

HB0079S02 compared with HB0079S01

~~{deleted text}~~ shows text that was in HB0079S01 but was deleted in HB0079S02.

inserted text shows text that was not in HB0079S01 but was inserted into HB0079S02.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

~~{Representative Jennifer Dailey-Provost}~~ Senator Curtis S. Bramble proposes the following substitute bill:

INITIATIVES AND REFERENDA AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer Dailey-Provost

Senate Sponsor: ~~{~~ Curtis S. Bramble

LONG TITLE

General Description:

This bill amends provisions relating to ~~{collecting signatures for, or removing signatures from, an initiative petition or a referendum petition}~~ initiatives and referenda.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ modifies requirements for a form to remove a signature from an initiative petition or a referendum petition;
- ▶ clarifies that a particular document that a signature gatherer is required to provide to a petition signer must only be offered to the petition signer;
- ▶ establishes an alternate procedure for an individual with a disability to sign, or to

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request removal of a signature from, an initiative petition or a referendum petition and an alternate procedure for verifying the individual's signature;

- ▶ in relation to the alternate procedure described in the preceding paragraph:
 - modifies certain forms to reflect the alternate procedure; and
 - makes it a crime to engage in certain fraudulent activity;
- ▶ modifies the requirements that must be fulfilled before circulating a statewide initiative or a statewide referendum;
- ▶ provides that an individual who signs an initiative packet or a referendum packet must read the entire statement included with the packet;
- ▶ provides that the attestation relating to reading a statement provided with an initiative packet or a referendum packet or reading the law to which the initiative or referendum relates, does not require an attestation that the individual understands the statement or law;
- ▶ modifies the verification form for a signature packet;
- ▶ modifies certain mailing requirements to permit other delivery methods;
- ▶ requires a local clerk to provide petition sponsors with a copy of the voter information pamphlet to be included in the signature packet;
- ▶ amends provisions relating to a temporary stay and the effective date of a law being challenged by referendum; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

20A-1-1003, as enacted by Laws of Utah 2023, Chapter 116 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 116

20A-7-101, as last amended by Laws of Utah 2023, Chapters 107, 116

20A-7-104, as enacted by Laws of Utah 2021, Chapter 418

20A-7-105, as enacted by Laws of Utah 2023, Chapter 116

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20A-7-202.5, as last amended by Laws of Utah 2023, Chapter 107

20A-7-203, as last amended by Laws of Utah 2023, Chapter 107

20A-7-204, as last amended by Laws of Utah 2023, Chapter 107

20A-7-209, as last amended by Laws of Utah 2023, Chapters 45, 107 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 45

20A-7-213, as last amended by Laws of Utah 2023, Chapters 107, 116

20A-7-215, as last amended by Laws of Utah 2023, Chapter 107

20A-7-216, as last amended by Laws of Utah 2023, Chapters 107, 116

20A-7-303, as last amended by Laws of Utah 2023, Chapter 107

20A-7-307, as last amended by Laws of Utah 2023, Chapters 107, 116 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 116

20A-7-308, as last amended by Laws of Utah 2023, Chapters 45, 107

20A-7-311, as last amended by Laws of Utah 2023, Chapter 107

20A-7-312, as last amended by Laws of Utah 2023, Chapter 107

20A-7-313, as last amended by Laws of Utah 2023, Chapter 107

20A-7-314, as last amended by Laws of Utah 2023, Chapters 107, 116

20A-7-502.5, as last amended by Laws of Utah 2023, Chapter 107

20A-7-503, as last amended by Laws of Utah 2023, Chapter 107

20A-7-504, as last amended by Laws of Utah 2023, Chapter 107

20A-7-508, as last amended by Laws of Utah 2023, Chapters 45, 107 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 45

20A-7-512, as last amended by Laws of Utah 2023, Chapter 107

20A-7-514, as last amended by Laws of Utah 2023, Chapter 107

20A-7-515, as last amended by Laws of Utah 2023, Chapters 107, 116

20A-7-602.5, as last amended by Laws of Utah 2023, Chapter 107

20A-7-602.7, as last amended by Laws of Utah 2023, Chapter 107

20A-7-602.8, as last amended by Laws of Utah 2023, Chapters 107, 504

20A-7-603, as last amended by Laws of Utah 2023, Chapter 107

20A-7-604, as last amended by Laws of Utah 2023, Chapter 107

20A-7-608, as last amended by Laws of Utah 2023, Chapters 45, 107

20A-7-611, as last amended by Laws of Utah 2023, Chapter 107

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20A-7-612, as last amended by Laws of Utah 2023, Chapter 107

20A-7-614, as last amended by Laws of Utah 2023, Chapter 107

20A-7-615, as last amended by Laws of Utah 2023, Chapters 107, 116

ENACTS:

20A-7-106, Utah Code Annotated 1953

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

Section 1. Section **20A-1-1003** is amended to read:

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

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

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

(A) the name or description of the petition from which the voter seeks to remove the voter's signature;

~~[(A)] (B)~~ the name of the voter;

~~[(B)] (C)~~ the resident address at which the voter is registered to vote;

~~[(C)] (D)~~ except as otherwise provided in Section 20A-7-106, ~~(f)~~ the voter's signature;

and

~~[(D)] (E)~~ the date of the signature described in Subsection ~~[(2)(a)(i)(C)]~~ (2)(a)(i)(D).

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

(b) Except as provided in Subsection ~~[20A-7-216(5)(c), 20A-7-314(5)(c), 20A-7-515(4)(d), or 20A-7-615(4)(d)]~~ 20A-7-216(5)(a), 20A-7-314(5)(a), 20A-7-515(4)(b), or 20A-7-615(4)(b), a voter may not submit a statement described in Subsection (1) by email or other electronic means.

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

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

(e) A clerk shall analyze a signature, for purposes of removing a signature from a

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petition, in accordance with Subsection (3).

(3) ~~[The]~~ Except to the extent otherwise required under Section 20A-7-106, the clerk shall use the following procedures to determine whether to remove an individual's signature from a petition after receiving a timely, valid statement requesting removal of the signature:

(a) if the signer's name and address shown on the statement and the petition exactly match a name and address shown on the official register and the individual's signature on the statement is reasonably consistent with the individual's signature on the statewide voter registration database, the clerk shall remove the signature from the petition;

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

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

(ii) the individual's signature on the statement is reasonably consistent with the signature on the statewide voter registration database of the individual described in Subsection (3)(b)(i); ~~and~~ and

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

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

(ii) the individual's signature on the statement is reasonably consistent with the signature on the statewide voter registration database of the individual described in Subsection (3)(b)(i); ~~and~~ and.

~~[(d) if]~~

(4) If a signature does not qualify for removal under Subsection (3)(a), (b), or (c), or, if applicable, Section 20A-7-106, ~~and~~ the clerk may not remove the signature from the petition.

Section 2. 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

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gather signatures for the electronic initiative process, the electronic referendum process, or the electronic candidate qualification process.

(2) "Budget officer" means:

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

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

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

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

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

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

(5) "Electronic initiative process" means:

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

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

(6) "Electronic referendum process" means:

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

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

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

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

(9) "Initial fiscal impact statement" means

a financial statement prepared under Section 20A-7-202.5 after the filing of a statewide initiative application.

(10) "Initial fiscal impact and legal statement" means a financial and legal statement

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prepared under Section 20A-7-502.5 or 20A-7-602.5 for a local initiative or a local referendum.

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

(12) "Initiative application" means:

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

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

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

(14) "Initiative petition":

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

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

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

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

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

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

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

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

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

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

(i) means the form described in Subsection 20A-7-514(2)(a), petitioning for

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submission of the initiative to the legislative body or the legal voters; and

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

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

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

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

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

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

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

(18) "Legally referable to voters" means:

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

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

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

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

(21) (a) "Local law" includes:

(i) an ordinance;

(ii) a resolution;

(iii) a land use law;

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

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

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

(22) "Local legislative body" means the legislative body of a county, city, town, or

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metro township.

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

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

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

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

(27) "Measure" means a proposed constitutional amendment, an initiative, or referendum.

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

(29) "Referendum application" means:

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

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

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

(31) "Referendum petition" means:

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

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

(c) as it relates to a local referendum, using the manual referendum process, the form

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described in Subsection 20A-7-603(2)(a), petitioning for submission of a local law to legal voters for their approval or rejection; or

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

(32) "Signature":

(a) for a statewide initiative:

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

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

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

(B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and

~~(B)~~ (C) does not include an electronic signature;

(b) for a statewide referendum:

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

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

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

(B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and

~~(B)~~ (C) does not include an electronic signature;

(c) for a local initiative:

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

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

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

(B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and

~~(B)~~ (C) does not include an electronic signature; or

(d) for a local referendum:

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

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

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

(B) as it relates to an individual who, due to a qualifying disability under the Americans with Disabilities Act, is unable to fill out the signature sheet or to sign the voter's name consistently, the initials "AV," indicating that the voter's identity will be verified by an alternate verification process described in Section 20A-7-106; and

~~(B)~~ (C) does not include an electronic signature.

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

(34) "Special local ballot proposition" means a local ballot proposition that is not a standard local ballot proposition.

(35) "Sponsors" means the legal voters who support the initiative or referendum and who sign the initiative application or referendum application.

(36) (a) "Standard local ballot proposition" means a local ballot proposition for an initiative or a referendum.

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

(37) "Tax percentage difference" means the difference between the tax rate proposed

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by an initiative or an initiative petition and the current tax rate.

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

(39) "Verified" means acknowledged by the person circulating the petition as required in Section 20A-7-105.

Section 3. Section **20A-7-104** is amended to read:

20A-7-104. Signature gatherers -- Payments -- Badges -- Information -- Requirement to provide initiative or referendum for reading.

(1) A person may not pay a person to gather signatures under this chapter based on a rate per signature, on a rate per verified signature, or on the initiative or referendum qualifying for the ballot.

(2) A person that pays a person to gather signatures under this section shall base the payment solely on an hourly rate.

(3) A person may not accept payment made in violation of this section.

(4) An individual who is paid to gather signatures for a petition described in this chapter shall, while gathering signatures, wear a badge on the front of the individual's torso that complies with the following, ensuring that the information on the badge is clearly visible to the individual from whom a signature is sought:

(a) the badge shall be printed in black ink on white cardstock and laminated; and

(b) the information on the badge shall be in at least 24-point type and include the following information:

(i) an identification number that is unique to the individual gathering signatures, assigned by:

(A) for a statewide initiative or referendum, the lieutenant governor; or

(B) for a local initiative or referendum, the local clerk;

(ii) the title of the initiative or referendum;

(iii) the words "Paid Signature Gatherer"; and

(iv) the name of the entity paying the signature gatherer.

(5) [~~Except as provided in Subsection (6)(b), an~~] An individual who gathers signatures under this chapter shall [~~provide~~] offer a paper document to each individual who signs the petition that:

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(a) is printed in black ink on white paper, white cardstock, or a white sticker, in at least 12-point type; and

(b) (i) for an initiative, includes the name of the initiative and the following statement:

"You may view the initiative, its fiscal impact, and information on removing your signature from the petition at [list a uniform resource locator that links directly to the information described in Section 20A-7-202.7 or 20A-7-502.6, as applicable]."; or

(ii) for a referendum, includes the name of the referendum and the following statement:

"You may view the referendum and information on removing your signature from the petition at [list a uniform resource locator that links directly to the information described in Section 20A-7-304.5 or 20A-7-604.5, as applicable]."

(6) An individual who gathers signatures under this chapter~~[(a)]~~

~~[(a)]~~ shall, before collecting a signature from an individual, present to the individual a printed or digital copy of the initiative or referendum and wait for the individual to read the initiative or referendum~~[, and]~~.

~~[(b) is not required to provide the document described in Subsection (5) if, after the individual offers to provide the document, the individual who signs the petition declines to accept the document.]~~

(7) A person who violates this section is guilty of a class B misdemeanor.

Section 4. Section **20A-7-105** is amended to read:

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

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

(2) As used in this section:

(a) "Local petition" means:

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

or

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

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

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

(d) "Statewide petition" means:

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

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

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

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

(i) is a legal voter; and

(ii) resides in the local jurisdiction.

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

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

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

(iii) is informed that each signer is required to read [~~and understand~~]:

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

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

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

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

(i) for a statewide initiative:

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

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

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

(ii) for a statewide referendum:

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

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

(iii) for a local initiative:

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

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

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

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

(iv) for a local referendum:

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

(B) 45 days after the day on which the sponsors receive the items described in Subsection 20A-7-604(3) from the local clerk.

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

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

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

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

"You signed a petition for the following initiative:

[insert title of initiative]

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

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

(i) a list containing:

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

(B) the date the email was sent;

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

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

"Verification of initiative sponsor State of Utah, County of _____ I, _____,
of _____, hereby state, under penalty of perjury, that:

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

I sent, or caused to be sent, to each individual who provided a legible, valid email address on a signature sheet submitted to the county clerk in relation to the initiative petition, the email described in Utah Code Subsection 20A-7-105(5)(c).

(Name) (Residence Address) (Date)".

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

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

(i) use the procedures described in Section 20A-1-1002, or 20A-7-106 if applicable, to determine whether each signer is a legal voter and, as applicable, the jurisdiction where the signer is registered to vote;

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

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

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

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

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

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

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

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

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

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

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

(7) The county clerk may not certify a signature under Subsection (6):

(a) on a packet that is not verified in accordance with Subsection (4); or

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

(8) (a) A voter who signs a statewide initiative petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed no later than the earlier of:

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

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

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

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

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

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

(b) A voter who signs a statewide referendum petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed no later than the earlier of:

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

(ii) 45 days after the day on which the lieutenant governor posts the voter's name under Subsection 20A-7-307(2).

(c) A voter who signs a local initiative petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a

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statement requesting that the voter's signature be removed no later than the earlier of:

- (i) 30 days after the day on which the voter signs the signature removal statement;
- (ii) 90 days after the day on which the local clerk posts the voter's name under

Subsection 20A-7-507(2);

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

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

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

(d) A voter who signs a local referendum petition may have the voter's signature removed from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed no later than the earlier of:

- (i) 30 days after the day on which the voter signs the statement requesting removal; or
- (ii) 45 days after the day on which the local clerk posts the voter's name under

Subsection 20A-7-607(2)(a).

~~[(e) A statement described in this Subsection (8) shall comply with the requirements described in Subsection 20A-1-1003(2).]~~

~~[(f)]~~ (e) In order for the signature to be removed, the county clerk must receive the statement described in this Subsection (8) before 5 p.m. no later than the applicable deadline described in this Subsection (8).

~~[(g)]~~ (f) A county clerk shall analyze a signature, for purposes of removing a signature from a petition, in accordance with Subsection 20A-1-1003(3).

(9) (a) If the county clerk timely receives a statement requesting signature removal under Subsection (8) and determines that the signature should be removed from the petition under Subsection 20A-1-1003(3), the county clerk shall:

- (i) ensure that the voter's name, voter identification number, and date of signature are not included in the posting described in Subsection (6)(a)(ii)(B) or (iii)(B); and
 - (ii) remove the voter's signature from the signature packets and signature packet totals.
- (b) The county clerk shall comply with Subsection (9)(a) before the later of:
- (i) the deadline described in Subsection (6)(a); or

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(ii) two business days after the day on which the county clerk receives a statement requesting signature removal under Subsection (8).

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

Section 5. Section **20A-7-106** is enacted to read:

20A-7-106. Petition signature or removal for an individual with a disability.

(1) If a voter who desires to sign a petition is, due to a qualifying disability under the Americans with Disabilities Act, unable to fill out the signature sheet or to sign the voter's name consistently, the voter may:

(a) inform the individual gathering signatures that, due to a qualifying disability under the Americans with Disabilities Act, the voter is unable to fill out the signature sheet or to sign the voter's name consistently; and

(b) direct the individual gathering signatures to:

(i) fill out the form on the signature sheet with the information provided by the voter;

and

(ii) in place of the registered voter's signature:

(A) place the initials "AV" to indicate that the county clerk must use an alternate verification process to verify the validity of the voter's signature; and

(B) place next to the initials described in Subsection (1)(b)(ii)(A) a phone number, email address, or other method that the county clerk may use to contact the voter to verify the identity of the voter.

(2) If a voter who desires to remove the voter's signature from a petition is, due to a qualifying disability under the Americans with Disabilities Act, unable to sign the voter's name consistently, the voter may, instead of signing the statement described in Section 20A-1-1003:

(a) place the initials "AV" to indicate that the county clerk must use an alternate verification process to verify the validity of the voter's signature; and

(b) include in the statement a phone number, email address, or other method that the county clerk may use to contact the voter to verify the identity of the voter.

(3) The alternate verification process described in this section includes:

(a) the process described in Subsection 20A-3a-401(7)(b); or

(b) another process established by rule, made by the director of elections within the

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Office of the Lieutenant Governor, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

Section 6. Section **20A-7-202.5** is amended to read:

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

(1) Within three working days after the day on which the lieutenant governor receives an initiative application, the lieutenant governor shall submit a copy of the initiative application to the Office of the Legislative Fiscal Analyst.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) The court may not revise the contents of, or direct the revision of, the initial fiscal impact statement unless the plaintiffs rebut the presumption by clear and convincing evidence

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that establishes that the initial fiscal impact statement, taken as a whole, is an inaccurate statement of the estimated fiscal impact of the initiative.

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

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

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

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

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

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

"INITIATIVE PETITION To the Honorable ____, Lieutenant Governor:

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

Each signer says:

I have personally signed this initiative petition ~~or~~ or, if I am an individual with a qualifying disability, I have signed this initiative petition by directing the signature gatherer to enter the initials "AV" as my signature;

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

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

I am registered to vote in Utah; and

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

NOTICE TO SIGNERS:

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

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

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(2)(a):

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

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

(3) Each initiative signature sheet shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Date Signed" in 10-point type;

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

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

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

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

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

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

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

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

(ii) except as provided in Subsection (5), the initial fiscal impact statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection 20A-7-204.1(5), in not less than 12-point type;

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

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

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

"It is a class A misdemeanor for an individual to sign an initiative petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same initiative petition, or to sign an initiative petition when the individual knows

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that the individual is not a registered voter.

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

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

Verification of signature collector

State of Utah, County of ____

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

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

All the names that appear in this initiative packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence or, in the case of an individual with a qualifying disability, I have signed this initiative petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature;

I certify that, for each individual whose signature is represented in this initiative packet by the initials "AV":

I obtained the individual's voluntary direction or consent to sign the initiative petition on the individual's behalf;

I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

I do not believe, or have reason to believe, that the individual did not understand the purpose or nature of my signing the initiative petition on the individual's behalf;

I did not intentionally or knowingly deceive the individual into directing me to, or consenting for me to, sign the initiative petition on the individual's behalf; and

I did not intentionally or knowingly enter false information on the signature sheet;

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

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I believe that each ~~[individual has printed and signed the]~~ individual's name ~~[and written the individual's]~~, post office address, and residence ~~is written~~ correctly, that each signer has read ~~[and understands]~~ the law proposed by the initiative, and that each signer is registered to vote in Utah~~[-]~~;

~~[Each individual who signed the initiative packet wrote the]~~ The correct date of signature ~~appears~~ next to ~~[the]~~ each individual's name~~[-]~~; and

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

(Name)	(Residence Address)	(Date)
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(5) If the initial fiscal impact statement described in Subsection (3)(f)(ii), as updated in accordance with Subsection 20A-7-204.1(5), exceeds 200 words, the Office of the Legislative Fiscal Analyst shall prepare a shorter summary statement, for the purpose of inclusion on 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 8. 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 provide the sponsors with a copy of the initiative petition 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(4) for each public

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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(5);

(ii) the deadline, described in Subsection 20A-7-204.1(5)(a), for changing the text of the proposed law passes without the sponsors filing an application addendum in accordance with Subsection 20A-7-204.1(5); or

(iii) if the sponsors file an application addendum in accordance with Subsection 20A-7-204.1(5), the Office of the Legislative Fiscal Analyst provides to the Office of the Lieutenant Governor:

(A) an updated initial fiscal impact statement, in accordance with Subsection 20A-7-204.1(5)(b); or

(B) a written notice indicating that no changes to the initial fiscal impact statement are necessary; [~~and~~]

(d) (i) the sponsors give written notice to the Office of the Lieutenant Governor that the sponsors waive the opportunity to:

(A) challenge the initial fiscal impact statement in court; and

(B) if applicable, challenge the updated initial fiscal impact statement in court;

(ii) the deadline, described in Subsection 20A-7-202.5(4)(a)(i), for:

(A) challenging the initial fiscal impact statement in court passes without the sponsors filing a petition to challenge; and

(B) if applicable, challenging the updated initial fiscal impact statement in court passes without the sponsors filing a petition to challenge; or

(iii) if the sponsors timely file a petition challenging the initial fiscal impact statement in court or, if applicable, the updated initial fiscal impact statement in court, and the court's decision becomes final; and

~~(d)~~ (e) the sponsors sign an agreement, under Subsection (6)(a), with the Office of the Lieutenant Governor specifying the range of numbers that the sponsors will use to number the initiative packets.

(4) The sponsors of the initiative shall:

(a) arrange and pay for the printing of all documents that are part of the initiative

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packets; and

(b) ensure that the initiative packets and the documents described in Subsection (4)(a) meet the requirements of this part.

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

(b) The sponsors or an agent of the sponsors shall create the initiative packets by binding a copy of the initiative petition with the text of the proposed law, including any modification made under Subsection 20A-7-204.1(5) and no more than 50 signature sheets together at the top in a manner that the initiative packets may be conveniently opened for signing.

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

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

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

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

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

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

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

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

Section 9. Section **20A-7-209** is amended to read:

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

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

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

(i) entitle each statewide initiative that has qualified for the ballot "Proposition Number

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___" and give it a number as assigned under Section 20A-6-107;

(ii) prepare for each initiative:

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

(B) an impartial summary of the contents of the initiative, not exceeding 125 words; and

(iii) provide each short title, and summary to the lieutenant governor on or before June 26.

(b) The short title and summary may be distinct from the title of the proposed law.

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

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

(d) Subject to Subsection (4), for each statewide initiative, the official ballot shall show, in the following order:

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

(ii) the short title;

(iii) except as provided in Subsection (2)(e):

(A) the summary;

(B) the text of the proposed law; and

(C) a link to a location on the lieutenant governor's website where a voter may review additional information relating to each initiative, including the information described in Subsection 20A-7-202(2), the initial fiscal impact statement described in Section 20A-7-202.5, as updated under Section 20A-7-204.1, and the arguments relating to the initiative that are included in the voter information pamphlet; and

(iv) the initial fiscal impact statement prepared under Section 20A-7-202.5, as updated under Section 20A-7-204.1.

(e) Unless the information described in Subsection (2)(d)(iii) is shown on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes the short title and summary for each initiative on the ballot and a link to a location on

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the lieutenant governor's website where a voter may review the additional information described in Subsection (2)(d)(iii)(C).

(f) Unless the information described in Subsection (2)(d)(iii) for all initiatives on the ballot, and the information described in Subsection 20A-7-308(2)(c)(iii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."

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

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

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

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

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

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

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

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

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

(c) The court shall:

(i) examine the short title and summary;

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(ii) hear arguments; and

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

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

Section 10. Section **20A-7-213** is amended to read:

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

(1) It is unlawful for an individual to:

(a) sign any name other than the individual's own to an initiative petition or a statement described in Subsection 20A-7-105(8) or 20A-7-216(4);

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

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

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

(e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:

(i) does not obtain the voluntary direction or consent of the voter;

(ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction or consent;

(iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;

(iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or

(v) intentionally or knowingly enters false information on the signature sheet or statement; or

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

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

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- (a) the individual does not meet the residency requirements of Section 20A-2-105;
 - (b) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;
 - (c) the individual has not witnessed the signatures of those individuals whose signatures the individual collects or submits; or
 - (d) one or more individuals who signed the initiative petition are not registered to vote in Utah.
- (3) It is unlawful for an individual to:
- (a) pay an individual to sign an initiative petition;
 - (b) pay an individual to remove the individual's signature from an initiative petition;
 - (c) accept payment to sign an initiative petition; or
 - (d) accept payment to have the individual's name removed from an initiative petition.
- (4) A violation of this section is a class A misdemeanor.

Section 11. Section **20A-7-215** is amended to read:

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

Circulation requirements -- Signature collection.

- (1) This section applies only to the electronic initiative process.
- (2) (a) The first screen presented on the approved device shall include the following statement:

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

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

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

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

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

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hearings.)".

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

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

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

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

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

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

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

(c) the initial fiscal impact statement issued by the Office of the Legislative Fiscal Analyst in accordance with Subsection 20A-7-202.5(2)(a), including any update in accordance with Subsection 20A-7-204.1(6);

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

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

"I have personally [~~reviewed~~] read the entirety of each statement presented on this device;

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I am personally signing this initiative petition;

I am registered to vote in Utah; and

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

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

WARNING

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

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

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

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

Section 12. Section **20A-7-216** is amended to read:

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

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

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

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

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

(b) is informed that each signer is required to read [~~and understand~~] the law proposed by the initiative.

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(4) A voter who signs an initiative petition may have the voter's signature removed from the initiative petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed before 5 p.m. no later than the earlier of:

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

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

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

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

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

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

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

Subsection 20A-7-217(4).

~~[(5)(a) The statement described in Subsection (4) shall include:]~~

~~[(i) the name of the voter;]~~

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

~~[(iii) the signature of the voter; and]~~

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

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

~~[(c)]~~ (5) (a) A voter may not submit a signature removal statement described in Subsection (4) by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section 20A-21-201.

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

~~[(e)]~~ (c) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from an initiative petition, in accordance with Subsection 20A-1-1003(3).

Section 13. Section **20A-7-303** is amended to read:

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

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

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

"REFERENDUM PETITION To the Honorable _____, Lieutenant Governor:

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

Each signer says:

I have personally signed this referendum petition ~~(f)~~ or, if I am an individual with a qualifying disability, I have signed this referendum petition by directing the signature gatherer to enter the initials "AV" as my signature;

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

I have personally ~~[reviewed]~~ read the entire statement included with this referendum packet;

I am registered to vote in Utah; and

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

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

(3) Each referendum signature sheet shall:

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

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

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

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

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

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

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Office Use Only" in 10-point type;

- (iii) the second row of the first column shall be .35 inch tall;
- (iv) the third row of the first column shall be .5 inch tall;
- (v) the second column shall be 2.75 inches wide;
- (vi) the first row of the second column shall be .35 inch tall and contain the words

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

- (vii) the second row of the second column shall be .5 inch tall;
- (viii) the third row of the second column shall be .35 inch tall and contain the words

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

- (ix) the fourth row of the second column shall be .5 inch tall;
- (x) the third column shall be 2.75 inches wide;
- (xi) the first row of the third column shall be .35 inch tall and contain the words

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

- (xii) the second row of the third column shall be .5 inch tall;
- (xiii) the third row of the third column shall be .35 inch tall and contain the words

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

- (xiv) the fourth row of the third column shall be .5 inch tall;
- (xv) the fourth column shall be one inch wide;
- (xvi) the first row of the fourth column shall be .35 inch tall and contain the words

"Date Signed" in 10-point type;

- (xvii) the second row of the fourth column shall be .5 inch tall;
- (xviii) the third row of the fourth column shall be .35 inch tall and contain the words

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

- (xix) the fourth row of the third column shall be .5 inch tall; and
- (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall,

and contain the following words "By signing this referendum petition, you are stating that you have read [~~and understand~~] the law that this referendum petition seeks to overturn." in 12-point type;

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

- (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type,

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followed by the following statement in not less than eight-point type:

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

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

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

Verification of signature collector

State of Utah, County of _____

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

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

All the names that appear in this referendum packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence { } or, in the case of an individual with a qualifying disability, I have signed this referendum petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature;

{ } I certify that, for each individual whose signature is represented in this referendum packet by the initials "AV":

{ } I obtained the individual's voluntary direction or consent to sign the referendum petition on the individual's behalf;

{ } I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

{ } I do not believe, or have reason to believe, that the individual did not understand the purpose or nature of my signing the referendum petition on the individual's behalf;

{ } I did not intentionally or knowingly deceive the individual into directing me

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to, or consenting for me to, sign the referendum petition on the individual's behalf; and

~~I~~ I did not intentionally or knowingly enter false information on the signature sheet;

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

I believe that each [~~individual has printed and signed the~~] individual's name, [~~and written the individual's~~] post office address, and residence is written ~~I~~ correctly, that each signer has read [~~and understands~~] the law that the referendum seeks to overturn, and that each signer is registered to vote in Utah~~[-]~~;

~~[Each individual who signed the referendum packet wrote the]~~ The correct date of signature appears ~~I~~ next to [~~the~~] each individual's name~~[-]~~; and

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

(Name) (Residence Address) (Date).

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

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

Section 14. Section 20A-7-307 is amended to read:

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

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

(2) The county clerk shall:

(a) in relation to the manual referendum process:

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

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

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the date of the update; or

(b) in relation to the electronic referendum process:

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

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

(3) The lieutenant governor:

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

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

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

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

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

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

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

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"insufficient."

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

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

(5) (a) If the lieutenant governor refuses to declare a referendum petition sufficient that a voter believes is legally sufficient, the voter may, no later than 10 days after the day on which the lieutenant governor declares the petition insufficient, apply to the appropriate court for an order finding the referendum petition legally sufficient.

(b) If a voter fails to timely apply for an order under Subsection (5)(a):

(i) the referendum terminates; and

(ii) a voter may not bring any further action or appeal in relation to a referendum on the law.

(c) If a voter applies to a court under Subsection (5)(a), the voter has the burden of proving that:

(i) the voter complied with the requirements described in this section; and

(ii) the proposed referendum is legally sufficient.

~~(b)~~ (d) If the court determines that the referendum petition is legally sufficient, the lieutenant governor shall mark the referendum petition "sufficient" and consider the declaration of sufficiency effective as of the date on which the referendum petition should have been declared sufficient by the lieutenant governor's office.

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

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

Section ~~{14}~~ 15. Section **20A-7-308** is amended to read:

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

(1) Whenever a referendum petition is declared sufficient for submission to a vote of the people, the lieutenant governor shall deliver a copy of the referendum petition and the law

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to which the referendum relates to the Office of Legislative Research and General Counsel.

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

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

(ii) prepare for each referendum:

(A) an impartial short title, not exceeding 25 words, that generally describes the law to which the referendum relates; and

(B) an impartial summary of the contents of the law to which the referendum relates, not exceeding 125 words; and

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

(b) The short title and summary may be distinct from the title of the law that is the subject of the referendum.

(c) Subject to Subsection (4), for each statewide referendum, the official ballot shall show, in the following order:

(i) the number of the referendum, determined in accordance with Section 20A-6-107;

(ii) the short title; and

(iii) except as provided in Subsection (2)(d):

(A) the summary;

(B) a copy of the law; and

(C) a link to a location on the lieutenant governor's website where a voter may review additional information relating to each referendum, including the information described in Subsection 20A-7-302(2) and the arguments relating to the referendum that are included in the voter information pamphlet.

(d) Unless the information described in Subsection (2)(c)(iii) is shown on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes the short title and summary for each referendum on the ballot and a link to a location on the lieutenant governor's website where a voter may review the additional information described in Subsection (2)(c)(iii)(C).

(e) Unless the information described in Subsection 20A-7-209(2)(d)(iii) for all

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initiatives on the ballot, and the information described in Subsection (2)(c)(iii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."

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

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

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

(A) any person or group that has filed an argument for or against the law to which the referendum relates; and

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

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

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

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

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

(c) The court shall:

(i) examine the short title and summary;

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(ii) hear arguments; and

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

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

Section 16. Section 20A-7-311 is amended to read:

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

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

~~[(a)]~~ (i) issue an order temporarily staying the law from going into effect; and

~~[(b)]~~ (ii) continue the process of certifying signatures and removing signatures as required by this part.

(b) A temporary stay of a law under this section may not be ordered or applied retroactively.

(c) A law that goes into effect before an order temporarily staying the law is issued:

(i) is stayed only during the period of time beginning on the day on which the temporary stay is ordered and ending on the day described in Subsection (2);

(ii) does not retroactively rescind the law going into effect before the order; and

(iii) is in effect, and fully enforceable, after the temporary stay ends under Subsection (2), unless the law is defeated under Subsection 20A-7-309(2)(b)(ii).

(d) A law that does not go into effect before an order temporarily staying the law is issued may not go into effect while the temporary stay remains in effect.

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

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

(b) if the lieutenant governor declares the referendum petition sufficient, the day on which governor issues the proclamation described in Section 20A-7-310.

(3) ~~[A law submitted to the people by referendum that is approved by the voters at an election]~~ If the voters approve a law, submitted to the voters by referendum, that did not go into

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effect before the temporary stay described in Subsection (1) was issued:

(a) the temporary stay is no longer in effect; and

(b) the law takes effect the later of:

~~[(a)]~~ (i) five days after the date of the official proclamation of the vote by the governor;

or

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

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

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

(b) the effective date specified in the law that is the subject of the referendum petition.

(5) (a) The governor may not veto a law approved by the people.

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

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

Section ~~{15}~~ 17. Section **20A-7-312** is amended to read:

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

(1) It is unlawful for any person to:

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

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

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

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

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

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

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

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

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

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

(3) It is unlawful for any person to:

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

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

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

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

or

(e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:

(i) does not obtain the voluntary direction or consent of the voter;

(ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction or consent;

(iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;

(iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or

(v) intentionally or knowingly enters false information on the signature sheet or statement.

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

Section ~~16~~18. Section **20A-7-313** is amended to read:

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

Circulation requirements -- Signature collection.

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

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

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"This REFERENDUM PETITION is addressed to the Honorable ____, Lieutenant Governor:

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

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

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

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

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

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

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

"I have personally [~~reviewed~~] read the entirety of each statement presented on this device;

I am personally signing this referendum petition;

I am registered to vote in Utah; and

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

It is a class A misdemeanor for an individual to sign a referendum petition with a name other than the individual's own name, or to knowingly sign the individual's name more than

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once for the same referendum petition, or to sign a referendum petition when the individual knows that the individual is not a registered voter.

WARNING

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

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

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

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

Section ~~{17}~~19. Section **20A-7-314** is amended to read:

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

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

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

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

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

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

(4) A voter who signs a referendum petition may have the voter's signature removed from the referendum petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed before 5 p.m. no later than the earlier of:

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

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

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Subsection 20A-7-315(4).

~~[(5)(a) The statement described in Subsection (4) shall include:]~~

~~[(i) the name of the voter;]~~

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

~~[(iii) the signature of the voter; and]~~

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

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

~~[(e)]~~ (5)(a) A voter may not submit a signature removal statement described in Subsection (4) by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section 20A-21-201.

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

~~[(e)]~~ (c) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from a referendum petition, in accordance with Subsection 20A-1-1003(3).

Section ~~{18}~~20. Section **20A-7-502.5** is amended to read:

20A-7-502.5. Initial fiscal and legal impact statement -- Preparation of statement.

(1) Within three business days after the day on which the local clerk receives an initiative application, the local clerk shall submit a copy of the initiative application to the county, city, or town's budget officer.

(2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good faith initial fiscal and legal impact statement for the proposed law that contains:

(i) a dollar amount representing the total estimated fiscal impact of the proposed law;

(ii) if the proposed law would increase or decrease taxes, a dollar amount representing the total estimated increase or decrease for each type of tax affected under the proposed law and a dollar amount representing the total estimated increase or decrease in taxes under the proposed law;

(iii) if the proposed law would increase taxes, the tax percentage difference and the tax percentage increase;

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

(v) a listing of all sources of funding for the estimated costs associated with the proposed law showing each source of funding and the percentage of total funding provided from each source;

(vi) a dollar amount representing the estimated costs or savings, if any, to state and local government entities under the proposed law;

(vii) the proposed law's legal impact, including:

(A) any significant effects on a person's vested property rights;

(B) any significant effects on other laws or ordinances;

(C) any significant legal liability the city, county, or town may incur; and

(D) any other significant legal impact as determined by the budget officer and the legal counsel; and

(viii) a concise explanation, not exceeding 100 words, of the information described in this Subsection (2)(a) and of the estimated fiscal impact, if any, under the proposed law.

(b) (i) If the proposed law is estimated to have no fiscal impact, the local budget officer shall include a summary statement in the initial fiscal impact and legal statement in substantially the following form:

"The (title of the local budget officer) estimates that the law proposed by this initiative would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt."

(ii) If the proposed law is estimated to have a fiscal impact, the local budget officer shall include a summary statement in the initial fiscal impact and legal statement in substantially the following form:

"The (title of the local budget officer) estimates that the law proposed by this initiative would result in a total fiscal expense/savings of \$_____, which includes a (type of tax or taxes) tax increase/decrease of \$_____ and a \$_____ increase/decrease in public debt."

(iii) If the estimated fiscal impact of the proposed law is highly variable or is otherwise difficult to reasonably express in a summary statement, the local budget officer may include in the summary statement a brief explanation that identifies those factors affecting the variability

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or difficulty of the estimate.

(iv) If the proposed law would increase taxes, the local budget officer shall include a summary statement in the initial fiscal impact and legal statement in substantially the following form:

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

(3) The budget officer shall prepare an unbiased, good faith estimate of the cost of printing and distributing information related to the initiative petition in the voter information pamphlet as required by Section 20A-7-402.

(4) Within 20 calendar days after the day on which the local clerk submits a copy of the proposed law under Subsection (1), the budget officer shall:

(a) [~~deliver~~] send a copy of the initial fiscal impact and legal statement to the local clerk's office; and

(b) [~~mail~~] send a copy of the initial fiscal impact and legal statement to the first three sponsors named in the initiative application.

Section ~~19~~21. Section **20A-7-503** is amended to read:

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

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

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

"INITIATIVE PETITION To the Honorable _____, County Clerk/City Recorder/Town Clerk:

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

Each signer says:

I have personally signed this initiative petition ~~}~~ or, if I am an individual with a qualifying disability, I have signed this initiative petition by directing the signature gatherer to

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enter the initials "AV" as my signature;

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

I have personally [~~reviewed~~] read the entire statement included with this packet;

I am registered to vote in Utah; and

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

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

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

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

(3) Each initiative signature sheet shall:

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

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

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

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

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

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

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

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

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

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

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

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- (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
- (ix) the fourth row of the second column shall be .5 inch tall;
- (x) the third column shall be 2.75 inches wide;
- (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
- (xii) the second row of the third column shall be .5 inch tall;
- (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
- (xiv) the fourth row of the third column shall be .5 inch tall;
- (xv) the fourth column shall be one inch wide;
- (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
- (xvii) the second row of the fourth column shall be .5 inch tall;
- (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
- (xix) the fourth row of the third column shall be .5 inch tall; and
- (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words "By signing this initiative petition, you are stating that you have read [~~and understand~~] the law proposed by this initiative petition." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet for the information described in Subsection (3)(f); and
- (f) at the bottom of the sheet, include in the following order:
 - (i) the words "Fiscal and legal impact of" followed by the title of the initiative, in at least 12-point, bold type;
 - (ii) the summary statement in the initial fiscal impact and legal statement issued by the budget officer in accordance with Subsection 20A-7-502.5(2)(b) and the cost estimate for printing and distributing information related to the initiative petition in accordance with Subsection 20A-7-502.5(3), in not less than 12-point, bold type;
 - (iii) if the initiative proposes a tax increase, the following statement in 12-point, bold type:

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

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

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

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

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

"Verification of signature collector

State of Utah, County of _____

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

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

All the names that appear in this packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence { } or, in the case of an individual with a qualifying disability, I have signed this initiative petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature; ;

{ } I certify that, for each individual whose signature is represented in this initiative packet by the initials "AV":

{ } I obtained the individual's voluntary direction or consent to sign the initiative petition on the individual's behalf;

{ } I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

{ } I do not believe, or have reason to believe, that the individual did not

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understand the purpose or nature of my signing the initiative petition on the individual's behalf;

~~{ }~~ I did not intentionally or knowingly deceive the individual into directing me to, or consenting for me to, sign the initiative petition on the individual's behalf; and

~~{ }~~ I did not intentionally or knowingly enter false information on the signature sheet;

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

I believe that each [~~individual has printed and signed the~~] individual's name [~~and written the individual's~~], post office address, and residence is written ~~{ }~~ correctly, that each signer has read [~~and understands~~] the law proposed by the initiative, and that each signer is registered to vote in Utah.

(Name) (Residence Address) (Date)

[~~Each individual who signed the packet wrote the~~] The correct date of signature appears next to [the] each individual's name.

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

(Name) (Residence Address) (Date)".

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

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

Section ~~{20}~~ 22. Section **20A-7-504** is amended to read:

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

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

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

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requirements of this part.

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

- (a) a copy of the initiative petition; [~~and~~]
- (b) a signature sheet[~~[-]~~]; and
- (c) a copy of the proposition information pamphlet provided to the sponsors under

Subsection 20A-7-401.5(4)(b).

(4) The sponsors of the initiative shall:

(a) arrange and pay for the printing of all documents that are part of the initiative packets; and

(b) ensure that the initiative packets and the documents described in Subsection (4)(a) meet the requirements of this part.

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

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

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

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

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

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

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

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

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

(ii) circulate or submit an initiative packet that is not numbered in the manner directed

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by the county clerk.

(c) The county clerk shall keep a record of the number range provided under Subsection (6)(a).

Section ~~{21}~~23. Section **20A-7-508** is amended to read:

20A-7-508. Short title and summary of initiative -- Duties of local clerk and local attorney.

(1) Upon receipt of an initiative petition, the local clerk shall deliver a copy of the initiative petition and the proposed law to the local attorney.

(2) The local attorney shall:

(a) entitle each county or municipal initiative that has qualified for the ballot "Proposition Number ___" and give it a number as assigned under Section 20A-6-107;

(b) prepare for each initiative:

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

(ii) an impartial summary of the contents of the initiative, not exceeding 125 words;

(c) file the proposed short title, summary, and the numbered initiative titles with the local clerk within 20 days after the day on which an eligible voter submits the initiative petition to the local clerk; and

(d) promptly provide notice of the filing of the proposed short title and summary to:

(i) the sponsors of the initiative; and

(ii) the local legislative body for the jurisdiction where the initiative petition was circulated.

(3) (a) The short title and summary may be distinct from the title of the proposed law.

(b) In preparing a short title, the local attorney shall, to the best of the local attorney's ability, give a true and impartial description of the subject of the initiative.

(c) In preparing a summary, the local attorney shall, to the best of the local attorney's ability, give a true and impartial summary of the contents of the initiative.

(d) The short title and summary may not intentionally be an argument, or likely to create prejudice, for or against the initiative.

(e) If the initiative proposes a tax increase, the local attorney shall include the following statement, in bold, in the summary:

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

(4) (a) Within five calendar days after the date the local attorney files a proposed short title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where the initiative petition was circulated and the sponsors of the initiative may file written comments in response to the proposed short title and summary with the local clerk.

(b) Within five calendar days after the last date to submit written comments under Subsection (4)(a), the local attorney shall:

(i) review any written comments filed in accordance with Subsection (4)(a);

(ii) prepare a final short title and summary that meets the requirements of Subsection (3); and

(iii) return the initiative petition and file the short title and summary with the local clerk.

(c) Subject to Subsection (6), for each county or municipal initiative, the following shall be printed on the official ballot:

(i) the short title; and

(ii) except as provided in Subsection (4)(d):

(A) the summary;

(B) a copy of the proposed law; and

(C) a link to a location on the election officer's website where a voter may review additional information relating to each initiative, including the information described in Subsection 20A-7-502(2), the initial fiscal impact and legal statement described in Section 20A-7-502.5, as updated, and the arguments relating to the initiative that are included in the local voter information pamphlet.

(d) Unless the information described in Subsection (4)(c)(ii) is printed on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes the short title and summary for each initiative on the ballot and a link to a location on the election officer's website where a voter may review the additional information described in Subsection (4)(c)(ii)(C).

(e) Unless the information described in Subsection (4)(c)(ii) for all initiatives on the

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ballot, and the information described in Subsection 20A-7-608(4)(c)(ii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."

(5) Immediately after the local attorney files a copy of the short title and summary with the local clerk, the local clerk shall [~~serve~~] send a copy of the short title and summary [~~by mail upon~~] to the sponsors of the initiative and the local legislative body for the jurisdiction where the initiative petition was circulated.

(6) (a) If the short title or summary furnished by the local attorney is unsatisfactory or does not comply with the requirements of this section, the decision of the local attorney may be appealed to the appropriate court by:

(i) at least three sponsors of the initiative; or
(ii) a majority of the local legislative body for the jurisdiction where the initiative petition was circulated.

(b) The court:

(i) shall examine the short title and summary and consider arguments; and
(ii) enter an order consistent with the requirements of this section.

(c) The local clerk shall include the short title and summary in the ballot or ballot proposition insert, as required by this section.

Section ~~22~~24. Section **20A-7-512** is amended to read:

20A-7-512. Misconduct of electors and officers -- Penalty.

(1) It is unlawful for any individual to:

(a) sign any name other than the individual's own name to an initiative petition or a statement described in Subsection 20A-7-505(4) or 20A-7-515(4);

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

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

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

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

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

- (a) the individual does not meet the residency requirements of Section 20A-2-105;
- (b) the signature date associated with the individual's signature for the initiative petition is not the date that the individual signed the initiative petition;
- (c) the individual has not witnessed the signatures of the individuals whose signatures the individual collects or submits; or
- (d) one or more individuals who signed the initiative petition are not registered to vote in Utah.

(3) It is unlawful for an individual to:

- (a) pay an individual to sign an initiative petition;
- (b) pay an individual to remove the individual's signature from an initiative petition;
- (c) accept payment to sign an initiative petition; [or]
- (d) accept payment to have the individual's name removed from an initiative petition[.];

; or

(e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:

- (i) does not obtain the voluntary direction or consent of the voter;
- (ii) believes or has reason to believe that the voter lacks the mental capacity to give the voter's direction or consent;
- (iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;
- (iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or
- (v) intentionally or knowingly enters false information on the signature sheet or statement.

(4) A violation of this section is a class A misdemeanor.

Section ~~23~~25. Section **20A-7-514** is amended to read:

20A-7-514. Electronic initiative process -- Form of initiative petition --

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Circulation requirements -- Signature collection.

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

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

"This INITIATIVE PETITION is addressed to the Honorable ____, County Clerk/City Recorder/Town Clerk:

The citizens of Utah who sign this petition respectfully demand that the following proposed law be submitted to: the legislative body for its approval or rejection at its next meeting; and the legal voters of the county/city/town, if the legislative body rejects the proposed law or takes no action on it."

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

(3) (a) The second screen presented on the approved device shall include the title of proposed law, described in Subsection 20A-7-502(2)(d)(i), followed by the entire text of the proposed law.

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

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

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

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

(b) the summary statement from the initial fiscal impact and legal statement issued by the budget officer in accordance with Subsection 20A-7-502.5(2)(b) and the cost estimate for

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printing and distributing information related to the initiative petition in accordance with Subsection 20A-7-502.5(3);

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

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

"I have personally [~~reviewed~~] read the entirety of each statement presented on this device;

I am personally signing this petition;

I am registered to vote in Utah; and

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

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

WARNING

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

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

(5) (a) If the individual clicks "no" in response to the question described in Subsection (4)(d), the next screen shall include the following statement, "Thank you for your time. Please return this device to the signature-gatherer."

(b) If the individual clicks "yes" in response to the question described in Subsection (4)(d), the website, or the application that accesses the website, shall take the signature-gatherer and the individual signing the petition through the signature process described in Section 20A-21-201.

Section ~~{24}~~26. Section **20A-7-515** is amended to read:

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

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

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

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

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

(b) is informed that each signer is required to read [~~and understand~~] the law proposed by the initiative.

(4) (a) A voter who signs an initiative petition may have the voter's signature removed from the initiative petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed before 5 p.m. no later than the earlier of:

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

(ii) 90 days after the day on which the local clerk posts the voter's name under Subsection 20A-7-516(4);

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

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

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

~~[(b) The statement described in Subsection (4)(a) shall include:]~~

~~[(i) the name of the voter;]~~

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

~~[(iii) the signature of the voter; and]~~

~~[(iv) the date of the signature described in Subsection (4)(b)(iii).]~~

~~[(c) To increase the likelihood of the voter's signature being identified and removed, the statement described in Subsection (4)(a) may include the voter's birth date or age.]~~

~~[(d)]~~ (b) A voter may not submit a signature removal statement described in Subsection (4)(a) by email or other electronic means, unless the lieutenant governor establishes a signature removal process that is consistent with the requirements of this section and Section

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~~[(e)]~~ (c) A person may only remove an electronic signature from an initiative petition in accordance with this section.

~~[(f)]~~ (d) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from an initiative petition, in accordance with Subsection 20A-1-1003(3).

Section ~~{25}~~27. Section **20A-7-602.5** is amended to read:

20A-7-602.5. Initial fiscal and legal impact statement -- Preparation of statement.

(1) Within three business days after the day on which the local clerk receives a referendum application, the local clerk shall submit a copy of the referendum application to the county, city, or town's budget officer.

(2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good faith initial fiscal and legal impact statement for repealing the law the referendum proposes to repeal that contains:

(i) a dollar amount representing the total estimated fiscal impact of repealing the law;

(ii) if repealing the law would increase or decrease taxes, a dollar amount representing the total estimated increase or decrease for each type of tax that would be impacted by the law's repeal and a dollar amount representing the total estimated increase or decrease in taxes that would result from the law's repeal;

(iii) if repealing the law would result in the issuance or a change in the status of bonds, notes, or other debt instruments, a dollar amount representing the total estimated increase or decrease in public debt that would result;

(iv) a listing of all sources of funding for the estimated costs that would be associated with the law's repeal, showing each source of funding and the percentage of total funding that would be provided from each source;

(v) a dollar amount representing the estimated costs or savings, if any, to state and local government entities if the law were repealed;

(vi) the legal impacts that would result from repealing the law, including:

(A) any significant effects on a person's vested property rights;

(B) any significant effects on other laws or ordinances;

(C) any significant legal liability the city, county, or town may incur; and

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(D) any other significant legal impact as determined by the budget officer and the legal counsel; and

(vii) a concise explanation, not exceeding 100 words, of the information described in this Subsection (2)(a) and of the estimated fiscal impact, if any, if the law were repealed.

(b) (i) If repealing the law would have no fiscal impact, the local budget officer shall include a summary statement in the initial fiscal impact and legal statement in substantially the following form:

"The (title of the local budget officer) estimates that repealing the law this referendum proposes to repeal would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt."

(ii) If repealing the law is estimated to have a fiscal impact, the local budget officer shall include a summary statement in the initial fiscal and legal impact statement describing the fiscal impact.

(iii) If the estimated fiscal impact of repealing the law is highly variable or is otherwise difficult to reasonably express in a summary statement, the local budget officer may include in the summary statement a brief explanation that identifies those factors impacting the variability or difficulty of the estimate.

(3) Within 20 calendar days after the day on which the local clerk submits a copy of the application under Subsection (1), the budget officer shall:

(a) [~~deliver~~] send a copy of the initial fiscal impact and legal statement to the local clerk's office; and

(b) [~~mail~~] send a copy of the initial fiscal impact and legal statement to the first three sponsors named in the referendum application.

Section 28. Section 20A-7-602.7 is amended to read:

20A-7-602.7. Referability to voters of local law other than land use law.

(1) Within 20 days after the day on which an eligible voter files a referendum application under Section 20A-7-602 for a local law other than a land use law, counsel for the county, city, town, or metro township to which the referendum pertains shall:

(a) review the referendum application to determine whether the proposed referendum is legally referable to voters; and

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

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- (i) legally referable to voters; or
- (ii) rejected as not legally referable to voters.

(2) For a local law other than a land use law, a proposed referendum is legally referable to voters unless:

(a) the proposed referendum challenges an action that is administrative, rather than legislative, in nature;

(b) the proposed referendum challenges more than one law passed by the local legislative body; or

(c) the referendum application was not timely filed or does not comply with the requirements of this part.

(3) After the end of the 20-day period described in Subsection (1), a county, city, town, or metro township may not, for a local law other than a land use law:

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

(b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a proposed referendum on the grounds that the proposed referendum is not legally referable to voters.

(4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a proposed referendum concerning a local law other than a land use law, a sponsor of the proposed referendum may, within 10 days after the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision to:

(i) the Supreme Court, by means of an extraordinary writ, if possible; or

(ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ under Subsection (4)(a)(i).

(b) ~~[Failure of a sponsor]~~ If a sponsor fails to timely challenge or appeal a rejection under Subsection (4)(a) ~~[terminates the referendum.]~~:

(i) the referendum terminates; and

(ii) a sponsor may not bring any further challenge or appeal of the rejection.

(c) If a sponsor files a challenge or appeal described in Subsection (4)(a), the sponsor has the burden of proving that:

(i) the sponsor complied with the requirements described in this section; and

(ii) the proposed referendum is legally referable to voters.

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(5) If, on a challenge or appeal, the court determines that the proposed referendum described in Subsection (4) is legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(3), or give the sponsors access to the website defined in Section 20A-21-101, within five days after the day on which the determination, and any challenge or appeal of the determination, is final.

Section 29. Section 20A-7-602.8 is amended to read:

20A-7-602.8. Referability to voters of local land use law.

(1) Within 20 days after the day on which a referendum eligible voter files an application under Section 20A-7-602 for a land use law, counsel for the county, city, town, or metro township to which the referendum pertains shall:

(a) review the referendum application to determine whether the proposed referendum is legally referable to voters; and

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

(i) legally referable to voters; or

(ii) rejected as not legally referable to voters.

(2) (a) Subject to Subsection (2)(b), for a land use law, a proposed referendum is legally referable to voters unless:

(i) the proposed referendum challenges an action that is administrative, rather than legislative, in nature;

(ii) the proposed referendum challenges a land use decision, rather than a land use regulation, as those terms are defined in Section 10-9a-103 or 17-27a-103;

(iii) the proposed referendum challenges more than one law passed by the local legislative body; or

(iv) the referendum application was not timely filed or does not comply with the requirements of this part.

(b) In addition to the limitations of Subsection (2)(a), a proposed referendum is not legally referable to voters for a:

(i) municipal land use law, as defined in Section 20A-7-101, if the land use law was passed by a unanimous vote of the local legislative body; or

(ii) transit area land use law, as defined in Section 20A-7-601, if the transit area land use law was passed by a two-thirds vote of the local legislative body.

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

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

(b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a proposed referendum on the grounds that the proposed referendum is not legally referable to voters.

(4) (a) If a county, city, town, or metro township rejects a proposed referendum concerning a land use law, a sponsor of the proposed referendum may, within seven days after the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision to:

(i) the Supreme Court, by means of an extraordinary writ, if possible; or

(ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ under Subsection (4)(a)(i).

(b) ~~Failure of a sponsor~~ If a sponsor fails to timely challenge or appeal a rejection under Subsection (4)(a) ~~terminates the referendum.~~ :

(i) the referendum terminates; and

(ii) a sponsor may not bring any further challenge or appeal of the rejection.

(c) If a sponsor files a challenge or appeal described in Subsection (4)(a), the sponsor has the burden of proving that:

(i) the sponsor complied with the requirements described in this section; and

(ii) the proposed referendum is legally referable to voters.

(5) If, on challenge or appeal, the court determines that the proposed referendum is legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(3), or give the sponsors access to the website defined in Section 20A-21-101, within five days after the day on which the determination, and any challenge or appeal of the determination, is final.

Section ~~26~~30. Section **20A-7-603** is amended to read:

20A-7-603. Manual referendum process -- Form of referendum petition and signature sheet.

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

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

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"REFERENDUM PETITION To the Honorable _____, County Clerk/City Recorder/Town Clerk:

We, the undersigned citizens of Utah, respectfully order that (description of local law or portion of local law being challenged), passed by the _____ be referred to the voters for their approval or rejection at the regular/municipal general election to be held on _____ (month\day\year);

Each signer says:

I have personally signed this referendum petition ~~or~~ or, if I am an individual with a qualifying disability, I have signed this referendum petition by directing the signature gatherer to enter the initials "AV" as my signature;

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

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

I am registered to vote in Utah; and

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

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

(3) Each referendum signature sheet shall:

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

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

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

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

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

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

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

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

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

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- (vi) the first row of the second column shall be .35 inch tall and contain the words "Registered Voter's Printed Name (must be legible to be counted)" in 10-point type;
 - (vii) the second row of the second column shall be .5 inch tall;
 - (viii) the third row of the second column shall be .35 inch tall and contain the words "Street Address, City, Zip Code" in 10-point type;
 - (ix) the fourth row of the second column shall be .5 inch tall;
 - (x) the third column shall be 2.75 inches wide;
 - (xi) the first row of the third column shall be .35 inch tall and contain the words "Signature of Registered Voter" in 10-point type;
 - (xii) the second row of the third column shall be .5 inch tall;
 - (xiii) the third row of the third column shall be .35 inch tall and contain the words "Email Address (optional, to receive additional information)" in 10-point type;
 - (xiv) the fourth row of the third column shall be .5 inch tall;
 - (xv) the fourth column shall be one inch wide;
 - (xvi) the first row of the fourth column shall be .35 inch tall and contain the words "Date Signed" in 10-point type;
 - (xvii) the second row of the fourth column shall be .5 inch tall;
 - (xviii) the third row of the fourth column shall be .35 inch tall and contain the words "Birth Date or Age (optional)" in 10-point type;
 - (xix) the fourth row of the third column shall be .5 inch tall; and
 - (xx) the fifth row of the entire table shall be the width of the entire table, .4 inch tall, and contain the following words, "By signing this referendum petition, you are stating that you have read [~~and understand~~] the law that this referendum petition seeks to overturn." in 12-point type;
- (e) the table described in Subsection (3)(d) shall be repeated, leaving sufficient room at the bottom of the sheet or the information described in Subsection (3)(f); and
 - (f) at the bottom of the sheet, include the word "Warning," in 12-point, bold type, followed by the following statement in not less than eight-point type:

"It is a class A misdemeanor for an individual to sign a referendum petition with a name other than the individual's own name, or to knowingly sign the individual's name more than once for the same referendum petition, or to sign a referendum petition when the individual

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knows that the individual is not a registered voter.

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

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

"Verification of signature collector

State of Utah, County of ____

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

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

All the names that appear in this packet were signed by individuals who professed to be the individuals whose names appear in it, and each of the individuals signed the individual's name on it in my presence { } or, in the case of an individual with a qualifying disability, I have signed this referendum petition on the individual's behalf, at the direction of the individual and in the individual's presence, by entering the initials "AV" as the individual's signature;

{ } I certify that, for each individual whose signature is represented in this referendum packet by the initials "AV":

{ } I obtained the individual's voluntary direction or consent to sign the referendum petition on the individual's behalf;

{ } I do not believe, or have reason to believe, that the individual lacked the mental capacity to give direction or consent;

{ } I do not believe, or have reason to believe, that the individual did not understand the purpose or nature of my signing the referendum petition on the individual's behalf;

{ } I did not intentionally or knowingly deceive the individual into directing me to, or consenting for me to, sign the referendum petition on the individual's behalf; and

{ } I did not intentionally or knowingly enter false information on the signature sheet;

I did not knowingly make a misrepresentation of fact concerning the law this petition seeks to overturn; { } and

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I believe that each [~~individual has printed and signed the~~] individual's name [~~and written the individual's~~], post office address, and residence ~~{}~~ is written correctly, that each signer has read [~~and understands~~] the law that the referendum seeks to overturn, and that each signer is registered to vote in Utah.†

†

(Name) (Residence Address) (Date)

[~~Each individual who signed the packet wrote the~~] ~~{}~~ The ~~{}~~ correct date of signature appears ~~{}~~ next to [~~the~~] each individual's name.

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

(Name) (Residence Address) (Date)".

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

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

Section ~~{27}~~31. Section **20A-7-604** is amended to read:

20A-7-604. Manual referendum process -- Circulation requirements -- Local clerk to provide sponsors with materials.

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

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

(3) Within five days after the day on which a county, city, town, metro township, or court determines, in accordance with Section 20A-7-602.7, that a proposed referendum is legally referable to voters, the local clerk shall provide the sponsors with:

[~~a copy of the referendum petition and a signature sheet.~~]

(a) a copy of the referendum petition;

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(b) a signature sheet; and

(c) a copy of the proposition information pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).

(4) The sponsors of the referendum petition shall:

(a) arrange and pay for the printing of all documents that are part of the referendum packets; and

(b) ensure that the referendum packets and the documents described in Subsection (4)(a) meet the form requirements of this section.

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

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

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

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

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

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

(ii) sign an agreement with the local clerk, specifying the range of numbers that the sponsor will use to number the referendum packets; and

(iii) number each referendum packet, sequentially, within the range of numbers provided by the county clerk, starting with the lowest number in the range.

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

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

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

Section ~~28~~32. Section **20A-7-608** is amended to read:

20A-7-608. Short title and summary of referendum -- Duties of local clerk and

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local attorney.

(1) Upon receipt of a referendum petition, the local clerk shall deliver a copy of the referendum petition and the law to which the referendum relates to the local attorney.

(2) The local attorney shall:

(a) entitle each county or municipal referendum that qualifies for the ballot "Proposition Number ___" and give the referendum a number assigned in accordance with Section 20A-6-107;

(b) prepare for the referendum:

(i) an impartial short title, not exceeding 25 words, that generally describes the subject of the law to which the referendum relates; and

(ii) an impartial summary of the contents of the law to which the referendum relates, not exceeding 125 words;

(c) file the proposed short title, summary, and the numbered referendum title with the local clerk within 20 days after the day on which an eligible voter submits the referendum petition to the local clerk; and

(d) promptly provide notice of the filing of the proposed short title and summary to:

(i) the sponsors of the petition; and

(ii) the local legislative body for the jurisdiction where the referendum petition was circulated.

(3) (a) The short title and summary may be distinct from the title of the law that is the subject of the referendum petition.

(b) In preparing a short title, the local attorney shall, to the best of the local attorney's ability, give a true and impartial description of the subject of the referendum.

(c) In preparing a summary, the local attorney shall, to the best of the local attorney's ability, give a true and impartial summary of the contents of the referendum.

(d) The short title and summary may not intentionally be an argument, or likely to create prejudice, for or against the referendum.

(4) (a) Within five calendar days after the day on which the local attorney files a proposed short title and summary under Subsection (2)(c), the local legislative body for the jurisdiction where the referendum petition was circulated and the sponsors of the referendum petition may file written comments in response to the proposed short title and summary with

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the local clerk.

(b) Within five calendar days after the last date to submit written comments under Subsection (4)(a), the local attorney shall:

- (i) review any written comments filed in accordance with Subsection (4)(a);
- (ii) prepare a final short title and summary that meets the requirements of Subsection (3); and
- (iii) return the referendum petition and file the short title and summary with the local clerk.

(c) Subject to Subsection (6), for each county or municipal referendum, the following shall be printed on the official ballot:

- (i) the short title; and
- (ii) except as provided in Subsection (4)(d):
 - (A) the summary;
 - (B) a copy of the ordinance, resolution, or written description of the local law; and
 - (C) a link to a location on the election officer's website where a voter may review additional information relating to each referendum, including the information described in Subsection 20A-7-602(2) and the arguments relating to the referendum that are included in the local voter information pamphlet.

(d) Unless the information described in Subsection (4)(c)(ii) is printed on the official ballot, the election officer shall include with the ballot a separate ballot proposition insert that includes the short title and summary for each referendum on the ballot and a link to a location on the election officer's website where a voter may review the additional information described in Subsection (4)(c)(ii)(C).

(e) Unless the information described in Subsection 20A-7-508(4)(c)(ii) for all initiatives on the ballot, and the information described in Subsection (4)(c)(ii) for all referenda on the ballot, is printed on the ballot, the ballot shall include the following statement at the beginning of the portion of the ballot that includes ballot measures, "The ballot proposition sheet included with this ballot contains an impartial summary of each initiative and referendum on this ballot, unless the summary is printed directly on the ballot."

(5) Immediately after the local attorney files a copy of the short title and summary with the local clerk, the local clerk shall [~~serve~~] send a copy of the short title and summary [~~by mail~~

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~~upon~~ to the sponsors of the referendum petition and the local legislative body for the jurisdiction where the referendum petition was circulated.

(6) (a) If the short title or summary provided by the local attorney is unsatisfactory or does not comply with the requirements of this section, the decision of the local attorney may be appealed to the appropriate court by:

(i) at least three sponsors of the referendum petition; or

(ii) a majority of the local legislative body for the jurisdiction where the referendum petition was circulated.

(b) The court:

(i) shall examine the short title and summary and consider the arguments; and

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

(c) The local clerk shall include the short title and summary in the ballot or ballot proposition insert, as required by this section.

Section 33. Section 20A-7-611 is amended to read:

20A-7-611. Temporary stay -- Effective date -- Effect of repeal by local legislative body.

(1) Any law submitted to the people by referendum petition that is rejected by the voters at any election is repealed as of the date of the election.

(2) (a) If, at the time during the process described in Subsection 20A-7-607(2), the local clerk determines that, at that point in time, an adequate number of signatures are certified to comply with the signature requirements, the local clerk shall:

(a) (i) issue an order temporarily staying the law ~~[from going into effect]~~; and

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

(b) A temporary stay of a law under this section may not be ordered or applied retroactively.

(c) A law that goes into effect before an order temporarily staying the law is issued:

(i) is stayed only during the period of time beginning on the day on which the temporary stay is ordered and ending on the day described in Subsection (3);

(ii) does not retroactively rescind the law going into effect before the order; and

(iii) is in effect, and fully enforceable, after the temporary stay ends under Subsection

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(3), unless the law is repealed under Subsection (1).

(d) A law that does not go into effect before an order temporarily staying the law is issued may not go into effect while the temporary stay remains in effect.

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

(a) if the local clerk declares the referendum petition insufficient, five days after the day on which the local clerk declares the referendum petition insufficient; or

(b) if the local clerk declares the referendum petition sufficient, the day on which the local legislative body issues the proclamation described in Section 20A-7-610.

(4) ~~[A law submitted to the people by referendum that is approved by the voters at an election]~~ If the voters approve a law, submitted to the voters by referendum, that did not go into effect before the temporary stay described in Subsection (2) was issued:

(a) the temporary stay is no longer in effect; and

(b) the law takes effect the later of:

~~[(a)]~~ (i) five days after the date of the official proclamation of the vote by the local legislative body; or

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

(5) If, after the local clerk issues a temporary stay order under Subsection ~~[(2)(a)]~~ (2)(a)(i), the local clerk declares the referendum petition insufficient, the law that is the subject of the referendum petition takes effect the later of:

(a) five days after the day on which the local clerk declares the petition insufficient; or

(b) the effective date specified in the proposed law.

(6) (a) A law approved by the people under this part is not subject to veto.

(b) The local legislative body may amend any laws approved by the people under this part after the people approve the law.

(7) If the local legislative body repeals a law challenged by referendum petition under this part, the referendum petition is void and no further action on the referendum petition is required.

Section ~~{29}~~ 34. Section **20A-7-612** is amended to read:

20A-7-612. Misconduct of electors and officers -- Penalty.

(1) It is unlawful for an individual to:

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- (a) sign a name other than the individual's own name to any referendum petition;
 - (b) knowingly sign the individual's name more than once for the same referendum at one election;
 - (c) knowingly indicate that an individual who signed a referendum petition signed the referendum petition on a date other than the date that the individual signed the referendum petition;
 - (d) sign a referendum petition knowing that the individual is not a legal voter;
 - (e) in connection with circulating a referendum petition, represent that a document is an official government document if the individual knows or has reason to know that the document is not an official government document; or
 - (f) knowingly and willfully violate any provision of this part.
- (2) It is unlawful for an individual to sign the verification for a referendum packet, or to electronically sign the verification for a signature under Subsection 20A-21-201(9), knowing that:
- (a) the individual does not meet the residency requirements of Section 20A-2-105;
 - (b) the signature date associated with the individual's signature for the referendum petition is not the date that the individual signed the referendum petition;
 - (c) the individual has not witnessed the signatures the individual collects or submits; or
 - (d) one or more individuals whose signatures appear in the referendum packet is not registered to vote in Utah.
- (3) It is unlawful for an individual to:
- (a) pay an individual to sign a referendum petition;
 - (b) pay an individual to remove the individual's signature from a referendum petition;
 - (c) accept payment to sign a referendum petition; [or]
 - (d) accept payment to have the individual's name removed from a referendum petition[-]; or
 - (e) on behalf of a voter described in Section 20A-7-106, place the initials "AV" or enter any information on a signature sheet or statement described in Section 20A-7-106, if the individual:
 - (i) does not obtain the voluntary direction or consent of the voter;
 - (ii) believes or has reason to believe that the voter lacks the mental capacity to give the

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voter's direction or consent;

(iii) believes or has reason to believe that the voter does not understand the purpose or nature of the action taken by the individual on behalf of the voter;

(iv) intentionally or knowingly deceives the voter into providing the direction or consent of the voter; or

(v) intentionally or knowingly enters false information on the signature sheet or statement.

(4) A violation of this section is a class A misdemeanor.

(5) The county attorney or municipal attorney shall prosecute any violation of this section.

Section ~~30~~35. Section **20A-7-614** is amended to read:

20A-7-614. Electronic referendum process -- Form of referendum petition -- Circulation requirements -- Signature collection.

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

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

"This REFERENDUM PETITION is addressed to the Honorable ____, County Clerk/City Recorder/Town Clerk:

The citizens of Utah who sign this petition respectfully order that (description of local law or portion of local law being challenged), passed by the ____ be referred to the voters for their approval or rejection at the regular/municipal general election to be held on _____(month\day\year)."

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

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

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

(4) (a) The third screen presented on the approved device shall include a statement

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indicating whether persons gathering signatures for the referendum petition may be paid for gathering signatures.

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

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

"I have personally [~~reviewed~~] read the entirety of each statement presented on this device;

I am personally signing this referendum petition;

I am registered to vote in Utah; and

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

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

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

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

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

Section ~~31~~36. Section **20A-7-615** is amended to read:

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

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

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

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resides in the local jurisdiction.

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

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

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

(4) (a) A voter who signs a referendum petition may have the voter's signature removed from the referendum petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a statement requesting that the voter's signature be removed before 5 p.m. no later than the earlier of:

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

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

Subsection 20A-7-616(3).

~~[(b) The statement described in Subsection (4)(a) shall include:]~~

~~[(i) the name of the voter;]~~

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

~~[(iii) the signature of the voter; and]~~

~~[(iv) the date of the signature described in Subsection (4)(b)(iii);]~~

~~[(c) To increase the likelihood of the voter's signature being identified and removed, the statement described in Subsection (4)(a) may include the voter's birth date or age.]~~

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

~~[(e)]~~ (c) A person may only remove an electronic signature from a referendum petition in accordance with this section.

~~[(f)]~~ (d) A county clerk shall analyze a holographic signature, for purposes of removing an electronic signature from a referendum petition, in accordance with Subsection 20A-1-1003(3).

Section ~~{32}~~37. **Effective date.**

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This bill takes effect on May 1, 2024.