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Ballot Proposition Amendments
2024 FOURTH SPECIAL SESSION
STATE OF UTAH
Chief Sponsor: Evan J. Vickers
Sponsor: Jordan D. Teuscher

LONG TITLE

General Description:

This bill amends election provisions regarding a proposed constitutional amendment.

Highlighted Provisions:

This bill:

- ▶ establishes an expedited timeline for:
 - placing a proposed constitutional amendment on the ballot for voter consideration;
- and
 - providing and posting certain information in relation to the proposed constitutional amendment;
- ▶ amends requirements and procedures relating to the ballot title, analysis, and arguments for a proposed constitutional amendment;
- ▶ makes conforming changes; and
- ▶ provides for repeal of the provisions of this bill.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

63I-2-220, as last amended by Laws of Utah 2024, Third Special Session, Chapter 5

ENACTS:

20A-7-103.1, Utah Code Annotated 1953

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

28 Section 1. Section **20A-7-103.1** is enacted to read:

29 **20A-7-103.1 . Constitutional amendments proposed during specified timeframe --**
30 **Ballot title -- Analysis -- Arguments -- Publication.**

31 If, after August 1, 2024, and before September 1, 2024, the Legislature passes a resolution
32 proposing an amendment to the Utah Constitution:

33 (1) the presiding officers shall submit the information and ballot title described in

34 Subsection 20A-7-103(3) to the lieutenant governor no later than:

35 (a) September 1, 2024, if the effective date of this bill is on or before September 1, 2024;

36 or

37 (b) three calendar days after the effective date of this bill, if the effective date of this bill
38 is after September 1, 2024;

39 (2) notwithstanding Subsection 20A-7-103(4), the lieutenant governor shall certify the letter
40 or number and ballot title of each amendment or question to the county clerk of each
41 county no later than the deadline described in Subsection (1);

42 (3) the presiding officers shall:

43 (a) in accordance with Subsections 20A-7-703.1(2) through (5), prepare an analysis for
44 the proposed amendment for publication in the voter information pamphlet; and

45 (b) notwithstanding Subsection 20A-7-703.1(1)(b), submit the analysis to the lieutenant
46 governor no later than October 1, 2024;

47 (4) Sections 20A-7-705 and 20A-7-706 do not apply in relation to the proposed amendment;

48 (5) no later than the day after the effective date of this bill:

49 (a) the presiding officer of the house of origin of the proposed amendment shall appoint
50 the sponsor of the proposed amendment and one member of either house who voted
51 in favor of the proposed amendment to draft an argument in favor of the proposed
52 amendment; and

53 (b) the presiding officer of each house shall appoint one member who voted against the
54 proposed amendment from their house, if any voted against the proposed amendment,
55 to write an argument against the proposed amendment.

56 (6) an argument described in Subsection (5)(a) or (b) may not exceed 750 words, not
57 counting the names and titles of the authors;

58 (7) the authors appointed to submit an argument shall submit the argument to the lieutenant
59 governor no later than seven days after the effective date of this bill;

60 (8) except as provided in Subsection (10), the authors of an argument may not modify the
61 argument after submission;

- 62 (9) except as provided in Subsection (10), the lieutenant governor may not modify an
63 argument in any way;
- 64 (10) the lieutenant governor and the authors of an argument may jointly modify the
65 argument after submission if:
- 66 (a) the modifications are made to correct spelling or grammatical errors or to correct a
67 mischaracterization described in Subsection (17);
- 68 (b) the lieutenant governor and the authors jointly agree on the modifications; and
- 69 (c) the argument has not been submitted for typesetting;
- 70 (11) when the lieutenant governor has received both the argument for the proposed
71 amendment, if any, and the argument against the proposed amendment, if any, the
72 lieutenant governor shall immediately send a copy of the argument in favor of the
73 proposed amendment, if any, to the authors of the argument against the proposed
74 amendment, if any, and a copy of the argument against the proposed amendment, if any,
75 to the authors of the argument in favor of the proposed amendment, if any;
- 76 (12) the authors who timely submit an argument under Subsection (7):
- 77 (a) may prepare and submit a rebuttal argument not exceeding 250 words, not counting
78 the names and titles of the authors; and
- 79 (b) shall file the rebuttal argument with the lieutenant governor within seven days after
80 the day on which the lieutenant governor sends copies of the arguments under
81 Subsection (11);
- 82 (13) except as provided in Subsection (15), the authors of a rebuttal argument may not
83 modify the rebuttal argument after submission;
- 84 (14) except as provided in Subsection (15), the lieutenant governor may not modify a
85 rebuttal argument in any way;
- 86 (15) the lieutenant governor and the authors of a rebuttal argument may jointly modify the
87 rebuttal argument after submission, if:
- 88 (a) the modifications are made to correct spelling or grammatical errors or to correct a
89 mischaracterization described in Subsection (17);
- 90 (b) the lieutenant governor and the authors jointly agree on the modifications; and
- 91 (c) the rebuttal argument has not been submitted for typesetting;
- 92 (16) the lieutenant governor shall ensure that:
- 93 (a) a rebuttal argument is printed in the same manner as a direct argument; and
- 94 (b) each rebuttal argument follows immediately after the direct argument which the
95 rebuttal argument seeks to rebut;

96 (17) if, after the lieutenant governor determines that an argument or a rebuttal argument
97 mischaracterizes the position of a state entity, the lieutenant governor and the authors of
98 the argument or rebuttal argument cannot jointly agree on a modification to correct the
99 mischaracterization, the lieutenant governor:

100 (a) shall publish the argument or rebuttal argument with the mischaracterization; and

101 (b) may, immediately following the argument or rebuttal argument, publish a brief
102 description of the position of the state entity;

103 (18) notwithstanding Subsection 20A-7-103(4), the lieutenant governor shall certify the
104 letter or number and ballot title of each amendment or question to the county clerk of
105 each county no later than the deadline described in Subsection (1); and

106 (19) the deadline described in Subsection 20A-7-801(4)(b) does not apply to the ballot title,
107 analysis, arguments, rebuttal arguments, descriptions, or other items described in this
108 section.

109 Section 2. Section **63I-2-220** is amended to read:

110 **63I-2-220 . Repeal dates: Title 20A.**

111 (1) Section 20A-7-103.1, Constitutional amendments proposed during specified timeframe
112 -- Analysis -- Arguments -- Publication, is repealed July 1, 2025.

113 (2) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is
114 repealed January 1, 2026.

115 Section 3. **Effective date.**

116 If approved by two-thirds of all the members elected to each house, this bill takes
117 effect upon approval by the governor, or the day following the constitutional time limit
118 of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the
119 case of a veto, the date of veto override.

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