

Senator Daniel W. Thatcher proposes the following substitute bill:

INITIATIVE AND REFERENDUM MODIFICATIONS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

Senate Sponsor: David G. Buxton

LONG TITLE

General Description:

This bill amends provisions relating to initiatives and referenda.

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

None



26 **Other Special Clauses:**

27 This bill coordinates with S.B. 43, Public Notice Requirements, by providing
28 Substantive and technical amendments

29 **Utah Code Sections Affected:**

30 AMENDS:

- 31 **20A-7-101**, as last amended by Laws of Utah 2022, Chapters 288, 325
- 32 **20A-7-201**, as last amended by Laws of Utah 2019, Chapter 217
- 33 **20A-7-202**, as last amended by Laws of Utah 2021, Chapter 140
- 34 **20A-7-202.5**, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20
- 35 **20A-7-202.7**, as enacted by Laws of Utah 2021, Chapter 418
- 36 **20A-7-203**, as last amended by Laws of Utah 2022, Chapter 325
- 37 **20A-7-204**, as last amended by Laws of Utah 2022, Chapter 325
- 38 **20A-7-204.1**, as last amended by Laws of Utah 2021, Chapters 84, 345
- 39 **20A-7-205**, as last amended by Laws of Utah 2022, Chapter 325
- 40 **20A-7-206**, as last amended by Laws of Utah 2022, Chapter 325
- 41 **20A-7-206.1**, as enacted by Laws of Utah 2021, Chapter 140
- 42 **20A-7-206.3**, as last amended by Laws of Utah 2022, Chapter 325
- 43 **20A-7-207**, as last amended by Laws of Utah 2022, Chapter 325
- 44 **20A-7-208**, as last amended by Laws of Utah 2019, Chapter 275
- 45 **20A-7-209**, as last amended by Laws of Utah 2022, Chapter 251
- 46 **20A-7-211**, as last amended by Laws of Utah 2022, Chapter 18
- 47 **20A-7-213**, as last amended by Laws of Utah 2022, Chapter 325
- 48 **20A-7-214**, as last amended by Laws of Utah 2019, Chapter 275
- 49 **20A-7-215**, as enacted by Laws of Utah 2022, Chapter 325
- 50 **20A-7-216**, as enacted by Laws of Utah 2022, Chapter 325
- 51 **20A-7-217**, as enacted by Laws of Utah 2022, Chapter 325
- 52 **20A-7-301**, as last amended by Laws of Utah 2021, Chapter 140
- 53 **20A-7-302**, as last amended by Laws of Utah 2021, Chapter 140
- 54 **20A-7-303**, as last amended by Laws of Utah 2022, Chapter 325
- 55 **20A-7-304**, as last amended by Laws of Utah 2022, Chapter 325
- 56 **20A-7-304.5**, as last amended by Laws of Utah 2022, Chapter 325

- 57 **20A-7-305**, as last amended by Laws of Utah 2022, Chapter 325
- 58 **20A-7-306**, as last amended by Laws of Utah 2022, Chapter 325
- 59 **20A-7-306.3**, as last amended by Laws of Utah 2022, Chapter 325
- 60 **20A-7-307**, as last amended by Laws of Utah 2022, Chapters 274, 325
- 61 **20A-7-308**, as last amended by Laws of Utah 2022, Chapter 251
- 62 **20A-7-309**, as last amended by Laws of Utah 2021, Chapter 140
- 63 **20A-7-310**, as last amended by Laws of Utah 2020, Chapter 166
- 64 **20A-7-311**, as last amended by Laws of Utah 2021, Chapter 140
- 65 **20A-7-312**, as last amended by Laws of Utah 2022, Chapter 325
- 66 **20A-7-313**, as enacted by Laws of Utah 2022, Chapter 325
- 67 **20A-7-314**, as enacted by Laws of Utah 2022, Chapter 325
- 68 **20A-7-315**, as enacted by Laws of Utah 2022, Chapter 325
- 69 **20A-7-501**, as last amended by Laws of Utah 2019, Chapter 203
- 70 **20A-7-502**, as last amended by Laws of Utah 2021, Chapter 140
- 71 **20A-7-502.5**, as last amended by Laws of Utah 2019, Chapter 203
- 72 **20A-7-502.6**, as last amended by Laws of Utah 2022, Chapter 325
- 73 **20A-7-502.7**, as last amended by Laws of Utah 2022, Chapter 325
- 74 **20A-7-503**, as last amended by Laws of Utah 2022, Chapter 325
- 75 **20A-7-504**, as last amended by Laws of Utah 2022, Chapter 325
- 76 **20A-7-505**, as last amended by Laws of Utah 2022, Chapter 325
- 77 **20A-7-506**, as last amended by Laws of Utah 2022, Chapter 325
- 78 **20A-7-506.3**, as last amended by Laws of Utah 2022, Chapter 325
- 79 **20A-7-507**, as last amended by Laws of Utah 2022, Chapter 325
- 80 **20A-7-508**, as last amended by Laws of Utah 2022, Chapter 251
- 81 **20A-7-510**, as last amended by Laws of Utah 2021, Chapter 140
- 82 **20A-7-512**, as last amended by Laws of Utah 2022, Chapter 325
- 83 **20A-7-513**, as last amended by Laws of Utah 2019, Chapter 203
- 84 **20A-7-514**, as enacted by Laws of Utah 2022, Chapter 325
- 85 **20A-7-515**, as enacted by Laws of Utah 2022, Chapter 325
- 86 **20A-7-516**, as enacted by Laws of Utah 2022, Chapter 325
- 87 **20A-7-601**, as last amended by Laws of Utah 2022, Chapter 406

- 88 [20A-7-602](#), as last amended by Laws of Utah 2021, Chapter 140
- 89 [20A-7-602.5](#), as last amended by Laws of Utah 2019, Chapter 203
- 90 [20A-7-602.7](#), as last amended by Laws of Utah 2022, Chapter 325
- 91 [20A-7-602.8](#), as last amended by Laws of Utah 2022, Chapters 325, 406
- 92 [20A-7-603](#), as last amended by Laws of Utah 2022, Chapter 325
- 93 [20A-7-604](#), as last amended by Laws of Utah 2022, Chapter 325
- 94 [20A-7-604.5](#), as last amended by Laws of Utah 2022, Chapter 325
- 95 [20A-7-605](#), as last amended by Laws of Utah 2022, Chapter 325
- 96 [20A-7-606](#), as last amended by Laws of Utah 2022, Chapter 325
- 97 [20A-7-606.3](#), as last amended by Laws of Utah 2022, Chapter 325
- 98 [20A-7-607](#), as last amended by Laws of Utah 2022, Chapters 274, 325
- 99 [20A-7-608](#), as last amended by Laws of Utah 2022, Chapter 251
- 100 [20A-7-609](#), as last amended by Laws of Utah 2014, Chapter 396
- 101 [20A-7-610](#), as last amended by Laws of Utah 2021, Chapter 140
- 102 [20A-7-611](#), as last amended by Laws of Utah 2022, Chapters 18, 325
- 103 [20A-7-612](#), as last amended by Laws of Utah 2022, Chapter 325
- 104 [20A-7-614](#), as enacted by Laws of Utah 2022, Chapter 325
- 105 [20A-7-615](#), as enacted by Laws of Utah 2022, Chapter 325
- 106 [20A-7-616](#), as enacted by Laws of Utah 2022, Chapter 325
- 107 [20A-7-702](#), as last amended by Laws of Utah 2022, Chapter 11

Utah Code Sections Affected by Coordination Clause:

- 109 [20A-7-204.1](#), as last amended by Laws of Utah 2021, Chapters 84 and 345

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

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

20A-7-101. Definitions.

As used in this chapter:

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

(2) "Budget officer" means:

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

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

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

122 (d) for a metro township, the person described in Subsection (2)(a) for the county in

123 which the metro township is located.

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

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

128 (5) "Electronic initiative process" means:

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

131 (b) as it relates to a local initiative, the process, described in Sections 20A-7-514 and
132 20A-21-201, for gathering signatures.

133 (6) "Electronic referendum process" means:

134 (a) as it relates to a statewide referendum, the process, described in Sections
135 20A-7-313 and 20A-21-201, for gathering signatures; or

136 (b) as it relates to a local referendum, the process, described in Sections 20A-7-614 and
137 20A-21-201, for gathering signatures.

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

140 (8) "Final fiscal impact statement" means a financial statement prepared after voters
141 approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or
142 20A-7-502.5(2).

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

144 [~~(a)~~] a financial statement prepared under Section 20A-7-202.5 after the filing of [~~an~~] a
145 statewide initiative application [~~for an initiative petition; or~~].

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

149 [~~(10)~~] (11) "Initiative" means a new law proposed for adoption by the public as

150 provided in this chapter.

151 (12) "Initiative application" means:

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

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

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

160 (14) "Initiative petition":

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

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

164 (ii) if the initiative proposes a tax increase, includes the statement described in
165 Subsection 20A-7-203(2)(b);

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

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

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

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

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

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

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

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

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

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

186 (b) "Land use law" does not include a land use decision, as defined in Section
187 [10-9a-103](#) or [17-27a-103](#).

188 ~~[(13)]~~ (16) "Legal signatures" means the number of signatures of legal voters that:

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

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

191 ~~[(14)]~~ (17) "Legal voter" means ~~[a person]~~ an individual who is registered to vote in
192 Utah.

193 ~~[(15)]~~ (18) "Legally referable to voters" means:

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

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

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

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

202 ~~[(18)]~~ (21) (a) "Local law" includes:

203 (i) an ordinance;

204 (ii) a resolution;

205 (iii) a land use law;

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

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

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

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

211 ~~[(20)]~~ (23) "Local obligation law" means a local law passed by the local legislative

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

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

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

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

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

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

223 (29) "Referendum application" means:

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

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

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

233 (31) "Referendum petition" means:

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

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

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

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

246 [~~27~~] (32) "Signature":

247 (a) for a statewide initiative:

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

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

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

253 (B) does not include an electronic signature;

254 (b) for a statewide referendum:

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

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

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

260 (B) does not include an electronic signature;

261 (c) for a local initiative:

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

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

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

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

268 (d) for a local referendum:

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

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

272 (A) means a holographic signature collected physically on a signature sheet described
273 in Section 20A-7-603; and

274 (B) does not include an electronic signature.

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

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

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

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

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

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

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

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

292 Section 2. Section [20A-7-201](#) is amended to read:

293 **[20A-7-201. Statewide initiatives -- Signature requirements -- Submission to the](#)**
294 **[Legislature or to a vote of the people.](#)**

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

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

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

302 (b) If, at any time not less than 10 days before the beginning of the next annual general
303 session of the Legislature, ~~[immediately after the application is filed under Section [20A-7-202](#)~~
304 ~~and specified on the petition under Section [20A-7-203](#)]~~ the lieutenant governor declares

305 ~~[sufficient any]~~ that an initiative petition ~~[that]~~ designated under Subsection 20A-7-202(2)(c)(i)
306 for submission to the Legislature is signed by ~~[enough]~~ a sufficient number of voters to meet
307 the requirements of ~~[this]~~ Subsection (1)(a), the lieutenant governor shall deliver a copy of the
308 initiative petition, the text of the proposed law, and the cover sheet ~~[required by]~~ described in
309 Subsection (1)(c) to the president of the Senate, the speaker of the House, and the director of
310 the Office of Legislative Research and General Counsel.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

349 (i) the Legislature under Subsection [20A-7-201\(1\)](#); or

350 (ii) a vote of the people under Subsection [20A-7-201\(2\)](#);

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

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

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

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

356 (iii) the text of the proposed law;

357 [~~(e)~~] (f) if the initiative [~~petition~~] proposes a tax increase, the following statement,

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

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

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

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

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

369 (a) submit a new initiative application;

370 (b) obtain new signature sheets; and

371 (c) collect signatures again.

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

375 (a) the proposed law:

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

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

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

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

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

382 ~~[(f)]~~ (v) ~~[the law proposed by the initiative]~~ is identical or substantially similar to a law
 383 proposed by an initiative for which signatures were submitted to the county clerks and
 384 lieutenant governor for certification within two years preceding the date on which the initiative
 385 application for the new initiative is filed~~[-]; or~~

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

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

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

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

393 **Challenge to statement.**

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

397 (2) (a) The Office of the Legislative Fiscal Analyst shall prepare an unbiased, good

398 faith initial fiscal impact [~~estimate of~~] statement for the proposed law [~~proposed by the~~
399 initiative], not exceeding 100 words plus 100 words per revenue source created or impacted by
400 the proposed law, that contains:

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

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

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

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

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

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

418 (vii) a concise description and analysis titled "Funding Source," not to exceed 100
419 words for each funding source, of the funding source information described in Subsection
420 [~~20A-7-202(2)(d)(ii)~~] 20A-7-202(2)(e)(ii).

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

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

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

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

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

433 (4) (a) (i) Three or more of the sponsors of the initiative petition may, within 20
434 calendar days after the day on which the Office of the Legislative Fiscal Analyst delivers the
435 initial fiscal impact [estimate] statement to the lieutenant governor's office, file a petition with
436 the appropriate court, alleging that the initial fiscal impact [estimate] statement, taken as a
437 whole, is an inaccurate estimate of the fiscal impact of the initiative.

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

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

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

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

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

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

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

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

460 **20A-7-202.7. Posting initiative information.**

461 (1) Within one business day after the day on which the lieutenant governor receives the
462 initial fiscal impact statement under Subsection 20A-7-202.5(3)(a), the lieutenant governor
463 shall post the following information together in a conspicuous place on the lieutenant
464 governor's website:

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

471 (2) The lieutenant governor shall:

- 472 (a) promptly update the information described in Subsection (1) if the information
473 changes; and
- 474 (b) maintain the information described in Subsection (1) on the lieutenant governor's
475 website until the initiative fails to qualify for the ballot or is passed or defeated at an election.

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

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

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

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

482 "INITIATIVE PETITION To the Honorable _____, Lieutenant Governor:

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

486 Each signer says:

487 I have personally signed this initiative petition;

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

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

491 I am registered to vote in Utah; and

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

493 NOTICE TO SIGNERS:

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

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

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

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

504 (3) Each initiative signature sheet shall:

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

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

508 (c) include the title of the initiative printed below the horizontal line, in at least
509 14-point, bold type;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

533 "Date Signed" in 10-point type;

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

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

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

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

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

539 and contain the following statement, "By signing this initiative petition, you are stating that you

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

541 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at

542 the bottom of the sheet for the information described in Subsection (3)(f); and

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

544 (i) the words "Fiscal Impact of" followed by the title of the initiative, in at least

545 12-point, bold type;

546 (ii) except as provided in Subsection (5), the initial fiscal impact [~~estimate's summary~~]

547 statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection

548 [20A-7-202.5\(2\)\(a\)](#), including any update in accordance with Subsection [[20A-7-204.1\(5\)](#)]

549 [20A-7-204.1\(6\)](#), in not less than 12-point type;

550 (iii) if the initiative [petition] proposes a tax increase, the following statement in

551 12-point, bold type:

552 "This initiative [petition] seeks to increase the current (insert name of tax) rate by

553 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage
554 increase) percent increase in the current tax rate."; and

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

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

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

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

567 Verification of signature collector

568 State of Utah, County of ____

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

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

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

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

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

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

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

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(Name) (Residence Address) (Date)

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

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

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

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

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

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

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

(3) The lieutenant governor shall [~~furnish to~~] provide the sponsors[:] with [(a)] a copy of the initiative petition[~~,with any change submitted under Subsection 20A-7-204.1(5), and~~]

[(b)] and a signature sheet[:] within three days after the day on which the following conditions are fulfilled:

(a) the sponsors hold the final hearing required under Section 20A-7-204.1;

(b) the sponsors provide to the Office of the Lieutenant Governor the video tape, audio tape, or comprehensive minutes described in Subsection 20A-7-204.1(5) for each public hearing described in Section 20A-7-204.1;

(c) (i) the sponsors give written notice to the Office of the Lieutenant Governor that the sponsors waive the opportunity to change the text of the proposed law under Subsection 20A-7-204.1(6);

(ii) the deadline, described in Subsection 20A-7-204.1(6)(a), for changing the text of the proposed law passes without the sponsors filing an application addendum in accordance

615 with Subsection [20A-7-204.1\(6\)](#); or

616 (iii) if the sponsors file an application addendum in accordance with Subsection

617 [20A-7-204.1\(6\)](#), the Office of the Legislative Fiscal Analyst provides to the Office of the

618 Lieutenant Governor:

619 (A) an updated initial fiscal impact statement, in accordance with Subsection

620 [20A-7-204.1\(6\)\(b\)](#); or

621 (B) a written notice indicating that no changes to the initial fiscal impact statement are

622 necessary; and

623 (d) the sponsors sign an agreement, under Subsection (6)(a), with the Office of the

624 Lieutenant Governor specifying the range of numbers that the sponsors will use to number the

625 initiative packets.

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

627 (a) arrange and pay for the printing of all [~~additional copies of the petition and~~

628 ~~signature sheets~~] documents that are part of the initiative packets; and

629 (b) ensure that the [~~copies of the petition and signature sheets~~] initiative packets and

630 the documents described in Subsection (4)(a) meet the [~~form~~] requirements of this [~~section~~]

631 part.

632 (5) (a) The sponsors or an agent of the sponsors may prepare the initiative packets for

633 circulation by creating multiple initiative packets.

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

635 binding a copy of the initiative petition with the text of the proposed law, including any

636 modification made under Subsection [20A-7-204.1\(6\)](#) and no more than 50 signature sheets

637 together at the top in a manner that the initiative packets may be conveniently opened for

638 signing.

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

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

641 (i) contact the lieutenant governor's office to receive a range of numbers that the

642 sponsors may use to number [~~signature~~] initiative packets; [~~and~~]

643 (ii) sign an agreement with the Office of the Lieutenant Governor, specifying the range

644 of numbers that the sponsors will use to number the initiative packets; and

645 [~~(i)~~] (iii) number each [~~signature~~] initiative packet, sequentially, within the range of

646 numbers provided by the lieutenant governor's office, starting with the lowest number in the
647 range.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

676 (i) one day after the day on which a sponsor receives a copy of the initial fiscal impact

677 ~~[estimate]~~ statement under Subsection [20A-7-202.5\(3\)\(b\)](#); or

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

681 (2) The sponsors shall:

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

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

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

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

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

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

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

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

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

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

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

707 (a) on the Utah Public Notice Website created in Section [63A-16-601](#), for at least three

708 calendar days before the day of the public hearing; and

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

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

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

717 ~~[(4)]~~ (5) (a) During the public hearing, the sponsors shall either:

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

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

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

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

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

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

731 (d) Regardless of whether an individual is present to observe or speak at a public
732 hearing:

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

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

737 ~~[(5)]~~ (6) (a) Before 5 p.m. within 14 days after the day on which the sponsors conduct
738 the seventh public hearing described in Subsection (1)(a), and before circulating an initiative

739 ~~[petition]~~ signature packet for signatures, the sponsors of the initiative ~~[petition]~~ may change
740 the text of the proposed law if:

741 (i) a change to the text is:

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

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

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

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

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

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

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

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

758 **[20A-7-205. Manual initiative process -- Obtaining signatures -- Verification --](#)**

759 **[Removal of signature.](#)**

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

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

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

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

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

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

769 (b) An individual may not sign the verification printed on the last page of the initiative

770 packet if the person signed a signature sheet in the initiative packet.

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

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

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

776 (B) 90 days after the day on which the lieutenant governor posts the voter's name under
777 Subsection [20A-7-207\(2\)](#); or

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

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

780 (B) 45 days after the day on which the lieutenant governor posts the voter's name under
781 Subsection [20A-7-207\(2\)](#).

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

783 (A) the name of the voter;

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

785 (C) the signature of the voter; and

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

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

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

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

792 (e) A person may only remove a signature from an initiative petition in accordance
793 with this Subsection (4).

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

796 Section 10. Section [20A-7-206](#) is amended to read:

797 **20A-7-206. Manual initiative process -- Submitting initiative packets --**

798 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**

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

800 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified

801 initiative packet to the county clerk of the county in which the initiative packet was circulated
802 before 5 p.m. no later than the earlier of:

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

804 (ii) 316 days after the day on which the initiative application [~~for the initiative petition~~]
805 is filed; or

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

808 (b) A person may not submit an initiative packet after the deadline described in
809 Subsection (2)(a).

810 (c) Before delivering [~~a~~] an initiative packet to the county clerk under Subsection (2),
811 the sponsors shall send an email to each individual who provides a legible, valid email address
812 on the form described in Subsection 20A-7-203(3)(d) that includes the following:

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

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

816 "You signed a petition for the following initiative:

817 [insert title of initiative]

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

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

825 Verification of initiative sponsor

826 State of Utah, County of _____

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

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

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

832

833 (Name) (Residence Address) (Date)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

862 Section 11. Section [20A-7-206.1](#) is amended to read:

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

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

867 (2) Notwithstanding Section [20A-7-205](#), in order to qualify an initiative petition for
868 submission to the Legislature, the sponsors, or an agent of the sponsors, shall deliver each
869 signed and verified initiative packet to the county clerk of the county in which the initiative
870 packet was circulated before 5 p.m. no later than November 15 before the next annual general
871 session of the Legislature immediately after the initiative application is filed under Section
872 [20A-7-202](#).

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

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

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

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

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

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

886 Section 12. Section [20A-7-206.3](#) is amended to read:

887 **[20A-7-206.3. Verification of petition signatures.](#)**

888 (1) As used in this section:

889 (a) "Substantially similar name" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

956 database of the individual described in Subsection (3)(c)(i); and

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

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

960 **20A-7-207. Evaluation by the lieutenant governor.**

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

964 (2) The county clerk shall:

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

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

969 (A) for an initiative packet received by the county clerk before December 1, for at least
970 90 days; or

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

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

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

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

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

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

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

985 (3) The lieutenant governor:

986 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be

987 sufficient or insufficient on April 30 before the regular general election described in Subsection
988 20A-7-201(2)(b); or

989 (b) may declare the initiative petition to be insufficient before the day described in
990 Subsection (3)(a) if:

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

996 (ii) in relation to the electronic initiative process, the total of all timely and lawfully
997 submitted valid signatures that have been certified by the county clerks, plus the number of
998 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)
999 that have not yet been evaluated for certification, is less than the number of names required
1000 under Section 20A-7-201; or

1001 (iii) a requirement of this part has not been met.

1002 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds
1003 the number of names required under Section 20A-7-201, and the requirements of this part are
1004 met, the lieutenant governor shall mark upon the front of the initiative petition the word
1005 "sufficient."

1006 (b) If the total number of names certified under Subsection (3) does not equal or
1007 exceed the number of names required under Section 20A-7-201 or a requirement of this part is
1008 not met, the lieutenant governor shall mark upon the front of the initiative petition the word
1009 "insufficient."

1010 (c) The lieutenant governor shall immediately notify any one of the sponsors of the
1011 lieutenant governor's finding.

1012 (5) After [~~a~~] an initiative petition is declared insufficient, a person may not submit
1013 additional signatures to qualify the [~~petition~~] initiative for the ballot.

1014 (6) (a) If the lieutenant governor refuses to [~~accept and file~~] declare an initiative
1015 petition sufficient that a voter believes is legally sufficient, the voter may, no later than May 15,
1016 apply to the appropriate court for an [~~extraordinary writ to compel the lieutenant governor to~~
1017 ~~accept and file~~] order finding the initiative petition legally sufficient.

1018 (b) If the court determines that the initiative petition is legally sufficient, the lieutenant
1019 governor shall ~~[file the petition, with a verified copy of the judgment attached to the petition,]~~
1020 mark the petition "sufficient" and consider the declaration of sufficiency effective as of the date
1021 on which the initiative petition ~~[was originally offered for filing in]~~ should have been declared
1022 sufficient by the lieutenant governor's office.

1023 (c) If the court determines that [a] the initiative petition [filed] is not legally sufficient,
1024 the court may enjoin the lieutenant governor and all other officers from certifying or printing
1025 the ballot title and numbers of that measure on the official ballot.

1026 (7) [A] An initiative petition determined to be sufficient in accordance with this section
1027 is qualified for the ballot.

1028 Section 14. Section **20A-7-208** is amended to read:

1029 **20A-7-208. Disposition of initiative petitions by the Legislature.**

1030 (1) (a) Except as provided in Subsection (1)(b), when the lieutenant governor delivers
1031 an initiative petition to the Legislature, the law proposed by that initiative petition shall be
1032 either enacted or rejected without change or amendment by the Legislature.

1033 (b) The speaker of the House and the president of the Senate may direct legislative staff
1034 to make technical corrections authorized by Section [36-12-12](#).

1035 (c) If any law proposed by an initiative petition is enacted by the Legislature, the law is
1036 subject to referendum the same as other laws.

1037 (2) If any law proposed by [a] an initiative petition is not enacted by the Legislature,
1038 that proposed law shall be submitted to a vote of the people at the next regular general election
1039 if:

1040 (a) sufficient additional signatures to the petition are first obtained to bring the total
1041 number of signatures up to the number required by Subsection [20A-7-201\(2\)](#); and

1042 (b) those additional signatures are verified, certified by the county clerks, and declared
1043 sufficient by the lieutenant governor as provided in this part.

1044 Section 15. Section **20A-7-209** is amended to read:

1045 **20A-7-209. Short title and summary of initiative -- Duties of lieutenant governor**
1046 **and Office of Legislative Research and General Counsel.**

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

1049 Legislative Research and General Counsel.

1050 (2) (a) The Office of Legislative Research and General Counsel shall:

1051 (i) entitle each [~~state~~] statewide initiative that has qualified for the ballot "Proposition
1052 Number ___" and give it a number as assigned under Section [20A-6-107](#);

1053 (ii) prepare for each initiative:

1054 (A) an impartial short title, not exceeding 25 words, that generally describes the subject
1055 of the initiative; and

1056 (B) an impartial summary of the contents of the [~~measure~~] initiative, not exceeding 125
1057 words; and

1058 (iii) [~~return each petition;~~] provide each short title[;] and summary to the lieutenant
1059 governor on or before June 26.

1060 (b) The short title and summary may be distinct from the title of the proposed law [
1061 ~~attached to the initiative petition~~].

1062 (c) If the initiative proposes a tax increase, the Office of Legislative Research and
1063 General Counsel shall include the following statement, in bold, in the summary:

1064 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
1065 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
1066 increase in the current tax rate."

1067 (d) For each [~~state~~] statewide initiative, the official ballot shall show, in the following
1068 order:

1069 (i) the number of the initiative, determined in accordance with Section [20A-6-107](#);

1070 (ii) the short title; and

1071 (iii) the initial fiscal impact [~~estimate~~] statement prepared under Section [20A-7-202.5](#),
1072 as updated under Section [20A-7-204.1](#).

1073 (e) For each ballot that includes an initiative or referendum, the election officer shall
1074 include with the ballot a separate ballot proposition insert that includes the short title and
1075 summary for each initiative and referendum on the ballot and a link to a location on the
1076 lieutenant governor's website where a voter may review additional information relating to each
1077 initiative or referendum, including:

1078 (i) for an initiative, the information described in Subsection [20A-7-202\(2\)](#), the fiscal
1079 impact [~~estimate~~] statement described in Section [20A-7-202.5](#), as updated, and the arguments

1080 relating to the initiative that are included in the voter information pamphlet; or

1081 (ii) for a referendum, the information described in Subsection 20A-7-302(2) and the
1082 arguments relating to the referendum that are included in the voter information pamphlet.

1083 (f) For each ballot that includes an initiative or referendum, the ballot shall include the
1084 following statement at the beginning of the portion of the ballot that includes ballot measures,
1085 "The ballot proposition sheet included with this ballot contains an impartial summary of each
1086 initiative and referendum on this ballot."

1087 (3) On or before June 27, the lieutenant governor shall mail a copy of the short title and
1088 summary to any sponsor of the petition.

1089 (4) (a) (i) At least three of the sponsors of the petition may, on or before July 6,
1090 challenge the wording of the short title and summary prepared by the Office of Legislative
1091 Research and General Counsel to the appropriate court.

1092 (ii) After receipt of the challenge, the court shall direct the lieutenant governor to send
1093 notice of the challenge to:

1094 (A) any person or group that has filed an argument for or against the [measure]
1095 initiative that is the subject of the challenge; or

1096 (B) any political issues committee established under Section 20A-11-801 that has filed
1097 written or electronic notice with the lieutenant governor that identifies the name, mailing or
1098 email address, and telephone number of the individual designated to receive notice about any
1099 issues relating to the initiative.

1100 (b) (i) There is a presumption that the short title prepared by the Office of Legislative
1101 Research and General Counsel is an impartial description of the contents of the initiative.

1102 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the
1103 presumption by clearly and convincingly establishing that the short title is false or biased.

1104 (iii) There is a presumption that the summary prepared by the Office of Legislative
1105 Research and General Counsel is an impartial summary of the contents of the initiative.

1106 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut
1107 the presumption by clearly and convincingly establishing that the summary is false or biased.

1108 (c) The court shall:

1109 (i) examine the short title and summary;

1110 (ii) hear arguments; and

1111 (iii) enter an order consistent with the requirements of this section.

1112 (d) The lieutenant governor shall, in accordance with the court's order, certify the short
1113 title and summary to the county clerks for inclusion in the ballot and ballot proposition insert,
1114 as required by this section.

1115 Section 16. Section **20A-7-211** is amended to read:

1116 **20A-7-211. Return and canvass -- Conflicting measures -- Law effective on**
1117 **proclamation.**

1118 (1) The votes on the law proposed by the initiative petition shall be counted,
1119 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

1120 (2) After the state board of canvassers completes the canvass, the lieutenant governor
1121 shall certify to the governor the vote for and against the law proposed by the initiative petition.

1122 (3) (a) The governor shall immediately issue a proclamation that:

1123 (i) gives the total number of votes cast in the state for and against each law proposed by
1124 an initiative petition; and

1125 (ii) declares those laws proposed by an initiative petition that ~~[were]~~ are approved by
1126 majority vote to be in full force and effect on the date described in Subsection [20A-7-212](#)(2).

1127 (b) When the governor believes that two proposed laws, or that parts of two proposed
1128 laws approved by the people at the same election are entirely in conflict, the governor shall
1129 proclaim ~~[that measure to be law]~~ as law the initiative that receives the greatest number of
1130 affirmative votes, regardless of the difference in the majorities which those ~~[measures]~~
1131 initiatives receive.

1132 (c) Within 10 days after the day of the governor's proclamation, any qualified voter
1133 who signed the initiative petition proposing the law that is declared by the governor to be
1134 superseded by another ~~[measure]~~ initiative approved at the same election may bring an action
1135 in the appropriate court to review the governor's decision.

1136 (4) Within 10 days after the day on which the court issues an order in an action
1137 described in Subsection (3)(c), the governor shall:

1138 (a) proclaim as law all ~~[those measures]~~ initiatives approved by the people ~~[as law]~~ that
1139 the court determines are not entirely in conflict; and

1140 (b) of ~~[all those measures]~~ the initiatives approved by the people ~~[as law]~~ that the court
1141 determines to be entirely in conflict, proclaim as law, regardless of the difference in majorities,

1142 the law that receives the greatest number of affirmative votes, to be in full force and effect on
1143 the date described in Subsection 20A-7-212(2).

1144 Section 17. Section 20A-7-213 is amended to read:

1145 **20A-7-213. Misconduct of electors and officers -- Penalty.**

1146 (1) It is unlawful for [~~any person~~] an individual to:

1147 (a) sign any name other than the [~~person's~~] individual's own to an initiative petition or a
1148 statement described in Subsection 20A-7-205(4) or 20A-7-216(4);

1149 (b) knowingly sign the [~~person's~~] individual's name more than once for the same
1150 [~~measure~~] initiative at one election;

1151 (c) knowingly indicate that [~~a person~~] an individual who signed an initiative petition
1152 signed the initiative petition on a date other than the date that the [~~person~~] individual signed the
1153 initiative petition;

1154 (d) sign an initiative petition knowing the [~~person~~] individual is not a legal voter; or

1155 (e) knowingly and willfully violate any provision of this part.

1156 (2) It is unlawful for [~~any person~~] an individual to sign the verification for an initiative
1157 packet, or to electronically sign the verification for a signature under Subsection
1158 20A-21-201(9), knowing that:

1159 (a) the [~~person~~] individual does not meet the residency requirements of Section
1160 20A-2-105;

1161 (b) the signature date associated with the [~~person's~~] individual's signature for the
1162 initiative petition is not the date that the [~~person~~] individual signed the initiative petition;

1163 (c) the [~~person~~] individual has not witnessed the signatures of those [~~persons~~]
1164 individuals whose signatures the [~~person~~] individual collects or submits; or

1165 (d) one or more individuals who signed the initiative petition are not registered to vote
1166 in Utah.

1167 (3) It is unlawful for [~~any person~~] an individual to:

1168 (a) pay [~~a person~~] an individual to sign an initiative petition;

1169 (b) pay [~~a person~~] an individual to remove the [~~person's~~] individual's signature from an
1170 initiative petition;

1171 (c) accept payment to sign an initiative petition; or

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

1173 petition.

1174 (4) ~~[Any person violating]~~ A violation of this section is ~~[guilty of]~~ a class A
1175 misdemeanor.

1176 Section 18. Section **20A-7-214** is amended to read:

1177 **20A-7-214. Fiscal review -- Repeal, amendment, or resubmission.**

1178 (1) No later than 60 days after the date of an election in which the voters approve an
1179 initiative ~~[petition]~~, the Office of the Legislative Fiscal Analyst shall:

1180 (a) for each initiative approved by the voters, prepare a final fiscal impact statement,
1181 using current financial information and containing the information required by Subsection
1182 [20A-7-202.5\(2\)](#); and

1183 (b) deliver a copy of the final fiscal impact statement to:

1184 (i) the president of the Senate;

1185 (ii) the minority leader of the Senate;

1186 (iii) the speaker of the House of Representatives;

1187 (iv) the minority leader of the House of Representatives; and

1188 (v) the first five sponsors listed on the initiative application.

1189 (2) If the final fiscal impact statement exceeds the estimate in the initial fiscal impact
1190 ~~[estimate]~~ statement by 25% or more, the Legislature shall review the final fiscal impact
1191 statement and may, in any legislative session following the election in which the voters
1192 ~~[approved]~~ approve the initiative ~~[petition]~~:

1193 (a) repeal the law established by passage of the initiative;

1194 (b) amend the law established by passage of the initiative; or

1195 (c) pass a joint or concurrent resolution informing the voters that they may file an
1196 initiative petition to repeal the law enacted by ~~[the]~~ passage of the initiative.

1197 Section 19. Section **20A-7-215** is amended to read:

1198 **20A-7-215. Electronic initiative process -- Form of initiative petition --**

1199 **Circulation requirements -- Signature collection.**

1200 (1) This section applies only to the electronic initiative process.

1201 (2) (a) The first screen presented on the approved device shall include the following
1202 statement:

1203 "This INITIATIVE PETITION is addressed to the Honorable _____, Lieutenant

1204 Governor:

1205 The citizens of Utah who sign this petition respectfully demand that the following
1206 proposed law be submitted to the legal voters/Legislature of Utah for their/its approval or
1207 rejection at the regular general election/session to be held/beginning on
1208 _____(month\day\year)."

1209 (b) An individual may not advance to the second screen until the individual clicks a
1210 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and
1211 understand the information presented on this screen."

1212 (3) (a) The second screen presented on the approved device shall include the following
1213 statement:

1214 "Public hearings to discuss this [~~petition~~] initiative were held at: (list dates and
1215 locations of public hearings.)".

1216 (b) An individual may not advance to the third screen until the individual clicks a link
1217 at the bottom of the second screen stating, "By clicking here, I attest that I have read and
1218 understand the information presented on this screen."

1219 (4) (a) The third screen presented on the approved device shall include the title of
1220 proposed law, described in Subsection [~~20A-7-202(2)(d)(i)~~] 20A-7-202(2)(e)(i), followed by
1221 the entire text of the proposed law.

1222 (b) An individual may not advance to the fourth screen until the individual clicks a link
1223 at the bottom of the third screen stating, "By clicking here, I attest that I have read and
1224 understand the entire text of the proposed law."

1225 (5) Subsequent screens shall be presented on the device in the following order, with the
1226 individual viewing the device being required, before advancing to the next screen, to click a
1227 link at the bottom of the screen with the following statement: "By clicking here, I attest that I
1228 have read and understand the information presented on this screen.":

1229 (a) a description of all proposed sources of funding for the costs associated with the
1230 proposed law, including the proposed percentage of total funding from each source;

1231 (b) (i) if the initiative [~~petition~~] proposes a tax increase, the following statement, "This
1232 initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by (insert the tax
1233 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
1234 increase in the current tax rate."; or

1235 (ii) if the initiative [~~petition~~] does not propose a tax increase, the following statement,
1236 "This initiative [~~petition~~] does not propose a tax increase.";

1237 (c) the initial fiscal impact [~~estimate's summary~~] statement issued by the Office of the
1238 Legislative Fiscal Analyst in accordance with Subsection [20A-7-202.5\(2\)\(a\)](#), including any
1239 update in accordance with Subsection [~~20A-7-204.1(5)~~] [20A-7-204.1\(6\)](#);

1240 (d) a statement indicating whether persons gathering signatures for the initiative
1241 petition may be paid for gathering signatures; and

1242 (e) the following statement, followed by links where the individual may click "yes" or
1243 "no":

1244 "I have personally reviewed the entirety of each statement presented on this device;

1245 I am personally signing this initiative petition;

1246 I am registered to vote in Utah; and

1247 All information I enter on this device, including my residence and post office address, is
1248 accurate.

1249 It is a class A misdemeanor for an individual to sign an initiative petition with a name
1250 other than the individual's own name, or to knowingly sign the individual's name more than
1251 once for the same [~~measure~~] initiative petition, or to sign an initiative petition when the
1252 individual knows that the individual is not a registered voter.

1253 WARNING

1254 Even if your voter registration record is classified as private, your name, voter
1255 identification number, and date of signature in relation to signing this initiative petition will be
1256 made public.

1257 Do you wish to continue and sign this initiative petition?"

1258 (6) (a) If the individual clicks "no" in response to the question described in Subsection
1259 (5)(e), the next screen shall include the following statement, "Thank you for your time. Please
1260 return this device to the signature-gatherer."

1261 (b) If the individual clicks "yes" in response to the question described in Subsection
1262 (5)(e), the website, or the application that accesses the website, shall take the signature-gatherer
1263 and the individual signing the initiative petition through the signature process described in
1264 Section [20A-21-201](#).

1265 Section 20. Section [20A-7-216](#) is amended to read:

1266 **20A-7-216. Electronic initiative process -- Obtaining signatures -- Request to**
1267 **remove signature.**

1268 (1) This section applies to the electronic initiative process.

1269 (2) A Utah voter may sign an initiative petition if the voter is a legal voter.

1270 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from
1271 an individual:

1272 (a) verifies that the individual is at least 18 years old and meets the residency
1273 requirements of Section [20A-2-105](#); and

1274 (b) is informed that each signer is required to read and understand the law proposed by
1275 the initiative.

1276 (4) A voter who has signed an initiative petition may have the voter's signature
1277 removed from the initiative petition by submitting to the county clerk a statement requesting
1278 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1279 (a) for an electronic signature gathered before December 1:

1280 (i) 30 days after the day on which the voter signs the signature removal statement; or

1281 (ii) 90 days after the day on which the county clerk posts the voter's name under

1282 Subsection [20A-7-217\(4\)](#); or

1283 (b) for an electronic signature gathered on or after December 1:

1284 (i) 30 days after the day on which the voter signs the signature removal statement; or

1285 (ii) 45 days after the day on which the county clerk posts the voter's name under

1286 Subsection [20A-7-217\(4\)](#).

1287 (5) (a) The statement shall include:

1288 (i) the name of the voter;

1289 (ii) the resident address at which the voter is registered to vote;

1290 (iii) the signature of the voter; and

1291 (iv) the date of the signature described in Subsection (5)(a)(iii).

1292 (b) To increase the likelihood of the voter's signature being identified and removed, the
1293 statement may include the voter's birth date or age.

1294 (c) A voter may not submit a signature removal statement by email or other electronic
1295 means, unless the lieutenant governor establishes a signature removal process that is consistent
1296 with the requirements of this section and Section [20A-21-201](#).

1297 (d) A person may only remove an electronic signature from an initiative petition in
1298 accordance with this section.

1299 (e) A county clerk shall analyze a holographic signature, for purposes of removing an
1300 electronic signature from an initiative petition, in accordance with Section 20A-7-206.3.

1301 Section 21. Section 20A-7-217 is amended to read:

1302 **20A-7-217. Electronic initiative process -- Collecting signatures -- Email**
1303 **notification -- Removal of signatures.**

1304 (1) This section applies only to the electronic initiative process.

1305 (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:

1306 (a) 316 days after the day on which the initiative application [~~for the initiative petition~~]
1307 is filed; or

1308 (b) the February 15 immediately before the next regular general election immediately
1309 after the initiative application is filed under Section 20A-7-202.

1310 (3) The lieutenant governor shall send to each individual who provides a valid email
1311 address during the signature-gathering process an email that includes the following:

1312 (a) the subject of the email shall include the following statement, "Notice Regarding
1313 Your Petition Signature"; and

1314 (b) the body of the email shall include the following statement in 12-point type:

1315 "You signed a petition for the following initiative:

1316 [insert title of initiative]

1317 To access a copy of the initiative petition, the text of the law proposed by the initiative,
1318 the fiscal impact statement, and information on the deadline for removing your signature from
1319 the initiative petition, please visit the following link: [insert a uniform resource locator that
1320 takes the individual directly to the page on the lieutenant governor's website that includes the
1321 information referred to in the email]."

1322 (4) Except as provided in Subsection (5), the county clerk shall, within two business
1323 days after the day on which the signature of an individual who signs [a] an initiative petition is
1324 certified under Section 20A-21-201, post the name, voter identification number, and date of
1325 signature of the individual on the lieutenant governor's website, in a conspicuous location
1326 designated by the lieutenant governor.

1327 (5) (a) If the county clerk timely receives a statement requesting signature removal

1328 under Subsection 20A-7-216(4), the county clerk shall:

1329 (i) ensure that the voter's name, voter identification number, and date of signature are
1330 not included in the posting described in Subsection (4); and

1331 (ii) remove the voter's signature from the initiative petition and the initiative petition
1332 signature totals.

1333 (b) The county clerk shall comply with Subsection (5)(a) before the later of:

1334 (i) the deadline described in Subsection (4); or

1335 (ii) two business days after the day on which the county clerk receives a statement
1336 requesting signature removal under Subsection 20A-7-216(4).

1337 Section 22. Section 20A-7-301 is amended to read:

1338 **20A-7-301. Referendum -- Signature requirements -- Submission to voters.**

1339 (1) (a) A person seeking to have a law passed by the Legislature submitted to a vote of
1340 the people shall, after filing a referendum application, obtain:

1341 (i) legal signatures equal to 8% of the number of active voters in the state on January 1
1342 immediately following the last regular general election; and

1343 (ii) from at least 15 Senate districts, legal signatures equal to 8% of the number of
1344 active voters in that Senate district on January 1 immediately following the last regular general
1345 election.

1346 (b) When the lieutenant governor declares that a referendum petition is signed by a
1347 sufficient [under this part] number of voters to meet the requirements of Subsection (1)(a), the
1348 governor shall issue an executive order that:

1349 (i) directs that the referendum be submitted to the voters at the next regular general
1350 election; or

1351 (ii) calls a special election according to the requirements of Section 20A-1-203 and
1352 directs that the referendum be submitted to the voters at that special election.

1353 (2) When the lieutenant governor declares that a referendum petition [~~has been~~
1354 ~~declared~~] is signed by a sufficient number of voters, the law that is the subject of the petition
1355 does not take effect unless and until it is approved by a vote of the people at a regular general
1356 election or a statewide special election.

1357 (3) The lieutenant governor shall provide the following information to any interested
1358 person:

1359 (a) the number of active voters in the state on January 1 immediately following the last
1360 regular general election; and

1361 (b) for each county, the number of active voters in that Senate district on January 1
1362 immediately following the last regular general election.

1363 Section 23. Section **20A-7-302** is amended to read:

1364 **20A-7-302. Referendum process -- Application procedures.**

1365 (1) Individuals wishing to circulate a referendum petition shall file ~~[an]~~ a referendum
1366 application with the lieutenant governor before 5 p.m. within five calendar days after the day
1367 on which the legislative session at which the law passed ends.

1368 (2) The referendum application shall ~~[contain]~~ include:

1369 (a) the name and residence address of at least five sponsors of the referendum petition;

1370 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

1371 (c) a statement indicating whether persons gathering signatures for the referendum
1372 petition may be paid for gathering signatures;

1373 (d) the signature of each of the sponsors, attested to by a notary public; and

1374 (e) a copy of the law that is the subject of the proposed referendum.

1375 Section 24. Section **20A-7-303** is amended to read:

1376 **20A-7-303. Manual referendum process -- Form of referendum petition and**
1377 **signature sheets.**

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

1379 (2) (a) Each proposed referendum petition shall be printed in substantially the
1380 following form:

1381 "REFERENDUM PETITION To the Honorable ____, Lieutenant Governor:

1382 We, the undersigned citizens of Utah, respectfully order that Senate (or House) Bill No.
1383 ____, entitled (title of act, and, if the petition is against less than the whole act, set forth here
1384 the part or parts on which the referendum is sought), passed by the Legislature of the state of
1385 Utah during the ____ Session, be referred to the people of Utah for their approval or rejection
1386 at a regular general election or a statewide special election;

1387 Each signer says:

1388 I have personally signed this referendum petition;

1389 The date next to my signature correctly reflects the date that I actually signed the

1390 referendum petition;

1391 I have personally reviewed the entire statement included with this referendum packet;

1392 I am registered to vote in Utah; and

1393 My residence and post office address are written correctly after my name."

1394 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the
1395 law that is the subject of the referendum to each referendum petition.

1396 (3) Each referendum signature sheet shall:

1397 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1398 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
1399 that line blank for the purpose of binding;

1400 (c) include the title of the referendum printed below the horizontal line, in at least
1401 14-point, bold type;

1402 (d) include a table immediately below the title of the referendum, and beginning .5 inch
1403 from the left side of the paper, as follows:

1404 (i) the first column shall be .5 inch wide and include three rows;

1405 (ii) the first row of the first column shall be .85 inch tall and contain the words "For
1406 Office Use Only" in 10-point type;

1407 (iii) the second row of the first column shall be .35 inch tall;

1408 (iv) the third row of the first column shall be .5 inch tall;

1409 (v) the second column shall be 2.75 inches wide;

1410 (vi) the first row of the second column shall be .35 inch tall and contain the words
1411 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;

1412 (vii) the second row of the second column shall be .5 inch tall;

1413 (viii) the third row of the second column shall be .35 inch tall and contain the words
1414 "Street Address, City, Zip Code" in 10-point type;

1415 (ix) the fourth row of the second column shall be .5 inch tall;

1416 (x) the third column shall be 2.75 inches wide;

1417 (xi) the first row of the third column shall be .35 inch tall and contain the words
1418 "Signature of Registered Voter" in 10-point type;

1419 (xii) the second row of the third column shall be .5 inch tall;

1420 (xiii) the third row of the third column shall be .35 inch tall and contain the words

1421 "Email Address (optional, to receive additional information)" in 10-point type;
1422 (xiv) the fourth row of the third column shall be .5 inch tall;
1423 (xv) the fourth column shall be one inch wide;
1424 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
1425 "Date Signed" in 10-point type;
1426 (xvii) the second row of the fourth column shall be .5 inch tall;
1427 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
1428 "Birth Date or Age (optional)" in 10-point type;
1429 (xix) the fourth row of the third column shall be .5 inch tall; and
1430 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
1431 and contain the following words "By signing this referendum petition, you are stating that you
1432 have read and understand the law that this referendum petition seeks to overturn." in 12-point
1433 type;
1434 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at
1435 the bottom of the sheet for the information described in Subsection (3)(f); and
1436 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,
1437 followed by the following statement in not less than eight-point type:
1438 "It is a class A misdemeanor for an individual to sign a referendum petition with a name
1439 other than the individual's own name, or to knowingly sign the individual's name more than
1440 once for the same [~~measure~~] referendum petition, or to sign a referendum petition when the
1441 individual knows that the individual is not a registered voter.
1442 Birth date or age information is not required, but it may be used to verify your identity
1443 with voter registration records. If you choose not to provide it, your signature may not be
1444 verified as a valid signature if you change your address before petition signatures are verified
1445 or if the information you provide does not match your voter registration records."
1446 (4) The final page of each referendum packet shall contain the following printed or
1447 typed statement:
1448 Verification of signature collector
1449 State of Utah, County of ____
1450 I, _____, of _____, hereby state, under penalty of perjury, that:
1451 I am a Utah resident and am at least 18 years old;

1452 All the names that appear in this referendum packet were signed by individuals who
 1453 professed to be the individuals whose names appear in it, and each of the individuals signed the
 1454 individual's name on it in my presence;

1455 I did not knowingly make a misrepresentation of fact concerning the law this petition
 1456 seeks to overturn;

1457 I believe that each individual has printed and signed the individual's name and written
 1458 the individual's post office address and residence correctly, that each signer has read and
 1459 understands the law that the referendum seeks to overturn, and that each signer is registered to
 1460 vote in Utah.

1461 Each individual who signed the referendum packet wrote the correct date of signature
 1462 next to the individual's name.

1463 I have not paid or given anything of value to any individual who signed this [~~petition~~]
 1464 referendum packet to encourage that individual to sign it.

1465 _____

1466 (Name) (Residence Address) (Date).

1467 (5) If the forms described in this section are substantially followed, the referendum
 1468 petitions are sufficient, notwithstanding clerical and merely technical errors.

1469 (6) An individual's status as a resident, under Subsection (4), is determined in
 1470 accordance with Section [20A-2-105](#).

1471 Section 25. Section **20A-7-304** is amended to read:

1472 **20A-7-304. Manual referendum process -- Circulation requirements --**
 1473 **Lieutenant governor to provide sponsors with materials.**

1474 (1) This section applies only to the manual referendum process.

1475 (2) In order to obtain the necessary number of signatures required by this part, the
 1476 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described
 1477 in Subsection (3), circulate referendum packets that meet the form requirements of this part.

1478 (3) The lieutenant governor shall [~~furnish to~~] provide the sponsors[?] with
 1479 [~~(a)~~] a copy of the referendum petition[?] and
 1480 [~~(b)~~] a signature sheet[?] within three days after the day on which the sponsors sign an
 1481 agreement, under Subsection (6)(a), with the Office of the Lieutenant Governor specifying the
 1482 range of numbers that the sponsors will use to number the referendum packets.

1483 (4) The sponsors of the referendum petition shall:

1484 (a) arrange and pay for the printing of [~~all additional copies of the petition and~~
1485 ~~signature sheets~~] all documents that are part of the referendum packets; and

1486 (b) ensure that the [~~copies of the petition and signature sheets~~] referendum packets and
1487 the documents described in Subsection (4)(a) meet the form requirements of this section.

1488 (5) (a) The sponsors or an agent of the sponsors may prepare the referendum packets
1489 for circulation by creating multiple referendum packets.

1490 (b) The sponsors or an agent of the sponsors shall create referendum packets by
1491 binding a copy of the referendum petition with the text of the law that is the subject of the
1492 referendum and no more than 50 signature sheets together at the top in a manner that the
1493 referendum packets may be conveniently opened for signing.

1494 (c) A referendum packet is not required to have a uniform number of signature sheets.

1495 (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

1496 (i) contact the lieutenant governor's office to receive a range of numbers that the
1497 sponsors may use to number [~~signature~~] referendum packets; [~~and~~]

1498 (ii) sign an agreement with the Office of the Lieutenant Governor, specifying the range
1499 of numbers that the sponsor will use to number the referendum packets; and

1500 [~~(i)~~] (iii) number each [~~signature~~] referendum packet, sequentially, within the range of
1501 numbers provided by the lieutenant governor's office, starting with the lowest number in the
1502 range.

1503 (b) The sponsors or an agent of the sponsors may not:

1504 (i) number a [~~signature~~] referendum packet in a manner not directed by the lieutenant
1505 governor's office; or

1506 (ii) circulate or submit a [~~signature~~] referendum packet that is not numbered in the
1507 manner directed by the lieutenant governor's office.

1508 [~~(c) The lieutenant governor shall keep a record of the number range provided under~~
1509 ~~Subsection (6)(a).]~~

1510 Section 26. Section **20A-7-304.5** is amended to read:

1511 **20A-7-304.5. Posting referendum information.**

1512 (1) On the day on which the lieutenant governor complies with Subsection
1513 **20A-7-304(3)**, or provides the sponsors with access to the website defined in Section

1514 20A-21-101, the lieutenant governor shall post the following information together in a
1515 conspicuous place on the lieutenant governor's website:

- 1516 (a) the referendum petition;
- 1517 (b) a copy of the law that is the subject of the referendum petition; and
- 1518 (c) information describing how an individual may remove the individual's signature
1519 from the referendum petition.

1520 (2) The lieutenant governor shall:

1521 (a) promptly update the information described in Subsection (1) if the information
1522 changes; and

1523 (b) maintain the information described in Subsection (1) on the lieutenant governor's
1524 website until the referendum fails to qualify for the ballot or is passed or defeated at an
1525 election.

1526 Section 27. Section **20A-7-305** is amended to read:

1527 **20A-7-305. Manual referendum process -- Obtaining signatures -- Verification --**

1528 **Removal of signature.**

1529 (1) This section applies only to the manual referendum process.

1530 (2) A Utah voter may sign a referendum petition if the voter is a legal voter.

1531 (3) (a) The sponsors shall ensure that the individual in whose presence each [~~signature~~
1532 ~~sheet~~] referendum packet was signed:

1533 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;

1534 (ii) verifies each [~~signature sheet~~] referendum packet by completing the verification
1535 printed on the last page of each referendum packet; and

1536 (iii) is informed that each signer is required to read and understand the law that the
1537 referendum seeks to overturn.

1538 (b) An individual may not sign the verification printed on the last page of the
1539 referendum packet if the person signed a signature sheet in the referendum packet.

1540 (4) (a) A voter who has signed a referendum petition may have the voter's signature
1541 removed from the referendum petition by submitting to the county clerk a statement requesting
1542 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1543 (i) 30 days after the day on which the voter signs the statement requesting removal; or

1544 (ii) 45 days after the day on which the lieutenant governor posts the voter's name under

1545 Subsection 20A-7-307(2).

1546 (b) (i) The statement shall include:

1547 (A) the name of the voter;

1548 (B) the resident address at which the voter is registered to vote;

1549 (C) the signature of the voter; and

1550 (D) the date of the signature described in Subsection (4)(b)(i)(C).

1551 (ii) To increase the likelihood of the voter's signature being identified and removed, the
1552 statement may include the voter's birth date or age.

1553 (c) A voter may not submit a statement by email or other electronic means.

1554 (d) In order for the signature to be removed, the county clerk must receive the
1555 statement before 5 p.m. no later than 45 days after the day on which the lieutenant governor
1556 posts the voter's name under Subsection 20A-7-307(2).

1557 (e) A person may only remove a signature from a referendum petition in accordance
1558 with this Subsection (4).

1559 (f) A county clerk shall analyze a signature, for purposes of removing a signature from
1560 a referendum petition, in accordance with Section 20A-7-306.3.

1561 Section 28. Section 20A-7-306 is amended to read:

1562 **20A-7-306. Manual referendum process -- Submitting the referendum petition --**
1563 **Certification of signatures by the county clerks -- Transfer to lieutenant governor.**

1564 (1) This section applies only to the manual referendum process.

1565 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified
1566 referendum packet to the county clerk of the county in which the referendum packet was
1567 circulated before 5 p.m. no later than the earlier of:

1568 (i) 30 days after the day on which the first individual signs the referendum packet; or

1569 (ii) 40 days after the day on which the legislative session at which the law passed ends.

1570 (b) A person may not submit a referendum packet after the deadline described in
1571 Subsection (2)(a).

1572 (3) No later than 21 days after the day on which the county clerk receives a verified
1573 referendum packet, the county clerk shall:

1574 (a) determine whether each signer is a registered voter according to the requirements of
1575 Section 20A-7-306.3;

1576 (b) certify on the [~~petition~~] referendum packet whether each name is that of a registered
1577 voter;

1578 (c) except as provided in Subsection (4), post the name, voter identification number,
1579 and date of signature of each registered voter certified under Subsection (3)(b) on the lieutenant
1580 governor's website, in a conspicuous location designated by the lieutenant governor; and

1581 (d) deliver the verified referendum packet to the lieutenant governor.

1582 (4) (a) If the county clerk timely receives a statement requesting signature removal
1583 under Subsection [20A-7-305](#)(4), the county clerk shall:

1584 (i) ensure that the voter's name, voter identification number, and date of signature are
1585 not included in the posting described in Subsection (3)(c); and

1586 (ii) remove the voter's signature from the [~~signature packets and signature packet~~]
1587 referendum petition and the signature totals.

1588 (b) The county clerk shall comply with Subsection (4)(a) before the later of:

1589 (i) the deadline described in Subsection (3); or

1590 (ii) two business days after the day on which the county clerk receives a statement
1591 requesting signature removal under Subsection [20A-7-305](#)(4).

1592 (5) The county clerk may not certify a signature under Subsection (3):

1593 (a) on [~~an initiative~~] a referendum packet that is not verified in accordance with
1594 Section [20A-7-305](#); or

1595 (b) that does not have a date of signature next to the signature.

1596 (6) A person may not retrieve a referendum packet from a county clerk, or make any
1597 alterations or corrections to a referendum packet, after the referendum packet is submitted to
1598 the county clerk.

1599 Section 29. Section [20A-7-306.3](#) is amended to read:

1600 **[20A-7-306.3. Verification of petition signatures.](#)**

1601 (1) As used in this section:

1602 (a) "Substantially similar name" means:

1603 (i) the given name [~~and~~], the surname [~~shown on the petition~~], or both, provided by the
1604 individual with the individual's petition signature contain only minor spelling differences when
1605 compared to the given name and surname shown on the official register;

1606 (ii) the surname [~~shown on the petition~~] provided by the individual with the

1607 individual's petition signature exactly matches the surname shown on the official register, and
1608 the given names differ only because one of the given names shown is a commonly used
1609 abbreviation or variation of the other;

1610 (iii) the surname [~~shown on the petition~~] provided by the individual with the
1611 individual's petition signature exactly matches the surname shown on the official register, and
1612 the given names differ only because one of the given names shown is accompanied by a first or
1613 middle initial or a middle name which is not shown on the other record; or

1614 (iv) the surname [~~shown on the petition~~] provided by the individual with the
1615 individual's petition signature exactly matches the surname shown on the official register, and
1616 the given names differ only because one of the given names shown is an alphabetically
1617 corresponding initial that has been provided in the place of a given name shown on the other
1618 record.

1619 (b) "Substantially similar name" does not include a name having an initial or a middle
1620 name [~~shown on the petition~~] provided by the individual with the individual's petition signature
1621 that does not match a different initial or middle name shown on the official register.

1622 (2) In relation to an individual who signs a referendum petition with a holographic
1623 signature, the county clerk shall use the following procedures in determining whether a signer
1624 is a registered voter:

1625 (a) [~~When~~] if a signer's name and address [~~shown on the petition~~] provided by the
1626 individual with the individual's petition signature exactly match a name and address shown on
1627 the official register and the signer's signature appears substantially similar to the signature on
1628 the statewide voter registration database, the county clerk shall declare the signature valid[-];

1629 (b) [~~When~~] if there is no exact match of an address and a name, the county clerk shall
1630 declare the signature valid if:

1631 (i) the address [~~on the petition~~] provided by the individual with the individual's petition
1632 signature matches the address of a person on the official register with a substantially similar
1633 name; and

1634 (ii) the signer's signature appears substantially similar to the signature on the statewide
1635 voter registration database of the person described in Subsection (2)(b)(i)[-];

1636 (c) [~~When~~] if there is no match of an address and a substantially similar name, the
1637 county clerk shall declare the signature valid if:

1638 (i) the birth date or age [~~on the petition~~] provided by the individual with the
1639 individual's petition signature matches the birth date or age of a person on the official register
1640 with a substantially similar name; and

1641 (ii) the signer's signature appears substantially similar to the signature on the statewide
1642 voter registration database of the person described in Subsection (2)(c)(i)~~[-]~~; and

1643 (d) [~~H~~] if a signature is not declared valid under Subsection (2)(a), (b), or (c), the
1644 county clerk shall declare the signature to be invalid.

1645 (3) In relation to an individual who, with a holographic signature, signs a statement to
1646 remove the individual's signature from a referendum petition, the county clerk shall use the
1647 following procedures in determining whether to remove a signature from a referendum petition
1648 after receiving a timely, valid statement requesting removal of the signature:

1649 (a) if a signer's name and address shown on the statement and the referendum petition
1650 exactly match a name and address shown on the official register and the signer's [~~signature~~]
1651 signatures on both the statement and the referendum petition [~~appears~~] appear substantially
1652 similar to the signature on the statewide voter registration database, the county clerk shall
1653 remove the signature from the referendum petition;

1654 (b) if there is no exact match of an address and a name, the county clerk shall remove
1655 the signature from the referendum petition if:

1656 (i) the address on the statement and the [~~petition matches~~] address provided by the
1657 individual with the individual's petition signature match the address of an individual on the
1658 official register with a substantially similar name; and

1659 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition
1660 [~~appears~~] appear substantially similar to the signature on the statewide voter registration
1661 database of the individual described in Subsection (3)(b)(i);

1662 (c) if there is no match of an address and a substantially similar name, the county clerk
1663 shall remove the signature from the referendum petition if:

1664 (i) the birth date or age on the statement and [~~petition~~] the birth date or age provided by
1665 the individual with the individual's petition signature match the birth date or age of an
1666 individual on the official register with a substantially similar name; and

1667 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition
1668 [~~appears~~] appear substantially similar to the signature on the statewide voter registration

1669 database of the individual described in Subsection (3)(c)(i); and

1670 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the
1671 county clerk may not remove the signature from the referendum petition.

1672 Section 30. Section **20A-7-307** is amended to read:

1673 **20A-7-307. Evaluation by the lieutenant governor.**

1674 (1) In relation to the manual referendum process, when the lieutenant governor receives
1675 a referendum packet from a county clerk, the lieutenant governor shall record the number of the
1676 referendum packet received.

1677 (2) The county clerk shall:

1678 (a) in relation to the manual referendum process:

1679 (i) post the names, voter identification numbers, and dates of signatures described in

1680 Subsection [~~20A-7-306(2)(c)~~] 20A-7-306(3)(c) on the lieutenant governor's website, in a

1681 conspicuous location designated by the lieutenant governor, for at least 45 days; and

1682 (ii) update on the lieutenant governor's website the number of signatures certified as of
1683 the date of the update; or

1684 (b) in relation to the electronic referendum process:

1685 (i) post the names, voter identification numbers, and dates of signatures described in

1686 Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous location

1687 designated by the lieutenant governor, for at least 45 days; and

1688 (ii) update on the lieutenant governor's website the number of signatures certified as of
1689 the date of the update.

1690 (3) The lieutenant governor:

1691 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be

1692 sufficient or insufficient 106 days after the end of the legislative session at which the law

1693 passed; or

1694 (b) may declare the referendum petition to be insufficient before the day described in

1695 Subsection (3)(a) if:

1696 (i) in relation to the manual referendum process, the total of all valid signatures on

1697 timely and lawfully submitted [~~signature~~] referendum packets that have been certified by the

1698 county clerks, plus the number of signatures on timely and lawfully submitted [~~signature~~]

1699 referendum packets that have not yet been evaluated for certification, is less than the number of

1700 names required under Section 20A-7-301;

1701 (ii) in relation to the electronic referendum process, the total of all timely and lawfully
1702 submitted valid signatures that have been certified by the county clerks, plus the number of
1703 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)
1704 that have not yet been evaluated for certification, is less than the number of names required
1705 under Section 20A-7-301; or

1706 (iii) a requirement of this part has not been met.

1707 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds
1708 the number of names required under Section 20A-7-301, and the requirements of this part are
1709 met, the lieutenant governor shall mark upon the front of the referendum petition the word
1710 "sufficient."

1711 (b) If the total number of names certified under Subsection (3) does not equal or
1712 exceed the number of names required under Section 20A-7-301 or a requirement of this part is
1713 not met, the lieutenant governor shall mark upon the front of the referendum petition the word
1714 "insufficient."

1715 (c) The lieutenant governor shall immediately notify any one of the sponsors of the
1716 lieutenant governor's finding.

1717 (d) After a referendum petition is declared insufficient, a person may not submit
1718 additional signatures to qualify the [~~petition~~] referendum for the ballot.

1719 (5) (a) If the lieutenant governor refuses to [~~accept and file~~] declare a referendum
1720 petition sufficient that a voter believes is legally sufficient, the voter may, no later than 10 days
1721 after the day on which the lieutenant governor declares the petition insufficient, apply to the
1722 appropriate court for [~~an extraordinary writ to compel the lieutenant governor to accept and~~
1723 ~~file~~] an order finding the referendum petition legally sufficient.

1724 (b) If the court determines that the referendum petition is legally sufficient, the
1725 lieutenant governor shall [~~file the petition, with a verified copy of the judgment attached to the~~
1726 ~~referendum petition,~~] mark the referendum petition "sufficient" and consider the declaration of
1727 sufficiency effective as of the date on which the referendum petition [~~was originally offered for~~
1728 ~~filing in~~] should have been declared sufficient by the lieutenant governor's office.

1729 (c) If the court determines that a referendum petition filed is not legally sufficient, the
1730 court may enjoin the lieutenant governor and all other officers from certifying or printing the

1731 ballot title and numbers of that measure on the official ballot.

1732 (6) A referendum petition determined to be sufficient in accordance with this section is
1733 qualified for the ballot.

1734 Section 31. Section **20A-7-308** is amended to read:

1735 **20A-7-308. Short title and summary of referendum -- Duties of lieutenant**
1736 **governor and Office of Legislative Research and General Counsel.**

1737 (1) Whenever a referendum petition is declared sufficient for submission to a vote of
1738 the people, the lieutenant governor shall deliver a copy of the referendum petition and the
1739 [~~proposed law~~] law to which the referendum relates to the Office of Legislative Research and
1740 General Counsel.

1741 (2) (a) The Office of Legislative Research and General Counsel shall:

1742 (i) entitle each [~~state~~] statewide referendum that qualifies for the ballot "Proposition
1743 Number ___" and assign a number to the referendum in accordance with Section [20A-6-107](#);

1744 (ii) prepare for each referendum:

1745 (A) an impartial short title, not exceeding 25 words, that generally describes the
1746 [~~measure~~] law to which the referendum relates; and

1747 (B) an impartial summary of the contents of the [~~measure~~] law to which the referendum
1748 relates, not exceeding 125 words; and

1749 (iii) submit the short title and summary to the lieutenant governor within 15 days after
1750 the day on which the Office of Legislative Research and General Counsel receives the petition
1751 under Subsection (1).

1752 (b) The short title and summary may be distinct from the title of the law that is the
1753 subject of the [~~petition~~] referendum.

1754 (c) For each [~~state~~] statewide referendum, the official ballot shall show, in the
1755 following order:

1756 (i) the number of the referendum, determined in accordance with Section [20A-6-107](#);
1757 and

1758 (ii) the short title described in this section.

1759 (d) For each ballot that includes an initiative or referendum, the election officer shall
1760 include with the ballot a separate ballot proposition insert that includes the short title and
1761 summary for each initiative and referendum on the ballot and a link to a location on the

1762 lieutenant governor's website where a voter may review additional information relating to each
1763 initiative or referendum, including:

1764 (i) for an initiative, the information described in Subsection 20A-7-202(2), the fiscal
1765 impact [~~estimate~~] statement described in Section 20A-7-202.5, as updated, and the arguments
1766 relating to the initiative that are included in the voter information pamphlet; or

1767 (ii) for a referendum, the information described in Subsection 20A-7-302(2) and the
1768 arguments relating to the referendum that are included in the voter information pamphlet.

1769 (e) For each ballot that includes an initiative or referendum, the ballot shall include the
1770 following statement at the beginning of the portion of the ballot that includes ballot measures,
1771 "The ballot proposition sheet included with this ballot contains an impartial summary of each
1772 initiative and referendum on this ballot."

1773 (3) Immediately after the Office of Legislative Research and General Counsel submits
1774 the short title and summary to the lieutenant governor, the lieutenant governor shall mail or
1775 email a copy of the short title and summary to any of the sponsors of the referendum petition.

1776 (4) (a) (i) At least three of the sponsors of the referendum petition may, within 15 days
1777 after the day on which the lieutenant governor mails the short title and summary, challenge the
1778 wording of the short title and summary prepared by the Office of Legislative Research and
1779 General Counsel to the appropriate court.

1780 (ii) After receipt of the appeal, the court shall direct the lieutenant governor to send
1781 notice of the appeal to:

1782 (A) any person or group that has filed an argument for or against the [~~measure that is~~
1783 ~~the subject of the challenge~~] law to which the referendum relates; and

1784 (B) any political issues committee established under Section 20A-11-801 that has filed
1785 written or electronic notice with the lieutenant governor that identifies the name, mailing or
1786 email address, and telephone number of the person designated to receive notice about any
1787 issues relating to the referendum.

1788 (b) (i) There is a presumption that the short title prepared by the Office of Legislative
1789 Research and General Counsel is an impartial description of the contents of the referendum.

1790 (ii) The court may not revise the wording of the short title unless the plaintiffs rebut the
1791 presumption by clearly and convincingly establishing that the short title is false or biased.

1792 (iii) There is a presumption that the summary prepared by the Office of Legislative

1793 Research and General Counsel is an impartial summary of the contents of the [measure] law to
1794 which the referendum relates.

1795 (iv) The court may not revise the wording of the summary unless the plaintiffs rebut
1796 the presumption by clearly and convincingly establishing that the summary is false or biased.

1797 (c) The court shall:

1798 (i) examine the short title and summary;

1799 (ii) hear arguments; and

1800 (iii) enter an order consistent with the requirements of this section.

1801 (d) The lieutenant governor shall, in accordance with the court's order, certify the short
1802 title and summary to the county clerks for inclusion in the ballot or ballot proposition insert, as
1803 required by this section.

1804 Section 32. Section **20A-7-309** is amended to read:

1805 **20A-7-309. Form of ballot -- Manner of voting.**

1806 (1) A county clerk shall ensure that the number and ballot title certified by the
1807 lieutenant governor are presented upon the official ballot with, immediately adjacent to the
1808 number and ballot title, the words "For" and "Against," each word presented with an adjacent
1809 square in which a voter may indicate the voter's vote.

1810 (2) (a) (i) A voter desiring to vote in favor of the law that is the subject of the
1811 referendum shall mark the square adjacent to the word "For."

1812 (ii) The law that is the subject of the referendum takes effect if a majority of voters
1813 mark "For."

1814 (b) (i) A voter desiring to vote against the law that is the subject of the referendum
1815 [~~petition~~] shall mark the square adjacent to the word "Against."

1816 (ii) The law that is the subject of the referendum does not take effect if a majority of
1817 voters mark "Against."

1818 Section 33. Section **20A-7-310** is amended to read:

1819 **20A-7-310. Return and canvass -- Conflicting measures.**

1820 (1) The votes on the law [~~proposed by~~] that is the subject of the referendum petition
1821 shall be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3,
1822 Canvassing Returns.

1823 (2) After the state board of canvassers completes its canvass, the lieutenant governor

1824 shall certify to the governor the vote for and against the law ~~[proposed by]~~ that is the subject of
1825 the referendum petition.

1826 (3) (a) The governor shall immediately issue a proclamation that:

1827 (i) gives the total number of votes cast in the state for and against each law ~~[proposed~~
1828 ~~by]~~ that is the subject of a referendum petition; and

1829 (ii) declares those laws ~~[proposed by]~~ that are the subject of a referendum petition that
1830 ~~[were]~~ are approved by majority vote to be in full force and effect as the law of Utah on the
1831 effective date described in Section [20A-7-311](#).

1832 (b) When the governor ~~[believes]~~ determines that two ~~[proposed]~~ laws, or that parts of
1833 two ~~[proposed]~~ laws approved by the people at the same election are entirely in conflict, the
1834 governor shall proclaim ~~[that measure]~~ to be law the law that ~~[has]~~ received the greatest
1835 number of affirmative votes, regardless of the difference in the majorities which those
1836 ~~[measures have]~~ approved laws received.

1837 (4) (a) Within 10 days after the ~~[governor's]~~ day on which the governor issues the
1838 proclamation described in Subsection (3), any qualified voter who signed the referendum
1839 petition ~~[proposing]~~ for the law that is declared by the governor to be superseded by another
1840 ~~[measure]~~ law approved at the same election may apply to the appropriate court to review the
1841 governor's decision.

1842 (b) The court shall:

1843 (i) consider the matter and decide whether the ~~[proposed]~~ approved laws are in
1844 conflict; and

1845 (ii) enter an order consistent with the court's decision.

1846 (5) Within 10 days after the day on which the court enters an order described in
1847 Subsection (4)(b)(ii), the governor shall:

1848 (a) proclaim as law all those ~~[measures]~~ laws approved by the people ~~[as law]~~ that the
1849 court determines are not in conflict; and

1850 (b) of all those ~~[measures]~~ laws approved by the people as law that the court
1851 determines to be in conflict, proclaim as law the one that receives the greatest number of
1852 affirmative votes, regardless of difference in majorities.

1853 Section 34. Section [20A-7-311](#) is amended to read:

1854 **[20A-7-311](#). Temporary stay -- Effective date -- Effect of repeal by Legislature.**

1855 (1) If, at the time during the counting period described in Section 20A-7-307, the
1856 lieutenant governor determines that, at that point in time, an adequate number of signatures are
1857 certified to comply with the signature requirements, the lieutenant governor shall:

1858 (a) issue an order temporarily staying the law from going into effect; and

1859 (b) continue the process of certifying signatures and removing signatures as required by
1860 this part.

1861 (2) The temporary stay described in Subsection (1) remains in effect, regardless of
1862 whether a future count falls below the signature threshold, until the day on which:

1863 (a) if the lieutenant governor declares the referendum petition insufficient, five days
1864 after the day on which the lieutenant governor declares the referendum petition insufficient; or

1865 (b) if the lieutenant governor declares the referendum petition sufficient, the day on
1866 which governor issues the proclamation described in Section 20A-7-310.

1867 (3) A [~~proposed~~] law submitted to the people by referendum [~~petition~~] that is approved
1868 by the voters at an election takes effect the later of:

1869 (a) five days after the date of the official proclamation of the vote by the governor; or

1870 (b) the effective date specified in the [~~proposed~~] approved law.

1871 (4) If, after the lieutenant governor issues a temporary stay order under Subsection
1872 (1)(a), the lieutenant governor declares the referendum petition insufficient, the [~~proposed~~] law
1873 that is the subject of the referendum petition takes effect the later of:

1874 (a) five days after the day on which the lieutenant governor declares the referendum
1875 petition insufficient; or

1876 (b) the effective date specified in the [~~proposed~~] law that is the subject of the
1877 referendum petition.

1878 (5) (a) The governor may not veto a law [~~adopted~~] approved by the people.

1879 (b) The Legislature may amend any laws approved by the people at any legislative
1880 session after the people approve the law.

1881 (6) If the Legislature repeals a law challenged by referendum petition under this part,
1882 the referendum petition is void and no further action on the referendum petition is required.

1883 Section 35. Section 20A-7-312 is amended to read:

1884 **20A-7-312. Misconduct of electors and officers -- Penalty.**

1885 (1) It is unlawful for any person to:

1886 (a) sign any name other than the person's own to a referendum petition;
1887 (b) knowingly sign the person's name more than once for the same [measure]
1888 referendum petition at one election;
1889 (c) knowingly indicate that a person who signed a referendum petition signed the
1890 referendum petition on a date other than the date that the person signed the petition;
1891 (d) sign a referendum petition knowing the person is not a legal voter; or
1892 (e) knowingly and willfully violate any provision of this part.
1893 (2) It is unlawful for any person to sign the verification for a referendum packet, or to
1894 electronically sign the verification for a signature under Subsection 20A-21-201(9) knowing
1895 that:
1896 (a) the person does not meet the residency requirements of Section 20A-2-105;
1897 (b) the signature date associated with the person's signature for the referendum petition
1898 is not the date that the person signed the referendum petition;
1899 (c) the person has not witnessed the signatures of those persons whose signatures the
1900 person collects or submits; or
1901 (d) one or more individuals who sign the referendum petition are not registered to vote
1902 in Utah.
1903 (3) It is unlawful for any person to:
1904 (a) pay a person to sign a referendum petition;
1905 (b) pay a person to remove the person's signature from a referendum petition;
1906 (c) accept payment to sign a referendum petition; or
1907 (d) accept payment to have the person's name removed from a referendum petition.
1908 (4) Any person violating this section is guilty of a class A misdemeanor.
1909 Section 36. Section 20A-7-313 is amended to read:
1910 **20A-7-313. Electronic referendum process -- Form of referendum petition --**
1911 **Circulation requirements -- Signature collection.**
1912 (1) This section applies only to the electronic referendum process.
1913 (2) (a) The first screen presented on the approved device shall include the following
1914 statement:
1915 "This REFERENDUM PETITION is addressed to the Honorable _____, Lieutenant
1916 Governor:

1917 The citizens of Utah who sign this petition respectfully order that Senate (or House)
1918 Bill No. ____, entitled (title of act, and, if the petition is against less than the whole act, set
1919 forth here the part or parts on which the referendum is sought), passed by the Legislature of the
1920 state of Utah during the ____ Session, be referred to the people of Utah for their approval or
1921 rejection at a regular general election or a statewide special election."

1922 (b) An individual may not advance to the second screen until the individual clicks a
1923 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and
1924 understand the information presented on this screen."

1925 (3) (a) The second screen presented on the approved device shall include the entire text
1926 of the law that is the subject of the referendum petition.

1927 (b) An individual may not advance to the third screen until the individual clicks a link
1928 at the bottom of the second screen stating, "By clicking here, I attest that I have read and
1929 understand the entire text of the law that is the subject of the referendum petition."

1930 (4) (a) The third screen presented on the approved device shall include a statement
1931 indicating whether persons gathering signatures for the referendum petition may be paid for
1932 gathering signatures.

1933 (b) An individual may not advance to the fourth screen until the individual clicks a link
1934 at the bottom of the first screen stating, "By clicking here, I attest that I have read and
1935 understand the information presented on this screen."

1936 (5) The fourth screen presented on the approved device shall include the following
1937 statement, followed by links where the individual may click "yes" or "no":

1938 "I have personally reviewed the entirety of each statement presented on this device;

1939 I am personally signing this referendum petition;

1940 I am registered to vote in Utah; and

1941 All information I enter on this device, including my residence and post office address, is
1942 accurate.

1943 It is a class A misdemeanor for an individual to sign a referendum petition with a name
1944 other than the individual's own name, or to knowingly sign the individual's name more than
1945 once for the same [measure] referendum petition, or to sign a referendum petition when the
1946 individual knows that the individual is not a registered voter.

1947 WARNING

1948 Even if your voter registration record is classified as private, your name, voter
1949 identification number, and date of signature in relation to signing this referendum petition will
1950 be made public.

1951 Do you wish to continue and sign this referendum petition?"

1952 (6) (a) If the individual clicks "no" in response to the question described in Subsection
1953 (5), the next screen shall include the following statement, "Thank you for your time. Please
1954 return this device to the signature-gatherer."

1955 (b) If the individual clicks "yes" in response to the question described in Subsection
1956 (5), the website, or the application that accesses the website, shall take the signature-gatherer
1957 and the individual signing the referendum petition through the signature process described in
1958 Section [20A-21-201](#).

1959 Section 37. Section **20A-7-314** is amended to read:

1960 **20A-7-314. Electronic referendum process -- Obtaining signatures -- Request to**
1961 **remove signature.**

1962 (1) This section applies to the electronic referendum process.

1963 (2) A Utah voter may sign a referendum petition if the voter is a legal voter.

1964 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from
1965 an individual:

1966 (a) verifies that the individual is at least 18 years old and meets the residency
1967 requirements of Section [20A-2-105](#); and

1968 (b) is informed that each signer is required to read and understand the law that is the
1969 subject of the referendum petition.

1970 (4) A voter who has signed a referendum petition may have the voter's signature
1971 removed from the referendum petition by submitting to the county clerk a statement requesting
1972 that the voter's signature be removed before 5 p.m. no later than the earlier of:

1973 (a) 30 days after the day on which the voter signs the statement requesting removal; or

1974 (b) 45 days after the day on which the lieutenant governor posts the voter's name under
1975 Subsection [20A-7-315](#)(4).

1976 (5) (a) The statement shall include:

1977 (i) the name of the voter;

1978 (ii) the resident address at which the voter is registered to vote;

- 1979 (iii) the signature of the voter; and
- 1980 (iv) the date of the signature described in Subsection (5)(a)(iii).
- 1981 (b) To increase the likelihood of the voter's signature being identified and removed, the
- 1982 statement may include the voter's birth date or age.
- 1983 (c) A voter may not submit a signature removal statement by email or other electronic
- 1984 means, unless the lieutenant governor establishes a signature removal process that is consistent
- 1985 with the requirements of this section and Section [20A-21-201](#).
- 1986 (d) A person may only remove an electronic signature from a referendum petition in
- 1987 accordance with this section.
- 1988 (e) A county clerk shall analyze a holographic signature, for purposes of removing an
- 1989 electronic signature from a referendum petition, in accordance with Section [20A-7-306.3](#).
- 1990 Section 38. Section **20A-7-315** is amended to read:
- 1991 **20A-7-315. Electronic referendum process -- Collecting signatures ---- Removal**
- 1992 **of signatures.**
- 1993 (1) This section applies only to the electronic referendum process.
- 1994 (2) A signature-gatherer may not collect a signature after 5 p.m., 40 days after the day
- 1995 on which the legislative session at which the law passed ends.
- 1996 (3) The lieutenant governor shall send to each individual who provides a valid email
- 1997 address during the signature-gathering process an email that includes the following:
- 1998 (a) the subject of the email shall include the following statement, "Notice Regarding
- 1999 Your Petition Signature"; and
- 2000 (b) the body of the email shall include the following statement in 12-point type:
- 2001 "You signed a petition for the following referendum:
- 2002 [insert title of [~~initiative~~] referendum]
- 2003 To access a copy of the referendum petition, the law that is the subject of the
- 2004 referendum petition, and information on the deadline for removing your signature from the
- 2005 referendum petition, please visit the following link: [insert a uniform resource locator that takes
- 2006 the individual directly to the page on the lieutenant governor's website that includes the
- 2007 information referred to in the email]."
- 2008 (4) Except as provided in Subsection (5), the county clerk shall, within two business
- 2009 days after the day on which the signature of an individual who signs a referendum petition is

2010 certified under Section 20A-21-201, post the name, voter identification number, and date of
2011 signature of the individual on the lieutenant governor's website, in a conspicuous location
2012 designated by the lieutenant governor.

2013 (5) (a) If the county clerk timely receives a statement requesting signature removal
2014 under Subsection 20A-7-314(4), the county clerk shall:

2015 (i) ensure that the voter's name, voter identification number, and date of signature are
2016 not included in the posting described in Subsection (4); and

2017 (ii) remove the voter's signature from the referendum petition and the [~~petition~~]
2018 signature totals.

2019 (b) The county clerk shall comply with Subsection (5)(a) before the later of:

2020 (i) the deadline described in Subsection (4); or

2021 (ii) two business days after the day on which the county clerk receives a statement
2022 requesting signature removal under Subsection 20A-7-314(4).

2023 Section 39. Section 20A-7-501 is amended to read:

2024 **20A-7-501. Initiatives -- Signature requirements -- Time requirements.**

2025 (1) As used in this section:

2026 (a) "Number of active voters" means the number of active voters in the county, city, or
2027 town on the immediately preceding January 1.

2028 (b) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)
2029 or (2)(b).

2030 (2) An eligible voter seeking to have an initiative submitted to a local legislative body
2031 or to a vote of the people for approval or rejection shall, after filing an initiative application,
2032 obtain legal signatures equal to:

2033 (a) for a county of the first class:

2034 (i) 7.75% of the number of active voters in the county; and

2035 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%
2036 of the county's voter participation areas;

2037 (b) for a metro township with a population of 100,000 or more, or a city of the first
2038 class:

2039 (i) 7.5% of the number of active voters in the metro township or city; and

2040 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%

2041 of the metro township's or city's voter participation areas;

2042 (c) for a county of the second class:

2043 (i) 8% of the number of active voters in the county; and

2044 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of

2045 the county's voter participation areas;

2046 (d) for a metro township with a population of 65,000 or more but less than 100,000, or

2047 a city of the second class:

2048 (i) 8.25% of the number of active voters in the metro township or city; and

2049 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%

2050 of the metro township's or city's voter participation areas;

2051 (e) for a county of the third class:

2052 (i) 9.5% of the number of active voters in the county; and

2053 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%

2054 of the county's voter participation areas;

2055 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a

2056 city of the third class:

2057 (i) 10% of the number of active voters in the metro township or city; and

2058 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%

2059 of the metro township's or city's voter participation areas;

2060 (g) for a county of the fourth class:

2061 (i) 11.5% of the number of active voters in the county; and

2062 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%

2063 of the county's voter participation areas;

2064 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a

2065 city of the fourth class:

2066 (i) 11.5% of the number of active voters in the metro township or city; and

2067 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%

2068 of the metro township's or city's voter participation areas;

2069 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city

2070 of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro

2071 township, city, or county; or

2072 (j) for a metro township with a population of less than 1,000, a town, or a county of the
2073 sixth class, 35% of the number of active voters in the metro township, town, or county.

2074 (3) If the total number of certified [~~names from each verified signature sheet~~]
2075 signatures collected for the initiative petition equals or exceeds the number of [~~names~~]
2076 signatures required by this section, the clerk or recorder shall deliver the proposed law to the
2077 local legislative body at the local legislative body's next meeting.

2078 (4) (a) The local legislative body shall either adopt or reject the proposed law without
2079 change or amendment within 30 days after the day on which the local legislative body receives
2080 the proposed law under Subsection (3).

2081 (b) The local legislative body may:

2082 (i) adopt the proposed law and refer the proposed law to the people;

2083 (ii) adopt the proposed law without referring the proposed law to the people; or

2084 (iii) reject the proposed law.

2085 (c) If the local legislative body adopts the proposed law but does not refer the proposed
2086 law to the people, the proposed law is subject to referendum as with other local laws.

2087 (d) (i) If a county legislative body rejects a proposed law, or takes no action on a
2088 proposed law, the county clerk shall submit the proposed law to the voters of the county at the
2089 next regular general election immediately after the [~~petition~~] initiative application for the
2090 proposed law is filed under Section [20A-7-502](#).

2091 (ii) If a local legislative body of a municipality rejects a proposed law, or takes no
2092 action on a proposed law, the municipal recorder or clerk shall submit the proposed law to the
2093 voters of the municipality at the next municipal general election immediately after the
2094 [~~petition~~] initiative application is filed under Section [20A-7-502](#).

2095 (e) (i) If a local legislative body rejects a proposed law, or takes no action on a
2096 proposed law, the local legislative body may adopt a competing local law.

2097 (ii) The local legislative body shall prepare and adopt the competing local law within
2098 the 30-day period described in Subsection (4)(a).

2099 (iii) If a local legislative body adopts a competing local law, the clerk or recorder shall
2100 refer the competing local law to the voters of the county or municipality at the same election at
2101 which the [~~initiative proposal~~] law proposed by initiative is submitted under Subsection (4)(d).

2102 (f) If conflicting local laws are submitted to the people at the same election and two or

2103 more of the conflicting measures are approved by the people, the ~~[measure]~~ proposed law that
 2104 receives the greatest number of affirmative votes shall control all conflicts.

2105 Section 40. Section **20A-7-502** is amended to read:

2106 **20A-7-502. Local initiative process -- Application procedures.**

2107 (1) Individuals wishing to circulate an initiative petition shall file an initiative
 2108 application with the local clerk.

2109 (2) The initiative application shall ~~[contain]~~ include:

2110 (a) the name and residence address of at least five sponsors of the initiative petition;

2111 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

2112 (c) the signature of each of the sponsors, acknowledged by a notary public;

2113 (d) a copy of the proposed law that includes:

2114 (i) the title of the proposed law that clearly expresses the subject of the law;

2115 (ii) a description of all proposed sources of funding for the costs associated with the
 2116 proposed law, including the proposed percentage of total funding from each source; and

2117 (iii) the text of the proposed law;

2118 (e) if the initiative petition proposes a tax increase, the following statement, "This
 2119 initiative ~~[petition]~~ seeks to increase the current (insert name of tax) rate by (insert the tax
 2120 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
 2121 increase in the current tax rate."; and

2122 (f) a statement indicating whether persons gathering signatures for the initiative
 2123 petition may be paid for gathering signatures.

2124 (3) A proposed law submitted under this section may not contain more than one subject
 2125 to the same extent that a bill may not pass containing more than one subject as provided in
 2126 Utah Constitution, Article VI, Section 22.

2127 Section 41. Section **20A-7-502.5** is amended to read:

2128 **20A-7-502.5. Initial fiscal and legal impact statement -- Preparation of statement.**

2129 (1) Within three business days after the day on which the local clerk receives an
 2130 initiative application ~~[for an initiative petition]~~, the local clerk shall submit a copy of the
 2131 ~~[proposed law]~~ initiative application to the county, city, or town's budget officer.

2132 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good
 2133 faith ~~[estimate of the]~~ initial fiscal and legal impact ~~[of]~~ statement for the proposed law

2134 [~~proposed by the initiative~~] that contains:

2135 (i) a dollar amount representing the total estimated fiscal impact of the proposed law;

2136 (ii) if the proposed law would increase or decrease taxes, a dollar amount representing
2137 the total estimated increase or decrease for each type of tax affected under the proposed law
2138 and a dollar amount representing the total estimated increase or decrease in taxes under the
2139 proposed law;

2140 (iii) if the proposed law would increase taxes, the tax percentage difference and the tax
2141 percentage increase;

2142 (iv) if the proposed law would result in the issuance or a change in the status of bonds,
2143 notes, or other debt instruments, a dollar amount representing the total estimated increase or
2144 decrease in public debt under the proposed law;

2145 (v) a listing of all sources of funding for the estimated costs associated with the
2146 proposed law showing each source of funding and the percentage of total funding provided
2147 from each source;

2148 (vi) a dollar amount representing the estimated costs or savings, if any, to state and
2149 local government entities under the proposed law;

2150 (vii) the proposed law's legal impact, including:

2151 (A) any significant effects on a person's vested property rights;

2152 (B) any significant effects on other laws or ordinances;

2153 (C) any significant legal liability the city, county, or town may incur; and

2154 (D) any other significant legal impact as determined by the budget officer and the legal
2155 counsel; and

2156 (viii) a concise explanation, not exceeding 100 words, of the [~~above~~] information
2157 described in this Subsection (2)(a) and of the estimated fiscal impact, if any, under the
2158 proposed law.

2159 (b) (i) If the proposed law is estimated to have no fiscal impact, the local budget officer
2160 shall include a summary statement in the initial fiscal impact and legal statement in
2161 substantially the following form:

2162 "The (title of the local budget officer) estimates that the law proposed by this initiative
2163 would have no significant fiscal impact and would not result in either an increase or decrease in
2164 taxes or debt."

2165 (ii) If the proposed law is estimated to have a fiscal impact, the local budget officer
2166 shall include a summary statement in the initial fiscal impact [~~estimate~~] and legal statement in
2167 substantially the following form:

2168 "The (title of the local budget officer) estimates that the law proposed by this initiative
2169 would result in a total fiscal expense/savings of \$ _____, which includes a (type of tax or
2170 taxes) tax increase/decrease of \$ _____ and a \$ _____ increase/decrease in public debt."

2171 (iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise
2172 difficult to reasonably express in a summary statement, the local budget officer may include in
2173 the summary statement a brief explanation that identifies those factors affecting the variability
2174 or difficulty of the estimate.

2175 (iv) If the proposed law would increase taxes, the local budget officer shall include a
2176 summary statement in the initial fiscal impact and legal statement in substantially the following
2177 form:

2178 "This initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by
2179 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage
2180 increase) percent increase in the current tax rate."

2181 (3) The budget officer shall prepare an unbiased, good faith estimate of the cost of
2182 printing and distributing information related to the initiative petition in the voter information
2183 pamphlet as required by Section [20A-7-402](#).

2184 (4) Within 20 calendar days after the day on which the local clerk submits a copy of the
2185 proposed law under Subsection (1), the budget officer shall:

2186 (a) deliver a copy of the initial fiscal impact [~~estimate, including the legal impact~~
2187 ~~estimate,~~] and legal statement to the local clerk's office; and

2188 (b) mail a copy of the initial fiscal impact [~~estimate, including the legal impact~~
2189 ~~estimate,~~] and legal statement to the first three sponsors named in the initiative application.

2190 Section 42. Section [20A-7-502.6](#) is amended to read:

2191 **[20A-7-502.6](#). Posting initiative information.**

2192 (1) Within one business day after the day on which the local clerk's office receives the
2193 initial fiscal impact [~~estimate~~] and legal statement under Subsection [20A-7-502.5](#)(4)(a), the
2194 local clerk shall post the following information together in a conspicuous place on the local
2195 clerk's website:

2196 (a) the initiative application;
2197 ~~[(a)]~~ (b) the initiative petition;
2198 ~~[(b)]~~ (c) the [initiative] text of the proposed law;
2199 ~~[(c)]~~ (d) the initial fiscal impact ~~[estimate]~~ and legal statement; and
2200 ~~[(d)]~~ (e) information describing how an individual may remove the individual's
2201 signature from the [signature] initiative petition.
2202 (2) The local clerk shall:
2203 (a) promptly update the information described in Subsection (1) if the information
2204 changes; and
2205 (b) maintain the information described in Subsection (1) on the local clerk's website
2206 until the initiative fails to qualify for the ballot or is passed or defeated at an election.
2207 Section 43. Section **20A-7-502.7** is amended to read:
2208 **20A-7-502.7. Referability to voters.**
2209 (1) Within 20 days after the day on which an eligible voter files an initiative
2210 application ~~[to circulate an initiative petition]~~ under Section **20A-7-502**, counsel for the county,
2211 city, town, or metro township to which the initiative pertains shall:
2212 (a) review the proposed law ~~[in]~~ that is the subject of the initiative application to
2213 determine whether the law is legally referable to voters; and
2214 (b) notify the first three sponsors, in writing, whether the proposed law is:
2215 (i) legally referable to voters; or
2216 (ii) rejected as not legally referable to voters.
2217 (2) A proposed law ~~[in]~~ that is the subject of an initiative application is legally
2218 referable to voters unless:
2219 (a) the proposed law:
2220 (i) is patently unconstitutional;
2221 ~~[(b)]~~ (ii) [the proposed law] is nonsensical;
2222 ~~[(c)]~~ (iii) [the proposed law] is administrative, rather than legislative, in nature;
2223 ~~[(d)]~~ (iv) [the proposed law] could not become law if passed;
2224 ~~[(e)]~~ (v) [the proposed law] contains more than one subject as evaluated in accordance
2225 with Subsection **20A-7-502(3)**; or
2226 ~~[(f) the subject of the proposed law is not clearly expressed in the law's title;]~~

2227 ~~[(g)]~~ (b) ~~[the proposed law]~~ is identical or substantially similar to a legally referable
 2228 proposed law sought by an initiative application submitted to the local clerk, under Section
 2229 [20A-7-502](#), within two years before the day on which the initiative application for the current
 2230 proposed ~~[initiative]~~ law is filed; ~~[or]~~

2231 (c) the subject of the proposed law is not clearly expressed in the law's title; or
 2232 ~~[(h)]~~ (d) the initiative application ~~[for the proposed law]~~ was not timely filed or does
 2233 not comply with the requirements of this part.

2234 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
 2235 or metro township may not:

2236 (a) reject a proposed initiative as not legally referable to voters; or

2237 (b) bring a legal action, other than to appeal a court decision, challenging a proposed
 2238 initiative on the grounds that the proposed initiative is not legally referable to voters.

2239 (4) If a county, city, town, or metro township rejects a proposed initiative, a sponsor of
 2240 the proposed initiative may, within 10 days after the day on which a sponsor is notified under
 2241 Subsection (1)(b), appeal the decision to:

2242 (a) district court; or

2243 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

2244 (5) If, on appeal, the court determines that the law proposed ~~[in]~~ by the initiative
 2245 ~~[petition]~~ application is legally referable to voters, the local clerk shall comply with Subsection
 2246 [20A-7-504](#)(3), or give the sponsors access to the website defined in Section [20A-21-101](#),
 2247 within five days after the day on which the determination, and any appeal of the determination,
 2248 is final.

2249 Section 44. Section [20A-7-503](#) is amended to read:

2250 **[20A-7-503. Manual initiative process -- Form of initiative petition and signature](#)**
 2251 **sheet.**

2252 (1) This section applies only to the manual initiative process.

2253 (2) (a) Each proposed initiative petition shall be printed in substantially the following
 2254 form:

2255 "INITIATIVE PETITION To the Honorable _____, County Clerk/City Recorder/Town
 2256 Clerk:

2257 We, the undersigned citizens of Utah, respectfully demand that the following proposed

2258 law be submitted to: the legislative body for its approval or rejection at its next meeting; and
2259 the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes
2260 no action on it.

2261 Each signer says:

2262 I have personally signed initiative this petition;

2263 The date next to my signature correctly reflects the date that I actually signed the
2264 petition;

2265 I have personally reviewed the entire statement included with this packet;

2266 I am registered to vote in Utah; and

2267 My residence and post office address are written correctly after my name."

2268 (b) If the initiative [~~petition~~] proposes a tax increase, the following statement shall
2269 appear, in at least 14-point, bold type, immediately following the information described in
2270 Subsection (2)(a):

2271 "This initiative [~~petition~~] seeks to increase the current (insert name of tax) rate by
2272 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage
2273 increase) percent increase in the current tax rate."

2274 (c) The sponsors of an initiative or an agent of the sponsors shall attach a copy of the
2275 proposed law to each initiative petition.

2276 (3) Each initiative signature sheet shall:

2277 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

2278 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
2279 that line blank for the purpose of binding;

2280 (c) include the title of the initiative printed below the horizontal line, in at least
2281 14-point, bold type;

2282 (d) include a table immediately below the title of the initiative, and beginning .5 inch
2283 from the left side of the paper, as follows:

2284 (i) the first column shall be .5 inch wide and include three rows;

2285 (ii) the first row of the first column shall be .85 inch tall and contain the words "For
2286 Office Use Only" in 10-point type;

2287 (iii) the second row of the first column shall be .35 inch tall;

2288 (iv) the third row of the first column shall be .5 inch tall;

- 2289 (v) the second column shall be 2.75 inches wide;
- 2290 (vi) the first row of the second column shall be .35 inch tall and contain the words
- 2291 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
- 2292 (vii) the second row of the second column shall be .5 inch tall;
- 2293 (viii) the third row of the second column shall be .35 inch tall and contain the words
- 2294 "Street Address, City, Zip Code" in 10-point type;
- 2295 (ix) the fourth row of the second column shall be .5 inch tall;
- 2296 (x) the third column shall be 2.75 inches wide;
- 2297 (xi) the first row of the third column shall be .35 inch tall and contain the words
- 2298 "Signature of Registered Voter" in 10-point type;
- 2299 (xii) the second row of the third column shall be .5 inch tall;
- 2300 (xiii) the third row of the third column shall be .35 inch tall and contain the words
- 2301 "Email Address (optional, to receive additional information)" in 10-point type;
- 2302 (xiv) the fourth row of the third column shall be .5 inch tall;
- 2303 (xv) the fourth column shall be one inch wide;
- 2304 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words
- 2305 "Date Signed" in 10-point type;
- 2306 (xvii) the second row of the fourth column shall be .5 inch tall;
- 2307 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words
- 2308 "Birth Date or Age (optional)" in 10-point type;
- 2309 (xix) the fourth row of the third column shall be .5 inch tall; and
- 2310 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,
- 2311 and contain the following words "By signing this initiative petition, you are stating that you
- 2312 have read and understand the law proposed by this initiative petition." in 12-point type;
- 2313 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at
- 2314 the bottom of the sheet for the information described in Subsection (3)(f); and
- 2315 (f) at the bottom of the sheet, include in the following order:
- 2316 (i) the words "Fiscal and legal impact of" followed by the title of the initiative, in at
- 2317 least 12-point, bold type;
- 2318 (ii) the summary statement in the initial fiscal impact [~~estimate's summary~~] and legal
- 2319 statement issued by the budget officer in accordance with Subsection [20A-7-502.5\(2\)\(b\)](#) and

2320 the cost estimate for printing and distributing information related to the initiative petition in
2321 accordance with Subsection 20A-7-502.5(3), in not less than 12-point, bold type;

2322 (iii) if the initiative [petition] proposes a tax increase, the following statement in
2323 12-point, bold type:

2324 "This initiative [petition] seeks to increase the current (insert name of tax) rate by
2325 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage
2326 increase) percent increase in the current tax rate."; and

2327 (iv) the word "Warning," in 12-point, bold type, followed by the following statement in
2328 not less than eight-point type:

2329 "It is a class A misdemeanor for an individual to sign an initiative petition with a name
2330 other than the individual's own name, or to knowingly sign the individual's name more than
2331 once for the same [measure] initiative petition, or to sign an initiative petition when the
2332 individual knows that the individual is not a registered voter.

2333 Birth date or age information is not required, but it may be used to verify your identity
2334 with voter registration records. If you choose not to provide it, your signature may not be
2335 verified as a valid signature if you change your address before petition signatures are verified
2336 or if the information you provide does not match your voter registration records."

2337 (4) The final page of each initiative packet shall contain the following printed or typed
2338 statement:

2339 "Verification of signature collector

2340 State of Utah, County of ____

2341 I, _____, of _____, hereby state, under penalty of perjury, that:

2342 I am a resident of Utah and am at least 18 years old;

2343 All the names that appear in this packet were signed by individuals who professed to be
2344 the individuals whose names appear in it, and each of the individuals signed the individual's
2345 name on it in my presence;

2346 I did not knowingly make a misrepresentation of fact concerning the law proposed by
2347 the initiative;

2348 I believe that each individual has printed and signed the individual's name and written
2349 the individual's post office address and residence correctly, that each signer has read and
2350 understands the law proposed by the initiative, and that each signer is registered to vote in

2351 Utah.

2352

2353 (Name) (Residence Address) (Date)

2354 Each individual who signed the packet wrote the correct date of signature next to the
2355 individual's name.

2356 I have not paid or given anything of value to any individual who signed this petition to
2357 encourage that individual to sign it.

2358

2359 (Name) (Residence Address) (Date)".

2360 (5) If the forms described in this section are substantially followed, the initiative
2361 petitions are sufficient, notwithstanding clerical and merely technical errors.

2362 (6) An individual's status as a resident, under Subsection (4), is determined in
2363 accordance with Section 20A-2-105.

2364 Section 45. Section 20A-7-504 is amended to read:

2365 **20A-7-504. Manual initiative process -- Circulation requirements -- Local clerk to**
2366 **provide sponsors with materials.**

2367 (1) This section applies only to the manual initiative process.

2368 (2) In order to obtain the necessary number of signatures required by this part, the
2369 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described
2370 in Subsections (3) and 20A-7-401.5(4)(b), circulate initiative packets that meet the form
2371 requirements of this part.

2372 (3) Within five days after the day on which a county, city, town, metro township, or
2373 court determines, in accordance with Section 20A-7-502.7, that a law proposed in an initiative
2374 petition is legally referable to voters, the local clerk shall ~~[furnish]~~ provide to the sponsors:

2375 (a) a copy of the initiative petition; and

2376 (b) a signature sheet.

2377 (4) The sponsors of the ~~[petition]~~ initiative shall:

2378 (a) arrange and pay for the printing of all ~~[additional copies of the petition and~~
2379 ~~signature sheets]~~ documents that are part of the initiative packets; and

2380 (b) ensure that the ~~[copies of the petition and signature sheets]~~ initiative packets and
2381 the documents described in Subsection (4)(a) meet the ~~[form]~~ requirements of this ~~[section]~~

2382 part.

2383 (5) (a) The sponsors or an agent of the sponsors may prepare the initiative packets for
2384 circulation by creating multiple initiative packets.

2385 (b) The sponsors or an agent of the sponsors shall create initiative packets by binding a
2386 copy of the initiative petition with the text of the proposed law and no more than 50 signature
2387 sheets together at the top in a manner that the initiative packets may be conveniently opened for
2388 signing.

2389 (c) An initiative packet is not required to have a uniform number of signature sheets.

2390 (d) The sponsors or an agent of the sponsors shall include, with each initiative packet, a
2391 copy of the proposition information pamphlet provided to the sponsors under Subsection
2392 20A-7-401.5(4)(b).

2393 (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

2394 (i) contact the county clerk to receive a range of numbers that the sponsors may use to
2395 number [~~signature~~] initiative packets; and

2396 (ii) number each [~~signature~~] initiative packet, sequentially, within the range of numbers
2397 provided by the county clerk, starting with the lowest number in the range.

2398 (b) The sponsors or an agent of the sponsors may not:

2399 (i) number [~~a signature~~] an initiative packet in a manner not directed by the county
2400 clerk; or

2401 (ii) circulate or submit [~~a signature~~] an initiative packet that is not numbered in the
2402 manner directed by the county clerk.

2403 (c) The county clerk shall keep a record of the number range provided under
2404 Subsection (6)(a).

2405 Section 46. Section **20A-7-505** is amended to read:

2406 **20A-7-505. Manual initiative process -- Obtaining signatures -- Verification --**
2407 **Removal of signature.**

2408 (1) This section applies only to the manual initiative process.

2409 (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and
2410 resides in the local jurisdiction.

2411 (3) (a) The sponsors shall ensure that the individual in whose presence each initiative
2412 signature sheet was signed:

- 2413 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;
- 2414 (ii) verifies each [~~signature sheet~~] initiative packet by completing the verification
- 2415 printed on the last page of each initiative packet; and
- 2416 (iii) is informed that each signer is required to read and understand the law proposed by
- 2417 the initiative.
- 2418 (b) An individual may not sign the verification printed on the last page of the initiative
- 2419 packet if the individual signed a signature sheet in the initiative packet.
- 2420 (4) (a) A voter who has signed an initiative petition may have the voter's signature
- 2421 removed from the initiative petition by submitting a statement requesting that the voter's
- 2422 signature be removed before 5 p.m. no later than the earlier of:
- 2423 (i) 30 days after the day on which the voter signs the signature removal statement;
- 2424 (ii) 90 days after the day on which the local clerk posts the voter's name under
- 2425 Subsection 20A-7-507(2);
- 2426 (iii) 316 days after the day on which the initiative application is filed; or
- 2427 (iv) (A) for a county initiative, April 15 immediately before the next regular general
- 2428 election immediately after the initiative application is filed under Section 20A-7-502; or
- 2429 (B) for a municipal initiative, April 15 immediately before the next municipal general
- 2430 election immediately after the initiative application is filed under Section 20A-7-502.
- 2431 (b) (i) The statement shall include:
- 2432 (A) the name of the voter;
- 2433 (B) the resident address at which the voter is registered to vote;
- 2434 (C) the signature of the voter; and
- 2435 (D) the date of the signature described in Subsection (4)(b)(i)(C).
- 2436 (ii) To increase the likelihood of the voter's signature being identified and removed, the
- 2437 statement may include the voter's birth date or age.
- 2438 (c) A voter may not submit a statement by email or other electronic means.
- 2439 (d) In order for the signature to be removed, the county clerk must receive the
- 2440 statement before 5 p.m. no later than the applicable deadline described in Subsection (4)(a).
- 2441 (e) A person may only remove a signature from an initiative petition in accordance
- 2442 with this Subsection (4)[~~(a)~~].
- 2443 (f) A county clerk shall analyze a signature, for purposes of removing a signature from

2444 an initiative petition, in accordance with Section [20A-7-506.3](#).

2445 Section 47. Section **20A-7-506** is amended to read:

2446 **20A-7-506. Manual initiative process -- Submitting the initiative petition --**
2447 **Certification of signatures by the county clerks -- Transfer to local clerk.**

2448 (1) This section applies only to the manual initiative process.

2449 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified
2450 initiative packet to the county clerk of the county in which the initiative packet was circulated
2451 before 5 p.m. no later than the earlier of:

2452 (i) 30 days after the day on which the first individual signs the initiative packet;

2453 (ii) 316 days after the day on which the initiative application is filed; or

2454 (iii) (A) for a county initiative, April 15 immediately before the next regular general
2455 election immediately after the initiative application is filed under Section [20A-7-502](#); or

2456 (B) for a municipal initiative, April 15 immediately before the next municipal general
2457 election immediately after the initiative application is filed under Section [20A-7-502](#).

2458 (b) A person may not submit an initiative packet after the deadline established in
2459 Subsection (2)(a).

2460 (c) Before delivering [a] an initiative packet to the county clerk under Subsection (2),
2461 the sponsors shall send an email to each individual who provides a legible, valid email address
2462 on the form described in Subsection [20A-7-503](#)(3)(d) that includes the following:

2463 (i) the subject of the email shall include the following statement, "Notice Regarding
2464 Your Petition Signature"; and

2465 (ii) the body of the email shall include the following statement in 12-point type:

2466 "You signed a petition for the following initiative:

2467 [insert title of initiative]

2468 To access a copy of the initiative petition, the initiative, the fiscal impact and legal
2469 statement, and information on the deadline for removing your signature from the petition,
2470 please visit the following link: [insert a uniform resource locator that takes the individual
2471 directly to the page on the county clerk's website that includes the information referred to in the
2472 email]."

2473 (d) When the sponsors submit the final [signature] initiative packet to the county clerk,
2474 the sponsors shall submit to the county clerk the following written verification, completed and

2475 signed by each of the sponsors:

2476 "Verification of initiative sponsor

2477 State of Utah, County of _____

2478 I, _____, of _____, hereby state, under penalty of perjury, that:

2479 I am a sponsor of the initiative petition entitled _____;

2480 I sent, or caused to be sent, to each individual who provided a legible, valid email
2481 address on a signature packet submitted to the county clerk in relation to the initiative petition,
2482 the email described in Utah Code Subsection 20A-7-506(2)(c).

2483 _____
2484 (Name) (Residence Address) (Date)".

2485 (e) Signatures gathered for the initiative [~~petition~~] are not valid if the sponsors do not
2486 comply with this Subsection (2).

2487 (3) The county clerk shall, within 21 days after the day on which the county clerk
2488 receives [~~the~~] an initiative packet:

2489 (a) determine whether each signer is a registered voter according to the requirements of
2490 Section 20A-7-506.3;

2491 (b) certify on the [~~petition~~] initiative packet whether each name is that of a registered
2492 voter;

2493 (c) except as provided in Subsection (4), post the name, voter identification number,
2494 and date of signature of each registered voter certified under Subsection (3)(b) on the lieutenant
2495 governor's website, in a conspicuous location designated by the lieutenant governor; and

2496 (d) deliver the verified initiative packet to the local clerk.

2497 (4) (a) If the county clerk timely receives a statement requesting signature removal
2498 under Subsection 20A-7-505(4), the county clerk shall:

2499 (i) ensure that the voter's name, voter identification number, and date of signature are
2500 not included in the posting described in Subsection (3)(c); and

2501 (ii) remove the voter's signature from the [~~signature packets and signature packet~~]
2502 initiative petition and the signature totals.

2503 (b) The county clerk shall comply with Subsection (4)(a) before the later of:

2504 (i) the deadline described in Subsection (3); or

2505 (ii) two business days after the day on which the county clerk receives a statement

2506 requesting signature removal under Subsection 20A-7-505(4).

2507 (c) The local clerk shall post a link in a conspicuous location on the local government's
2508 website to the posting described in Subsection (3)(c) during the period of time described in
2509 Subsection 20A-7-507(3)(a).

2510 (5) The county clerk may not certify a signature under Subsection (3) on an initiative
2511 packet that is not verified in accordance with Section 20A-7-505.

2512 (6) A person may not retrieve an initiative packet from a county clerk, or make any
2513 alterations or corrections to an initiative packet, after the initiative packet is submitted to the
2514 county clerk.

2515 Section 48. Section 20A-7-506.3 is amended to read:

2516 **20A-7-506.3. Verification of petition signatures.**

2517 (1) As used in this section:

2518 (a) "Substantially similar name" means:

2519 (i) the given name [~~and~~], the surname [shown on the petition], or both, provided by the
2520 individual with the individual's petition signature contain only minor spelling differences when
2521 compared to the given name and surname shown on the official register;

2522 (ii) the surname [~~shown on the petition]~~ provided by the individual with the
2523 individual's petition signature exactly matches the surname shown on the official register, and
2524 the given names differ only because one of the given names shown is a commonly used
2525 abbreviation or variation of the other;

2526 (iii) the surname [~~shown on the petition]~~ provided by the individual with the
2527 individual's petition signature exactly matches the surname shown on the official register, and
2528 the given names differ only because one of the given names shown is accompanied by a first or
2529 middle initial or a middle name which is not shown on the other record; or

2530 (iv) the surname [~~shown on the petition]~~ provided by the individual with the
2531 individual's petition signature exactly matches the surname shown on the official register, and
2532 the given names differ only because one of the given names shown is an alphabetically
2533 corresponding initial that has been provided in the place of a given name shown on the other
2534 record.

2535 (b) "Substantially similar name" does not mean a name having an initial or a middle
2536 name [~~shown on the petition]~~ provided by the individual with the individual's petition signature

2537 that does not match a different initial or middle name shown on the official register.

2538 (2) In relation to an individual who signs an initiative petition with a holographic
2539 signature, the county clerk shall use the following procedures in determining whether a signer
2540 is a registered voter:

2541 (a) [~~When~~] if a signer's name and address [~~shown on the petition~~] provided by the
2542 individual with the individual's petition signature exactly match a name and address shown on
2543 the official register and the signer's signature appears substantially similar to the signature on
2544 the statewide voter registration database, the county clerk shall declare the signature valid[-];

2545 (b) [~~When~~] if there is no exact match of an address and a name, the county clerk shall
2546 declare the signature valid if:

2547 (i) the address [~~on the petition~~] provided by the individual with the individual's petition
2548 signature matches the address of an individual on the official register with a substantially
2549 similar name; and

2550 (ii) the signer's signature appears substantially similar to the signature on the statewide
2551 voter registration database of the individual described in Subsection (2)(b)(i)[-];

2552 (c) [~~When~~] if there is no match of an address and a substantially similar name, the
2553 county clerk shall declare the signature valid if:

2554 (i) the birth date or age [~~on the petition~~] provided by the individual with the
2555 individual's petition signature matches the birth date or age of an individual on the official
2556 register with a substantially similar name; and

2557 (ii) the signer's signature appears substantially similar to the signature on the statewide
2558 voter registration database of the individual described in Subsection (2)(c)(i)[-]; and

2559 (d) [~~If~~] if a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the
2560 county clerk shall declare the signature to be invalid.

2561 (3) In relation to an individual who, with a holographic signature, signs a statement to
2562 remove the individual's signature from an initiative petition, the county clerk shall use the
2563 following procedures in determining whether to remove a signature from [~~a~~] an initiative
2564 petition after receiving a timely, valid statement requesting removal of the signature:

2565 (a) if a signer's name and address shown on the statement and the initiative petition
2566 exactly match a name and address shown on the official register and the signer's [~~signature~~]
2567 signatures on both the statement and the initiative petition [~~appears~~] appear substantially

2568 similar to the signature on the statewide voter registration database, the county clerk shall
2569 remove the signature from the initiative petition;

2570 (b) if there is no exact match of an address and a name, the county clerk shall remove
2571 the signature from the initiative petition if:

2572 (i) the address on the statement and the [~~petition matches~~] address provided by the
2573 individual with the individual's petition signature match the address of an individual on the
2574 official register with a substantially similar name; and

2575 (ii) the signer's [~~signature~~] signatures on both the statement and the initiative petition
2576 [~~appears~~] appear substantially similar to the signature on the statewide voter registration
2577 database of the individual described in Subsection (3)(b)(i);

2578 (c) if there is no match of an address and a substantially similar name, the county clerk
2579 shall remove the signature from the initiative petition if:

2580 (i) the birth date or age on the statement and [~~petition~~] the birth date or age provided by
2581 the individual with the individual's petition signature match the birth date or age of an
2582 individual on the official register with a substantially similar name; and

2583 (ii) the signer's [~~signature~~] signatures on both the statement and the initiative petition
2584 [~~appears~~] appear substantially similar to the signature on the statewide voter registration
2585 database of the individual described in Subsection (3)(c)(i); and

2586 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the
2587 county clerk may not remove the signature from the initiative petition.

2588 Section 49. Section ~~20A-7-507~~ is amended to read:

2589 **20A-7-507. Evaluation by the local clerk.**

2590 (1) In relation to the manual initiative process, when a local clerk receives an initiative
2591 packet from a county clerk, the local clerk shall record the number of the initiative packet
2592 received.

2593 (2) The county clerk shall:

2594 (a) in relation to the manual initiative process:

2595 (i) post the names, voter identification numbers, and dates of signatures described in
2596 Subsection ~~20A-7-506~~(3)(c) on the lieutenant governor's website, in a conspicuous location
2597 designated by the lieutenant governor, for at least 90 days; and

2598 (ii) update on the local government's website the number of signatures certified as of

2599 the date of the update; or

2600 (b) in relation to the electronic initiative process:

2601 (i) post the names, voter identification numbers, and dates of signatures described in
2602 Subsection 20A-7-516(4) on the lieutenant governor's website, in a conspicuous location
2603 designated by the lieutenant governor, for at least 90 days; and

2604 (ii) update on the local government's website the number of signatures certified as of
2605 the date of the update.

2606 (3) The local clerk:

2607 (a) shall, except as provided in Subsection (3)(b), declare the initiative petition to be
2608 sufficient or insufficient:

2609 (i) in relation to the manual initiative process, no later than 21 days after the day of the
2610 applicable deadline described in Subsection 20A-7-506(2)(a); or

2611 (ii) in relation to the electronic initiative process, no later than 21 days after the day of
2612 the applicable deadline described in Subsection 20A-7-516(2); or

2613 (b) may declare the initiative petition to be insufficient before the day described in
2614 Subsection (3)(a) if:

2615 (i) in relation to the manual initiative process, the total of all valid signatures on timely
2616 and lawfully submitted [~~signature~~] initiative packets that have been certified by the county
2617 clerks, plus the number of signatures on timely and lawfully submitted [~~signature~~] initiative
2618 packets that have not yet been evaluated for certification, is less than the number of names
2619 required under Section 20A-7-501;

2620 (ii) in relation to the electronic initiative process, the total of all timely and lawfully
2621 submitted valid signatures that have been certified by the county clerks, plus the number of
2622 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)
2623 that have not yet been evaluated for certification, is less than the number of names required
2624 under Section 20A-7-501; or

2625 (iii) a requirement of this part has not been met.

2626 (4) (a) If the total number of names certified under Subsection (3) equals or exceeds
2627 the number of names required by Section 20A-7-501 and the requirements of this part are met,
2628 the local clerk shall mark upon the front of the initiative petition the word "sufficient."

2629 (b) If the total number of names certified under Subsection (3) does not equal or

2630 exceed the number of names required by Section 20A-7-501 or a requirement of this part is not
2631 met, the local clerk shall mark upon the front of the initiative petition the word "insufficient."

2632 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's
2633 finding.

2634 (d) After [a] an initiative petition is declared insufficient, a person may not submit
2635 additional signatures to qualify the [~~petition~~] initiative for the ballot.

2636 (5) If the local clerk finds the total number of certified signatures [~~from each verified~~
2637 ~~signature sheet to~~] for the initiative petition to be insufficient, any sponsor may file a written
2638 demand with the local clerk for a recount of the signatures [~~appearing on~~] collected for the
2639 initiative petition in the presence of any sponsor.

2640 (6) [A] An initiative petition determined to be sufficient in accordance with this
2641 section is qualified for the ballot.

2642 Section 50. Section 20A-7-508 is amended to read:

2643 **20A-7-508. Short title and summary of initiative -- Duties of local clerk and local**
2644 **attorney.**

2645 (1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the
2646 initiative petition and the proposed law to the local attorney.

2647 (2) The local attorney shall:

2648 (a) entitle each county or municipal initiative that has qualified for the ballot
2649 "Proposition Number ___" and give it a number as assigned under Section 20A-6-107;

2650 (b) prepare for [~~the~~] each initiative:

2651 (i) an impartial short title, not exceeding 25 words, that generally describes the subject
2652 of the initiative; and

2653 (ii) an impartial summary of the contents of the [~~measure~~] initiative, not exceeding 125
2654 words;

2655 (c) file the proposed short title, summary, and the numbered initiative titles with the
2656 local clerk within 20 days after the day on which an eligible voter submits the initiative petition
2657 to the local clerk; and

2658 (d) promptly provide notice of the filing of the proposed short title and summary to:

2659 (i) the sponsors of the [~~petition~~] initiative; and

2660 (ii) the local legislative body for the jurisdiction where the initiative petition was

2661 circulated.

2662 (3) (a) The short title and summary may be distinct from the title of the proposed law[
2663 attached to the initiative petition].

2664 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's
2665 ability, give a true and impartial description of the subject of the initiative.

2666 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's
2667 ability, give a true and impartial summary of the contents of the [measure] initiative.

2668 (d) The short title and summary may not intentionally be an argument, or likely to
2669 create prejudice, for or against the [measure] initiative.

2670 (e) If the initiative proposes a tax increase, the local attorney shall include the
2671 following statement, in bold, in the summary:

2672 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
2673 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
2674 increase in the current tax rate."

2675 (4) (a) Within five calendar days after the date the local attorney files a proposed short
2676 title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where
2677 the initiative petition was circulated and the sponsors of the [petition] initiative may file written
2678 comments in response to the proposed short title and summary with the local clerk.

2679 (b) Within five calendar days after the last date to submit written comments under
2680 Subsection (4)(a), the local attorney shall:

2681 (i) review any written comments filed in accordance with Subsection (4)(a);

2682 (ii) prepare a final short title and summary that meets the requirements of Subsection
2683 (3); and

2684 (iii) return the initiative petition and file the short title and summary with the local
2685 clerk.

2686 (c) Subject to Subsection (6):

2687 (i) the short title, as determined by the local attorney, shall be printed on the official
2688 ballot; and

2689 (ii) for each ballot that includes an initiative or referendum, the election officer shall
2690 include with the ballot a separate ballot proposition insert that includes the short title and
2691 summary for each initiative and referendum on the ballot and a link to a location on the

2692 election officer's website where a voter may review additional information relating to each
2693 initiative or referendum, including:

2694 (A) for an initiative, the information described in Subsection [20A-7-502\(2\)](#), the initial
2695 fiscal impact [~~estimate~~] and legal statement described in Section [20A-7-502.5](#), as updated, and
2696 the arguments relating to the initiative that are included in the local voter information
2697 pamphlet; or

2698 (B) for a referendum, the information described in Subsection [20A-7-602\(2\)](#) and the
2699 arguments relating to the referendum that are included in the local voter information pamphlet.

2700 (d) For each ballot that includes an initiative or referendum, the ballot shall include the
2701 following statement at the beginning of the portion of the ballot that includes ballot measures,
2702 "The ballot proposition sheet included with this ballot contains an impartial summary of each
2703 initiative and referendum on this ballot."

2704 (5) Immediately after the local attorney files a copy of the short title and summary with
2705 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon
2706 the sponsors of the [~~petition~~] initiative and the local legislative body for the jurisdiction where
2707 the initiative petition was circulated.

2708 (6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or
2709 does not comply with the requirements of this section, the decision of the local attorney may be
2710 appealed to the appropriate court by:

2711 (i) at least three sponsors of the initiative [~~petition~~]; or

2712 (ii) a majority of the local legislative body for the jurisdiction where the initiative
2713 petition was circulated.

2714 (b) The court:

2715 (i) shall examine the short title and summary and consider arguments; and

2716 (ii) enter an order consistent with the requirements of this section.

2717 (c) The local clerk shall include the short title and summary in the ballot or ballot
2718 proposition insert, as required by this section.

2719 Section 51. Section [20A-7-510](#) is amended to read:

2720 **20A-7-510. Return and canvass -- Conflicting measures -- Law effective on**
2721 **proclamation.**

2722 (1) The votes on the law proposed by the initiative petition shall be counted,

2723 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

2724 (2) After the local board of canvassers completes the canvass, the local clerk shall
2725 certify to the local legislative body the vote for and against the law proposed by the initiative
2726 petition.

2727 (3) (a) The local legislative body shall immediately issue a proclamation that:

2728 (i) gives the total number of votes cast in the local jurisdiction for and against each law
2729 proposed by an initiative petition; and

2730 (ii) declares those laws proposed by an initiative petition that [~~were~~] are approved by
2731 majority vote to be in full force and effect as the law of the local jurisdiction.

2732 (b) When the local legislative body determines that two proposed laws, or that parts of
2733 two proposed laws approved by the people at the same election are entirely in conflict, the local
2734 legislative body shall proclaim [~~that measure to be~~] as law the initiative that received the
2735 greatest number of affirmative votes, regardless of the difference in the majorities which those
2736 [~~measures~~] initiatives have received.

2737 (c) (i) Within 10 days after the day on which the local legislative body issues the
2738 proclamation, any qualified voter who signed the initiative petition proposing the law that is
2739 declared by the local legislative body to be superseded by another [~~measure~~] initiative approved
2740 at the same election may bring an action in the appropriate court to review the decision.

2741 (ii) The court shall:

2742 (A) consider the matter and decide whether the proposed laws are entirely in conflict;
2743 and

2744 (B) issue an order, consistent with the court's decision, to the local legislative body.

2745 (4) Within 10 days after the day on which the court enters an order under Subsection
2746 (3)(c)(ii), the local legislative body shall:

2747 (a) proclaim as law all [~~measures~~] initiatives approved by the people that the court
2748 determines are not in conflict; and

2749 (b) for the [~~measures~~] initiatives approved by the people as law that the court
2750 determines to be in conflict, proclaim as law the [~~measure~~] initiative that received the greatest
2751 number of affirmative votes, regardless of the difference in majorities.

2752 Section 52. Section **20A-7-512** is amended to read:

2753 **20A-7-512. Misconduct of electors and officers -- Penalty.**

- 2754 (1) It is unlawful for any individual to:
- 2755 (a) sign any name other than the individual's own name to ~~[any]~~ an initiative petition or
- 2756 a statement described in Subsection 20A-7-505(4) or 20A-7-515(4);
- 2757 (b) knowingly sign the individual's name more than once for the same initiative at one
- 2758 election;
- 2759 (c) knowingly indicate that an individual who signed an initiative petition signed the
- 2760 initiative petition on a date other than the date that the individual signed the initiative petition;
- 2761 ~~[(b)]~~ (d) sign an initiative petition knowing the individual is not a legal voter; or
- 2762 ~~[(c)]~~ (e) knowingly and willfully violate any provision of this part.
- 2763 (2) It is unlawful for ~~[any]~~ an individual to sign the verification for an initiative packet,
- 2764 or to electronically sign the verification for a signature under Subsection 20A-21-201(9),
- 2765 knowing that:
- 2766 (a) the individual does not meet the residency requirements of Section 20A-2-105;
- 2767 (b) the signature date associated with the individual's signature for the initiative
- 2768 petition is not the date that the individual signed the initiative petition;
- 2769 ~~[(b)]~~ (c) the individual has not witnessed the signatures of the individuals whose
- 2770 signatures the individual collects or submits; or
- 2771 ~~[(c)]~~ (d) one or more individuals who signed the initiative petition are not registered to
- 2772 vote in Utah.
- 2773 (3) It is unlawful for an individual to:
- 2774 (a) pay an individual to sign an initiative petition;
- 2775 (b) pay an individual to remove the individual's signature from an initiative petition;
- 2776 (c) accept payment to sign an initiative petition; or
- 2777 (d) accept payment to have the individual's name removed from an initiative petition.
- 2778 ~~[(3)]~~ (4) ~~[An individual who violates this part is guilty of]~~ A violation of this section is
- 2779 a class A misdemeanor.
- 2780 Section 53. Section 20A-7-513 is amended to read:
- 2781 **20A-7-513. Fiscal review -- Repeal, amendment, or resubmission.**
- 2782 (1) No later than 60 days after the date of an election in which the voters approve an
- 2783 initiative ~~[petition]~~, the budget officer shall:
- 2784 (a) for each initiative approved by the voters, prepare a final fiscal impact statement,

2785 using current financial information and containing the information required by Subsection
2786 20A-7-502.5(2), except for the information required by Subsection 20A-7-502.5(2)(a)(vii); and

2787 (b) deliver a copy of the final fiscal impact statement to:

2788 (i) the local legislative body of the jurisdiction where the initiative was circulated;

2789 (ii) the local clerk; and

2790 (iii) the first three sponsors listed on the initiative application.

2791 (2) If the final fiscal impact statement exceeds the estimate in the initial fiscal impact
2792 [estimate] and legal statement by 25% or more, the local legislative body shall review the final

2793 fiscal impact statement and may, by a majority vote:

2794 (a) repeal the law established by passage of the initiative;

2795 (b) amend the law established by the passage of the initiative; or

2796 (c) pass a resolution informing the voters that they may file an initiative petition to

2797 repeal the law enacted by [~~the~~] passage of the initiative.

2798 Section 54. Section 20A-7-514 is amended to read:

2799 **20A-7-514. Electronic initiative process -- Form of initiative petition --**

2800 **Circulation requirements -- Signature collection.**

2801 (1) This section applies only to the electronic initiative process.

2802 (2) (a) The first screen presented on the approved device shall include the following
2803 statement:

2804 "This INITIATIVE PETITION is addressed to the Honorable _____, County Clerk/City
2805 Recorder/Town Clerk:

2806 The citizens of Utah who sign this petition respectfully demand that the following
2807 proposed law be submitted to: the legislative body for its approval or rejection at its next
2808 meeting; and the legal voters of the county/city/town, if the legislative body rejects the
2809 proposed law or takes no action on it."

2810 (b) An individual may not advance to the second screen until the individual clicks a
2811 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and
2812 understand the information presented on this screen."

2813 (3) (a) The second screen presented on the approved device shall include the title of
2814 proposed law, described in Subsection 20A-7-502(2)(d)(i), followed by the entire text of the
2815 proposed law.

2816 (b) An individual may not advance to the third screen until the individual clicks a link
2817 at the bottom of the second screen stating, "By clicking here, I attest that I have read and
2818 understand the entire text of the proposed law."

2819 (4) Subsequent screens shall be presented on the device in the following order, with the
2820 individual viewing the device being required, before advancing to the next screen, to click a
2821 link at the bottom of the screen with the following statement, "By clicking here, I attest that I
2822 have read and understand the information presented on this screen.":

2823 (a) (i) if the initiative [petition] proposes a tax increase, the following statement, "This
2824 initiative [petition] seeks to increase the current (insert name of tax) rate by (insert the tax
2825 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
2826 increase in the current tax rate."; or

2827 (ii) if the initiative [petition] does not propose a tax increase, the following statement,
2828 "This initiative [petition] does not propose a tax increase.";

2829 (b) the [initial fiscal impact estimate's] summary statement from the initial fiscal
2830 impact and legal statement issued by the budget officer in accordance with Subsection
2831 [20A-7-502.5\(2\)\(b\)](#) and the cost estimate for printing and distributing information related to the
2832 initiative petition in accordance with Subsection [20A-7-502.5\(3\)](#);

2833 (c) a statement indicating whether persons gathering signatures for the initiative
2834 petition may be paid for gathering signatures; and

2835 (d) the following statement, followed by links where the individual may click "yes" or
2836 "no":

2837 "I have personally reviewed the entirety of each statement presented on this device;

2838 I am personally signing this petition;

2839 I am registered to vote in Utah; and

2840 All information I enter on this device, including my residence and post office address, is
2841 accurate.

2842 It is a class A misdemeanor for an individual to sign an initiative petition with a name
2843 other than the individual's own name, or to knowingly sign the individual's name more than
2844 once for the same [measure] initiative petition, or to sign an initiative petition when the
2845 individual knows that the individual is not a registered voter.

2846 WARNING

2847 Even if your voter registration record is classified as private, your name, voter
2848 identification number, and date of signature in relation to signing this initiative petition will be
2849 made public.

2850 Do you wish to continue and sign this initiative petition?"

2851 (5) (a) If the individual clicks "no" in response to the question described in Subsection
2852 (4)(d), the next screen shall include the following statement, "Thank you for your time. Please
2853 return this device to the signature-gatherer."

2854 (b) If the individual clicks "yes" in response to the question described in Subsection
2855 (4)(d), the website, or the application that accesses the website, shall take the signature-gatherer
2856 and the individual signing the petition through the signature process described in Section
2857 [20A-21-201](#).

2858 Section 55. Section **20A-7-515** is amended to read:

2859 **20A-7-515. Electronic initiative process -- Obtaining signatures -- Request to**
2860 **remove signature.**

2861 (1) This section applies to the electronic initiative process.

2862 (2) A Utah voter may sign a local initiative petition if the voter is a legal voter and
2863 resides in the local jurisdiction.

2864 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from
2865 an individual:

2866 (a) verifies that the individual is at least 18 years old and meets the residency
2867 requirements of Section [20A-2-105](#); and

2868 (b) is informed that each signer is required to read and understand the law proposed by
2869 the initiative.

2870 (4) (a) A voter who has signed an initiative petition may have the voter's signature
2871 removed from the initiative petition by submitting to the county clerk a statement requesting
2872 that the voter's signature be removed before 5 p.m. no later than the earlier of:

2873 (i) 30 days after the day on which the voter signs the signature removal statement;

2874 (ii) 90 days after the day on which the local clerk posts the voter's name under

2875 Subsection [20A-7-516\(4\)](#);

2876 (iii) 316 days after the day on which the initiative application is filed; or

2877 (iv) (A) for a county initiative, April 15 immediately before the next regular general

2878 election immediately after the initiative application is filed under Section 20A-7-502; or

2879 (B) for a municipal initiative, April 15 immediately before the next municipal general
2880 election immediately after the initiative application is filed under Section 20A-7-502.

2881 (b) The statement shall include:

2882 (i) the name of the voter;

2883 (ii) the resident address at which the voter is registered to vote;

2884 (iii) the signature of the voter; and

2885 (iv) the date of the signature described in Subsection (4)(b)(iii).

2886 (c) To increase the likelihood of the voter's signature being identified and removed, the
2887 statement may include the voter's birth date or age.

2888 (d) A voter may not submit a signature removal statement by email or other electronic
2889 means, unless the lieutenant governor establishes a signature removal process that is consistent
2890 with the requirements of this section and Section 20A-21-201.

2891 (e) A person may only remove an electronic signature from an initiative petition in
2892 accordance with this section.

2893 (f) A county clerk shall analyze a holographic signature, for purposes of removing an
2894 electronic signature from an initiative petition, in accordance with Section 20A-7-506.3.

2895 Section 56. Section 20A-7-516 is amended to read:

2896 **20A-7-516. Electronic initiative process -- Collecting signatures -- Email**
2897 **notification -- Removal of signatures.**

2898 (1) This section applies only to the electronic initiative process.

2899 (2) A signature-gatherer may not collect a signature after 5 p.m., the earlier of:

2900 (a) 316 days after the day on which the initiative application is filed; or

2901 (b) (i) for a county initiative, April 15 immediately before the next regular general
2902 election immediately after the initiative application is filed under Section 20A-7-502; or

2903 (ii) for a municipal initiative, April 15 immediately before the next municipal general
2904 election immediately after the initiative application is filed under Section 20A-7-502.

2905 (3) The local clerk shall send to each individual who provides a valid email address
2906 during the signature-gathering process an email that includes the following:

2907 (a) the subject of the email shall include the following statement, "Notice Regarding
2908 Your Petition Signature"; and

2909 (b) the body of the email shall include the following statement in 12-point type:

2910 "You signed a petition for the following initiative:

2911 [insert title of initiative]

2912 To access a copy of the initiative petition, the text of the law proposed by the initiative,
2913 the initial fiscal impact and legal statement, and information on the deadline for removing your
2914 signature from the initiative petition, please visit the following link: [insert a uniform resource
2915 locator that takes the individual directly to the page on the lieutenant governor's website that
2916 includes the information referred to in the email]."

2917 (4) Except as provided in Subsection (5), the county clerk shall, within two business
2918 days after the day on which the signature of an individual who signs [a] an initiative petition is
2919 certified under Section [20A-21-201](#), post the name, voter identification number, and date of
2920 signature of the individual on the lieutenant governor's website, in a conspicuous location
2921 designated by the lieutenant governor.

2922 (5) (a) If the local clerk timely receives a statement requesting signature removal under
2923 Subsection [20A-7-515](#)(4), the local clerk shall:

2924 (i) ensure that the voter's name, voter identification number, and date of signature are
2925 not included in the posting described in Subsection (4); and

2926 (ii) remove the voter's signature from the initiative petition and the initiative petition
2927 signature totals.

2928 (b) The local clerk shall comply with Subsection (5)(a) before the later of:

2929 (i) the deadline described in Subsection (4); or

2930 (ii) two business days after the day on which the county clerk receives a statement
2931 requesting signature removal under Subsection [20A-7-515](#)(4).

2932 Section 57. Section [20A-7-601](#) is amended to read:

2933 **20A-7-601. Referenda -- General signature requirements -- Signature**
2934 **requirements for land use laws, subjurisdictional laws, and transit area land use laws --**
2935 **Time requirements.**

2936 (1) As used in this section:

2937 (a) "Number of active voters" means the number of active voters in the county, city, or
2938 town on the immediately preceding January 1.

2939 (b) "Qualifying county" means a county that has created a small public transit district,

2940 as defined in Section 17B-2a-802, on or before January 1, 2022.

2941 (c) "Qualifying transit area" means:

2942 (i) a station area, as defined in Section 10-9a-403.1, for which the municipality with
2943 jurisdiction over the station area has satisfied the requirements of Subsection
2944 10-9a-403.1(2)(a), as demonstrated by the adoption of a station area plan or resolution under
2945 Subsection 10-9a-403.1(2); or

2946 (ii) a housing and transit reinvestment zone, as defined in Section 63N-3-602, created
2947 within a qualifying county.

2948 (d) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the
2949 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.

2950 (e) (i) "Subjurisdictional law" means a local law or local obligation law passed by a
2951 local legislative body that imposes a tax or other payment obligation on property in an area that
2952 does not include all precincts and subprecincts under the jurisdiction of the county, city, town,
2953 or metro township.

2954 (ii) "Subjurisdictional law" does not include a land use law.

2955 (f) "Transit area land use law" means a land use law that relates to the use of land
2956 within a qualifying transit area.

2957 (g) "Voter participation area" means an area described in Subsection 20A-7-401.3(1)(a)
2958 or (2)(b).

2959 (2) Except as provided in Subsections (3) through (5), an eligible voter seeking to have
2960 a local law passed by the local legislative body submitted to a vote of the people shall, after
2961 filing a referendum application, obtain legal signatures equal to:

2962 (a) for a county of the first class:

2963 (i) 7.75% of the number of active voters in the county; and

2964 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%
2965 of the county's voter participation areas;

2966 (b) for a metro township with a population of 100,000 or more, or a city of the first
2967 class:

2968 (i) 7.5% of the number of active voters in the metro township or city; and

2969 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%
2970 of the metro township's or city's voter participation areas;

- 2971 (c) for a county of the second class:
- 2972 (i) 8% of the number of active voters in the county; and
- 2973 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of
- 2974 the county's voter participation areas;
- 2975 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
- 2976 a city of the second class:
- 2977 (i) 8.25% of the number of active voters in the metro township or city; and
- 2978 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%
- 2979 of the metro township's or city's voter participation areas;
- 2980 (e) for a county of the third class:
- 2981 (i) 9.5% of the number of active voters in the county; and
- 2982 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%
- 2983 of the county's voter participation areas;
- 2984 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a
- 2985 city of the third class:
- 2986 (i) 10% of the number of active voters in the metro township or city; and
- 2987 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%
- 2988 of the metro township's or city's voter participation areas;
- 2989 (g) for a county of the fourth class:
- 2990 (i) 11.5% of the number of active voters in the county; and
- 2991 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
- 2992 of the county's voter participation areas;
- 2993 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a
- 2994 city of the fourth class:
- 2995 (i) 11.5% of the number of active voters in the metro township or city; and
- 2996 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
- 2997 of the metro township's or city's voter participation areas;
- 2998 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city
- 2999 of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro
- 3000 township, city, or county; or
- 3001 (j) for a metro township with a population of less than 1,000, a town, or a county of the

3002 sixth class, 35% of the number of active voters in the metro township, town, or county.

3003 (3) Except as provided in Subsection (4) or (5), an eligible voter seeking to have a land
3004 use law or local obligation law passed by the local legislative body submitted to a vote of the
3005 people shall, after filing a referendum application, obtain legal signatures equal to:

3006 (a) for a county of the first, second, third, or fourth class:

3007 (i) 16% of the number of active voters in the county; and

3008 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
3009 of the county's voter participation areas;

3010 (b) for a county of the fifth or sixth class:

3011 (i) 16% of the number of active voters in the county; and

3012 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
3013 of the county's voter participation areas;

3014 (c) for a metro township with a population of 100,000 or more, or a city of the first
3015 class:

3016 (i) 15% of the number of active voters in the metro township or city; and

3017 (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75%
3018 of the metro township's or city's voter participation areas;

3019 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
3020 a city of the second class:

3021 (i) 16% of the number of active voters in the metro township or city; and

3022 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
3023 of the metro township's or city's voter participation areas;

3024 (e) for a metro township with a population of 30,000 or more but less than 65,000, or a
3025 city of the third class:

3026 (i) 27.5% of the number of active voters in the metro township or city; and

3027 (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75%
3028 of the metro township's or city's voter participation areas;

3029 (f) for a metro township with a population of 10,000 or more but less than 30,000, or a
3030 city of the fourth class:

3031 (i) 29% of the number of active voters in the metro township or city; and

3032 (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75%

3033 of the metro township's or city's voter participation areas;

3034 (g) for a metro township with a population of 1,000 or more but less than 10,000, or a
3035 city of the fifth class, 35% of the number of active voters in the metro township or city; or

3036 (h) for a metro township with a population of less than 1,000 or a town, 40% of the
3037 number of active voters in the metro township or town.

3038 (4) A person seeking to have a subjurisdictional law passed by the local legislative
3039 body submitted to a vote of the people shall, after filing a referendum application, obtain legal
3040 signatures of the residents in the subjurisdiction equal to:

3041 (a) 10% of the number of active voters in the subjurisdiction if the number of active
3042 voters exceeds 25,000;

3043 (b) 12-1/2% of the number of active voters in the subjurisdiction if the number of
3044 active voters does not exceed 25,000 but is more than 10,000;

3045 (c) 15% of the number of active voters in the subjurisdiction if the number of active
3046 voters does not exceed 10,000 but is more than 2,500;

3047 (d) 20% of the number of active voters in the subjurisdiction if the number of active
3048 voters does not exceed 2,500 but is more than 500;

3049 (e) 25% of the number of active voters in the subjurisdiction if the number of active
3050 voters does not exceed 500 but is more than 250; and

3051 (f) 30% of the number of active voters in the subjurisdiction if the number of active
3052 voters does not exceed 250.

3053 (5) An eligible voter seeking to have a transit area land use law passed by the local
3054 legislative body submitted to a vote of the people shall, after filing a referendum application,
3055 obtain legal signatures equal to:

3056 (a) for a county:

3057 (i) 20% of the number of active voters in the county; and

3058 (ii) 21% of the number of active voters in at least 75% of the county's voter
3059 participation areas;

3060 (b) for a metro township with a population of 100,000 or more, or a city of the first
3061 class:

3062 (i) 20% of the number of active voters in the metro township or city; and

3063 (ii) 20% of the number of active voters in at least 75% of the metro township's or city's

3064 voter participation areas;

3065 (c) for a metro township with a population of 65,000 or more but less than 100,000, or
3066 a city of the second class:

3067 (i) 20% of the number of active voters in the metro township or city; and

3068 (ii) 21% of the number of active voters in at least 75% of the metro township's or city's
3069 voter participation areas;

3070 (d) for a metro township with a population of 30,000 or more but less than 65,000, or a
3071 city of the third class:

3072 (i) 34% of the number of active voters in the metro township or city; and

3073 (ii) 34% of the number of active voters in at least 75% of the metro township's or city's
3074 voter participation areas;

3075 (e) for a metro township with a population of 10,000 or more but less than 30,000, or a
3076 city of the fourth class:

3077 (i) 36% of the number of active voters in the metro township or city; and

3078 (ii) 36% of the number of active voters in at least 75% of the metro township's or city's
3079 voter participation areas; or

3080 (f) for a metro township with a population less than 10,000, a city of the fifth class, or a
3081 town, 40% of the number of active voters in the metro township, city, or town.

3082 (6) Sponsors of any referendum petition challenging, under Subsection (2), (3), (4), or
3083 (5), any local law passed by a local legislative body shall file the application before 5 p.m.
3084 within seven days after the day on which the local law was passed.

3085 (7) Nothing in this section authorizes a local legislative body to impose a tax or other
3086 payment obligation on a subjurisdiction in order to benefit an area outside of the
3087 subjurisdiction.

3088 Section 58. Section **20A-7-602** is amended to read:

3089 **20A-7-602. Local referendum process -- Application procedures.**

3090 (1) Individuals wishing to circulate a referendum petition shall file ~~[an]~~ a referendum
3091 application with the local clerk.

3092 (2) The referendum application shall ~~[contain]~~ include:

3093 (a) the name and residence address of at least five sponsors of the referendum petition;

3094 (b) a statement indicating that each of the sponsors is registered to vote in Utah;

3095 (c) a statement indicating whether persons gathering signatures for the referendum
 3096 petition may be paid for gathering signatures;

3097 (d) the signature of each of the sponsors, acknowledged by a notary public; and

3098 (e) (i) if the referendum challenges an ordinance or resolution, [~~one copy of the law~~] a
 3099 copy of the ordinance or resolution; or

3100 (ii) if the referendum challenges a local law that is not an ordinance or resolution, a
 3101 written description of the local law, including the result of the vote on the local law.

3102 Section 59. Section ~~20A-7-602.5~~ is amended to read:

3103 **20A-7-602.5. Initial fiscal and legal impact statement -- Preparation of statement.**

3104 (1) Within three business days after the day on which the local clerk receives [~~an~~] a
 3105 referendum application [~~for a referendum petition~~], the local clerk shall submit a copy of the
 3106 referendum application to the county, city, or town's budget officer.

3107 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good
 3108 faith [~~estimate of the~~] initial fiscal and legal impact [~~of~~] statement for repealing the law the
 3109 referendum proposes to repeal that contains:

3110 (i) a dollar amount representing the total estimated fiscal impact of repealing the law;

3111 (ii) if repealing the law would increase or decrease taxes, a dollar amount representing
 3112 the total estimated increase or decrease for each type of tax that would be impacted by the law's
 3113 repeal and a dollar amount representing the total estimated increase or decrease in taxes that
 3114 would result from the law's repeal;

3115 (iii) if repealing the law would result in the issuance or a change in the status of bonds,
 3116 notes, or other debt instruments, a dollar amount representing the total estimated increase or
 3117 decrease in public debt that would result;

3118 (iv) a listing of all sources of funding for the estimated costs that would be associated
 3119 with the law's repeal, showing each source of funding and the percentage of total funding that
 3120 would be provided from each source;

3121 (v) a dollar amount representing the estimated costs or savings, if any, to state and
 3122 local government entities if the law were repealed;

3123 (vi) the legal impacts that would result from repealing the law, including:

3124 (A) any significant effects on a person's vested property rights;

3125 (B) any significant effects on other laws or ordinances;

3126 (C) any significant legal liability the city, county, or town may incur; and
3127 (D) any other significant legal impact as determined by the budget officer and the legal
3128 counsel; and

3129 (vii) a concise explanation, not exceeding 100 words, of the ~~[above]~~ information
3130 described in this Subsection (2)(a) and of the estimated fiscal impact, if any, if the law were
3131 repealed.

3132 (b) (i) If repealing the law would have no fiscal impact, the local budget officer shall
3133 include a summary statement in the initial fiscal impact and legal statement in substantially the
3134 following form:

3135 "The (title of the local budget officer) estimates that repealing the law this referendum
3136 proposes to repeal would have no significant fiscal impact and would not result in either an
3137 increase or decrease in taxes or debt."

3138 (ii) If repealing the law is estimated to have a fiscal impact, the local budget officer
3139 shall include a summary statement in the initial fiscal and legal impact statement describing the
3140 fiscal impact.

3141 (iii) If the estimated fiscal impact of repealing the law is highly variable or is otherwise
3142 difficult to reasonably express in a summary statement, the local budget officer may include in
3143 the summary statement a brief explanation that identifies those factors impacting the variability
3144 or difficulty of the estimate.

3145 (3) Within 20 calendar days after the day on which the local clerk submits a copy of the
3146 application under Subsection (1), the budget officer shall:

3147 (a) deliver a copy of the initial fiscal impact ~~[estimate, including the legal impact~~
3148 estimate,] and legal statement to the local clerk's office; and

3149 (b) ~~[deliver]~~ mail a copy of the initial fiscal impact ~~[estimate, including the legal~~
3150 impact estimate,] and legal statement to the first three sponsors named in the referendum
3151 application.

3152 Section 60. Section ~~20A-7-602.7~~ is amended to read:

3153 **20A-7-602.7. Referability to voters of local law other than land use law.**

3154 (1) Within 20 days after the day on which an eligible voter files ~~[an]~~ a referendum
3155 application ~~[to circulate a referendum petition]~~ under Section ~~20A-7-602~~ for a local law other
3156 than a land use law, counsel for the county, city, town, or metro township to which the

3157 referendum pertains shall:

3158 (a) review the referendum application to determine whether the proposed referendum is
3159 legally referable to voters; and

3160 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

3161 (i) legally referable to voters; or

3162 (ii) rejected as not legally referable to voters.

3163 (2) For a local law other than a land use law, a proposed referendum is legally referable
3164 to voters unless:

3165 (a) the proposed referendum challenges an action that is administrative, rather than
3166 legislative, in nature;

3167 (b) the proposed referendum challenges more than one law passed by the local
3168 legislative body; or

3169 (c) the referendum application [~~for the proposed referendum~~] was not timely filed or
3170 does not comply with the requirements of this part.

3171 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
3172 or metro township may not, for a local law other than a land use law:

3173 (a) reject a proposed referendum as not legally referable to voters; or

3174 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a
3175 proposed referendum on the grounds that the proposed referendum is not legally referable to
3176 voters.

3177 (4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a
3178 proposed referendum concerning a local law other than a land use law, a sponsor of the
3179 proposed referendum may, within 10 days after the day on which a sponsor is notified under
3180 Subsection (1)(b), challenge or appeal the decision to:

3181 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

3182 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
3183 under Subsection (4)(a)(i).

3184 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection
3185 (4)(a) terminates the referendum.

3186 (5) If, on a challenge or appeal, the court determines that the proposed referendum
3187 described in Subsection (4) is legally referable to voters, the local clerk shall comply with

3188 Subsection 20A-7-604(3), or give the sponsors access to the website defined in Section
3189 20A-21-101, within five days after the day on which the determination, and any challenge or
3190 appeal of the determination, is final.

3191 Section 61. Section 20A-7-602.8 is amended to read:

3192 **20A-7-602.8. Referability to voters of local land use law.**

3193 (1) Within 20 days after the day on which an eligible voter files ~~[an]~~ a referendum
3194 application ~~[to circulate a referendum petition]~~ under Section 20A-7-602 for a land use law,
3195 counsel for the county, city, town, or metro township to which the referendum pertains shall:

3196 (a) review the referendum application to determine whether the proposed referendum is
3197 legally referable to voters; and

3198 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

3199 (i) legally referable to voters; or

3200 (ii) rejected as not legally referable to voters.

3201 (2) (a) Subject to Subsection (2)(b), for a land use law, a proposed referendum is
3202 legally referable to voters unless:

3203 (i) the proposed referendum challenges an action that is administrative, rather than
3204 legislative, in nature;

3205 (ii) the proposed referendum challenges a land use decision, rather than a land use
3206 regulation, as those terms are defined in Section 10-9a-103 or 17-27a-103;

3207 (iii) the proposed referendum challenges more than one law passed by the local
3208 legislative body; or

3209 (iv) the referendum application ~~[for the proposed referendum]~~ was not timely filed or
3210 does not comply with the requirements of this part.

3211 (b) In addition to the limitations of Subsection (2)(a), a proposed referendum is not
3212 legally referable to voters for a transit area land use law, as defined in Section 20A-7-601, if
3213 the transit area land use law was passed by a two-thirds vote of the local legislative body.

3214 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
3215 or metro township may not, for a land use law:

3216 (a) reject a proposed referendum as not legally referable to voters; or

3217 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a
3218 proposed referendum on the grounds that the proposed referendum is not legally referable to

3219 voters.

3220 (4) (a) If a county, city, town, or metro township rejects a proposed referendum
3221 concerning a land use law, a sponsor of the proposed referendum may, within seven days after
3222 the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision
3223 to:

- 3224 (i) the Supreme Court, by means of an extraordinary writ, if possible; or
- 3225 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
3226 under Subsection (4)(a)(i).

3227 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection
3228 (4)(a) terminates the referendum.

3229 (5) If, on challenge or appeal, the court determines that the proposed referendum is
3230 legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(3), or give
3231 the sponsors access to the website defined in Section 20A-21-101, within five days after the
3232 day on which the determination, and any challenge or appeal of the determination, is final.

3233 Section 62. Section 20A-7-603 is amended to read:

3234 **20A-7-603. Manual referendum process -- Form of referendum petition and**
3235 **signature sheet.**

3236 (1) This section applies only to the manual referendum process.

3237 (2) (a) Each proposed referendum petition shall be printed in substantially the
3238 following form:

3239 "REFERENDUM PETITION To the Honorable ____, County Clerk/City
3240 Recorder/Town Clerk:

3241 We, the undersigned citizens of Utah, respectfully order that (description of local law or
3242 portion of local law being challenged), passed by the ____ be referred to the voters for their
3243 approval or rejection at the regular/municipal general election to be held on
3244 _____(month\day\year);

3245 Each signer says:

3246 I have personally signed this referendum petition;

3247 The date next to my signature correctly reflects the date that I actually signed the
3248 petition;

3249 I have personally reviewed the entire statement included with this packet;

- 3250 I am registered to vote in Utah; and
3251 My residence and post office address are written correctly after my name."
3252 (b) The sponsors of a referendum or an agent of the sponsors shall attach a copy of the
3253 law that is the subject of the referendum to each referendum petition.
3254 (3) Each referendum signature sheet shall:
3255 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;
3256 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
3257 that line blank for the purpose of binding;
3258 (c) include the title of the referendum printed below the horizontal line, in at least
3259 14-point type;
3260 (d) include a table immediately below the title of the referendum, and beginning .5 inch
3261 from the left side of the paper, as follows:
3262 (i) the first column shall be .5 inch wide and include three rows;
3263 (ii) the first row of the first column shall be .85 inch tall and contain the words "For
3264 Office Use Only" in 10-point type;
3265 (iii) the second row of the first column shall be .35 inch tall;
3266 (iv) the third row of the first column shall be .5 inch tall;
3267 (v) the second column shall be 2.75 inches wide;
3268 (vi) the first row of the second column shall be .35 inch tall and contain the words
3269 "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
3270 (vii) the second row of the second column shall be .5 inch tall;
3271 (viii) the third row of the second column shall be .35 inch tall and contain the words
3272 "Street Address, City, Zip Code" in 10-point type;
3273 (ix) the fourth row of the second column shall be .5 inch tall;
3274 (x) the third column shall be 2.75 inches wide;
3275 (xi) the first row of the third column shall be .35 inch tall and contain the words
3276 "Signature of Registered Voter" in 10-point type;
3277 (xii) the second row of the third column shall be .5 inch tall;
3278 (xiii) the third row of the third column shall be .35 inch tall and contain the words
3279 "Email Address (optional, to receive additional information)" in 10-point type;
3280 (xiv) the fourth row of the third column shall be .5 inch tall;

3281 (xv) the fourth column shall be one inch wide;

3282 (xvi) the first row of the fourth column shall be .35 inch tall and contain the words

3283 "Date Signed" in 10-point type;

3284 (xvii) the second row of the fourth column shall be .5 inch tall;

3285 (xviii) the third row of the fourth column shall be .35 inch tall and contain the words

3286 "Birth Date or Age (optional)" in 10-point type;

3287 (xix) the fourth row of the third column shall be .5 inch tall; and

3288 (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,

3289 and contain the following words, "By signing this referendum petition, you are stating that you

3290 have read and understand the law that this referendum petition seeks to overturn." in 12-point

3291 type;

3292 (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at

3293 the bottom of the sheet or the information described in Subsection (3)(f); and

3294 (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,

3295 followed by the following statement in not less than eight-point type:

3296 "It is a class A misdemeanor for an individual to sign a referendum petition with a name

3297 other than the individual's own name, or to knowingly sign the individual's name more than

3298 once for the same [~~measure~~] referendum petition, or to sign a referendum petition when the

3299 individual knows that the individual is not a registered voter.

3300 Birth date or age information is not required, but it may be used to verify your identity

3301 with voter registration records. If you choose not to provide it, your signature may not be

3302 verified as a valid signature if you change your address before petition signatures are verified

3303 or if the information you provide does not match your voter registration records."

3304 (4) The final page of each referendum packet shall contain the following printed or

3305 typed statement:

3306 "Verification of signature collector

3307 State of Utah, County of _____

3308 I, _____, of _____, hereby state, under penalty of perjury, that:

3309 I am a resident of Utah and am at least 18 years old;

3310 All the names that appear in this packet were signed by individuals who professed to be

3311 the individuals whose names appear in it, and each of the individuals signed the individual's

3312 name on it in my presence;

3313 I did not knowingly make a misrepresentation of fact concerning the law this petition
3314 seeks to overturn;

3315 I believe that each individual has printed and signed the individual's name and written
3316 the individual's post office address and residence correctly, that each signer has read and
3317 understands the law that the referendum seeks to overturn, and that each signer is registered to
3318 vote in Utah.

3319 _____
3320 (Name) (Residence Address) (Date)

3321 Each individual who signed the packet wrote the correct date of signature next to the
3322 individual's name.

3323 I have not paid or given anything of value to any individual who signed this
3324 [~~petition~~]referendum packet to encourage that individual to sign it.

3325 _____
3326 (Name) (Residence Address) (Date)".

3327 (5) If the forms described in this section are substantially followed, the referendum
3328 petitions are sufficient, notwithstanding clerical and merely technical errors.

3329 (6) An individual's status as a resident, under Subsection (4), is determined in
3330 accordance with Section 20A-2-105.

3331 Section 63. Section 20A-7-604 is amended to read:

3332 **20A-7-604. Manual referendum process -- Circulation requirements -- Local**
3333 **clerk to provide sponsors with materials.**

3334 (1) This section applies only to the manual referendum process.

3335 (2) In order to obtain the necessary number of signatures required by this part, the
3336 sponsors or an agent of the sponsors shall, after the sponsors receive the documents described
3337 in Subsections (3) and 20A-7-401.5(4)(b), circulate referendum packets that meet the form
3338 requirements of this part.

3339 (3) Within five days after the day on which a county, city, town, metro township, or
3340 court determines, in accordance with Section 20A-7-602.7, that a proposed referendum is
3341 legally referable to voters, the local clerk shall [~~furnish to~~] provide the sponsors[~~:~~] with
3342 [~~(a)~~] a copy of the referendum petition[~~; and (b)~~] and a signature sheet.

3343 (4) The sponsors of the referendum petition shall:

3344 (a) arrange and pay for the printing of all [~~additional copies of the petition and~~
3345 ~~signature sheets~~] documents that are part of the referendum packets; and

3346 (b) ensure that the [~~copies of the petition and signature sheets~~] referendum packets and
3347 the documents described in Subsection (4)(a) meet the form requirements of this section.

3348 (5) (a) The sponsors or an agent of the sponsors may prepare the referendum packets
3349 for circulation by creating multiple referendum packets.

3350 (b) The sponsors or an agent of the sponsors shall create referendum packets by
3351 binding a copy of the referendum petition with the text of the law that is the subject of the
3352 referendum and no more than 50 signature sheets together at the top in a manner that the
3353 referendum packets may be conveniently opened for signing.

3354 (c) A referendum packet is not required to have a uniform number of signature sheets.

3355 (d) The sponsors or an agent of the sponsors shall include, with each packet, a copy of
3356 the proposition information pamphlet provided to the sponsors under Subsection
3357 [20A-7-401.5\(4\)\(b\)](#).

3358 (6) (a) The sponsors or an agent of the sponsors shall, before gathering signatures:

3359 (i) contact the county clerk to receive a range of numbers that the sponsors may use to
3360 number [~~signature~~] referendum packets; [~~and~~]

3361 (ii) sign an agreement with the local clerk, specifying the range of numbers that the
3362 sponsor will use to number the referendum packets; and

3363 [~~(i)~~] (iii) number each [~~signature~~] referendum packet, sequentially, within the range of
3364 numbers provided by the county clerk, starting with the lowest number in the range.

3365 (b) The sponsors or an agent of the sponsors may not:

3366 (i) number a [~~signature~~] referendum packet in a manner not directed by the county
3367 clerk; or

3368 (ii) circulate or submit a [~~signature~~] referendum packet that is not numbered in the
3369 manner directed by the county clerk.

3370 [~~(c) The county clerk shall keep a record of the number range provided under~~
3371 ~~Subsection (6)(a);~~]

3372 Section 64. Section [20A-7-604.5](#) is amended to read:

3373 **[20A-7-604.5. Posting referendum information.](#)**

3374 (1) On the day on which the local clerk complies with Subsection 20A-7-604(3), or
3375 gives the sponsors access to the website defined in Section 20A-21-101, the local clerk shall
3376 post the following information together in a conspicuous place on the local clerk's website:

- 3377 (a) the referendum petition;
- 3378 (b) a copy of the law that is the subject of the referendum petition; and
- 3379 (c) information describing how an individual may remove the individual's signature
3380 from the referendum petition.

3381 (2) The local clerk shall:

3382 (a) promptly update the information described in Subsection (1) if the information
3383 changes; and

3384 (b) maintain the information described in Subsection (1) on the local clerk's website
3385 until the referendum fails to qualify for the ballot or is passed or defeated at an election.

3386 Section 65. Section 20A-7-605 is amended to read:

3387 **20A-7-605. Manual referendum process -- Obtaining signatures -- Verification --**
3388 **Removal of signature.**

3389 (1) This section applies only to the manual referendum process.

3390 (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and
3391 resides in the local jurisdiction.

3392 (3) (a) The sponsors shall ensure that the individual in whose presence each [~~signature~~
3393 ~~sheet~~] referendum packet was signed:

3394 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;

3395 (ii) verifies each [~~signature sheet~~] referendum packet by completing the verification
3396 printed on the last page of each referendum packet; and

3397 (iii) is informed that each signer is required to read and understand the law that the
3398 referendum seeks to overturn.

3399 (b) An individual may not sign the verification printed on the last page of the
3400 referendum packet if the individual signed a signature sheet in the referendum packet.

3401 (4) (a) A voter who has signed a referendum petition may have the voter's signature
3402 removed from the referendum petition by submitting to the county clerk a statement requesting
3403 that the voter's signature be removed no later than the earlier of:

3404 (i) 30 days after the day on which the voter signs the statement requesting removal; or

- 3405 (ii) 45 days after the day on which the local clerk posts the voter's name under
3406 Subsection 20A-7-607(2)(a).
- 3407 (b) (i) The statement shall include:
3408 (A) the name of the voter;
3409 (B) the resident address at which the voter is registered to vote;
3410 (C) the signature of the voter; and
3411 (D) the date of the signature described in Subsection (4)(b)(i)(C).
- 3412 (ii) To increase the likelihood of the voter's signature being identified and removed, the
3413 statement may include the voter's birth date or age.
- 3414 (c) A voter may not submit a statement by email or other electronic means.
- 3415 (d) In order for the signature to be removed, the county clerk must receive the
3416 statement before 5 p.m. no later than 45 days after the day on which the local clerk posts the
3417 voter's name under Subsection 20A-7-607(2)(a).
- 3418 (e) A person may only remove a signature from a referendum petition in accordance
3419 with this Subsection (4).
- 3420 (f) A county clerk shall analyze a signature, for purposes of removing a signature from
3421 a referendum petition, in accordance with Section 20A-7-606.3.
- 3422 Section 66. Section 20A-7-606 is amended to read:
- 3423 **20A-7-606. Manual referendum process -- Submitting the referendum petition --**
3424 **Certification of signatures by the county clerks -- Transfer to local clerk.**
- 3425 (1) This section applies only to the manual referendum process.
- 3426 (2) (a) The sponsors, or an agent of the sponsors, shall submit a signed and verified
3427 referendum packet to the county clerk of the county in which the referendum packet was
3428 circulated before 5 p.m. no later than the earlier of:
- 3429 (i) 30 days after the day on which the first individual signs the referendum packet; or
3430 (ii) 45 days after the day on which the sponsors receive the items described in
3431 Subsection 20A-7-604(3) or from the local clerk.
- 3432 (b) A person may not submit a referendum packet after the deadline described in
3433 Subsection (2)(a).
- 3434 (3) No later than 21 days after the day on which a county clerk receives a verified
3435 referendum packet under Subsection (2)(a), the county clerk shall:

3436 (a) determine whether each signer is a registered voter according to the requirements of
3437 Section [20A-7-606.3](#);

3438 (b) certify on the [~~petition~~] referendum packet whether each name is that of a registered
3439 voter;

3440 (c) provide the name, voter identification number, and date of signature of each
3441 registered voter certified under Subsection (3)(b); and

3442 (d) deliver the verified referendum packet to the local clerk.

3443 (4) (a) If the county clerk timely receives a statement requesting signature removal
3444 under Subsection [20A-7-605\(4\)](#), the county clerk shall:

3445 (i) ensure that the voter's name, voter identification number, and date of signature are
3446 not included in the posting described in Subsection [20A-7-607\(2\)\(a\)](#); and

3447 (ii) remove the voter's signature from the [~~signature packets and signature packet~~]
3448 referendum petition and the signature totals.

3449 (b) The county clerk shall comply with Subsection (4)(a) before the later of:

3450 (i) the deadline described in Subsection (3); or

3451 (ii) two business days after the day on which the county clerk receives a statement
3452 requesting signature removal under Subsection [20A-7-605\(4\)](#).

3453 (c) The local clerk shall post a link in a conspicuous location on the local government's
3454 website to the posting described in Subsection [20A-7-607\(2\)\(a\)](#) during the period of time
3455 described in Subsection [20A-7-607\(2\)\(a\)\(i\)](#).

3456 (5) The county clerk may not certify a signature under Subsection (3):

3457 (a) on a referendum packet that is not verified in accordance with Section [20A-7-605](#);

3458 or

3459 (b) that does not have a date of signature next to the signature.

3460 (6) A person may not retrieve a referendum packet from a county clerk, or make any
3461 alterations or corrections to a referendum packet, after the referendum packet is submitted to
3462 the county clerk.

3463 Section 67. Section [20A-7-606.3](#) is amended to read:

3464 **20A-7-606.3. Verification of petition signatures.**

3465 (1) As used in this section:

3466 (a) "Substantially similar name" means:

3467 (i) the given name [~~and~~], the surname [shown on the petition], or both, provided by the
3468 individual with the individual's petition signature contain only minor spelling differences when
3469 compared to the given name and surname shown on the official register;

3470 (ii) the surname [~~shown on the petition~~] provided by the individual with the
3471 individual's petition signature exactly matches the surname shown on the official register, and
3472 the given names differ only because one of the given names shown is a commonly used
3473 abbreviation or variation of the other;

3474 (iii) the surname [~~shown on the petition~~] provided by the individual with the
3475 individual's petition signature exactly matches the surname shown on the official register, and
3476 the given names differ only because one of the given names shown is accompanied by a first or
3477 middle initial or a middle name which is not shown on the other record; or

3478 (iv) the surname [~~shown on the petition~~] provided by the individual with the
3479 individual's petition signature exactly matches the surname shown on the official register, and
3480 the given names differ only because one of the given names shown is an alphabetically
3481 corresponding initial that has been provided in the place of a given name shown on the other
3482 record.

3483 (b) "Substantially similar name" does not mean a name having an initial or a middle
3484 name [~~shown on the petition~~] provided by the individual with the individual's petition signature
3485 that does not match a different initial or middle name shown on the official register.

3486 (2) In relation to an individual who signs a referendum petition with a holographic
3487 signature, the county clerk shall use the following procedures in determining whether a signer
3488 is a registered voter:

3489 (a) [~~When~~] if a signer's name and address [shown on the petition] provided by the
3490 individual with the individual's petition signature exactly match a name and address shown on
3491 the official register and the signer's signature appears substantially similar to the signature on
3492 the statewide voter registration database, the county clerk shall declare the signature valid[-];

3493 (b) [~~When~~] if there is no exact match of an address and a name, the county clerk shall
3494 declare the signature valid if:

3495 (i) the address [~~on the petition~~] provided by the individual with the individual's petition
3496 signature matches the address of an individual on the official register with a substantially
3497 similar name; and

3498 (ii) the signer's signature appears substantially similar to the signature on the statewide
3499 voter registration database of the individual described in Subsection (2)(b)(i)[:-];

3500 (c) [~~When~~] if there is no match of an address and a substantially similar name, the
3501 county clerk shall declare the signature valid if:

3502 (i) the birth date or age [~~on the petition~~] provided by the individual with the
3503 individual's petition signature matches the birth date or age of an individual on the official
3504 register with a substantially similar name; and

3505 (ii) the signer's signature appears substantially similar to the signature on the statewide
3506 voter registration database of the individual described in Subsection (2)(c)(i)[:-]; and

3507 (d) [~~If~~] if a signature is not declared valid under Subsection (2)(a), (b), or (c), the
3508 county clerk shall declare the signature to be invalid.

3509 (3) In relation to an individual who, with a holographic signature, signs a statement to
3510 remove the individual's signature from a referendum petition, the county clerk shall use the
3511 following procedures in determining whether to remove a signature from a referendum petition
3512 after receiving a timely, valid statement requesting removal of the signature:

3513 (a) if a signer's name and address shown on the statement and the referendum petition
3514 exactly match a name and address shown on the official register and the signer's [~~signature~~]
3515 signatures on both the statement and the referendum petition [~~appears~~] appear substantially
3516 similar to the signature on the statewide voter registration database, the county clerk shall
3517 remove the signature from the referendum petition;

3518 (b) if there is no exact match of an address and a name, the county clerk shall remove
3519 the signature from the referendum petition if:

3520 (i) the address on the statement and the [~~petition matches~~] address provided by the
3521 individual with the individual's petition signature match the address of an individual on the
3522 official register with a substantially similar name; and

3523 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition
3524 [~~appears~~] appear substantially similar to the signature on the statewide voter registration
3525 database of the individual described in Subsection (3)(b)(i);

3526 (c) if there is no match of an address and a substantially similar name, the county clerk
3527 shall remove the signature from the referendum petition if:

3528 (i) the birth date or age on the statement and [~~petition~~] the birth date or age provided by

3529 the individual with the individual's petition signature match the birth date or age of an
3530 individual on the official register with a substantially similar name; and

3531 (ii) the signer's [~~signature~~] signatures on both the statement and the referendum petition
3532 [~~appears~~] appear substantially similar to the signature on the statewide voter registration
3533 database of the individual described in Subsection (3)(c)(i); and

3534 (d) if a signature does not qualify for removal under Subsection (3)(a), (b), or (c), the
3535 county clerk may not remove the signature from the petition.

3536 Section 68. Section **20A-7-607** is amended to read:

3537 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**
3538 **referendum.**

3539 (1) In relation to the manual referendum process, when the local clerk receives a
3540 referendum packet from a county clerk, the local clerk shall record the number of the
3541 referendum packet received.

3542 (2) The county clerk shall:

3543 (a) in relation to the manual referendum process:

3544 (i) post the names, voter identification numbers, and dates of signatures described in
3545 Subsection **20A-7-606**(3)(c) on the lieutenant governor's website, in a conspicuous location
3546 designated by the lieutenant governor, for at least 45 days; and

3547 (ii) update on the local clerk's website the number of signatures certified as of the date
3548 of the update; or

3549 (b) in relation to the electronic referendum process:

3550 (i) post the names, voter identification numbers, and dates of signatures described in
3551 Subsection **20A-7-616**(3) on the lieutenant governor's website, in a conspicuous location
3552 designated by the lieutenant governor, for at least 45 days; and

3553 (ii) update on the lieutenant governor's website the number of signatures certified as of
3554 the date of the update.

3555 (3) The local clerk:

3556 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be
3557 sufficient or insufficient:

3558 (i) in relation to the manual referendum process, no later than 111 days after the day of
3559 the deadline, described in Subsection **20A-7-606**(2), to submit a referendum packet to the

3560 county clerk; or

3561 (ii) in relation to the electronic referendum process, no later than 111 days after the day
3562 of the deadline, described in Subsection 20A-7-616(2), to collect a signature; or

3563 (b) may declare the referendum petition to be insufficient before the day described in
3564 Subsection (3)(a) if:

3565 (i) in relation to the manual referendum process, the total of all valid signatures on
3566 timely and lawfully submitted [~~signature~~] referendum packets that have been certified by the
3567 county clerk, plus the number of signatures on timely and lawfully submitted [~~signature~~]
3568 referendum packets that have not yet been evaluated for certification, is less than the number of
3569 names required under Section 20A-7-601;

3570 (ii) in relation to the electronic referendum process, the total of all timely and lawfully
3571 submitted valid signatures that have been certified by the county clerks, plus the number of
3572 timely and lawfully submitted valid signatures received under Subsection 20A-21-201(6)(b)
3573 that have not yet been evaluated for certification, is less than the number of names required
3574 under Section 20A-7-601; or

3575 (iii) a requirement of this part has not been met.

3576 (4) (a) If the total number of names certified under Subsection (2) equals or exceeds
3577 the number of names required under Section 20A-7-601, and the requirements of this part are
3578 met, the local clerk shall mark upon the front of the referendum petition the word
3579 "sufficient." [;]

3580 (b) If the total number of names certified under Subsection (3) does not equal or
3581 exceed the number of names required under Section 20A-7-601 or a requirement of this part is
3582 not met, the local clerk shall mark upon the front of the referendum petition the word
3583 "insufficient."

3584 (c) The local clerk shall immediately notify any one of the sponsors of the local clerk's
3585 finding.

3586 (d) After a referendum petition is declared insufficient, a person may not submit
3587 additional signatures to qualify the [~~petition~~] referendum for the ballot.

3588 (5) (a) If the local clerk refuses to [~~accept and file any~~] declare a referendum petition
3589 sufficient, any voter may, no later than 10 days after the day on which the local clerk declares
3590 the referendum petition insufficient, apply to [~~a~~] the appropriate court for an [~~extraordinary writ~~]

3591 ~~to compel the local clerk to do so within 10 days after the refusal]~~ order finding the referendum
3592 petition legally sufficient.

3593 (b) If the court determines that the referendum petition is legally sufficient, the local
3594 clerk shall ~~[file the petition, with a verified copy of the judgment attached to the petition,]~~ mark
3595 the referendum petition "sufficient" and consider the declaration of sufficiency effective as of
3596 the date on which the referendum petition [was originally offered for filing in] should have
3597 been declared sufficient by the local clerk's office.

3598 (c) If the court determines that ~~[any]~~ a referendum petition filed is not legally
3599 sufficient, the court may enjoin the local clerk and all other officers from:

3600 (i) certifying or printing the ballot title and numbers of that ~~[measure]~~ referendum on
3601 the official ballot for the next election; or

3602 (ii) as it relates to a local tax law that is conducted entirely by mail, certifying, printing,
3603 or mailing the ballot title and numbers of that ~~[measure]~~ referendum under Section
3604 [20A-7-609.5](#).

3605 (6) A referendum petition determined to be sufficient in accordance with this section is
3606 qualified for the ballot.

3607 (7) (a) Except as provided in Subsection (7)(b) or (c), if a referendum relates to
3608 legislative action taken after April 15, the election officer may not place the referendum on an
3609 election ballot until a primary election, a general election, or a special election the following
3610 year.

3611 (b) The election officer may place a referendum described in Subsection (7)(a) on the
3612 ballot for a special, primary, or general election held during the year that the legislative action
3613 was taken if the following agree, in writing, on a timeline to place the referendum on that
3614 ballot:

3615 (i) the local clerk;

3616 (ii) the county clerk; and

3617 (iii) the attorney for the county or municipality that took the legislative action.

3618 (c) For a referendum on a land use law, if, before August 30, the local clerk or a court
3619 determines that the total number of certified names equals or exceeds the number of signatures
3620 required in Section [20A-7-601](#), the election officer shall place the referendum on the election
3621 ballot for:

- 3622 (i) the next general election; or
- 3623 (ii) another election, if the following agree, in writing, on a timeline to place the
- 3624 referendum on that ballot:
 - 3625 (A) the affected owners, as defined in Section 10-9a-103 or 17-27a-103, as applicable;
 - 3626 (B) the local clerk;
 - 3627 (C) the county clerk; and
 - 3628 (D) the attorney for the county or municipality that took the legislative action.
- 3629 Section 69. Section 20A-7-608 is amended to read:

3630 **20A-7-608. Short title and summary of referendum -- Duties of local clerk and**
3631 **local attorney.**

- 3632 (1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the
- 3633 referendum petition and the [~~proposed~~] law to which the referendum relates to the local
- 3634 attorney.
- 3635 (2) The local attorney shall:
 - 3636 (a) entitle each county or municipal referendum that qualifies for the ballot
 - 3637 "Proposition Number ___" and give the referendum a number assigned in accordance with
 - 3638 Section 20A-6-107;
 - 3639 (b) prepare for the referendum:
 - 3640 (i) an impartial short title, not exceeding 25 words, that generally describes the subject
 - 3641 of the [~~measure~~] law to which the referendum relates; and
 - 3642 (ii) an impartial summary of the contents of the [~~measure~~] law to which the referendum
 - 3643 relates, not exceeding 125 words;
 - 3644 (c) file the proposed short title, summary, and the numbered referendum title with the
 - 3645 local clerk within 20 days after the day on which an eligible voter submits the referendum
 - 3646 petition to the local clerk; and
 - 3647 (d) promptly provide notice of the filing of the proposed short title and summary to:
 - 3648 (i) the sponsors of the petition; and
 - 3649 (ii) the local legislative body for the jurisdiction where the referendum petition was
 - 3650 circulated.
 - 3651 (3) (a) The short title and summary may be distinct from the title of the law that is the
 - 3652 subject of the referendum petition.

3653 (b) In preparing a short title, the local attorney shall, to the best of the local attorney's
3654 ability, give a true and impartial description of the subject of the [measure] referendum.

3655 (c) In preparing a summary, the local attorney shall, to the best of the local attorney's
3656 ability, give a true and impartial summary of the contents of the [measure] referendum.

3657 (d) The short title and summary may not intentionally be an argument, or likely to
3658 create prejudice, for or against the [measure] referendum.

3659 (4) (a) Within five calendar days after the day on which the local attorney files a
3660 proposed short title and summary under Subsection (2)(c), the local legislative body for the
3661 jurisdiction where the referendum petition was circulated and the sponsors of the referendum
3662 petition may file written comments in response to the proposed short title and summary with
3663 the local clerk[-];

3664 (b) Within five calendar days after the last date to submit written comments under
3665 Subsection (4)(a), the local attorney shall:

3666 (i) review any written comments filed in accordance with Subsection (4)(a);

3667 (ii) prepare a final short title and summary that meets the requirements of Subsection
3668 (3); and

3669 (iii) return the referendum petition and file the short title and summary with the local
3670 clerk.

3671 (c) Subject to Subsection (6):

3672 (i) the short title, as determined by the local attorney, shall be printed on the official
3673 ballot; and

3674 (ii) for each ballot that includes an initiative or referendum, the election officer shall
3675 include with the ballot a separate ballot proposition insert that includes the short title and
3676 summary for each initiative and referendum on the ballot and a link to a location on the
3677 election officer's website where a voter may review additional information relating to each
3678 initiative or referendum, including:

3679 (A) for an initiative, the information described in Subsection 20A-7-502(2), the initial
3680 fiscal impact [estimate] and legal statement described in Section 20A-7-502.5, as updated, and
3681 the arguments relating to the initiative that are included in the local voter information
3682 pamphlet; or

3683 (B) for a referendum, the information described in Subsection 20A-7-602(2) and the

3684 arguments relating to the referendum that are included in the local voter information pamphlet.

3685 (d) For each ballot that includes an initiative or referendum, the ballot shall include the
3686 following statement at the beginning of the portion of the ballot that includes ballot measures,
3687 "The ballot proposition sheet included with this ballot contains an impartial summary of each
3688 initiative and referendum on this ballot."

3689 (5) Immediately after the local attorney files a copy of the short title and summary with
3690 the local clerk, the local clerk shall serve a copy of the short title and summary by mail upon
3691 the sponsors of the referendum petition and the local legislative body for the jurisdiction where
3692 the referendum petition was circulated.

3693 (6) (a) If the short title or summary [~~furnished~~] provided by the local attorney is
3694 unsatisfactory or does not comply with the requirements of this section, the decision of the
3695 local attorney may be appealed to the appropriate court by:

- 3696 (i) at least three sponsors of the referendum petition; or
3697 (ii) a majority of the local legislative body for the jurisdiction where the referendum
3698 petition was circulated.

3699 (b) The court:

- 3700 (i) shall examine the short title and summary and consider the arguments; and
3701 (ii) enter an order consistent with the requirements of this section.

3702 (c) The local clerk shall include the short title and summary in the ballot or ballot
3703 proposition insert, as required by this section.

3704 Section 70. Section **20A-7-609** is amended to read:

3705 **20A-7-609. Form of ballot -- Manner of voting.**

3706 (1) The local clerk shall ensure that the number and ballot title are presented upon the
3707 official ballot with, immediately adjacent to them, the words "For" and "Against," each word
3708 presented with an adjacent square in which the elector may indicate the elector's vote.

3709 (2) (a) Except as provided in Subsection (2)(c)(i) or Section **20A-7-609.5**, and unless
3710 the county legislative body calls a special election, the county clerk shall ensure that county
3711 referenda that have qualified for the ballot appear on the next regular general election ballot.

3712 (b) Except as provided in Subsection (2)(c)(ii) or Section **20A-7-609.5**, and unless the
3713 municipal legislative body calls a special election, the municipal recorder or clerk shall ensure
3714 that municipal referenda that have qualified for the ballot appear on the next regular municipal

3715 election ballot.

3716 (c) (i) Except as provided in Section 20A-7-609.5, if a local law passes after January
3717 30 of the year in which there is a regular general election, the county clerk shall ensure that a
3718 county referendum that has qualified for the ballot appears on the ballot at the second regular
3719 general election immediately following the passage of the local law unless the county
3720 legislative body calls a special election.

3721 (ii) Except as provided in Section 20A-7-609.5, if a local law passes after January 30
3722 of the year in which there is a municipal general election, the municipal recorder or clerk shall
3723 ensure that a municipal referendum that has qualified for the ballot appears on the ballot at the
3724 second municipal general election immediately following the passage of the local law unless
3725 the municipal legislative body calls a special election.

3726 (3) (a) (i) A voter desiring to vote in favor of the law that is the subject of the
3727 referendum shall mark the square adjacent to the word "For."

3728 (ii) The law that is the subject of the referendum is effective if a majority of voters
3729 mark "For."

3730 (b) (i) A voter desiring to vote against the law that is the subject of the referendum
3731 [petition] shall mark the square following the word "Against."

3732 (ii) The law that is the subject of the referendum is not effective if a majority of voters
3733 mark "Against."

3734 Section 71. Section 20A-7-610 is amended to read:

3735 **20A-7-610. Return and canvass -- Conflicting measures -- Law effective on**
3736 **proclamation.**

3737 (1) The votes on the [proposed] law that is the subject of the referendum petition shall
3738 be counted, canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing
3739 Returns.

3740 (2) After the local board of canvassers completes the canvass, the local clerk shall
3741 certify to the local legislative body the vote for and against the [proposed] law that is the
3742 subject of the referendum petition.

3743 (3) (a) The local legislative body shall immediately issue a proclamation that:

3744 (i) gives the total number of votes cast in the local jurisdiction for and against each
3745 [proposed] law that is the subject of a referendum petition; and

3746 (ii) in accordance with Section 20A-7-611, declares those laws that are the subject of a
3747 referendum petition that ~~were~~ are approved by majority vote to be in full force and effect as
3748 the law of the local jurisdiction.

3749 (b) When the local legislative body determines that two ~~proposed~~ laws, or that parts
3750 of two ~~proposed~~ laws approved by the people at the same election are entirely in conflict, the
3751 local legislative body shall proclaim ~~that measure~~ to be law the law that received the greatest
3752 number of affirmative votes, regardless of the difference in the majorities which those
3753 ~~measures have~~ approved laws received.

3754 (4) (a) Within 10 days after the day on which the local legislative body issues the
3755 proclamation described in Subsection (3), any qualified voter residing in the jurisdiction for a
3756 law that is declared by the local legislative body to be superseded by another ~~measure~~ law
3757 approved at the same election may bring an action in the appropriate court to review the
3758 decision.

3759 (b) The court shall:

3760 (i) consider the matter and decide whether the ~~proposed~~ approved laws are entirely in
3761 conflict; and

3762 (ii) issue an order, consistent with the court's decision, to the local legislative body.

3763 (5) Within 10 days after the day on which the court enters an order under Subsection
3764 (4)(b)(ii), the local legislative body shall:

3765 (a) proclaim as law all ~~measures~~ those laws approved by the people that the court
3766 determines are not in conflict; and

3767 (b) ~~for the measures~~ of all those laws approved by the people as law that the court
3768 determines to be in conflict, proclaim as law the ~~measure that received~~ one that receives the
3769 greatest number of affirmative votes, regardless of the difference in majorities.

3770 Section 72. Section 20A-7-611 is amended to read:

3771 **20A-7-611. Temporary stay -- Effective date -- Effect of repeal by local legislative**
3772 **body.**

3773 (1) Any ~~proposed~~ law submitted to the people by referendum petition that is rejected
3774 by the voters at any election is repealed as of the date of the election.

3775 (2) If, at the time during the process described in Subsection 20A-7-607(2), the local
3776 clerk determines that, at that point in time, an adequate number of signatures are certified to

3777 comply with the signature requirements, the local clerk shall:

3778 (a) issue an order temporarily staying the law from going into effect; and

3779 (b) continue the process of certifying signatures and removing signatures as required by
3780 this part.

3781 (3) The temporary stay described in Subsection (2) remains in effect, regardless of
3782 whether a future count falls below the signature threshold, until the day on which:

3783 (a) if the local clerk declares the referendum petition insufficient, five days after the
3784 day on which the local clerk declares the referendum petition insufficient; or

3785 (b) if the local clerk declares the referendum petition sufficient, the day on which the
3786 local legislative body issues the proclamation described in Section [20A-7-610](#).

3787 (4) A [~~proposed~~] law submitted to the people by referendum [~~petition~~] that is approved
3788 by the voters at an election takes effect the later of:

3789 (a) five days after the date of the official proclamation of the vote by the local
3790 legislative body; or

3791 (b) the effective date specified in the [~~proposed~~] approved law.

3792 (5) If, after the local clerk issues a temporary stay order under Subsection (2)(a), the
3793 local clerk declares the referendum petition insufficient, the [~~proposed~~] law that is the subject
3794 of the referendum petition takes effect the later of:

3795 (a) five days after the day on which the local clerk declares the petition insufficient; or

3796 (b) the effective date specified in the proposed law.

3797 (6) (a) A law [~~adopted~~] approved by the people under this part is not subject to veto.

3798 (b) The local legislative body may amend any laws approved by the people under this
3799 part after the people approve the law.

3800 (7) If the local legislative body repeals a law challenged by referendum petition under
3801 this part, the referendum petition is void and no further action on the referendum petition is
3802 required.

3803 Section 73. Section [20A-7-612](#) is amended to read:

3804 **[20A-7-612. Misconduct of electors and officers -- Penalty.](#)**

3805 (1) It is unlawful for an individual to:

3806 (a) sign [~~any~~] a name other than the individual's own name to any referendum petition;

3807 (b) knowingly sign the individual's name more than once for the same referendum at

3808 one election;

3809 (c) knowingly indicate that an individual who signed a referendum petition signed the
3810 referendum petition on a date other than the date that the individual signed the referendum
3811 petition;

3812 ~~[(b)]~~ (d) sign a referendum petition knowing that the individual is not a legal voter;

3813 ~~[(c)]~~ (e) in connection with circulating a referendum petition, represent that a document
3814 is an official government document if the individual knows or has reason to know that the
3815 document is not an official government document; or

3816 ~~[(d)]~~ (f) knowingly and willfully violate any provision of this part.

3817 (2) It is unlawful for an individual to sign the verification for a referendum packet, or
3818 to electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing
3819 that:

3820 (a) the individual does not meet the residency requirements of Section 20A-2-105;

3821 (b) the signature date associated with the individual's signature for the referendum
3822 petition is not the date that the individual signed the referendum petition;

3823 ~~[(b)]~~ (c) the individual has not witnessed the signatures the individual collects or
3824 submits; or

3825 ~~[(c)]~~ (d) one or more individuals whose signatures appear in the referendum packet is
3826 not registered to vote in Utah.

3827 (3) It is unlawful for an individual to:

3828 (a) pay an individual to sign a referendum petition;

3829 (b) pay an individual to remove the individual's signature from a referendum petition;

3830 (c) accept payment to sign a referendum petition; or

3831 (d) accept payment to have the individual's name removed from a referendum petition.

3832 ~~[(3) An individual who violates this part is guilty of]~~

3833 (4) A violation of this section is a class A misdemeanor.

3834 ~~[(4)]~~ (5) The county attorney or municipal attorney shall prosecute any violation of this
3835 section.

3836 Section 74. Section 20A-7-614 is amended to read:

3837 **20A-7-614. Electronic referendum process -- Form of referendum petition --**

3838 **Circulation requirements -- Signature collection.**

3839 (1) This section applies only to the electronic referendum process.

3840 (2) (a) The first screen presented on the approved device shall include the following
3841 statement:

3842 "This REFERENDUM PETITION is addressed to the Honorable ____, County
3843 Clerk/City Recorder/Town Clerk:

3844 The citizens of Utah who sign this petition respectfully order that (description of local
3845 law or portion of local law being challenged), passed by the ____ be referred to the voters for
3846 their approval or rejection at the regular/municipal general election to be held on
3847 _____(month\day\year)."

3848 (b) An individual may not advance to the second screen until the individual clicks a
3849 link at the bottom of the first screen stating, "By clicking here, I attest that I have read and
3850 understand the information presented on this screen."

3851 (3) (a) The second screen presented on the approved device shall include the entire text
3852 of the law that is the subject of the referendum petition.

3853 (b) An individual may not advance to the third screen until the individual clicks a link
3854 at the bottom of the second screen stating, "By clicking here, I attest that I have read and
3855 understand the entire text of the law that is the subject of the referendum petition."

3856 (4) (a) The third screen presented on the approved device shall include a statement
3857 indicating whether persons gathering signatures for the referendum petition may be paid for
3858 gathering signatures.

3859 (b) An individual may not advance to the fourth screen until the individual clicks a link
3860 at the bottom of the third screen stating, "By clicking here, I attest that I have read and
3861 understand the information presented on this screen."

3862 (5) The fourth screen presented on the approved device shall include the following
3863 statement, followed by links where the individual may click "yes" or "no":

3864 "I have personally reviewed the entirety of each statement presented on this device;

3865 I am personally signing this referendum petition;

3866 I am registered to vote in Utah; and

3867 All information I enter on this device, including my residence and post office address, is
3868 accurate.

3869 It is a class A misdemeanor for an individual to sign a referendum petition with a name

3870 other than the individual's own name, or to knowingly sign the individual's name more than
3871 once for the same [measure] referendum petition, or to sign a referendum petition when the
3872 individual knows that the individual is not a registered voter.

3873 Do you wish to continue and sign this referendum petition?"

3874 (6) (a) If the individual clicks "no" in response to the question described in Subsection
3875 (5), the next screen shall include the following statement, "Thank you for your time. Please
3876 return this device to the signature-gatherer."

3877 (b) If the individual clicks "yes" in response to the question described in Subsection
3878 (5), the website, or the application that accesses the website, shall take the signature-gatherer
3879 and the individual signing the referendum petition through the signature process described in
3880 Section [20A-21-201](#).

3881 Section 75. Section **20A-7-615** is amended to read:

3882 **20A-7-615. Electronic referendum process -- Obtaining signatures -- Request to**
3883 **remove signature.**

3884 (1) This section applies to the electronic referendum process described in Section
3885 [20A-21-201](#).

3886 (2) A Utah voter may sign a local referendum petition if the voter is a legal voter and
3887 resides in the local jurisdiction.

3888 (3) The sponsors shall ensure that the signature-gatherer who collects a signature from
3889 an individual:

3890 (a) verifies that the individual is at least 18 years old and meets the residency
3891 requirements of Section [20A-2-105](#); and

3892 (b) is informed that each signer is required to read and understand the law that is the
3893 subject of the referendum petition.

3894 (4) (a) A voter who has signed a referendum petition may have the voter's signature
3895 removed from the referendum petition by submitting to the county clerk a statement requesting
3896 that the voter's signature be removed before 5 p.m. no later than the earlier of:

3897 (i) 30 days after the day on which the voter signs the statement requesting removal; or

3898 (ii) 45 days after the day on which the local clerk posts the voter's name under
3899 Subsection [20A-7-616\(3\)](#).

3900 (b) The statement shall include:

- 3901 (i) the name of the voter;
- 3902 (ii) the resident address at which the voter is registered to vote;
- 3903 (iii) the signature of the voter; and
- 3904 (iv) the date of the signature described in Subsection (4)(b)(iii).
- 3905 (c) To increase the likelihood of the voter's signature being identified and removed, the
- 3906 statement may include the voter's birth date or age.
- 3907 (d) A voter may not submit a signature removal statement by email or other electronic
- 3908 means, unless the lieutenant governor establishes a signature removal process that is consistent
- 3909 with the requirements of this section and Section [20A-21-201](#).
- 3910 (e) A person may only remove an electronic signature from [~~an initiative~~] a referendum
- 3911 petition in accordance with this section.
- 3912 (f) A county clerk shall analyze a holographic signature, for purposes of removing an
- 3913 electronic signature from a referendum petition, in accordance with Section [20A-7-606.3](#).
- 3914 Section 76. Section **20A-7-616** is amended to read:
- 3915 **20A-7-616. Electronic referendum process -- Collecting signatures -- Removal of**
- 3916 **signatures.**
- 3917 (1) This section applies only to the electronic referendum process.
- 3918 (2) A signature-gatherer may not collect a signature after 5 p.m. 45 days after the day
- 3919 on which the first three sponsors receive notice, under Section [20A-7-602.7](#) or [20A-7-602.8](#),
- 3920 that the referendum is legally referable to voters.
- 3921 (3) The local clerk shall send to each individual who provides a valid email address
- 3922 during the signature-gathering process an email that includes the following:
- 3923 (a) the subject of the email shall include the following statement, "Notice Regarding
- 3924 Your Petition Signature"; and
- 3925 (b) the body of the email shall include the following statement in 12-point type:
- 3926 "You signed a petition for the following referendum:
- 3927 [insert title of [~~initiative~~] referendum]
- 3928 To access a copy of the referendum petition, the law that is the subject of the
- 3929 referendum petition, and information on the deadline for removing your signature from the
- 3930 referendum petition, please visit the following link: [insert a uniform resource locator that takes
- 3931 the individual directly to the page on the lieutenant governor's website that includes the

3932 information referred to in the email]."

3933 (4) Except as provided in Subsection (5), the county clerk shall, within two business
3934 days after the day on which the signature of an individual who signs a referendum petition is
3935 certified under Section 20A-21-201, post the name, voter identification number, and date of
3936 signature of the individual on the lieutenant governor's website, in a conspicuous location
3937 designated by the lieutenant governor, for at least 45 days.

3938 (5) (a) If the local clerk timely receives a statement requesting signature removal under
3939 Subsection 20A-7-615(4), the local clerk shall:

3940 (i) ensure that the voter's name, voter identification number, and date of signature are
3941 not included in the posting described in Subsection (4); and

3942 (ii) remove the voter's signature from the referendum petition and the [petition]
3943 signature totals.

3944 (b) The local clerk shall comply with Subsection (5)(a) before the later of:

3945 (i) the deadline described in Subsection (4); or

3946 (ii) two business days after the day on which the county clerk receives a statement
3947 requesting signature removal under Subsection 20A-7-615(4).

3948 Section 77. Section 20A-7-702 is amended to read:

3949 **20A-7-702. Voter information pamphlet -- Form -- Contents.**

3950 The voter information pamphlet shall contain the following items in this order:

3951 (1) a cover title page;

3952 (2) an introduction to the pamphlet by the lieutenant governor;

3953 (3) a table of contents;

3954 (4) a list of all candidates for constitutional offices;

3955 (5) a list of candidates for each legislative district;

3956 (6) a 100-word statement of qualifications for each candidate for the office of
3957 governor, lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by
3958 the candidate to the lieutenant governor's office before 5 p.m. on the first business day in
3959 August before the date of the election;

3960 (7) information pertaining to all measures to be submitted to the voters, beginning a
3961 new page for each measure and containing, in the following order for each measure:

3962 (a) a copy of the number and ballot title of the measure;

- 3963 (b) the final vote cast by the Legislature on the measure if it is a measure submitted by
3964 the Legislature or by referendum;
- 3965 (c) the impartial analysis of the measure prepared by the Office of Legislative Research
3966 and General Counsel;
- 3967 (d) the arguments in favor of the measure, the rebuttal to the arguments in favor of the
3968 measure, the arguments against the measure, and the rebuttal to the arguments against the
3969 measure, with the name and title of the authors at the end of each argument or rebuttal;
- 3970 (e) for each constitutional amendment, a complete copy of the text of the constitutional
3971 amendment, with all new language underlined, and all deleted language placed within brackets;
- 3972 (f) for each initiative qualified for the ballot:
- 3973 (i) a copy of the [~~measure~~] initiative as certified by the lieutenant governor and a copy
3974 of the initial fiscal impact [~~estimate~~] statement prepared according to Section [20A-7-202.5](#); and
- 3975 (ii) if the initiative proposes a tax increase, the following statement in bold type:
3976 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
3977 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
3978 increase in the current tax rate."; and
- 3979 (g) for each referendum qualified for the ballot, a complete copy of the text of the law
3980 being submitted to the voters for their approval or rejection, with all new language underlined
3981 and all deleted language placed within brackets, as applicable;
- 3982 (8) a description provided by the Judicial Performance Evaluation Commission of the
3983 selection and retention process for judges, including, in the following order:
- 3984 (a) a description of the judicial selection process;
- 3985 (b) a description of the judicial performance evaluation process;
- 3986 (c) a description of the judicial retention election process;
- 3987 (d) a list of the criteria of the judicial performance evaluation and the certification
3988 standards;
- 3989 (e) the names of the judges standing for retention election; and
- 3990 (f) for each judge:
- 3991 (i) a list of the counties in which the judge is subject to retention election;
- 3992 (ii) a short biography of professional qualifications and a recent photograph;
- 3993 (iii) a narrative concerning the judge's performance;

3994 (iv) for each certification standard under Section 78A-12-205, a statement identifying
3995 whether, under Section 78A-12-205, the judge met the standard and, if not, the manner in
3996 which the judge failed to meet the standard;

3997 (v) a statement that the Judicial Performance Evaluation Commission:

3998 (A) has determined that the judge meets or exceeds minimum performance standards;

3999 (B) has determined that the judge does not meet or exceed minimum performance
4000 standards; or

4001 (C) has not made a determination regarding whether the judge meets or exceeds
4002 minimum performance standards;

4003 (vi) any statement, described in Subsection 78A-12-206(3)(b), provided by a judge
4004 whom the Judicial Performance Evaluation Commission determines does not meet or exceed
4005 minimum performance standards;

4006 (vii) in a bar graph, the average of responses to each survey category, displayed with an
4007 identification of the minimum acceptable score as set by Section 78A-12-205 and the average
4008 score of all judges of the same court level; and

4009 (viii) a website address that contains the Judicial Performance Evaluation
4010 Commission's report on the judge's performance evaluation;

4011 (9) for each judge, a statement provided by the Utah Supreme Court identifying the
4012 cumulative number of informal reprimands, when consented to by the judge in accordance with
4013 Title 78A, Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of
4014 censure and suspension issued by the Utah Supreme Court under Utah Constitution, Article
4015 VIII, Section 13, during the judge's current term and the immediately preceding term, and a
4016 detailed summary of the supporting reasons for each violation of the Code of Judicial Conduct
4017 that the judge has received;

4018 (10) an explanation of ballot marking procedures prepared by the lieutenant governor,
4019 indicating the ballot marking procedure used by each county and explaining how to mark the
4020 ballot for each procedure;

4021 (11) voter registration information, including information on how to obtain a ballot;

4022 (12) a list of all county clerks' offices and phone numbers;

4023 (13) the address of the Statewide Electronic Voter Information Website, with a
4024 statement indicating that the election officer will post on the website any changes to the

4025 location of a polling place and the location of any additional polling place;

4026 (14) a phone number that a voter may call to obtain information regarding the location
4027 of a polling place; and

4028 (15) on the back cover page, a printed copy of the following statement signed by the
4029 lieutenant governor:

4030 "I, _____ (print name), Lieutenant Governor of Utah, certify that the
4031 measures contained in this pamphlet will be submitted to the voters of Utah at the election to
4032 be held throughout the state on ____ (date of election), and that this pamphlet is complete and
4033 correct according to law.

4034 SEAL

4035 Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this ____ day
4036 of ____ (month), ____ (year)

4037 (signed) _____
4038 Lieutenant Governor";

4039 Section 78. **Coordinating H.B. 38 with S.B. 43 -- Substantive and technical**
4040 **amendments.**

4041 If this H.B. 38 and S.B. 43, Public Notice Requirements, both pass and become law, it
4042 is the intent of the Legislature that the Office of Legislative Research and General Counsel
4043 shall prepare the Utah Code database for publication by amending Subsections [20A-7-204.1\(2\)](#)
4044 through (3) to read:

4045 "(2) (a) The sponsors shall~~[:(a)]~~, before 5 p.m. at least ~~[three]~~ 10 calendar days before
4046 the date of the public hearing, provide written notice of the public hearing ~~[to:]~~, including the
4047 date, time, and location of the public hearing:

4048 (i) to the lieutenant governor ~~[for posting on the state's website; and]~~;

4049 (ii) to the county clerk of each county in the region where the public hearing will be
4050 held;

4051 ~~[(i)]~~ (iii) each state senator, state representative, and county commission or county
4052 council member who is elected in whole or in part from the region where the public hearing
4053 will be held; and

4054 ~~[(b) publish written notice of the public hearing, including the time, date, and location~~
4055 ~~of the public hearing, in each county in the region where the public hearing will be held:]~~

4056 ~~[(i) (A) at least three calendar days before the day of the public hearing, in a newspaper~~
4057 ~~of general circulation in the county;]~~

4058 ~~[(B) if there is no newspaper of general circulation in the county, at least three calendar~~
4059 ~~days before the day of the public hearing, by posting one copy of the notice, and at least one~~
4060 ~~additional copy of the notice per 2,000 population of the county, in places within the county~~
4061 ~~that are most likely to give notice to the residents of the county; or]~~

4062 ~~[(C) at least seven days before the day of the public hearing, by mailing notice to each~~
4063 ~~residence in the county;]~~

4064 ~~[(ii) on the Utah Public Notice Website created in Section 63A-16-601, for at least~~
4065 ~~three calendar days before the day of the public hearing;]~~

4066 ~~[(iii) (iv) in accordance with Section 45-1-101, for at least three calendar days before~~
4067 ~~the day of the public hearing; and].~~

4068 ~~[(iv) on the county's website for at least three calendar days before the day of the public~~
4069 ~~hearing;]~~

4070 (b) The lieutenant governor shall post the notice described in Subsection (2)(a) on the
4071 lieutenant governor's website for at least three days before the day of the public hearing.

4072 (c) The county clerk of each county in the region where the public hearing will be held:

4073 (i) shall post the notice described in Subsection (2)(a) for the county, as a class A
4074 notice under Section 63G-28-102, for at least three days before the day of the public hearing;
4075 and

4076 (ii) may bill the sponsors of the initiative for the cost of preparing, printing, and
4077 posting the notice described in Subsection (2)(c)(i).

4078 ~~[(3)] (4) If the initiative [petition] proposes a tax increase, the written notice described~~
4079 ~~in Subsection (2) shall include the following statement, in bold, in the same font and point size~~
4080 ~~as the largest font and point size appearing in the notice:~~

4081 "This initiative [petition] seeks to increase the current (insert name of tax) rate by
4082 (insert the tax percentage difference) percent, resulting in a(n) (insert the tax percentage
4083 increase) percent increase in the current tax rate."."