

PETITION AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Judy Weeks Rohner

Senate Sponsor: Chris H. Wilson

Cosponsors:	Brett Garner	Raymond P. Ward
Cheryl K. Acton	Marsha Judkins	Christine F. Watkins
Gay Lynn Bennion	Rosemary T. Lesser	
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LONG TITLE

General Description:

This bill consolidates and amends provisions relating to multiple types of petitions.

Highlighted Provisions:

This bill:

- defines terms;
  - merges into a single part in the Election Code provisions relating to the process of gathering signatures for, and removing signatures from, multiple types of petitions;
- and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

**10-2-601**, as last amended by Laws of Utah 1993, Chapter 227

28           **10-2-701**, as enacted by Laws of Utah 1981, Chapter 55  
29           **10-2a-208**, as last amended by Laws of Utah 2019, Chapter 165  
30           **10-2a-209**, as last amended by Laws of Utah 2019, Chapter 165  
31           **17-2-102**, as enacted by Laws of Utah 2009, Chapter 350  
32           **17-2-103**, as renumbered and amended by Laws of Utah 2009, Chapter 350  
33           **17-2-202**, as enacted by Laws of Utah 2009, Chapter 350  
34           **17-2-203**, as renumbered and amended by Laws of Utah 2009, Chapter 350  
35           **17-3-1**, as last amended by Laws of Utah 2011, Chapter 297  
36           **17-11-2**, as last amended by Laws of Utah 2011, Chapter 297  
37           **17-52a-303**, as last amended by Laws of Utah 2020, Chapter 47  
38           **17-52a-505**, as renumbered and amended by Laws of Utah 2018, Chapter 68  
39           **17B-1-205**, as last amended by Laws of Utah 2011, Chapter 68  
40           **17B-1-209**, as last amended by Laws of Utah 2011, Chapter 68  
41           **17B-1-506**, as last amended by Laws of Utah 2011, Chapter 297  
42           **17B-1-507**, as renumbered and amended by Laws of Utah 2007, Chapter 329  
43           **17B-1-1301**, as renumbered and amended by Laws of Utah 2007, Chapter 329  
44           **17B-1-1305**, as renumbered and amended by Laws of Utah 2007, Chapter 329  
45           **17D-2-502**, as enacted by Laws of Utah 2008, Chapter 360  
46           **20A-7-101**, as last amended by Laws of Utah 2022, Chapters 288, 325  
47           **20A-7-206.1**, as enacted by Laws of Utah 2021, Chapter 140  
48           **20A-7-207**, as last amended by Laws of Utah 2022, Chapter 325  
49           **20A-7-208**, as last amended by Laws of Utah 2019, Chapter 275  
50           **20A-7-213**, as last amended by Laws of Utah 2022, Chapter 325  
51           **20A-7-216**, as enacted by Laws of Utah 2022, Chapter 325  
52           **20A-7-307**, as last amended by Laws of Utah 2022, Chapters 274, 325  
53           **20A-7-314**, as enacted by Laws of Utah 2022, Chapter 325  
54           **20A-7-401.5**, as last amended by Laws of Utah 2021, Chapters 84, 140 and 345  
55           **20A-7-507**, as last amended by Laws of Utah 2022, Chapter 325

- 56 **20A-7-515**, as enacted by Laws of Utah 2022, Chapter 325
- 57 **20A-7-607**, as last amended by Laws of Utah 2022, Chapters 274, 325
- 58 **20A-7-613**, as last amended by Laws of Utah 2022, Chapter 325
- 59 **20A-7-615**, as enacted by Laws of Utah 2022, Chapter 325
- 60 **20A-8-103**, as last amended by Laws of Utah 2019, Chapter 255
- 61 **20A-9-203**, as last amended by Laws of Utah 2021, First Special Session, Chapter 15
- 62 **20A-9-403**, as last amended by Laws of Utah 2022, Chapter 325
- 63 **20A-9-404**, as last amended by Laws of Utah 2019, Chapters 142, 255 and last
- 64 amended by Coordination Clause, Laws of Utah 2019, Chapter 142
- 65 **20A-9-408**, as last amended by Laws of Utah 2022, Chapters 13, 325
- 66 **20A-9-502**, as last amended by Laws of Utah 2022, Chapter 13
- 67 **20A-11-802**, as last amended by Laws of Utah 2019, Chapter 116
- 68 **20A-15-103**, as last amended by Laws of Utah 2019, Chapter 255
- 69 **20A-21-201**, as enacted by Laws of Utah 2022, Chapter 325
- 70 **53G-3-301**, as last amended by Laws of Utah 2019, Chapter 293
- 71 **53G-3-401**, as last amended by Laws of Utah 2019, Chapter 293
- 72 **53G-3-501**, as last amended by Laws of Utah 2019, Chapter 293
- 73 **73-10d-4**, as last amended by Laws of Utah 2005, Chapter 105

74 ENACTS:

- 75 **20A-1-1001**, Utah Code Annotated 1953
- 76 **20A-1-1002**, Utah Code Annotated 1953
- 77 **20A-1-1003**, Utah Code Annotated 1953
- 78 **20A-7-105**, Utah Code Annotated 1953

79 REPEALS:

- 80 **20A-7-205**, as last amended by Laws of Utah 2022, Chapter 325
- 81 **20A-7-206**, as last amended by Laws of Utah 2022, Chapter 325
- 82 **20A-7-206.3**, as last amended by Laws of Utah 2022, Chapter 325
- 83 **20A-7-305**, as last amended by Laws of Utah 2022, Chapter 325

- 84 **20A-7-306**, as last amended by Laws of Utah 2022, Chapter 325
- 85 **20A-7-306.3**, as last amended by Laws of Utah 2022, Chapter 325
- 86 **20A-7-505**, as last amended by Laws of Utah 2022, Chapter 325
- 87 **20A-7-506**, as last amended by Laws of Utah 2022, Chapter 325
- 88 **20A-7-506.3**, as last amended by Laws of Utah 2022, Chapter 325
- 89 **20A-7-605**, as last amended by Laws of Utah 2022, Chapter 325
- 90 **20A-7-606**, as last amended by Laws of Utah 2022, Chapter 325
- 91 **20A-7-606.3**, as last amended by Laws of Utah 2022, Chapter 325

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

- 93 **10-2a-208**, as last amended by Laws of Utah 2019, Chapter 165
- 94 **20A-1-1003**, Utah Code Annotated 1953
- 95 **20A-7-307**, as last amended by Laws of Utah 2022, Chapters 274 and 325

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

Section 1. Section **10-2-601** is amended to read:

**10-2-601. Consolidation of two or more municipalities -- Certification of petition signatures -- Removal of signature.**

(1) The process for consolidating municipalities shall begin by filing with the county legislative bodies of the respective counties in which the municipalities are located:

[~~(1)~~] (a) resolutions passed by the governing bodies of the municipalities which state their intention and desire to form a consolidated municipality; or

[~~(2)~~] (b) petitions signed by at least 10% of the registered voters in each of the municipalities to be included with the boundaries of the consolidated municipality.

(2) (a) Within three business days after the day on which a county legislative body receives a petition under Subsection (1)(b), the county legislative body shall provide the petition to the county clerk.

(b) Within 14 days after the day on which a county clerk receives a petition from the county legislative body under Subsection (2)(a), the county clerk shall:

112 (i) use the procedures described in Section 20A-1-1002 to determine whether the  
113 petition satisfies the requirements of Subsection (1)(b);

114 (ii) certify on the petition whether each name is that of a registered voter in one of the  
115 municipalities to be included within the boundaries of the consolidated municipality; and

116 (iii) deliver the certified petition to the county legislative body.

117 (3) (a) A voter who signs a petition under this section may have the voter's signature  
118 removed from the petition by, no later than three business days after the day on which the  
119 county legislative body provides the petition to the county clerk, submitting to the county clerk  
120 a statement requesting that the voter's signature be removed.

121 (b) A statement described in Subsection (3)(a) shall comply with the requirements  
122 described in Subsection 20A-1-1003(2).

123 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
124 determine whether to remove an individual's signature from a petition after receiving a timely,  
125 valid statement requesting removal of the signature.

126 Section 2. Section 10-2-701 is amended to read:

127 **10-2-701. Petition for disincorporation -- Validity -- Certification of petition**  
128 **signatures -- Removal of signature -- District court order for election.**

129 (1) Disincorporation of a municipality shall be initiated upon petition.

130 (2) The petition shall bear signatures equal in number to 25% of all votes cast from the  
131 municipality at the last congressional election.

132 (3) No signature is valid, for purposes of this section, unless it is that of a registered  
133 voter who is a resident of the municipality proposed for disincorporation.

134 (4) The petition containing the specified number of signatures shall be filed with the  
135 county clerk for validation by that officer.

136 (5) Within 21 days after the day on which the county clerk receives a petition, the  
137 county clerk shall:

138 (a) use the procedures described in Section 20A-1-1002 to determine whether the  
139 petition satisfies the requirements of Subsection (2); and

140 (b) certify on the petition whether each name is that of a registered voter from the  
141 municipality.

142 (6) (a) A voter who signs a petition under this section may have the voter's signature  
143 removed from the petition by, no later than three business days after the day on which the  
144 petition is filed with the county clerk, submitting to the county clerk a statement requesting that  
145 the voter's signature be removed.

146 (b) A statement described in Subsection (6)(a) shall comply with the requirements  
147 described in Subsection 20A-1-1003(2).

148 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
149 determine whether to remove an individual's signature from a petition after receiving a timely,  
150 valid statement requesting removal of the signature.

151 (7) If the county clerk finds the petition valid, the clerk shall file the original with the  
152 district court and furnish a copy to the governing body of the municipality.

153 (8) The district court, upon determining that the petition comports with Section  
154 10-2-701.5 and that it does not offend Section 10-2-710 and is otherwise complete, shall order  
155 that the question of dissolution be placed before the voters of the municipality.

156 Section 3. Section 10-2a-208 is amended to read:

157 **10-2a-208. Incorporation petition -- Requirements and form -- Removal of**  
158 **signature.**

159 (1) At any time within one year after the day on which the lieutenant governor  
160 completes the public hearings described in Section 10-2a-207, individuals within the proposed  
161 municipality may proceed with the incorporation process by circulating and submitting to the  
162 lieutenant governor an incorporation petition that, to be certified under Subsection  
163 10-2a-209(1)(b)(i), is required to be signed by:

164 (a) 10% of all registered voters within the area proposed to be incorporated as a  
165 municipality, as of the date the petition is filed;

166 (b) if the petition proposes the incorporation of a city, and subject to Subsection [~~(4)~~]  
167 (5), 10% of all registered voters within 90% of the voting precincts within the area proposed to

168 be incorporated as a city, as of the date the petition is filed; and

169 (c) the owners of private real property that:

170 (i) is located within the proposed municipality;

171 (ii) covers at least 10% of the total private land area within the proposed municipality;

172 and

173 (iii) is equal in value to at least 7% of the value of all private real property within the  
174 proposed municipality.

175 (2) The petition sponsors shall ensure that the petition:

176 (a) includes the typed or printed name and current residence address of each voter that  
177 signs the petition;

178 (b) describes the area proposed to be incorporated as a municipality, as described in the  
179 feasibility study request or modified request that complies with Subsection 10-2a-205(6)(a);

180 (c) states the proposed name for the proposed municipality;

181 (d) designates five signers of the petition as petition sponsors, one of whom is  
182 designated as the contact sponsor, with the mailing address and telephone number of each;

183 (e) if the sponsors propose the incorporation of a city, states that the signers of the  
184 petition appoint the sponsors, if the incorporation measure passes, to represent the signers in:

185 (i) selecting the number of commission or council members the new city will have; and

186 (ii) drawing district boundaries for the election of council members, if the voters  
187 decide to elect council members by district;

188 (f) is accompanied by and circulated with an accurate plat or map, prepared by a  
189 licensed surveyor, showing the boundaries of the proposed municipality; and

190 (g) substantially complies with and is circulated in the following form:

191 "PETITION FOR INCORPORATION OF (insert the proposed name of the proposed  
192 municipality)

193 To the Honorable Lieutenant Governor:

194 We, the undersigned registered voters within the area described in this petition,  
195 respectfully petition the lieutenant governor to direct the county legislative body to submit to

196 the registered voters residing within the area described in this petition, at the next regular  
197 general election, the question of whether the area should incorporate as a municipality. Each of  
198 the undersigned affirms that each has personally signed this petition and is a registered voter  
199 who resides within the described area, and that the current residence address of each is  
200 correctly written after the signer's name. The area proposed to be incorporated as a  
201 municipality is described as follows: (insert an accurate description of the area proposed to be  
202 incorporated)."

203 (3) A valid signature on a request described in Section 10-2a-202 or a modified request  
204 described in Section 10-2a-206 may not be used toward fulfilling the signature requirement  
205 described in Subsection (1):

206 (a) if the request notified the signer in conspicuous language that the signature, unless  
207 withdrawn, would also be used for a petition for incorporation under this section; and

208 (b) unless the signer files with the lieutenant governor a written withdrawal of the  
209 signature before the petition is filed under this section with the lieutenant governor.

210 (4) (a) A voter who signs an incorporation petition may have the voter's signature  
211 removed from the petition by, no later than three business days after the day on which the  
212 petition is submitted to the lieutenant governor, submitting to the lieutenant governor a  
213 statement requesting that the voter's signature be removed.

214 (b) A statement described in Subsection (4)(a) shall comply with the requirements  
215 described in Subsection 20A-1-1003(2).

216 (c) The lieutenant governor shall use the procedures described in Subsection  
217 20A-1-1003(3) to determine whether to remove an individual's signature from a petition after  
218 receiving a timely, valid statement requesting removal of the signature.

219 ~~(4)~~ (5) (a) A signature does not qualify under Subsection (1)(b) if the signature is  
220 gathered from a voting precinct that:

221 (i) except in a proposed municipality that will be a city of the fifth class, is not located  
222 entirely within the boundaries of a proposed city; or

223 (ii) includes less than 50 registered voters.

224 (b) A voting precinct that is not located entirely within the boundaries of the proposed  
225 city does not qualify as a voting precinct under Subsection (1)(b).

226 Section 4. Section **10-2a-209** is amended to read:

227 **10-2a-209. Processing of petition by lieutenant governor -- Certification or**  
228 **rejection -- Petition modification.**

229 (1) Within 45 days after the day on which an incorporation petition is filed under  
230 Section [10-2a-208](#), the lieutenant governor shall:

231 (a) (i) use the procedures described in Section [20A-1-1002](#) to determine whether a  
232 signer is a registered voter; and

233 (ii) with the assistance of other county officers of the county in which the incorporation  
234 is proposed, and from whom the lieutenant governor requests assistance, determine whether the  
235 petition complies with Section [10-2a-208](#); and

236 (b) (i) if the lieutenant governor determines that the petition complies with Section  
237 [10-2a-208](#), certify the petition and notify in writing the contact sponsor of the certification; or

238 (ii) if the lieutenant governor determines that the petition fails to comply with Section  
239 [10-2a-208](#), reject the petition and notify the contact sponsor in writing of the rejection and the  
240 reasons for the rejection.

241 (2) (a) If the lieutenant governor rejects a petition under Subsection (1)(b)(ii), the  
242 petition sponsors may correct the deficiencies for which the petition was rejected and refile the  
243 petition with the lieutenant governor.

244 (b) Notwithstanding the deadline described in Subsection [10-2a-208](#)(1), the petition  
245 sponsors may file a modified petition under Subsection (2)(a) no later than 30 days after the  
246 day on which the lieutenant governor notifies the contact sponsor of rejection under Subsection  
247 (1)(b)(ii).

248 (c) A valid signature on an incorporation petition described in Section [10-2a-208](#) may  
249 be used toward fulfilling the signature requirement described in Subsection [10-2a-208](#)(1) for a  
250 petition that is modified under Subsection (2)(a).

251 (3) (a) Within 20 days after the day on which the lieutenant governor receives a

252 modified petition under Subsection (2)(a), the lieutenant governor shall review the modified  
253 petition in accordance with Subsection (1).

254 (b) The sponsors of an incorporation petition may not modify the petition more than  
255 once.

256 Section 5. Section 17-2-102 is amended to read:

257 **17-2-102. Definitions.**

258 As used in this part:

259 (1) "Consolidating county" means the county to which another county is joined or is  
260 proposed to be joined by consolidation under this part.

261 (2) "Legal voter" means an individual who is registered to vote in Utah.

262 [~~2~~] (3) "Originating county" means the county that is joined or proposed to be joined  
263 to another county by consolidation under this part.

264 Section 6. Section 17-2-103 is amended to read:

265 **17-2-103. Consolidation of counties -- Petition -- Certification of petition**  
266 **signatures -- Removal of signature -- Election -- Ballot.**

267 (1) If a majority of the legal voters of any county desire to have the county joined to  
268 and consolidated with an adjoining county, they may petition the county legislative body of the  
269 county in which they reside and the county legislative body of the adjoining county.

270 (2) Each petition under Subsection (1) shall be presented before the first Monday in  
271 June of any year.

272 (3) (a) Within three business days after the day on which a county legislative body  
273 receives a petition under Subsection (1), the county legislative body shall provide the petition  
274 to the county clerk.

275 (b) Within 14 days after the day on which a county clerk receives a petition from the  
276 county legislative body under Subsection (3)(a), the county clerk shall:

277 (i) use the procedures described in Section 20A-1-1002 to determine whether the  
278 petition satisfies the requirements of Subsection (1);

279 (ii) certify on the petition whether each name is that of a registered voter in the county;

280 and

281 (iii) deliver the certified petition to the county legislative body.

282 (4) (a) A voter who signs a petition under this section may have the voter's signature  
283 removed from the petition by, no later than three business days after the day on which the  
284 county legislative body provides the petition to the county clerk, submitting to the county clerk  
285 a statement requesting that the voter's signature be removed.

286 (b) A statement described in Subsection (4)(a) shall comply with the requirements  
287 described in Subsection 20A-1-1003(2).

288 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
289 determine whether to remove an individual's signature from a petition after receiving a timely,  
290 valid statement requesting removal of the signature.

291 ~~[(3)]~~ (5) (a) If a petition under Subsection (1) is presented in a year during which a  
292 regular general election is held, the county legislative body of the originating county and the  
293 county legislative body of the consolidating county shall cause the proposition to be submitted  
294 to the legal voters of their respective counties at the next regular general election.

295 (b) If a petition under Subsection (1) is presented during a year in which there is no  
296 regular general election, the county legislative body of the originating county and the county  
297 legislative body of the consolidating county shall:

298 (i) call a special election to be held on the first Tuesday after the first Monday in  
299 November following the presentation of the petition; and

300 (ii) cause the proposition to be submitted to the legal voters of the respective counties  
301 on that day.

302 (c) Except as otherwise provided in this part, an election under this Subsection ~~[(3)]~~ (5)  
303 shall be held, the results canvassed, and returns made under the provisions of the general  
304 election laws of the state.

305 (d) The ballot to be used at an election under this Subsection ~~[(3)]~~ (5) shall be:

306 For combining \_\_\_\_ county with \_\_\_\_ county.

307 Against combining \_\_\_\_ county with \_\_\_\_ county.

308 Section 7. Section 17-2-202 is amended to read:

309 **17-2-202. Definitions.**

310 As used in this part:

311 (1) "Annexing county" means the county to which a portion of an adjoining county is  
312 annexed or proposed to be annexed as provided in this part.

313 (2) "Initiating county" means the county, from which a portion is annexed or proposed  
314 to be annexed to an adjoining county.

315 (3) "Legal voter" means an individual who is registered to vote in Utah.

316 Section 8. Section 17-2-203 is amended to read:

317 **17-2-203. Annexation of portion of county to adjoining county -- Petition --**

318 **Certification of petition signatures -- Removal of signature -- Election -- Ballot.**

319 (1) (a) Except as provided in Section 17-2-209, if a majority of the legal voters of any  
320 portion of any county, in number equal to a majority of the votes cast at the preceding general  
321 election within that portion of the county, desire to have the territory within which they reside  
322 included within the boundaries of an adjoining county, they may petition the county legislative  
323 body of the county in which they reside and the county legislative body of the adjoining county.

324 (b) Each petition under Subsection (1)(a) shall be presented before the first Monday in  
325 June of a year during which a general election is held.

326 (c) If a petition is presented under Subsection (1)(a), at the ensuing regular general  
327 election:

328 (i) the legislative body of the initiating county shall cause the proposition to be  
329 submitted to the legal voters residing in the initiating county; and

330 (ii) the legislative body of the annexing county shall cause the proposition to be  
331 submitted to the legal voters of the annexing county.

332 (2) (a) Within three business days after the day on which a county legislative body  
333 receives a petition under Subsection (1), the county legislative body shall provide the petition  
334 to the county clerk.

335 (b) Within 14 days after the day on which a county clerk receives a petition from the

336 county legislative body under Subsection (2)(a), the county clerk shall:

337 (i) use the procedures described in Section 20A-1-1002 to determine whether the  
338 petition satisfies the requirements of Subsection (1);

339 (ii) certify on the petition whether each name is that of a registered voter in the county;  
340 and

341 (iii) deliver the certified petition to the county legislative body.

342 (3) (a) A voter who signs a petition under this section may have the voter's signature  
343 removed from the petition by, no later than three business days after the day on which the  
344 county legislative body provides the petition to the county clerk, submitting to the county clerk  
345 a statement requesting that the voter's signature be removed.

346 (b) A statement described in Subsection (3)(a) shall comply with the requirements  
347 described in Subsection 20A-1-1003(2).

348 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
349 determine whether to remove an individual's signature from a petition after receiving a timely,  
350 valid statement requesting removal of the signature.

351 ~~[(2)]~~ (4) (a) Except as otherwise provided, the election provided in Subsection (1) shall  
352 be held, the results canvassed, and returns made under the provisions of the general election  
353 laws of the state.

354 (b) The ballot to be used shall be:

355 For annexing a portion of \_\_\_\_ county to \_\_\_\_ county.

356 Against annexing a portion of \_\_\_\_ county to \_\_\_\_ county.

357 Section 9. Section 17-3-1 is amended to read:

358 **17-3-1. Creating a new county -- Petition -- Certification of petition signatures --**  
359 **Removal of signature -- Election -- Ballots.**

360 (1) Whenever any number of the ~~[qualified electors]~~ registered voters of any portion of  
361 any county desire to have the territory within which they reside created into a new county they  
362 may file a petition for the creation of a new county with the county legislative body of the  
363 county in which they reside.

364           (2) The petition shall be signed by at least one-fourth of the [~~qualified electors~~]  
365 registered voters as shown by the registration list of the last preceding general election, residing  
366 in that portion of the county to be created into a new county, and by not less than one-fourth of  
367 the [~~qualified electors~~] registered voters residing in the remaining portion of the county.

368           (3) The petition shall be presented on or before the first Monday in May of any year,  
369 and shall propose the name and define the boundaries of the new county.

370           (4) (a) Within three business days after the day on which a county legislative body  
371 receives a petition under Subsection (1), the county legislative body shall provide the petition  
372 to the county clerk.

373           (b) Within 14 days after the day on which a county clerk receives a petition from the  
374 county legislative body under Subsection (4)(a), the county clerk shall:

375           (i) use the procedures described in Section 20A-1-1002 to determine whether the  
376 petition satisfies the requirements of Subsection (2);

377           (ii) certify on the petition whether each name is that of a registered voter in the county;  
378 and

379           (iii) deliver the certified petition to the county legislative body.

380           (5) (a) A voter who signs a petition under this section may have the voter's signature  
381 removed from the petition by, no later than three business days after the day on which the  
382 county legislative body provides the petition to the county clerk, submitting to the county clerk  
383 a statement requesting that the voter's signature be removed.

384           (b) A statement described in Subsection (5)(a) shall comply with the requirements  
385 described in Subsection [20A-1-1003\(2\)](#).

386           (c) The county clerk shall use the procedures described in Subsection [20A-1-1003\(3\)](#) to  
387 determine whether to remove an individual's signature from a petition after receiving a timely,  
388 valid statement requesting removal of the signature.

389           (6) The county legislative body shall cause the proposition to be submitted to the legal  
390 voters residing in the county at a special election to be held according to the dates established  
391 in Section [20A-1-204](#), first causing 30 days' notice of the election to be given in the manner

392 provided by law for giving notice of general elections.

393 (7) The election shall be held, the result canvassed, and returns made under the  
394 provisions of the general election laws.

395 (8) The form of ballot to be used at such election shall be:

396 For the creation of (supplying the name proposed) county.

397 Against the creation of (supplying the name proposed) county.

398 Section 10. Section 17-11-2 is amended to read:

399 **17-11-2. Initiating petitions -- Certification of petition signatures -- Removal of**  
400 **signature -- Limitation.**

401 (1) Whenever there is presented to the county legislative body of any county a petition  
402 signed by [~~qualified electors~~] registered voters of the county, in number equal to a majority of  
403 the votes cast at the preceding general election, praying for the submission of the question of  
404 the removal of the county seat, it shall be the duty of the county legislative body to submit the  
405 question of the removal at the next general election to the [~~qualified electors~~] registered voters  
406 of the county[~~; and the~~].

407 (2) (a) Within three business days after the day on which a county legislative body  
408 receives a petition under Subsection (1), the county legislative body shall provide the petition  
409 to the county clerk.

410 (b) Within 14 days after the day on which a county clerk receives a petition from the  
411 county legislative body under Subsection (2)(a), the county clerk shall:

412 (i) use the procedures described in Section 20A-1-1002 to determine whether the  
413 petition satisfies the requirements of Subsection (1);

414 (ii) certify on the petition whether each name is that of a registered voter in the county;  
415 and

416 (iii) deliver the certified petition to the county legislative body.

417 (3) (a) A voter who signs a petition under this section may have the voter's signature  
418 removed from the petition by, no later than three business days after the day on which the  
419 county legislative body provides the petition to the county clerk, submitting to the county clerk

420 a statement requesting that the voter's signature be removed.

421 (b) A statement described in Subsection (3)(a) shall comply with the requirements  
422 described in Subsection [20A-1-1003\(2\)](#).

423 (c) The county clerk shall use the procedures described in Subsection [20A-1-1003\(3\)](#) to  
424 determine whether to remove an individual's signature from a petition after receiving a timely,  
425 valid statement requesting removal of the signature.

426 (4) The election shall be conducted and the returns canvassed in all respects as  
427 provided by law for the conducting of general elections and canvassing the returns.

428 (5) A proposition of removal of the county seat may not be submitted in the same  
429 county more than once in four years, or within four years after the day on which a proposition  
430 of removal of the county seat is submitted.

431 Section 11. Section **17-52a-303** is amended to read:

432 **17-52a-303. Registered voter initiation of adoption of optional plan --**

433 **Certification of petition signatures -- Removal of signature -- Procedure.**

434 (1) (a) Registered voters of a county may initiate the process of adopting an optional  
435 plan by filing with the county clerk a notice of intent to gather signatures for a petition:

- 436 (i) for the establishment of a study committee described in Section [17-52a-403](#); or  
437 (ii) to adopt an optional plan that:

438 (A) accompanies the petition during the signature gathering process and accompanies  
439 the petition in the submission to the county clerk under Subsection (2)(b); and

440 (B) complies with the requirements described in Sections [17-52a-404](#) and [17-52a-405](#).

441 (b) A notice of intent described in Subsection (1)(a) shall:

442 (i) designate five sponsors for the petition;

443 (ii) designate a contact sponsor to serve as the primary contact for the petition  
444 sponsors;

445 (iii) list the mailing address and telephone number of each of the sponsors; and

446 (iv) be signed by each of the petition sponsors.

447 (c) Registered voters of a county may not file a notice of intent to gather signatures in

448 bad faith.

449 (2) (a) The sponsors of a petition may circulate the petition after filing a notice of  
450 intent to gather signatures under Subsection (1).

451 (b) (i) Except as provided in Subsection (2)(b)(ii), the petition is valid if the petition  
452 contains the number of legal signatures required under Subsection 20A-7-501(2).

453 (ii) For a county of the fifth or sixth class, the petition is valid if the petition contains at  
454 least the number of legal signatures equal to 30% of the number of active voters, as defined in  
455 Section 20A-7-501, in the county.

456 (iii) The county clerk may not count a signature that was collected for the petition  
457 before the petition sponsors filed a notice of intent under Subsection (1)(a).

458 (iv) Notwithstanding any other provision of law, an individual may not sign a petition  
459 circulated under this section by electronic signature as defined in Section 20A-1-202.

460 (c) Except as provided in Subsection (4)(b)(ii), the sponsors of the petition shall submit  
461 the completed petition and any amended or supplemental petition described in Subsection (4)  
462 with the county clerk not more than 180 days after the day on which the sponsors file the notice  
463 described in Subsection (1).

464 (d) (i) Within 30 days after the day on which the sponsors submit a petition, the  
465 sponsors shall submit financial disclosures to the county clerk that include:

466 (A) a list of each contribution received by the sponsors and the name of the donor; and

467 (B) a list of each expenditure for purposes of furthering or sponsoring the petition and  
468 the recipient of each expenditure.

469 (ii) The county clerk shall publish the financial disclosures described in Subsection  
470 (2)(d)(i).

471 (iii) All sponsors of a petition shall date and sign each list described in Subsection  
472 (2)(d)(i).

473 (3) Within 30 days after the day on which the sponsors submit a petition under  
474 Subsection (2)(c) or an amended or supplemental petition under Subsection (4), the county  
475 clerk shall:

476 (a) (i) use the procedures described in Section [20A-1-1002](#) to determine whether a  
477 signer is a registered voter; and

478 (ii) determine whether the petition or amended or supplemental petition has been  
479 signed by the required number of registered voters;

480 (b) (i) if the petition was signed by a sufficient number of registered voters:

481 (A) certify the petition;

482 (B) deliver the petition to the county legislative body and county executive; and

483 (C) notify the contact sponsor in writing of the certification; or

484 (ii) if the petition was not signed by a sufficient number of registered voters:

485 (A) reject the petition; and

486 (B) notify the county legislative body and the contact sponsor in writing of the  
487 rejection and the reasons for the rejection; and

488 (c) for a petition described in Subsection (1)(a)(ii), no later than 10 days after the day  
489 on which the county clerk certifies the petition under Subsection (3)(b)(i), the county clerk  
490 shall send a copy of the optional plan that accompanied the petition to the county attorney for  
491 review in accordance with Section [17-52a-406](#).

492 (4) The sponsors of a petition circulated under this section may submit supplemental  
493 signatures for the petition:

494 (a) if the county clerk rejects the petition under Subsection (3)(b)(ii); and

495 (b) before the earlier of:

496 (i) the deadline described in Subsection (2)(c); or

497 (ii) 20 days after the day on which the county clerk rejects the petition under  
498 Subsection (3)(b)(ii).

499 (5) With the unanimous approval of petition sponsors, a petition filed under this  
500 section may be withdrawn at any time within 90 days after the day on which the county clerk  
501 certifies the petition under Subsection (3)(b)(i) and no later than 45 days before an election  
502 under Section [17-52a-501](#) if the petition included a notification to petition signers, in  
503 conspicuous language and in a conspicuous location, that the petition sponsors are authorized

504 to withdraw the petition.

505 (6) (a) A voter who signs a petition under this section may have the voter's signature  
 506 removed from the petition by, no later than three business days after the day on which the  
 507 sponsors submit the petition to the county clerk, submitting to the county clerk a statement  
 508 requesting that the voter's signature be removed.

509 (b) A statement described in Subsection (6)(a) shall comply with the requirements  
 510 described in Subsection 20A-1-1003(2).

511 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
 512 determine whether to remove an individual's signature from a petition after receiving a timely,  
 513 valid statement requesting removal of the signature.

514 Section 12. Section 17-52a-505 is amended to read:

515 **17-52a-505. Repeal of optional plan -- Certification of petition signatures --**  
 516 **Removal of signature.**

517 (1) An optional plan that the voters in an election adopt under this chapter may be  
 518 repealed as provided in this section.

519 (2) Registered voters of a county that has adopted an optional plan may initiate the  
 520 process of repealing an optional plan by filing a petition for the repeal of the optional plan.

521 (3) (a) Registered voters of a county may not file a petition to repeal an optional plan  
 522 sooner than four years or more than five years after the election of county officers under  
 523 Section 17-52a-503.

524 (b) (i) If the registered voters file a petition to repeal an optional plan under this  
 525 section, the petition is certified, and the optional plan is not repealed at an election described in  
 526 Subsection [~~(8)~~] (9), the voters may not circulate or file a subsequent petition to repeal until at  
 527 least four, and not more than five, years after the certification of the original petition.

528 (ii) If, after four years, the voters file a subsequent petition under Subsection (3)(b)(i),  
 529 the voters:

530 (A) may not circulate or file another petition to repeal until at least four, and not more  
 531 than five, years after certification of the subsequent petition; and

532 (B) shall wait an additional four, and not more than five, years after the date of  
533 certification of the previous petition for each petition filed thereafter.

534 (4) A petition described in Subsection (2) shall:

535 (a) be signed by registered voters residing in the county:

536 (i) equal in number to at least 15% of the total number of votes cast in each precinct  
537 described in Subsection (4)(a)(ii) for all candidates for president of the United States at the  
538 most recent election in which a president of the United States was elected; and

539 (ii) who represent at least 85% of the voting precincts located within the county;

540 (b) designate up to five of the petition signers as sponsors, designating one petition  
541 signer as the contact sponsor, with the mailing address and telephone number of each; and

542 (c) be filed in the office of the clerk of the county in which the petition signers reside.

543 (5) Within 30 days after the filing of a petition under Subsection (2) or an amended  
544 petition under Subsection (6), the county clerk shall:

545 (a) (i) use the procedures described in Section [20A-1-1002](#) to determine whether a  
546 signer is a registered voter; and

547 (ii) determine whether the required number of voters have signed the petition or  
548 amended petition has been signed by the required number of registered voters; and

549 (b) (i) if a sufficient number of voters have signed the petition, certify the petition or  
550 amended petition and deliver it to the county legislative body, and notify in writing the contact  
551 sponsor of the certification; or

552 (ii) if a sufficient number of voters have not signed the petition, reject the petition or  
553 the amended petition and notify the county legislative body and the contact sponsor in writing  
554 of the rejection and the reasons for the rejection.

555 (6) If a county clerk rejects a petition or an amended petition under Subsection  
556 (5)(b)(ii), the petition may be amended or an amended petition may be further amended with  
557 additional signatures and refiled within 20 days of the date of rejection.

558 (7) (a) A voter who signs a petition under this section may have the voter's signature  
559 removed from the petition by, no later than three business days after the day on which the

560 sponsors file the petition in the office of the county clerk, submitting to the county clerk a  
561 statement requesting that the voter's signature be removed.

562 (b) A statement described in Subsection (7)(a) shall comply with the requirements  
563 described in Subsection 20A-1-1003(2).

564 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
565 determine whether to remove an individual's signature from a petition after receiving a timely,  
566 valid statement requesting removal of the signature.

567 ~~[(7)]~~ (8) If a county clerk certifies a petition under Subsection (2), the county  
568 legislative body shall hold an election on the proposal to repeal the optional plan at the next  
569 regular general election that is at least 60 days after the day on which the county clerk certifies  
570 the petition.

571 ~~[(8)]~~ (9) If, at an election held under Subsection ~~[(7)]~~ (8), a majority of voters voting on  
572 the proposal to repeal the optional plan vote in favor of repealing:

573 (a) the optional plan is repealed, effective January 1 of the year following the election  
574 of county officers under Subsection ~~[(8)(c)]~~ (9)(c);

575 (b) upon the effective date of the repeal under Subsection ~~[(8)(a)]~~ (9)(a), the form of  
576 government under which the county operates reverts to the form it had before the optional plan  
577 was adopted; and

578 (c) the county officers under the form of government to which the county reverts, who  
579 are different than the county officers under the repealed optional plan, shall be elected at the  
580 next regular general election following the election under Subsection ~~[(7)]~~ (8).

581 Section 13. Section **17B-1-205** is amended to read:

582 **17B-1-205. Petition and request requirements -- Withdrawal of signature.**

583 (1) Each petition and request shall:

584 (a) indicate the typed or printed name and current residence address of each property  
585 owner, groundwater right owner, or registered voter signing the petition;

586 (b) (i) if it is a property owner request or petition, indicate the address of the property  
587 as to which the owner is signing the request or petition; or

- 588           (ii) if it is a groundwater right owner request or petition, indicate the location of the  
589 diversion of the groundwater as to which the owner is signing the groundwater right owner  
590 request or petition;
- 591           (c) describe the entire area of the proposed local district;
- 592           (d) be accompanied by a map showing the boundaries of the entire proposed local  
593 district;
- 594           (e) specify the service proposed to be provided by the proposed local district;
- 595           (f) if the petition or request proposes the creation of a specialized local district, specify  
596 the type of specialized local district proposed to be created;
- 597           (g) for a proposed basic local district:
- 598           (i) state whether the members of the board of trustees will be elected or appointed or  
599 whether some members will be elected and some appointed, as provided in Section  
600 [17B-1-1402](#);
- 601           (ii) if one or more members will be elected, state the basis upon which each elected  
602 member will be elected; and
- 603           (iii) if applicable, explain how the election or appointment of board members will  
604 transition from one method to another based on stated milestones or events, as provided in  
605 Section [17B-1-1402](#);
- 606           (h) for a proposed improvement district whose remaining area members or county  
607 members, as those terms are defined in Section [17B-2a-404](#), are to be elected, state that those  
608 members will be elected; and
- 609           (i) for a proposed service area that is entirely within the unincorporated area of a single  
610 county, state whether the initial board of trustees will be:
- 611           (i) the county legislative body;
- 612           (ii) appointed as provided in Section [17B-1-304](#); or
- 613           (iii) elected as provided in Section [17B-1-306](#);
- 614           (j) designate up to five signers of the petition or request as sponsors, one of whom shall  
615 be designated as the contact sponsor, with the mailing address and telephone number of each;

616 (k) if the petition or request is a groundwater right owner petition or request proposing  
617 the creation of a local district to acquire a groundwater right under Section 17B-1-202, explain  
618 the anticipated method:

- 619 (i) of paying for the groundwater right acquisition; and
- 620 (ii) of addressing blowing dust created by the reduced use of water; and

621 (l) if the petition or request is a groundwater right owner petition or request proposing  
622 the creation of a local district to assess a groundwater right under Section 17B-1-202, explain  
623 the anticipated method:

- 624 (i) of assessing the groundwater right and securing payment of the assessment; and
- 625 (ii) of addressing blowing dust created by the reduced use of water.

626 (2) A signer of a request or petition may withdraw or, once withdrawn, reinstate the  
627 signer's signature at any time before the filing of the request or petition by filing a written  
628 withdrawal or reinstatement with:

629 (a) in the case of a request:

630 (i) the clerk of the county or the clerk or recorder of the municipality in whose  
631 applicable area the signer's property is located, if the request is a property owner request;

632 (ii) the clerk of the county or the clerk or recorder of the municipality in whose  
633 applicable area the signer's groundwater diversion point is located, if the request is a  
634 groundwater right owner request; or

635 (iii) the clerk of the county or the clerk or recorder of the municipality in whose  
636 applicable area the signer resides, if the request is a registered voter request; or

637 (b) in the case of a petition, the responsible clerk.

638 (3) (a) A clerk of the county who receives a timely, valid written withdrawal or  
639 reinstatement from a signer of a registered voter request or registered voter petition shall use  
640 the procedures described in Subsection 20A-1-1003(3) to determine whether to remove or  
641 reinstate the individual's signature.

642 (b) If a municipal clerk or recorder receives a timely, valid written withdrawal or  
643 reinstatement from a signer of a registered voter request or registered voter petition, the clerk of

644 the municipality's county shall assist the municipal clerk or recorder with determining whether  
645 to remove or reinstate the individual's signature using the procedures described in Subsection  
646 20A-1-1003(3).

647 Section 14. Section 17B-1-209 is amended to read:

648 **17B-1-209. Petition certification -- Amended petition.**

649 (1) No later than five days after the day on which a petition is filed, the responsible  
650 clerk shall mail a copy of the petition to the clerk of each other county and the clerk or recorder  
651 of each municipality in which any part of the proposed local district is located.

652 (2) (a) No later than 35 days after the day on which a petition is filed, the clerk of each  
653 county whose unincorporated area includes and the clerk or recorder of each municipality  
654 whose boundaries include part of the proposed local district shall:

655 (i) with the assistance of other county or municipal officers from whom the county  
656 clerk or municipal clerk or recorder requests assistance, determine, for the clerk or recorder's  
657 respective county or municipality, whether the petition complies with the requirements of  
658 Subsection 17B-1-203(1)(a), (b), or (c), as the case may be, and Subsections 17B-1-208(2), (3),  
659 and (4); and

660 (ii) notify the responsible clerk in writing of the clerk or recorder's determination under  
661 Subsection (2)(a)(i).

662 (b) The responsible clerk may rely on the determinations of other county clerks or  
663 municipal clerks or recorders under Subsection (2)(a) in making the responsible clerk's  
664 determinations and certification or rejection under Subsection (3).

665 (3) (a) Within 45 days after the filing of a petition, the responsible clerk shall:

666 (i) determine whether the petition complies with Subsection 17B-1-203(1)(a), (b), or  
667 (c), as the case may be, Subsection 17B-1-205(1), and Section 17B-1-208; and

668 (ii) (A) if the responsible clerk determines that the petition complies with the  
669 applicable requirements:

670 (I) (Aa) certify the petition and deliver the certified petition to the responsible body;  
671 and

672 (Bb) mail or deliver written notification of the certification to the contact sponsor; or

673 (II) for each petition described in Subsection (3)(b)(i), deliver a copy of the petition to  
674 the legislative body of each county whose unincorporated area includes and each municipality  
675 whose boundaries include any of the proposed basic local district, with a notice indicating that  
676 the clerk has determined that the petition complies with applicable requirements; or

677 (B) if the responsible clerk determines that the petition fails to comply with any of the  
678 applicable requirements, reject the petition and notify the contact sponsor in writing of the  
679 rejection and the reasons for the rejection.

680 (b) (i) A petition for which an election is not required under Subsection 17B-1-214(3)  
681 and that proposes the creation of a basic local district that has within its boundaries fewer than  
682 one residential dwelling unit per 10 acres of land may not be certified without the approval, by  
683 resolution, of the legislative body of each county whose unincorporated area includes and each  
684 municipality whose boundaries include any of the proposed local district.

685 (ii) Before adopting a resolution giving its approval under Subsection (3)(b)(i), a  
686 county or municipal legislative body may hold one or more public hearings on the petition.

687 (iii) If a petition described in Subsection (3)(b)(i) is approved as provided in that  
688 subsection, the responsible clerk shall, within 10 days after its approval:

689 (A) certify the petition and deliver the certified petition to the responsible body; and

690 (B) mail or deliver written notification of the certification to the contact sponsor.

691 (4) Except for a petition described in Subsection (3)(b)(i), if the responsible clerk fails  
692 to certify or reject a petition within 45 days after its filing, the petition shall be considered to be  
693 certified.

694 (5) The responsible clerk shall certify or reject petitions in the order in which they are  
695 filed.

696 (6) (a) If the responsible clerk rejects a petition under Subsection (3)(a)(ii)(B), the  
697 petition may be amended to correct the deficiencies for which it was rejected and then refiled.

698 (b) A valid signature on a petition that was rejected under Subsection (3)(a)(ii)(B) may  
699 be used toward fulfilling the applicable signature requirement of the petition as amended under

700 Subsection (6)(a).

701 (c) If a petition is amended and refiled under Subsection (6)(a) after having been  
702 rejected by the responsible clerk under Subsection (3)(a)(ii)(B), the amended petition shall be  
703 considered as newly filed, and its processing priority shall be determined by the date on which  
704 it is refiled.

705 (7) The responsible clerk and each county clerk and municipal clerk or recorder shall:

706 (a) act in good faith in making the determinations under this section[-]; and

707 (b) with the assistance of the county clerk if necessary, and as applicable, use the  
708 procedures described in Section 20A-1-1002 to determine whether a signer is a registered  
709 voter.

710 Section 15. Section 17B-1-506 is amended to read:

711 **17B-1-506. Withdrawal petition requirements -- Removal of signature.**

712 (1) Each petition under Section 17B-1-504 shall:

713 (a) indicate the typed or printed name and current address of each owner of acre-feet of  
714 water, property owner, registered voter, or authorized representative of the governing body  
715 signing the petition;

716 (b) separately group signatures by municipality and, in the case of unincorporated  
717 areas, by county;

718 (c) if it is a petition signed by the owners of land, the assessment of which is based on  
719 acre-feet of water, indicate the address of the property and the property tax identification parcel  
720 number of the property as to which the owner is signing the request;

721 (d) designate up to three signers of the petition as sponsors, or in the case of a petition  
722 filed under Subsection 17B-1-504(1)(a)(iv), designate a governmental representative as a  
723 sponsor, and in each case, designate one sponsor as the contact sponsor with the mailing  
724 address and telephone number of each;

725 (e) state the reasons for withdrawal; and

726 (f) when the petition is filed with the local district board of trustees, be accompanied by  
727 a map generally depicting the boundaries of the area proposed to be withdrawn and a legal

728 description of the area proposed to be withdrawn.

729           (2) (a) The local district may prepare an itemized list of expenses, other than attorney  
730 expenses, that will necessarily be incurred by the local district in the withdrawal proceeding.  
731 The itemized list of expenses may be submitted to the contact sponsor. If the list of expenses is  
732 submitted to the contact sponsor within 21 days after receipt of the petition, the contact sponsor  
733 on behalf of the petitioners shall be required to pay the expenses to the local district within 90  
734 days of receipt. Until funds to cover the expenses are delivered to the local district, the district  
735 will have no obligation to proceed with the withdrawal and the time limits on the district stated  
736 in this part will be tolled. If the expenses are not paid within the 90 days, or within 90 days  
737 from the conclusion of any arbitration under Subsection (2)(b), the petition requesting the  
738 withdrawal shall be considered to have been withdrawn.

739           (b) If there is no agreement between the board of trustees of the local district and the  
740 contact sponsor on the amount of expenses that will necessarily be incurred by the local district  
741 in the withdrawal proceeding, either the board of trustees or the contact sponsor may submit  
742 the matter to binding arbitration in accordance with Title 78B, Chapter 6, Part 2, Alternative  
743 Dispute Resolution Act; provided that, if the parties cannot agree upon an arbitrator and the  
744 rules and procedures that will control the arbitration, either party may pursue arbitration under  
745 Title 78B, Chapter 11, Utah Uniform Arbitration Act.

746           (3) (a) A signer of a petition may withdraw or, once withdrawn, reinstate the signer's  
747 signature at any time before the public hearing under Section 17B-1-508 by submitting a  
748 written statement requesting withdrawal or reinstatement with the board of trustees of the local  
749 district in which the area proposed to be withdrawn is located.

750           (b) A statement described in Subsection (3)(a) shall comply with the requirements  
751 described in Subsection 20A-1-1003(2).

752           (c) As applicable and using the procedures described in Subsection 20A-1-1003(3), the  
753 county clerk shall assist the board of trustees to determine whether to remove or reinstate a  
754 registered voter's signature after the voter submits a timely, valid statement described in  
755 Subsection (3)(a).

756 (4) If it reasonably appears that, if the withdrawal which is the subject of a petition  
757 filed under Subsection 17B-1-504(1)(a)(i) or (ii) is granted, it will be necessary for a  
758 municipality to provide to the withdrawn area the service previously supplied by the local  
759 district, the board of trustees of the local district may, within 21 days after receiving the  
760 petition, notify the contact sponsor in writing that, before it will be considered by the board of  
761 trustees, the petition shall be presented to and approved by the governing body of the  
762 municipality as provided in Subsection 17B-1-504(1)(a)(iv) before it will be considered by the  
763 local district board of trustees. If the notice is timely given to the contact sponsor, the petition  
764 shall be considered to have been withdrawn until the municipality files a petition with the local  
765 district under Subsection 17B-1-504(1)(a)(iv).

766 (5) (a) After receiving the notice required by Subsection 17B-1-504(2), unless  
767 specifically allowed by law, a public entity may not make expenditures from public funds to  
768 support or oppose the gathering of signatures on a petition for withdrawal.

769 (b) Nothing in this section prohibits a public entity from providing factual information  
770 and analysis regarding a withdrawal petition to the public, so long as the information grants  
771 equal access to both the opponents and proponents of the petition for withdrawal.

772 (c) Nothing in this section prohibits a public official from speaking, campaigning,  
773 contributing personal money, or otherwise exercising the public official's constitutional rights.

774 Section 16. Section 17B-1-507 is amended to read:

775 **17B-1-507. Withdrawal petition certification -- Amended petition.**

776 (1) Within 30 days after the filing of a petition under Sections 17B-1-504 and  
777 17B-1-506, the board of trustees of the local district in which the area proposed to be  
778 withdrawn is located shall:

779 (a) (i) as necessary and with the assistance of the county clerk of the county in which  
780 the area proposed to be withdrawn is located, use the procedures described in Section  
781 20A-1-1002 to determine whether a signer is a registered voter; and

782 (ii) with the assistance of officers of the county in which the area proposed to be  
783 withdrawn is located, determine whether the petition meets the requirements of Sections

784 17B-1-504 and 17B-1-506; and

785 (b) (i) if the petition complies with the requirements set forth in Sections 17B-1-504  
786 and 17B-1-506, certify the petition and mail or deliver written notification of the certification  
787 to the contact sponsor; or

788 (ii) if the petition fails to comply with any of the requirements set forth in Sections  
789 17B-1-504 and 17B-1-506, reject the petition as insufficient and mail or deliver written  
790 notification of the rejection and the reasons for the rejection to the contact sponsor.

791 (2) (a) If the board rejects the petition under Subsection (1)(b)(ii), the petition may be  
792 amended to correct the deficiencies for which it was rejected and then refiled within 60 days  
793 after notice of the rejection.

794 (b) A valid signature on a petition that was rejected under Subsection (1)(b)(ii) may be  
795 used toward fulfilling the applicable signature requirement for an amended petition refiled  
796 under Subsection (2)(a).

797 (3) The board of trustees shall process an amended petition refiled under Subsection  
798 (2)(a) in the same manner as an original petition under Subsection (1). If an amended petition  
799 is rejected for failure to comply with the requirements of Sections 17B-1-504 and 17B-1-506,  
800 the board of trustees shall issue a final rejection of the petition for insufficiency and mail or  
801 deliver written notice of the final rejection to the contact sponsor.

802 (4) (a) A signer of a petition for which there has been a final rejection under Subsection  
803 (3) for insufficiency may seek judicial review of the board of trustees' final decision to reject  
804 the petition as insufficient.

805 (b) Judicial review under Subsection (4)(a) shall be initiated by filing an action in state  
806 district court in the county in which a majority of the area proposed to be withdrawn is located.

807 (c) The court in which an action is filed under this Subsection (4) may not overturn the  
808 board of trustees' decision to reject the petition unless the court finds that:

809 (i) the board of trustees' decision was arbitrary or capricious; or

810 (ii) the petition materially complies with the requirements set forth in Sections  
811 17B-1-504 and 17B-1-506.

812 (d) The court may award costs and expenses of an action under this section, including  
813 reasonable attorney fees, to the prevailing party.

814 Section 17. Section **17B-1-1301** is amended to read:

815 **17B-1-1301. Definitions.**

816 For purposes of this part:

817 (1) "Active" means, with respect to a local district, that the district is not inactive.

818 (2) "Administrative body" means:

819 (a) if the local district proposed to be dissolved has a duly constituted board of trustees  
820 in sufficient numbers to form a quorum, the board of trustees; or

821 (b) except as provided in Subsection (2)(a):

822 (i) for a local district located entirely within a single municipality, the legislative body  
823 of that municipality;

824 (ii) for a local district located in multiple municipalities within the same county or at  
825 least partly within the unincorporated area of a county, the legislative body of that county; or

826 (iii) for a local district located within multiple counties, the legislative body of the  
827 county whose boundaries include more of the local district than is included within the  
828 boundaries of any other county.

829 (3) "Clerk" means:

830 (a) the board of trustees if the board is also the administrative body under Subsection  
831 (2)(a);

832 (b) the clerk or recorder of the municipality whose legislative body is the  
833 administrative body under Subsection (2)(b)(i); or

834 (c) the clerk of the county whose legislative body is the administrative body under  
835 Subsection (2)(b)(ii) or (iii).

836 (4) "Inactive" means, with respect to a local district, that during the preceding three  
837 years the district has not:

838 (a) provided any service or otherwise operated;

839 (b) received property taxes or user or other fees; and

840 (c) expended any funds.

841 (5) "Registered voter petition" means a petition under Subsection  
842 17B-1-1303(1)(a)(ii)(B) or 17B-1-1303(2)(c)(ii).

843 Section 18. Section **17B-1-1305** is amended to read:

844 **17B-1-1305. Petition certification -- Withdrawal of signature.**

845 (1) Within 30 days after the filing of a petition under Subsection **17B-1-1303(1)(a)** or  
846 (2), the clerk shall:

847 (a) with the assistance of officers of the county in which the local district is located  
848 from whom the clerk requests assistance, determine whether the petition meets the  
849 requirements of Section **17B-1-1303** and Subsection **17B-1-1304(1)**; and

850 (b) (i) if the clerk determines that the petition complies with the requirements, certify  
851 the petition and mail or deliver written notification of the certification to the contact sponsor;  
852 or

853 (ii) if the clerk determines that the petition fails to comply with any of the  
854 requirements, reject the petition and mail or deliver written notification of the rejection and the  
855 reasons for the rejection to the contact sponsor.

856 (2) For a registered voter petition, the county clerk shall determine or shall assist a  
857 board of trustees or municipal clerk or recorder with determining whether a signer is a  
858 registered voter using the procedures described in Section **20A-1-1002**.

859 [~~(2)~~] (3) (a) If the clerk rejects a petition under Subsection (1)(b)(ii), the petition may  
860 be amended to correct the deficiencies for which it was rejected and then refiled.

861 (b) A valid signature on a petition that was rejected under Subsection (1)(b)(ii) may be  
862 used toward fulfilling the applicable signature requirement of the petition as amended under  
863 Subsection [~~(2)(a)~~] (3)(a).

864 [~~(3)~~] (4) The clerk shall process an amended petition filed under Subsection [~~(2)(a)~~]  
865 (3)(a) in the same manner as an original petition under Subsection (1).

866 (5) (a) A signer of a petition may withdraw or, once withdrawn, reinstate the signer's  
867 signature at any time before the public hearing under Section **17B-1-1306** by submitting a

868 written statement requesting withdrawal or reinstatement with the clerk.

869 (b) For a registered voter petition:

870 (i) a statement described in Subsection (5)(a) shall comply with the requirements  
871 described in Subsection 20A-1-1003(2); and

872 (ii) the county clerk shall determine or shall assist a board of trustees or municipal  
873 clerk or recorder with determining whether to remove or reinstate the signer's signature using  
874 the procedures described in Subsection 20A-1-1003(3).

875 Section 19. Section 17D-2-502 is amended to read:

876 **17D-2-502. Required process for issuance of local building authority bonds --**  
877 **Certification of petition signatures -- Removal of signature.**

878 (1) A local building authority may not issue bonds unless the creating local entity's  
879 governing body approves the issuance and terms of the bonds.

880 (2) (a) Before issuing bonds, the authority board of a local building authority shall give  
881 public notice of the authority board's intent to issue bonds.

882 (b) (i) A local building authority may not issue bonds without the approval of the  
883 creating local entity's voters if, within 30 days after the notice under Subsection (2)(a) is given,  
884 a written petition requesting an election is filed with the local building authority, signed by at  
885 least 20% of the active voters, as defined in Section 20A-1-102, within the creating local entity.

886 (ii) Each election under Subsection (2)(b)(i) shall be held as provided in Title 11,  
887 Chapter 14, Local Government Bonding Act, in the same manner as an election for general  
888 obligation bonds issued by the creating local entity.

889 (3) (a) Within three business days after the day on which a local building authority  
890 receives a petition under Subsection (2)(b)(i), the local building authority shall provide the  
891 petition to the county clerk of the county in which the creating local entity is located.

892 (b) Within 14 days after the day on which a county clerk receives a petition from the  
893 local building authority under Subsection (3)(a), the county clerk shall:

894 (i) use the procedures described in Section 20A-1-1002 to determine whether the  
895 petition satisfies the requirements of Subsection (2)(b)(i);

896 (ii) certify on the petition whether each name is that of an active voter within the  
897 creating local entity; and

898 (iii) deliver the certified petition to the local building authority.

899 (4) (a) A voter who signs a petition under this section may have the voter's signature  
900 removed from the petition by, no later than three business days after the day on which the local  
901 building authority provides the petition to the county clerk, submitting to the county clerk a  
902 statement requesting that the voter's signature be removed.

903 (b) A statement described in Subsection (4)(a) shall comply with the requirements  
904 described in Subsection [20A-1-1003\(2\)](#).

905 (c) The county clerk shall use the procedures described in Section [20A-1-1003\(3\)](#) to  
906 determine whether to remove an individual's signature from a petition after receiving a timely,  
907 valid statement requesting removal of the signature.

908 Section 20. Section **20A-1-1001** is enacted to read:

909 **Part 10. Petitions**

910 **20A-1-1001. Definitions.**

911 As used in this part:

912 (1) (a) "Clerk" means the lieutenant governor, a county clerk, municipal clerk, town  
913 clerk, city recorder, or municipal recorder.

914 (b) "Clerk" includes a board of trustees under Title 17B, Chapter 1, Provisions  
915 Applicable to All Local Districts.

916 (2) "Local petition" means:

917 (a) a manual or electronic local initiative petition described in Chapter 7, Part 5, Local  
918 Initiatives - Procedures; or

919 (b) a manual or electronic local referendum petition described in Chapter 7, Part 6,  
920 Local Referenda - Procedures.

921 (3) "Petition" means one of the following written requests, signed by registered voters,  
922 appealing to an authority with respect to a particular cause:

923 (a) a local petition;

- 924            (b) a petition to consolidate two or more municipalities under Section 10-2-601;
- 925            (c) a petition for disincorporation of a municipality under Section 10-2-701;
- 926            (d) a petition to incorporate a proposed municipality under Section 10-2a-208;
- 927            (e) a petition to consolidate adjoining counties under Section 17-2-103;
- 928            (f) a petition to annex a portion of a county to an adjoining county under Section
- 929 17-2-203;
- 930            (g) a petition for the creation of a new county under Section 17-3-1;
- 931            (h) a petition for the removal of a county seat under Section 17-11-2;
- 932            (i) a petition for the adoption of an optional plan under Section 17-52a-303;
- 933            (j) a petition for the repeal of an optional plan under Section 17-52a-505;
- 934            (k) a petition to create a local district under Section 17B-1-203;
- 935            (l) a petition to withdraw an area from a local district under Section 17B-1-504;
- 936            (m) a petition to dissolve a local district under Section 17B-1-1303;
- 937            (n) a petition for issuance of local building authority bonds under Section 17D-2-502;
- 938            (o) a petition to become a registered political party under Section 20A-8-103;
- 939            (p) a nomination petition for municipal office under Section 20A-9-203;
- 940            (q) a nomination petition for a regular primary election under Subsection
- 941 20A-9-403(3)(a) and Section 20A-9-405;
- 942            (r) a petition for a political party to qualify as a municipal political party under Section
- 943 20A-9-404;
- 944            (s) a petition for the nomination of a qualified political party under Section 20A-9-408;
- 945            (t) a nomination petition for a candidate not affiliated with a political party under
- 946 Section 20A-9-502;
- 947            (u) a nomination petition to become a delegate to a ratification convention under
- 948 Section 20A-15-103;
- 949            (v) a petition to create a new school district under Section 53G-3-301;
- 950            (w) a petition to consolidate school districts under Section 53G-3-401;
- 951            (x) a petition to transfer a portion of a school district to another district under Section

952 [53G-3-501](#);

953 (y) a petition to determine whether a privatization project agreement should be  
954 approved under Section [73-10d-4](#); or

955 (z) a statewide petition.

956 (4) "Statewide petition" means:

957 (a) a manual or electronic statewide initiative petition described in Chapter 7, Part 2,  
958 Statewide Initiatives; or

959 (b) a manual or electronic statewide referendum petition described in Chapter 7, Part 3,  
960 Statewide Referenda.

961 (5) (a) "Substantially similar name" means:

962 (i) the given name, the surname, or both, provided by the individual with the  
963 individual's petition signature, contain only minor spelling differences when compared to the  
964 given name and surname shown on the official register;

965 (ii) the surname provided by the individual with the individual's petition signature  
966 exactly matches the surname shown on the official register, and the given names differ only  
967 because one of the given names shown is a commonly used abbreviation or variation of the  
968 other;

969 (iii) the surname provided by the individual with the individual's petition signature  
970 exactly matches the surname shown on the official register, and the given names differ only  
971 because one of the given names shown is accompanied by a first or middle initial or a middle  
972 name which is not shown on the other record; or

973 (iv) the surname provided by the individual with the individual's petition signature  
974 exactly matches the surname shown on the official register, and the given names differ only  
975 because one of the given names shown is an alphabetically corresponding initial that has been  
976 provided in the place of a given name shown on the other record.

977 (b) "Substantially similar name" does not include a name having an initial or a middle  
978 name provided by the individual with the individual's petition signature that does not match a  
979 different initial or middle name shown on the official register.

980 Section 21. Section **20A-1-1002** is enacted to read:

981 **20A-1-1002. Verification of voter registration.**

982 (1) A clerk shall use the following procedures to determine whether a signer of a  
983 petition is a registered voter and to determine the address where the voter is registered to vote:

984 (a) if a signer's name and address provided by the individual with the individual's  
985 petition signature exactly match a name and address shown on the official register and the  
986 signer's signature appears substantially similar to the signature on the statewide voter  
987 registration database, the clerk shall declare the signature valid for the district or jurisdiction in  
988 which the signer is registered to vote;

989 (b) if there is no exact match of an address and a name, the clerk shall declare the  
990 signature valid for the district or jurisdiction in which the signer is registered to vote, if:

991 (i) the address provided by the individual with the individual's petition signature  
992 matches the address of an individual on the official register with a substantially similar name;  
993 and

994 (ii) the signer's signature appears substantially similar to the signature on the statewide  
995 voter registration database of the individual described in Subsection (1)(b)(i);

996 (c) if there is no match of an address and a substantially similar name, the clerk shall  
997 declare the signature valid for the district or jurisdiction in which the signer is registered to  
998 vote if:

999 (i) the birth date or age provided by the individual with the individual's petition  
1000 signature matches the birth date or age of an individual on the official register with a  
1001 substantially similar name; and

1002 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1003 voter registration database of the individual described in Subsection (1)(c)(i).

1004 (2) If a signature is not declared valid under Subsection (1)(a), (b), or (c), the clerk  
1005 shall declare the signature to be invalid.

1006 Section 22. Section **20A-1-1003** is enacted to read:

1007 **20A-1-1003. Signature removal -- Statement required.**

1008 (1) A voter who signs a petition may have the voter's signature removed from the  
1009 petition by submitting to the clerk a statement requesting that the voter's signature be removed.

1010 (2) (a) (i) The statement described in Subsection (1) shall include:

1011 (A) the name of the voter;

1012 (B) the resident address at which the voter is registered to vote;

1013 (C) the voter's signature; and

1014 (D) the date of the signature described in Subsection (2)(a)(i)(C).

1015 (ii) To increase the likelihood of the voter's signature being identified and removed, the  
1016 statement may include the voter's birth date or age.

1017 (b) Except as provided in Subsection [20A-7-216\(5\)\(c\)](#), [20A-7-314\(5\)\(c\)](#),

1018 [20A-7-515\(4\)\(d\)](#), or [20A-7-615\(4\)\(d\)](#), a voter may not submit a statement described in

1019 Subsection (1) by email or other electronic means.

1020 (c) In order for the signature to be removed, the clerk must receive the statement  
1021 described in Subsection (1) no later than the deadline described in the provision of law  
1022 governing the petition.

1023 (d) A voter may only remove a signature from a petition in accordance with this section  
1024 and the provision of law governing the petition.

1025 (e) A clerk shall analyze a signature, for purposes of removing a signature from a  
1026 petition, in accordance with Subsection (3).

1027 (3) The clerk shall use the following procedures to determine whether to remove an  
1028 individual's signature from a petition after receiving a timely, valid statement requesting  
1029 removal of the signature:

1030 (a) if the signer's name and address shown on the statement and the petition exactly  
1031 match a name and address shown on the official register and the signer's signature on both the  
1032 statement and the petition appears substantially similar to the signature on the statewide voter  
1033 registration database, the clerk shall remove the signature from the petition;

1034 (b) if there is no exact match of an address and a name, the clerk shall remove the  
1035 signature from the petition if:

1036 (i) the address on the statement and the petition matches the address of an individual  
1037 on the official register with a substantially similar name; and

1038 (ii) the signer's signature on both the statement and the petition appears substantially  
1039 similar to the signature on the statewide voter registration database of the individual described  
1040 in Subsection (3)(b)(i);

1041 (c) if there is no match of an address and a substantially similar name, the clerk shall  
1042 remove the signature from the petition if:

1043 (i) the birth date or age on the statement and the petition match the birth date or age of  
1044 an individual on the official register with a substantially similar name; and

1045 (ii) the signer's signature on both the statement and the petition appears substantially  
1046 similar to the signature on the statewide voter registration database of the individual described  
1047 in Subsection (3)(c)(i); and

1048 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
1049 clerk may not remove the signature from the petition.

1050 Section 23. Section **20A-7-101** is amended to read:

1051 **20A-7-101. Definitions.**

1052 As used in this chapter:

1053 (1) "Approved device" means a device described in Subsection **20A-21-201(4)** used to  
1054 gather signatures for the electronic initiative process, the electronic referendum process, or the  
1055 electronic candidate qualification process.

1056 (2) "Budget officer" means:

1057 (a) for a county, the person designated as finance officer as defined in Section **17-36-3**;

1058 (b) for a city, the person designated as budget officer in Subsection **10-6-106(4)**;

1059 (c) for a town, the town council; or

1060 (d) for a metro township, the person described in Subsection (2)(a) for the county in  
1061 which the metro township is located.

1062 (3) "Certified" means that the county clerk has acknowledged a signature as being the  
1063 signature of a registered voter.

1064 (4) "Circulation" means the process of submitting an initiative or referendum petition  
1065 to legal voters for their signature.

1066 (5) "Electronic initiative process" means:

1067 (a) as it relates to a statewide initiative, the process, described in Sections 20A-7-215  
1068 and 20A-21-201, for gathering signatures; or

1069 (b) as it relates to a local initiative, the process, described in Sections 20A-7-514 and  
1070 20A-21-201, for gathering signatures.

1071 (6) "Electronic referendum process" means:

1072 (a) as it relates to a statewide referendum, the process, described in Sections  
1073 20A-7-313 and 20A-21-201, for gathering signatures; or

1074 (b) as it relates to a local referendum, the process, described in Sections 20A-7-614 and  
1075 20A-21-201, for gathering signatures.

1076 (7) "Eligible voter" means a legal voter who resides in the jurisdiction of the county,  
1077 city, or town that is holding an election on a ballot proposition.

1078 (8) "Final fiscal impact statement" means a financial statement prepared after voters  
1079 approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or  
1080 20A-7-502.5(2).

1081 (9) "Initial fiscal impact estimate" means:

1082 (a) a financial statement prepared under Section 20A-7-202.5 after the filing of an  
1083 application for an initiative petition; or

1084 (b) a financial and legal statement prepared under Section 20A-7-502.5 or 20A-7-602.5  
1085 for an initiative or referendum petition.

1086 (10) "Initiative" means a new law proposed for adoption by the public as provided in  
1087 this chapter.

1088 (11) "Initiative packet" means a copy of the initiative petition, a copy of the proposed  
1089 law, and the signature sheets, all of which have been bound together as a unit.

1090 (12) (a) "Land use law" means a law of general applicability, enacted based on the  
1091 weighing of broad, competing policy considerations, that relates to the use of land, including

1092 land use regulation, a general plan, a land use development code, an annexation ordinance, the  
1093 rezoning of a single property or multiple properties, or a comprehensive zoning ordinance or  
1094 resolution.

1095 (b) "Land use law" does not include a land use decision, as defined in Section  
1096 [10-9a-103](#) or [17-27a-103](#).

1097 (13) "Legal signatures" means the number of signatures of legal voters that:

1098 (a) meet the numerical requirements of this chapter; and

1099 (b) have been obtained, certified, and verified as provided in this chapter.

1100 (14) "Legal voter" means a person who is registered to vote in Utah.

1101 (15) "Legally referable to voters" means:

1102 (a) for a proposed local initiative, that the proposed local initiative is legally referable  
1103 to voters under Section [20A-7-502.7](#); or

1104 (b) for a proposed local referendum, that the proposed local referendum is legally  
1105 referable to voters under Section [20A-7-602.7](#).

1106 (16) "Local attorney" means the county attorney, city attorney, or town attorney in  
1107 whose jurisdiction a local initiative or referendum petition is circulated.

1108 (17) "Local clerk" means the county clerk, city recorder, or town clerk in whose  
1109 jurisdiction a local initiative or referendum petition is circulated.

1110 (18) (a) "Local law" includes:

1111 (i) an ordinance;

1112 (ii) a resolution;

1113 (iii) a land use law;

1114 (iv) a land use regulation, as defined in Section [10-9a-103](#); or

1115 (v) other legislative action of a local legislative body.

1116 (b) "Local law" does not include a land use decision, as defined in Section [10-9a-103](#).

1117 (19) "Local legislative body" means the legislative body of a county, city, town, or  
1118 metro township.

1119 (20) "Local obligation law" means a local law passed by the local legislative body

1120 regarding a bond that was approved by a majority of qualified voters in an election.

1121 (21) "Local tax law" means a law, passed by a political subdivision with an annual or  
1122 biannual calendar fiscal year, that increases a tax or imposes a new tax.

1123 (22) "Manual initiative process" means the process for gathering signatures for an  
1124 initiative using paper signature packets that a signer physically signs.

1125 (23) "Manual referendum process" means the process for gathering signatures for a  
1126 referendum using paper signature packets that a signer physically signs.

1127 (24) "Measure" means a proposed constitutional amendment, an initiative, or  
1128 referendum.

1129 (25) "Referendum" means a process by which a law passed by the Legislature or by a  
1130 local legislative body is submitted or referred to the voters for their approval or rejection.

1131 (26) "Referendum packet" means a copy of the referendum petition, a copy of the law  
1132 being submitted or referred to the voters for their approval or rejection, and the signature  
1133 sheets, all of which have been bound together as a unit.

1134 (27) "Signature":

1135 (a) for a statewide initiative:

1136 (i) as it relates to the electronic initiative process, means an electronic signature  
1137 collected under Section 20A-7-215 and Subsection 20A-21-201(6)(c); or

1138 (ii) as it relates to the manual initiative process:

1139 (A) means a holographic signature collected physically on a signature sheet described  
1140 in Section 20A-7-203; and

1141 (B) does not include an electronic signature;

1142 (b) for a statewide referendum:

1143 (i) as it relates to the electronic referendum process, means an electronic signature  
1144 collected under Section 20A-7-313 and Subsection 20A-21-201(6)(c); or

1145 (ii) as it relates to the manual referendum process:

1146 (A) means a holographic signature collected physically on a signature sheet described  
1147 in Section 20A-7-303; and

- 1148 (B) does not include an electronic signature;
- 1149 (c) for a local initiative:
- 1150 (i) as it relates to the electronic initiative process, means an electronic signature
- 1151 collected under Section 20A-7-514 and Subsection 20A-21-201(6)(c); or
- 1152 (ii) as it relates to the manual initiative process:
- 1153 (A) means a holographic signature collected physically on a signature sheet described
- 1154 in Section 20A-7-503; and
- 1155 (B) does not include an electronic signature; or
- 1156 (d) for a local referendum:
- 1157 (i) as it relates to the electronic referendum process, means an electronic signature
- 1158 collected under Section 20A-7-614 and Subsection 20A-21-201(6)(c); or
- 1159 (ii) as it relates to the manual referendum process:
- 1160 (A) means a holographic signature collected physically on a signature sheet described
- 1161 in Section 20A-7-603; and
- 1162 (B) does not include an electronic signature.
- 1163 (28) "Signature sheets" means sheets in the form required by this chapter that are used
- 1164 to collect signatures in support of an initiative or referendum.
- 1165 (29) "Special local ballot proposition" means a local ballot proposition that is not a
- 1166 standard local ballot proposition.
- 1167 (30) "Sponsors" means the legal voters who support the initiative or referendum and
- 1168 who sign the application for petition copies.
- 1169 (31) (a) "Standard local ballot proposition" means a local ballot proposition for an
- 1170 initiative or a referendum.
- 1171 (b) "Standard local ballot proposition" does not include a property tax referendum
- 1172 described in Section 20A-7-613.
- 1173 (32) "Tax percentage difference" means the difference between the tax rate proposed
- 1174 by an initiative or an initiative petition and the current tax rate.
- 1175 (33) "Tax percentage increase" means a number calculated by dividing the tax

1176 percentage difference by the current tax rate and rounding the result to the nearest thousandth.

1177 (34) "Verified" means acknowledged by the person circulating the petition as required  
1178 in [~~Sections 20A-7-205 and 20A-7-305~~] Section 20A-7-105.

1179 Section 24. Section **20A-7-105** is enacted to read:

1180 **20A-7-105. Manual petition processes -- Obtaining signatures -- Verification --**  
1181 **Submitting the petition -- Certification of signatures -- Transfer to lieutenant governor --**  
1182 **Removal of signature.**

1183 (1) This section applies only to the manual initiative process and the manual  
1184 referendum process.

1185 (2) As used in this section:

1186 (a) "Local petition" means:

1187 (i) a manual local initiative petition described in Part 5, Local Initiatives - Procedures;  
1188 or

1189 (ii) a manual local referendum petition described in Part 6, Local Referenda -  
1190 Procedures.

1191 (b) "Packet" means an initiative packet or referendum packet.

1192 (c) "Petition" means a local petition or statewide petition.

1193 (d) "Statewide petition" means:

1194 (i) a manual statewide initiative petition described in Part 2, Statewide Initiatives; or

1195 (ii) a manual statewide referendum petition described in Part 3, Statewide Referenda.

1196 (3) (a) A Utah voter may sign a statewide petition if the voter is a legal voter.

1197 (b) A Utah voter may sign a local petition if the voter:

1198 (i) is a legal voter; and

1199 (ii) resides in the local jurisdiction.

1200 (4) (a) The sponsors shall ensure that the individual in whose presence each signature  
1201 sheet was signed:

1202 (i) is at least 18 years old and meets the residency requirements of Section [20A-2-105](#);

1203 (ii) verifies each signature sheet by completing the verification printed on the last page

1204 of each packet; and

1205 (iii) is informed that each signer is required to read and understand:

1206 (A) for an initiative petition, the law proposed by the initiative; or

1207 (B) for a referendum petition, the law that the referendum seeks to overturn.

1208 (b) An individual may not sign the verification printed on the last page of a packet if  
1209 the individual signed a signature sheet in the packet.

1210 (5) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified  
1211 packet to the county clerk of the county in which the packet was circulated before 5 p.m. no  
1212 later than the earlier of:

1213 (i) for a statewide initiative:

1214 (A) 30 days after the day on which the first individual signs the initiative packet;

1215 (B) 316 days after the day on which the application for the initiative petition is filed; or

1216 (C) the February 15 immediately before the next regular general election immediately  
1217 after the application is filed under Section [20A-7-202](#);

1218 (ii) for a statewide referendum:

1219 (A) 30 days after the day on which the first individual signs the referendum packet; or

1220 (B) 40 days after the day on which the legislative session at which the law passed ends;

1221 (iii) for a local initiative:

1222 (A) 30 days after the day on which the first individual signs the initiative packet;

1223 (B) 316 days after the day on which the application is filed;

1224 (C) the April 15 immediately before the next regular general election immediately after  
1225 the application is filed under Section [20A-7-502](#), if the local initiative is a county initiative; or

1226 (D) the April 15 immediately before the next municipal general election immediately  
1227 after the application is filed under Section [20A-7-502](#), if the local initiative is a municipal  
1228 initiative; or

1229 (iv) for a local referendum:

1230 (A) 30 days after the day on which the first individual signs the referendum packet; or

1231 (B) 45 days after the day on which the sponsors receive the items described in

1232 Subsection 20A-7-604(3) from the local clerk.

1233 (b) A person may not submit a packet after the applicable deadline described in  
1234 Subsection (5)(a).

1235 (c) Before delivering an initiative packet to the county clerk under this Subsection (5),  
1236 the sponsors shall send an email to each individual who provides a legible, valid email address  
1237 on the signature sheet that includes the following:

1238 (i) the subject of the email shall include the following statement, "Notice Regarding  
1239 Your Petition Signature"; and

1240 (ii) the body of the email shall include the following statement in 12-point type:

1241 "You signed a petition for the following initiative:

1242 [insert title of initiative]

1243 To access a copy of the initiative petition, the initiative, the fiscal impact statement, and  
1244 information on the deadline for removing your signature from the petition, please visit the  
1245 following link: [insert a uniform resource locator that takes the individual directly to the page  
1246 on the lieutenant governor's or county clerk's website that includes the information referred to  
1247 in the email]."

1248 (d) When the sponsors submit the last initiative packet to the county clerk, the sponsors  
1249 shall submit to the county clerk:

1250 (i) a list containing:

1251 (A) the name and email address of each individual the sponsors sent, or caused to be  
1252 sent, the email described in Subsection (5)(c); and

1253 (B) the date the email was sent;

1254 (ii) a copy of the email described in Subsection (5)(c); and

1255 (iii) the following written verification, completed and signed by each of the sponsors:

1256 "Verification of initiative sponsor State of Utah, County of \_\_\_\_\_ I, \_\_\_\_\_,

1257 of \_\_\_\_\_, hereby state, under penalty of perjury, that:

1258 I am a sponsor of the initiative petition entitled \_\_\_\_\_; and

1259 I sent, or caused to be sent, to each individual who provided a legible, valid email

1260 address on a signature sheet submitted to the county clerk in relation to the initiative petition,  
1261 the email described in Utah Code Subsection 20A-7-105(5)(c).

1262 \_\_\_\_\_  
1263 (Name) (Residence Address) (Date)".

1264 (e) Signatures gathered for an initiative petition are not valid if the sponsors do not  
1265 comply with Subsection (5)(c) or (d).

1266 (6) (a) Within 21 days after the day on which the county clerk receives the packet, the  
1267 county clerk shall:

1268 (i) use the procedures described in Section 20A-1-1002 to determine whether each  
1269 signer is a legal voter and, as applicable, the jurisdiction where the signer is registered to vote;

1270 (ii) for a statewide initiative or a statewide referendum:

1271 (A) certify on the petition whether each name is that of a legal voter;

1272 (B) post the name, voter identification number, and date of signature of each legal  
1273 voter certified under Subsection (6)(a)(ii)(A) on the lieutenant governor's website, in a  
1274 conspicuous location designated by the lieutenant governor; and

1275 (C) deliver the verified packet to the lieutenant governor;

1276 (iii) for a local initiative or a local referendum:

1277 (A) certify on the petition whether each name is that of a legal voter who is registered  
1278 in the jurisdiction to which the initiative or referendum relates;

1279 (B) post the name, voter identification number, and date of signature of each legal  
1280 voter certified under Subsection (6)(a)(iii)(A) on the lieutenant governor's website, in a  
1281 conspicuous location designated by the lieutenant governor; and

1282 (C) deliver the verified packet to the local clerk.

1283 (b) For a local initiative or local referendum, the local clerk shall post a link in a  
1284 conspicuous location on the local government's website to the posting described in Subsection  
1285 (6)(a)(iii)(B):

1286 (i) for a local initiative, during the period of time described in Subsection  
1287 20A-7-507(3)(a); or

1288           (ii) for a local referendum, during the period of time described in Subsection  
1289 20A-7-607(2)(a)(i).

1290           (7) The county clerk may not certify a signature under Subsection (6):  
1291           (a) on a packet that is not verified in accordance with Subsection (4); or  
1292           (b) that does not have a date of signature next to the signature.

1293           (8) (a) A voter who signs a statewide initiative petition may have the voter's signature  
1294 removed from the petition by submitting to the county clerk a statement requesting that the  
1295 voter's signature be removed no later than the earlier of:

1296           (i) for an initiative packet received by the county clerk before December 1:  
1297           (A) 30 days after the day on which the voter signs the signature removal statement; or  
1298           (B) 90 days after the day on which the lieutenant governor posts the voter's name under  
1299 Subsection 20A-7-207(2); or

1300           (ii) for an initiative packet received by the county clerk on or after December 1:  
1301           (A) 30 days after the day on which the voter signs the signature removal statement; or  
1302           (B) 45 days after the day on which the lieutenant governor posts the voter's name under  
1303 Subsection 20A-7-207(2).

1304           (b) A voter who signs a statewide referendum petition may have the voter's signature  
1305 removed from the petition by submitting to the county clerk a statement requesting that the  
1306 voter's signature be removed no later than the earlier of:

1307           (i) 30 days after the day on which the voter signs the statement requesting removal; or  
1308           (ii) 45 days after the day on which the lieutenant governor posts the voter's name under  
1309 Subsection 20A-7-307(2).

1310           (c) A voter who signs a local initiative petition may have the voter's signature removed  
1311 from the petition by submitting to the county clerk a statement requesting that the voter's  
1312 signature be removed no later than the earlier of:

1313           (i) 30 days after the day on which the voter signs the signature removal statement;  
1314           (ii) 90 days after the day on which the local clerk posts the voter's name under  
1315 Subsection 20A-7-507(2);

1316 (iii) 316 days after the day on which the application is filed; or  
1317 (iv) (A) for a county initiative, April 15 immediately before the next regular general  
1318 election immediately after the application is filed under Section 20A-7-502; or  
1319 (B) for a municipal initiative, April 15 immediately before the next municipal general  
1320 election immediately after the application is filed under Section 20A-7-502.  
1321 (d) A voter who signs a local referendum petition may have the voter's signature  
1322 removed from the petition by submitting to the county clerk a statement requesting that the  
1323 voter's signature be removed no later than the earlier of:  
1324 (i) 30 days after the day on which the voter signs the statement requesting removal; or  
1325 (ii) 45 days after the day on which the local clerk posts the voter's name under  
1326 Subsection 20A-7-607(2)(a).  
1327 (e) A statement described in this Subsection (8) shall comply with the requirements  
1328 described in Subsection 20A-1-1003(2).  
1329 (f) In order for the signature to be removed, the county clerk must receive the statement  
1330 described in this Subsection (8) before 5 p.m. no later than the applicable deadline described in  
1331 this Subsection (8).  
1332 (g) A county clerk shall analyze a signature, for purposes of removing a signature from  
1333 a petition, in accordance with Subsection 20A-1-1003(3).  
1334 (9) (a) If the county clerk timely receives a statement requesting signature removal  
1335 under Subsection (8) and determines that the signature should be removed from the petition  
1336 under Subsection 20A-1-1003(3), the county clerk shall:  
1337 (i) ensure that the voter's name, voter identification number, and date of signature are  
1338 not included in the posting described in Subsection (6)(a)(ii)(B) or (iii)(B); and  
1339 (ii) remove the voter's signature from the signature packets and signature packet totals.  
1340 (b) The county clerk shall comply with Subsection (9)(a) before the later of:  
1341 (i) the deadline described in Subsection (6)(a); or  
1342 (ii) two business days after the day on which the county clerk receives a statement  
1343 requesting signature removal under Subsection (8).

1344 (10) A person may not retrieve a packet from a county clerk, or make any alterations or  
1345 corrections to a packet, after the packet is submitted to the county clerk.

1346 Section 25. Section **20A-7-206.1** is amended to read:

1347 **20A-7-206.1. Provisions relating only to process for submitting an initiative to the**  
1348 **Legislature for approval or rejection.**

1349 (1) This section relates only to the process, described in Subsection **20A-7-201**(1), for  
1350 submitting an initiative to the Legislature for approval or rejection.

1351 (2) Notwithstanding Section [~~20A-7-205~~] 20A-7-105, in order to qualify an initiative  
1352 petition for submission to the Legislature, the sponsors, or an agent of the sponsors, shall  
1353 deliver each signed and verified initiative packet to the county clerk of the county in which the  
1354 packet was circulated before 5 p.m. no later than November 15 before the next annual general  
1355 session of the Legislature immediately after the application is filed under Section **20A-7-202**.

1356 (3) Notwithstanding Section [~~20A-7-205~~] 20A-7-105, no later than December 15  
1357 before the annual general session of the Legislature, the county clerk shall, for an initiative for  
1358 submission to the Legislature:

1359 (a) determine whether each signer is a registered voter according to the requirements of  
1360 Section [~~20A-7-206.3~~] 20A-7-105;

1361 (b) certify on the petition whether each name is that of a registered voter; and

1362 (c) deliver the verified packets to the lieutenant governor.

1363 (4) The county clerk may not certify a signature under Subsection (3) on an initiative  
1364 packet that is not verified in accordance with Section [~~20A-7-205~~] 20A-7-105.

1365 (5) A person may not retrieve an initiative packet from a county clerk, or make any  
1366 alterations or corrections to an initiative packet, after the initiative packet is submitted to the  
1367 county clerk.

1368 Section 26. Section **20A-7-207** is amended to read:

1369 **20A-7-207. Evaluation by the lieutenant governor.**

1370 (1) In relation to the manual initiative process, when the lieutenant governor receives  
1371 an initiative packet from a county clerk, the lieutenant governor shall record the number of the

1372 initiative packet received.

1373 (2) The county clerk shall:

1374 (a) in relation to the manual initiative process:

1375 (i) post the names, voter identification numbers, and dates of signatures described in

1376 Subsection [~~20A-7-206(3)(c)~~] 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a

1377 conspicuous location designated by the lieutenant governor:

1378 (A) for an initiative packet received by the county clerk before December 1, for at least  
1379 90 days; or

1380 (B) for an initiative packet received by the county clerk on or after December 1, for at  
1381 least 45 days; and

1382 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1383 the date of the update; or

1384 (b) in relation to the electronic initiative process:

1385 (i) post the names, voter identification numbers, and dates of signatures described in

1386 Subsection 20A-7-217(4) on the lieutenant governor's website, in a conspicuous location

1387 designated by the lieutenant governor:

1388 (A) for a signature received by the county clerk before December 1, for at least 90  
1389 days; or

1390 (B) for a signature received by the county clerk on or after December 1, for at least 45  
1391 days; and

1392 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1393 the date of the update.

1394 (3) The lieutenant governor:

1395 (a) shall, except as provided in Subsection (3)(b), declare the petition to be sufficient or  
1396 insufficient on April 30 before the regular general election described in Subsection

1397 20A-7-201(2)(b); or

1398 (b) may declare the petition to be insufficient before the day described in Subsection

1399 (3)(a) if:

1400 (i) in relation to the manual initiative process, the total of all valid signatures on timely  
1401 and lawfully submitted signature packets that have been certified by the county clerks, plus the  
1402 number of signatures on timely and lawfully submitted signature packets that have not yet been  
1403 evaluated for certification, is less than the number of names required under Section 20A-7-201;

1404 (ii) in relation to the electronic initiative process, the total of all timely and lawfully  
1405 submitted valid signatures that have been certified by the county clerks, plus the number of  
1406 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)  
1407 that have not yet been evaluated for certification, is less than the number of names required  
1408 under Section 20A-7-201; or

1409 (iii) a requirement of this part has not been met.

1410 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds  
1411 the number of names required under Section 20A-7-201, and the requirements of this part are  
1412 met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."

1413 (b) If the total number of names certified under Subsection (3) does not equal or  
1414 exceed the number of names required under Section 20A-7-201 or a requirement of this part is  
1415 not met, the lieutenant governor shall mark upon the front of the petition the word  
1416 "insufficient."

1417 (c) The lieutenant governor shall immediately notify any one of the sponsors of the  
1418 lieutenant governor's finding.

1419 (5) After a petition is declared insufficient, a person may not submit additional  
1420 signatures to qualify the petition for the ballot.

1421 (6) (a) If the lieutenant governor refuses to accept and file an initiative petition that a  
1422 voter believes is legally sufficient, the voter may, no later than May 15, apply to the appropriate  
1423 court for an extraordinary writ to compel the lieutenant governor to accept and file the initiative  
1424 petition.

1425 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant  
1426 governor shall file the petition, with a verified copy of the judgment attached to the petition, as  
1427 of the date on which the petition was originally offered for filing in the lieutenant governor's

1428 office.

1429 (c) If the court determines that a petition filed is not legally sufficient, the court may  
1430 enjoin the lieutenant governor and all other officers from certifying or printing the ballot title  
1431 and numbers of that measure on the official ballot.

1432 (7) A petition determined to be sufficient in accordance with this section is qualified  
1433 for the ballot.

1434 Section 27. Section **20A-7-208** is amended to read:

1435 **20A-7-208. Disposition of initiative petitions by the Legislature.**

1436 (1) (a) Except as provided in Subsection (1)(b), when the lieutenant governor delivers  
1437 an initiative petition to the Legislature, the law proposed by that initiative petition shall be  
1438 either enacted or rejected without change or amendment by the Legislature.

1439 (b) The speaker of the House and the president of the Senate may direct legislative staff  
1440 to make technical corrections authorized by Section [36-12-12](#).

1441 (c) If any law proposed by an initiative petition is enacted by the Legislature, the law is  
1442 subject to referendum the same as other laws.

1443 (2) If any law proposed by a petition is not enacted by the Legislature, that proposed  
1444 law shall be submitted to a vote of the people at the next regular general election if:

1445 (a) sufficient additional signatures to the petition are first obtained to bring the total  
1446 number of signatures up to the number required by Subsection [20A-7-201\(2\)](#); and

1447 (b) those additional signatures are verified, certified by the county clerks, and declared  
1448 sufficient by the lieutenant governor as provided in [Section 20A-7-105](#) and this part.

1449 Section 28. Section **20A-7-213** is amended to read:

1450 **20A-7-213. Misconduct of electors and officers -- Penalty.**

1451 (1) It is unlawful for any person to:

1452 (a) sign any name other than the person's own to an initiative petition or a statement  
1453 described in Subsection [~~[20A-7-205\(4\)](#)~~ [20A-7-105\(8\)](#) or [20A-7-216\(4\)](#)];

1454 (b) knowingly sign the person's name more than once for the same measure at one  
1455 election;

1456 (c) knowingly indicate that a person who signed an initiative petition signed the  
1457 petition on a date other than the date that the person signed the petition;

1458 (d) sign an initiative petition knowing the person is not a legal voter; or

1459 (e) knowingly and willfully violate any provision of this part.

1460 (2) It is unlawful for any person to sign the verification for an initiative packet, or to  
1461 electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing  
1462 that:

1463 (a) the person does not meet the residency requirements of Section 20A-2-105;

1464 (b) the signature date associated with the person's signature for the initiative petition is  
1465 not the date that the person signed the petition;

1466 (c) the person has not witnessed the signatures of those persons whose signatures the  
1467 person collects or submits; or

1468 (d) one or more individuals who signed the initiative petition are not registered to vote  
1469 in Utah.

1470 (3) It is unlawful for any person to:

1471 (a) pay a person to sign an initiative petition;

1472 (b) pay a person to remove the person's signature from an initiative petition;

1473 (c) accept payment to sign an initiative petition; or

1474 (d) accept payment to have the person's name removed from an initiative petition.

1475 (4) Any person violating this section is guilty of a class A misdemeanor.

1476 Section 29. Section 20A-7-216 is amended to read:

1477 **20A-7-216. Electronic initiative process -- Obtaining signatures -- Request to**  
1478 **remove signature.**

1479 (1) This section applies to the electronic initiative process.

1480 (2) A Utah voter may sign an initiative if the voter is a legal voter.

1481 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
1482 an individual:

1483 (a) verifies that the individual is at least 18 years old and meets the residency

1484 requirements of Section [20A-2-105](#); and

1485 (b) is informed that each signer is required to read and understand the law proposed by  
1486 the initiative.

1487 (4) A voter who [~~has signed~~] signs an initiative petition may have the voter's signature  
1488 removed from the petition by submitting to the county clerk a statement requesting that the  
1489 voter's signature be removed before 5 p.m. no later than the earlier of:

1490 (a) for an electronic signature gathered before December 1:

1491 (i) 30 days after the day on which the voter signs the signature removal statement; or

1492 (ii) 90 days after the day on which the county clerk posts the voter's name under  
1493 Subsection [20A-7-217\(4\)](#); or

1494 (b) for an electronic signature gathered on or after December 1:

1495 (i) 30 days after the day on which the voter signs the signature removal statement; or

1496 (ii) 45 days after the day on which the county clerk posts the voter's name under  
1497 Subsection [20A-7-217\(4\)](#).

1498 (5) (a) The statement described in Subsection (4) shall include:

1499 (i) the name of the voter;

1500 (ii) the resident address at which the voter is registered to vote;

1501 (iii) the signature of the voter; and

1502 (iv) the date of the signature described in Subsection (5)(a)(iii).

1503 (b) To increase the likelihood of the voter's signature being identified and removed, the  
1504 statement described in Subsection (4) may include the voter's birth date or age.

1505 (c) A voter may not submit a signature removal statement described in Subsection (4)  
1506 by email or other electronic means, unless the lieutenant governor establishes a signature  
1507 removal process that is consistent with the requirements of this section and Section  
1508 [20A-21-201](#).

1509 (d) A person may only remove an electronic signature from an initiative petition in  
1510 accordance with this section.

1511 (e) A county clerk shall analyze a holographic signature, for purposes of removing an

1512 electronic signature from an initiative petition, in accordance with [Section ~~20A-7-206.3~~]  
1513 Subsection 20A-1-1003(3).

1514 Section 30. Section **20A-7-307** is amended to read:

1515 **20A-7-307. Evaluation by the lieutenant governor.**

1516 (1) In relation to the manual referendum process, when the lieutenant governor receives  
1517 a referendum packet from a county clerk, the lieutenant governor shall record the number of the  
1518 referendum packet received.

1519 (2) The county clerk shall:

1520 (a) in relation to the manual referendum process:

1521 (i) post the names, voter identification numbers, and dates of signatures described in  
1522 Subsection [~~20A-7-306(2)(c)~~] 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a  
1523 conspicuous location designated by the lieutenant governor, for at least 45 days; and

1524 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1525 the date of the update; or

1526 (b) in relation to the electronic referendum process:

1527 (i) post the names, voter identification numbers, and dates of signatures described in  
1528 Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous location  
1529 designated by the lieutenant governor, for at least 45 days; and

1530 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1531 the date of the update.

1532 (3) The lieutenant governor:

1533 (a) shall, except as provided in Subsection (3)(b), declare the petition to be sufficient or  
1534 insufficient 106 days after the end of the legislative session at which the law passed; or

1535 (b) may declare the petition to be insufficient before the day described in Subsection  
1536 (3)(a) if:

1537 (i) in relation to the manual referendum process, the total of all valid signatures on  
1538 timely and lawfully submitted signature packets that have been certified by the county clerks,  
1539 plus the number of signatures on timely and lawfully submitted signature packets that have not

1540 yet been evaluated for certification, is less than the number of names required under Section  
1541 [20A-7-301](#);

1542 (ii) in relation to the electronic referendum process, the total of all timely and lawfully  
1543 submitted valid signatures that have been certified by the county clerks, plus the number of  
1544 timely and lawfully submitted valid signatures received under Subsection [20A-21-201\(6\)\(b\)](#)  
1545 that have not yet been evaluated for certification, is less than the number of names required  
1546 under Section [20A-7-301](#); or

1547 (iii) a requirement of this part has not been met.

1548 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds  
1549 the number of names required under Section [20A-7-301](#), and the requirements of this part are  
1550 met, the lieutenant governor shall mark upon the front of the petition the word "sufficient."

1551 (b) If the total number of names certified under Subsection (3) does not equal or  
1552 exceed the number of names required under Section [20A-7-301](#) or a requirement of this part is  
1553 not met, the lieutenant governor shall mark upon the front of the petition the word  
1554 "insufficient."

1555 (c) The lieutenant governor shall immediately notify any one of the sponsors of the  
1556 lieutenant governor's finding.

1557 (d) After a petition is declared insufficient, a person may not submit additional  
1558 signatures to qualify the petition for the ballot.

1559 (5) (a) If the lieutenant governor refuses to accept and file a referendum that a voter  
1560 believes is legally sufficient, the voter may, no later than 10 days after the day on which the  
1561 lieutenant governor declares the petition insufficient, apply to the appropriate court for an  
1562 extraordinary writ to compel the lieutenant governor to accept and file the referendum petition.

1563 (b) If the court determines that the referendum petition is legally sufficient, the  
1564 lieutenant governor shall file the petition, with a verified copy of the judgment attached to the  
1565 referendum petition, as of the date on which the petition was originally offered for filing in the  
1566 lieutenant governor's office.

1567 (c) If the court determines that a petition filed is not legally sufficient, the court may

1568 enjoin the lieutenant governor and all other officers from certifying or printing the ballot title  
 1569 and numbers of that measure on the official ballot.

1570 (6) A petition determined to be sufficient in accordance with this section is qualified  
 1571 for the ballot.

1572 Section 31. Section **20A-7-314** is amended to read:

1573 **20A-7-314. Electronic referendum process -- Obtaining signatures -- Request to**  
 1574 **remove signature.**

1575 (1) This section applies to the electronic referendum process.

1576 (2) A Utah voter may sign a referendum petition if the voter is a legal voter.

1577 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
 1578 an individual:

1579 (a) verifies that the individual is at least 18 years old and meets the residency  
 1580 requirements of Section **20A-2-105**; and

1581 (b) is informed that each signer is required to read and understand the law that is the  
 1582 subject of the referendum petition.

1583 (4) A voter who [~~has signed~~] signs a referendum petition may have the voter's signature  
 1584 removed from the petition by submitting to the county clerk a statement requesting that the  
 1585 voter's signature be removed before 5 p.m. no later than the earlier of:

1586 (a) 30 days after the day on which the voter signs the statement requesting removal; or

1587 (b) 45 days after the day on which the lieutenant governor posts the voter's name under  
 1588 Subsection **20A-7-315(4)**.

1589 (5) (a) The statement described in Subsection (4) shall include:

1590 (i) the name of the voter;

1591 (ii) the resident address at which the voter is registered to vote;

1592 (iii) the signature of the voter; and

1593 (iv) the date of the signature described in Subsection (5)(a)(iii).

1594 (b) To increase the likelihood of the voter's signature being identified and removed, the  
 1595 statement described in Subsection (4) may include the voter's birth date or age.

1596 (c) A voter may not submit a signature removal statement described in Subsection (4)  
1597 by email or other electronic means, unless the lieutenant governor establishes a signature  
1598 removal process that is consistent with the requirements of this section and Section  
1599 [20A-21-201](#).

1600 (d) A person may only remove an electronic signature from a referendum petition in  
1601 accordance with this section.

1602 (e) A county clerk shall analyze a holographic signature, for purposes of removing an  
1603 electronic signature from a referendum petition, in accordance with [~~Section [20A-7-306.3](#)~~]  
1604 Subsection [20A-1-1003\(3\)](#).

1605 Section 32. Section **20A-7-401.5** is amended to read:

1606 **20A-7-401.5. Proposition information pamphlet.**

1607 (1) (a) (i) Within 15 days after the day on which an eligible voter files an application to  
1608 circulate an initiative petition under Section [20A-7-502](#) or an application to circulate a  
1609 referendum petition under Section [20A-7-602](#):

1610 (A) the sponsors of the proposed initiative or referendum may submit a written  
1611 argument in favor of the proposed initiative or referendum to the election officer of the county  
1612 or municipality to which the petition relates; and

1613 (B) the county or municipality to which the application relates may submit a written  
1614 argument in favor of, or against, the proposed initiative or referendum to the county's or  
1615 municipality's election officer.

1616 (ii) If a county or municipality submits more than one written argument under  
1617 Subsection (1)(a)(i)(B), the election officer shall select one of the written arguments, giving  
1618 preference to a written argument submitted by a member of a local legislative body if a  
1619 majority of the local legislative body supports the written argument.

1620 (b) Within one business day after the day on which an election officer receives an  
1621 argument under Subsection (1)(a)(i)(A), the election officer shall provide a copy of the  
1622 argument to the county or municipality described in Subsection (1)(a)(i)(B) or (1)(a)(ii), as  
1623 applicable.

1624 (c) Within one business day after the date on which an election officer receives an  
1625 argument under Subsection (1)(a)(i)(B), the election officer shall provide a copy of the  
1626 argument to the first three sponsors of the proposed initiative or referendum described in  
1627 Subsection (1)(a)(i)(A).

1628 (d) The sponsors of the proposed initiative or referendum may submit a revised version  
1629 of the written argument described in Subsection (1)(a)(i)(A) to the election officer of the  
1630 county or municipality to which the petition relates within 20 days after the day on which the  
1631 eligible voter files an application to circulate an initiative petition under Section 20A-7-502 or  
1632 an application to circulate a referendum petition under Section 20A-7-602.

1633 (e) The author of a written argument described in Subsection (1)(a)(i)(B) submitted by  
1634 a county or municipality may submit a revised version of the written argument to the county's  
1635 or municipality's election officer within 20 days after the day on which the eligible voter files  
1636 an application to circulate an initiative petition under Section 20A-7-502 or an application to  
1637 circulate a referendum petition under Section 20A-7-602.

1638 (2) (a) A written argument described in Subsection (1) may not exceed 500 words.

1639 (b) Except as provided in Subsection (2)(c), a person may not modify a written  
1640 argument described in Subsection (1)(d) or (e) after the written argument is submitted to the  
1641 election officer.

1642 (c) The election officer and the person that submits the written argument described in  
1643 Subsection (1)(d) or (e) may jointly agree to modify the written argument to:

1644 (i) correct factual, grammatical, or spelling errors; or

1645 (ii) reduce the number of words to come into compliance with Subsection (2)(a).

1646 (d) An election officer shall refuse to include a written argument in the proposition  
1647 information pamphlet described in this section if the person who submits the argument:

1648 (i) fails to negotiate, in good faith, to modify the argument in accordance with  
1649 Subsection (2)(c); or

1650 (ii) does not timely submit the written argument to the election officer.

1651 (e) An election officer shall make a good faith effort to negotiate a modification

1652 described in Subsection (2)(c) in an expedited manner.

1653 (3) An election officer who receives a written argument described in Subsection (1)  
1654 shall prepare a proposition information pamphlet for publication that includes:

1655 (a) a copy of the application for the proposed initiative or referendum;

1656 (b) except as provided in Subsection (2)(d), immediately after the copy described in  
1657 Subsection (3)(a), the argument prepared by the sponsors of the proposed initiative or  
1658 referendum, if any;

1659 (c) except as provided in Subsection (2)(d), immediately after the argument described  
1660 in Subsection (3)(b), the argument prepared by the county or municipality, if any; and

1661 (d) a copy of the initial fiscal impact statement and legal impact statement described in  
1662 Section [20A-7-502.5](#) or [20A-7-602.5](#).

1663 (4) (a) A proposition information pamphlet is a draft for purposes of Title 63G,  
1664 Chapter 2, Government Records Access and Management Act, until the earlier of when the  
1665 election officer:

1666 (i) complies with Subsection (4)(b); or

1667 (ii) publishes the proposition information pamphlet under Subsection (5) or (6).

1668 (b) Within 21 days after the day on which the eligible voter files an application to  
1669 circulate an initiative petition under Section [20A-7-502](#), or an application to circulate a  
1670 referendum petition under Section [20A-7-602](#), the election officer shall provide a copy of the  
1671 proposition information pamphlet to the sponsors of the initiative or referendum and each  
1672 individual who submitted an argument included in the proposition information pamphlet.

1673 (5) An election officer for a municipality shall publish the proposition information  
1674 pamphlet as follows:

1675 (a) within the later of 10 days after the day on which the municipality or a court  
1676 determines that the proposed initiative or referendum is legally referable to voters, or, if the  
1677 election officer modifies an argument under Subsection (2)(c), three days after the day on  
1678 which the election officer and the person that submitted the argument agree on the  
1679 modification:

1680 (i) by sending the proposition information pamphlet electronically to each individual in  
1681 the municipality for whom the municipality has an email address, unless the individual has  
1682 indicated that the municipality is prohibited from using the individual's email address for that  
1683 purpose; and

1684 (ii) by posting the proposition information pamphlet on the Utah Public Notice  
1685 Website, created in Section 63A-16-601, and the home page of the municipality's website, if  
1686 the municipality has a website, until:

1687 (A) if the sponsors of the proposed initiative or referendum or an agent of the sponsors  
1688 do not timely deliver any verified initiative packets [~~under Section 20A-7-506~~] or any verified  
1689 referendum packets under Section [~~20A-7-606~~] 20A-7-105, the day after the date of the  
1690 deadline for delivery of the verified initiative packets or verified referendum packets;

1691 (B) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the  
1692 number of signatures necessary to qualify the proposed initiative or referendum for placement  
1693 on the ballot is insufficient and the determination is not timely appealed or is upheld after  
1694 appeal; or

1695 (C) the day after the date of the election at which the proposed initiative or referendum  
1696 appears on the ballot; and

1697 (b) if the municipality regularly mails a newsletter, utility bill, or other material to the  
1698 municipality's residents, including an Internet address, where a resident may view the  
1699 proposition information pamphlet, in the next mailing, for which the municipality has not  
1700 begun preparation, that falls on or after the later of:

1701 (i) 10 days after the day on which the municipality or a court determines that the  
1702 proposed initiative or referendum is legally referable to voters; or

1703 (ii) if the election officer modifies an argument under Subsection (2)(c), three days  
1704 after the day on which the election officer and the person that submitted the argument agree on  
1705 the modification.

1706 (6) An election officer for a county shall, within the later of 10 days after the day on  
1707 which the county or a court determines that the proposed initiative or referendum is legally

1708 referable to voters, or, if the election officer modifies an argument under Subsection (2)(c),  
1709 three days after the day on which the election officer and the person that submitted the  
1710 argument agree on the modification, publish the proposition information pamphlet as follows:

1711 (a) by sending the proposition information pamphlet electronically to each individual  
1712 in the county for whom the county has an email address obtained via voter registration; and

1713 (b) by posting the proposition information pamphlet on the Utah Public Notice  
1714 Website, created in Section 63A-16-601, and the home page of the county's website, until:

1715 (i) if the sponsors of the proposed initiative or referendum or an agent of the sponsors  
1716 do not timely deliver any verified initiative packets [~~under Section 20A-7-506~~] or any verified  
1717 referendum packets under Section [~~20A-7-606~~] 20A-7-105, the day after the date of the  
1718 deadline for delivery of the verified initiative packets or verified referendum packets;

1719 (ii) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the number  
1720 of signatures necessary to qualify the proposed initiative or referendum for placement on the  
1721 ballot is insufficient and the determination is not timely appealed or is upheld after appeal; or

1722 (iii) the day after the date of the election at which the proposed initiative or referendum  
1723 appears on the ballot.

1724 Section 33. Section 20A-7-507 is amended to read:

1725 **20A-7-507. Evaluation by the local clerk.**

1726 (1) In relation to the manual initiative process, when a local clerk receives an initiative  
1727 packet from a county clerk, the local clerk shall record the number of the initiative packet  
1728 received.

1729 (2) The county clerk shall:

1730 (a) in relation to the manual initiative process:

1731 (i) post the names, voter identification numbers, and dates of signatures described in  
1732 Subsection [~~20A-7-506(3)(c)~~] 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a  
1733 conspicuous location designated by the lieutenant governor, for at least 90 days; and

1734 (ii) update on the local government's website the number of signatures certified as of  
1735 the date of the update; or

1736 (b) in relation to the electronic initiative process:  
1737 (i) post the names, voter identification numbers, and dates of signatures described in  
1738 Subsection [20A-7-516\(4\)](#) on the lieutenant governor's website, in a conspicuous location  
1739 designated by the lieutenant governor, for at least 90 days; and  
1740 (ii) update on the local government's website the number of signatures certified as of  
1741 the date of the update.  
1742 (3) The local clerk:  
1743 (a) shall, except as provided in Subsection (3)(b), declare the petition to be sufficient or  
1744 insufficient:  
1745 (i) in relation to the manual initiative process, no later than 21 days after the day of the  
1746 applicable deadline described in Subsection [~~[20A-7-506\(2\)\(a\)](#)~~ [20A-7-105\(5\)\(a\)\(iii\)](#)]; or  
1747 (ii) in relation to the electronic initiative process, no later than 21 days after the day of  
1748 the applicable deadline described in Subsection [20A-7-516\(2\)](#); or  
1749 (b) may declare the petition to be insufficient before the day described in Subsection  
1750 (3)(a) if:  
1751 (i) in relation to the manual initiative process, the total of all valid signatures on timely  
1752 and lawfully submitted signature packets that have been certified by the county clerks, plus the  
1753 number of signatures on timely and lawfully submitted signature packets that have not yet been  
1754 evaluated for certification, is less than the number of names required under Section [20A-7-501](#);  
1755 (ii) in relation to the electronic initiative process, the total of all timely and lawfully  
1756 submitted valid signatures that have been certified by the county clerks, plus the number of  
1757 timely and lawfully submitted valid signatures received under Subsection [20A-21-201\(6\)\(b\)](#)  
1758 that have not yet been evaluated for certification, is less than the number of names required  
1759 under Section [20A-7-501](#); or  
1760 (iii) a requirement of this part has not been met.  
1761 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds  
1762 the number of names required by Section [20A-7-501](#) and the requirements of this part are met,  
1763 the local clerk shall mark upon the front of the petition the word "sufficient."

1764 (b) If the total number of names certified under Subsection (3) does not equal or  
1765 exceed the number of names required by Section 20A-7-501 or a requirement of this part is not  
1766 met, the local clerk shall mark upon the front of the petition the word "insufficient."

1767 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's  
1768 finding.

1769 (d) After a petition is declared insufficient, a person may not submit additional  
1770 signatures to qualify the petition for the ballot.

1771 (5) If the local clerk finds the total number of certified signatures from each verified  
1772 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
1773 for a recount of the signatures appearing on the initiative petition in the presence of any  
1774 sponsor.

1775 (6) A petition determined to be sufficient in accordance with this section is qualified  
1776 for the ballot.

1777 Section 34. Section 20A-7-515 is amended to read:

1778 **20A-7-515. Electronic initiative process -- Obtaining signatures -- Request to**  
1779 **remove signature.**

1780 (1) This section applies to the electronic initiative process.

1781 (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and  
1782 resides in the local jurisdiction.

1783 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
1784 an individual:

1785 (a) verifies that the individual is at least 18 years old and meets the residency  
1786 requirements of Section 20A-2-105; and

1787 (b) is informed that each signer is required to read and understand the law proposed by  
1788 the initiative.

1789 (4) (a) A voter who [~~has signed~~] signs an initiative petition may have the voter's  
1790 signature removed from the petition by submitting to the county clerk a statement requesting  
1791 that the voter's signature be removed before 5 p.m. no later than the earlier of:

- 1792 (i) 30 days after the day on which the voter signs the signature removal statement;
- 1793 (ii) 90 days after the day on which the local clerk posts the voter's name under
- 1794 Subsection [20A-7-516\(4\)](#);
- 1795 (iii) 316 days after the day on which the application is filed; or
- 1796 (iv) (A) for a county initiative, April 15 immediately before the next regular general
- 1797 election immediately after the application is filed under Section [20A-7-502](#); or
- 1798 (B) for a municipal initiative, April 15 immediately before the next municipal general
- 1799 election immediately after the application is filed under Section [20A-7-502](#).
- 1800 (b) The statement described in Subsection (4)(a) shall include:
- 1801 (i) the name of the voter;
- 1802 (ii) the resident address at which the voter is registered to vote;
- 1803 (iii) the signature of the voter; and
- 1804 (iv) the date of the signature described in Subsection (4)(b)(iii).
- 1805 (c) To increase the likelihood of the voter's signature being identified and removed, the
- 1806 statement described in Subsection (4)(a) may include the voter's birth date or age.
- 1807 (d) A voter may not submit a signature removal statement described in Subsection
- 1808 (4)(a) by email or other electronic means, unless the lieutenant governor establishes a signature
- 1809 removal process that is consistent with the requirements of this section and Section
- 1810 [20A-21-201](#).
- 1811 (e) A person may only remove an electronic signature from an initiative petition in
- 1812 accordance with this section.
- 1813 (f) A county clerk shall analyze a holographic signature, for purposes of removing an
- 1814 electronic signature from an initiative petition, in accordance with [~~Section [20A-7-506.3](#)~~]
- 1815 Subsection [20A-1-1003\(3\)](#).
- 1816 Section 35. Section [20A-7-607](#) is amended to read:
- 1817 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**
- 1818 **referendum.**
- 1819 (1) In relation to the manual referendum process, when the local clerk receives a

1820 referendum packet from a county clerk, the local clerk shall record the number of the  
1821 referendum packet received.

1822 (2) The county clerk shall:

1823 (a) in relation to the manual referendum process:

1824 (i) post the names, voter identification numbers, and dates of signatures described in  
1825 Subsection [~~20A-7-606(3)(c)~~] 20A-7-105(6)(a)(iii) on the lieutenant governor's website, in a  
1826 conspicuous location designated by the lieutenant governor, for at least 45 days; and

1827 (ii) update on the local clerk's website the number of signatures certified as of the date  
1828 of the update; or

1829 (b) in relation to the electronic referendum process:

1830 (i) post the names, voter identification numbers, and dates of signatures described in  
1831 Subsection 20A-7-616(3) on the lieutenant governor's website, in a conspicuous location  
1832 designated by the lieutenant governor, for at least 45 days; and

1833 (ii) update on the lieutenant governor's website the number of signatures certified as of  
1834 the date of the update.

1835 (3) The local clerk:

1836 (a) shall, except as provided in Subsection (3)(b), declare the petition to be sufficient or  
1837 insufficient:

1838 (i) in relation to the manual referendum process, no later than 111 days after the day of  
1839 the deadline, described in Subsection [~~20A-7-606(2)~~] 20A-7-105(5)(a)(iv), to submit a  
1840 referendum packet to the county clerk; or

1841 (ii) in relation to the electronic referendum process, no later than 111 days after the day  
1842 of the deadline, described in Subsection 20A-7-616(2), to collect a signature; or

1843 (b) may declare the petition to be insufficient before the day described in Subsection  
1844 (3)(a) if:

1845 (i) in relation to the manual referendum process, the total of all valid signatures on  
1846 timely and lawfully submitted signature packets that have been certified by the county clerk,  
1847 plus the number of signatures on timely and lawfully submitted signature packets that have not

1848 yet been evaluated for certification, is less than the number of names required under Section  
1849 [20A-7-601](#);

1850 (ii) in relation to the electronic referendum process, the total of all timely and lawfully  
1851 submitted valid signatures that have been certified by the county clerks, plus the number of  
1852 timely and lawfully submitted valid signatures received under Subsection [20A-21-201\(6\)\(b\)](#)  
1853 that have not yet been evaluated for certification, is less than the number of names required  
1854 under Section [20A-7-601](#); or

1855 (iii) a requirement of this part has not been met.

1856 (4) (a) If the total number of names certified under Subsection [~~2~~] 3 equals or  
1857 exceeds the number of names required under Section [20A-7-601](#), and the requirements of this  
1858 part are met, the local clerk shall mark upon the front of the petition the word "sufficient";

1859 (b) If the total number of names certified under Subsection (3) does not equal or  
1860 exceed the number of names required under Section [20A-7-601](#) or a requirement of this part is  
1861 not met, the local clerk shall mark upon the front of the petition the word "insufficient."

1862 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's  
1863 finding.

1864 (d) After a petition is declared insufficient, a person may not submit additional  
1865 signatures to qualify the petition for the ballot.

1866 (5) (a) If the local clerk refuses to accept and file any referendum petition, any voter  
1867 may apply to a court for an extraordinary writ to compel the local clerk to do so within 10 days  
1868 after the refusal.

1869 (b) If the court determines that the referendum petition is legally sufficient, the local  
1870 clerk shall file the petition, with a verified copy of the judgment attached to the petition, as of  
1871 the date on which the petition was originally offered for filing in the local clerk's office.

1872 (c) If the court determines that any petition filed is not legally sufficient, the court may  
1873 enjoin the local clerk and all other officers from:

1874 (i) certifying or printing the ballot title and numbers of that measure on the official  
1875 ballot for the next election; or

1876 (ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing,  
1877 or mailing the ballot title and numbers of that measure under Section [20A-7-609.5](#).

1878 (6) A petition determined to be sufficient in accordance with this section is qualified  
1879 for the ballot.

1880 (7) (a) Except as provided in Subsection (7)(b) or (c), if a referendum relates to  
1881 legislative action taken after April 15, the election officer may not place the referendum on an  
1882 election ballot until a primary election, a general election, or a special election the following  
1883 year.

1884 (b) The election officer may place a referendum described in Subsection (7)(a) on the  
1885 ballot for a special, primary, or general election held during the year that the legislative action  
1886 was taken if the following agree, in writing, on a timeline to place the referendum on that  
1887 ballot:

1888 (i) the local clerk;

1889 (ii) the county clerk; and

1890 (iii) the attorney for the county or municipality that took the legislative action.

1891 (c) For a referendum on a land use law, if, before August 30, the local clerk or a court  
1892 determines that the total number of certified names equals or exceeds the number of signatures  
1893 required in Section [20A-7-601](#), the election officer shall place the referendum on the election  
1894 ballot for:

1895 (i) the next general election; or

1896 (ii) another election, if the following agree, in writing, on a timeline to place the  
1897 referendum on that ballot:

1898 (A) the affected owners, as defined in Section [10-9a-103](#) or [17-27a-103](#), as applicable;

1899 (B) the local clerk;

1900 (C) the county clerk; and

1901 (D) the attorney for the county or municipality that took the legislative action.

1902 Section 36. Section [20A-7-613](#) is amended to read:

1903 **20A-7-613. Property tax referendum petition.**

1904 (1) As used in this section, "certified tax rate" means the same as that term is defined in  
1905 Section [59-2-924](#).

1906 (2) Except as provided in this section, the requirements of this part apply to a  
1907 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that  
1908 exceeds the certified tax rate.

1909 (3) Notwithstanding Subsection [~~20A-7-606(2)~~] [20A-7-105\(5\)\(a\)\(iv\)](#), the sponsors or  
1910 an agent of the sponsors shall deliver a signed and verified referendum packet to the county  
1911 clerk of the county in which the packet was circulated before 5 p.m. no later than the earlier of:

1912 (a) 30 days after the day on which the first individual signs the packet; or

1913 (b) 40 days after the day on which the local clerk complies with Subsection  
1914 [20A-7-604\(3\)](#).

1915 (4) Notwithstanding Subsections [~~20A-7-606(3) and (4)~~] [20A-7-105\(6\)\(a\) and \(9\)](#), the  
1916 county clerk shall take the actions required in Subsections [~~20A-7-606(3) and (4)~~]  
1917 [20A-7-105\(6\)\(a\) and \(9\)](#) within 10 working days after the day on which the county clerk  
1918 receives the signed and verified referendum packet as described in Subsection (3).

1919 (5) The local clerk shall take the actions required by Section [20A-7-607](#) within two  
1920 working days after:

1921 (a) in relation to the manual referendum process, the day on which the local clerk  
1922 receives the referendum packets from the county clerk; or

1923 (b) in relation to the electronic referendum process, the deadline described in  
1924 Subsection [20A-7-616\(2\)](#).

1925 (6) Notwithstanding Subsection [20A-7-608\(2\)](#), the local attorney shall prepare the  
1926 ballot title within two working days after the day on which the referendum petition is declared  
1927 sufficient for submission to a vote of the people.

1928 (7) Notwithstanding Subsection [20A-7-609\(2\)\(c\)](#), a referendum that qualifies for the  
1929 ballot under this section shall appear on the ballot for the earlier of the next regular general  
1930 election or the next municipal general election unless a special election is called.

1931 (8) The election officer shall mail manual ballots on a referendum under this section

1932 the later of:

1933 (a) the time provided in Section 20A-3a-202 or 20A-16-403; or

1934 (b) the time that ballots are prepared for mailing under this section.

1935 (9) Section 20A-7-402 does not apply to a referendum described in this section.

1936 (10) (a) If a majority of voters does not vote against imposing the tax at a rate  
1937 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing  
1938 entity's legislative body:

1939 (i) the certified tax rate for the fiscal year during which the referendum petition is filed  
1940 is its most recent certified tax rate; and

1941 (ii) the proposed increased revenues for purposes of establishing the certified tax rate  
1942 for the fiscal year after the fiscal year described in Subsection (10)(a)(i) are the proposed  
1943 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body  
1944 before the filing of the referendum petition.

1945 (b) If a majority of voters votes against imposing a tax at the rate established by the  
1946 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the  
1947 taxing entity's most recent certified tax rate.

1948 (c) If the tax rate is set in accordance with Subsection (10)(a)(ii), a taxing entity is not  
1949 required to comply with the notice and public hearing requirements of Section 59-2-919 if the  
1950 taxing entity complies with those notice and public hearing requirements before the referendum  
1951 petition is filed.

1952 (11) The ballot title shall, at a minimum, include in substantially this form the  
1953 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount  
1954 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as  
1955 budgeted, adopted, and approved by the [name of the taxing entity].".

1956 (12) A taxing entity shall pay the county the costs incurred by the county that are  
1957 directly related to meeting the requirements of this section and that the county would not have  
1958 incurred but for compliance with this section.

1959 (13) (a) An election officer shall include on a ballot a referendum that has not yet

1960 qualified for placement on the ballot, if:

1961 (i) sponsors file an application for a referendum described in this section;

1962 (ii) the ballot will be used for the election for which the sponsors are attempting to  
1963 qualify the referendum; and

1964 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after  
1965 the day on which the ballot will be printed.

1966 (b) If an election officer includes on a ballot a referendum described in Subsection  
1967 (13)(a), the ballot title shall comply with Subsection (11).

1968 (c) If an election officer includes on a ballot a referendum described in Subsection  
1969 (13)(a) that does not qualify for placement on the ballot, the election officer shall inform the  
1970 voters by any practicable method that the referendum has not qualified for the ballot and that  
1971 votes cast in relation to the referendum will not be counted.

1972 Section 37. Section **20A-7-615** is amended to read:

1973 **20A-7-615. Electronic referendum process -- Obtaining signatures -- Request to**  
1974 **remove signature.**

1975 (1) This section applies to the electronic referendum process described in Section  
1976 [20A-21-201](#).

1977 (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and  
1978 resides in the local jurisdiction.

1979 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from  
1980 an individual:

1981 (a) verifies that the individual is at least 18 years old and meets the residency  
1982 requirements of Section [20A-2-105](#); and

1983 (b) is informed that each signer is required to read and understand the law that is the  
1984 subject of the referendum petition.

1985 (4) (a) A voter who ~~has signed~~ signs a referendum petition may have the voter's  
1986 signature removed from the petition by submitting to the county clerk a statement requesting  
1987 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1988 (i) 30 days after the day on which the voter signs the statement requesting removal; or

1989 (ii) 45 days after the day on which the local clerk posts the voter's name under

1990 Subsection 20A-7-616(3).

1991 (b) The statement described in Subsection (4)(a) shall include:

1992 (i) the name of the voter;

1993 (ii) the resident address at which the voter is registered to vote;

1994 (iii) the signature of the voter; and

1995 (iv) the date of the signature described in Subsection (4)(b)(iii).

1996 (c) To increase the likelihood of the voter's signature being identified and removed, the  
1997 statement described in Subsection (4)(a) may include the voter's birth date or age.

1998 (d) A voter may not submit a signature removal statement described in Subsection  
1999 (4)(a) by email or other electronic means, unless the lieutenant governor establishes a signature  
2000 removal process that is consistent with the requirements of this section and Section  
2001 20A-21-201.

2002 (e) A person may only remove an electronic signature from an initiative petition in  
2003 accordance with this section.

2004 (f) A county clerk shall analyze a holographic signature, for purposes of removing an  
2005 electronic signature from a referendum petition, in accordance with [~~Section 20A-7-606.3~~]  
2006 Subsection 20A-1-1003(3).

2007 Section 38. Section 20A-8-103 is amended to read:

2008 **20A-8-103. Petition procedures -- Criminal penalty -- Removal of signature.**

2009 (1) As used in this section, the proposed name or emblem of a registered political party  
2010 is "distinguishable" if a reasonable person of average intelligence will be able to perceive a  
2011 difference between the proposed name or emblem and any name or emblem currently being  
2012 used by another registered political party.

2013 (2) To become a registered political party, an organization of registered voters that is  
2014 not a continuing political party shall:

2015 (a) circulate a petition seeking registered political party status beginning no earlier than

2016 the date of the statewide canvass held after the last regular general election and ending before 5  
2017 p.m. no later than November 30 of the year before the year in which the next regular general  
2018 election will be held;

2019 (b) file a petition with the lieutenant governor that is signed, with a holographic  
2020 signature, by at least 2,000 registered voters before 5 p.m. no later than November 30 of the  
2021 year in which a regular general election will be held; and

2022 (c) file, with the petition described in Subsection (2)(b), a document certifying:

2023 (i) the identity of one or more registered political parties whose members may vote for  
2024 the organization's candidates;

2025 (ii) whether unaffiliated voters may vote for the organization's candidates; and

2026 (iii) whether, for the next election, the organization intends to nominate the  
2027 organization's candidates in accordance with the provisions of Section [20A-9-406](#).

2028 (3) The petition shall:

2029 (a) be on sheets of paper 8-1/2 inches long and 11 inches wide;

2030 (b) be ruled with a horizontal line 3/4 inch from the top, with the space above that line  
2031 blank for the purpose of binding;

2032 (c) contain the name of the political party and the words "Political Party Registration  
2033 Petition" printed directly below the horizontal line;

2034 (d) contain the word "Warning" printed directly under the words described in  
2035 Subsection (3)(c);

2036 (e) contain, to the right of the word "Warning," the following statement printed in not  
2037 less than eight-point, single leaded type:

2038 "It is a class A misdemeanor for anyone to knowingly sign a political party registration  
2039 petition signature sheet with any name other than the individual's own name or more than once  
2040 for the same party or if the individual is not registered to vote in this state and does not intend  
2041 to become registered to vote in this state before the petition is submitted to the lieutenant  
2042 governor.";

2043 (f) contain the following statement directly under the statement described in Subsection

2044 (3)(e):  
2045 "POLITICAL PARTY REGISTRATION PETITION To the Honorable \_\_\_\_\_,  
2046 Lieutenant Governor:  
2047 We, the undersigned citizens of Utah, seek registered political party status for \_\_\_\_\_  
2048 (name);  
2049 Each signer says:  
2050 I have personally signed this petition with a holographic signature;  
2051 I am registered to vote in Utah or will register to vote in Utah before the petition is  
2052 submitted to the lieutenant governor;  
2053 I am or desire to become a member of the political party; and  
2054 My street address is written correctly after my name.";  
2055 (g) be vertically divided into columns as follows:  
2056 (i) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be  
2057 headed with "For Office Use Only," and be subdivided with a light vertical line down the  
2058 middle;  
2059 (ii) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed  
2060 Name (must be legible to be counted)";  
2061 (iii) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of  
2062 Registered Voter";  
2063 (iv) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";  
2064 (v) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip  
2065 Code"; and  
2066 (vi) at the bottom of the sheet, contain the following statement: "Birth date or age  
2067 information is not required, but it may be used to verify your identity with voter registration  
2068 records. If you choose not to provide it, your signature may not be certified as a valid signature  
2069 if you change your address before petition signatures are certified or if the information you  
2070 provide does not match your voter registration records.";  
2071 (h) have a final page bound to one or more signature sheets that are bound together that

2072 contains the following printed statement:

2073 "Verification

2074 State of Utah, County of \_\_\_\_

2075 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

2076 I am a Utah resident and am at least 18 years old;

2077 All the names that appear on the signature sheets bound to this page were signed by  
2078 individuals who professed to be the individuals whose names appear on the signature sheets,  
2079 and each individual signed the individual's name on the signature sheets in my presence;

2080 I believe that each individual has printed and signed the individual's name and written  
2081 the individual's street address correctly, and that each individual is registered to vote in Utah or  
2082 will register to vote in Utah before the petition is submitted to the lieutenant governor.

2083 \_\_\_\_\_

2084 (Signature) (Residence Address) (Date)"; and

2085 (i) be bound to a cover sheet that:

2086 (i) identifies the political party's name, which may not exceed four words, and the  
2087 emblem of the party;

2088 (ii) states the process that the organization will follow to organize and adopt a  
2089 constitution and bylaws; and

2090 (iii) is signed by a filing officer, who agrees to receive communications on behalf of  
2091 the organization.

2092 (4) The filing officer described in Subsection (3)(i)(iii) shall ensure that the individual  
2093 in whose presence each signature sheet is signed:

2094 (a) is at least 18 years old;

2095 (b) meets the residency requirements of Section [20A-2-105](#); and

2096 (c) verifies each signature sheet by completing the verification bound to one or more  
2097 signature sheets that are bound together.

2098 (5) An individual may not sign the verification if the individual signed a signature

2099 sheet bound to the verification.

2100 (6) The lieutenant governor shall:

2101 (a) ~~[determine whether the required number of voters appears on the petition;]~~ use the  
2102 procedures described in Section 20A-1-1002 to determine whether a signer is a registered  
2103 voter;

2104 (b) review the proposed name and emblem to determine if they are "distinguishable"  
2105 from the names and emblems of other registered political parties; and

2106 (c) certify the lieutenant governor's findings to the filing officer described in  
2107 Subsection (3)(i)(iii) within 30 days of the filing of the petition.

2108 (7) (a) If the lieutenant governor determines that the petition meets the requirements of  
2109 this section, and that the proposed name and emblem are distinguishable, the lieutenant  
2110 governor shall authorize the filing officer described in Subsection (3)(i)(iii) to organize the  
2111 prospective political party.

2112 (b) If the lieutenant governor finds that the name, emblem, or both are not  
2113 distinguishable from the names and emblems of other registered political parties, the lieutenant  
2114 governor shall notify the filing officer that the filing officer has seven days to submit a new  
2115 name or emblem to the lieutenant governor.

2116 (8) A registered political party may not change its name or emblem during the regular  
2117 general election cycle.

2118 (9) (a) It is unlawful for an individual to:

2119 (i) knowingly sign a political party registration petition:

2120 (A) with any name other than the individual's own name;

2121 (B) more than once for the same political party; or

2122 (C) if the individual is not registered to vote in this state and does not intend to become  
2123 registered to vote in this state before the petition is submitted to the lieutenant governor; or

2124 (ii) sign the verification of a political party registration petition signature sheet if the  
2125 individual:

2126 (A) does not meet the residency requirements of Section 20A-2-105;

2127 (B) has not witnessed the signing by those individuals whose names appear on the  
2128 political party registration petition signature sheet; or

2129 (C) knows that an individual whose signature appears on the political party registration  
2130 petition signature sheet is not registered to vote in this state and does not intend to become  
2131 registered to vote in this state.

2132 (b) An individual who violates this Subsection (9) is guilty of a class A misdemeanor.

2133 (10) (a) A voter who signs a petition under this section may have the voter's signature  
2134 removed from the petition by, no later than three business days after the day on which the  
2135 petition is filed with the lieutenant governor, submitting to the lieutenant governor a statement  
2136 requesting that the voter's signature be removed.

2137 (b) A statement described in Subsection (10)(a) shall comply with the requirements  
2138 described in Subsection [20A-1-1003\(2\)](#).

2139 (c) The lieutenant governor shall use the procedures described in Subsection  
2140 [20A-1-1003\(3\)](#) to determine whether to remove an individual's signature from a petition after  
2141 receiving a timely, valid statement requesting removal of the signature.

2142 Section 39. Section **20A-9-203** is amended to read:

2143 **20A-9-203. Declarations of candidacy -- Municipal general elections --**  
2144 **Nomination petition -- Removal of signature.**

2145 (1) An individual may become a candidate for any municipal office if:

2146 (a) the individual is a registered voter; and

2147 (b) (i) the individual has resided within the municipality in which the individual seeks  
2148 to hold elective office for the 12 consecutive months immediately before the date of the  
2149 election; or

2150 (ii) the territory in which the individual resides was annexed into the municipality, the  
2151 individual has resided within the annexed territory or the municipality the 12 consecutive  
2152 months immediately before the date of the election.

2153 (2) (a) For purposes of determining whether an individual meets the residency  
2154 requirement of Subsection (1)(b)(i) in a municipality that was incorporated less than 12 months

2155 before the election, the municipality is considered to have been incorporated 12 months before  
2156 the date of the election.

2157 (b) In addition to the requirements of Subsection (1), each candidate for a municipal  
2158 council position shall, if elected from a district, be a resident of the council district from which  
2159 the candidate is elected.

2160 (c) In accordance with Utah Constitution, Article IV, Section 6, a mentally incompetent  
2161 individual, an individual convicted of a felony, or an individual convicted of treason or a crime  
2162 against the elective franchise may not hold office in this state until the right to hold elective  
2163 office is restored under Section [20A-2-101.3](#) or [20A-2-101.5](#).

2164 (3) (a) An individual seeking to become a candidate for a municipal office shall,  
2165 regardless of the nomination method by which the individual is seeking to become a candidate:

2166 (i) except as provided in Subsection (3)(b) or [~~Title 20A,~~] Chapter 4, Part 6, Municipal  
2167 Alternate Voting Methods Pilot Project, and subject to Subsection [20A-9-404\(3\)\(e\)](#), file a  
2168 declaration of candidacy, in person with the city recorder or town clerk, during the office hours  
2169 described in Section [10-3-301](#) and not later than the close of those office hours, between June 1  
2170 and June 7 of any odd-numbered year; and

2171 (ii) pay the filing fee, if one is required by municipal ordinance.

2172 (b) Subject to Subsection (5)(b), an individual may designate an agent to file a  
2173 declaration of candidacy with the city recorder or town clerk if:

2174 (i) the individual is located outside of the state during the entire filing period;

2175 (ii) the designated agent appears in person before the city recorder or town clerk;

2176 (iii) the individual communicates with the city recorder or town clerk using an  
2177 electronic device that allows the individual and city recorder or town clerk to see and hear each  
2178 other; and

2179 (iv) the individual provides the city recorder or town clerk with an email address to  
2180 which the city recorder or town clerk may send the individual the copies described in  
2181 Subsection (4).

2182 (c) Any resident of a municipality may nominate a candidate for a municipal office by:

2183 (i) except as provided in [~~Title 20A,~~] Chapter 4, Part 6, Municipal Alternate Voting  
2184 Methods Pilot Project, filing a nomination petition with the city recorder or town clerk during  
2185 the office hours described in Section 10-3-301 and not later than the close of those office  
2186 hours, between June 1 and June 7 of any odd-numbered year that includes signatures in support  
2187 of the nomination petition of the lesser of at least:

2188 (A) 25 registered voters who reside in the municipality; or

2189 (B) 20% of the registered voters who reside in the municipality; and

2190 (ii) paying the filing fee, if one is required by municipal ordinance.

2191 (4) (a) Before the filing officer may accept any declaration of candidacy or nomination  
2192 petition, the filing officer shall:

2193 (i) read to the prospective candidate or individual filing the petition the constitutional  
2194 and statutory qualification requirements for the office that the candidate is seeking;

2195 (ii) require the candidate or individual filing the petition to state whether the candidate  
2196 meets the requirements described in Subsection (4)(a)(i); and

2197 (iii) inform the candidate or the individual filing the petition that an individual who  
2198 holds a municipal elected office may not, at the same time, hold a county elected office.

2199 (b) If the prospective candidate does not meet the qualification requirements for the  
2200 office, the filing officer may not accept the declaration of candidacy or nomination petition.

2201 (c) If it appears that the prospective candidate meets the requirements of candidacy, the  
2202 filing officer shall:

2203 (i) inform the candidate that the candidate's name will appear on the ballot as it is  
2204 written on the declaration of candidacy;

2205 (ii) provide the candidate with a copy of the current campaign financial disclosure laws  
2206 for the office the candidate is seeking and inform the candidate that failure to comply will  
2207 result in disqualification as a candidate and removal of the candidate's name from the ballot;

2208 (iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide  
2209 Electronic Voter Information Website Program and inform the candidate of the submission  
2210 deadline under Subsection 20A-7-801(4)(a);

2211 (iv) provide the candidate with a copy of the pledge of fair campaign practices  
2212 described under Section 20A-9-206 and inform the candidate that:  
2213 (A) signing the pledge is voluntary; and  
2214 (B) signed pledges shall be filed with the filing officer; and  
2215 (v) accept the declaration of candidacy or nomination petition.  
2216 (d) If the candidate elects to sign the pledge of fair campaign practices, the filing  
2217 officer shall:  
2218 (i) accept the candidate's pledge; and  
2219 (ii) if the candidate has filed for a partisan office, provide a certified copy of the  
2220 candidate's pledge to the chair of the county or state political party of which the candidate is a  
2221 member.  
2222 (5) (a) The declaration of candidacy shall be in substantially the following form:  
2223 "I, (print name) \_\_\_\_\_, being first sworn and under penalty of perjury, say that I reside at  
2224 \_\_\_\_\_ Street, City of \_\_\_\_\_, County of \_\_\_\_\_, state of Utah, Zip Code \_\_\_\_\_, Telephone Number  
2225 (if any) \_\_\_\_\_; that I am a registered voter; and that I am a candidate for the office of \_\_\_\_\_  
2226 (stating the term). I will meet the legal qualifications required of candidates for this office. If  
2227 filing via a designated agent, I attest that I will be out of the state of Utah during the entire  
2228 candidate filing period. I will file all campaign financial disclosure reports as required by law  
2229 and I understand that failure to do so will result in my disqualification as a candidate for this  
2230 office and removal of my name from the ballot. I request that my name be printed upon the  
2231 applicable official ballots. (Signed) \_\_\_\_\_  
2232 Subscribed and sworn to (or affirmed) before me by \_\_\_\_\_ on this  
2233 \_\_\_\_\_(month\day\year).

2234 (Signed) \_\_\_\_\_ (Clerk or other officer qualified to administer oath)."  
2235 (b) An agent designated under Subsection (3)(b) to file a declaration of candidacy may  
2236 not sign the form described in Subsection (5)(a).  
2237 (c) (i) A nomination petition shall be in substantially the following form:

2238 "NOMINATION PETITION  
2239 The undersigned residents of (name of municipality), being registered voters, nominate  
2240 (name of nominee) for the office of (name of office) for the (length of term of office)."  
2241 (ii) The remainder of the petition shall contain lines and columns for the signatures of  
2242 individuals signing the petition and each individual's address and phone number.  
2243 (6) If the declaration of candidacy or nomination petition fails to state whether the  
2244 nomination is for the two-year or four-year term, the clerk shall consider the nomination to be  
2245 for the four-year term.  
2246 (7) (a) (i) The clerk shall verify with the county clerk that all candidates are registered  
2247 voters.  
2248 (b) ~~[Any candidate who is not registered to vote is disqualified and the clerk may not~~  
2249 ~~print the candidate's name on the ballot.]~~ With the assistance of the county clerk, and using the  
2250 procedures described in Section 20A-1-1002, the municipal clerk shall determine whether the  
2251 required number of signatures of registered voters appears on a nomination petition.  
2252 (8) Immediately after expiration of the period for filing a declaration of candidacy, the  
2253 clerk shall:  
2254 (a) publicize a list of the names of the candidates as they will appear on the ballot:  
2255 (i) (A) by publishing the list in at least two successive publications of a newspaper of  
2256 general circulation in the municipality;  
2257 (B) by posting one copy of the list, and at least one additional copy of the list per 2,000  
2258 population of the municipality, in places within the municipality that are most likely to give  
2259 notice to the voters in the municipality, subject to a maximum of 10 lists; or  
2260 (C) by mailing the list to each registered voter in the municipality;  
2261 (ii) by posting the list on the Utah Public Notice Website, created in Section  
2262 63A-16-601, for seven days; and  
2263 (iii) if the municipality has a website, by posting the list on the municipality's website  
2264 for seven days; and  
2265 (b) notify the lieutenant governor of the names of the candidates as they will appear on

2266 the ballot.

2267 (9) Except as provided in Subsection (10)(c), an individual may not amend a  
2268 declaration of candidacy or nomination petition filed under this section after the candidate  
2269 filing period ends.

2270 (10) (a) A declaration of candidacy or nomination petition that an individual files under  
2271 this section is valid unless a person files a written objection with the clerk before 5 p.m. within  
2272 10 days after the last day for filing.

2273 (b) If a person files an objection, the clerk shall:

2274 (i) mail or personally deliver notice of the objection to the affected candidate  
2275 immediately; and

2276 (ii) decide any objection within 48 hours after the objection is filed.

2277 (c) If the clerk sustains the objection, the candidate may, before 5 p.m. within three  
2278 days after the day on which the clerk sustains the objection, correct the problem for which the  
2279 objection is sustained by amending the candidate's declaration of candidacy or nomination  
2280 petition, or by filing a new declaration of candidacy.

2281 (d) (i) The clerk's decision upon objections to form is final.

2282 (ii) The clerk's decision upon substantive matters is reviewable by a district court if  
2283 prompt application is made to the district court.

2284 (iii) The decision of the district court is final unless the Supreme Court, in the exercise  
2285 of its discretion, agrees to review the lower court decision.

2286 (11) A candidate who qualifies for the ballot under this section may withdraw as a  
2287 candidate by filing a written affidavit with the municipal clerk.

2288 (12) (a) A voter who signs a nomination petition under this section may have the  
2289 voter's signature removed from the petition by, no later than three business days after the day  
2290 on which the petition is filed with the city recorder or municipal clerk, submitting to the  
2291 municipal clerk a statement requesting that the voter's signature be removed.

2292 (b) A statement described in Subsection (12)(a) shall comply with the requirements  
2293 described in Subsection [20A-1-1003\(2\)](#).

2294           (c) With the assistance of the county clerk and using the procedures described in  
2295 Subsection 20A-1-1003(3), the municipal clerk shall determine whether to remove an  
2296 individual's signature from a petition after receiving a timely, valid statement requesting  
2297 removal of the signature.

2298           Section 40. Section **20A-9-403** is amended to read:

2299           **20A-9-403. Regular primary elections.**

2300           (1) (a) Candidates for elective office that are to be filled at the next regular general  
2301 election shall be nominated in a regular primary election by direct vote of the people in the  
2302 manner prescribed in this section. The regular primary election is held on the date specified in  
2303 Section **20A-1-201.5**. Nothing in this section shall affect a candidate's ability to qualify for a  
2304 regular general election's ballot as an unaffiliated candidate under Section **20A-9-501** or to  
2305 participate in a regular general election as a write-in candidate under Section **20A-9-601**.

2306           (b) Each registered political party that chooses to have the names of the registered  
2307 political party's candidates for elective office featured with party affiliation on the ballot at a  
2308 regular general election shall comply with the requirements of this section and shall nominate  
2309 the registered political party's candidates for elective office in the manner described in this  
2310 section.

2311           (c) A filing officer may not permit an official ballot at a regular general election to be  
2312 produced or used if the ballot denotes affiliation between a registered political party or any  
2313 other political group and a candidate for elective office who is not nominated in the manner  
2314 prescribed in this section or in Subsection **20A-9-202(4)**.

2315           (d) Unless noted otherwise, the dates in this section refer to those that occur in each  
2316 even-numbered year in which a regular general election will be held.

2317           (2) (a) Each registered political party, in a statement filed with the lieutenant governor,  
2318 shall:

2319           (i) either declare the registered political party's intent to participate in the next regular  
2320 primary election or declare that the registered political party chooses not to have the names of  
2321 the registered political party's candidates for elective office featured on the ballot at the next

2322 regular general election; and

2323           (ii) if the registered political party participates in the upcoming regular primary  
2324 election, identify one or more registered political parties whose members may vote for the  
2325 registered political party's candidates and whether individuals identified as unaffiliated with a  
2326 political party may vote for the registered political party's candidates.

2327           (b) (i) A registered political party that is a continuing political party shall file the  
2328 statement described in Subsection (2)(a) with the lieutenant governor no later than 5 p.m. on  
2329 November 30 of each odd-numbered year.

2330           (ii) An organization that is seeking to become a registered political party under Section  
2331 20A-8-103 shall file the statement described in Subsection (2)(a) at the time that the registered  
2332 political party files the petition described in Section 20A-8-103.

2333           (3) (a) Except as provided in Subsection (3)(e), an individual who submits a  
2334 declaration of candidacy under Section 20A-9-202 shall appear as a candidate for elective  
2335 office on the regular primary ballot of the registered political party listed on the declaration of  
2336 candidacy only if the individual is certified by the appropriate filing officer as having submitted  
2337 a nomination petition that was:

2338                   (i) circulated and completed in accordance with Section 20A-9-405; and

2339                   (ii) signed by at least 2% of the registered political party's members who reside in the  
2340 political division of the office that the individual seeks.

2341           (b) (i) A candidate for elective office shall submit signatures for a nomination petition  
2342 to the appropriate filing officer for verification and certification no later than 5 p.m. on the final  
2343 day in March.

2344           (ii) A candidate may supplement the candidate's submissions at any time on or before  
2345 the filing deadline.

2346           (c) (i) The lieutenant governor shall determine for each elective office the total number  
2347 of signatures that must be submitted under Subsection (3)(a)(ii) or 20A-9-408(8) by counting  
2348 the aggregate number of individuals residing in each elective office's political division who  
2349 have designated a particular registered political party on the individuals' voter registration

2350 forms on or before November 15 of each odd-numbered year.

2351 (ii) The lieutenant governor shall publish the determination for each elective office no  
2352 later than November 30 of each odd-numbered year.

2353 (d) The filing officer shall:

2354 (i) except as otherwise provided in Section 20A-21-201, verify signatures on  
2355 nomination petitions in a transparent and orderly manner, no later than 14 days after the day on  
2356 which a candidate submits the signatures to the filing officer;

2357 (ii) for all qualifying candidates for elective office who submit nomination petitions to  
2358 the filing officer, issue certifications referenced in Subsection (3)(a) no later than the deadline  
2359 described in Subsection 20A-9-202(1)(b);

2360 (iii) consider active and inactive voters eligible to sign nomination petitions;

2361 (iv) consider an individual who signs a nomination petition a member of a registered  
2362 political party for purposes of Subsection (3)(a)(ii) if the individual has designated that  
2363 registered political party as the individual's party membership on the individual's voter  
2364 registration form; and

2365 (v) except as otherwise provided in Section 20A-21-201 [~~utilize~~] and with the  
2366 assistance of the county clerk as applicable, use the procedures described in Section  
2367 [~~20A-7-206.3~~] 20A-1-1002 to verify submitted nomination petition signatures, or use statistical  
2368 sampling procedures to verify submitted nomination petition signatures in accordance with  
2369 rules made under Subsection (3)(f).

2370 (e) Notwithstanding any other provision in this Subsection (3), a candidate for  
2371 lieutenant governor may appear on the regular primary ballot of a registered political party  
2372 without submitting nomination petitions if the candidate files a declaration of candidacy and  
2373 complies with Subsection 20A-9-202(3).

2374 (f) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
2375 director of elections, within the Office of the Lieutenant Governor, may make rules that:

2376 (i) provide for the use of statistical sampling procedures that:

2377 (A) filing officers are required to use to verify signatures under Subsection (3)(d); and

2378 (B) reflect a bona fide effort to determine the validity of a candidate's entire  
2379 submission, using widely recognized statistical sampling techniques; and  
2380 (ii) provide for the transparent, orderly, and timely submission, verification, and  
2381 certification of nomination petition signatures.  
2382 (g) The county clerk shall:  
2383 (i) review the declarations of candidacy filed by candidates for local boards of  
2384 education to determine if more than two candidates have filed for the same seat;  
2385 (ii) place the names of all candidates who have filed a declaration of candidacy for a  
2386 local board of education seat on the nonpartisan section of the ballot if more than two  
2387 candidates have filed for the same seat; and  
2388 (iii) determine the order of the local board of education candidates' names on the ballot  
2389 in accordance with Section [20A-6-305](#).  
2390 (4) (a) Before the deadline described in Subsection [20A-9-409\(4\)\(c\)](#), the lieutenant  
2391 governor shall provide to the county clerks:  
2392 (i) a list of the names of all candidates for federal, constitutional, multi-county, single  
2393 county, and county offices who have received certifications under Subsection (3), along with  
2394 instructions on how those names shall appear on the primary election ballot in accordance with  
2395 Section [20A-6-305](#); and  
2396 (ii) a list of unopposed candidates for elective office who have been nominated by a  
2397 registered political party under Subsection (5)(c) and instruct the county clerks to exclude the  
2398 unopposed candidates from the primary election ballot.  
2399 (b) A candidate for lieutenant governor and a candidate for governor campaigning as  
2400 joint-ticket running mates shall appear jointly on the primary election ballot.  
2401 (c) After the county clerk receives the certified list from the lieutenant governor under  
2402 Subsection (4)(a), the county clerk shall post or publish a primary election notice in  
2403 substantially the following form:  
2404 "Notice is given that a primary election will be held Tuesday, June \_\_\_\_\_,  
2405 \_\_\_\_\_(year), to nominate party candidates for the parties and candidates for nonpartisan

2406 local school board positions listed on the primary ballot. The polling place for voting precinct  
2407 \_\_\_\_ is \_\_\_\_\_. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day.  
2408 Attest: county clerk."

2409 (5) (a) A candidate who, at the regular primary election, receives the highest number of  
2410 votes cast for the office sought by the candidate is:

2411 (i) nominated for that office by the candidate's registered political party; or

2412 (ii) for a nonpartisan local school board position, nominated for that office.

2413 (b) If two or more candidates are to be elected to the office at the regular general  
2414 election, those party candidates equal in number to positions to be filled who receive the  
2415 highest number of votes at the regular primary election are the nominees of the candidates'  
2416 party for those positions.

2417 (c) (i) As used in this Subsection (5)(c), a candidate is "unopposed" if:

2418 (A) no individual other than the candidate receives a certification under Subsection (3)  
2419 for the regular primary election ballot of the candidate's registered political party for a  
2420 particular elective office; or

2421 (B) for an office where more than one individual is to be elected or nominated, the  
2422 number of candidates who receive certification under Subsection (3) for the regular primary  
2423 election of the candidate's registered political party does not exceed the total number of  
2424 candidates to be elected or nominated for that office.

2425 (ii) A candidate who is unopposed for an elective office in the regular primary election  
2426 of a registered political party is nominated by the party for that office without appearing on the  
2427 primary election ballot.

2428 (6) (a) When a tie vote occurs in any primary election for any national, state, or other  
2429 office that represents more than one county, the governor, lieutenant governor, and attorney  
2430 general shall, at a public meeting called by the governor and in the presence of the candidates  
2431 involved, select the nominee by lot cast in whatever manner the governor determines.

2432 (b) When a tie vote occurs in any primary election for any county office, the district  
2433 court judges of the district in which the county is located shall, at a public meeting called by

2434 the judges and in the presence of the candidates involved, select the nominee by lot cast in  
2435 whatever manner the judges determine.

2436 (7) The expense of providing all ballots, blanks, or other supplies to be used at any  
2437 primary election provided for by this section, and all expenses necessarily incurred in the  
2438 preparation for or the conduct of that primary election shall be paid out of the treasury of the  
2439 county or state, in the same manner as for the regular general elections.

2440 (8) An individual may not file a declaration of candidacy for a registered political party  
2441 of which the individual is not a member, except to the extent that the registered political party  
2442 permits otherwise under the registered political party's bylaws.

2443 Section 41. Section **20A-9-404** is amended to read:

2444 **20A-9-404. Municipal primary elections.**

2445 (1) (a) Except as otherwise provided in this section or Chapter 4, Part 6, Municipal  
2446 Alternate Voting Methods Pilot Project, candidates for municipal office in all municipalities  
2447 shall be nominated at a municipal primary election.

2448 (b) Municipal primary elections shall be held:

2449 (i) consistent with Section [20A-1-201.5](#), on the second Tuesday following the first  
2450 Monday in the August before the regular municipal election; and

2451 (ii) whenever possible, at the same polling places as the regular municipal election.

2452 (2) Except as otherwise provided in Chapter 4, Part 6, Municipal Alternate Voting  
2453 Methods Pilot Project, if the number of candidates for a particular municipal office does not  
2454 exceed twice the number of individuals needed to fill that office, a primary election for that  
2455 office may not be held and the candidates are considered nominated.

2456 (3) (a) For purposes of this Subsection (3), "convention" means an organized assembly  
2457 of voters or delegates.

2458 (b) (i) By ordinance adopted before the May 1 that falls before a regular municipal  
2459 election, any third, fourth, or fifth class city or town may exempt itself from a primary election  
2460 by providing that the nomination of candidates for municipal office to be voted upon at a  
2461 municipal election be nominated by a municipal party convention or committee.

2462           (ii) The municipal party convention or committee described in Subsection (3)(b)(i)  
2463 shall be held on or before May 30 of an odd-numbered year.

2464           (iii) Any primary election exemption ordinance adopted under this Subsection (3)  
2465 remains in effect until repealed by ordinance.

2466           (c) (i) A convention or committee may not nominate more than one candidate for each  
2467 of the municipal offices to be voted upon at the municipal election.

2468           (ii) A convention or committee may not nominate an individual who has accepted the  
2469 nomination of a different convention or committee.

2470           (iii) A municipal party may not have more than one group of candidates placed upon  
2471 the ballot and may not group the same candidates on different tickets by the same party under a  
2472 different name or emblem.

2473           (d) (i) On or before May 31 of an odd-numbered year, a convention or committee shall  
2474 prepare and submit to the filing officer a certificate of nomination for each individual  
2475 nominated.

2476           (ii) The certificate of nomination shall:

2477           (A) contain the name of the office for which each individual is nominated, the name,  
2478 post office address, and, if in a city, the street number of residence and place of business, if  
2479 any, of each individual nominated;

2480           (B) designate in not more than five words the party that the convention or committee  
2481 represents;

2482           (C) contain a copy of the resolution passed at the convention that authorized the  
2483 committee to make the nomination;

2484           (D) contain a statement certifying that the name of the candidate nominated by the  
2485 political party will not appear on the ballot as a candidate for any other political party;

2486           (E) be signed by the presiding officer and secretary of the convention or committee;  
2487 and

2488           (F) contain a statement identifying the residence and post office address of the  
2489 presiding officer and secretary and certifying that the presiding officer and secretary were

2490 officers of the convention or committee and that the certificates are true to the best of their  
2491 knowledge and belief.

2492 (iii) A candidate nominated by a municipal party convention or committee shall file a  
2493 declaration with the filing officer in accordance with Subsection 20A-9-203(3) that includes:

2494 (A) the name of the municipal party or convention that nominated the candidate; and

2495 (B) the office for which the convention or committee nominated the candidate.

2496 (e) A committee appointed at a convention, if authorized by an enabling resolution,  
2497 may also make nominations or fill vacancies in nominations made at a convention if the  
2498 committee makes the nomination before the deadline for a write-in candidate to file a  
2499 declaration of candidacy under Section 20A-9-601.

2500 (f) The election ballot shall substantially comply with the form prescribed in Chapter 6,  
2501 Part 4, Ballot Form Requirements for Municipal Elections, but the party name shall be included  
2502 with the candidate's name.

2503 (4) (a) Any third, fourth, or fifth class city or a town may adopt an ordinance before the  
2504 May 1 that falls before the regular municipal election that:

2505 (i) exempts the city or town from the other methods of nominating candidates to  
2506 municipal office provided in this section; and

2507 (ii) provides for a municipal partisan convention method of nominating candidates as  
2508 provided in this Subsection (4).

2509 (b) (i) Any party that was a registered political party at the last regular general election  
2510 or regular municipal election is a municipal political party under this section.

2511 (ii) Any political party may qualify as a municipal political party by presenting a  
2512 petition to the city recorder that:

2513 (A) is signed, with a holographic signature, by registered voters within the municipality  
2514 equal to at least 20% of the number of votes cast for all candidates for mayor in the last  
2515 municipal election at which a mayor was elected;

2516 (B) is filed with the city recorder or town clerk before 5 p.m. no later than the day  
2517 before the day on which the municipal party holds a convention to nominate a candidate under

2518 this Subsection (4);

2519 (C) is substantially similar to the form of the signature sheets described in Section  
2520 [20A-7-303](#); and

2521 (D) contains the name of the municipal political party using not more than five words.

2522 (iii) With the assistance of the county clerk, the city recorder or town clerk shall use the  
2523 procedures described in Section [20A-1-1002](#) to determine whether each signer is a registered  
2524 voter who is qualified to sign the petition.

2525 (c) (i) If the number of candidates for a particular office does not exceed twice the  
2526 number of offices to be filled at the regular municipal election, no primary election for that  
2527 office shall be held and the candidates are considered to be nominated.

2528 (ii) If the number of candidates for a particular office exceeds twice the number of  
2529 offices to be filled at the regular municipal election, those candidates for municipal office shall  
2530 be nominated at a municipal primary election.

2531 (d) The clerk shall ensure that the partisan municipal primary ballot is similar to the  
2532 ballot forms required by Section [20A-6-401](#) and, as applicable, Section [20A-6-401.1](#).

2533 (e) After marking a municipal primary ballot, the voter shall deposit the ballot in the  
2534 blank ballot box.

2535 (f) Immediately after the canvass, the election judges shall, without examination,  
2536 destroy the tickets deposited in the blank ballot box.

2537 (5) (a) A voter who signs a petition under Subsection (4)(b)(ii) may have the voter's  
2538 signature removed from the petition by, no later than three business days after the day on which  
2539 the petition is filed with the city recorder or town clerk, submitting to the city recorder or town  
2540 clerk a statement requesting that the voter's signature be removed.

2541 (b) A statement described in Subsection (5)(a) shall comply with the requirements  
2542 described in Subsection [20A-1-1003\(2\)](#).

2543 (c) With the assistance of the county clerk and using the procedures described in  
2544 Subsection [20A-1-1003\(3\)](#), the city recorder or town clerk shall determine whether to remove  
2545 an individual's signature from a petition after receiving a timely, valid statement requesting

2546 removal of the signature.

2547 Section 42. Section **20A-9-408** is amended to read:

2548 **20A-9-408. Signature-gathering process to seek the nomination of a qualified**  
2549 **political party -- Removal of signature.**

2550 (1) This section describes the requirements for a member of a qualified political party  
2551 who is seeking the nomination of the qualified political party for an elective office through the  
2552 signature-gathering process described in this section.

2553 (2) Notwithstanding Subsection [20A-9-201\(7\)\(a\)](#), the form of the declaration of  
2554 candidacy for a member of a qualified political party who is nominated by, or who is seeking  
2555 the nomination of, the qualified political party under this section shall be substantially as  
2556 described in Section [20A-9-408.5](#).

2557 (3) Notwithstanding Subsection [20A-9-202\(1\)\(a\)](#), and except as provided in Subsection  
2558 [20A-9-202\(4\)](#), a member of a qualified political party who, under this section, is seeking the  
2559 nomination of the qualified political party for an elective office that is to be filled at the next  
2560 general election shall:

2561 (a) during the declaration of candidacy filing period described in Section [20A-9-201.5](#),  
2562 and before gathering signatures under this section, file with the filing officer on a form  
2563 approved by the lieutenant governor a notice of intent to gather signatures for candidacy that  
2564 includes:

2565 (i) the name of the member who will attempt to become a candidate for a registered  
2566 political party under this section;

2567 (ii) the name of the registered political party for which the member is seeking  
2568 nomination;

2569 (iii) the office for which the member is seeking to become a candidate;

2570 (iv) the address and telephone number of the member; and

2571 (v) other information required by the lieutenant governor;

2572 (b) except as provided in Subsection [20A-9-202\(1\)\(c\)](#), file a declaration of candidacy,  
2573 in person, with the filing officer during the declaration of candidacy filing period described in

2574 Section [20A-9-201.5](#); and  
2575 (c) pay the filing fee.  
2576 (4) Notwithstanding Subsection [20A-9-202\(2\)\(a\)](#), a member of a qualified political  
2577 party who, under this section, is seeking the nomination of the qualified political party for the  
2578 office of district attorney within a multicounty prosecution district that is to be filled at the next  
2579 general election shall:  
2580 (a) during the declaration of candidacy filing period described in Section [20A-9-201.5](#),  
2581 and before gathering signatures under this section, file with the filing officer on a form  
2582 approved by the lieutenant governor a notice of intent to gather signatures for candidacy that  
2583 includes:  
2584 (i) the name of the member who will attempt to become a candidate for a registered  
2585 political party under this section;  
2586 (ii) the name of the registered political party for which the member is seeking  
2587 nomination;  
2588 (iii) the office for which the member is seeking to become a candidate;  
2589 (iv) the address and telephone number of the member; and  
2590 (v) other information required by the lieutenant governor;  
2591 (b) except as provided in Subsection [20A-9-202\(1\)\(c\)](#), file a declaration of candidacy,  
2592 in person, with the filing officer during the declaration of candidacy filing period described in  
2593 Section [20A-9-201.5](#); and  
2594 (c) pay the filing fee.  
2595 (5) Notwithstanding Subsection [20A-9-202\(3\)\(a\)\(iii\)](#), a lieutenant governor candidate  
2596 who files as the joint-ticket running mate of an individual who is nominated by a qualified  
2597 political party, under this section, for the office of governor shall, during the declaration of  
2598 candidacy filing period described in Section [20A-9-201.5](#), file a declaration of candidacy and  
2599 submit a letter from the candidate for governor that names the lieutenant governor candidate as  
2600 a joint-ticket running mate.  
2601 (6) The lieutenant governor shall ensure that the certification described in Subsection

2602 20A-9-701(1) also includes the name of each candidate nominated by a qualified political party  
2603 under this section.

2604 (7) Notwithstanding Subsection 20A-9-701(2), the ballot shall, for each candidate who  
2605 is nominated by a qualified political party under this section, designate the qualified political  
2606 party that nominated the candidate.

2607 (8) A member of a qualified political party may seek the nomination of the qualified  
2608 political party for an elective office by:

2609 (a) complying with the requirements described in this section; and

2610 (b) collecting signatures, on a form approved by the lieutenant governor that complies  
2611 with Subsection 20A-9-405(3), during the period beginning on the day on which the member  
2612 files a notice of intent to gather signatures and ending at 5 p.m. 14 days before the day on  
2613 which the qualified political party's convention for the office is held, in the following amounts:

2614 (i) for a statewide race, 28,000 signatures of registered voters in the state who are  
2615 permitted by the qualified political party to vote for the qualified political party's candidates in  
2616 a primary election;

2617 (ii) for a congressional district race, 7,000 signatures of registered voters who are  
2618 residents of the congressional district and are permitted by the qualified political party to vote  
2619 for the qualified political party's candidates in a primary election;

2620 (iii) for a state Senate district race, 2,000 signatures of registered voters who are  
2621 residents of the state Senate district and are permitted by the qualified political party to vote for  
2622 the qualified political party's candidates in a primary election;

2623 (iv) for a state House district race, 1,000 signatures of registered voters who are  
2624 residents of the state House district and are permitted by the qualified political party to vote for  
2625 the qualified political party's candidates in a primary election;

2626 (v) for a State Board of Education race, the lesser of:

2627 (A) 2,000 signatures of registered voters who are residents of the State Board of  
2628 Education district and are permitted by the qualified political party to vote for the qualified  
2629 political party's candidates in a primary election; or

2630 (B) 3% of the registered voters of the qualified political party who are residents of the  
2631 applicable State Board of Education district; and

2632 (vi) for a county office race, signatures of 3% of the registered voters who are residents  
2633 of the area permitted to vote for the county office and are permitted by the qualified political  
2634 party to vote for the qualified political party's candidates in a primary election.

2635 (9) (a) This Subsection (9) applies only to the manual candidate qualification process.

2636 (b) In order for a member of the qualified political party to qualify as a candidate for  
2637 the qualified political party's nomination for an elective office under this section, using the  
2638 manual candidate qualification process, the member shall:

2639 (i) collect the signatures on a form approved by the lieutenant governor, using the same  
2640 circulation and verification requirements described in Sections [20A-7-105](#) and [20A-7-204](#) [~~and~~  
2641 [20A-7-205](#)]; and

2642 (ii) submit the signatures to the election officer before 5 p.m. no later than 14 days  
2643 before the day on which the qualified political party holds the party's convention to select  
2644 candidates, for the elective office, for the qualified political party's nomination.

2645 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the  
2646 election officer shall, no later than the earlier of 14 days after the day on which the election  
2647 officer receives the signatures, or one day before the day on which the qualified political party  
2648 holds the convention to select a nominee for the elective office to which the signature packets  
2649 relate:

2650 (i) check the name of each individual who completes the verification for a signature  
2651 packet to determine whether each individual is a resident of Utah and is at least 18 years old;

2652 (ii) submit the name of each individual described in Subsection (9)(c)(i) who is not a  
2653 Utah resident or who is not at least 18 years old to the attorney general and the county attorney;

2654 (iii) with the assistance of the county clerk as applicable, determine whether each  
2655 signer is a registered voter who is qualified to sign the petition, using the same method,  
2656 described in Section [~~20A-7-206.3~~] [20A-1-1002](#), used to verify a signature on a petition; and

2657 (iv) certify whether each name is that of a registered voter who is qualified to sign the

2658 signature packet.

2659 (d) (i) A registered voter who physically signs a form under Subsections (8) and (9)(b)  
2660 may have the voter's signature removed from the form by, no later than three business days  
2661 after the day on which the member submits the signature form to the election officer,  
2662 submitting to the election officer a statement requesting that the voter's signature be removed.

2663 (ii) A statement described in Subsection (9)(d)(i) shall comply with the requirements  
2664 described in Subsection [20A-1-1003\(2\)](#).

2665 (iii) With the assistance of the county clerk as applicable, the election officer shall use  
2666 the procedures described in Subsection [20A-1-1003\(3\)](#) to determine whether to remove an  
2667 individual's signature after receiving a timely, valid statement requesting removal of the  
2668 signature.

2669 (10) (a) This Subsection (10) applies only to the electronic candidate qualification  
2670 process.

2671 (b) In order for a member of the qualified political party to qualify as a candidate for  
2672 the qualified political party's nomination for an elective office under this section, the member  
2673 shall, before 5 p.m. no later than 14 days before the day on which the qualified political party  
2674 holds the party's convention to select candidates, for the elective office, for the qualified  
2675 political party's nomination, collect signatures electronically:

2676 (i) in accordance with Section [20A-21-201](#); and

2677 (ii) using progressive screens, in a format approved by the lieutenant governor, that  
2678 complies with Subsection [20A-9-405\(4\)](#).

2679 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), the  
2680 election officer shall, no later than the earlier of 14 days after the day on which the election  
2681 officer receives the signatures, or one day before the day on which the qualified political party  
2682 holds the convention to select a nominee for the elective office to which the signature packets  
2683 relate:

2684 (i) check the name of each individual who completes the verification for a signature to  
2685 determine whether each individual is a resident of Utah and is at least 18 years old; and

2686 (ii) submit the name of each individual described in Subsection (10)(c)(i) who is not a  
2687 Utah resident or who is not at least 18 years old to the attorney general and the county attorney.

2688 (11) (a) An individual may not gather signatures under this section until after the  
2689 individual files a notice of intent to gather signatures for candidacy described in this section.

2690 (b) An individual who files a notice of intent to gather signatures for candidacy,  
2691 described in Subsection (3)(a) or (4)(a), is, beginning on the day on which the individual files  
2692 the notice of intent to gather signatures for candidacy:

2693 (i) required to comply with the reporting requirements that a candidate for office is  
2694 required to comply with; and

2695 (ii) subject to the same enforcement provisions, and civil and criminal penalties, that  
2696 apply to a candidate for office in relation to the reporting requirements described in Subsection  
2697 (11)(b)(i).

2698 (c) Upon timely receipt of the signatures described in Subsections (8) and (9)(b), or  
2699 Subsections (8) and (10)(b), the election officer shall, no later than one day before the day on  
2700 which the qualified political party holds the convention to select a nominee for the elective  
2701 office to which the signature packets relate, notify the qualified political party and the  
2702 lieutenant governor of the name of each member of the qualified political party who qualifies  
2703 as a nominee of the qualified political party, under this section, for the elective office to which  
2704 the convention relates.

2705 (d) Upon receipt of a notice of intent to gather signatures for candidacy described in  
2706 this section, the lieutenant governor shall post the notice of intent to gather signatures for  
2707 candidacy on the lieutenant governor's website in the same location that the lieutenant governor  
2708 posts a declaration of candidacy.

2709 Section 43. Section **20A-9-502** is amended to read:

2710 **20A-9-502. Certificate of nomination -- Contents -- Circulation -- Verification --**  
2711 **Criminal penalty -- Removal of petition signature.**

2712 (1) The candidate shall:

2713 (a) prepare a certificate of nomination in substantially the following form:

2714 "State of Utah, County of \_\_\_\_\_  
 2715 I, \_\_\_\_\_, declare my intention of becoming an unaffiliated candidate for the  
 2716 political group designated as \_\_\_\_ for the office of \_\_\_\_\_. I do solemnly swear that I can  
 2717 qualify to hold that office both legally and constitutionally if selected, and that I reside at \_\_\_\_\_  
 2718 Street, in the city of \_\_\_\_\_, county of \_\_\_\_\_, state of \_\_\_\_\_, zip code \_\_\_\_\_, phone \_\_\_\_\_, and  
 2719 that I am providing, or have provided, the required number of holographic signatures of  
 2720 registered voters required by law; that as a candidate at the next election I will not knowingly  
 2721 violate any election or campaign law; that, if filing via a designated agent for an office other  
 2722 than president of the United States, I will be out of the state of Utah during the entire candidate  
 2723 filing period; I will file all campaign financial disclosure reports as required by law; and I  
 2724 understand that failure to do so will result in my disqualification as a candidate for this office  
 2725 and removal of my name from the ballot.

2726 \_\_\_\_\_  
 2727 Subscribed and sworn to before me this \_\_\_\_\_ (month\day\year).  
 2728 \_\_\_\_\_

2729 Notary Public (or other officer  
 2730 qualified to administer oaths);

2731 (b) bind signature sheets to the certificate that:

2732 (i) are printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2733 (ii) are ruled with a horizontal line 3/4 inch from the top, with the space above that line  
 2734 blank for the purpose of binding;

2735 (iii) contain the name of the proposed candidate and the words "Unaffiliated Candidate  
 2736 Certificate of Nomination Petition" printed directly below the horizontal line;

2737 (iv) contain the word "Warning" printed directly under the words described in  
 2738 Subsection (1)(b)(iii);

2739 (v) contain, to the right of the word "Warning," the following statement printed in not  
 2740 less than eight-point, single leaded type:

2741 "It is a class A misdemeanor for anyone to knowingly sign a certificate of nomination

2742 signature sheet with any name other than the person's own name or more than once for the  
2743 same candidate or if the person is not registered to vote in this state and does not intend to  
2744 become registered to vote in this state before the county clerk certifies the signatures.";

2745 (vi) contain the following statement directly under the statement described in  
2746 Subsection (1)(b)(v):

2747 "Each signer says:

2748 I have personally signed this petition with a holographic signature;

2749 I am registered to vote in Utah or intend to become registered to vote in Utah before the  
2750 county clerk certifies my signature; and

2751 My street address is written correctly after my name.";

2752 (vii) contain horizontally ruled lines, 3/8 inch apart under the statement described in  
2753 Subsection (1)(b)(vi); and

2754 (viii) be vertically divided into columns as follows:

2755 (A) the first column shall appear at the extreme left of the sheet, be 5/8 inch wide, be  
2756 headed with "For Office Use Only," and be subdivided with a light vertical line down the  
2757 middle;

2758 (B) the next column shall be 2-1/2 inches wide, headed "Registered Voter's Printed  
2759 Name (must be legible to be counted)";

2760 (C) the next column shall be 2-1/2 inches wide, headed "Holographic Signature of  
2761 Registered Voter";

2762 (D) the next column shall be one inch wide, headed "Birth Date or Age (Optional)";

2763 (E) the final column shall be 4-3/8 inches wide, headed "Street Address, City, Zip  
2764 Code"; and

2765 (F) at the bottom of the sheet, contain the following statement: "Birth date or age  
2766 information is not required, but it may be used to verify your identity with voter registration  
2767 records. If you choose not to provide it, your signature may not be certified as a valid signature  
2768 if you change your address before petition signatures are certified or if the information you  
2769 provide does not match your voter registration records."; and

2770 (c) bind a final page to one or more signature sheets that are bound together that  
2771 contains, except as provided by Subsection (3), the following printed statement:

2772 "Verification

2773 State of Utah, County of \_\_\_\_\_

2774 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

2775 I am a Utah resident and am at least 18 years old;

2776 All the names that appear on the signature sheets bound to this page were signed by  
2777 persons who professed to be the persons whose names appear on the signature sheets, and each  
2778 of them signed the person's name on the signature sheets in my presence;

2779 I believe that each has printed and signed the person's name and written the person's  
2780 street address correctly, and that each signer is registered to vote in Utah or will register to vote  
2781 in Utah before the county clerk certifies the signatures on the signature sheet.

2782 \_\_\_\_\_  
2783 (Signature) (Residence Address) (Date)".

2784 (2) An agent designated to file a certificate of nomination under Subsection  
2785 [20A-9-503](#)(2)(b) may not sign the form described in Subsection (1)(a).

2786 (3) (a) The candidate shall circulate the nomination petition and ensure that the person  
2787 in whose presence each signature sheet is signed:

2788 (i) is at least 18 years old;

2789 (ii) except as provided by Subsection (3)(b), meets the residency requirements of  
2790 Section [20A-2-105](#); and

2791 (iii) verifies each signature sheet by completing the verification bound to one or more  
2792 signature sheets that are bound together.

2793 (b) A person who is not a resident may sign the verification on a petition for an  
2794 unaffiliated candidate for the office of president of the United States.

2795 (c) A person may not sign the verification if the person signed a signature sheet bound  
2796 to the verification.

2797 (4) (a) It is unlawful for any person to:

- 2798 (i) knowingly sign a certificate of nomination signature sheet:  
2799 (A) with any name other than the person's own name;  
2800 (B) more than once for the same candidate; or  
2801 (C) if the person is not registered to vote in this state and does not intend to become  
2802 registered to vote in this state before the county clerk certifies the signatures; or  
2803 (ii) sign the verification of a certificate of nomination signature sheet if the person:  
2804 (A) except as provided by Subsection (3)(b), does not meet the residency requirements  
2805 of Section [20A-2-105](#);  
2806 (B) has not witnessed the signing by those persons whose names appear on the  
2807 certificate of nomination signature sheet; or  
2808 (C) knows that a person whose signature appears on the certificate of nomination  
2809 signature sheet is not registered to vote in this state and does not intend to become registered to  
2810 vote in this state.
- 2811 (b) Any person violating this Subsection (4) is guilty of a class A misdemeanor.
- 2812 (5) (a) The candidate shall submit the petition and signature sheets to the county clerk  
2813 for certification when the petition has been completed by:
- 2814 (i) at least 1,000 registered voters residing within the state when the nomination is for  
2815 an office to be filled by the voters of the entire state; or  
2816 (ii) at least 300 registered voters residing within a political division or at least 5% of  
2817 the registered voters residing within a political division, whichever is less, when the  
2818 nomination is for an office to be filled by the voters of any political division smaller than the  
2819 state.
- 2820 (b) In reviewing the petition, the county clerk shall count and certify only those persons  
2821 who signed the petition with a holographic signature who:
- 2822 (i) are registered voters within the political division that the candidate seeks to  
2823 represent; and  
2824 (ii) did not sign any other certificate of nomination for that office.
- 2825 (c) The candidate may supplement or amend the certificate of nomination at any time

2826 on or before the filing deadline.

2827 (d) The county clerk shall use the procedures described in Section 20A-1-1002 to  
2828 determine whether a signer is a registered voter who is qualified to sign the petition.

2829 (6) (a) A voter who signs a nomination petition under this section may have the voter's  
2830 signature removed from the petition by, no later than three business days after the day on which  
2831 the candidate submits the petition to the county clerk, submitting to the county clerk a  
2832 statement requesting that the voter's signature be removed.

2833 (b) A statement described in Subsection (6)(a) shall comply with the requirements  
2834 described in Subsection 20A-1-1003(2).

2835 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
2836 determine whether to remove an individual's signature from a petition after receiving a timely,  
2837 valid statement requesting removal of the signature.

2838 Section 44. Section **20A-11-802** is amended to read:

2839 **20A-11-802. Political issues committees -- Financial reporting.**

2840 (1) (a) Each registered political issues committee that has received political issues  
2841 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least  
2842 \$750, during a calendar year, shall file a verified financial statement with the lieutenant  
2843 governor's office:

2844 (i) on January 10, reporting contributions and expenditures as of December 31 of the  
2845 previous year;

2846 (ii) seven days before the state political convention of each major political party;

2847 (iii) seven days before the regular primary election date;

2848 (iv) seven days before the date of an incorporation election, if the political issues  
2849 committee has received or expended funds to affect an incorporation;

2850 (v) at least three days before the first public hearing held as required by Section  
2851 **20A-7-204.1**;

2852 (vi) if the political issues committee has received or expended funds in relation to an  
2853 initiative or referendum, five days before the deadline for the initiative or referendum sponsors

2854 to submit:

2855 (A) the verified and certified initiative packets under Section [~~20A-7-206~~ [20A-7-105](#)];

2856 or

2857 (B) the signed and verified referendum packets under Section [~~20A-7-306~~ [20A-7-105](#)];

2858 (vii) on September 30; and

2859 (viii) seven days before:

2860 (A) the municipal general election; and

2861 (B) the regular general election.

2862 (b) The political issues committee shall report:

2863 (i) a detailed listing of all contributions received and expenditures made since the last

2864 statement; and

2865 (ii) all contributions and expenditures as of five days before the required filing date of

2866 the financial statement, except for a financial statement filed on January 10.

2867 (c) The political issues committee need not file a statement under this section if it

2868 received no contributions and made no expenditures during the reporting period.

2869 (2) (a) That statement shall include:

2870 (i) the name and address, if known, of any individual who makes a political issues

2871 contribution to the reporting political issues committee, and the amount of the political issues

2872 contribution;

2873 (ii) the identification of any publicly identified class of individuals that makes a

2874 political issues contribution to the reporting political issues committee, and the amount of the

2875 political issues contribution;

2876 (iii) the name and address, if known, of any political issues committee, group, or entity

2877 that makes a political issues contribution to the reporting political issues committee, and the

2878 amount of the political issues contribution;

2879 (iv) the name and address of each reporting entity that makes a political issues

2880 contribution to the reporting political issues committee, and the amount of the political issues

2881 contribution;

- 2882 (v) for each nonmonetary contribution, the fair market value of the contribution;
- 2883 (vi) except as provided in Subsection (2)(c), the name and address of each individual,  
2884 entity, or group of individuals or entities that received a political issues expenditure of more  
2885 than \$50 from the reporting political issues committee, and the amount of each political issues  
2886 expenditure;
- 2887 (vii) for each nonmonetary expenditure, the fair market value of the expenditure;
- 2888 (viii) the total amount of political issues contributions received and political issues  
2889 expenditures disbursed by the reporting political issues committee;
- 2890 (ix) a statement by the political issues committee's treasurer or chief financial officer  
2891 certifying that, to the best of the person's knowledge, the financial statement is accurate; and
- 2892 (x) a summary page in the form required by the lieutenant governor that identifies:
- 2893 (A) beginning balance;
- 2894 (B) total contributions during the period since the last statement;
- 2895 (C) total contributions to date;
- 2896 (D) total expenditures during the period since the last statement; and
- 2897 (E) total expenditures to date.
- 2898 (b) (i) Political issues contributions received by a political issues committee that have a  
2899 value of \$50 or less need not be reported individually, but shall be listed on the report as an  
2900 aggregate total.
- 2901 (ii) Two or more political issues contributions from the same source that have an  
2902 aggregate total of more than \$50 may not be reported in the aggregate, but shall be reported  
2903 separately.
- 2904 (c) When reporting political issue expenditures made to circulators of initiative  
2905 petitions, the political issues committee:
- 2906 (i) need only report the amount paid to each initiative petition circulator; and
- 2907 (ii) need not report the name or address of the circulator.
- 2908 (3) (a) As used in this Subsection (3), "received" means:
- 2909 (i) for a cash contribution, that the cash is given to a political issues committee;

2910 (ii) for a contribution that is a negotiable instrument or check, that the negotiable  
2911 instrument or check is negotiated; and

2912 (iii) for any other type of contribution, that any portion of the contribution's benefit  
2913 inures to the political issues committee.

2914 (b) A political issues committee shall report each contribution to the lieutenant  
2915 governor within 31 days after the contribution is received.

2916 (4) A political issues committee may not expend a contribution for a political issues  
2917 expenditure if the contribution:

2918 (a) is cash or a negotiable instrument;

2919 (b) exceeds \$50; and

2920 (c) is from an unknown source.

2921 (5) Within 31 days after receiving a contribution that is cash or a negotiable  
2922 instrument, exceeds \$50, and is from an unknown source, a political issues committee shall  
2923 disburse the amount of the contribution to:

2924 (a) the treasurer of the state or a political subdivision for deposit into the state's or  
2925 political subdivision's general fund; or

2926 (b) an organization that is exempt from federal income taxation under Section  
2927 501(c)(3), Internal Revenue Code.

2928 Section 45. Section **20A-15-103** is amended to read:

2929 **20A-15-103. Delegates -- Candidacy -- Qualifications -- Nominating procedures --**  
2930 **Removal of petition signature.**

2931 (1) Candidates for the office of delegate to the ratification convention shall be citizens,  
2932 residents of Utah, and at least 21 years old.

2933 (2) Persons wishing to be delegates to the ratification convention shall:

2934 (a) circulate a nominating petition meeting the requirements of this section; and

2935 (b) obtain the signature of at least 100 registered voters.

2936 (3) (a) A single nominating petition may nominate any number of candidates up to 21,  
2937 the total number of delegates to be elected.

2938 (b) Nominating petitions may not contain anything identifying a candidate's party or  
2939 political affiliation.

2940 (c) Each nominating petition shall contain a written statement signed by each nominee,  
2941 indicating either that the candidate will:

2942 (i) vote for ratification of the proposed amendment; or

2943 (ii) vote against ratification of the proposed amendment.

2944 (d) A nominating petition containing the names of more than one nominee may not  
2945 contain the name of any nominee whose stated position in the nominating petition is  
2946 inconsistent with that of any other nominee listed in the petition.

2947 (4) (a) Candidates shall file their nominating petitions with the lieutenant governor  
2948 before 5 p.m. no later than 40 days before the proclaimed date of the election.

2949 (b) Within 10 days after the last day for filing the petitions, the lieutenant governor  
2950 shall:

2951 (i) use the procedures described in Section 20A-1-1002 to determine whether a signer  
2952 is a registered voter;

2953 ~~[(i)]~~ (ii) declare nominated the 21 nominees in favor of ratification and the 21  
2954 nominees against ratification whose nominating petitions have been signed by the largest  
2955 number of registered voters;

2956 ~~[(ii)]~~ (iii) decide any ties by lot drawn by the lieutenant governor; and

2957 ~~[(iii)]~~ (iv) certify the nominated candidates of each group to the county clerk of each  
2958 county within the state.

2959 (5) (a) A voter who signs a nomination petition under this section may have the voter's  
2960 signature removed from the petition by, no later than three business days after the last day for  
2961 filing the petitions, submitting to the lieutenant governor a statement requesting that the voter's  
2962 signature be removed.

2963 (b) A statement described in Subsection (5)(a) shall comply with the requirements  
2964 described in Subsection 20A-1-1003(2).

2965 (c) The lieutenant governor shall use the procedures described in Subsection

2966 20A-1-1003(3) to determine whether to remove an individual's signature from a petition after  
2967 receiving a timely, valid statement requesting removal of the signature.

2968 Section 46. Section **20A-21-201** is amended to read:

2969 **20A-21-201. Electronic signature gathering for an initiative, a referendum, or**  
2970 **candidate qualification.**

2971 (1) (a) After filing a petition for a statewide initiative or a statewide referendum, and  
2972 before gathering signatures, the sponsors shall, after consulting with the Office of the  
2973 Lieutenant Governor, sign a form provided by the Office of the Lieutenant Governor indicating  
2974 whether the sponsors will gather signatures manually or electronically.

2975 (b) If the sponsors indicate, under Subsection (1)(a), that the sponsors will gather  
2976 signatures electronically:

2977 (i) in relation to a statewide initiative, signatures for that initiative:

2978 (A) may only be gathered and submitted electronically, in accordance with this section  
2979 and Sections [20A-7-215](#), [20A-7-216](#), and [20A-7-217](#); and

2980 (B) may not be gathered or submitted using the manual signature-gathering process  
2981 described in Sections [20A-7-105](#) and [20A-7-204](#)[, ~~[20A-7-205](#)~~, and ~~[20A-7-206](#)~~]; and

2982 (ii) in relation to a statewide referendum, signatures for that referendum:

2983 (A) may only be gathered and submitted electronically, in accordance with this section  
2984 and Sections [20A-7-313](#), [20A-7-314](#), and [20A-7-315](#); and

2985 (B) may not be gathered or submitted using the manual signature-gathering process  
2986 described in Sections [20A-7-105](#) and [20A-7-304](#)[, ~~[20A-7-305](#)~~, and ~~[20A-7-306](#)~~].

2987 (c) If the sponsors indicate, under Subsection (1)(a), that the sponsors will gather  
2988 signatures manually:

2989 (i) in relation to a statewide initiative, signatures for that initiative:

2990 (A) may only be gathered and submitted using the manual signature-gathering process  
2991 described in Sections [20A-7-105](#) and [20A-7-204](#)[, ~~[20A-7-205](#)~~, and ~~[20A-7-206](#)~~]; and

2992 (B) may not be gathered or submitted electronically, as described in this section and  
2993 Sections [20A-7-215](#), [20A-7-216](#), and [20A-7-217](#); and

2994 (ii) in relation to a statewide referendum, signatures for that referendum:  
2995 (A) may only be gathered and submitted using the manual signature-gathering process  
2996 described in Sections [20A-7-105](#) and [20A-7-304](#)[, ~~[20A-7-305](#)~~, and ~~[20A-7-306](#)~~]; and  
2997 (B) may not be gathered or submitted electronically, as described in this section and  
2998 Sections [20A-7-313](#), [20A-7-314](#), and [20A-7-315](#).

2999 (2) (a) After filing a petition for a local initiative or a local referendum, and before  
3000 gathering signatures, the sponsors shall, after consulting with the local clerk's office, sign a  
3001 form provided by the local clerk's office indicating whether the sponsors will gather signatures  
3002 manually or electronically.

3003 (b) If the sponsors indicate, under Subsection (2)(a), that the sponsors will gather  
3004 signatures electronically:

3005 (i) in relation to a local initiative, signatures for that initiative:  
3006 (A) may only be gathered and submitted electronically, in accordance with this section  
3007 and Sections [20A-7-514](#), [20A-7-515](#), and [20A-7-516](#); and  
3008 (B) may not be gathered or submitted using the manual signature-gathering process  
3009 described in Sections [20A-7-105](#) and [20A-7-504](#)[, ~~[20A-7-505](#)~~, and ~~[20A-7-506](#)~~]; and  
3010 (ii) in relation to a local referendum, signatures for that referendum:  
3011 (A) may only be gathered and submitted electronically, in accordance with this section  
3012 and Sections [20A-7-614](#), [20A-7-615](#), and [20A-7-616](#); and  
3013 (B) may not be gathered or submitted using the manual signature-gathering process  
3014 described in Sections [20A-7-105](#) and [20A-7-604](#)[, ~~[20A-7-605](#)~~, and ~~[20A-7-606](#)~~].

3015 (c) If the sponsors indicate, under Subsection (2)(a), that the sponsors will gather  
3016 signatures manually:

3017 (i) in relation to a local initiative, signatures for that initiative:  
3018 (A) may only be gathered and submitted using the manual signature-gathering process  
3019 described in Sections [20A-7-105](#) and [20A-7-504](#)[, ~~[20A-7-505](#)~~, and ~~[20A-7-506](#)~~]; and  
3020 (B) may not be gathered or submitted electronically, as described in this section and  
3021 Sections [20A-7-514](#), [20A-7-515](#), and [20A-7-516](#); and

3022 (ii) in relation to a local referendum, signatures for that referendum:  
3023 (A) may only be gathered and submitted using the manual signature-gathering process  
3024 described in Sections [20A-7-105](#) and [20A-7-604](#)[, ~~[20A-7-605](#), and [20A-7-606](#)~~]; and  
3025 (B) may not be gathered or submitted electronically, as described in this section and  
3026 Sections [20A-7-614](#), [20A-7-615](#), and [20A-7-616](#).

3027 (3) (a) After a candidate files a notice of intent to gather signatures to qualify for a  
3028 ballot, and before gathering signatures, the candidate shall, after consulting with the election  
3029 officer, sign a form provided by the election officer indicating whether the candidate will  
3030 gather signatures manually or electronically.

3031 (b) If a candidate indicates, under Subsection (3)(a), that the candidate will gather  
3032 signatures electronically, signatures for the candidate:  
3033 (i) may only be gathered and submitted using the electronic candidate qualification  
3034 process; and  
3035 (ii) may not be gathered or submitted using the manual candidate qualification process.

3036 (c) If a candidate indicates, under Subsection (3)(a), that the candidate will gather  
3037 signatures manually, signatures for the candidate:  
3038 (i) may only be gathered and submitted using the manual candidate qualification  
3039 process; and  
3040 (ii) may not be gathered or submitted using the electronic candidate qualification  
3041 process.

3042 (4) To gather a signature electronically, a signature-gatherer shall:  
3043 (a) use a device provided by the signature-gatherer or a sponsor of the petition that:  
3044 (i) is approved by the lieutenant governor;  
3045 (ii) except as provided in Subsection (4)(a)(iii), does not store a signature or any other  
3046 information relating to an individual signing the petition in any location other than the location  
3047 used by the website to store the information;  
3048 (iii) does not, on the device, store a signature or any other information relating to an  
3049 individual signing the petition except for the minimum time necessary to upload information to

3050 the website;

3051 (iv) does not contain any applications, software, or data other than those approved by  
3052 the lieutenant governor; and

3053 (v) complies with cyber-security and other security protocols required by the lieutenant  
3054 governor;

3055 (b) use the approved device to securely access a website designated by the lieutenant  
3056 governor, directly, or via an application designated by the lieutenant governor; and

3057 (c) while connected to the website, present the approved device to an individual  
3058 considering signing the petition and, while the signature-gatherer is in the physical presence of  
3059 the individual:

3060 (i) wait for the individual to reach each screen presented to the individual on the  
3061 approved device; and

3062 (ii) wait for the individual to advance to each subsequent screen by clicking on the  
3063 acknowledgement at the bottom of the screen.

3064 (5) Each screen shown on an approved device as part of the signature-gathering process  
3065 shall appear as a continuous electronic document that, if the entire document does not appear  
3066 on the screen at once, requires the individual viewing the screen to, before advancing to the  
3067 next screen, scroll through the document until the individual reaches the end of the document.

3068 (6) After advancing through each screen required for the petition, the signature process  
3069 shall proceed as follows:

3070 (a) except as provided in Subsection (6)(b):

3071 (i) the individual desiring to sign the petition shall present the individual's driver  
3072 license or state identification card to the signature-gatherer;

3073 (ii) the signature-gatherer shall verify that the individual pictured on the driver license  
3074 or state identification card is the individual signing the petition;

3075 (iii) the signature-gatherer shall scan or enter the driver license number or state  
3076 identification card number through the approved device; and

3077 (iv) immediately after the signature-gatherer complies with Subsection (6)(a)(iii), the

3078 website shall determine whether the individual desiring to sign the petition is eligible to sign  
3079 the petition;

3080 (b) if the individual desiring to sign the petition is unable to provide a driver license or  
3081 state identification card to the signature gatherer:

3082 (i) the individual may present other valid voter identification;

3083 (ii) if the valid voter identification contains a picture of the individual, the  
3084 signature-gatherer shall verify that the individual pictured is the individual signing the petition;

3085 (iii) if the valid voter identification does not contain a picture of the individual, the  
3086 signature-gatherer shall, to the extent reasonably practicable, use the individual's address or  
3087 other available means to determine whether the identification relates to the individual  
3088 presenting the identification;

3089 (iv) the signature-gatherer shall scan an image of the valid voter identification and  
3090 immediately upload the image to the website; and

3091 (v) the individual:

3092 (A) shall enter the individual's address; and

3093 (B) may, at the discretion of the individual, enter the individual's date of birth or age  
3094 after the individual clicks on the screen acknowledging that they have read and understand the  
3095 following statement, "Birth date or age information is not required, but may be used to verify  
3096 your identity with voter registration records. If you choose not to provide it, your signature may  
3097 not be verified as a valid signature if you change your address before your signature is verified  
3098 or if the information you provide does not match your voter registration records."; and

3099 (c) after completing the process described in Subsection (6)(a) or (b), the screen shall:

3100 (i) except for a petition to qualify a candidate for the ballot, give the individual signing  
3101 the petition the opportunity to enter the individual's email address after the individual reads the  
3102 following statement, "If you provide your email address, you may receive an email with  
3103 additional information relating to the petition you are signing."; and

3104 (ii) (A) if the website determines, under Subsection (6)(a)(iv), that the individual is  
3105 eligible to sign the petition, permit the individual to enter the individual's name as the

3106 individual's electronic signature and, immediately after the signature-gather timely complies  
3107 with Subsection (10), certify the signature; or

3108 (B) if the individual provides valid voter identification under Subsection (6)(b), permit  
3109 the individual to enter the individual's name as the individual's electronic signature.

3110 (7) If an individual provides valid voter identification under Subsection (6)(b), the  
3111 county clerk shall, within seven days after the day on which the individual submits the valid  
3112 voter identification, certify the signature if:

3113 (a) the individual is eligible to sign the petition;

3114 (b) the identification provided matches the information on file; and

3115 (c) the signature-gatherer timely complies with Subsection (10).

3116 (8) For each signature submitted under this section, the website shall record:

3117 (a) the information identifying the individual who signs;

3118 (b) the date the signature was collected; and

3119 (c) the name of the signature-gatherer.

3120 (9) An individual who is a signature-gatherer may not sign a petition unless another  
3121 individual acts as the signature-gatherer when the individual signs the petition.

3122 (10) Except for a petition for a candidate to seek the nomination of a registered  
3123 political party, each individual who gathers a signature under this section shall, within one  
3124 business day after the day on which the individual gathers a signature, electronically sign and  
3125 submit the following statement to the website:

3126 "VERIFICATION OF SIGNATURE-GATHERER

3127 State of Utah, County of \_\_\_\_\_

3128 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state, under penalty of perjury, that:

3129 I am a resident of Utah and am at least 18 years old;

3130 All the signatures that I collected on [Date signatures were gathered] were signed by  
3131 individuals who professed to be the individuals whose signatures I gathered, and each of the  
3132 individuals signed the petition in my presence;

3133 I did not knowingly make a misrepresentation of fact concerning the law or proposed

3134 law to which the petition relates;

3135 I believe that each individual has signed the individual's name and written the  
3136 individual's residence correctly, that each signer has read and understands the law to which the  
3137 petition relates, and that each signer is registered to vote in Utah;

3138 Each signature correctly reflects the date on which the individual signed the petition;  
3139 and

3140 I have not paid or given anything of value to any individual who signed this petition to  
3141 encourage that individual to sign it."

3142 (11) Except for a petition for a candidate to seek the nomination of a registered  
3143 political party:

3144 (a) the county clerk may not certify a signature that is not timely verified in accordance  
3145 with Subsection (10); and

3146 (b) if a signature certified by a county clerk under Subsection (6)(c)(ii)(A) is not timely  
3147 verified in accordance with Subsection (10), the county clerk shall:

3148 (i) revoke the certification;

3149 (ii) remove the signature from the posting described in Subsection 20A-7-217(4),  
3150 20A-7-315(3), 20A-7-516(4), or 20A-7-616(3); and

3151 (iii) update the totals described in Subsections 20A-7-217(5)(a)(ii),  
3152 20A-7-315(5)(a)(ii), 20A-7-516(5)(a)(ii), and 20A-7-616(5)(a)(ii).

3153 (12) For a petition for a candidate to seek the nomination of a registered political party,  
3154 each individual who gathers a signature under this section shall, within one business day after  
3155 the day on which the individual gathers a signature, electronically sign and submit the  
3156 following statement to the lieutenant governor in the manner specified by the lieutenant  
3157 governor:

3158 "VERIFICATION OF SIGNATURE-GATHERER

3159 State of Utah, County of \_\_\_\_\_

3160 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

3161 I am a resident of Utah and am at least 18 years old;

3162 All the signatures that I collected on [Date signatures were gathered] were signed by  
3163 individuals who professed to be the individuals whose signatures I gathered, and each of the  
3164 individuals signed the petition in my presence;

3165 I believe that each individual has signed the individual's name and written the  
3166 individual's residence correctly and that each signer is registered to vote in Utah; and  
3167 Each signature correctly reflects the date on which the individual signed the petition."

3168 (13) For a petition for a candidate to seek the nomination of a registered political party,  
3169 the election officer may not certify a signature that is not timely verified in accordance with  
3170 Subsection (12).

3171 Section 47. Section **53G-3-301** is amended to read:

3172 **53G-3-301. Creation of new school district -- Initiation of process -- Procedures to**  
3173 **be followed.**

3174 (1) A new school district may be created from one or more existing school districts, as  
3175 provided in this section.

3176 (2) The process to create a new school district may be initiated:

3177 (a) through a citizens' initiative petition;

3178 (b) at the request of the local school board of the existing district or districts to be  
3179 affected by the creation of the new district; or

3180 (c) at the request of a city within the boundaries of the school district or at the request  
3181 of interlocal agreement participants, pursuant to Section [53G-3-302](#).

3182 (3) (a) An initiative petition submitted under Subsection (2)(a) shall be signed by  
3183 ~~[qualified electors]~~ registered voters residing within the geographical boundaries of the  
3184 proposed new school district in an amount equal to at least 15% of all votes cast within the  
3185 geographic boundaries of the proposed new school district for all candidates for president of  
3186 the United States at the last regular general election at which a president of the United States  
3187 was elected.

3188 (b) Each request or petition submitted under Subsection (2) shall:

3189 (i) be filed with the clerk of each county in which any part of the proposed new school

3190 district is located;

3191 (ii) indicate the typed or printed name and current residence address of each governing  
3192 board member making a request, or registered voter signing a petition, as the case may be;

3193 (iii) describe the proposed new school district boundaries; and

3194 (iv) designate up to five signers of the petition or request as sponsors, one of whom  
3195 shall be designated as the contact sponsor, with the mailing address and telephone number of  
3196 each.

3197 (c) The process described in Subsection (2)(a) may only be initiated once during any  
3198 four-year period.

3199 (d) A new district may not be formed under Subsection (2) if the student population of  
3200 the proposed new district is less than 3,000 or the existing district's student population would  
3201 be less than 3,000 because of the creation of the new school district.

3202 (4) (a) (i) A signer of a petition described in Subsection (2)(a) may withdraw or, once  
3203 withdrawn, reinstate the signer's signature at any time before the filing of the petition by filing  
3204 a written [~~request~~] statement requesting for withdrawal or reinstatement with the county clerk  
3205 no later than three business days after the day on which the petition is filed with the county  
3206 clerk.

3207 (ii) A statement described in Subsection (4)(a)(i) shall comply with the requirements  
3208 described in Subsection 20A-1-1003(2).

3209 (iii) The county clerk shall use the procedures described in Subsection 20A-1-1003(3)  
3210 to determine whether to remove or reinstate an individual's signature from a petition after  
3211 receiving a timely, valid statement.

3212 (b) For a petition described in Subsection (2)(a), the county clerk shall use the  
3213 procedures described in Section 20A-1-1002 to determine whether the petition has been signed  
3214 by the required number of registered voters residing within the geographical boundaries of the  
3215 proposed new school district.

3216 (5) Within 45 days after the day on which a petition described in Subsection (2)(a) is  
3217 filed, or five business days after the day on which a request described in Subsection (2)(b) or

3218 (c) is filed, the clerk of each county with which the request or petition is filed shall:  
3219       (a) determine whether the request or petition complies with Subsections (2) and (3), as  
3220 applicable; and  
3221       (b) (i) if the county clerk determines that the request or petition complies with the  
3222 applicable requirements:  
3223           (A) certify the request or petition and deliver the certified request or petition to the  
3224 county legislative body; and  
3225           (B) mail or deliver written notification of the certification to the contact sponsor; or  
3226       (ii) if the county clerk determines that the request or petition fails to comply with any  
3227 of the applicable requirements, reject the request or petition and notify the contact sponsor in  
3228 writing of the rejection and reasons for the rejection.  
3229       (6) (a) If the county clerk fails to certify or reject a request or petition within the time  
3230 specified in Subsection (5), the request or petition is considered to be certified.  
3231       (b) (i) If the county clerk rejects a request or petition, the person that submitted the  
3232 request or petition may amend the request or petition to correct the deficiencies for which the  
3233 request or petition was rejected, and refile the request or petition.  
3234       (ii) Subsection (3)(c) does not apply to a request or petition that is amended and refiled  
3235 after having been rejected by a county clerk.  
3236       (c) If, on or before December 1, a county legislative body receives a request from a  
3237 local school board under Subsection (2)(b) or a petition under Subsection (2)(a) that is certified  
3238 by the county clerk:  
3239       (i) the county legislative body shall appoint an ad hoc advisory committee, as provided  
3240 in Subsection (7), on or before January 1;  
3241       (ii) the ad hoc advisory committee shall submit its report and recommendations to the  
3242 county legislative body, as provided in Subsection (7), on or before July 1; and  
3243       (iii) if the legislative body of each county with which a request or petition is filed  
3244 approves a proposal to create a new district, each legislative body shall submit the proposal to  
3245 the respective county clerk to be voted on by the electors of each existing district at the regular

3246 general or municipal general election held in November.

3247 (7) (a) The legislative body of each county with which a request or petition is filed  
3248 shall appoint an ad hoc advisory committee to review and make recommendations on a request  
3249 for the creation of a new school district submitted under Subsection (2)(a) or (b).

3250 (b) The advisory committee shall:

3251 (i) seek input from:

3252 (A) those requesting the creation of the new school district;

3253 (B) the local school board and school personnel of each existing school district;

3254 (C) those citizens residing within the geographical boundaries of each existing school  
3255 district;

3256 (D) the state board; and

3257 (E) other interested parties;

3258 (ii) review data and gather information on at least:

3259 (A) the financial viability of the proposed new school district;

3260 (B) the proposal's financial impact on each existing school district;

3261 (C) the exact placement of school district boundaries; and

3262 (D) the positive and negative effects of creating a new school district and whether the  
3263 positive effects outweigh the negative if a new school district were to be created; and

3264 (iii) make a report to the county legislative body in a public meeting on the committee's  
3265 activities, together with a recommendation on whether to create a new school district.

3266 (8) For a request or petition submitted under Subsection (2)(a) or (b):

3267 (a) The county legislative body shall provide for a 45-day public comment period on  
3268 the report and recommendation to begin on the day the report is given under Subsection  
3269 (7)(b)(iii).

3270 (b) Within 14 days after the end of the comment period, the legislative body of each  
3271 county with which a request or petition is filed shall vote on the creation of the proposed new  
3272 school district.

3273 (c) The proposal is approved if a majority of the members of the legislative body of

3274 each county with which a request or petition is filed votes in favor of the proposal.

3275 (d) If the proposal is approved, the legislative body of each county with which a  
3276 request or petition is filed shall submit the proposal to the county clerk to be voted on:

3277 (i) by the legal voters of each existing school district affected by the proposal;

3278 (ii) in accordance with the procedures and requirements applicable to a regular general  
3279 election under Title 20A, Election Code; and

3280 (iii) at the next regular general election or municipal general election, whichever is  
3281 first.

3282 (e) Creation of the new school district shall occur if a majority of the electors within  
3283 both the proposed school district and each remaining school district voting on the proposal vote  
3284 in favor of the creation of the new district.

3285 (f) Each county legislative body shall comply with the requirements of Section  
3286 [53G-3-203](#).

3287 (g) If a proposal submitted under Subsection (2)(a) or (b) to create a new district is  
3288 approved by the electors, the existing district's documented costs to study and implement the  
3289 proposal shall be reimbursed by the new district.

3290 (9) (a) If a proposal submitted under Subsection (2)(c) is certified under Subsection (5)  
3291 or (6)(a), the legislative body of each county in which part of the proposed new school district  
3292 is located shall submit the proposal to the respective clerk of each county to be voted on:

3293 (i) by the legal voters residing within the proposed new school district boundaries;

3294 (ii) in accordance with the procedures and requirements applicable to a regular general  
3295 election under Title 20A, Election Code; and

3296 (iii) at the next regular general election or municipal general election, whichever is  
3297 first.

3298 (b) (i) If a majority of the legal voters within the proposed new school district  
3299 boundaries voting on the proposal at an election under Subsection (9)(a) vote in favor of the  
3300 creation of the new district:

3301 (A) each county legislative body shall comply with the requirements of Section

3302 53G-3-203; and

3303 (B) upon the lieutenant governor's issuance of the certificate under Section 67-1a-6.5,  
3304 the new district is created.

3305 (ii) Notwithstanding the creation of a new district as provided in Subsection  
3306 (9)(b)(i)(B):

3307 (A) a new school district may not begin to provide educational services to the area  
3308 within the new district until July 1 of the second calendar year following the local school board  
3309 general election date described in Subsection 53G-3-302(3)(a)(i);

3310 (B) a remaining district may not begin to provide educational services to the area  
3311 within the remaining district until the time specified in Subsection (9)(b)(ii)(A); and

3312 (C) each existing district shall continue, until the time specified in Subsection  
3313 (9)(b)(ii)(A), to provide educational services within the entire area covered by the existing  
3314 district.

3315 Section 48. Section 53G-3-401 is amended to read:

3316 **53G-3-401. Consolidation of school districts -- Resolution by local school board**  
3317 **members -- Petition by electors -- Certification of petition signatures -- Removal of**  
3318 **signature -- Election.**

3319 (1) Two or more school districts may unite and form a single school district in one of  
3320 the following ways:

3321 (a) a majority of the members of each of the local school boards of the affected districts  
3322 shall approve and present to the county legislative body of the affected counties a resolution to  
3323 consolidate the districts. Once this is done, consolidation shall be established under this  
3324 chapter; or

3325 (b) a majority of the members of the local school board of each affected district, or  
3326 15% of the [~~qualified electors~~] registered voters in each of the affected districts, shall sign and  
3327 present a petition to the county legislative body of each affected county. The question shall be  
3328 voted upon at an election called for that purpose, which shall be the next general or municipal  
3329 election. Consolidation shall occur if a majority of those voting on the question in each district

3330 favor consolidation.

3331 (2) If a registered voter petition is presented to the county legislative body under  
3332 Subsection (1)(b):

3333 (a) within three business days after the day on which the county legislative body  
3334 receives the petition, the county legislative body shall provide the petition to the county clerk;  
3335 and

3336 (b) within 14 days after the day on which a county clerk receives a petition from the  
3337 county legislative body, the county clerk shall:

3338 (i) use the procedures described in Section 20A-1-1002 to determine whether the  
3339 petition satisfies the requirements of Subsection (1)(b) for a registered voter petition;

3340 (ii) certify on the petition whether each name is that of a registered voter in one of the  
3341 affected districts; and

3342 (iii) deliver the certified petition to the county legislative body.

3343 (3) (a) A voter who signs a registered voter petition under Subsection (1)(b) may have  
3344 the voter's signature removed from the petition by, no later than three business days after the  
3345 day on which the county legislative body provides the petition to the county clerk, submitting  
3346 to the county clerk a statement requesting that the voter's signature be removed.

3347 (b) A statement described in Subsection (3)(a) shall comply with the requirements  
3348 described in Subsection 20A-1-1003(2).

3349 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
3350 determine whether to remove an individual's signature from a petition after receiving a timely,  
3351 valid statement requesting removal of the signature.

3352 [~~2~~] (4) The elections required under Subsection (1)(b) shall be conducted and the  
3353 returns canvassed as provided by election laws.

3354 Section 49. Section 53G-3-501 is amended to read:

3355 **53G-3-501. Transfer of a portion of a school district -- State board resolution --**  
3356 **Local school board petition -- Elector petition -- Certification of petition signatures --**  
3357 **Removal of signature -- Transfer election.**

3358 (1) Part of a school district may be transferred to another district in one of the  
3359 following ways:

3360 (a) presentation to the county legislative body of each of the affected counties of a  
3361 resolution requesting the transfer, approved by at least four-fifths of the members of the local  
3362 school board of each affected school district;

3363 (b) presentation to the county legislative body of each affected county of a petition  
3364 requesting that the [~~electors~~] voters vote on the transfer, signed by a majority of the members  
3365 of the local school board of each affected school district; or

3366 (c) presentation to the county legislative body of each affected county of a petition  
3367 requesting that the [~~electors~~] voters vote on the transfer, signed by 15% of the [~~qualified~~  
3368 ~~electors~~] registered voters in each of the affected school districts within that county.

3369 (2) (a) If an annexation of property by a city would result in its residents being served  
3370 by more than one school district, then the presidents of the affected local school boards shall  
3371 meet within 60 days prior to the effective date of the annexation to determine whether it would  
3372 be advisable to adjust school district boundaries to permit all residents of the expanded city to  
3373 be served by a single school district.

3374 (b) Upon conclusion of the meeting, the local school board presidents shall prepare a  
3375 recommendation for presentation to their respective local school boards as soon as reasonably  
3376 possible.

3377 (c) The local school boards may then initiate realignment proceedings under  
3378 Subsection (1)(a) or (b).

3379 (d) If a local school board rejects realignment under Subsection (1)(a) or (b), the other  
3380 local school board may initiate the following procedures by majority vote within 60 days of the  
3381 vote rejecting realignment:

3382 (i) (A) within 30 days after a vote to initiate these procedures, each local school board  
3383 shall appoint one member to a boundary review committee; or

3384 (B) if the local school board becomes deadlocked in selecting the appointee under  
3385 Subsection (2)(d)(i)(A), the local school board's chair shall make the appointment or serve as

3386 the appointee to the review committee.

3387 (ii) The two local school board-appointed members of the committee shall meet and  
3388 appoint a third member of the committee.

3389 (iii) If the two local school board-appointed members are unable to agree on the  
3390 appointment of a third member within 30 days after both are appointed, the state superintendent  
3391 shall appoint the third member.

3392 (iv) The committee shall meet as necessary to prepare recommendations concerning  
3393 resolution of the realignment issue, and shall submit the recommendations to the affected local  
3394 school boards within six months after the appointment of the third member of the committee.

3395 (v) If a majority of the members of each local school board accepts the  
3396 recommendation of the committee, or accepts the recommendation after amendment by the  
3397 local school boards, then the accepted recommendation shall be implemented.

3398 (vi) If the committee fails to submit its recommendation within the time allotted, or if  
3399 one local school board rejects the recommendation, the affected local school boards may agree  
3400 to extend the time for the committee to prepare an acceptable recommendation or either local  
3401 school board may request the state board to resolve the question.

3402 (vii) If the committee has submitted a recommendation which the state board finds to  
3403 be reasonably supported by the evidence, the state board shall adopt the committee's  
3404 recommendation.

3405 (viii) The decision of the state board is final.

3406 (3) If a registered voter petition is presented to the county legislative body under  
3407 Subsection (1)(c):

3408 (a) within three business days after the day on which the county legislative body  
3409 receives the petition, the county legislative body shall provide the petition to the county clerk;  
3410 and

3411 (b) within 14 days after the day on which a county clerk receives a petition from the  
3412 county legislative body, the county clerk shall:

3413 (i) use the procedures described in Section [20A-1-1002](#) to determine whether the

3414 petition satisfies the requirements of Subsection (1)(c) for a registered voter petition;  
 3415 (ii) certify on the petition whether each name is that of a registered voter in one of the  
 3416 affected districts; and

3417 (iii) deliver the certified petition to the county legislative body.

3418 (4) (a) A voter who signs a registered voter petition under Subsection (1)(c) may have  
 3419 the voter's signature removed from the petition by, no later than three business days after the  
 3420 day on which the county legislative body provides the petition to the county clerk, submitting  
 3421 to the county clerk a statement requesting that the voter's signature be removed.

3422 (b) A statement described in Subsection (4)(a) shall comply with the requirements  
 3423 described in Subsection 20A-1-1003(2).

3424 (c) The county clerk shall use the procedures described in Subsection 20A-1-1003(3) to  
 3425 determine whether to remove an individual's signature from a petition after receiving a timely,  
 3426 valid statement requesting removal of the signature.

3427 ~~[(3)]~~ (5) (a) The [electors] voters of each affected district shall vote on the transfer  
 3428 requested under Subsection (1)(b) or (c) at an election called for that purpose, which may be  
 3429 the next general election.

3430 (b) The election shall be conducted and the returns canvassed as provided by election  
 3431 law.

3432 (c) A transfer is effected only if a majority of votes cast by the ~~[electors]~~ voters in both  
 3433 the proposed transferor district and in the proposed transferee district are in favor of the  
 3434 transfer.

3435 Section 50. Section **73-10d-4** is amended to read:

3436 **73-10d-4. Notice of intention to enter privatization project -- Petition for election**  
 3437 **-- Certification of petition signatures -- Removal of signature -- Election procedures --**  
 3438 **Powers of political subdivision -- Public bidding laws not to apply.**

3439 (1) The governing authority of any political subdivision considering entering into a  
 3440 privatization project agreement shall issue a notice of intention setting forth a brief summary of  
 3441 the agreement provisions and the time within which and place at which petitions may be filed

3442 requesting the calling of an election in the political subdivision to determine whether the  
3443 agreement should be approved. The notice of intention shall specify the form of the petitions.  
3444 If, within 30 days after the publication of the notice of intention, petitions are filed with the  
3445 clerk, recorder, or similar officer of the political subdivision, signed by at least 5% of the  
3446 [~~qualified electors~~] registered voters of the political subdivision (as certified by the county  
3447 clerks of the respective counties within which the political subdivision is located pursuant to  
3448 Subsections (7) and (8)) requesting an election be held to authorize the agreement, then the  
3449 governing authority shall proceed to call and hold an election. If an adequate petition is not  
3450 filed within 30 days, the governing authority may adopt a resolution so finding and may  
3451 proceed to enter into the agreement.

3452 (2) If, under Subsection (1), the governing authority of a political subdivision is  
3453 required to call an election to authorize an agreement, the governing authority shall adopt a  
3454 resolution directing that an election be held in the political subdivision for the purpose of  
3455 determining whether the political subdivision may enter into the agreement. The resolution  
3456 calling the election shall be adopted, notice of the election shall be given, voting precincts shall  
3457 be established, the election shall be held, voters' qualifications shall be determined, and the  
3458 results shall be canvassed in the manner and subject to the conditions provided for in Title 11,  
3459 Chapter 14, Local Government Bonding Act.

3460 (3) A political subdivision may, upon approval of an agreement as provided by  
3461 Subsections (1) and (2) and subject to the powers and rules of the supervising agency:

3462 (a) supervise and regulate the construction, maintenance, ownership, and operation of  
3463 all privatization projects within its jurisdiction or in which it has a contractual interest;

3464 (b) contract, by entry into agreements with private owner/operators for the provision  
3465 within its jurisdiction of the services of privatization projects;

3466 (c) levy and collect taxes, as otherwise provided by law, and impose and collect  
3467 assessments, fees, or charges for services provided by privatization projects, as appropriate,  
3468 and, subject to any limitation imposed by the constitution, pledge, assign, or otherwise convey  
3469 as security for the payment of its obligations under any agreements any revenues and receipts

3470 derived from any assessments, fees, or charges for services provided by privatization projects;

3471 (d) require the private owner/operator to obtain any and all licenses as appropriate  
3472 under federal, state, and local law and impose other requirements which are necessary or  
3473 desirable to discharge the responsibility of the political subdivision to supervise and regulate  
3474 the construction, maintenance, ownership, and operation of any privatization project;

3475 (e) control the right to contract, maintain, own, and operate any privatization project  
3476 and the services provided in connection with that project within its jurisdiction;

3477 (f) purchase, lease, or otherwise acquire all or any part of a privatization project;

3478 (g) with respect to the services of any privatization project, control the right to  
3479 establish or regulate the rates paid by the users of the services within the jurisdiction of the  
3480 political subdivision;

3481 (h) agree that the sole and exclusive right to provide the services within its jurisdiction  
3482 related to privatization projects be assumed by any private owner/operator;

3483 (i) contract for the lease or purchase of land, facilities, equipment, and vehicles for the  
3484 operation of privatization projects;

3485 (j) lease, sell, or otherwise convey, as permitted by state and local law, but without any  
3486 requirement of competitive public bidding, land, facilities, equipment, and vehicles, previously  
3487 used in connection with privatization projects, to private owner/operators; and

3488 (k) establish policies for the operation of any privatization project within its  
3489 jurisdiction or with respect to which it has a contractual interest, including hours of operation,  
3490 the character and kinds of services, and other rules necessary for the safety of operating  
3491 personnel.

3492 (4) Any political subdivision may enter into agreements with respect to privatization  
3493 projects. Agreements may contain provisions relating to, without limitation, any matter  
3494 provided for in this section or consistent with the purposes of this chapter.

3495 (5) Any agreement entered into between a political subdivision and a private  
3496 owner/operator for the provision of the services of a privatization project is considered an  
3497 exercise of that political subdivision's business or proprietary power binding upon its

3498 succeeding governing authorities. Any agreement made by a political subdivision with a  
3499 private owner/operator for payment for services provided or to be provided may not be  
3500 construed to be an indebtedness or a lending of credit of the political subdivision within the  
3501 meaning of any constitutional or statutory restriction.

3502 (6) The provisions of the various laws of the state and the rules or ordinances of a  
3503 political subdivision which would otherwise require public bidding in respect to any matter  
3504 provided for in this chapter shall have no application to that matter.

3505 (7) If a petition is presented to the clerk of a political subdivision under Subsection (1):

3506 (a) as applicable, within three business days after the day on which the clerk receives  
3507 the petition, the clerk shall provide the petition to the county clerk for the county in which the  
3508 political subdivision is located; and

3509 (b) within 14 days after the day on which a county clerk receives a petition under this  
3510 section, the county clerk shall:

3511 (i) use the procedures described in Section [20A-1-1002](#) to determine whether the  
3512 petition satisfies the requirements of Subsection (1) for a registered voter petition;

3513 (ii) certify on the petition whether each name is that of a registered voter in the affected  
3514 political subdivision; and

3515 (iii) as applicable, deliver the certified petition to the governing authority of the  
3516 affected political subdivision.

3517 (8) (a) A voter who signs a petition under Subsection (1) may have the voter's signature  
3518 removed from the petition by, no later than three business days after the day on which the  
3519 petition is provided to the county clerk, submitting to the county clerk a statement requesting  
3520 that the voter's signature be removed.

3521 (b) A statement described in Subsection (8)(a) shall comply with the requirements  
3522 described in Subsection [20A-1-1003\(2\)](#).

3523 (c) The county clerk shall use the procedures described in Subsection [20A-1-1003\(3\)](#) to  
3524 determine whether to remove an individual's signature from a petition after receiving a timely,  
3525 valid statement requesting removal of the signature.

3526 Section 51. **Repealer.**  
3527 This bill repeals:  
3528 Section **20A-7-205**, Manual initiative process -- Obtaining signatures --  
3529 **Verification -- Removal of signature.**  
3530 Section **20A-7-206**, Manual initiative process -- Submitting the initiative petition --  
3531 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**  
3532 Section **20A-7-206.3**, Verification of petition signatures.  
3533 Section **20A-7-305**, Manual referendum process -- Obtaining signatures --  
3534 **Verification -- Removal of signature.**  
3535 Section **20A-7-306**, Manual referendum process -- Submitting the referendum  
3536 **petition -- Certification of signatures by the county clerks -- Transfer to lieutenant**  
3537 **governor.**  
3538 Section **20A-7-306.3**, Verification of petition signatures.  
3539 Section **20A-7-505**, Manual initiative process -- Obtaining signatures --  
3540 **Verification -- Removal of signature.**  
3541 Section **20A-7-506**, Manual initiative process -- Submitting the initiative petition --  
3542 **Certification of signatures by the county clerks -- Transfer to local clerk.**  
3543 Section **20A-7-506.3**, Verification of petition signatures.  
3544 Section **20A-7-605**, Manual referendum process -- Obtaining signatures --  
3545 **Verification -- Removal of signature.**  
3546 Section **20A-7-606**, Manual referendum process -- Submitting the referendum  
3547 **petition -- Certification of signatures by the county clerks -- Transfer to local clerk.**  
3548 Section **20A-7-606.3**, Verification of petition signatures.  
3549 Section 52. **Coordinating H.B. 68 with S.B. 37 -- Substantive and technical**  
3550 **amendments.**  
3551 If this H.B. 68 and S.B. 37, Municipality Incorporation Amendments, both pass and  
3552 become law, it is the intent of the Legislature that the Office of Legislative Research and  
3553 General Counsel shall prepare the Utah Code database for publication as follows:

3554 (1) by amending Subsection 10-2a-208(4)(a) in H.B. 68 to read:

3555 "(4) (a) A voter who signs a petition for incorporation may have the voter's signature  
3556 removed from the petition by, no later than three business days after the day on which the  
3557 petition for incorporation is submitted to the county clerk, submitting to the county clerk a  
3558 statement requesting that the voter's signature be removed."; and

3559 (2) by amending Subsection 10-2a-208(4)(d) in H.B. 68 to read:

3560 "(d) The county clerk shall use the procedures described in Subsection 20A-1-1003(3)  
3561 to determine whether to remove an individual's signature from a petition for incorporation after  
3562 receiving a timely, valid statement requesting removal of the signature.".

3563 **Section 53. Coordinating H.B. 68 with H.B. 38 and H.B. 448 -- Substantive and**  
3564 **technical amendments.**

3565 (1) If this H.B. 68 and H.B. 38, Initiative and Referendum Modifications, both pass and  
3566 become law, and H.B. 448, Election Changes, does not pass and become law, it is the intent of  
3567 the Legislature that the Office of Legislative Research and General Counsel shall prepare the  
3568 Utah Code database for publication as follows:

3569 (a) the amendments to Subsection 20A-7-307(2)(a)(i) in H.B. 68 supersede the  
3570 amendments to Subsection 20A-7-307(2)(a)(i) in H.B. 38; and

3571 (b) by amending Subsection 20A-1-1003(3) in H.B. 68 to read:

3572 "(3) The clerk shall use the following procedures to determine whether to remove an  
3573 individual's signature from a petition after receiving a timely, valid statement requesting  
3574 removal of the signature:

3575 (a) if the signer's name and address shown on the statement and the petition exactly  
3576 match a name and address shown on the official register and the signer's signatures on both the  
3577 statement and the petition appear substantially similar to the signature on the statewide voter  
3578 registration database, the clerk shall remove the signature from the petition;

3579 (b) if there is no exact match of an address and a name, the clerk shall remove the  
3580 signature from the petition if:

3581 (i) the address on the statement and the address provided by the individual with the

3582 individual's petition signature match the address of an individual on the official register with a  
3583 substantially similar name; and

3584 (ii) the signer's signatures on both the statement and the petition appear substantially  
3585 similar to the signature on the statewide voter registration database of the individual described  
3586 in Subsection (3)(b)(i);

3587 (c) if there is no match of an address and a substantially similar name, the clerk shall  
3588 remove the signature from the petition if:

3589 (i) the birth date or age on the statement and the birth date or age provided by the  
3590 individual with the individual's petition signature match the birth date or age of an individual  
3591 on the official register with a substantially similar name; and

3592 (ii) the signer's signatures on both the statement and the petition appear substantially  
3593 similar to the signature on the statewide voter registration database of the individual described  
3594 in Subsection (3)(c)(i); and

3595 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
3596 clerk may not remove the signature from the petition.";

3597 (2) if this H.B. 68, H.B. 38, Initiative and Referendum Modifications, and H.B. 448,  
3598 Election Changes, all pass and become law, it is the intent of the Legislature that the Office of  
3599 Legislative Research and General Counsel shall prepare the Utah Code database for publication  
3600 as follows:

3601 (a) the amendments to Subsection [20A-7-307\(2\)\(a\)\(i\)](#) in H.B. 68 supersede the  
3602 amendments to Subsection [20A-7-307\(2\)\(a\)\(i\)](#) in H.B. 38; and

3603 (b) Subsection [20A-1-1003\(3\)](#) in H.B. 68 is amended to read:

3604 "(3) The clerk shall use the following procedures to determine whether to remove an  
3605 individual's signature from a petition after receiving a timely, valid statement requesting  
3606 removal of the signature:

3607 (a) if the signer's name and address shown on the statement and the petition exactly  
3608 match a name and address shown on the official register and the individual's signature on the  
3609 statement is reasonably consistent with the individual's signature on the statewide voter

3610 registration database, the clerk shall remove the signature from the petition;

3611 (b) if there is no exact match of an address and a name, the clerk shall remove the  
3612 signature from the petition if:

3613 (i) the address on the statement and the address provided by the individual with the  
3614 individual's petition signature match the address of an individual on the official register with a  
3615 substantially similar name; and

3616 (ii) the individual's signature on the statement is reasonably consistent with the  
3617 signature on the statewide voter registration database of the individual described in Subsection  
3618 (3)(b)(i);

3619 (c) if there is no match of an address and a substantially similar name, the clerk shall  
3620 remove the signature from the petition if:

3621 (i) the birth date or age on the statement and the birth date or age provided by the  
3622 individual with the individual's petition signature match the birth date or age of an individual  
3623 on the official register with a substantially similar name; and

3624 (ii) the individual's signature on the statement is reasonably consistent with the  
3625 signature on the statewide voter registration database of the individual described in Subsection  
3626 (3)(b)(i); and

3627 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
3628 clerk may not remove the signature from the petition."; and

3629 (3) if this H.B. 68 and H.B. 448, Election Changes, both pass and become law and  
3630 H.B. 38, Initiative and Referendum Modifications, does not pass and become law, it is the  
3631 intent of the Legislature that the Office of Legislative Research and General Counsel shall  
3632 prepare the Utah Code database for publication by amending Subsection [20A-1-1003\(3\)](#) in  
3633 H.B. 68 to read:

3634 "(3) The clerk shall use the following procedures to determine whether to remove an  
3635 individual's signature from a petition after receiving a timely, valid statement requesting  
3636 removal of the signature:

3637 (a) if the individual's name and address shown on the statement and the petition exactly

3638 match a name and address shown on the official register and the individual's signature on the  
3639 statement is reasonably consistent with the individual's signature on the statewide voter  
3640 registration database, the clerk shall remove the signature from the petition;

3641 (b) if there is no exact match of an address and a name, the clerk shall remove the  
3642 signature from the petition if:

3643 (i) the address on the statement and the address provided by the individual with the  
3644 individual's petition signature match the address of an individual on the official register with a  
3645 substantially similar name; and

3646 (ii) the individual's signature on the statement is reasonably consistent with the  
3647 signature on the statewide voter registration database of the individual described in Subsection  
3648 (3)(b)(i);

3649 (c) if there is no match of an address and a substantially similar name, the clerk shall  
3650 remove the signature from the petition if:

3651 (i) the birth date or age on the statement and the birth date or age provided by the  
3652 individual with the individual's petition signature match the birth date or age of an individual  
3653 on the official register with a substantially similar name; and

3654 (ii) the individual's signature on the statement is reasonably consistent with the  
3655 signature on the statewide voter registration database of the individual described in Subsection  
3656 (3)(b)(i); and

3657 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the  
3658 clerk may not remove the signature from the petition."