

Senator Kirk A. Cullimore proposes the following substitute bill:

1 **STATEWIDE INITIATIVE AND REFERENDUM AMENDMENTS**

2 2024 FOURTH SPECIAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kirk A. Cullimore**

5 House Sponsor: Jason B. Kyle

7 **LONG TITLE**

8 **General Description:**

9 This bill, contingent on the passage of a constitutional amendment, addresses statewide
10 initiatives and referendums.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ addresses the deference given to a law passed by initiative;
- 14 ▶ extends the amount of time that the sponsors of a referendum petition have to gather
15 signatures to qualify the referendum for the ballot;
- 16 ▶ makes conforming timeline changes to accommodate the extension of the
17 signature-gathering period;
- 18 ▶ amends provisions regarding the effective date of legislation that may be subject to
19 a referendum; and
- 20 ▶ makes technical and conforming changes.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 This bill provides a special effective date.

25 **Utah Code Sections Affected:**



26 AMENDS:

27 **20A-7-105**, as last amended by Laws of Utah 2024, Chapters 442, 465

28 **20A-7-212**, as last amended by Laws of Utah 2019, Chapter 206

29 **20A-7-307**, as last amended by Laws of Utah 2023, Chapters 107, 116 and last

30 amended by Coordination Clause, Laws of Utah 2023, Chapter 116

31 **20A-7-311**, as last amended by Laws of Utah 2023, Chapter 107

32 **20A-7-705**, as last amended by Laws of Utah 2019, Chapters 217, 255

33 **20A-7-706**, as last amended by Laws of Utah 2019, Chapter 255



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

36 Section 1. Section **20A-7-105** is amended to read:

37 **20A-7-105. Manual petition processes -- Obtaining signatures -- Verification --**

38 **Submitting the petition -- Certification of signatures -- Transfer to lieutenant governor --**

39 **Removal of signature.**

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

42 (2) As used in this section:

43 (a) "Local petition" means:

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

45 or

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

47 Procedures.

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

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

50 (d) "Statewide petition" means:

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

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

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

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

55 (i) is a legal voter; and

56 (ii) resides in the local jurisdiction.

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

59 (i) is at least 18 years old;

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

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

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

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

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

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

70 (i) for a statewide initiative:

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

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

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

75 (ii) for a statewide referendum:

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

77 (B) ~~40~~ 60 days after the day on which the legislative session at which the law passed
78 ends;

79 (iii) for a local initiative:

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

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

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

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

87 (iv) for a local referendum:

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

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

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

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

92 Subsection (5)(a).

93 (c) Before delivering an initiative packet to the county clerk under this Subsection (5),

94 the sponsors shall send an email to each individual who provides a legible, valid email address

95 on the signature sheet that includes the following:

96 (i) the subject of the email shall include the following statement, "Notice Regarding

97 Your Petition Signature"; and

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

99 "You signed a petition for the following initiative:

100 [insert title of initiative]

101 To access a copy of the initiative petition, the initiative, the fiscal impact statement, and

102 information on the deadline for removing your signature from the petition, please visit the

103 following link: [insert a uniform resource locator that takes the individual directly to the page

104 on the lieutenant governor's or county clerk's website that includes the information referred to

105 in the email]."

106 (d) For a statewide initiative, the sponsors shall, no later than 5 p.m. on the day on

107 which the sponsors submit the last initiative packet to the county clerk, submit to the lieutenant

108 governor:

109 (i) a list containing:

110 (A) the name and email address of each individual the sponsors sent, or caused to be

111 sent, the email described in Subsection (5)(c); and

112 (B) the date the email was sent;

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

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

115 "Verification of initiative sponsor State of Utah, County of _____ I, _____,

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

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

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

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

121 _____
122 (Name) (Residence Address) (Date)".

123 (e) For a local initiative, the sponsors shall, no later than 5 p.m. on the day on which
124 the sponsors submit the last initiative packet to the local clerk, submit to the local clerk the
125 items described in Subsection (5)(d).

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

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

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

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

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

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

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

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

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

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

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

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

149 (i) for a local initiative, during the period of time described in Subsection

150 20A-7-507(3)(a); or

151 (ii) for a local referendum, during the period of time described in Subsection

152 20A-7-607(2)(a)(i).

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

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

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

156 (8) (a) A voter who signs a statewide initiative petition may have the voter's signature

157 removed from the petition by, in accordance with Section 20A-1-1003, submitting to the

158 county clerk a statement requesting that the voter's signature be removed no later than the

159 earlier of:

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

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

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

163 Subsection 20A-7-207(2); or

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

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

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

167 Subsection 20A-7-207(2).

168 (b) A voter who signs a statewide referendum petition may have the voter's signature

169 removed from the petition by, in accordance with Section 20A-1-1003, submitting to the

170 county clerk a statement requesting that the voter's signature be removed no later than the

171 earlier of:

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

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

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

175 (c) A voter who signs a local initiative petition may have the voter's signature removed

176 from the petition by, in accordance with Section 20A-1-1003, submitting to the county clerk a

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

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

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

180 Subsection 20A-7-507(2);

- 181 (iii) 316 days after the day on which the application is filed; or
- 182 (iv) (A) for a county initiative, April 15 immediately before the next regular general
183 election immediately after the application is filed under Section 20A-7-502; or
- 184 (B) for a municipal initiative, April 15 immediately before the next municipal general
185 election immediately after the application is filed under Section 20A-7-502.
- 186 (d) A voter who signs a local referendum petition may have the voter's signature
187 removed from the petition by, in accordance with Section 20A-1-1003, submitting to the
188 county clerk a statement requesting that the voter's signature be removed no later than the
189 earlier of:
- 190 (i) 30 days after the day on which the voter signs the statement requesting removal; or
- 191 (ii) 45 days after the day on which the local clerk posts the voter's name under
192 Subsection 20A-7-607(2)(a).
- 193 (e) In order for the signature to be removed, the county clerk must receive the
194 statement described in this Subsection (8) before 5 p.m. no later than the applicable deadline
195 described in this Subsection (8).
- 196 (f) A county clerk shall analyze a signature, for purposes of removing a signature from
197 a petition, in accordance with Subsection 20A-1-1003(3).
- 198 (9) (a) If the county clerk timely receives a statement requesting signature removal
199 under Subsection (8) and determines that the signature should be removed from the petition
200 under Subsection 20A-1-1003(3), the county clerk shall:
- 201 (i) ensure that the voter's name, voter identification number, and date of signature are
202 not included in the posting described in Subsection (6)(a)(ii)(B) or (iii)(B); and
- 203 (ii) remove the voter's signature from the signature packets and signature packet totals.
- 204 (b) The county clerk shall comply with Subsection (9)(a) before the later of:
- 205 (i) the deadline described in Subsection (6)(a); or
- 206 (ii) two business days after the day on which the county clerk receives a statement
207 requesting signature removal under Subsection (8).
- 208 (10) A person may not retrieve a packet from a county clerk, or make any alterations or
209 corrections to a packet, after the packet is submitted to the county clerk.
- 210 Section 2. Section 20A-7-212 is amended to read:
- 211 **20A-7-212. Effective date of initiative -- Deference given to law passed by**

212 **initiative.**

213 (1) A proposed law submitted to the Legislature by initiative petition and passed by the
214 Legislature takes effect 60 days after the last day of the session of the Legislature in which the
215 law passed, unless:

216 (a) a later effective date is included in the proposed law; or

217 (b) an earlier effective date is included in the proposed law and the proposed law
218 passes the Legislature by a two-thirds vote of the members elected to each house of the
219 Legislature.

220 (2) A proposed law submitted to the people by initiative petition that is approved by
221 the voters at an election takes effect:

222 (a) except as provided in Subsections (2)(b) through (e), on the day that is 60 days after
223 the last day of the general session of the Legislature next following the election;

224 (b) except as provided in Subsection (2)(d) or (e), if the proposed law effectuates a tax
225 increase:

226 (i) except as provided in Subsection (2)(b)(ii), January 1 of the year after the general
227 session of the Legislature next following the election; or

228 (ii) at the beginning of the applicable taxable year that begins on or after January 1 of
229 the year after the general session of the Legislature next following the election, for a tax
230 described in:

231 (A) Title 59, Chapter 6, Mineral Production Tax Withholding;

232 (B) Title 59, Chapter 7, Corporate Franchise and Income Taxes;

233 (C) Title 59, Chapter 8, Gross Receipts Tax on Certain Corporations Not Required to
234 Pay Corporate Franchise or Income Tax Act; or

235 (D) Title 59, Chapter 10, Individual Income Tax Act;

236 (c) except as provided in Subsection (2)(d) or (e), if the proposed law effectuates a tax
237 decrease:

238 (i) except as provided in Subsection (2)(c)(ii), April 1 immediately following the
239 election; or

240 (ii) for a tax described in Subsection (2)(b)(ii)(A) through (D), at the beginning of the
241 applicable taxable year that begins on or after January 1 immediately following the election;

242 (d) except as provided in Subsection (2)(e), January 1 of the year after the general

243 session of the Legislature next following the election, if the proposed law effectuates a change
244 in a tax described in:

- 245 (i) Title 59, Chapter 2, Property Tax Act;
- 246 (ii) Title 59, Chapter 3, Tax Equivalent Property Act; or
- 247 (iii) Title 59, Chapter 4, Privilege Tax; or
- 248 (e) if the proposed law specifies a special effective date that is after the otherwise
249 applicable effective date described in Subsections (2)(a) through (d), the date specified in the
250 proposed law.

251 (3) (a) The governor may not veto a law adopted by the people.
252 [~~(b) The Legislature may amend any initiative approved by the people at any legislative~~
253 ~~session.~~]

254 (b) If, during the general session next following the passage of a law submitted to the
255 people by initiative petition, the Legislature amends the law, the Legislature:

- 256 (i) shall give deference to the initiative by amending the law in a manner that, in the
257 Legislature's determination, leaves intact the general purpose of the initiative; and
- 258 (ii) notwithstanding Subsection (3)(b)(i), may amend the law in any manner
259 determined necessary by the Legislature to mitigate an adverse fiscal impact of the initiative.

260 Section 3. Section **20A-7-307** is amended to read:

261 **20A-7-307. Evaluation by the lieutenant governor.**

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

265 (2) The county clerk shall:

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

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

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

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

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

274 Subsection 20A-7-315(4) on the lieutenant governor's website, in a conspicuous location
275 designated by the lieutenant governor, for at least 45 days; and

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

278 (3) The lieutenant governor:

279 (a) shall, except as provided in Subsection (3)(b), declare the referendum petition to be
280 sufficient or insufficient [~~106~~] 126 days after the end of the legislative session at which the law
281 passed; or

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

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

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

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

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

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

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

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

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

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

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

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

320 Section 4. Section **20A-7-311** is amended to read:

321 **20A-7-311. Temporary stay -- Effective date -- Effect of repeal by Legislature.**

322 (1) (a) Within 35 calendar days after the day on which the legislative session at which
323 the law passed ends, the lieutenant governor shall:

324 (i) determine whether, within 30 calendar days after the day on which the legislative
325 session at which the law passed ends, the sponsors have submitted signatures to the county
326 clerks equal to at least 25% of the number of signatures required to qualify the referendum for
327 placement on the ballot; and

328 (ii) issue a written statement of the results of the determination.

329 (b) If the lieutenant governor determines that the sponsors have met the 25% threshold
330 described in Subsection (1)(a), the effective date of the law challenged by the referendum
331 changes to the later of:

332 (i) the effective date of the law; or

333 (ii) the day after the day on which the lieutenant governor declares the referendum
334 petition sufficient or insufficient under Section [20A-7-307](#).

335 ~~[(+)]~~ (2) ~~[H]~~ Notwithstanding Subsection (1), if, at the time during the counting period

336 described in Section 20A-7-307, the lieutenant governor determines that, at that point in time,
337 an adequate number of signatures are certified to comply with the signature requirements, the
338 lieutenant governor shall:

- 339 (a) issue an order temporarily staying the law from going into effect; and
340 (b) continue the process of certifying signatures and removing signatures as required by
341 this part.

342 ~~[(2)]~~ (3) The temporary stay described in Subsection ~~[(1)]~~ (2) remains in effect,
343 regardless of whether a future count falls below the signature threshold, until the day on which:

- 344 (a) if the lieutenant governor declares the referendum petition insufficient, five days
345 after the day on which the lieutenant governor declares the referendum petition insufficient; or
346 (b) if the lieutenant governor declares the referendum petition sufficient, the day on
347 which governor issues the proclamation described in Section 20A-7-310.

348 ~~[(3)]~~ (4) A law submitted to the people by referendum that is approved by the voters at
349 an election takes effect the later of:

- 350 (a) five days after the date of the official proclamation of the vote by the governor; or
351 (b) the effective date specified in the approved law.

352 ~~[(4)]~~ (5) If, after the lieutenant governor issues a temporary stay order under Subsection
353 ~~[(1)]~~(a) (2)(a), the lieutenant governor declares the referendum petition insufficient, the law
354 that is the subject of the referendum petition takes effect the later of:

- 355 (a) five days after the day on which the lieutenant governor declares the referendum
356 petition insufficient; or
357 (b) the effective date specified in the law that is the subject of the referendum petition.

358 ~~[(5)]~~ (6) (a) The governor may not veto a law approved by the people.

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

361 ~~[(6)]~~ (7) If the Legislature repeals a law challenged by referendum petition under this
362 part, the referendum petition is void and no further action on the referendum petition is
363 required.

364 Section 5. Section 20A-7-705 is amended to read:

365 **20A-7-705. Measures to be submitted to voters and referendum measures --**
366 **Preparation of argument of adoption.**

367 (1) (a) Whenever the Legislature submits any measure to the voters or whenever an act
368 of the Legislature is referred to the voters by referendum petition, the presiding officer of the
369 house of origin of the measure shall appoint the sponsor of the measure or act and one member
370 of either house who voted with the majority to pass the act or submit the measure to draft an
371 argument for the adoption of the measure.

372 (b) (i) The argument may not exceed 500 words in length, not counting the information
373 described in Subsection (4)(e).

374 (ii) If the sponsor of the measure or act desires separate arguments to be written in
375 favor by each person appointed, separate arguments may be written but the combined length of
376 the two arguments may not exceed 500 words, not counting the information described in
377 Subsection (4)(e).

378 (2) (a) If a measure or act submitted to the voters by the Legislature or by referendum
379 petition was not adopted unanimously by the Legislature, the presiding officer of each house
380 shall, at the same time as appointments to an argument in its favor are made, appoint one
381 member who voted against the measure or act from their house to write an argument against
382 the measure or act.

383 (b) (i) The argument may not exceed 500 words, not counting the information
384 described in Subsection (4)(e).

385 (ii) If those members appointed to write an argument against the measure or act desire
386 separate arguments to be written in opposition to the measure or act by each person appointed,
387 separate arguments may be written, but the combined length of the two arguments may not
388 exceed 500 words, not counting the information described in Subsection (4)(e).

389 (3) (a) The legislators appointed by the presiding officer of the Senate or House of
390 Representatives to submit arguments shall submit the arguments to the lieutenant governor not
391 later than the day that falls [~~150~~] 130 days before the date of the election.

392 (b) Except as provided in Subsection (3)(d), the authors may not amend or change the
393 arguments after they are submitted to the lieutenant governor.

394 (c) Except as provided in Subsection (3)(d), the lieutenant governor may not alter the
395 arguments in any way.

396 (d) The lieutenant governor and the authors of an argument may jointly modify an
397 argument after it is submitted if:

398 (i) they jointly agree that changes to the argument must be made to correct spelling or
399 grammatical errors; and

400 (ii) the argument has not yet been submitted for typesetting.

401 (4) (a) If an argument for or an argument against a measure submitted to the voters by
402 the Legislature or by referendum petition has not been filed by a member of the Legislature
403 within the time required by this section:

404 (i) the lieutenant governor shall immediately:

405 (A) send an electronic notice that complies with the requirements of Subsection (4)(b)
406 to each individual in the state for whom the Office of the Lieutenant Governor has an email
407 address; or

408 (B) post a notice that complies with the requirements of Subsection (4)(b) on the home
409 page of the lieutenant governor's website; and

410 (ii) any voter may, before 5 p.m. no later than seven days after the day on which the
411 lieutenant governor provides the notice described in Subsection (4)(a)(i), submit a written
412 request to the presiding officer of the house in which the measure originated for permission to
413 prepare and file an argument for the side on which no argument has been filed by a member of
414 the Legislature.

415 (b) A notice described in Subsection (4)(a)(i) shall contain:

416 (i) the ballot title for the measure;

417 (ii) instructions on how to submit a request under Subsection (4)(a)(ii); and

418 (iii) the deadlines described in Subsections (4)(a)(ii) and (4)(d).

419 (c) (i) The presiding officer of the house of origin shall grant permission unless two or
420 more voters timely request permission to submit arguments on the same side of a measure.

421 (ii) If two or more voters timely request permission to submit arguments on the same
422 side of a measure, the presiding officer shall, no later than four calendar days after the day of
423 the deadline described in Subsection (4)(a)(ii), designate one of the voters to write the
424 argument.

425 (d) Any argument prepared under this Subsection (4) shall be submitted to the
426 lieutenant governor before 5 p.m. no later than seven days after the day on which the presiding
427 officer grants permission to submit the argument.

428 (e) The lieutenant governor may not accept a ballot argument submitted under this

429 section unless the ballot argument lists:

430 (i) the name and address of the individual submitting the argument, if the argument is
431 submitted by an individual voter; or

432 (ii) the name and address of the organization and the names and addresses of at least
433 two of the organization's principal officers, if the argument is submitted on behalf of an
434 organization.

435 (f) Except as provided in Subsection (4)(h), the authors may not amend or change the
436 arguments after they are submitted to the lieutenant governor.

437 (g) Except as provided in Subsection (4)(h), the lieutenant governor may not alter the
438 arguments in any way.

439 (h) The lieutenant governor and the authors of an argument may jointly modify an
440 argument after it is submitted if:

441 (i) they jointly agree that changes to the argument must be made to:

442 (A) correct spelling or grammatical errors; or

443 (B) properly characterize the position of a state entity, if the argument mischaracterizes
444 the position of a state entity; and

445 (ii) the argument has not yet been submitted for typesetting.

446 (i) If, after the lieutenant governor determines that an argument described in this
447 section mischaracterizes the position of a state entity, the lieutenant governor and the authors of
448 the argument cannot jointly agree on a change to the argument, the lieutenant governor:

449 (i) shall publish the argument with the mischaracterization; and

450 (ii) may, immediately following the argument, publish a brief description of the
451 position of the state entity.

452 Section 6. Section **20A-7-706** is amended to read:

453 **20A-7-706. Copies of arguments to be sent to opposing authors -- Rebuttal**
454 **arguments.**

455 (1) When the lieutenant governor has received the arguments for and against a measure
456 to be submitted to the voters, the lieutenant governor shall immediately send copies of the
457 arguments in favor of the measure to the authors of the arguments against and copies of the
458 arguments against to the authors of the arguments in favor.

459 (2) The authors may prepare and submit rebuttal arguments not exceeding 250 words,

460 not counting the information described in Subsection 20A-7-705(4)(e).

461 (3) (a) The rebuttal arguments shall be filed with the lieutenant governor:

462 (i) for constitutional amendments and referendum petitions, before 5 p.m. no later than
463 [~~120~~] 100 days before the date of the election; and

464 (ii) for initiatives, before 5 p.m. no later than July 30.

465 (b) Except as provided in Subsection (3)(d), the authors may not amend or change the
466 rebuttal arguments after they are submitted to the lieutenant governor.

467 (c) Except as provided in Subsection (3)(d), the lieutenant governor may not alter the
468 arguments in any way.

469 (d) The lieutenant governor and the authors of a rebuttal argument may jointly modify
470 a rebuttal argument after it is submitted if:

471 (i) they jointly agree that changes to the rebuttal argument must be made to correct
472 spelling or grammatical errors; and

473 (ii) the rebuttal argument has not yet been submitted for typesetting.

474 (4) The lieutenant governor shall ensure that:

475 (a) rebuttal arguments are printed in the same manner as the direct arguments; and

476 (b) each rebuttal argument follows immediately after the direct argument which it
477 seeks to rebut.

478 Section 7. **Effective date.**

479 This bill takes effect on January 1, 2025, if the amendment to the Utah Constitution
480 proposed by S.J.R. 401, Proposal to Amend Utah Constitution - Voter Legislative Power, 2024
481 4th Special Session, passes the Legislature and is approved by a majority of those voting on it
482 at the next regular general election.