(3\)](#), in not less than 12-point, bold type;

2321 (iii) if the initiative [petition] proposes a tax increase, the following statement in

2322 12-point, bold type:

2323 "This initiative [petition] seeks to increase the current (insert name of tax) rate by

2324 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage  
2325 increase) percent increase in the current tax rate."; and

2326 (iv) the word "Warning," in 12-point, bold type, followed by the following statement in  
2327 not less than eight-point type:

2328 "It is a class A misdemeanor for an individual to sign an initiative petition with a name  
2329 other than the individual's own name, or to knowingly sign the individual's name more than  
2330 once for the same [measure] initiative petition, or to sign an initiative petition when the  
2331 individual knows that the individual is not a registered voter.

2332 Birth date or age information is not required, but it may be used to verify your identity  
2333 with voter registration records. If you choose not to provide it, your signature may not be  
2334 verified as a valid signature if you change your address before petition signatures are verified  
2335 or if the information you provide does not match your voter registration records."

2336 (4) The final page of each initiative packet shall contain the following printed or typed  
2337 statement:

2338 "Verification of signature collector

2339 State of Utah, County of \_\_\_\_

2340 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

2341 I am a resident of Utah and am at least 18 years old;

2342 All the names that appear in this packet were signed by individuals who professed to be  
2343 the individuals whose names appear in it, and each of the individuals signed the individual's  
2344 name on it in my presence;

2345 I did not knowingly make a misrepresentation of fact concerning the law proposed by  
2346 the initiative;

2347 I believe that each individual has printed and signed the individual's name and written  
2348 the individual's post office address and residence correctly, that each signer has read and  
2349 understands the law proposed by the initiative, and that each signer is registered to vote in  
2350 Utah.

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(Name) (Residence Address) (Date)

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

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

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(Name) (Residence Address) (Date)".

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

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

Section 45. Section 20A-7-504 is amended to read:

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

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

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

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

- (a) a copy of the initiative petition; and
- (b) a signature sheet.

(4) The sponsors of the ~~petition~~ initiative shall:

- (a) arrange and pay for the printing of all ~~additional copies of the petition and~~



2378 ~~signature sheets]~~ documents that are part of the initiative packets; and

2379 (b) ensure that the [~~copies of the petition and signature sheets]~~ initiative packets and  
 2380 the documents described in Subsection (4)(a) meet the [~~form]~~ requirements of this [~~section]~~  
 2381 part.

2382 (5) (a) The sponsors or an agent of the sponsors may prepare the initiative packets for  
 2383 circulation by creating multiple initiative packets.

2384 (b) The sponsors or an agent of the sponsors shall create initiative packets by binding a  
 2385 copy of the initiative petition with the text of the proposed law and no more than 50 signature  
 2386 sheets together at the top in a manner that the initiative packets may be conveniently opened for  
 2387 signing.

2388 (c) An initiative packet is not required to have a uniform number of signature sheets.

2389 (d) The sponsors or an agent of the sponsors shall include, with each initiative packet, a  
 2390 copy of the proposition information pamphlet provided to the sponsors under Subsection  
 2391 20A-7-401.5(4)(b).

2392 (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

2393 (i) contact the county clerk to receive a range of numbers that the sponsors may use to  
 2394 number [~~signature]~~ initiative packets; and

2395 (ii) number each [~~signature]~~ initiative packet, sequentially, within the range of numbers  
 2396 provided by the county clerk, starting with the lowest number in the range.

2397 (b) The sponsors or an agent of the sponsors may not:

2398 (i) number [~~a signature]~~ an initiative packet in a manner not directed by the county  
 2399 clerk; or

2400 (ii) circulate or submit [~~a signature]~~ an initiative packet that is not numbered in the  
 2401 manner directed by the county clerk.

2402 (c) The county clerk shall keep a record of the number range provided under  
 2403 Subsection (6)(a).

2404 Section 46. Section **20A-7-505** is amended to read:

2405           **20A-7-505. Manual initiative process -- Obtaining signatures -- Verification --**

2406 **Removal of signature.**

2407           (1) This section applies only to the manual initiative process.

2408           (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and  
2409 resides in the local jurisdiction.

2410           (3) (a) The sponsors shall ensure that the individual in whose presence each initiative  
2411 signature sheet was signed:

2412           (i) is at least 18 years old and meets the residency requirements of Section [20A-2-105](#);

2413           (ii) verifies each [~~signature sheet~~] initiative packet by completing the verification  
2414 printed on the last page of each initiative packet; and

2415           (iii) is informed that each signer is required to read and understand the law proposed by  
2416 the initiative.

2417           (b) An individual may not sign the verification printed on the last page of the initiative  
2418 packet if the individual signed a signature sheet in the initiative packet.

2419           (4) (a) A voter who has signed an initiative petition may have the voter's signature  
2420 removed from the initiative petition by submitting a statement requesting that the voter's  
2421 signature be removed before 5 p.m. no later than the earlier of:

2422           (i) 30 days after the day on which the voter signs the signature removal statement;

2423           (ii) 90 days after the day on which the local clerk posts the voter's name under  
2424 Subsection [20A-7-507\(2\)](#);

2425           (iii) 316 days after the day on which the initiative application is filed; or

2426           (iv) (A) for a county initiative, April 15 immediately before the next regular general  
2427 election immediately after the initiative application is filed under Section [20A-7-502](#); or

2428           (B) for a municipal initiative, April 15 immediately before the next municipal general  
2429 election immediately after the initiative application is filed under Section [20A-7-502](#).

2430           (b) (i) The statement shall include:

2431           (A) the name of the voter;

- 2432 (B) the resident address at which the voter is registered to vote;
- 2433 (C) the signature of the voter; and
- 2434 (D) the date of the signature described in Subsection (4)(b)(i)(C).
- 2435 (ii) To increase the likelihood of the voter's signature being identified and removed, the
- 2436 statement may include the voter's birth date or age.
- 2437 (c) A voter may not submit a statement by email or other electronic means.
- 2438 (d) In order for the signature to be removed, the county clerk must receive the
- 2439 statement before 5 p.m. no later than the applicable deadline described in Subsection (4)(a).
- 2440 (e) A person may only remove a signature from an initiative petition in accordance
- 2441 with this Subsection (4)[(a)].
- 2442 (f) A county clerk shall analyze a signature, for purposes of removing a signature from
- 2443 an initiative petition, in accordance with Section [20A-7-506.3](#).
- 2444 Section 47. Section **20A-7-506** is amended to read:
- 2445 **20A-7-506. Manual initiative process -- Submitting the initiative petition --**
- 2446 **Certification of signatures by the county clerks -- Transfer to local clerk.**
- 2447 (1) This section applies only to the manual initiative process.
- 2448 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified
- 2449 initiative packet to the county clerk of the county in which the initiative packet was circulated
- 2450 before 5 p.m. no later than the earlier of:
- 2451 (i) 30 days after the day on which the first individual signs the initiative packet;
- 2452 (ii) 316 days after the day on which the initiative application is filed; or
- 2453 (iii) (A) for a county initiative, April 15 immediately before the next regular general
- 2454 election immediately after the initiative application is filed under Section [20A-7-502](#); or
- 2455 (B) for a municipal initiative, April 15 immediately before the next municipal general
- 2456 election immediately after the initiative application is filed under Section [20A-7-502](#).
- 2457 (b) A person may not submit an initiative packet after the deadline established in
- 2458 Subsection (2)(a).

2459 (c) Before delivering [a] an initiative packet to the county clerk under Subsection (2),  
2460 the sponsors shall send an email to each individual who provides a legible, valid email address  
2461 on the form described in Subsection 20A-7-503(3)(d) that includes the following:

2462 (i) the subject of the email shall include the following statement, "Notice Regarding  
2463 Your Petition Signature"; and

2464 (ii) the body of the email shall include the following statement in 12-point type:

2465 "You signed a petition for the following initiative:

2466 [insert title of initiative]

2467 To access a copy of the initiative petition, the initiative, the fiscal impact and legal  
2468 statement, and information on the deadline for removing your signature from the petition,  
2469 please visit the following link: [insert a uniform resource locator that takes the individual  
2470 directly to the page on the county clerk's website that includes the information referred to in the  
2471 email]."

2472 (d) When the sponsors submit the final [~~signature~~] initiative packet to the county clerk,  
2473 the sponsors shall submit to the county clerk the following written verification, completed and  
2474 signed by each of the sponsors:

2475 "Verification of initiative sponsor

2476 State of Utah, County of \_\_\_\_\_

2477 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

2478 I am a sponsor of the initiative petition entitled \_\_\_\_\_;

2479 I sent, or caused to be sent, to each individual who provided a legible, valid email  
2480 address on a signature packet submitted to the county clerk in relation to the initiative petition,  
2481 the email described in Utah Code Subsection 20A-7-506(2)(c).

2482 \_\_\_\_\_  
2483 (Name) (Residence Address) (Date)".

2484 (e) Signatures gathered for the initiative [~~petition~~] are not valid if the sponsors do not  
2485 comply with this Subsection (2).

2486 (3) The county clerk shall, within 21 days after the day on which the county clerk  
2487 receives ~~[the]~~ an initiative packet:

2488 (a) determine whether each signer is a registered voter according to the requirements of  
2489 Section [20A-7-506.3](#);

2490 (b) certify on the ~~[petition]~~ initiative packet whether each name is that of a registered  
2491 voter;

2492 (c) except as provided in Subsection (4), post the name, voter identification number,  
2493 and date of signature of each registered voter certified under Subsection (3)(b) on the lieutenant  
2494 governor's website, in a conspicuous location designated by the lieutenant governor; and

2495 (d) deliver the verified initiative packet to the local clerk.

2496 (4) (a) If the county clerk timely receives a statement requesting signature removal  
2497 under Subsection [20A-7-505\(4\)](#), the county clerk shall:

2498 (i) ensure that the voter's name, voter identification number, and date of signature are  
2499 not included in the posting described in Subsection (3)(c); and

2500 (ii) remove the voter's signature from the ~~[signature packets and signature packet]~~  
2501 initiative petition and the signature totals.

2502 (b) The county clerk shall comply with Subsection (4)(a) before the later of:

2503 (i) the deadline described in Subsection (3); or

2504 (ii) two business days after the day on which the county clerk receives a statement  
2505 requesting signature removal under Subsection [20A-7-505\(4\)](#).

2506 (c) The local clerk shall post a link in a conspicuous location on the local government's  
2507 website to the posting described in Subsection (3)(c) during the period of time described in  
2508 Subsection [20A-7-507\(3\)\(a\)](#).

2509 (5) The county clerk may not certify a signature under Subsection (3) on an initiative  
2510 packet that is not verified in accordance with Section [20A-7-505](#).

2511 (6) A person may not retrieve an initiative packet from a county clerk, or make any  
2512 alterations or corrections to an initiative packet, after the initiative packet is submitted to the

2513 county clerk.

2514 Section 48. Section **20A-7-506.3** is amended to read:

2515 **20A-7-506.3. Verification of petition signatures.**

2516 (1) As used in this section:

2517 (a) "Substantially similar name" means:

2518 (i) the given name [~~and~~], the surname [~~shown on the petition~~], or both, provided by the  
2519 individual with the individual's petition signature contain only minor spelling differences when  
2520 compared to the given name and surname shown on the official register;

2521 (ii) the surname [~~shown on the petition~~] provided by the individual with the  
2522 individual's petition signature exactly matches the surname shown on the official register, and  
2523 the given names differ only because one of the given names shown is a commonly used  
2524 abbreviation or variation of the other;

2525 (iii) the surname [~~shown on the petition~~] provided by the individual with the  
2526 individual's petition signature exactly matches the surname shown on the official register, and  
2527 the given names differ only because one of the given names shown is accompanied by a first or  
2528 middle initial or a middle name which is not shown on the other record; or

2529 (iv) the surname [~~shown on the petition~~] provided by the individual with the  
2530 individual's petition signature exactly matches the surname shown on the official register, and  
2531 the given names differ only because one of the given names shown is an alphabetically  
2532 corresponding initial that has been provided in the place of a given name shown on the other  
2533 record.

2534 (b) "Substantially similar name" does not mean a name having an initial or a middle  
2535 name [~~shown on the petition~~] provided by the individual with the individual's petition signature  
2536 that does not match a different initial or middle name shown on the official register.

2537 (2) In relation to an individual who signs an initiative petition with a holographic  
2538 signature, the county clerk shall use the following procedures in determining whether a signer  
2539 is a registered voter:

2540 (a) ~~When~~ if a signer's name and address ~~shown on the petition~~ provided by the  
 2541 individual with the individual's petition signature exactly match a name and address shown on  
 2542 the official register and the signer's signature appears substantially similar to the signature on  
 2543 the statewide voter registration database, the county clerk shall declare the signature valid[-];

2544 (b) ~~When~~ if there is no exact match of an address and a name, the county clerk shall  
 2545 declare the signature valid if:

2546 (i) the address ~~on the petition~~ provided by the individual with the individual's petition  
 2547 signature matches the address of an individual on the official register with a substantially  
 2548 similar name; and

2549 (ii) the signer's signature appears substantially similar to the signature on the statewide  
 2550 voter registration database of the individual described in Subsection (2)(b)(i)[-];

2551 (c) ~~When~~ if there is no match of an address and a substantially similar name, the  
 2552 county clerk shall declare the signature valid if:

2553 (i) the birth date or age ~~on the petition~~ provided by the individual with the  
 2554 individual's petition signature matches the birth date or age of an individual on the official  
 2555 register with a substantially similar name; and

2556 (ii) the signer's signature appears substantially similar to the signature on the statewide  
 2557 voter registration database of the individual described in Subsection (2)(c)(i)[-]; and

2558 (d) ~~If~~ if a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the  
 2559 county clerk shall declare the signature to be invalid.

2560 (3) In relation to an individual who, with a holographic signature, signs a statement to  
 2561 remove the individual's signature from an initiative petition, the county clerk shall use the  
 2562 following procedures in determining whether to remove a signature from ~~a~~ an initiative  
 2563 petition after receiving a timely, valid statement requesting removal of the signature:

2564 (a) if a signer's name and address shown on the statement and the initiative petition  
 2565 exactly match a name and address shown on the official register and the signer's ~~signature~~  
 2566 signatures on both the statement and the initiative petition ~~appears~~ appear substantially

2567 similar to the signature on the statewide voter registration database, the county clerk shall  
2568 remove the signature from the initiative petition;

2569 (b) if there is no exact match of an address and a name, the county clerk shall remove  
2570 the signature from the initiative petition if:

2571 (i) the address on the statement and the [~~petition matches~~] address provided by the  
2572 individual with the individual's petition signature match the address of an individual on the  
2573 official register with a substantially similar name; and

2574 (ii) the signer's [~~signature~~] signatures on both the statement and the initiative petition  
2575 [~~appears~~] appear substantially similar to the signature on the statewide voter registration  
2576 database of the individual described in Subsection (3)(b)(i);

2577 (c) if there is no match of an address and a substantially similar name, the county clerk  
2578 shall remove the signature from the initiative petition if:

2579 (i) the birth date or age on the statement and [~~petition~~] the birth date or age provided by  
2580 the individual with the individual's petition signature match the birth date or age of an  
2581 individual on the official register with a substantially similar name; and

2582 (ii) the signer's [~~signature~~] signatures on both the statement and the initiative petition  
2583 [~~appears~~] appear substantially similar to the signature on the statewide voter registration  
2584 database of the individual described in Subsection (3)(c)(i); and

2585 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
2586 county clerk may not remove the signature from the initiative petition.

2587 Section 49. Section **20A-7-507** is amended to read:

2588 **20A-7-507. Evaluation by the local clerk.**

2589 (1) In relation to the manual initiative process, when a local clerk receives an initiative  
2590 packet from a county clerk, the local clerk shall record the number of the initiative packet  
2591 received.

2592 (2) The county clerk shall:

2593 (a) in relation to the manual initiative process:



2594 (i) post the names, voter identification numbers, and dates of signatures described in  
2595 Subsection 20A-7-506(3)(c) on the lieutenant governor's website, in a conspicuous location  
2596 designated by the lieutenant governor, for at least 90 days; and

2597 (ii) update on the local government's website the number of signatures certified as of  
2598 the date of the update; or

2599 (b) in relation to the electronic initiative process:

2600 (i) post the names, voter identification numbers, and dates of signatures described in  
2601 Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous location  
2602 designated by the lieutenant governor, for at least 90 days; and

2603 (ii) update on the local government's website the number of signatures certified as of  
2604 the date of the update.

2605 (3) The local clerk:

2606 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be  
2607 sufficient or insufficient:

2608 (i) in relation to the manual initiative process, no later than 21 days after the day of the  
2609 applicable deadline described in Subsection 20A-7-506(2)(a); or

2610 (ii) in relation to the electronic initiative process, no later than 21 days after the day of  
2611 the applicable deadline described in Subsection 20A-7-516(2); or

2612 (b) may declare the initiative petition to be insufficient before the day described in  
2613 Subsection (3)(a) if:

2614 (i) in relation to the manual initiative process, the total of all valid signatures on timely  
2615 and lawfully submitted [~~signature~~] initiative packets that have been certified by the county  
2616 clerks, plus the number of signatures on timely and lawfully submitted [~~signature~~] initiative  
2617 packets that have not yet been evaluated for certification, is less than the number of names  
2618 required under Section 20A-7-501;

2619 (ii) in relation to the electronic initiative process, the total of all timely and lawfully  
2620 submitted valid signatures that have been certified by the county clerks, plus the number of

2621 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)  
2622 that have not yet been evaluated for certification, is less than the number of names required  
2623 under Section 20A-7-501; or

2624 (iii) a requirement of this part has not been met.

2625 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds  
2626 the number of names required by Section 20A-7-501 and the requirements of this part are met,  
2627 the local clerk shall mark upon the front of the initiative petition the word "sufficient."

2628 (b) If the total number of names certified under Subsection (3) does not equal or  
2629 exceed the number of names required by Section 20A-7-501 or a requirement of this part is not  
2630 met, the local clerk shall mark upon the front of the initiative petition the word "insufficient."

2631 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's  
2632 finding.

2633 (d) After [a] an initiative petition is declared insufficient, a person may not submit  
2634 additional signatures to qualify the [~~petition~~] initiative for the ballot.

2635 (5) If the local clerk finds the total number of certified signatures [~~from each verified~~  
2636 ~~signature sheet to~~] for the initiative petition to be insufficient, any sponsor may file a written  
2637 demand with the local clerk for a recount of the signatures [~~appearing on~~] collected for the  
2638 initiative petition in the presence of any sponsor.

2639 (6) [A] An initiative petition determined to be sufficient in accordance with this  
2640 section is qualified for the ballot.

2641 Section 50. Section 20A-7-508 is amended to read:

2642 **20A-7-508. Short title and summary of initiative -- Duties of local clerk and local**  
2643 **attorney.**

2644 (1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the  
2645 initiative petition and the proposed law to the local attorney.

2646 (2) The local attorney shall:

2647 (a) entitle each county or municipal initiative that has qualified for the ballot

2648 "Proposition Number \_\_\_" and give it a number as assigned under Section 20A-6-107;  
2649 (b) prepare for ~~[the]~~ each initiative:  
2650 (i) an impartial short title, not exceeding 25 words, that generally describes the subject  
2651 of the initiative; and  
2652 (ii) an impartial summary of the contents of the ~~[measure]~~ initiative, not exceeding 125  
2653 words;  
2654 (c) file the proposed short title, summary, and the numbered initiative titles with the  
2655 local clerk within 20 days after the day on which an eligible voter submits the initiative petition  
2656 to the local clerk; and  
2657 (d) promptly provide notice of the filing of the proposed short title and summary to:  
2658 (i) the sponsors of the ~~[petition]~~ initiative; and  
2659 (ii) the local legislative body for the jurisdiction where the initiative petition was  
2660 circulated.  
2661 (3) (a) The short title and summary may be distinct from the title of the proposed law[  
2662 ~~attached to the initiative petition~~].  
2663 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's  
2664 ability, give a true and impartial description of the subject of the initiative.  
2665 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's  
2666 ability, give a true and impartial summary of the contents of the ~~[measure]~~ initiative.  
2667 (d) The short title and summary may not intentionally be an argument, or likely to  
2668 create prejudice, for or against the ~~[measure]~~ initiative.  
2669 (e) If the initiative proposes a tax increase, the local attorney shall include the  
2670 following statement, in bold, in the summary:  
2671 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax  
2672 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
2673 increase in the current tax rate."  
2674 (4) (a) Within five calendar days after the date the local attorney files a proposed short

2675 title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where  
2676 the initiative petition was circulated and the sponsors of the [~~petition~~] initiative may file written  
2677 comments in response to the proposed short title and summary with the local clerk.

2678 (b) Within five calendar days after the last date to submit written comments under  
2679 Subsection (4)(a), the local attorney shall:

- 2680 (i) review any written comments filed in accordance with Subsection (4)(a);
- 2681 (ii) prepare a final short title and summary that meets the requirements of Subsection  
2682 (3); and
- 2683 (iii) return the initiative petition and file the short title and summary with the local  
2684 clerk.

2685 (c) Subject to Subsection (6):

2686 (i) the short title, as determined by the local attorney, shall be printed on the official  
2687 ballot; and

2688 (ii) for each ballot that includes an initiative or referendum, the election officer shall  
2689 include with the ballot a separate ballot proposition insert that includes the short title and  
2690 summary for each initiative and referendum on the ballot and a link to a location on the  
2691 election officer's website where a voter may review additional information relating to each  
2692 initiative or referendum, including:

2693 (A) for an initiative, the information described in Subsection [20A-7-502\(2\)](#), the initial  
2694 fiscal impact [~~estimate~~] and legal statement described in Section [20A-7-502.5](#), as updated, and  
2695 the arguments relating to the initiative that are included in the local voter information  
2696 pamphlet; or

2697 (B) for a referendum, the information described in Subsection [20A-7-602\(2\)](#) and the  
2698 arguments relating to the referendum that are included in the local voter information pamphlet.

2699 (d) For each ballot that includes an initiative or referendum, the ballot shall include the  
2700 following statement at the beginning of the portion of the ballot that includes ballot measures,  
2701 "The ballot proposition sheet included with this ballot contains an impartial summary of each

2702 initiative and referendum on this ballot."

2703 (5) Immediately after the local attorney files a copy of the short title and summary with  
2704 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon  
2705 the sponsors of the [~~petition~~] initiative and the local legislative body for the jurisdiction where  
2706 the initiative petition was circulated.

2707 (6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or  
2708 does not comply with the requirements of this section, the decision of the local attorney may be  
2709 appealed to the appropriate court by:

2710 (i) at least three sponsors of the initiative [~~petition~~]; or

2711 (ii) a majority of the local legislative body for the jurisdiction where the initiative  
2712 petition was circulated.

2713 (b) The court:

2714 (i) shall examine the short title and summary and consider arguments; and

2715 (ii) enter an order consistent with the requirements of this section.

2716 (c) The local clerk shall include the short title and summary in the ballot or ballot  
2717 proposition insert, as required by this section.

2718 Section 51. Section **20A-7-510** is amended to read:

2719 **20A-7-510. Return and canvass -- Conflicting measures -- Law effective on**  
2720 **proclamation.**

2721 (1) The votes on the law proposed by the initiative petition shall be counted,  
2722 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

2723 (2) After the local board of canvassers completes the canvass, the local clerk shall  
2724 certify to the local legislative body the vote for and against the law proposed by the initiative  
2725 petition.

2726 (3) (a) The local legislative body shall immediately issue a proclamation that:

2727 (i) gives the total number of votes cast in the local jurisdiction for and against each law  
2728 proposed by an initiative petition; and

2729 (ii) declares those laws proposed by an initiative petition that ~~[were]~~ are approved by  
2730 majority vote to be in full force and effect as the law of the local jurisdiction.

2731 (b) When the local legislative body determines that two proposed laws, or that parts of  
2732 two proposed laws approved by the people at the same election are entirely in conflict, the local  
2733 legislative body shall proclaim ~~[that measure to be]~~ as law the initiative that received the  
2734 greatest number of affirmative votes, regardless of the difference in the majorities which those  
2735 ~~[measures]~~ initiatives have received.

2736 (c) (i) Within 10 days after the day on which the local legislative body issues the  
2737 proclamation, any qualified voter who signed the initiative petition proposing the law that is  
2738 declared by the local legislative body to be superseded by another ~~[measure]~~ initiative approved  
2739 at the same election may bring an action in the appropriate court to review the decision.

2740 (ii) The court shall:

2741 (A) consider the matter and decide whether the proposed laws are entirely in conflict;  
2742 and

2743 (B) issue an order, consistent with the court's decision, to the local legislative body.

2744 (4) Within 10 days after the day on which the court enters an order under Subsection  
2745 (3)(c)(ii), the local legislative body shall:

2746 (a) proclaim as law all ~~[measures]~~ initiatives approved by the people that the court  
2747 determines are not in conflict; and

2748 (b) for the ~~[measures]~~ initiatives approved by the people as law that the court  
2749 determines to be in conflict, proclaim as law the ~~[measure]~~ initiative that received the greatest  
2750 number of affirmative votes, regardless of the difference in majorities.

2751 Section 52. Section **20A-7-512** is amended to read:

2752 **20A-7-512. Misconduct of electors and officers -- Penalty.**

2753 (1) It is unlawful for any individual to:

2754 (a) sign any name other than the individual's own name to ~~[any]~~ an initiative petition or  
2755 a statement described in Subsection [20A-7-505\(4\)](#) or [20A-7-515\(4\)](#);

2756 (b) knowingly sign the individual's name more than once for the same initiative at one  
 2757 election;

2758 (c) knowingly indicate that an individual who signed an initiative petition signed the  
 2759 initiative petition on a date other than the date that the individual signed the initiative petition;

2760 ~~[(b)]~~ (d) sign an initiative petition knowing the individual is not a legal voter; or  
 2761 ~~[(c)]~~ (e) knowingly and willfully violate any provision of this part.

2762 (2) It is unlawful for ~~[any]~~ an individual to sign the verification for an initiative packet,  
 2763 or to electronically sign the verification for a signature under Subsection [20A-21-201\(9\)](#),  
 2764 knowing that:

2765 (a) the individual does not meet the residency requirements of Section [20A-2-105](#);

2766 (b) the signature date associated with the individual's signature for the initiative  
 2767 petition is not the date that the individual signed the initiative petition;

2768 ~~[(b)]~~ (c) the individual has not witnessed the signatures of the individuals whose  
 2769 signatures the individual collects or submits; or

2770 ~~[(c)]~~ (d) one or more individuals who signed the initiative petition are not registered to  
 2771 vote in Utah.

2772 (3) It is unlawful for an individual to:

2773 (a) pay an individual to sign an initiative petition;

2774 (b) pay an individual to remove the individual's signature from an initiative petition;

2775 (c) accept payment to sign an initiative petition; or

2776 (d) accept payment to have the individual's name removed from an initiative petition.

2777 ~~[(3)]~~ (4) [An individual who violates this part is guilty of] A violation of this section is  
 2778 a class A misdemeanor.

2779 Section 53. Section [20A-7-513](#) is amended to read:

2780 **20A-7-513. Fiscal review -- Repeal, amendment, or resubmission.**

2781 (1) No later than 60 days after the date of an election in which the voters approve an  
 2782 initiative [~~petition~~], the budget officer shall:

2783 (a) for each initiative approved by the voters, prepare a final fiscal impact statement,  
2784 using current financial information and containing the information required by Subsection  
2785 20A-7-502.5(2), except for the information required by Subsection 20A-7-502.5(2)(a)(vii); and

2786 (b) deliver a copy of the final fiscal impact statement to:

2787 (i) the local legislative body of the jurisdiction where the initiative was circulated;

2788 (ii) the local clerk; and

2789 (iii) the first three sponsors listed on the initiative application.

2790 (2) If the final fiscal impact statement exceeds the estimate in the initial fiscal impact  
2791 [estimate] and legal statement by 25% or more, the local legislative body shall review the final  
2792 fiscal impact statement and may, by a majority vote:

2793 (a) repeal the law established by passage of the initiative;

2794 (b) amend the law established by the passage of the initiative; or

2795 (c) pass a resolution informing the voters that they may file an initiative petition to  
2796 repeal the law enacted by [~~the~~] passage of the initiative.

2797 Section 54. Section 20A-7-514 is amended to read:

2798 **20A-7-514. Electronic initiative process -- Form of initiative petition --**

2799 **Circulation requirements -- Signature collection.**

2800 (1) This section applies only to the electronic initiative process.

2801 (2) (a) The first screen presented on the approved device shall include the following  
2802 statement:

2803 "This INITIATIVE PETITION is addressed to the Honorable \_\_\_\_\_, County Clerk/City  
2804 Recorder/Town Clerk:

2805 The citizens of Utah who sign this petition respectfully demand that the following  
2806 proposed law be submitted to: the legislative body for its approval or rejection at its next  
2807 meeting; and the legal voters of the county/city/town, if the legislative body rejects the  
2808 proposed law or takes no action on it."

2809 (b) An individual may not advance to the second screen until the individual clicks a



2810 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
2811 understand the information presented on this screen."

2812 (3) (a) The second screen presented on the approved device shall include the title of  
2813 proposed law, described in Subsection 20A-7-502(2)(d)(i), followed by the entire text of the  
2814 proposed law.

2815 (b) An individual may not advance to the third screen until the individual clicks a link  
2816 at the bottom of the second screen stating, "By clicking here, I attest that I have read and  
2817 understand the entire text of the proposed law."

2818 (4) Subsequent screens shall be presented on the device in the following order, with the  
2819 individual viewing the device being required, before advancing to the next screen, to click a  
2820 link at the bottom of the screen with the following statement, "By clicking here, I attest that I  
2821 have read and understand the information presented on this screen.":

2822 (a) (i) if the initiative [~~petition~~] proposes a tax increase, the following statement, "This  
2823 initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by (insert the tax  
2824 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
2825 increase in the current tax rate."; or

2826 (ii) if the initiative [~~petition~~] does not propose a tax increase, the following statement,  
2827 "This initiative [~~petition~~] does not propose a tax increase.";

2828 (b) the [~~initial fiscal impact estimate's~~] summary statement from the initial fiscal  
2829 impact and legal statement issued by the budget officer in accordance with Subsection  
2830 20A-7-502.5(2)(b) and the cost estimate for printing and distributing information related to the  
2831 initiative petition in accordance with Subsection 20A-7-502.5(3);

2832 (c) a statement indicating whether persons gathering signatures for the initiative  
2833 petition may be paid for gathering signatures; and

2834 (d) the following statement, followed by links where the individual may click "yes" or  
2835 "no":

2836 "I have personally reviewed the entirety of each statement presented on this device;

2837 I am personally signing this petition;

2838 I am registered to vote in Utah; and

2839 All information I enter on this device, including my residence and post office address, is

2840 accurate.

2841 It is a class A misdemeanor for an individual to sign an initiative petition with a name

2842 other than the individual's own name, or to knowingly sign the individual's name more than

2843 once for the same ~~[measure]~~ initiative petition, or to sign an initiative petition when the

2844 individual knows that the individual is not a registered voter.

2845 **WARNING**

2846 Even if your voter registration record is classified as private, your name, voter

2847 identification number, and date of signature in relation to signing this initiative petition will be

2848 made public.

2849 Do you wish to continue and sign this initiative petition?"

2850 (5) (a) If the individual clicks "no" in response to the question described in Subsection

2851 (4)(d), the next screen shall include the following statement, "Thank you for your time. Please

2852 return this device to the signature-gatherer."

2853 (b) If the individual clicks "yes" in response to the question described in Subsection

2854 (4)(d), the website, or the application that accesses the website, shall take the signature-gatherer

2855 and the individual signing the petition through the signature process described in Section

2856 [20A-21-201](#).

2857 Section 55. Section **20A-7-515** is amended to read:

2858 **20A-7-515. Electronic initiative process -- Obtaining signatures -- Request to**

2859 **remove signature.**

2860 (1) This section applies to the electronic initiative process.

2861 (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and

2862 resides in the local jurisdiction.

2863 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from

2864 an individual:

2865 (a) verifies that the individual is at least 18 years old and meets the residency  
2866 requirements of Section 20A-2-105; and

2867 (b) is informed that each signer is required to read and understand the law proposed by  
2868 the initiative.

2869 (4) (a) A voter who has signed an initiative petition may have the voter's signature  
2870 removed from the initiative petition by submitting to the county clerk a statement requesting  
2871 that the voter's signature be removed before 5 p.m. no later than the earlier of:

2872 (i) 30 days after the day on which the voter signs the signature removal statement;

2873 (ii) 90 days after the day on which the local clerk posts the voter's name under  
2874 Subsection 20A-7-516(4);

2875 (iii) 316 days after the day on which the initiative application is filed; or

2876 (iv) (A) for a county initiative, April 15 immediately before the next regular general  
2877 election immediately after the initiative application is filed under Section 20A-7-502; or

2878 (B) for a municipal initiative, April 15 immediately before the next municipal general  
2879 election immediately after the initiative application is filed under Section 20A-7-502.

2880 (b) The statement shall include:

2881 (i) the name of the voter;

2882 (ii) the resident address at which the voter is registered to vote;

2883 (iii) the signature of the voter; and

2884 (iv) the date of the signature described in Subsection (4)(b)(iii).

2885 (c) To increase the likelihood of the voter's signature being identified and removed, the  
2886 statement may include the voter's birth date or age.

2887 (d) A voter may not submit a signature removal statement by email or other electronic  
2888 means, unless the lieutenant governor establishes a signature removal process that is consistent  
2889 with the requirements of this section and Section 20A-21-201.

2890 (e) A person may only remove an electronic signature from an initiative petition in

2891 accordance with this section.

2892 (f) A county clerk shall analyze a holographic signature, for purposes of removing an  
2893 electronic signature from an initiative petition, in accordance with Section [20A-7-506.3](#).

2894 Section 56. Section **20A-7-516** is amended to read:

2895 **20A-7-516. Electronic initiative process -- Collecting signatures -- Email**  
2896 **notification -- Removal of signatures.**

2897 (1) This section applies only to the electronic initiative process.

2898 (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:

2899 (a) 316 days after the day on which the initiative application is filed; or

2900 (b) (i) for a county initiative, April 15 immediately before the next regular general

2901 election immediately after the initiative application is filed under Section [20A-7-502](#); or

2902 (ii) for a municipal initiative, April 15 immediately before the next municipal general

2903 election immediately after the initiative application is filed under Section [20A-7-502](#).

2904 (3) The local clerk shall send to each individual who provides a valid email address  
2905 during the signature-gathering process an email that includes the following:

2906 (a) the subject of the email shall include the following statement, "Notice Regarding  
2907 Your Petition Signature"; and

2908 (b) the body of the email shall include the following statement in 12-point type:

2909 "You signed a petition for the following initiative:

2910 [insert title of initiative]

2911 To access a copy of the initiative petition, the text of the law proposed by the initiative,  
2912 the initial fiscal impact and legal statement, and information on the deadline for removing your  
2913 signature from the initiative petition, please visit the following link: [insert a uniform resource  
2914 locator that takes the individual directly to the page on the lieutenant governor's website that  
2915 includes the information referred to in the email]."

2916 (4) Except as provided in Subsection (5), the county clerk shall, within two business  
2917 days after the day on which the signature of an individual who signs [a] an initiative petition is

2918 certified under Section 20A-21-201, post the name, voter identification number, and date of  
2919 signature of the individual on the lieutenant governor's website, in a conspicuous location  
2920 designated by the lieutenant governor.

2921 (5) (a) If the local clerk timely receives a statement requesting signature removal under  
2922 Subsection 20A-7-515(4), the local clerk shall:

2923 (i) ensure that the voter's name, voter identification number, and date of signature are  
2924 not included in the posting described in Subsection (4); and

2925 (ii) remove the voter's signature from the initiative petition and the initiative petition  
2926 signature totals.

2927 (b) The local clerk shall comply with Subsection (5)(a) before the later of:

2928 (i) the deadline described in Subsection (4); or

2929 (ii) two business days after the day on which the county clerk receives a statement  
2930 requesting signature removal under Subsection 20A-7-515(4).

2931 Section 57. Section 20A-7-601 is amended to read:

2932 **20A-7-601. Referenda -- General signature requirements -- Signature**  
2933 **requirements for land use laws, subjurisdictional laws, and transit area land use laws --**  
2934 **Time requirements.**

2935 (1) As used in this section:

2936 (a) "Number of active voters" means the number of active voters in the county, city, or  
2937 town on the immediately preceding January 1.

2938 (b) "Qualifying county" means a county that has created a small public transit district,  
2939 as defined in Section 17B-2a-802, on or before January 1, 2022.

2940 (c) "Qualifying transit area" means:

2941 (i) a station area, as defined in Section 10-9a-403.1, for which the municipality with  
2942 jurisdiction over the station area has satisfied the requirements of Subsection

2943 10-9a-403.1(2)(a), as demonstrated by the adoption of a station area plan or resolution under  
2944 Subsection 10-9a-403.1(2); or

2945 (ii) a housing and transit reinvestment zone, as defined in Section 63N-3-602, created  
2946 within a qualifying county.

2947 (d) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the  
2948 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.

2949 (e) (i) "Subjurisdictional law" means a local law or local obligation law passed by a  
2950 local legislative body that imposes a tax or other payment obligation on property in an area that  
2951 does not include all precincts and subprecincts under the jurisdiction of the county, city, town,  
2952 or metro township.

2953 (ii) "Subjurisdictional law" does not include a land use law.

2954 (f) "Transit area land use law" means a land use law that relates to the use of land  
2955 within a qualifying transit area.

2956 (g) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)  
2957 or (2)(b).

2958 (2) Except as provided in Subsections (3) through (5), an eligible voter seeking to have  
2959 a local law passed by the local legislative body submitted to a vote of the people shall, after  
2960 filing a referendum application, obtain legal signatures equal to:

2961 (a) for a county of the first class:

2962 (i) 7.75% of the number of active voters in the county; and

2963 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%  
2964 of the county's voter participation areas;

2965 (b) for a metro township with a population of 100,000 or more, or a city of the first  
2966 class:

2967 (i) 7.5% of the number of active voters in the metro township or city; and

2968 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%  
2969 of the metro township's or city's voter participation areas;

2970 (c) for a county of the second class:

2971 (i) 8% of the number of active voters in the county; and

2972 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of  
2973 the county's voter participation areas;

2974 (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
2975 a city of the second class:

2976 (i) 8.25% of the number of active voters in the metro township or city; and

2977 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%  
2978 of the metro township's or city's voter participation areas;

2979 (e) for a county of the third class:

2980 (i) 9.5% of the number of active voters in the county; and

2981 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%  
2982 of the county's voter participation areas;

2983 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a  
2984 city of the third class:

2985 (i) 10% of the number of active voters in the metro township or city; and

2986 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%  
2987 of the metro township's or city's voter participation areas;

2988 (g) for a county of the fourth class:

2989 (i) 11.5% of the number of active voters in the county; and

2990 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%  
2991 of the county's voter participation areas;

2992 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a  
2993 city of the fourth class:

2994 (i) 11.5% of the number of active voters in the metro township or city; and

2995 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%  
2996 of the metro township's or city's voter participation areas;

2997 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city  
2998 of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro

2999 township, city, or county; or

3000 (j) for a metro township with a population of less than 1,000, a town, or a county of the  
3001 sixth class, 35% of the number of active voters in the metro township, town, or county.

3002 (3) Except as provided in Subsection (4) or (5), an eligible voter seeking to have a land  
3003 use law or local obligation law passed by the local legislative body submitted to a vote of the  
3004 people shall, after filing a referendum application, obtain legal signatures equal to:

3005 (a) for a county of the first, second, third, or fourth class:

3006 (i) 16% of the number of active voters in the county; and

3007 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%  
3008 of the county's voter participation areas;

3009 (b) for a county of the fifth or sixth class:

3010 (i) 16% of the number of active voters in the county; and

3011 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%  
3012 of the county's voter participation areas;

3013 (c) for a metro township with a population of 100,000 or more, or a city of the first  
3014 class:

3015 (i) 15% of the number of active voters in the metro township or city; and

3016 (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75%  
3017 of the metro township's or city's voter participation areas;

3018 (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
3019 a city of the second class:

3020 (i) 16% of the number of active voters in the metro township or city; and

3021 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%  
3022 of the metro township's or city's voter participation areas;

3023 (e) for a metro township with a population of 30,000 or more but less than 65,000, or a  
3024 city of the third class:

3025 (i) 27.5% of the number of active voters in the metro township or city; and



3026 (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75%  
3027 of the metro township's or city's voter participation areas;

3028 (f) for a metro township with a population of 10,000 or more but less than 30,000, or a  
3029 city of the fourth class:

3030 (i) 29% of the number of active voters in the metro township or city; and

3031 (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75%  
3032 of the metro township's or city's voter participation areas;

3033 (g) for a metro township with a population of 1,000 or more but less than 10,000, or a  
3034 city of the fifth class, 35% of the number of active voters in the metro township or city; or

3035 (h) for a metro township with a population of less than 1,000 or a town, 40% of the  
3036 number of active voters in the metro township or town.

3037 (4) A person seeking to have a subjurisdictional law passed by the local legislative  
3038 body submitted to a vote of the people shall, after filing a referendum application, obtain legal  
3039 signatures of the residents in the subjurisdiction equal to:

3040 (a) 10% of the number of active voters in the subjurisdiction if the number of active  
3041 voters exceeds 25,000;

3042 (b) 12-1/2% of the number of active voters in the subjurisdiction if the number of  
3043 active voters does not exceed 25,000 but is more than 10,000;

3044 (c) 15% of the number of active voters in the subjurisdiction if the number of active  
3045 voters does not exceed 10,000 but is more than 2,500;

3046 (d) 20% of the number of active voters in the subjurisdiction if the number of active  
3047 voters does not exceed 2,500 but is more than 500;

3048 (e) 25% of the number of active voters in the subjurisdiction if the number of active  
3049 voters does not exceed 500 but is more than 250; and

3050 (f) 30% of the number of active voters in the subjurisdiction if the number of active  
3051 voters does not exceed 250.

3052 (5) An eligible voter seeking to have a transit area land use law passed by the local

3053 legislative body submitted to a vote of the people shall, after filing a referendum application,  
3054 obtain legal signatures equal to:

3055 (a) for a county:

3056 (i) 20% of the number of active voters in the county; and

3057 (ii) 21% of the number of active voters in at least 75% of the county's voter  
3058 participation areas;

3059 (b) for a metro township with a population of 100,000 or more, or a city of the first  
3060 class:

3061 (i) 20% of the number of active voters in the metro township or city; and

3062 (ii) 20% of the number of active voters in at least 75% of the metro township's or city's  
3063 voter participation areas;

3064 (c) for a metro township with a population of 65,000 or more but less than 100,000, or  
3065 a city of the second class:

3066 (i) 20% of the number of active voters in the metro township or city; and

3067 (ii) 21% of the number of active voters in at least 75% of the metro township's or city's  
3068 voter participation areas;

3069 (d) for a metro township with a population of 30,000 or more but less than 65,000, or a  
3070 city of the third class:

3071 (i) 34% of the number of active voters in the metro township or city; and

3072 (ii) 34% of the number of active voters in at least 75% of the metro township's or city's  
3073 voter participation areas;

3074 (e) for a metro township with a population of 10,000 or more but less than 30,000, or a  
3075 city of the fourth class:

3076 (i) 36% of the number of active voters in the metro township or city; and

3077 (ii) 36% of the number of active voters in at least 75% of the metro township's or city's  
3078 voter participation areas; or

3079 (f) for a metro township with a population less than 10,000, a city of the fifth class, or a

3080 town, 40% of the number of active voters in the metro township, city, or town.

3081 (6) Sponsors of any referendum petition challenging, under Subsection (2), (3), (4), or  
 3082 (5), any local law passed by a local legislative body shall file the application before 5 p.m.  
 3083 within seven days after the day on which the local law was passed.

3084 (7) Nothing in this section authorizes a local legislative body to impose a tax or other  
 3085 payment obligation on a subjurisdiction in order to benefit an area outside of the  
 3086 subjurisdiction.

3087 Section 58. Section **20A-7-602** is amended to read:

3088 **20A-7-602. Local referendum process -- Application procedures.**

3089 (1) Individuals wishing to circulate a referendum petition shall file ~~[an]~~ a referendum  
 3090 application with the local clerk.

3091 (2) The referendum application shall ~~[contain]~~ include:

3092 (a) the name and residence address of at least five sponsors of the referendum petition;

3093 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

3094 (c) a statement indicating whether persons gathering signatures for the referendum  
 3095 petition may be paid for gathering signatures;

3096 (d) the signature of each of the sponsors, acknowledged by a notary public; and

3097 (e) (i) if the referendum challenges an ordinance or resolution, ~~[one copy of the law]~~ a  
 3098 copy of the ordinance or resolution; or

3099 (ii) if the referendum challenges a local law that is not an ordinance or resolution, a  
 3100 written description of the local law, including the result of the vote on the local law.

3101 Section 59. Section **20A-7-602.5** is amended to read:

3102 **20A-7-602.5. Initial fiscal and legal impact statement -- Preparation of statement.**

3103 (1) Within three business days after the day on which the local clerk receives ~~[an]~~ a  
 3104 referendum application ~~[for a referendum petition]~~, the local clerk shall submit a copy of the  
 3105 referendum application to the county, city, or town's budget officer.

3106 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good

3107 faith [~~estimate of the~~] initial fiscal and legal impact [~~of~~] statement for repealing the law the  
3108 referendum proposes to repeal that contains:

3109 (i) a dollar amount representing the total estimated fiscal impact of repealing the law;

3110 (ii) if repealing the law would increase or decrease taxes, a dollar amount representing  
3111 the total estimated increase or decrease for each type of tax that would be impacted by the law's  
3112 repeal and a dollar amount representing the total estimated increase or decrease in taxes that  
3113 would result from the law's repeal;

3114 (iii) if repealing the law would result in the issuance or a change in the status of bonds,  
3115 notes, or other debt instruments, a dollar amount representing the total estimated increase or  
3116 decrease in public debt that would result;

3117 (iv) a listing of all sources of funding for the estimated costs that would be associated  
3118 with the law's repeal, showing each source of funding and the percentage of total funding that  
3119 would be provided from each source;

3120 (v) a dollar amount representing the estimated costs or savings, if any, to state and  
3121 local government entities if the law were repealed;

3122 (vi) the legal impacts that would result from repealing the law, including:

3123 (A) any significant effects on a person's vested property rights;

3124 (B) any significant effects on other laws or ordinances;

3125 (C) any significant legal liability the city, county, or town may incur; and

3126 (D) any other significant legal impact as determined by the budget officer and the legal  
3127 counsel; and

3128 (vii) a concise explanation, not exceeding 100 words, of the [~~above~~] information  
3129 described in this Subsection (2)(a) and of the estimated fiscal impact, if any, if the law were  
3130 repealed.

3131 (b) (i) If repealing the law would have no fiscal impact, the local budget officer shall  
3132 include a summary statement in the initial fiscal impact and legal statement in substantially the  
3133 following form:

3134 "The (title of the local budget officer) estimates that repealing the law this referendum  
3135 proposes to repeal would have no significant fiscal impact and would not result in either an  
3136 increase or decrease in taxes or debt."

3137 (ii) If repealing the law is estimated to have a fiscal impact, the local budget officer  
3138 shall include a summary statement in the initial fiscal and legal impact statement describing the  
3139 fiscal impact.

3140 (iii) If the estimated fiscal impact of repealing the law is highly variable or is otherwise  
3141 difficult to reasonably express in a summary statement, the local budget officer may include in  
3142 the summary statement a brief explanation that identifies those factors impacting the variability  
3143 or difficulty of the estimate.

3144 (3) Within 20 calendar days after the day on which the local clerk submits a copy of the  
3145 application under Subsection (1), the budget officer shall:

3146 (a) deliver a copy of the initial fiscal impact [~~estimate, including the legal impact~~  
3147 ~~estimate;~~] and legal statement to the local clerk's office; and

3148 (b) [~~deliver~~] mail a copy of the initial fiscal impact [~~estimate, including the legal~~  
3149 ~~impact estimate;~~] and legal statement to the first three sponsors named in the referendum  
3150 application.

3151 Section 60. Section **20A-7-602.7** is amended to read:

3152 **20A-7-602.7. Referability to voters of local law other than land use law.**

3153 (1) Within 20 days after the day on which an eligible voter files [~~an~~] a referendum  
3154 application [~~to circulate a referendum petition~~] under Section **20A-7-602** for a local law other  
3155 than a land use law, counsel for the county, city, town, or metro township to which the  
3156 referendum pertains shall:

3157 (a) review the referendum application to determine whether the proposed referendum is  
3158 legally referable to voters; and

3159 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

3160 (i) legally referable to voters; or

3161 (ii) rejected as not legally referable to voters.

3162 (2) For a local law other than a land use law, a proposed referendum is legally referable  
3163 to voters unless:

3164 (a) the proposed referendum challenges an action that is administrative, rather than  
3165 legislative, in nature;

3166 (b) the proposed referendum challenges more than one law passed by the local  
3167 legislative body; or

3168 (c) the referendum application [~~for the proposed referendum~~] was not timely filed or  
3169 does not comply with the requirements of this part.

3170 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
3171 or metro township may not, for a local law other than a land use law:

3172 (a) reject a proposed referendum as not legally referable to voters; or

3173 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
3174 proposed referendum on the grounds that the proposed referendum is not legally referable to  
3175 voters.

3176 (4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a  
3177 proposed referendum concerning a local law other than a land use law, a sponsor of the  
3178 proposed referendum may, within 10 days after the day on which a sponsor is notified under  
3179 Subsection (1)(b), challenge or appeal the decision to:

3180 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

3181 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
3182 under Subsection (4)(a)(i).

3183 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection  
3184 (4)(a) terminates the referendum.

3185 (5) If, on a challenge or appeal, the court determines that the proposed referendum  
3186 described in Subsection (4) is legally referable to voters, the local clerk shall comply with  
3187 Subsection [20A-7-604\(3\)](#), or give the sponsors access to the website defined in Section

3188 20A-21-101, within five days after the day on which the determination, and any challenge or  
 3189 appeal of the determination, is final.

3190 Section 61. Section 20A-7-602.8 is amended to read:

3191 **20A-7-602.8. Referability to voters of local land use law.**

3192 (1) Within 20 days after the day on which an eligible voter files ~~[an]~~ a referendum  
 3193 application ~~[to circulate a referendum petition]~~ under Section 20A-7-602 for a land use law,  
 3194 counsel for the county, city, town, or metro township to which the referendum pertains shall:

3195 (a) review the referendum application to determine whether the proposed referendum is  
 3196 legally referable to voters; and

3197 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

- 3198 (i) legally referable to voters; or
- 3199 (ii) rejected as not legally referable to voters.

3200 (2) (a) Subject to Subsection (2)(b), for a land use law, a proposed referendum is  
 3201 legally referable to voters unless:

3202 (i) the proposed referendum challenges an action that is administrative, rather than  
 3203 legislative, in nature;

3204 (ii) the proposed referendum challenges a land use decision, rather than a land use  
 3205 regulation, as those terms are defined in Section 10-9a-103 or 17-27a-103;

3206 (iii) the proposed referendum challenges more than one law passed by the local  
 3207 legislative body; or

3208 (iv) the referendum application ~~[for the proposed referendum]~~ was not timely filed or  
 3209 does not comply with the requirements of this part.

3210 (b) In addition to the limitations of Subsection (2)(a), a proposed referendum is not  
 3211 legally referable to voters for a transit area land use law, as defined in Section 20A-7-601, if  
 3212 the transit area land use law was passed by a two-thirds vote of the local legislative body.

3213 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
 3214 or metro township may not, for a land use law:

3215 (a) reject a proposed referendum as not legally referable to voters; or  
3216 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
3217 proposed referendum on the grounds that the proposed referendum is not legally referable to  
3218 voters.

3219 (4) (a) If a county, city, town, or metro township rejects a proposed referendum  
3220 concerning a land use law, a sponsor of the proposed referendum may, within seven days after  
3221 the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision  
3222 to:

3223 (i) the Supreme Court, by means of an extraordinary writ, if possible; or  
3224 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
3225 under Subsection (4)(a)(i).

3226 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection  
3227 (4)(a) terminates the referendum.

3228 (5) If, on challenge or appeal, the court determines that the proposed referendum is  
3229 legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(3), or give  
3230 the sponsors access to the website defined in Section 20A-21-101, within five days after the  
3231 day on which the determination, and any challenge or appeal of the determination, is final.

3232 Section 62. Section 20A-7-603 is amended to read:

3233 **20A-7-603. Manual referendum process -- Form of referendum petition and**  
3234 **signature sheet.**

3235 (1) This section applies only to the manual referendum process.

3236 (2) (a) Each proposed referendum petition shall be printed in substantially the  
3237 following form:

3238 "REFERENDUM PETITION To the Honorable \_\_\_\_, County Clerk/City  
3239 Recorder/Town Clerk:

3240 We, the undersigned citizens of Utah, respectfully order that (description of local law or  
3241 portion of local law being challenged), passed by the \_\_\_\_ be referred to the voters for their



3242 approval or rejection at the regular/municipal general election to be held on

3243 \_\_\_\_\_(month\day\year);

3244 Each signer says:

3245 I have personally signed this referendum petition;

3246 The date next to my signature correctly reflects the date that I actually signed the  
3247 petition;

3248 I have personally reviewed the entire statement included with this packet;

3249 I am registered to vote in Utah; and

3250 My residence and post office address are written correctly after my name."

3251 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the  
3252 law that is the subject of the referendum to each referendum petition.

3253 (3) Each referendum signature sheet shall:

3254 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

3255 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above  
3256 that line blank for the purpose of binding;

3257 (c) include the title of the referendum printed below the horizontal line, in at least  
3258 14-point type;

3259 (d) include a table immediately below the title of the referendum, and beginning .5 inch  
3260 from the left side of the paper, as follows:

3261 (i) the first column shall be .5 inch wide and include three rows;

3262 (ii) the first row of the first column shall be .85 inch tall and contain the words "For  
3263 Office Use Only" in 10-point type;

3264 (iii) the second row of the first column shall be .35 inch tall;

3265 (iv) the third row of the first column shall be .5 inch tall;

3266 (v) the second column shall be 2.75 inches wide;

3267 (vi) the first row of the second column shall be .35 inch tall and contain the words  
3268 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

- 3269 (vii) the second row of the second column shall be .5 inch tall;
- 3270 (viii) the third row of the second column shall be .35 inch tall and contain the words
- 3271 "Street Address, City, Zip Code" in 10-point type;
- 3272 (ix) the fourth row of the second column shall be .5 inch tall;
- 3273 (x) the third column shall be 2.75 inches wide;
- 3274 (xi) the first row of the third column shall be .35 inch tall and contain the words
- 3275 "Signature of Registered Voter" in 10-point type;
- 3276 (xii) the second row of the third column shall be .5 inch tall;
- 3277 (xiii) the third row of the third column shall be .35 inch tall and contain the words
- 3278 "Email Address (optional, to receive additional information)" in 10-point type;
- 3279 (xiv) the fourth row of the third column shall be .5 inch tall;
- 3280 (xv) the fourth column shall be one inch wide;
- 3281 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
- 3282 "Date Signed" in 10-point type;
- 3283 (xvii) the second row of the fourth column shall be .5 inch tall;
- 3284 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
- 3285 "Birth Date or Age (optional)" in 10-point type;
- 3286 (xix) the fourth row of the third column shall be .5 inch tall; and
- 3287 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
- 3288 and contain the following words, "By signing this referendum petition, you are stating that you
- 3289 have read and understand the law that this referendum petition seeks to overturn." in 12-point
- 3290 type;
- 3291 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at
- 3292 the bottom of the sheet or the information described in Subsection (3)(f); and
- 3293 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,
- 3294 followed by the following statement in not less than eight-point type:
- 3295 "It is a class A misdemeanor for an individual to sign a referendum petition with a name

3296 other than the individual's own name, or to knowingly sign the individual's name more than  
3297 once for the same [measure] referendum petition, or to sign a referendum petition when the  
3298 individual knows that the individual is not a registered voter.

3299 Birth date or age information is not required, but it may be used to verify your identity  
3300 with voter registration records. If you choose not to provide it, your signature may not be  
3301 verified as a valid signature if you change your address before petition signatures are verified  
3302 or if the information you provide does not match your voter registration records."

3303 (4) The final page of each referendum packet shall contain the following printed or  
3304 typed statement:

3305 "Verification of signature collector

3306 State of Utah, County of \_\_\_\_

3307 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

3308 I am a resident of Utah and am at least 18 years old;

3309 All the names that appear in this packet were signed by individuals who professed to be  
3310 the individuals whose names appear in it, and each of the individuals signed the individual's  
3311 name on it in my presence;

3312 I did not knowingly make a misrepresentation of fact concerning the law this petition  
3313 seeks to overturn;

3314 I believe that each individual has printed and signed the individual's name and written  
3315 the individual's post office address and residence correctly, that each signer has read and  
3316 understands the law that the referendum seeks to overturn, and that each signer is registered to  
3317 vote in Utah.

3318 \_\_\_\_\_  
3319 (Name) (Residence Address) (Date)

3320 Each individual who signed the packet wrote the correct date of signature next to the  
3321 individual's name.

3322 I have not paid or given anything of value to any individual who signed this

3323 [~~petition~~]referendum packet to encourage that individual to sign it.

3324 \_\_\_\_\_  
3325 (Name) (Residence Address) (Date)".

3326 (5) If the forms described in this section are substantially followed, the referendum  
3327 petitions are sufficient, notwithstanding clerical and merely technical errors.

3328 (6) An individual's status as a resident, under Subsection (4), is determined in  
3329 accordance with Section [20A-2-105](#).

3330 Section 63. Section **20A-7-604** is amended to read:

3331 **20A-7-604. Manual referendum process -- Circulation requirements -- Local**  
3332 **clerk to provide sponsors with materials.**

3333 (1) This section applies only to the manual referendum process.

3334 (2) In order to obtain the necessary number of signatures required by this part, the  
3335 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described  
3336 in Subsections (3) and [20A-7-401.5\(4\)\(b\)](#), circulate referendum packets that meet the form  
3337 requirements of this part.

3338 (3) Within five days after the day on which a county, city, town, metro township, or  
3339 court determines, in accordance with Section [20A-7-602.7](#), that a proposed referendum is  
3340 legally referable to voters, the local clerk shall [~~furnish to~~] provide the sponsors[:] with  
3341 [~~(a)~~] a copy of the referendum petition[~~; and (b)~~] and a signature sheet.

3342 (4) The sponsors of the referendum petition shall:

3343 (a) arrange and pay for the printing of all [~~additional copies of the petition and~~  
3344 ~~signature sheets~~] documents that are part of the referendum packets; and

3345 (b) ensure that the [~~copies of the petition and signature sheets~~] referendum packets and  
3346 the documents described in Subsection (4)(a) meet the form requirements of this section.

3347 (5) (a) The sponsors or an agent of the sponsors may prepare the referendum packets  
3348 for circulation by creating multiple referendum packets.

3349 (b) The sponsors or an agent of the sponsors shall create referendum packets by

3350 binding a copy of the referendum petition with the text of the law that is the subject of the  
 3351 referendum and no more than 50 signature sheets together at the top in a manner that the  
 3352 referendum packets may be conveniently opened for signing.

3353 (c) A referendum packet is not required to have a uniform number of signature sheets.

3354 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of  
 3355 the proposition information pamphlet provided to the sponsors under Subsection  
 3356 20A-7-401.5(4)(b).

3357 (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

3358 (i) contact the county clerk to receive a range of numbers that the sponsors may use to  
 3359 number ~~[signature]~~ referendum packets; ~~[and]~~

3360 (ii) sign an agreement with the local clerk, specifying the range of numbers that the  
 3361 sponsor will use to number the referendum packets; and

3362 ~~[(ii)]~~ (iii) number each ~~[signature]~~ referendum packet, sequentially, within the range of  
 3363 numbers provided by the county clerk, starting with the lowest number in the range.

3364 (b) The sponsors or an agent of the sponsors may not:

3365 (i) number a ~~[signature]~~ referendum packet in a manner not directed by the county  
 3366 clerk; or

3367 (ii) circulate or submit a ~~[signature]~~ referendum packet that is not numbered in the  
 3368 manner directed by the county clerk.

3369 ~~[(c) The county clerk shall keep a record of the number range provided under~~  
 3370 ~~Subsection (6)(a).]~~

3371 Section 64. Section **20A-7-604.5** is amended to read:

3372 **20A-7-604.5. Posting referendum information.**

3373 (1) On the day on which the local clerk complies with Subsection 20A-7-604(3), or  
 3374 gives the sponsors access to the website defined in Section 20A-21-101, the local clerk shall  
 3375 post the following information together in a conspicuous place on the local clerk's website:

3376 (a) the referendum petition;

3377 (b) a copy of the law that is the subject of the referendum petition; and  
3378 (c) information describing how an individual may remove the individual's signature  
3379 from the referendum petition.

3380 (2) The local clerk shall:

3381 (a) promptly update the information described in Subsection (1) if the information  
3382 changes; and

3383 (b) maintain the information described in Subsection (1) on the local clerk's website  
3384 until the referendum fails to qualify for the ballot or is passed or defeated at an election.

3385 Section 65. Section **20A-7-605** is amended to read:

3386 **20A-7-605. Manual referendum process -- Obtaining signatures -- Verification --**  
3387 **Removal of signature.**

3388 (1) This section applies only to the manual referendum process.

3389 (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and  
3390 resides in the local jurisdiction.

3391 (3) (a) The sponsors shall ensure that the individual in whose presence each [~~signature~~  
3392 ~~sheet~~] referendum packet was signed:

3393 (i) is at least 18 years old and meets the residency requirements of Section **20A-2-105**;

3394 (ii) verifies each [~~signature sheet~~] referendum packet by completing the verification  
3395 printed on the last page of each referendum packet; and

3396 (iii) is informed that each signer is required to read and understand the law that the  
3397 referendum seeks to overturn.

3398 (b) An individual may not sign the verification printed on the last page of the  
3399 referendum packet if the individual signed a signature sheet in the referendum packet.

3400 (4) (a) A voter who has signed a referendum petition may have the voter's signature  
3401 removed from the referendum petition by submitting to the county clerk a statement requesting  
3402 that the voter's signature be removed no later than the earlier of:

3403 (i) 30 days after the day on which the voter signs the statement requesting removal; or

3404 (ii) 45 days after the day on which the local clerk posts the voter's name under  
 3405 Subsection 20A-7-607(2)(a).

3406 (b) (i) The statement shall include:

3407 (A) the name of the voter;

3408 (B) the resident address at which the voter is registered to vote;

3409 (C) the signature of the voter; and

3410 (D) the date of the signature described in Subsection (4)(b)(i)(C).

3411 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
 3412 statement may include the voter's birth date or age.

3413 (c) A voter may not submit a statement by email or other electronic means.

3414 (d) In order for the signature to be removed, the county clerk must receive the  
 3415 statement before 5 p.m. no later than 45 days after the day on which the local clerk posts the  
 3416 voter's name under Subsection 20A-7-607(2)(a).

3417 (e) A person may only remove a signature from a referendum petition in accordance  
 3418 with this Subsection (4).

3419 (f) A county clerk shall analyze a signature, for purposes of removing a signature from  
 3420 a referendum petition, in accordance with Section 20A-7-606.3.

3421 Section 66. Section 20A-7-606 is amended to read:

3422 **20A-7-606. Manual referendum process -- Submitting the referendum petition --**  
 3423 **Certification of signatures by the county clerks -- Transfer to local clerk.**

3424 (1) This section applies only to the manual referendum process.

3425 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
 3426 referendum packet to the county clerk of the county in which the referendum packet was  
 3427 circulated before 5 p.m. no later than the earlier of:

3428 (i) 30 days after the day on which the first individual signs the referendum packet; or

3429 (ii) 45 days after the day on which the sponsors receive the items described in  
 3430 Subsection 20A-7-604(3) or from the local clerk.

3431 (b) A person may not submit a referendum packet after the deadline described in  
3432 Subsection (2)(a).

3433 (3) No later than 21 days after the day on which a county clerk receives a verified  
3434 referendum packet under Subsection (2)(a), the county clerk shall:

3435 (a) determine whether each signer is a registered voter according to the requirements of  
3436 Section [20A-7-606.3](#);

3437 (b) certify on the [~~petition~~] referendum packet whether each name is that of a registered  
3438 voter;

3439 (c) provide the name, voter identification number, and date of signature of each  
3440 registered voter certified under Subsection (3)(b); and

3441 (d) deliver the verified referendum packet to the local clerk.

3442 (4) (a) If the county clerk timely receives a statement requesting signature removal  
3443 under Subsection [20A-7-605\(4\)](#), the county clerk shall:

3444 (i) ensure that the voter's name, voter identification number, and date of signature are  
3445 not included in the posting described in Subsection [20A-7-607\(2\)\(a\)](#); and

3446 (ii) remove the voter's signature from the [~~signature packets and signature packet~~]  
3447 referendum petition and the signature totals.

3448 (b) The county clerk shall comply with Subsection (4)(a) before the later of:

3449 (i) the deadline described in Subsection (3); or

3450 (ii) two business days after the day on which the county clerk receives a statement  
3451 requesting signature removal under Subsection [20A-7-605\(4\)](#).

3452 (c) The local clerk shall post a link in a conspicuous location on the local government's  
3453 website to the posting described in Subsection [20A-7-607\(2\)\(a\)](#) during the period of time  
3454 described in Subsection [20A-7-607\(2\)\(a\)\(i\)](#).

3455 (5) The county clerk may not certify a signature under Subsection (3):

3456 (a) on a referendum packet that is not verified in accordance with Section [20A-7-605](#);

3457 or



3458 (b) that does not have a date of signature next to the signature.

3459 (6) A person may not retrieve a referendum packet from a county clerk, or make any  
3460 alterations or corrections to a referendum packet, after the referendum packet is submitted to  
3461 the county clerk.

3462 Section 67. Section **20A-7-606.3** is amended to read:

3463 **20A-7-606.3. Verification of petition signatures.**

3464 (1) As used in this section:

3465 (a) "Substantially similar name" means:

3466 (i) the given name [~~and~~], the surname [shown on the petition], or both, provided by the  
3467 individual with the individual's petition signature contain only minor spelling differences when  
3468 compared to the given name and surname shown on the official register;

3469 (ii) the surname [~~shown on the petition]~~ provided by the individual with the  
3470 individual's petition signature exactly matches the surname shown on the official register, and  
3471 the given names differ only because one of the given names shown is a commonly used  
3472 abbreviation or variation of the other;

3473 (iii) the surname [~~shown on the petition]~~ provided by the individual with the  
3474 individual's petition signature exactly matches the surname shown on the official register, and  
3475 the given names differ only because one of the given names shown is accompanied by a first or  
3476 middle initial or a middle name which is not shown on the other record; or

3477 (iv) the surname [~~shown on the petition]~~ provided by the individual with the  
3478 individual's petition signature exactly matches the surname shown on the official register, and  
3479 the given names differ only because one of the given names shown is an alphabetically  
3480 corresponding initial that has been provided in the place of a given name shown on the other  
3481 record.

3482 (b) "Substantially similar name" does not mean a name having an initial or a middle  
3483 name [~~shown on the petition]~~ provided by the individual with the individual's petition signature  
3484 that does not match a different initial or middle name shown on the official register.

3485 (2) In relation to an individual who signs a referendum petition with a holographic  
3486 signature, the county clerk shall use the following procedures in determining whether a signer  
3487 is a registered voter:

3488 (a) [~~When~~] if a signer's name and address [~~shown on the petition~~] provided by the  
3489 individual with the individual's petition signature exactly match a name and address shown on  
3490 the official register and the signer's signature appears substantially similar to the signature on  
3491 the statewide voter registration database, the county clerk shall declare the signature valid[-];

3492 (b) [~~When~~] if there is no exact match of an address and a name, the county clerk shall  
3493 declare the signature valid if:

3494 (i) the address [~~on the petition~~] provided by the individual with the individual's petition  
3495 signature matches the address of an individual on the official register with a substantially  
3496 similar name; and

3497 (ii) the signer's signature appears substantially similar to the signature on the statewide  
3498 voter registration database of the individual described in Subsection (2)(b)(i)[-];

3499 (c) [~~When~~] if there is no match of an address and a substantially similar name, the  
3500 county clerk shall declare the signature valid if:

3501 (i) the birth date or age [~~on the petition~~] provided by the individual with the  
3502 individual's petition signature matches the birth date or age of an individual on the official  
3503 register with a substantially similar name; and

3504 (ii) the signer's signature appears substantially similar to the signature on the statewide  
3505 voter registration database of the individual described in Subsection (2)(c)(i)[-]; and

3506 (d) [~~If~~] if a signature is not declared valid under Subsection (2)(a), (b), or (c), the  
3507 county clerk shall declare the signature to be invalid.

3508 (3) In relation to an individual who, with a holographic signature, signs a statement to  
3509 remove the individual's signature from a referendum petition, the county clerk shall use the  
3510 following procedures in determining whether to remove a signature from a referendum petition  
3511 after receiving a timely, valid statement requesting removal of the signature:

3512 (a) if a signer's name and address shown on the statement and the referendum petition  
3513 exactly match a name and address shown on the official register and the signer's [~~signature~~]  
3514 signatures on both the statement and the referendum petition [~~appears~~] appear substantially  
3515 similar to the signature on the statewide voter registration database, the county clerk shall  
3516 remove the signature from the referendum petition;

3517 (b) if there is no exact match of an address and a name, the county clerk shall remove  
3518 the signature from the referendum petition if:

3519 (i) the address on the statement and the [~~petition matches~~] address provided by the  
3520 individual with the individual's petition signature match the address of an individual on the  
3521 official register with a substantially similar name; and

3522 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition  
3523 [~~appears~~] appear substantially similar to the signature on the statewide voter registration  
3524 database of the individual described in Subsection (3)(b)(i);

3525 (c) if there is no match of an address and a substantially similar name, the county clerk  
3526 shall remove the signature from the referendum petition if:

3527 (i) the birth date or age on the statement and [~~petition~~] the birth date or age provided by  
3528 the individual with the individual's petition signature match the birth date or age of an  
3529 individual on the official register with a substantially similar name; and

3530 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition  
3531 [~~appears~~] appear substantially similar to the signature on the statewide voter registration  
3532 database of the individual described in Subsection (3)(c)(i); and

3533 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
3534 county clerk may not remove the signature from the petition.

3535 Section 68. Section **20A-7-607** is amended to read:

3536 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**  
3537 **referendum.**

3538 (1) In relation to the manual referendum process, when the local clerk receives a

3539 referendum packet from a county clerk, the local clerk shall record the number of the  
3540 referendum packet received.

3541 (2) The county clerk shall:

3542 (a) in relation to the manual referendum process:

3543 (i) post the names, voter identification numbers, and dates of signatures described in  
3544 Subsection 20A-7-606(3)(c) on the lieutenant governor's website, in a conspicuous location  
3545 designated by the lieutenant governor, for at least 45 days; and

3546 (ii) update on the local clerk's website the number of signatures certified as of the date  
3547 of the update; or

3548 (b) in relation to the electronic referendum process:

3549 (i) post the names, voter identification numbers, and dates of signatures described in  
3550 Subsection 20A-7-616(3) on the lieutenant governor's website, in a conspicuous location  
3551 designated by the lieutenant governor, for at least 45 days; and

3552 (ii) update on the lieutenant governor's website the number of signatures certified as of  
3553 the date of the update.

3554 (3) The local clerk:

3555 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be  
3556 sufficient or insufficient:

3557 (i) in relation to the manual referendum process, no later than 111 days after the day of  
3558 the deadline, described in Subsection 20A-7-606(2), to submit a referendum packet to the  
3559 county clerk; or

3560 (ii) in relation to the electronic referendum process, no later than 111 days after the day  
3561 of the deadline, described in Subsection 20A-7-616(2), to collect a signature; or

3562 (b) may declare the referendum petition to be insufficient before the day described in  
3563 Subsection (3)(a) if:

3564 (i) in relation to the manual referendum process, the total of all valid signatures on  
3565 timely and lawfully submitted [signature] referendum packets that have been certified by the

3566 county clerk, plus the number of signatures on timely and lawfully submitted [~~signature~~]  
3567 referendum packets that have not yet been evaluated for certification, is less than the number of  
3568 names required under Section 20A-7-601;

3569 (ii) in relation to the electronic referendum process, the total of all timely and lawfully  
3570 submitted valid signatures that have been certified by the county clerks, plus the number of  
3571 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)  
3572 that have not yet been evaluated for certification, is less than the number of names required  
3573 under Section 20A-7-601; or

3574 (iii) a requirement of this part has not been met.

3575 (4) (a) If the total number of names certified under Subsection (2) equals or exceeds  
3576 the number of names required under Section 20A-7-601, and the requirements of this part are  
3577 met, the local clerk shall mark upon the front of the referendum petition the word  
3578 "sufficient."[:]

3579 (b) If the total number of names certified under Subsection (3) does not equal or  
3580 exceed the number of names required under Section 20A-7-601 or a requirement of this part is  
3581 not met, the local clerk shall mark upon the front of the referendum petition the word  
3582 "insufficient."

3583 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's  
3584 finding.

3585 (d) After a referendum petition is declared insufficient, a person may not submit  
3586 additional signatures to qualify the [~~petition~~] referendum for the ballot.

3587 (5) (a) If the local clerk refuses to [~~accept and file any~~] declare a referendum petition  
3588 sufficient, any voter may, no later than 10 days after the day on which the local clerk declares  
3589 the referendum petition insufficient, apply to [~~a~~] the appropriate court for an [~~extraordinary writ~~  
3590 ~~to compel the local clerk to do so within 10 days after the refusal~~] order finding the referendum  
3591 petition legally sufficient.

3592 (b) If the court determines that the referendum petition is legally sufficient, the local

3593 clerk shall [~~file the petition, with a verified copy of the judgment attached to the petition,~~] mark  
3594 the referendum petition "sufficient" and consider the declaration of sufficiency effective as of  
3595 the date on which the referendum petition [~~was originally offered for filing in]~~ should have  
3596 been declared sufficient by the local clerk's office.

3597 (c) If the court determines that [~~any~~] a referendum petition filed is not legally  
3598 sufficient, the court may enjoin the local clerk and all other officers from:

3599 (i) certifying or printing the ballot title and numbers of that [~~measure~~] referendum on  
3600 the official ballot for the next election; or

3601 (ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing,  
3602 or mailing the ballot title and numbers of that [~~measure~~] referendum under Section  
3603 [20A-7-609.5](#).

3604 (6) A referendum petition determined to be sufficient in accordance with this section is  
3605 qualified for the ballot.

3606 (7) (a) Except as provided in Subsection (7)(b) or (c), if a referendum relates to  
3607 legislative action taken after April 15, the election officer may not place the referendum on an  
3608 election ballot until a primary election, a general election, or a special election the following  
3609 year.

3610 (b) The election officer may place a referendum described in Subsection (7)(a) on the  
3611 ballot for a special, primary, or general election held during the year that the legislative action  
3612 was taken if the following agree, in writing, on a timeline to place the referendum on that  
3613 ballot:

3614 (i) the local clerk;

3615 (ii) the county clerk; and

3616 (iii) the attorney for the county or municipality that took the legislative action.

3617 (c) For a referendum on a land use law, if, before August 30, the local clerk or a court  
3618 determines that the total number of certified names equals or exceeds the number of signatures  
3619 required in Section [20A-7-601](#), the election officer shall place the referendum on the election

3620 ballot for:

3621 (i) the next general election; or

3622 (ii) another election, if the following agree, in writing, on a timeline to place the

3623 referendum on that ballot:

3624 (A) the affected owners, as defined in Section 10-9a-103 or 17-27a-103, as applicable;

3625 (B) the local clerk;

3626 (C) the county clerk; and

3627 (D) the attorney for the county or municipality that took the legislative action.

3628 Section 69. Section 20A-7-608 is amended to read:

3629 **20A-7-608. Short title and summary of referendum -- Duties of local clerk and**

3630 **local attorney.**

3631 (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the

3632 referendum petition and the [~~proposed~~] law to which the referendum relates to the local

3633 attorney.

3634 (2) The local attorney shall:

3635 (a) entitle each county or municipal referendum that qualifies for the ballot

3636 "Proposition Number \_\_\_" and give the referendum a number assigned in accordance with

3637 Section 20A-6-107;

3638 (b) prepare for the referendum:

3639 (i) an impartial short title, not exceeding 25 words, that generally describes the subject

3640 of the [~~measure~~] law to which the referendum relates; and

3641 (ii) an impartial summary of the contents of the [~~measure~~] law to which the referendum

3642 relates, not exceeding 125 words;

3643 (c) file the proposed short title, summary, and the numbered referendum title with the

3644 local clerk within 20 days after the day on which an eligible voter submits the referendum

3645 petition to the local clerk; and

3646 (d) promptly provide notice of the filing of the proposed short title and summary to:

- 3647 (i) the sponsors of the petition; and  
3648 (ii) the local legislative body for the jurisdiction where the referendum petition was  
3649 circulated.
- 3650 (3) (a) The short title and summary may be distinct from the title of the law that is the  
3651 subject of the referendum petition.
- 3652 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's  
3653 ability, give a true and impartial description of the subject of the [measure] referendum.
- 3654 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's  
3655 ability, give a true and impartial summary of the contents of the [measure] referendum.
- 3656 (d) The short title and summary may not intentionally be an argument, or likely to  
3657 create prejudice, for or against the [measure] referendum.
- 3658 (4) (a) Within five calendar days after the day on which the local attorney files a  
3659 proposed short title and summary under Subsection (2)(c), the local legislative body for the  
3660 jurisdiction where the referendum petition was circulated and the sponsors of the referendum  
3661 petition may file written comments in response to the proposed short title and summary with  
3662 the local clerk.
- 3663 (b) Within five calendar days after the last date to submit written comments under  
3664 Subsection (4)(a), the local attorney shall:
- 3665 (i) review any written comments filed in accordance with Subsection (4)(a);  
3666 (ii) prepare a final short title and summary that meets the requirements of Subsection  
3667 (3); and  
3668 (iii) return the referendum petition and file the short title and summary with the local  
3669 clerk.
- 3670 (c) Subject to Subsection (6):
- 3671 (i) the short title, as determined by the local attorney, shall be printed on the official  
3672 ballot; and  
3673 (ii) for each ballot that includes an initiative or referendum, the election officer shall



3674 include with the ballot a separate ballot proposition insert that includes the short title and  
3675 summary for each initiative and referendum on the ballot and a link to a location on the  
3676 election officer's website where a voter may review additional information relating to each  
3677 initiative or referendum, including:

3678 (A) for an initiative, the information described in Subsection 20A-7-502(2), the initial  
3679 fiscal impact [estimate] and legal statement described in Section 20A-7-502.5, as updated, and  
3680 the arguments relating to the initiative that are included in the local voter information  
3681 pamphlet; or

3682 (B) for a referendum, the information described in Subsection 20A-7-602(2) and the  
3683 arguments relating to the referendum that are included in the local voter information pamphlet.

3684 (d) For each ballot that includes an initiative or referendum, the ballot shall include the  
3685 following statement at the beginning of the portion of the ballot that includes ballot measures,  
3686 "The ballot proposition sheet included with this ballot contains an impartial summary of each  
3687 initiative and referendum on this ballot."

3688 (5) Immediately after the local attorney files a copy of the short title and summary with  
3689 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon  
3690 the sponsors of the referendum petition and the local legislative body for the jurisdiction where  
3691 the referendum petition was circulated.

3692 (6) (a) If the short title or summary [~~furnished~~] provided by the local attorney is  
3693 unsatisfactory or does not comply with the requirements of this section, the decision of the  
3694 local attorney may be appealed to the appropriate court by:

3695 (i) at least three sponsors of the referendum petition; or

3696 (ii) a majority of the local legislative body for the jurisdiction where the referendum  
3697 petition was circulated.

3698 (b) The court:

3699 (i) shall examine the short title and summary and consider the arguments; and

3700 (ii) enter an order consistent with the requirements of this section.

3701 (c) The local clerk shall include the short title and summary in the ballot or ballot  
3702 proposition insert, as required by this section.

3703 Section 70. Section **20A-7-609** is amended to read:

3704 **20A-7-609. Form of ballot -- Manner of voting.**

3705 (1) The local clerk shall ensure that the number and ballot title are presented upon the  
3706 official ballot with, immediately adjacent to them, the words "For" and "Against," each word  
3707 presented with an adjacent square in which the elector may indicate the elector's vote.

3708 (2) (a) Except as provided in Subsection (2)(c)(i) or Section [20A-7-609.5](#), and unless  
3709 the county legislative body calls a special election, the county clerk shall ensure that county  
3710 referenda that have qualified for the ballot appear on the next regular general election ballot.

3711 (b) Except as provided in Subsection (2)(c)(ii) or Section [20A-7-609.5](#), and unless the  
3712 municipal legislative body calls a special election, the municipal recorder or clerk shall ensure  
3713 that municipal referenda that have qualified for the ballot appear on the next regular municipal  
3714 election ballot.

3715 (c) (i) Except as provided in Section [20A-7-609.5](#), if a local law passes after January  
3716 30 of the year in which there is a regular general election, the county clerk shall ensure that a  
3717 county referendum that has qualified for the ballot appears on the ballot at the second regular  
3718 general election immediately following the passage of the local law unless the county  
3719 legislative body calls a special election.

3720 (ii) Except as provided in Section [20A-7-609.5](#), if a local law passes after January 30  
3721 of the year in which there is a municipal general election, the municipal recorder or clerk shall  
3722 ensure that a municipal referendum that has qualified for the ballot appears on the ballot at the  
3723 second municipal general election immediately following the passage of the local law unless  
3724 the municipal legislative body calls a special election.

3725 (3) (a) (i) A voter desiring to vote in favor of the law that is the subject of the  
3726 referendum shall mark the square adjacent to the word "For."

3727 (ii) The law that is the subject of the referendum is effective if a majority of voters

3728 mark "For."

3729 (b) (i) A voter desiring to vote against the law that is the subject of the referendum  
3730 [~~petition~~] shall mark the square following the word "Against."

3731 (ii) The law that is the subject of the referendum is not effective if a majority of voters  
3732 mark "Against."

3733 Section 71. Section **20A-7-610** is amended to read:

3734 **20A-7-610. Return and canvass -- Conflicting measures -- Law effective on**  
3735 **proclamation.**

3736 (1) The votes on the [~~proposed~~] law that is the subject of the referendum petition shall  
3737 be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing  
3738 Returns.

3739 (2) After the local board of canvassers completes the canvass, the local clerk shall  
3740 certify to the local legislative body the vote for and against the [~~proposed~~] law that is the  
3741 subject of the referendum petition.

3742 (3) (a) The local legislative body shall immediately issue a proclamation that:

3743 (i) gives the total number of votes cast in the local jurisdiction for and against each  
3744 [~~proposed~~] law that is the subject of a referendum petition; and

3745 (ii) in accordance with Section **20A-7-611**, declares those laws that are the subject of a  
3746 referendum petition that [~~were~~] are approved by majority vote to be in full force and effect as  
3747 the law of the local jurisdiction.

3748 (b) When the local legislative body determines that two [~~proposed~~] laws, or that parts  
3749 of two [~~proposed~~] laws approved by the people at the same election are entirely in conflict, the  
3750 local legislative body shall proclaim [~~that measure~~] to be law the law that received the greatest  
3751 number of affirmative votes, regardless of the difference in the majorities which those  
3752 [~~measures have~~] approved laws received.

3753 (4) (a) Within 10 days after the day on which the local legislative body issues the  
3754 proclamation described in Subsection (3), any qualified voter residing in the jurisdiction for a

3755 law that is declared by the local legislative body to be superseded by another [~~measure~~] law  
3756 approved at the same election may bring an action in the appropriate court to review the  
3757 decision.

3758 (b) The court shall:

3759 (i) consider the matter and decide whether the [~~proposed~~] approved laws are entirely in  
3760 conflict; and

3761 (ii) issue an order, consistent with the court's decision, to the local legislative body.

3762 (5) Within 10 days after the day on which the court enters an order under Subsection  
3763 (4)(b)(ii), the local legislative body shall:

3764 (a) proclaim as law all [~~measures~~] those laws approved by the people that the court  
3765 determines are not in conflict; and

3766 (b) [~~for the measures~~] of all those laws approved by the people as law that the court  
3767 determines to be in conflict, proclaim as law the [~~measure that received~~] one that receives the  
3768 greatest number of affirmative votes, regardless of the difference in majorities.

3769 Section 72. Section **20A-7-611** is amended to read:

3770 **20A-7-611. Temporary stay -- Effective date -- Effect of repeal by local legislative**  
3771 **body.**

3772 (1) Any [~~proposed~~] law submitted to the people by referendum petition that is rejected  
3773 by the voters at any election is repealed as of the date of the election.

3774 (2) If, at the time during the process described in Subsection **20A-7-607(2)**, the local  
3775 clerk determines that, at that point in time, an adequate number of signatures are certified to  
3776 comply with the signature requirements, the local clerk shall:

3777 (a) issue an order temporarily staying the law from going into effect; and

3778 (b) continue the process of certifying signatures and removing signatures as required by  
3779 this part.

3780 (3) The temporary stay described in Subsection (2) remains in effect, regardless of  
3781 whether a future count falls below the signature threshold, until the day on which:

3782 (a) if the local clerk declares the referendum petition insufficient, five days after the  
 3783 day on which the local clerk declares the referendum petition insufficient; or

3784 (b) if the local clerk declares the referendum petition sufficient, the day on which the  
 3785 local legislative body issues the proclamation described in Section 20A-7-610.

3786 (4) A [~~proposed~~] law submitted to the people by referendum [~~petition~~] that is approved  
 3787 by the voters at an election takes effect the later of:

3788 (a) five days after the date of the official proclamation of the vote by the local  
 3789 legislative body; or

3790 (b) the effective date specified in the [~~proposed~~] approved law.

3791 (5) If, after the local clerk issues a temporary stay order under Subsection (2)(a), the  
 3792 local clerk declares the referendum petition insufficient, the [~~proposed~~] law that is the subject  
 3793 of the referendum petition takes effect the later of:

3794 (a) five days after the day on which the local clerk declares the petition insufficient; or

3795 (b) the effective date specified in the proposed law.

3796 (6) (a) A law [~~adopted~~] approved by the people under this part is not subject to veto.

3797 (b) The local legislative body may amend any laws approved by the people under this  
 3798 part after the people approve the law.

3799 (7) If the local legislative body repeals a law challenged by referendum petition under  
 3800 this part, the referendum petition is void and no further action on the referendum petition is  
 3801 required.

3802 Section 73. Section 20A-7-612 is amended to read:

3803 **20A-7-612. Misconduct of electors and officers -- Penalty.**

3804 (1) It is unlawful for an individual to:

3805 (a) sign [~~any~~] a name other than the individual's own name to any referendum petition;

3806 (b) knowingly sign the individual's name more than once for the same referendum at  
 3807 one election;

3808 (c) knowingly indicate that an individual who signed a referendum petition signed the

3809 referendum petition on a date other than the date that the individual signed the referendum  
3810 petition;

3811 ~~[(b)]~~ (d) sign a referendum petition knowing that the individual is not a legal voter;

3812 ~~[(c)]~~ (e) in connection with circulating a referendum petition, represent that a document  
3813 is an official government document if the individual knows or has reason to know that the  
3814 document is not an official government document; or

3815 ~~[(d)]~~ (f) knowingly and willfully violate any provision of this part.

3816 (2) It is unlawful for an individual to sign the verification for a referendum packet, or  
3817 to electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing  
3818 that:

3819 (a) the individual does not meet the residency requirements of Section 20A-2-105;

3820 (b) the signature date associated with the individual's signature for the referendum  
3821 petition is not the date that the individual signed the referendum petition;

3822 ~~[(b)]~~ (c) the individual has not witnessed the signatures the individual collects or  
3823 submits; or

3824 ~~[(c)]~~ (d) one or more individuals whose signatures appear in the referendum packet is  
3825 not registered to vote in Utah.

3826 (3) It is unlawful for an individual to:

3827 (a) pay an individual to sign a referendum petition;

3828 (b) pay an individual to remove the individual's signature from a referendum petition;

3829 (c) accept payment to sign a referendum petition; or

3830 (d) accept payment to have the individual's name removed from a referendum petition.

3831 ~~[(3) An individual who violates this part is guilty of]~~

3832 (4) A violation of this section is a class A misdemeanor.

3833 ~~[(4)]~~ (5) The county attorney or municipal attorney shall prosecute any violation of this  
3834 section.

3835 Section 74. Section 20A-7-614 is amended to read:

3836           **20A-7-614. Electronic referendum process -- Form of referendum petition --**  
3837 **Circulation requirements -- Signature collection.**

3838           (1) This section applies only to the electronic referendum process.

3839           (2) (a) The first screen presented on the approved device shall include the following  
3840 statement:

3841            "This REFERENDUM PETITION is addressed to the Honorable \_\_\_\_\_, County  
3842 Clerk/City Recorder/Town Clerk:

3843            The citizens of Utah who sign this petition respectfully order that (description of local  
3844 law or portion of local law being challenged), passed by the \_\_\_\_\_ be referred to the voters for  
3845 their approval or rejection at the regular/municipal general election to be held on  
3846 \_\_\_\_\_(month\day\year)."

3847           (b) An individual may not advance to the second screen until the individual clicks a  
3848 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and  
3849 understand the information presented on this screen."

3850           (3) (a) The second screen presented on the approved device shall include the entire text  
3851 of the law that is the subject of the referendum petition.

3852           (b) An individual may not advance to the third screen until the individual clicks a link  
3853 at the bottom of the second screen stating, "By clicking here, I attest that I have read and  
3854 understand the entire text of the law that is the subject of the referendum petition."

3855           (4) (a) The third screen presented on the approved device shall include a statement  
3856 indicating whether persons gathering signatures for the referendum petition may be paid for  
3857 gathering signatures.

3858           (b) An individual may not advance to the fourth screen until the individual clicks a link  
3859 at the bottom of the third screen stating, "By clicking here, I attest that I have read and  
3860 understand the information presented on this screen."

3861           (5) The fourth screen presented on the approved device shall include the following  
3862 statement, followed by links where the individual may click "yes" or "no":

3863 "I have personally reviewed the entirety of each statement presented on this device;  
3864 I am personally signing this referendum petition;  
3865 I am registered to vote in Utah; and  
3866 All information I enter on this device, including my residence and post office address, is  
3867 accurate.

3868 It is a class A misdemeanor for an individual to sign a referendum petition with a name  
3869 other than the individual's own name, or to knowingly sign the individual's name more than  
3870 once for the same [~~measure~~] referendum petition, or to sign a referendum petition when the  
3871 individual knows that the individual is not a registered voter.

3872 Do you wish to continue and sign this referendum petition?"

3873 (6) (a) If the individual clicks "no" in response to the question described in Subsection  
3874 (5), the next screen shall include the following statement, "Thank you for your time. Please  
3875 return this device to the signature-gatherer."

3876 (b) If the individual clicks "yes" in response to the question described in Subsection  
3877 (5), the website, or the application that accesses the website, shall take the signature-gatherer  
3878 and the individual signing the referendum petition through the signature process described in  
3879 Section [20A-21-201](#).

3880 Section 75. Section **20A-7-615** is amended to read:

3881 **20A-7-615. Electronic referendum process -- Obtaining signatures -- Request to**  
3882 **remove signature.**

3883 (1) This section applies to the electronic referendum process described in Section  
3884 [20A-21-201](#).

3885 (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and  
3886 resides in the local jurisdiction.

3887 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
3888 an individual:

3889 (a) verifies that the individual is at least 18 years old and meets the residency



3890 requirements of Section 20A-2-105; and

3891 (b) is informed that each signer is required to read and understand the law that is the  
3892 subject of the referendum petition.

3893 (4) (a) A voter who has signed a referendum petition may have the voter's signature  
3894 removed from the referendum petition by submitting to the county clerk a statement requesting  
3895 that the voter's signature be removed before 5 p.m. no later than the earlier of:

3896 (i) 30 days after the day on which the voter signs the statement requesting removal; or

3897 (ii) 45 days after the day on which the local clerk posts the voter's name under

3898 Subsection 20A-7-616(3).

3899 (b) The statement shall include:

3900 (i) the name of the voter;

3901 (ii) the resident address at which the voter is registered to vote;

3902 (iii) the signature of the voter; and

3903 (iv) the date of the signature described in Subsection (4)(b)(iii).

3904 (c) To increase the likelihood of the voter's signature being identified and removed, the  
3905 statement may include the voter's birth date or age.

3906 (d) A voter may not submit a signature removal statement by email or other electronic  
3907 means, unless the lieutenant governor establishes a signature removal process that is consistent  
3908 with the requirements of this section and Section 20A-21-201.

3909 (e) A person may only remove an electronic signature from [~~an initiative~~] a referendum  
3910 petition in accordance with this section.

3911 (f) A county clerk shall analyze a holographic signature, for purposes of removing an  
3912 electronic signature from a referendum petition, in accordance with Section 20A-7-606.3.

3913 Section 76. Section 20A-7-616 is amended to read:

3914 **20A-7-616. Electronic referendum process -- Collecting signatures -- Removal of**  
3915 **signatures.**

3916 (1) This section applies only to the electronic referendum process.

3917 (2) A signature-gatherer may not collect a signature after 5 p.m. 45 days after the day  
3918 on which the first three sponsors receive notice, under Section 20A-7-602.7 or 20A-7-602.8,  
3919 that the referendum is legally referable to voters.

3920 (3) The local clerk shall send to each individual who provides a valid email address  
3921 during the signature-gathering process an email that includes the following:

3922 (a) the subject of the email shall include the following statement, "Notice Regarding  
3923 Your Petition Signature"; and

3924 (b) the body of the email shall include the following statement in 12-point type:  
3925 "You signed a petition for the following referendum:

3926 [insert title of [initiative] referendum]

3927 To access a copy of the referendum petition, the law that is the subject of the  
3928 referendum petition, and information on the deadline for removing your signature from the  
3929 referendum petition, please visit the following link: [insert a uniform resource locator that takes  
3930 the individual directly to the page on the lieutenant governor's website that includes the  
3931 information referred to in the email]."

3932 (4) Except as provided in Subsection (5), the county clerk shall, within two business  
3933 days after the day on which the signature of an individual who signs a referendum petition is  
3934 certified under Section 20A-21-201, post the name, voter identification number, and date of  
3935 signature of the individual on the lieutenant governor's website, in a conspicuous location  
3936 designated by the lieutenant governor, for at least 45 days.

3937 (5) (a) If the local clerk timely receives a statement requesting signature removal under  
3938 Subsection 20A-7-615(4), the local clerk shall:

3939 (i) ensure that the voter's name, voter identification number, and date of signature are  
3940 not included in the posting described in Subsection (4); and

3941 (ii) remove the voter's signature from the referendum petition and the [petition]  
3942 signature totals.

3943 (b) The local clerk shall comply with Subsection (5)(a) before the later of:

- 3944 (i) the deadline described in Subsection (4); or
- 3945 (ii) two business days after the day on which the county clerk receives a statement
- 3946 requesting signature removal under Subsection 20A-7-615(4).

3947 Section 77. Section 20A-7-702 is amended to read:

3948 **20A-7-702. Voter information pamphlet -- Form -- Contents.**

3949 The voter information pamphlet shall contain the following items in this order:

- 3950 (1) a cover title page;
- 3951 (2) an introduction to the pamphlet by the lieutenant governor;
- 3952 (3) a table of contents;
- 3953 (4) a list of all candidates for constitutional offices;
- 3954 (5) a list of candidates for each legislative district;
- 3955 (6) a 100-word statement of qualifications for each candidate for the office of
- 3956 governor, lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by
- 3957 the candidate to the lieutenant governor's office before 5 p.m. on the first business day in
- 3958 August before the date of the election;
- 3959 (7) information pertaining to all measures to be submitted to the voters, beginning a
- 3960 new page for each measure and containing, in the following order for each measure:
  - 3961 (a) a copy of the number and ballot title of the measure;
  - 3962 (b) the final vote cast by the Legislature on the measure if it is a measure submitted by
  - 3963 the Legislature or by referendum;
  - 3964 (c) the impartial analysis of the measure prepared by the Office of Legislative Research
  - 3965 and General Counsel;
  - 3966 (d) the arguments in favor of the measure, the rebuttal to the arguments in favor of the
  - 3967 measure, the arguments against the measure, and the rebuttal to the arguments against the
  - 3968 measure, with the name and title of the authors at the end of each argument or rebuttal;
  - 3969 (e) for each constitutional amendment, a complete copy of the text of the constitutional
  - 3970 amendment, with all new language underlined, and all deleted language placed within brackets;

- 3971 (f) for each initiative qualified for the ballot:
- 3972 (i) a copy of the [~~measure~~] initiative as certified by the lieutenant governor and a copy
- 3973 of the initial fiscal impact [~~estimate~~] statement prepared according to Section [20A-7-202.5](#); and
- 3974 (ii) if the initiative proposes a tax increase, the following statement in bold type:
- 3975 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
- 3976 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
- 3977 increase in the current tax rate."; and
- 3978 (g) for each referendum qualified for the ballot, a complete copy of the text of the law
- 3979 being submitted to the voters for their approval or rejection, with all new language underlined
- 3980 and all deleted language placed within brackets, as applicable;
- 3981 (8) a description provided by the Judicial Performance Evaluation Commission of the
- 3982 selection and retention process for judges, including, in the following order:
- 3983 (a) a description of the judicial selection process;
- 3984 (b) a description of the judicial performance evaluation process;
- 3985 (c) a description of the judicial retention election process;
- 3986 (d) a list of the criteria of the judicial performance evaluation and the certification
- 3987 standards;
- 3988 (e) the names of the judges standing for retention election; and
- 3989 (f) for each judge:
- 3990 (i) a list of the counties in which the judge is subject to retention election;
- 3991 (ii) a short biography of professional qualifications and a recent photograph;
- 3992 (iii) a narrative concerning the judge's performance;
- 3993 (iv) for each certification standard under Section [78A-12-205](#), a statement identifying
- 3994 whether, under Section [78A-12-205](#), the judge met the standard and, if not, the manner in
- 3995 which the judge failed to meet the standard;
- 3996 (v) a statement that the Judicial Performance Evaluation Commission:
- 3997 (A) has determined that the judge meets or exceeds minimum performance standards;

3998 (B) has determined that the judge does not meet or exceed minimum performance  
3999 standards; or

4000 (C) has not made a determination regarding whether the judge meets or exceeds  
4001 minimum performance standards;

4002 (vi) any statement, described in Subsection 78A-12-206(3)(b), provided by a judge  
4003 whom the Judicial Performance Evaluation Commission determines does not meet or exceed  
4004 minimum performance standards;

4005 (vii) in a bar graph, the average of responses to each survey category, displayed with an  
4006 identification of the minimum acceptable score as set by Section 78A-12-205 and the average  
4007 score of all judges of the same court level; and

4008 (viii) a website address that contains the Judicial Performance Evaluation  
4009 Commission's report on the judge's performance evaluation;

4010 (9) for each judge, a statement provided by the Utah Supreme Court identifying the  
4011 cumulative number of informal reprimands, when consented to by the judge in accordance with  
4012 Title 78A, Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of  
4013 censure and suspension issued by the Utah Supreme Court under Utah Constitution, Article  
4014 VIII, Section 13, during the judge's current term and the immediately preceding term, and a  
4015 detailed summary of the supporting reasons for each violation of the Code of Judicial Conduct  
4016 that the judge has received;

4017 (10) an explanation of ballot marking procedures prepared by the lieutenant governor,  
4018 indicating the ballot marking procedure used by each county and explaining how to mark the  
4019 ballot for each procedure;

4020 (11) voter registration information, including information on how to obtain a ballot;

4021 (12) a list of all county clerks' offices and phone numbers;

4022 (13) the address of the Statewide Electronic Voter Information Website, with a  
4023 statement indicating that the election officer will post on the website any changes to the  
4024 location of a polling place and the location of any additional polling place;

4025 (14) a phone number that a voter may call to obtain information regarding the location  
4026 of a polling place; and

4027 (15) on the back cover page, a printed copy of the following statement signed by the  
4028 lieutenant governor:

4029 "I, \_\_\_\_\_ (print name), Lieutenant Governor of Utah, certify that the  
4030 measures contained in this pamphlet will be submitted to the voters of Utah at the election to  
4031 be held throughout the state on \_\_\_\_ (date of election), and that this pamphlet is complete and  
4032 correct according to law.

4033 SEAL

4034 Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this \_\_\_\_ day  
4035 of \_\_\_\_ (month), \_\_\_\_ (year)

4036 (signed) \_\_\_\_\_  
4037 Lieutenant Governor".

4038 Section 78. **Coordinating H.B. 38 with S.B. 43 -- Substantive and technical**  
4039 **amendments.**

4040 If this H.B. 38 and S.B. 43, Public Notice Requirements, both pass and become law, it  
4041 is the intent of the Legislature that the Office of Legislative Research and General Counsel  
4042 shall prepare the Utah Code database for publication by amending Subsections [20A-7-204.1\(2\)](#)  
4043 through (3) to read:

4044 "~~(2) (a)~~ The sponsors shall~~[:(a)]~~, before 5 p.m. at least [~~three~~] 10 calendar days before  
4045 the date of the public hearing, provide written notice of the public hearing [~~to:~~], including the  
4046 date, time, and location of the public hearing:

4047 (i) to the lieutenant governor [~~for posting on the state's website; and~~];

4048 (ii) to the county clerk of each county in the region where the public hearing will be  
4049 held;

4050 [~~(ii)~~] (iii) each state senator, state representative, and county commission or county  
4051 council member who is elected in whole or in part from the region where the public hearing

4052 will be held; and

4053 ~~[(b) publish written notice of the public hearing, including the time, date, and location~~  
4054 ~~of the public hearing, in each county in the region where the public hearing will be held:]~~

4055 ~~[(i) (A) at least three calendar days before the day of the public hearing, in a newspaper~~  
4056 ~~of general circulation in the county;]~~

4057 ~~[(B) if there is no newspaper of general circulation in the county, at least three calendar~~  
4058 ~~days before the day of the public hearing, by posting one copy of the notice, and at least one~~  
4059 ~~additional copy of the notice per 2,000 population of the county, in places within the county~~  
4060 ~~that are most likely to give notice to the residents of the county; or]~~

4061 ~~[(C) at least seven days before the day of the public hearing, by mailing notice to each~~  
4062 ~~residence in the county;]~~

4063 ~~[(ii) on the Utah Public Notice Website created in Section [63A-16-601](#), for at least~~  
4064 ~~three calendar days before the day of the public hearing;]~~

4065 ~~[(iii) (iv) in accordance with Section [45-1-101](#), for at least three calendar days before~~  
4066 ~~the day of the public hearing; and].~~

4067 ~~[(iv) on the county's website for at least three calendar days before the day of the public~~  
4068 ~~hearing;]~~

4069 (b) The lieutenant governor shall post the notice described in Subsection (2)(a) on the  
4070 lieutenant governor's website for at least three days before the day of the public hearing.

4071 (c) The county clerk of each county in the region where the public hearing will be held:

4072 (i) shall post the notice described in Subsection (2)(a) for the county, as a class A  
4073 notice under Section [63G-28-102](#), for at least three days before the day of the public hearing;

4074 and

4075 (ii) may bill the sponsors of the initiative for the cost of preparing, printing, and  
4076 posting the notice described in Subsection (2)(c)(i).

4077 ~~[(3)]~~ (4) If the initiative [~~petition~~] proposes a tax increase, the written notice described  
4078 in Subsection (2) shall include the following statement, in bold, in the same font and point size

4079 as the largest font and point size appearing in the notice:

4080 "This initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by  
4081 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage  
4082 increase) percent increase in the current tax rate."."