

Representative Brad M. Daw proposes the following substitute bill:

**INITIATIVES, REFERENDA, AND OTHER POLITICAL
ACTIVITIES**

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad M. Daw

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions of the Election Code relating to initiatives, referenda, and political activities of public entities.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ provides for the publication of a proposition information pamphlet to inform voters of arguments for and against proposed and pending local initiatives and referenda;
- ▶ amends provisions relating to a local voter information pamphlet;
- ▶ enacts provisions for holding a public hearing to discuss and present arguments relating to a proposed or pending local initiative or referendum;
- ▶ requires the lieutenant governor to create instructional materials regarding local initiatives and referenda;
- ▶ modifies requirements relating to local initiatives and referenda, including:
 - petition, petition circulation, and petition signature requirements;
 - timelines; and
 - appeals and other challenges;



- 26 ▶ enacts provisions relating to determining whether a proposed local initiative or
- 27 referendum is legally referable to voters;
- 28 ▶ amends provisions regarding the use of email, and the expenditure of public funds,
- 29 for political purposes relating to proposed and pending initiatives and referenda;
- 30 ▶ requires certain municipalities to establish voter participation areas;
- 31 ▶ modifies signature requirements for a local initiative or referendum;
- 32 ▶ establishes procedures and requirements relating to a referendum for a local land
- 33 use law;
- 34 ▶ modifies a referendum petition and signature sheets for a local referendum;
- 35 ▶ amends provisions relating to unlawful verification of a local referendum packet;
- 36 ▶ modifies signature submission requirements, and signature removal procedures and
- 37 requirements, relating to a local referendum;
- 38 ▶ amends provisions regarding the use of email, and the expenditure of public funds,
- 39 for political purposes relating to proposed and pending local initiatives and
- 40 referenda;
- 41 ▶ regulates the dissemination of information regarding a proposed or pending
- 42 initiative or referendum by a county or municipality; and
- 43 ▶ makes technical and conforming amendments.

44 **Money Appropriated in this Bill:**

45 None

46 **Other Special Clauses:**

47 This bill provides revisor instructions.

48 **Utah Code Sections Affected:**

49 AMENDS:

50 **11-14-301**, as last amended by Laws of Utah 2018, Chapter 284

51 **20A-7-101**, as last amended by Laws of Utah 2017, Chapter 291

52 **20A-7-402**, as last amended by Laws of Utah 2017, Chapters 91, 147, and 291

53 **20A-7-501**, as last amended by Laws of Utah 2016, Chapter 176

54 **20A-7-502**, as last amended by Laws of Utah 2017, Chapter 291

55 **20A-7-502.5**, as last amended by Laws of Utah 2017, Chapter 291

56 **20A-7-504**, as last amended by Laws of Utah 2016, Chapter 365

- 57 **20A-7-505**, as last amended by Laws of Utah 2012, Chapter 72
- 58 **20A-7-506**, as last amended by Laws of Utah 2012, Chapter 72
- 59 **20A-7-506.3**, as last amended by Laws of Utah 2011, Chapter 17
- 60 **20A-7-507**, as last amended by Laws of Utah 2011, Chapter 17
- 61 **20A-7-508**, as last amended by Laws of Utah 2017, Chapter 291
- 62 **20A-7-509**, as last amended by Laws of Utah 2009, Chapter 202
- 63 **20A-7-510**, as last amended by Laws of Utah 2010, Chapter 367
- 64 **20A-7-512**, as last amended by Laws of Utah 2013, Chapter 253
- 65 **20A-7-513**, as last amended by Laws of Utah 2017, Chapter 291
- 66 **20A-7-601**, as last amended by Laws of Utah 2016, Chapter 365
- 67 **20A-7-602**, as last amended by Laws of Utah 2016, Chapter 365
- 68 **20A-7-602.5**, as enacted by Laws of Utah 2014, Chapter 364
- 69 **20A-7-603**, as last amended by Laws of Utah 2016, Chapter 365
- 70 **20A-7-604**, as last amended by Laws of Utah 2016, Chapter 365
- 71 **20A-7-605**, as last amended by Laws of Utah 2012, Chapter 72
- 72 **20A-7-606.3**, as last amended by Laws of Utah 2011, Chapter 17
- 73 **20A-7-607**, as last amended by Laws of Utah 2014, Chapter 396
- 74 **20A-7-608**, as last amended by Laws of Utah 2008, Chapter 315
- 75 **20A-7-609.5**, as enacted by Laws of Utah 2014, Chapter 396
- 76 **20A-7-610**, as last amended by Laws of Utah 2010, Chapter 367
- 77 **20A-7-612**, as last amended by Laws of Utah 2001, Chapter 20
- 78 **20A-7-613**, as last amended by Laws of Utah 2016, Chapters 350, 365, and 367
- 79 **20A-11-1202**, as last amended by Laws of Utah 2017, Chapter 68
- 80 **20A-11-1203**, as last amended by Laws of Utah 2015, Chapter 435
- 81 **20A-11-1205**, as last amended by Laws of Utah 2018, Chapter 44
- 82 **20A-11-1206**, as enacted by Laws of Utah 2015, Chapter 435
- 83 **63I-2-220**, as last amended by Laws of Utah 2018, Chapters 187 and 458

84 ENACTS:

- 85 **20A-7-401.3**, Utah Code Annotated 1953
- 86 **20A-7-401.5**, Utah Code Annotated 1953
- 87 **20A-7-405**, Utah Code Annotated 1953

- 88 [20A-7-406](#), Utah Code Annotated 1953
- 89 [20A-7-407](#), Utah Code Annotated 1953
- 90 [20A-7-502.7](#), Utah Code Annotated 1953
- 91 [20A-7-602.7](#), Utah Code Annotated 1953
- 92 [20A-7-602.8](#), Utah Code Annotated 1953

Utah Code Sections Affected by Revisor Instructions:

- 94 [20A-7-407](#), Utah Code Annotated 1953

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

Section 1. Section **11-14-301** is amended to read:

11-14-301. Issuance of bonds by governing body -- Computation of indebtedness under constitutional and statutory limitations.

(1) If the governing body has declared the bond proposition to have carried and no contest has been filed, or if a contest has been filed and favorably terminated, the governing body may proceed to issue the bonds voted at the election.

(2) (a) It is not necessary that all of the bonds be issued at one time, but, except as otherwise provided in this Subsection (2), bonds approved by the voters may not be issued more than 10 years after the day on which the election is held.

(b) The 10-year period described in Subsection (2)(a) is tolled if, at any time during the 10-year period:

(i) an application for a referendum petition is filed with a local clerk, in accordance with Section [20A-7-602](#) [~~and Subsection [20A-7-601\(3\)\(a\)](#)], with respect to the local obligation law relating to the bonds; or~~

(ii) the bonds are challenged in a court of law or an administrative proceeding in relation to:

(A) the legality or validity of the bonds, or the election or proceedings authorizing the bonds;

(B) the authority of the local political subdivision to issue the bonds;

(C) the provisions made for the security or payment of the bonds; or

(D) any other issue that materially and adversely affects the marketability of the bonds, as determined by the individual or body that holds the executive powers of the local political

119 subdivision.

120 (c) ~~[A]~~ For a bond described in this section that is approved by voters on or after May
121 8, 2002, but before May 14, 2019, a tolling period described in Subsection (2)(b)(i) ends on the
122 later of the day on which:

123 (i) the local clerk determines that the petition is insufficient, in accordance with
124 Subsection 20A-7-607(2)(c), unless an application, described in Subsection 20A-7-607(4)(a), is
125 made to ~~[the Supreme Court]~~ a court;

126 (ii) ~~[the Supreme Court]~~ a court determines, under Subsection 20A-7-607(4)(c), that
127 the petition for the referendum is not legally sufficient; or

128 (iii) for a referendum petition that is sufficient, the governing body declares, as
129 provided by law, the results of the referendum election on the local obligation law.

130 (d) For a bond described in this section that was approved by voters on or after May
131 14, 2019, a tolling period described in Subsection (2)(b)(i) ends:

132 (i) if a county, city, town, metro township, or court determines, under Section
133 20A-7-602.7, that the proposed referendum is not legally referable to voters, the later of:

134 (A) the day on which the county, city, town, or metro township provides the notice
135 described in Subsection 20A-7-602.7(1)(b)(ii); or

136 (B) if a sponsor appeals, under Subsection 20A-7-602.7(4), the day on which a court
137 decision that the proposed referendum is not legally referable to voters becomes final; or

138 (ii) if a county, city, town, metro township, or court determines, under Section
139 20A-7-602.7, that the proposed referendum is legally referable to voters, the later of:

140 (A) the day on which the local clerk determines, under Section 20A-7-607, that the
141 number of certified names is insufficient for the proposed referendum to appear on the ballot;

142 or

143 (B) if the local clerk determines, under Section 20A-7-607, that the number of certified
144 names is sufficient for the proposed referendum to appear on the ballot, the day on which the
145 governing body declares, as provided by law, the results of the referendum election on the local
146 obligation law.

147 ~~[(d)]~~ (e) A tolling period described in Subsection (2)(b)(ii) ends after:

148 (i) there is a final settlement, a final adjudication, or another type of final resolution of
149 all challenges described in Subsection (2)(b)(ii); and

150 (ii) the individual or body that holds the executive powers of the local political
151 subdivision issues a document indicating that all challenges described in Subsection (2)(b)(ii)
152 are resolved and final.

153 ~~[(e)]~~ (f) If the 10-year period described in Subsection (2)(a) is tolled under this
154 Subsection (2) and, when the tolling ends and after giving effect to the tolling, the period of
155 time remaining to issue the bonds is less than one year, the period of time remaining to issue
156 the bonds shall be extended to one year.

157 ~~[(f)]~~ (g) The tolling provisions described in this Subsection (2) apply to all bonds
158 described in this section that were approved by voters on or after May 8, 2002.

159 (3) (a) Bonds approved by the voters may not be issued to an amount that will cause
160 the indebtedness of the local political subdivision to exceed that permitted by the Utah
161 Constitution or statutes.

162 (b) In computing the amount of indebtedness that may be incurred pursuant to
163 constitutional and statutory limitations, the constitutionally or statutorily permitted percentage,
164 as the case may be, shall be applied to the fair market value, as defined under Section 59-2-102,
165 of the taxable property in the local political subdivision, as computed from the last applicable
166 equalized assessment roll before the incurring of the additional indebtedness.

167 (c) In determining the fair market value of the taxable property in the local political
168 subdivision as provided in this section, the value of all tax equivalent property, as defined in
169 Section 59-3-102, shall be included as a part of the total fair market value of taxable property
170 in the local political subdivision, as provided in Title 59, Chapter 3, Tax Equivalent Property
171 Act.

172 (4) Bonds of improvement districts issued in a manner that they are payable solely
173 from the revenues to be derived from the operation of the facilities of the district may not be
174 included as bonded indebtedness for the purposes of the computation.

175 (5) Where bonds are issued by a city, town, or county payable solely from revenues
176 derived from the operation of revenue-producing facilities of the city, town, or county, or
177 payable solely from a special fund into which are deposited excise taxes levied and collected by
178 the city, town, or county, or excise taxes levied by the state and rebated pursuant to law to the
179 city, town, or county, or any combination of those excise taxes, the bonds shall be included as
180 bonded indebtedness of the city, town, or county only to the extent required by the Utah

181 Constitution, and any bonds not so required to be included as bonded indebtedness of the city,
182 town, or county need not be authorized at an election, except as otherwise provided by the Utah
183 Constitution, the bonds being hereby expressly excluded from the election requirement of
184 Section 11-14-201.

185 (6) A bond election is not void when the amount of bonds authorized at the election
186 exceeded the limitation applicable to the local political subdivision at the time of holding the
187 election, but the bonds may be issued from time to time in an amount within the applicable
188 limitation at the time the bonds are issued.

189 (7) (a) A local political subdivision may not receive, from the issuance of bonds
190 approved by the voters at an election, an aggregate amount that exceeds by more than 2% the
191 maximum principal amount stated in the bond proposition.

192 (b) The provision in Subsection (7)(a) applies to bonds issued pursuant to an election
193 held after January 1, 2019.

194 Section 2. Section 20A-7-101 is amended to read:

195 **20A-7-101. Definitions.**

196 As used in this chapter:

197 (1) "Budget officer" means:

198 (a) for a county, the person designated as budget officer in Section 17-19a-203;

199 (b) for a city, the person designated as budget officer in Subsection 10-6-106(5);

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

201 (d) for a metro township, the person described in Subsection (1)(a) for the county in
202 which the metro township is located.

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

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

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

209 (5) "Final fiscal impact statement" means a financial statement prepared after voters
210 approve an initiative that contains the information required by Subsection 20A-7-202.5(2) or
211 20A-7-502.5(2).

212 (6) "Initial fiscal impact estimate" means:

213 (a) a financial statement prepared under Section [20A-7-202.5](#) after the filing of an
214 application for an initiative petition; or

215 (b) a financial and legal statement prepared under Section [20A-7-502.5](#) or [20A-7-602.5](#)
216 for an initiative or referendum petition.

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

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

221 (9) (a) "Land use law" means a law of general applicability, enacted based on the
222 weighing of broad, competing policy considerations, that relates to the use of land, including a
223 general plan, a land use development code, an annexation ordinance, or a comprehensive
224 zoning ordinance or resolution.

225 (b) "Land use law" does not include a land use decision, as defined in Section
226 [10-9a-103](#) or [17-27a-103](#).

227 [~~9~~] (10) "Legal signatures" means the number of signatures of legal voters that:

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

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

230 [~~10~~] (11) "Legal voter" means a person who:

231 (a) is registered to vote; or

232 (b) becomes registered to vote before the county clerk certifies the signatures on an
233 initiative or referendum petition.

234 (12) "Legally referable to voters" means:

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

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

239 [~~11~~] (13) "Local attorney" means the county attorney, city attorney, or town attorney
240 in whose jurisdiction a local initiative or referendum petition is circulated.

241 [~~12~~] (14) "Local clerk" means the county clerk, city recorder, or town clerk in whose
242 jurisdiction a local initiative or referendum petition is circulated.

243 [~~(13)~~] (15) (a) "Local law" includes:

244 (i) an ordinance;

245 (ii) a resolution;

246 [~~(iii) a master plan;~~]

247 [~~(iv) a comprehensive zoning regulation adopted by ordinance or resolution; or]~~

248 (iii) a land use law; or

249 [~~(v)~~] (iv) other legislative action of a local legislative body.

250 (b) "Local law" does not include an individual property zoning decision.

251 [~~(14)~~] (16) "Local legislative body" means the legislative body of a county, city, town,

252 or metro township.

253 [~~(15)~~] (17) "Local obligation law" means a local law passed by the local legislative

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

255 [~~(16)~~] (18) "Local tax law" means a law, passed by a political subdivision with an

256 annual or biannual calendar fiscal year, that increases a tax or imposes a new tax.

257 [~~(17)~~] (19) "Measure" means a proposed constitutional amendment, an initiative, or

258 referendum.

259 [~~(18)~~] (20) "Referendum" means a process by which a law passed by the Legislature or

260 by a local legislative body is submitted or referred to the voters for their approval or rejection.

261 [~~(19)~~] (21) "Referendum packet" means a copy of the referendum petition, a copy of

262 the law being submitted or referred to the voters for their approval or rejection, and the

263 signature sheets, all of which have been bound together as a unit.

264 [~~(20)~~] (22) (a) "Signature" means a holographic signature.

265 (b) "Signature" does not mean an electronic signature.

266 [~~(21)~~] (23) "Signature sheets" means sheets in the form required by this chapter that are

267 used to collect signatures in support of an initiative or referendum.

268 (24) "Special local ballot proposition" means a local ballot proposition that is not a

269 standard local ballot proposition.

270 [~~(22)~~] (25) "Sponsors" means the legal voters who support the initiative or referendum

271 and who sign the application for petition copies.

272 (26) (a) "Standard local ballot proposition" means a local ballot proposition for an

273 initiative or a referendum.

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

276 ~~[(23)]~~ (27) "Sufficient" means that the signatures submitted in support of an initiative
277 or referendum petition have been certified and verified as required by this chapter.

278 ~~[(24)]~~ (28) "Tax percentage difference" means the difference between the tax rate
279 proposed by an initiative or an initiative petition and the current tax rate.

280 ~~[(25)]~~ (29) "Tax percentage increase" means a number calculated by dividing the tax
281 percentage difference by the current tax rate and rounding the result to the nearest thousandth.

282 ~~[(26)]~~ (30) "Verified" means acknowledged by the person circulating the petition as
283 required in Sections 20A-7-205 and 20A-7-305.

284 Section 3. Section 20A-7-401.3 is enacted to read:

285 **20A-7-401.3. Voter participation areas.**

286 (1) (a) Except as provided in Subsection (2):

287 (i) a metro township with a population of 65,000 or more, a city of the first or second
288 class, or a county of the first or second class shall, no later than January 1, 2020, again on
289 January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or
290 county into eight contiguous and compact voter participation areas of substantially equal
291 population; and

292 (ii) a metro township with a population of 10,000 or more, a city of the third or fourth
293 class, or a county of the third or fourth class shall, no later than January 1, 2020, again on
294 January 1, 2022, and January 1 each 10 years after 2022, divide the metro township, city, or
295 county into four contiguous and compact voter participation areas of substantially equal
296 population.

297 (b) A metro township, city, or county shall use the voter participation areas described
298 in Subsection (1)(a) or (2)(b) for the purpose described in Sections 20A-7-501 and 20A-7-601.

299 (2) (a) This section does not apply to a metro township with a population of less than
300 10,000, a county of the fifth or sixth class, a city of the fifth class, or a town.

301 (b) A metro township, city, or county that has established council districts that are not
302 at-large districts may, regardless of the number of council districts that are not at-large districts,
303 use the council districts as voter participation areas under this section.

304 Section 4. Section 20A-7-401.5 is enacted to read:

305 **20A-7-401.5. Proposition information pamphlet.**

306 (1) (a) (i) Within 15 days after the day on which an eligible voter files an application to
307 circulate an initiative petition under Section 20A-7-502 or an application to circulate a
308 referendum petition under Section 20A-7-602:

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

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

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

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

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

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

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

336 circulate a referendum petition under Section [20A-7-602](#).

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

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

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

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

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

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

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

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

350 (e) An election officer shall make a good faith effort to negotiate a modification
351 described in Subsection (2)(c) in an expedited manner.

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

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

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

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

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

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

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

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

367 (b) Within 21 days after the day on which the eligible voter files an application to
368 circulate an initiative petition under Section 20A-7-502, or an application to circulate a
369 referendum petition under Section 20A-7-602, the election officer shall provide a copy of the
370 proposition information pamphlet to the sponsors of the initiative or referendum and each
371 individual who submitted an argument included in the proposition information pamphlet.

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

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

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

383 (ii) by posting the proposition information pamphlet on the Utah Public Notice
384 Website, created in Section 63F-1-701, and the home page of the municipality's website, if the
385 municipality has a website, until:

386 (A) if the sponsors of the proposed initiative or referendum do not timely deliver any
387 verified initiative packets under Section 20A-7-506 or any verified referendum packets under
388 Section 20A-7-606, the day after the date of the deadline for delivery of the verified initiative
389 packets or verified referendum packets;

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

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

396 (b) if the municipality regularly mails a newsletter, utility bill, or other material to the
397 municipality's residents, including an Internet address, where a resident may view the

398 proposition information pamphlet, in the next mailing, for which the municipality has not
399 begun preparation, that falls on or after the later of:

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

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

405 (6) An election officer for a county shall, within the later of 10 days after the day on
406 which the county or a court determines that the proposed initiative or referendum is legally
407 referable to voters, or, if the election officer modifies an argument under Subsection (2)(c),
408 three days after the day on which the election officer and the person that submitted the
409 argument agree on the modification, publish the proposition information pamphlet as follows:

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

412 (b) by posting the proposition information pamphlet on the Utah Public Notice
413 Website, created in Section [63F-1-701](#), and the home page of the county's website, until:

414 (i) if the sponsors of the proposed initiative or referendum do not timely deliver any
415 verified initiative packets under Section [20A-7-506](#) or any verified referendum packets under
416 Section [20A-7-606](#), the day after the date of the deadline for delivery of the verified initiative
417 packets or verified referendum packets;

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

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

423 Section 5. Section **20A-7-402** is amended to read:

424 **20A-7-402. Local voter information pamphlet -- Contents -- Limitations --**
425 **Preparation -- Statement on front cover.**

426 (1) The county or municipality that is subject to a ballot proposition shall prepare a
427 local voter information pamphlet that complies with the requirements of this part.

428 ~~[(2) The arguments for or against a ballot proposition shall conform to the~~

429 requirements of this section.]

430 ~~[(3)]~~ (2) (a) Within the time requirements described in Subsection ~~[(3)]~~ (2)(c)(i), a
431 municipality that is subject to a special local ballot proposition shall provide a notice that
432 complies with the requirements of Subsection ~~[(3)]~~ (2)(c)(ii) to the municipality's residents by:

433 (i) if the municipality regularly mails a newsletter, utility bill, or other material to the
434 municipality's residents, including the notice with a newsletter, utility bill, or other material;

435 (ii) posting the notice, until after the deadline described in Subsection ~~[(3)]~~ (2)(d) has
436 passed, on:

437 (A) the Utah Public Notice Website created in Section 63F-1-701; and

438 (B) the home page of the municipality's website, if the municipality has a website; and

439 (iii) sending the notice electronically to each individual in the municipality for whom
440 the municipality has an email address.

441 (b) A county that is subject to a special local ballot proposition shall:

442 (i) send an electronic notice that complies with the requirements of Subsection ~~[(3)]~~
443 (2)(c)(ii) to each individual in the county for whom the county has an email address; or

444 (ii) until after the deadline described in Subsection ~~[(3)]~~ (2)(d) has passed, post a notice
445 that complies with the requirements of Subsection ~~[(3)]~~ (2)(c)(ii) on:

446 (A) the Utah Public Notice Website created in Section 63F-1-701; and

447 (B) the home page of the county's website.

448 (c) A municipality or county that mails, sends, or posts a notice under Subsection ~~[(3)]~~
449 (2)(a) or (b) shall:

450 (i) mail, send, or post the notice:

451 (A) not less than 90 days before the date of the election at which a special local ballot
452 proposition will be voted upon; or

453 (B) if the requirements of Subsection ~~[(3)]~~ (2)(c)(i)(A) cannot be met, as soon as
454 practicable after the special local ballot proposition is approved to be voted upon in an election;
455 and

456 (ii) ensure that the notice contains:

457 (A) the ballot title for the special local ballot proposition;

458 (B) instructions on how to file a request under Subsection ~~[(3)]~~ (2)(d); and

459 (C) the deadline described in Subsection ~~[(3)]~~ (2)(d).

460 (d) To prepare ~~[an]~~ a written argument for or against a special local ballot proposition,
461 an eligible voter shall file a request with the election officer at least 65 days before the election
462 at which the special local ballot proposition is to be voted on.

463 (e) If more than one eligible voter requests the opportunity to prepare ~~[an]~~ a written
464 argument for or against a special local ballot proposition, the election officer shall make the
465 final designation ~~[according to the following criteria]~~ in accordance with the following order of
466 priority:

467 (i) sponsors have priority in preparing an argument regarding a special local ballot
468 proposition; and

469 (ii) members of the local legislative body have priority over others if a majority of the
470 local legislative body supports the written argument.

471 (f) (i) ~~[Except as provided in Subsection (3)(g), a]~~ A sponsor of a special local ballot
472 proposition may prepare ~~[an]~~ a written argument in favor of the special local ballot proposition.

473 (ii) ~~[Except as provided in Subsection (3)(g), and subject]~~ Subject to Subsection ~~[(3)]~~
474 (2)(e), an eligible voter opposed to the special local ballot proposition who submits a request
475 under Subsection ~~[(3)]~~ (2)(d) may prepare ~~[an]~~ a written argument against the special local
476 ballot proposition.

477 ~~[(g)(i) For a referendum, subject to Subsection (3)(e), an eligible voter who is in favor~~
478 ~~of a law that is referred to the voters and who submits a request under Subsection (3)(d) may~~
479 ~~prepare an argument for adoption of the law.]~~

480 ~~[(ii) The sponsors of a referendum may prepare an argument against the adoption of a~~
481 ~~law that is referred to the voters.]~~

482 ~~[(h)]~~ (g) An eligible voter who submits ~~[an]~~ a written argument under this section in
483 relation to a special local ballot proposition shall:

484 (i) ensure that the written argument does not exceed 500 words in length;

485 (ii) ensure that the written argument does not list more than five names as sponsors;

486 (iii) submit the written argument to the election officer no later than 60 days before the
487 election day on which the ballot proposition will be submitted to the voters; and

488 (iv) include with the written argument the eligible voter's name, residential address,
489 postal address, email address if available, and phone number.

490 ~~[(i)]~~ (h) An election officer shall refuse to accept and publish an argument that is

491 submitted after the deadline described in Subsection [~~(3)~~(h)] (2)(g)(iii).

492 [~~(4)~~] (3) (a) An election officer who timely receives the written arguments in favor of
493 and against a special local ballot proposition shall, within one business day after the day on
494 which the election office receives both written arguments, send, via mail or email:

495 (i) a copy of the written argument in favor of the special local ballot proposition to the
496 eligible voter who submitted the written argument against the special local ballot proposition;
497 and

498 (ii) a copy of the written argument against the special local ballot proposition to the
499 eligible voter who submitted the written argument in favor of the special local ballot
500 proposition.

501 (b) The eligible voter who submitted a timely written argument in favor of the special
502 local ballot proposition:

503 (i) may submit to the election officer a written rebuttal argument of the written
504 argument against the special local ballot proposition;

505 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length;
506 and

507 (iii) shall submit the written rebuttal argument no later than 45 days before the election
508 day on which the special local ballot proposition will be submitted to the voters.

509 (c) The eligible voter who submitted a timely written argument against the special local
510 ballot proposition:

511 (i) may submit to the election officer a written rebuttal argument of the written
512 argument in favor of the special local ballot proposition;

513 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length;
514 and

515 (iii) shall submit the written rebuttal argument no later than 45 days before the election
516 day on which the special local ballot proposition will be submitted to the voters.

517 (d) An election officer shall refuse to accept and publish a written rebuttal argument in
518 relation to a special local ballot proposition that is submitted after the deadline described in
519 Subsection [~~(4)~~] (3)(b)(iii) or [~~(4)~~] (3)(c)(iii).

520 [~~(5)~~] (4) (a) Except as provided in Subsection [~~(5)~~] (4)(b), in relation to a special local
521 ballot proposition:

522 (i) an eligible voter may not modify [~~an~~] a written argument or a written rebuttal
523 argument after the eligible voter submits the written argument or written rebuttal argument to
524 the election officer; and

525 (ii) a person other than the eligible voter described in Subsection [~~(5)~~] (4)(a)(i) may not
526 modify [~~an~~] a written argument or a written rebuttal argument.

527 (b) The election officer, and the eligible voter who submits [~~an~~] a written argument or
528 written rebuttal argument in relation to a special local ballot proposition, may jointly agree to
529 modify [~~an~~] a written argument or written rebuttal argument in order to:

530 (i) correct factual, grammatical, or spelling errors; and

531 (ii) reduce the number of words to come into compliance with the requirements of this
532 section.

533 (c) An election officer shall refuse to accept and publish [~~an~~] a written argument or
534 written rebuttal argument in relation to a special local ballot proposition if the eligible voter
535 who submits the written argument or written rebuttal argument fails to negotiate, in good faith,
536 to modify the written argument or written rebuttal argument in accordance with Subsection
537 [~~(5)~~] (4)(b).

538 [~~(6)~~] (5) [~~An~~] In relation to a special local ballot proposition, an election officer may
539 designate another eligible voter to take the place of an eligible voter described in this section if
540 the original eligible voter is, due to injury, illness, death, or another circumstance, unable to
541 continue to fulfill the duties of an eligible voter described in this section.

542 (6) Sponsors whose written argument in favor of a standard local ballot proposition is
543 included in a proposition information pamphlet under Section [20A-7-401.5](#):

544 (a) may, if a written argument against the standard local ballot proposition is included
545 in the proposition information pamphlet, submit a written rebuttal argument to the election
546 officer;

547 (b) shall ensure that the written rebuttal argument does not exceed 250 words in length;
548 and

549 (c) shall submit the written rebuttal argument no later than 45 days before the election
550 day on which the standard local ballot proposition will be submitted to the voters.

551 (7) (a) A county or municipality that submitted a written argument against a standard
552 local ballot proposition that is included in a proposition information pamphlet under Section

553 [20A-7-401.5](#):

554 (i) may, if a written argument in favor of the standard local ballot proposition is
555 included in the proposition information pamphlet, submit a written rebuttal argument to the
556 election officer;

557 (ii) shall ensure that the written rebuttal argument does not exceed 250 words in length;
558 and

559 (iii) shall submit the written rebuttal argument no later than 45 days before the election
560 day on which the ballot proposition will be submitted to the voters.

561 (b) If a county or municipality submits more than one written rebuttal argument under
562 Subsection (7)(a)(i), the election officer shall select one of the written rebuttal arguments,
563 giving preference to a written rebuttal argument submitted by a member of a local legislative
564 body.

565 (8) (a) An election officer shall refuse to accept and publish a written rebuttal argument
566 that is submitted after the deadline described in Subsection (6)(c) or (7)(a)(iii).

567 (b) Before an election officer publishes a local voter information pamphlet under this
568 section, a written rebuttal argument is a draft for purposes of Title 63G, Chapter 2, Government
569 Records Access and Management Act.

570 (c) An election officer who receives a written rebuttal argument described in this
571 section may not, before publishing the local voter information pamphlet described in this
572 section, disclose the written rebuttal argument, or any information contained in the written
573 rebuttal argument, to any person who may in any way be involved in preparing an opposing
574 rebuttal argument.

575 (9) (a) Except as provided in Subsection (9)(b), a person may not modify a written
576 rebuttal argument after the written rebuttal argument is submitted to the election officer.

577 (b) The election officer, and the person who submits a written rebuttal argument, may
578 jointly agree to modify a written rebuttal argument in order to:

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

580 (ii) reduce the number of words to come into compliance with the requirements of this
581 section.

582 (c) An election officer shall refuse to accept and publish a written rebuttal argument if
583 the person who submits the written rebuttal argument:

584 (i) fails to negotiate, in good faith, to modify the written rebuttal argument in
585 accordance with Subsection (9)(b); or

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

587 (d) An election officer shall make a good faith effort to negotiate a modification
588 described in Subsection (9)(b) in an expedited manner.

589 (10) An election officer may designate another person to take the place of a person who
590 submits a written rebuttal argument in relation to a standard local ballot proposition if the
591 person is, due to injury, illness, death, or another circumstance, unable to continue to fulfill the
592 person's duties.

593 [~~(7)~~] (11) (a) The local voter information pamphlet shall include a copy of the initial
594 fiscal impact estimate and the legal impact statement prepared for each initiative under Section
595 20A-7-502.5.

596 (b) If the initiative proposes a tax increase, the local voter information pamphlet shall
597 include the following statement in bold type:

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

601 [~~(8)~~] (12) (a) In preparing the local voter information pamphlet, the election officer
602 shall:

603 (i) ensure that the written arguments are printed on the same sheet of paper upon which
604 the ballot proposition is also printed;

605 (ii) ensure that the following statement is printed on the front cover or the heading of
606 the first page of the printed written arguments:

607 "The arguments for or against a ballot proposition are the opinions of the authors.";

608 (iii) pay for the printing and binding of the local voter information pamphlet; and

609 (iv) not less than 15 days before, but not more than 45 days before, the election at
610 which the ballot proposition will be voted on, distribute, by mail or carrier, to each registered
611 voter entitled to vote on the ballot proposition:

612 (A) a voter information pamphlet; or

613 (B) the notice described in Subsection [~~(8)~~] (12)(c).

614 (b) (i) If the [~~proposed measure~~] language of the ballot proposition exceeds 500 words

615 in length, the election officer may summarize the [~~measure~~] ballot proposition in 500 words or
616 less.

617 (ii) The summary shall state where a complete copy of the ballot proposition is
618 available for public review.

619 (c) (i) The election officer may distribute a notice printed on a postage prepaid,
620 preaddressed return form that a person may use to request delivery of a voter information
621 pamphlet by mail.

622 (ii) The notice described in Subsection [~~(8)~~] (12)(c)(i) shall include:

623 (A) the address of the Statewide Electronic Voter Information Website authorized by
624 Section 20A-7-801; and

625 (B) the phone number a voter may call to request delivery of a voter information
626 pamphlet by mail or carrier.

627 Section 6. Section **20A-7-405** is enacted to read:

628 **20A-7-405. Public meeting.**

629 (1) A county or municipality may not discuss a proposed initiative, an initiative, a
630 proposed referendum, or a referendum at a public meeting unless the county or municipality
631 complies with the requirements of this section.

632 (2) The legislative body of a county or municipality may hold a public meeting to
633 discuss a proposed initiative, an initiative, a proposed referendum, or a referendum if the
634 legislative body:

635 (a) allows equal time, within a reasonable limit, for presentations on both sides of the
636 proposed initiative, initiative, proposed referendum, or referendum;

637 (b) provides interested parties an opportunity to present oral testimony within
638 reasonable time limits; and

639 (c) holds the public meeting:

640 (i) during the legislative body's normal meeting time; or

641 (ii) for a meeting time other than the legislative body's normal meeting time, beginning
642 at or after 6 p.m.

643 (3) This section does not prohibit a working group meeting from being held before 6
644 p.m.

645 Section 7. Section **20A-7-406** is enacted to read:

646 **20A-7-406. Informational materials.**

647 The lieutenant governor shall create and publish to the lieutenant governor's website
648 instructions on how a person may:

649 (1) qualify a local initiative for the ballot under Part 5, Local Initiatives - Procedures;

650 or

651 (2) qualify a local referendum for the ballot under Part 6, Local Referenda -
652 Procedures.

653 Section 8. Section **20A-7-407** is enacted to read:

654 **20A-7-407. Applicability of statute to pending processes.**

655 (1) If a local initiative or local referendum process is pending as described in

656 Subsection (2), that local initiative or local referendum process:

657 (a) is subject to the provisions of law that were in effect on May 13, 2019; and

658 (b) is not subject to the provisions of this bill.

659 (2) A local initiative or local referendum process is pending under Subsection (1) if, on
660 or before May 13, 2019:

661 (a) (i) sponsors have filed an application to circulate the initiative petition under
662 Section [20A-7-502](#); or

663 (ii) sponsors have filed an application to circulate the referendum petition under
664 Section [20A-7-602](#); and

665 (b) the process described in Subsection (2)(a) has not concluded.

666 Section 9. Section **20A-7-501** is amended to read:

667 **20A-7-501. Initiatives -- Signature requirements -- Time requirements.**

668 ~~[(1) (a) Except as provided in Subsection (1)(b), a person seeking to have an initiative~~
669 ~~submitted to a local legislative body or to a vote of the people for approval or rejection shall~~
670 ~~obtain legal signatures equal to:]~~

671 ~~[(i) 10% of all the votes cast in the county, city, town, or metro township for all~~
672 ~~candidates for President of the United States at the last election at which a President of the~~
673 ~~United States was elected if the total number of votes exceeds 25,000;]~~

674 ~~[(ii) 12-1/2% of all the votes cast in the county, city, town, or metro township for all~~
675 ~~candidates for President of the United States at the last election at which a President of the~~
676 ~~United States was elected if the total number of votes does not exceed 25,000 but is more than~~

677 10,000;]

678 ~~[(iii) 15% of all the votes cast in the county, city, town, or metro township for all~~
679 ~~candidates for President of the United States at the last election at which a President of the~~
680 ~~United States was elected if the total number of votes does not exceed 10,000 but is more than~~
681 ~~2,500;]~~

682 ~~[(iv) 20% of all the votes cast in the county, city, town, or metro township for all~~
683 ~~candidates for President of the United States at the last election at which a President of the~~
684 ~~United States was elected if the total number of votes does not exceed 2,500 but is more than~~
685 ~~500;]~~

686 ~~[(v) 25% of all the votes cast in the county, city, town, or metro township for all~~
687 ~~candidates for President of the United States at the last election at which a President of the~~
688 ~~United States was elected if the total number of votes does not exceed 500 but is more than~~
689 ~~250; and]~~

690 ~~[(vi) 30% of all the votes cast in the county, city, town, or metro township for all~~
691 ~~candidates for President of the United States at the last election at which a President of the~~
692 ~~United States was elected if the total number of votes does not exceed 250.]~~

693 ~~[(b) In addition to the signature requirements of Subsection (1)(a), a person seeking to~~
694 ~~have an initiative submitted to a local legislative body or to a vote of the people for approval or~~
695 ~~rejection in a county, city, town, or metro township where the local legislative body is elected~~
696 ~~from council districts shall obtain, from each of a majority of council districts, legal signatures~~
697 ~~equal to the percentages established in Subsection (1)(a).]~~

698 (1) As used in this section:

699 (a) "Number of active voters" means the number of active voters in the county, city, or
700 town on the immediately preceding January 1.

701 (b) "Voter participation area" means an area described in Subsection [20A-7-401.3\(1\)\(a\)](#)
702 or (2)(b).

703 (2) An eligible voter seeking to have an initiative submitted to a local legislative body
704 or to a vote of the people for approval or rejection shall obtain legal signatures equal to:

705 (a) for a county of the first class:

706 (i) 7.75% of the number of active voters in the county; and

707 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%

708 of the county's voter participation areas;

709 (b) for a metro township with a population of 100,000 or more, or a city of the first
710 class:

711 (i) 7.5% of the number of active voters in the metro township or city; and

712 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%
713 of the metro township's or city's voter participation areas;

714 (c) for a county of the second class:

715 (i) 8% of the number of active voters in the county; and

716 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of
717 the county's voter participation areas;

718 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
719 a city of the second class:

720 (i) 8.25% of the number of active voters in the metro township or city; and

721 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%
722 of the metro township's or city's voter participation areas;

723 (e) for a county of the third class:

724 (i) 9.5% of the number of active voters in the county; and

725 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%
726 of the county's voter participation areas;

727 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a
728 city of the third class:

729 (i) 10% of the number of active voters in the metro township or city; and

730 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%
731 of the metro township's or city's voter participation areas;

732 (g) for a county of the fourth class:

733 (i) 11.5% of the number of active voters in the county; and

734 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
735 of the county's voter participation areas;

736 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a
737 city of the fourth class:

738 (i) 11.5% of the number of active voters in the metro township or city; and

739 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
 740 of the metro township's or city's voter participation areas;

741 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city
 742 of the fifth class, or a county of the fifth class, 20% of the number of active voters in the metro
 743 township, city, or county; or

744 (j) for a metro township with a population of less than 1,000, a town, or a county of the
 745 sixth class, 25% of the number of active voters in the metro township, town, or county.

746 ~~[(2)]~~ (3) If the total number of certified names from each verified signature sheet
 747 equals or exceeds the number of names required by this section, the clerk or recorder shall
 748 deliver the proposed law to the local legislative body at ~~[its]~~ the local legislative body's next
 749 meeting.

750 ~~[(3)]~~ (4) (a) The local legislative body shall either adopt or reject the proposed law
 751 without change or amendment within 30 days ~~[of receipt of]~~ after the day on which the local
 752 legislative body receives the proposed law under Subsection (3).

753 (b) The local legislative body may:

754 (i) adopt the proposed law and refer ~~[it]~~ the proposed law to the people;

755 (ii) adopt the proposed law without referring ~~[it]~~ the proposed law to the people; or

756 (iii) reject the proposed law.

757 (c) If the local legislative body adopts the proposed law but does not refer ~~[it]~~ the
 758 proposed law to the people, ~~[it]~~ the proposed law is subject to referendum as with other local
 759 laws.

760 (d) (i) If a county legislative body rejects a proposed ~~[county ordinance or amendment]~~
 761 law, or takes no action on ~~[it]~~ a proposed law, the county clerk shall submit ~~[it]~~ the proposed
 762 law to the voters of the county at the next regular general election immediately after the
 763 petition for the proposed law is filed under Section 20A-7-502.

764 (ii) If a local legislative body of a municipality rejects a proposed ~~[municipal ordinance~~
 765 ~~or amendment]~~ law, or takes no action on ~~[it]~~ a proposed law, the municipal recorder or clerk
 766 shall submit ~~[it]~~ the proposed law to the voters of the municipality at the next municipal
 767 general election immediately after the petition is filed under Section 20A-7-502.

768 (e) (i) If ~~[the]~~ a local legislative body rejects ~~[the]~~ a proposed ~~[ordinance or~~
 769 ~~amendment]~~ law, or takes no action on ~~[it]~~ a proposed law, the local legislative body may adopt

770 a competing local law.

771 (ii) The local legislative body shall prepare and adopt the competing local law within
772 the ~~[30 days allowed for its action on the measure proposed by initiative petition]~~ 30-day
773 period described in Subsection (4)(a).

774 (iii) If ~~[the]~~ a local legislative body adopts a competing local law, the clerk or recorder
775 shall ~~[submit it]~~ refer the competing local law to the voters of the county or municipality at the
776 same election at which the initiative proposal is submitted under Subsection (4)(d).

777 (f) If conflicting local laws are submitted to the people at the same election and two or
778 more of the conflicting measures are approved by the people, ~~[then]~~ the measure that receives
779 the greatest number of affirmative votes shall control all conflicts.

780 Section 10. Section **20A-7-502** is amended to read:

781 **20A-7-502. Local initiative process -- Application procedures.**

782 (1) ~~[Persons]~~ An eligible voter wishing to circulate an initiative petition shall file an
783 application with the local clerk.

784 (2) The application shall contain:

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

786 (b) a statement indicating that each of the sponsors~~[(t)]~~ is a registered voter; ~~[and]~~

787 ~~[(ii) (A) if the initiative seeks to enact a county ordinance, has voted in a regular~~
788 ~~general election in Utah within the last three years; or]~~

789 ~~[(B) if the initiative seeks to enact a municipal ordinance, has voted in a regular~~
790 ~~municipal election in Utah;]~~

791 ~~[(f) except as provided in Subsection (2)(b)(ii)(B)(H), within the last three years; or]~~

792 ~~[(H) within the last five years, if the sponsor's failure to vote within the last three years~~
793 ~~is due to the sponsor's residing in a municipal district that participates in a municipal election~~
794 ~~every four years;]~~

795 (c) a statement indicating that each of the sponsors has voted in an election in Utah in
796 the last three years;

797 ~~[(e)]~~ (d) the signature of each of the sponsors, ~~[attested to]~~ acknowledged by a notary
798 public;

799 ~~[(d)]~~ (e) a copy of the proposed law that includes:

800 (i) the title of the proposed law, which clearly expresses the subject of the law; and

801 (ii) the text of the proposed law; and

802 [~~(e)~~] (f) if the initiative petition proposes a tax increase, the following statement, "This
803 initiative petition seeks to increase the current (insert name of tax) rate by (insert the tax
804 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
805 increase in the current tax rate."

806 (3) A proposed law submitted under this section may not contain more than one subject
807 to the same extent a bill may not pass containing more than one subject as provided in Utah
808 Constitution, Article VI, Section 22.

809 Section 11. Section **20A-7-502.5** is amended to read:

810 **20A-7-502.5. Initial fiscal and legal impact estimate -- Preparation of estimate.**

811 (1) Within three [~~working days of receipt of an application for an initiative petition~~]
812 business days after the day on which the local clerk receives an application for an initiative
813 petition, the local clerk shall submit a copy of the [~~application~~] proposed law to the county,
814 city, or town's budget officer.

815 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good
816 faith estimate of the fiscal and legal impact of the law proposed by the initiative that contains:

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

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

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

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

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

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

832 (vii) the proposed law's legal impact, including:
833 (A) any significant effects on a person's vested property rights;
834 (B) any significant effects on other laws or ordinances;
835 (C) any significant legal liability the city, county, or town may incur; and
836 (D) any other significant legal impact as determined by the budget officer and the legal
837 counsel; and

838 (viii) a concise explanation, not exceeding 100 words, of the above information and of
839 the estimated fiscal impact, if any, under the proposed law.

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

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

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

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

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

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

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

861 (3) The budget officer shall prepare an unbiased, good faith estimate of the cost of
862 printing and distributing information related to the initiative petition in the voter information

863 pamphlet as required by Section [20A-7-402](#).

864 (4) Within ~~[25]~~ 20 calendar days ~~[from the date that the local clerk delivers a copy of~~
865 ~~the application]~~ after the day on which the local clerk submits a copy of the proposed law under
866 Subsection (1), the budget officer shall:

867 (a) deliver a copy of the initial fiscal impact estimate, including the legal impact
868 estimate, to the local clerk's office; and

869 (b) mail a copy of the initial fiscal impact estimate, including the legal impact estimate,
870 to the first ~~[five]~~ three sponsors named in the application.

871 ~~[(5)(a) Three or more of the sponsors of the petition may, within 20 calendar days of~~
872 ~~the date of delivery of the initial fiscal impact estimate to the local clerk's office, file a petition~~
873 ~~with the Supreme Court, alleging that the initial fiscal impact estimate, including the legal~~
874 ~~impact estimate, taken as a whole, is an inaccurate estimate of the fiscal or legal impact of the~~
875 ~~initiative.]~~

876 ~~[(b)(i) There is a presumption that the initial fiscal impact estimate, including the legal~~
877 ~~impact estimate, prepared by the budget officer and legal counsel is based upon reasonable~~
878 ~~assumptions, uses reasonable data, and applies accepted analytical methods to present the~~
879 ~~estimated fiscal and legal impact of the initiative.]~~

880 ~~[(ii) The Supreme Court may not revise the contents of, or direct the revision of, the~~
881 ~~initial fiscal impact estimate, including the legal impact estimate, unless the plaintiffs rebut the~~
882 ~~presumption by clear and convincing evidence that establishes that the fiscal estimate,~~
883 ~~including the legal impact estimate, taken as a whole, is an inaccurate statement of the~~
884 ~~estimated fiscal or legal impact of the initiative.]~~

885 ~~[(iii) The Supreme Court may refer an issue related to the initial fiscal impact estimate,~~
886 ~~including the legal impact estimate, to a master to examine the issue and make a report in~~
887 ~~accordance with Utah Rules of Civil Procedure, Rule 53.]~~

888 ~~[(c) The Supreme Court shall certify to the local clerk an initial fiscal impact estimate,~~
889 ~~including the legal impact estimate, for the measure that meets the requirements of this~~
890 ~~section.]~~

891 Section 12. Section [20A-7-502.7](#) is enacted to read:

892 **20A-7-502.7. Referability to voters.**

893 (1) Within 20 days after the day on which an eligible voter files an application to

894 circulate an initiative petition under Section 20A-7-502, the county, city, town, or metro
895 township to which the initiative pertains shall:

896 (a) review the proposed law in the initiative application to determine whether the law is
897 legally referable to voters; and

898 (b) notify the first three sponsors, in writing, whether the proposed law is:

899 (i) legally referable to voters; or

900 (ii) rejected as not legally referable to voters.

901 (2) A proposed law in an initiative application is legally referable to voters unless:

902 (a) the proposed law is patently unconstitutional;

903 (b) the proposed law is nonsensical;

904 (c) the proposed law is administrative, rather than legislative, in nature;

905 (d) the proposed law could not become law if passed;

906 (e) the proposed law contains more than one subject as evaluated in accordance with
907 Subsection 20A-7-502(3);

908 (f) the subject of the proposed law is not clearly expressed in the law's title;

909 (g) the proposed law is identical or substantially similar to a legally referable proposed
910 law sought by an initiative application submitted to the local clerk, under Section 20A-7-502,
911 within two years before the day on which the application for the current proposed initiative is
912 filed; or

913 (h) the application for the proposed law was not timely filed or does not comply with
914 the requirements of this part.

915 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
916 or metro township may not:

917 (a) reject a proposed initiative as not legally referable to voters; or

918 (b) bring a legal action, other than to appeal a court decision, challenging a proposed
919 initiative on the grounds that the proposed initiative is not legally referable to voters.

920 (4) If a county, city, town, or metro township rejects a proposed initiative, a sponsor of
921 the proposed initiative may, within 10 days after the day on which a sponsor is notified under
922 Subsection (1)(b), appeal the decision to:

923 (a) district court; or

924 (b) the Supreme Court, if the Supreme Court has original jurisdiction over the appeal.

925 (5) If, on appeal, the court determines that the law proposed in the initiative petition is
926 legally referable to voters, the local clerk shall comply with Subsection 20A-7-504(2) within
927 five days after the day on which the determination, and any appeal of the determination, is
928 final.

929 Section 13. Section 20A-7-504 is amended to read:

930 **20A-7-504. Circulation requirements -- Local clerk to provide sponsors with**
931 **materials.**

932 (1) In order to obtain the necessary number of signatures required by this part, the
933 sponsors shall, after the sponsors receive the documents described in Subsections (2)(a) and (b)
934 and Subsection 20A-7-401.5(4)(b), circulate initiative packets that meet the form requirements
935 of this part.

936 (2) Within five days after the day on which a [~~local clerk receives an application that~~
937 ~~complies with the requirements of Section 20A-7-502]~~ county, city, town, metro township, or
938 court determines, in accordance with Section 20A-7-502.7, that a law proposed in an initiative
939 petition is legally referable to voters, the local clerk shall furnish to the sponsors:

940 (a) one copy of the initiative petition; and

941 (b) one signature sheet.

942 (3) The sponsors of the petition shall:

943 (a) arrange and pay for the printing of all additional copies of the petition and signature
944 sheets; and

945 (b) ensure that the copies of the petition and signature sheets meet the form
946 requirements of this section.

947 (4) (a) The sponsors may prepare the initiative for circulation by creating multiple
948 initiative packets.

949 (b) The sponsors shall create those packets by binding a copy of the initiative petition,
950 a copy of the proposed law, and no more than 50 signature sheets together at the top in such a
951 way that the packets may be conveniently opened for signing.

952 (c) The sponsors need not attach a uniform number of signature sheets to each
953 initiative packet.

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

956 ~~[(5) (a) After the sponsors have prepared sufficient initiative packets, they shall return~~
957 ~~them to the local clerk.]~~

958 ~~[(b) The local clerk shall:]~~

959 ~~[(i) number each of the initiative packets and return them to the sponsors within five~~
960 ~~working days, and]~~

961 ~~[(ii) keep a record of the numbers assigned to each packet.]~~

962 Section 14. Section ~~20A-7-505~~ is amended to read:

963 **20A-7-505. Obtaining signatures -- Verification -- Removal of signature.**

964 (1) Any Utah voter may sign a local initiative petition if the voter is a legal voter and
965 resides in the local jurisdiction.

966 (2) (a) The sponsors shall ensure that the ~~[person]~~ individual in whose presence each
967 signature sheet was signed:

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

970 (ii) verifies each signature sheet by completing the verification printed on the last page
971 of each initiative packet.

972 (b) ~~[A person]~~ An individual may not sign the verification printed on the last page of
973 the initiative packet if the ~~[person]~~ individual signed a signature sheet in the initiative packet.

974 (3) (a) (i) Any voter who has signed an initiative petition may have the voter's signature
975 removed from the petition by submitting a notarized statement to that effect to the local clerk.

976 (ii) In order for the signature to be removed, the statement must be received by the
977 local clerk before ~~[he]~~ the local clerk delivers the petition to the county clerk to be certified.

978 (b) Upon receipt of the statement, the local clerk shall remove the signature of the
979 ~~[person]~~ individual submitting the statement from the initiative petition.

980 (c) No one may remove signatures from an initiative petition after the petition is
981 submitted to the county clerk to be certified.

982 Section 15. Section ~~20A-7-506~~ is amended to read:

983 **20A-7-506. Submitting the initiative petition -- Certification of signatures by the**
984 **county clerks -- Transfer to local clerk.**

985 (1) (a) The sponsors shall deliver each signed and verified initiative packet to the
986 county clerk of the county in which the packet was circulated on or before the sooner of:

987 (i) for county initiatives:

988 (A) 316 days after the day on which the application is filed; or

989 (B) the April 15 immediately before the next regular general election immediately after
990 the application is filed under Section [20A-7-502](#); or

991 (ii) for municipal initiatives:

992 (A) 316 days after the day on which the application is filed; or

993 (B) the April 15 immediately before the next municipal general election immediately
994 after the application is filed under Section [20A-7-502](#).

995 (b) A sponsor may not submit an initiative packet after the deadline established in this
996 Subsection (1).

997 [~~(2) (a) No later than May 1, the county clerk shall:~~]

998 [~~(i) check the names of all persons completing the verification on the last page of each
999 initiative packet to determine whether those persons are residents of Utah and are at least 18
1000 years old; and]~~

1001 [~~(ii) submit the name of each of those persons who is not a Utah resident or who is not
1002 at least 18 years old to the attorney general and county attorney.]~~

1003 [~~(b)~~] (2) The county clerk may not certify a signature under Subsection (3) on an
1004 initiative packet that is not verified in accordance with Section [20A-7-505](#).

1005 (3) No later than May 15, the county clerk shall:

1006 (a) determine whether or not each signer is a voter according to the requirements of
1007 Section [20A-7-506.3](#);

1008 (b) certify on the petition whether or not each name is that of a voter; and

1009 (c) deliver all of the verified packets to the local clerk.

1010 Section 16. Section [20A-7-506.3](#) is amended to read:

1011 **[20A-7-506.3. Verification of petition signatures.](#)**

1012 (1) (a) For the purposes of this section, "substantially similar name" means:

1013 (i) the given name and surname shown on the petition, or both, contain only minor
1014 spelling differences when compared to the given name and surname shown on the official
1015 register;

1016 (ii) the surname shown on the petition exactly matches the surname shown on the
1017 official register, and the given names differ only because one of the given names shown is a

1018 commonly used abbreviation or variation of the other;

1019 (iii) the surname shown on the petition exactly matches the surname shown on the
1020 official register, and the given names differ only because one of the given names shown is
1021 accompanied by a first or middle initial or a middle name which is not shown on the other
1022 record; or

1023 (iv) the surname shown on the petition exactly matches the surname shown on the
1024 official register, and the given names differ only because one of the given names shown is an
1025 alphabetically corresponding initial that has been provided in the place of a given name shown
1026 on the other record.

1027 (b) For the purposes of this section, "substantially similar name" does not mean a name
1028 having an initial or a middle name shown on the petition that does not match a different initial
1029 or middle name shown on the official register.

1030 (2) The county clerk shall use the following procedures in determining whether or not a
1031 signer is a registered voter:

1032 (a) When a signer's name and address shown on the petition exactly match a name and
1033 address shown on the official register and the signer's signature appears substantially similar to
1034 the signature on the statewide voter registration database, the county clerk shall declare the
1035 signature valid.

1036 (b) When there is no exact match of an address and a name, the county clerk shall
1037 declare the signature valid if:

1038 (i) the address on the petition matches the address of [~~a person~~] an individual on the
1039 official register with a substantially similar name; and

1040 (ii) the signer's signature appears substantially similar to the signature on the statewide
1041 voter registration database of the [~~person~~] individual described in Subsection (2)(b)(i).

1042 (c) When there is no match of an address and a substantially similar name, the county
1043 clerk shall declare the signature valid if:

1044 (i) the birth date or age on the petition matches the birth date or age of [~~a person~~] an
1045 individual on the official register with a substantially similar name; and

1046 (ii) the signer's signature appears substantially similar to the signature on the statewide
1047 voter registration database of the [~~person~~] individual described in Subsection (2)(c)(i).

1048 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the

1049 county clerk shall declare the signature to be invalid.

1050 Section 17. Section **20A-7-507** is amended to read:

1051 **20A-7-507. Evaluation by the local clerk.**

1052 (1) When each initiative packet is received from a county clerk, the local clerk shall
1053 check off from the local clerk's record the number of each initiative packet filed.

1054 (2) (a) After all of the initiative packets have been received by the local clerk, the local
1055 clerk shall count the number of the names certified by the county clerk that appear on each
1056 verified signature sheet.

1057 (b) If the total number of certified names from each verified signature sheet equals or
1058 exceeds the number of names required by Section **20A-7-501** and the requirements of this part
1059 are met, the local clerk shall mark upon the front of the petition the word "sufficient."

1060 (c) If the total number of certified names from each verified signature sheet does not
1061 equal or exceed the number of names required by Section **20A-7-501** or a requirement of this
1062 part is not met, the local clerk shall mark upon the front of the petition the word "insufficient."

1063 (d) The local clerk shall immediately notify any one of the sponsors of the local clerk's
1064 finding.

1065 (3) If the local clerk finds the total number of certified signatures from each verified
1066 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk
1067 for a recount of the signatures appearing on the initiative petition in the presence of any
1068 sponsor.

1069 (4) Once a petition is declared insufficient, the sponsors may not submit additional
1070 signatures to qualify the petition for the ballot.

1071 [~~(5) (a) If the local clerk refuses to accept and file any initiative petition, any voter may
1072 apply to the supreme court for an extraordinary writ to compel him to do so within 10 days
1073 after the refusal.]~~

1074 [~~(b) If the supreme court determines that the initiative petition is legally sufficient, the
1075 local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on
1076 which it was originally offered for filing in the local clerk's office.]~~

1077 [~~(c) If the supreme court determines that any petition filed is not legally sufficient, the
1078 supreme court may enjoin the local clerk and all other officers from certifying or printing the
1079 ballot title and numbers of that measure on the official ballot.]~~

1080 ~~[(6)]~~ (5) A petition determined to be sufficient in accordance with this section is
1081 qualified for the ballot.

1082 Section 18. Section **20A-7-508** is amended to read:

1083 **20A-7-508. Ballot title -- Duties of local clerk and local attorney.**

1084 (1) ~~[Whenever an initiative petition is declared sufficient for submission to a vote of~~
1085 ~~the people]~~ Upon receipt of an initiative petition, the local clerk shall deliver a copy of the
1086 petition and the proposed law to the local attorney.

1087 (2) The local attorney shall:

1088 (a) entitle each county or municipal initiative that has qualified for the ballot
1089 "Proposition Number ___" and give it a number as assigned under Section [20A-6-107](#);

1090 (b) prepare a proposed ballot title for the initiative;

1091 (c) file the proposed ballot title and the numbered initiative titles with the local clerk
1092 within ~~[15]~~ 20 days after the ~~[date the initiative petition is declared sufficient for submission to~~
1093 ~~a vote of the people]~~ day on which an eligible voter submits the initiative petition to the local
1094 clerk; and

1095 (d) promptly provide notice of the filing of the proposed ballot title to:

1096 (i) the sponsors of the petition; and

1097 (ii) the local legislative body for the jurisdiction where the initiative petition was
1098 circulated.

1099 (3) (a) The ballot title may be distinct from the title of the proposed law attached to the
1100 initiative petition, and shall express, in not exceeding 100 words, the purpose of the measure.

1101 (b) In preparing a ballot title, the local attorney shall, to the best of the local attorney's
1102 ability, give a true and impartial statement of the purpose of the measure.

1103 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,
1104 for or against the measure.

1105 (d) If the initiative proposes a tax increase, the local attorney shall include the
1106 following statement, in bold, in the ballot title:

1107 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax
1108 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent
1109 increase in the current tax rate."

1110 (4) (a) Within five calendar days after the date the local attorney files a proposed ballot

1111 title under Subsection (2)(c), the local legislative body for the jurisdiction where the initiative
1112 petition was circulated and the sponsors of the petition may file written comments in response
1113 to the proposed ballot title with the local clerk.

1114 (b) Within five calendar days after the last date to submit written comments under
1115 Subsection (4)(a), the local attorney shall:

- 1116 (i) review any written comments filed in accordance with Subsection (4)(a);
- 1117 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and
- 1118 (iii) return the petition and file the ballot title with the local clerk.

1119 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall
1120 be printed on the official ballot.

1121 (5) Immediately after the local attorney files a copy of the ballot title with the local
1122 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the
1123 petition and the local legislative body for the jurisdiction where the initiative petition was
1124 circulated.

1125 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not
1126 comply with the requirements of this section, the decision of the local attorney may be
1127 appealed [~~by a petition~~] to the district court, or, if the Supreme Court has original jurisdiction,
1128 to the Supreme Court [that is], brought by:

- 1129 (i) at least three sponsors of the initiative petition; or
- 1130 (ii) a majority of the local legislative body for the jurisdiction where the initiative
1131 petition was circulated.

1132 (b) The [~~Supreme Court~~] court:

- 1133 (i) shall examine the measures and consider arguments[~~; and, in its decision;~~]; and
- 1134 (ii) may certify to the local clerk a ballot title for the measure that fulfills the intent of
1135 this section.

1136 (c) The local clerk shall print the title certified by the [~~Supreme Court~~] court on the
1137 official ballot.

1138 Section 19. Section **20A-7-509** is amended to read:

1139 **20A-7-509. Form of ballot -- Manner of voting.**

1140 (1) The local clerk shall ensure that the number and ballot title are presented upon the
1141 official ballot with, immediately adjacent to them, the words "For" and "Against," each word

1142 presented with an adjacent square in which the ~~[elector]~~ voter may indicate ~~[his]~~ the voter's
1143 vote.

1144 (2) ~~[Electors]~~ Voters desiring to vote in favor of enacting the law proposed by the
1145 initiative petition shall mark the square adjacent to the word "For," and ~~[those]~~ voters desiring
1146 to vote against enacting the law proposed by the initiative petition shall mark the square
1147 adjacent to the word "Against."

1148 Section 20. Section **20A-7-510** is amended to read:

1149 **20A-7-510. Return and canvass -- Conflicting measures -- Law effective on**
1150 **proclamation.**

1151 (1) The votes on the law proposed by the initiative petition shall be counted,
1152 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

1153 (2) After the local board of canvassers completes its canvass, the local clerk shall
1154 certify to the local legislative body the vote for and against the law proposed by the initiative
1155 petition.

1156 (3) (a) The local legislative body shall immediately issue a proclamation that:

1157 (i) gives the total number of votes cast in the local jurisdiction for and against each law
1158 proposed by an initiative petition; and

1159 (ii) declares those laws proposed by an initiative petition that were approved by
1160 majority vote to be in full force and effect as the law of the local jurisdiction.

1161 (b) When the local legislative body determines that two proposed laws, or that parts of
1162 two proposed laws approved by the people at the same election are entirely in conflict, they
1163 shall proclaim that measure to be law that has received the greatest number of affirmative
1164 votes, regardless of the difference in the majorities which those measures have received.

1165 (c) (i) Within 10 days after the local legislative body's proclamation, any qualified
1166 voter who signed the initiative petition proposing the law that is declared by the local
1167 legislative body to be superseded by another measure approved at the same election may ~~[apply~~
1168 ~~to the]~~ bring an action in district court, or, if the Supreme Court has original jurisdiction, the
1169 Supreme Court to review the decision.

1170 (ii) The court shall:

1171 (A) consider the matter and decide whether ~~[or not]~~ the proposed laws are entirely in
1172 conflict; and

1173 (B) [~~certify its~~] issue an order, consistent with the court's decision, to the local
1174 legislative body.

1175 (4) Within 10 days after the [~~Supreme Court certifies its~~] day on which the court
1176 certifies the decision, the local legislative body shall:

1177 (a) proclaim as law all [~~those~~] measures approved by the people [~~as law~~] that the
1178 [~~Supreme Court has determined~~] court determines are not in conflict; and

1179 (b) [~~of all those~~] for the measures approved by the people as law that the [~~Supreme~~
1180 ~~Court has determined~~] court determines to be in conflict, proclaim as law the [~~one~~] measure
1181 that received the greatest number of affirmative votes, regardless of the difference in
1182 majorities.

1183 Section 21. Section **20A-7-512** is amended to read:

1184 **20A-7-512. Misconduct of electors and officers -- Penalty.**

1185 (1) It is unlawful for any [~~person~~] individual to:

1186 (a) sign any name other than the [~~person's own~~] individual's own name to any initiative
1187 petition;

1188 [~~(b) knowingly sign the person's name more than once for the same measure at one~~
1189 ~~election;~~]

1190 [~~(c)~~] (b) sign an initiative knowing the [~~person~~] individual is not a legal voter; or

1191 [~~(d)~~] (c) knowingly and willfully violate any provision of this part.

1192 (2) It is unlawful for any [~~person~~] individual to sign the verification for an initiative
1193 packet knowing that:

1194 (a) the [~~person~~] individual does not meet the residency requirements of Section
1195 **20A-2-105**;

1196 (b) the [~~person~~] individual has not witnessed the signatures of [~~those persons~~] the
1197 individuals whose names appear in the initiative packet; or

1198 (c) one or more [~~persons~~] individuals whose signatures appear in the initiative packet is
1199 either:

1200 (i) not registered to vote in Utah; or

1201 (ii) does not intend to become registered to vote in Utah.

1202 (3) [~~Any person violating~~] An individual who violates this part is guilty of a class A
1203 misdemeanor.

1204 Section 22. Section 20A-7-513 is amended to read:

1205 **20A-7-513. Fiscal review -- Repeal, amendment, or resubmission.**

1206 (1) No later than 60 days after the date of an election in which the voters approve an
1207 initiative petition, the budget officer shall:

1208 (a) for each initiative approved by the voters, prepare a final fiscal impact statement,
1209 using current financial information and containing the information required by Subsection
1210 20A-7-502.5(2), except for the information required by Subsection 20A-7-502.5(2)(a)(vii); and

1211 (b) deliver a copy of the final fiscal impact statement to:

1212 (i) the local legislative body of the jurisdiction where the initiative was circulated;

1213 (ii) the local clerk; and

1214 (iii) the first ~~five~~ three sponsors listed on the initiative application.

1215 (2) If the final fiscal impact statement exceeds the initial fiscal impact estimate by 25%
1216 or more, the local legislative body shall review the final fiscal impact statement and may, by a
1217 majority vote:

1218 (a) repeal the law established by passage of the initiative;

1219 (b) amend the law established by the passage of the initiative; or

1220 (c) pass a resolution informing the voters that they may file an initiative petition to
1221 repeal the law enacted by the passage of the initiative.

1222 Section 23. Section 20A-7-601 is amended to read:

1223 **20A-7-601. Referenda -- General signature requirements -- Signature**
1224 **requirements for land use laws and subjurisdictional laws -- Time requirements.**

1225 ~~[(1) Except as provided in Subsection (2) or (3), a person seeking to have a local law~~
1226 ~~passed by the local legislative body submitted to a vote of the people shall obtain legal~~
1227 ~~signatures equal to:]~~

1228 ~~[(a) 10% of all the votes cast in the county, city, or town for all candidates for president~~
1229 ~~of the United States at the last election at which a president of the United States was elected if~~
1230 ~~the total number of votes exceeds 25,000;]~~

1231 ~~[(b) 12-1/2% of all the votes cast in the county, city, or town for all candidates for~~
1232 ~~president of the United States at the last election at which a president of the United States was~~
1233 ~~elected if the total number of votes does not exceed 25,000 but is more than 10,000;]~~

1234 ~~[(c) 15% of all the votes cast in the county, city, or town for all candidates for president~~

1235 of the United States at the last election at which a president of the United States was elected if
1236 the total number of votes does not exceed 10,000 but is more than 2,500;]

1237 [~~(d) 20% of all the votes cast in the county, city, or town for all candidates for president
1238 of the United States at the last election at which a president of the United States was elected if
1239 the total number of votes does not exceed 2,500 but is more than 500;~~]

1240 [~~(e) 25% of all the votes cast in the county, city, or town for all candidates for president
1241 of the United States at the last election at which a president of the United States was elected if
1242 the total number of votes does not exceed 500 but is more than 250; and]~~

1243 [~~(f) 30% of all the votes cast in the county, city, or town for all candidates for president
1244 of the United States at the last election at which a president of the United States was elected if
1245 the total number of votes does not exceed 250;~~]

1246 [~~(2) (a) As used in this Subsection (2), "land use law" includes a land use development
1247 code, an annexation ordinance, and comprehensive zoning ordinances;~~]

1248 [~~(b) Except as provided in Subsection (3), a person seeking to have a land use law or
1249 local obligation law passed by the local legislative body submitted to a vote of the people shall
1250 obtain legal signatures equal to:]~~

1251 [~~(i) in a county or in a city of the first or second class, 20% of all votes cast in the
1252 county or city for all candidates for president of the United States at the last election at which a
1253 president of the United States was elected; and]~~

1254 [~~(ii) in a city of the third, fourth, or fifth class or a town, 35% of all the votes cast in the
1255 city or town for all candidates for president of the United States at the last election at which a
1256 president of the United States was elected;~~]

1257 [~~(3) (a) As used in this Subsection (3):]~~

1258 [~~(i) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the
1259 jurisdiction of a county, city, or town that are subject to a subjurisdictional law;~~]

1260 [~~(ii) "Subjurisdictional law" means a local law or local obligation law passed by a local
1261 legislative body that imposes a tax or other payment obligation on property in an area that does
1262 not include all precincts and subprecincts under the jurisdiction of the county, city, or town;~~]

1263 [~~(b) A person seeking to have a subjurisdictional law passed by the local legislative
1264 body submitted to a vote of the people shall obtain legal signatures of the residents in the
1265 subjurisdiction equal to:]~~

1266 ~~[(i) 10% of the total votes cast in the subjurisdiction for all candidates for president of~~
1267 ~~the United States at the last election at which a president of the United States was elected if the~~
1268 ~~total number of votes exceeds 25,000;]~~

1269 ~~[(ii) 12-1/2% of all the votes cast in the subjurisdiction for all candidates for president~~
1270 ~~of the United States at the last election at which a president of the United States was elected if~~
1271 ~~the total number of votes does not exceed 25,000 but is more than 10,000;]~~

1272 ~~[(iii) 15% of all the votes cast in the subjurisdiction for all candidates for president of~~
1273 ~~the United States at the last election at which a president of the United States was elected if the~~
1274 ~~total number of votes does not exceed 10,000 but is more than 2,500;]~~

1275 ~~[(iv) 20% of all the votes cast in the subjurisdiction for all candidates for president of~~
1276 ~~the United States at the last election at which a president of the United States was elected if the~~
1277 ~~total number of votes does not exceed 2,500 but is more than 500;]~~

1278 ~~[(v) 25% of all the votes cast in the subjurisdiction for all candidates for president of~~
1279 ~~the United States at the last election at which a president of the United States was elected if the~~
1280 ~~total number of votes does not exceed 500 but is more than 250; and]~~

1281 ~~[(vi) 30% of all the votes cast in the subjurisdiction for all candidates for president of~~
1282 ~~the United States at the last election at which a president of the United States was elected if the~~
1283 ~~total number of votes does not exceed 250;]~~

1284 (1) As used in this section:

1285 (a) "Number of active voters" means the number of active voters in the county, city, or
1286 town on the immediately preceding January 1.

1287 (b) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the
1288 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.

1289 (c) (i) "Subjurisdictional law" means a local law or local obligation law passed by a
1290 local legislative body that imposes a tax or other payment obligation on property in an area that
1291 does not include all precincts and subprecincts under the jurisdiction of the county, city, town,
1292 or metro township.

1293 (ii) "Subjurisdictional law" does not include a land use law.

1294 (d) "Voter participation area" means an area described in Subsection [20A-7-401.3\(1\)\(a\)](#)
1295 or (2)(b).

1296 (2) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local

1297 law passed by the local legislative body submitted to a vote of the people shall obtain legal
1298 signatures equal to:

1299 (a) for a county of the first class:

1300 (i) 7.75% of the number of active voters in the county; and
1301 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%
1302 of the county's voter participation areas;

1303 (b) for a metro township with a population of 100,000 or more, or a city of the first
1304 class:

1305 (i) 7.5% of the number of active voters in the metro township or city; and
1306 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%
1307 of the metro township's or city's voter participation areas;

1308 (c) for a county of the second class:

1309 (i) 8% of the number of active voters in the county; and
1310 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of
1311 the county's voter participation areas;

1312 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
1313 a city of the second class:

1314 (i) 8.25% of the number of active voters in the metro township or city; and
1315 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%
1316 of the metro township's or city's voter participation areas;

1317 (e) for a county of the third class:

1318 (i) 9.5% of the number of active voters in the county; and
1319 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%
1320 of the county's voter participation areas;

1321 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a
1322 city of the third class:

1323 (i) 10% of the number of active voters in the metro township or city; and
1324 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%
1325 of the metro township's or city's voter participation areas;

1326 (g) for a county of the fourth class:

1327 (i) 11.5% of the number of active voters in the county; and

1328 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
1329 of the county's voter participation areas;

1330 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a
1331 city of the fourth class:

1332 (i) 11.5% of the number of active voters in the metro township or city; and

1333 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%
1334 of the metro township's or city's voter participation areas;

1335 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city
1336 of the fifth class, or a county of the fifth class, 20% of the number of active voters in the metro
1337 township, city, or county; or

1338 (j) for a metro township with a population of less than 1,000, a town, or a county of the
1339 sixth class, 25% of the number of active voters in the metro township, town, or county.

1340 (3) Except as provided in Subsection (4), an eligible voter seeking to have a land use
1341 law or local obligation law passed by the local legislative body submitted to a vote of the
1342 people shall obtain legal signatures equal to:

1343 (a) for a county of the first, second, third, or fourth class:

1344 (i) 16% of the number of active voters in the county; and

1345 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
1346 of the county's voter participation areas;

1347 (b) for a county of the fifth or sixth class:

1348 (i) 16% of the number of active voters in the county; and

1349 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
1350 of the county's voter participation areas;

1351 (c) for a metro township with a population of 100,000 or more, or a city of the first
1352 class:

1353 (i) 15% of the number of active voters in the metro township or city; and

1354 (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75%
1355 of the metro township's or city's voter participation areas;

1356 (d) for a metro township with a population of 65,000 or more but less than 100,000, or
1357 a city of the second class:

1358 (i) 16% of the number of active voters in the metro township or city; and

- 1359 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%
1360 of the metro township's or city's voter participation areas;
- 1361 (e) for a metro township with a population of 30,000 or more but less than 65,000, or a
1362 city of the third class;
- 1363 (i) 27.5% of the number of active voters in the metro township or city; and
- 1364 (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75%
1365 of the metro township's or city's voter participation areas;
- 1366 (f) for a metro township with a population of 10,000 or more but less than 30,000, or a
1367 city of the fourth class;
- 1368 (i) 29% of the number of active voters in the metro township or city; and
- 1369 (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75%
1370 of the metro township's or city's voter participation areas;
- 1371 (g) for a metro township with a population of 1,000 or more but less than 10,000 or a
1372 city of the fifth class, 35% of the number of active voters in the metro township or city; or
- 1373 (h) for a metro township with a population of less than 1,000 or a town, 40% of the
1374 number of active voters in the metro township or town.
- 1375 (4) A person seeking to have a subjurisdictional law passed by the local legislative
1376 body submitted to a vote of the people shall obtain legal signatures of the residents in the
1377 subjurisdiction equal to:
- 1378 (i) 10% of the number of active voters in the subjurisdiction if the number of active
1379 voters exceeds 25,000;
- 1380 (ii) 12-1/2% of the number of active voters in the subjurisdiction if the number of
1381 active voters does not exceed 25,000 but is more than 10,000;
- 1382 (iii) 15% of the number of active voters in the subjurisdiction if the number of active
1383 voters does not exceed 10,000 but is more than 2,500;
- 1384 (iv) 20% of the number of active voters in the subjurisdiction if the number of active
1385 voters does not exceed 2,500 but is more than 500;
- 1386 (v) 25% of the number of active voters in the subjurisdiction if the number of active
1387 voters does not exceed 500 but is more than 250; and
- 1388 (vi) 30% of the number of active voters in the subjurisdiction if the number of active
1389 voters does not exceed 250.

1390 ~~[(4)]~~ (5) (a) Sponsors of any referendum petition challenging, under Subsection ~~[(1)]~~,
 1391 ~~(2), or (3)]~~ (2), (3), or (4), any local law passed by a local legislative body shall file the
 1392 application within ~~[five]~~ seven days after the ~~[passage of]~~ day on which the local law was
 1393 passed.

1394 (b) Except as provided in Subsection ~~[(4)]~~ (5)(c), when a referendum petition has been
 1395 declared sufficient, the local law that is the subject of the petition does not take effect unless
 1396 and until the local law is approved by a vote of the people.

1397 (c) When a referendum petition challenging a subjurisdictional law has been declared
 1398 sufficient, the subjurisdictional law that is the subject of the petition does not take effect unless
 1399 and until the subjurisdictional law is approved by a vote of the people who reside in the
 1400 subjurisdiction.

1401 ~~[(5)]~~ (6) If the referendum passes, the local law that was challenged by the referendum
 1402 is repealed as of the date of the election.

1403 ~~[(6)]~~ (7) Nothing in this section authorizes a local legislative body to impose a tax or
 1404 other payment obligation on a subjurisdiction in order to benefit an area outside of the
 1405 subjurisdiction.

1406 Section 24. Section **20A-7-602** is amended to read:

1407 **20A-7-602. Local referendum process -- Application procedures.**

1408 (1) ~~[Persons]~~ An eligible voter wishing to circulate a referendum petition shall file an
 1409 application with the local clerk.

1410 (2) The application shall contain:

1411 (a) the name and residence address of at least five sponsors of the referendum petition;

1412 (b) a certification indicating that each of the sponsors~~[(1)]~~ is a resident of Utah; ~~[and]~~

1413 ~~[(ii) (A) if the referendum challenges a county local law, has voted in a regular general
 1414 election in Utah within the last three years; or]~~

1415 ~~[(B) if the referendum challenges a municipal local law, has voted in a regular
 1416 municipal election in Utah within the last three years;]~~

1417 (c) a statement indicating that each of the sponsors has voted in an election in Utah in
 1418 the last three years;

1419 ~~[(c)]~~ (d) the signature of each of the sponsors, ~~[attested to]~~ acknowledged by a notary
 1420 public; and

1421 [~~(d)~~] (e) (i) if the referendum challenges an ordinance or resolution, one copy of the
1422 law; or

1423 (ii) if the referendum challenges a local law that is not an ordinance or resolution, a
1424 written description of the local law, including the result of the vote on the local law.

1425 Section 25. Section **20A-7-602.5** is amended to read:

1426 **20A-7-602.5. Initial fiscal and legal impact estimate -- Preparation of estimate.**

1427 (1) Within three [~~working~~] business days after the day on which the local clerk receives
1428 an application for a referendum petition, the local clerk shall submit a copy of the application
1429 to the county, city, or town's budget officer.

1430 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good
1431 faith estimate of the fiscal and legal impact of repealing the law the referendum proposes to
1432 repeal that contains:

1433 (i) a dollar amount representing the total estimated fiscal impact of repealing the law;

1434 (ii) if repealing the law would increase or decrease taxes, a dollar amount representing
1435 the total estimated increase or decrease for each type of tax that would be impacted by the law's
1436 repeal and a dollar amount representing the total estimated increase or decrease in taxes that
1437 would result from the law's repeal;

1438 (iii) if repealing the law would result in the issuance or a change in the status of bonds,
1439 notes, or other debt instruments, a dollar amount representing the total estimated increase or
1440 decrease in public debt that would result;

1441 (iv) a listing of all sources of funding for the estimated costs that would be associated
1442 with the law's repeal, showing each source of funding and the percentage of total funding that
1443 would be provided from each source;

1444 (v) a dollar amount representing the estimated costs or savings, if any, to state and
1445 local government entities if the law were repealed;

1446 (vi) the legal impacts that would result from repealing the law, including:

1447 (A) any significant effects on a person's vested property rights;

1448 (B) any significant effects on other laws or ordinances;

1449 (C) any significant legal liability the city, county, or town may incur; and

1450 (D) any other significant legal impact as determined by the budget officer and the legal
1451 counsel; and

1452 (vii) a concise explanation, not exceeding 100 words, of the above information and of
1453 the estimated fiscal impact, if any, if the law were repealed.

1454 (b) (i) If repealing the law would have no fiscal impact, the local budget officer shall
1455 include a summary statement in the initial fiscal impact statement in substantially the following
1456 form:

1457 "The (title of the local budget officer) estimates that repealing the law this referendum
1458 proposes to repeal would have no significant fiscal impact and would not result in either an
1459 increase or decrease in taxes or debt."

1460 (ii) If repealing the law is estimated to have a fiscal impact, the local budget officer
1461 shall include a summary statement describing the fiscal impact.

1462 (iii) If the estimated fiscal impact of repealing the law is highly variable or is otherwise
1463 difficult to reasonably express in a summary statement, the local budget officer may include in
1464 the summary statement a brief explanation that identifies those factors impacting the variability
1465 or difficulty of the estimate.

1466 (3) Within ~~[25]~~ 20 calendar days after the day on which the local clerk submits a copy
1467 of the application under Subsection (1), the budget officer shall:

1468 (a) deliver a copy of the initial fiscal impact estimate, including the legal impact
1469 estimate, to the local clerk's office; and

1470 (b) ~~[mail]~~ deliver a copy of the initial fiscal impact estimate, including the legal impact
1471 estimate, to the first ~~[five]~~ three sponsors named in the application.

1472 Section 26. Section ~~20A-7-602.7~~ is enacted to read:

1473 **20A-7-602.7. Referability to voters of local law other than land use law.**

1474 (1) Within 20 days after the day on which an eligible voter files an application to
1475 circulate a referendum petition under Section [20A-7-602](#) for a local law other than a land use
1476 law, the county, city, town, or metro township to which the referendum pertains shall:

1477 (a) review the application to determine whether the proposed referendum is legally
1478 referable to voters; and

1479 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

1480 (i) legally referable to voters; or

1481 (ii) rejected as not legally referable to voters.

1482 (2) For a local law other than a land use law, a proposed referendum is legally referable

1483 to voters unless:

1484 (a) the proposed referendum challenges an action that is administrative, rather than
1485 legislative, in nature;

1486 (b) the proposed referendum challenges more than one law passed by the local
1487 legislative body; or

1488 (c) the application for the proposed referendum was not timely filed or does not
1489 comply with the requirements of this part.

1490 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
1491 or metro township may not, for a local law other than a land use law:

1492 (a) reject a proposed referendum as not legally referable to voters; or

1493 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a
1494 proposed referendum on the grounds that the proposed referendum is not legally referable to
1495 voters.

1496 (4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a
1497 proposed referendum concerning a local law other than a land use law, a sponsor of the
1498 proposed referendum may, within 10 days after the day on which a sponsor is notified under
1499 Subsection (1)(b), challenge or appeal the decision to:

1500 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

1501 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
1502 under Subsection (4)(a)(i).

1503 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)
1504 (a) terminates the referendum.

1505 (5) If, on a challenge or appeal, the court determines that the proposed referendum
1506 described in Subsection (4) is legally referable to voters, the local clerk shall comply with
1507 Subsection [20A-7-604\(2\)](#) within five days after the day on which the determination, and any
1508 challenge or appeal of the determination, is final.

1509 Section 27. Section **20A-7-602.8** is enacted to read:

1510 **20A-7-602.8. Referability to voters of local land use law.**

1511 (1) Within 20 days after the day on which an eligible voter files an application to
1512 circulate a referendum petition under Section [20A-7-602](#) for a land use law, the county,
1513 city, town, or metro township to which the referendum pertains shall:

1514 (a) review the application to determine whether the proposed referendum is legally
1515 referable to voters; and

1516 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

1517 (i) legally referable to voters; or

1518 (ii) rejected as not legally referable to voters.

1519 (2) For a land use law, a proposed referendum is legally referable to voters unless:

1520 (a) the proposed referendum challenges an action that is administrative, rather than
1521 legislative, in nature;

1522 (b) the proposed referendum challenges a land use decision, rather than a land use
1523 regulation, as those terms are defined in Section [10-9a-103](#) or [17-27a-103](#);

1524 (c) the proposed referendum challenges more than one law passed by the local
1525 legislative body; or

1526 (d) the application for the proposed referendum was not timely filed or does not
1527 comply with the requirements of this part.

1528 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,
1529 or metro township may not, for a land use law:

1530 (a) reject a proposed referendum as not legally referable to voters; or

1531 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a
1532 proposed referendum on the grounds that the proposed referendum is not legally referable to
1533 voters.

1534 (4) (a) If a county, city, town, or metro township rejects a proposed referendum
1535 concerning a land use law, a sponsor of the proposed referendum may, within seven days after
1536 the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision
1537 to:

1538 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

1539 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ
1540 under Subsection (4)(a)(i).

1541 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection
1542 (4)(a) terminates the referendum.

1543 (5) If, on challenge or appeal, the court determines that the proposed referendum is
1544 legally referable to voters, the local clerk shall comply with Subsection [20A-7-604\(2\)](#) within

1545 five days after the day on which the determination, and any challenge or appeal of the
1546 determination, is final.

1547 Section 28. Section **20A-7-603** is amended to read:

1548 **20A-7-603. Form of referendum petition and signature sheets.**

1549 (1) (a) Each proposed referendum petition shall be printed in substantially the
1550 following form:

1551 "REFERENDUM PETITION To the Honorable ____, County Clerk/City
1552 Recorder/Town Clerk:

1553 We, the undersigned citizens of Utah, respectfully order that (description of local law or
1554 portion of local law being challenged), passed by the ____ be referred to the voters for their
1555 approval or rejection at the regular/municipal general election to be held on
1556 _____(month\day\year);

1557 Each signer says:

1558 I have personally signed this petition;

1559 The date next to my signature correctly reflects the date that I actually signed the
1560 petition;

1561 I have personally reviewed the entire statement included with this packet;

1562 I am registered to vote in Utah or intend to become registered to vote in Utah before the
1563 certification of the petition names by the county clerk; and

1564 My residence and post office address are written correctly after my name."

1565 (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the
1566 referendum to each referendum petition.

1567 (2) Each signature sheet shall:

1568 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1569 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above
1570 that line blank for the purpose of binding;

1571 (c) contain the title of the referendum printed below the horizontal line;

1572 (d) contain the word "Warning" printed or typed at the top of each signature sheet
1573 under the title of the referendum;

1574 (e) contain, to the right of the word "Warning," the following statement printed or
1575 typed in not less than eight-point, single-leaded type:

1576 "It is a class A misdemeanor for an individual to sign a referendum petition with any
 1577 other name than the individual's own name, or to knowingly sign the individual's name more
 1578 than once for the same measure, or to sign a referendum petition when the individual knows
 1579 that the individual is not a registered voter and knows that the individual does not intend to
 1580 become registered to vote before the certification of the petition names by the county clerk.";

1581 (f) contain horizontally ruled lines three-eighths inch apart under the "Warning"
 1582 statement required by this section;

1583 (g) be vertically divided into columns as follows:

1584 (i) the edge of the first column shall appear [at] .5 inch from the extreme left of the
 1585 sheet, be [~~five-eighths~~] .25 inch wide, and be headed, together with the second column, "For
 1586 Office Use Only[;]" [~~and be subdivided with a light vertical line down the middle~~];

1587 (ii) the second column shall be .25 inch wide;

1588 [(ii)] (iii) the [~~next~~] third column shall be [~~2-1/2~~] 2.5 inches wide, headed "Registered
 1589 Voter's Printed Name (must be legible to be counted)";

1590 [(iii)] (iv) the [~~next~~] fourth column shall be [~~2-1/2~~] 2.5 inches wide, headed "Signature
 1591 of Registered Voter";

1592 (v) the fifth column shall be .75 inch wide, headed "Date Signed";

1593 [(iv)] (vi) the [~~next~~] sixth column shall be [~~one inch~~] three inches wide, headed [~~"Birth~~
 1594 Date or Age (Optional)"] "Street Address, City, Zip Code"; and

1595 [(v)] (vii) the [~~final~~] seventh column shall be [~~4-3/8 inches~~] .75 inch wide, headed
 1596 ["~~Street Address, City, Zip Code~~";] "Birth Date or Age (Optional)";

1597 (h) be horizontally divided into rows as follows:

1598 (i) the top of the first row, for the purpose of entering the information described in
 1599 Subsection (2)(g), shall be .5 inch high;

1600 [(h) ~~spanning the sheet horizontally beneath each row on which a registered voter may~~
 1601 ~~submit the information described in Subsection (2)(g);~~

1602 (ii) the second row shall be .15 inch high and contain the following statement printed
 1603 or typed in not less than eight-point, single-leaded type: "By signing this petition, you are
 1604 stating that you have read and understand the law this petition seeks to overturn."; and

1605 (iii) the first and second rows shall be repeated, in order, leaving sufficient room at the
 1606 bottom of the sheet for the information described in Subsection (2)(i); and

1607 (i) at the bottom of the sheet, contain the following statement: "Birth date or age
1608 information is not required, but it may be used to verify your identity with voter registration
1609 records. If you choose not to provide it, your signature may not be verified as a valid signature
1610 if you change your address before petition signatures are verified or if the information you
1611 provide does not match your voter registration records."

1612 (3) The final page of each referendum packet shall contain the following printed or
1613 typed statement:

1614 "Verification

1615 State of Utah, County of _____

1616 I, _____, of _____, hereby state that:

1617 I am a resident of Utah and am at least 18 years old;

1618 All the names that appear in this referendum packet were signed by [~~persons~~]
1619 individuals who professed to be the [~~persons~~] individuals whose names appear in it, and each
1620 of [~~them signed his~~] the individuals signed the individual's name on it in my presence;

1621 I did not knowingly make a misrepresentation of fact concerning the law this petition
1622 seeks to overturn;

1623 I believe that each individual has printed and signed [~~his~~] the individual's name and
1624 written [~~his~~] the individual's post office address and residence correctly, and that each signer is
1625 registered to vote in Utah or intends to become registered to vote before the certification of the
1626 petition names by the county clerk.

1627 _____"

1628 (4) The forms prescribed in this section are not mandatory, and, if substantially
1629 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical
1630 errors.

1631 Section 29. Section **20A-7-604** is amended to read:

1632 **20A-7-604. Circulation requirements -- Local clerk to provide sponsors with**
1633 **materials.**

1634 (1) In order to obtain the necessary number of signatures required by this part, the
1635 sponsors shall, after the sponsors receive the documents described in Subsection (2) and
1636 Subsection [20A-7-401.5\(4\)\(b\)](#), circulate referendum packets that meet the form requirements
1637 of this part.

1638 (2) Within five days after the day on which a [~~local clerk receives an application that~~
1639 ~~complies with the requirements of Section 20A-7-602~~] county, city, town, metro township, or
1640 court determines, in accordance with Section 20A-7-602.7, that a proposed referendum is
1641 legally referable to voters, the local clerk shall furnish to the sponsors[~~:(a) five copies~~] a copy
1642 of the referendum petition[;] and a signature sheet.

1643 [~~(b) five signature sheets.~~]

1644 (3) The sponsors of the petition shall:

1645 (a) arrange and pay for the printing of all additional copies of the petition and signature
1646 sheets; and

1647 (b) ensure that the copies of the petition and signature sheets meet the form
1648 requirements of this section.

1649 (4) (a) The sponsors may prepare the referendum for circulation by creating multiple
1650 referendum packets.

1651 (b) The sponsors shall create those packets by binding a copy of the referendum
1652 petition, a copy of the law that is the subject of the referendum, and no more than 50 signature
1653 sheets together at the top in such a way that the packets may be conveniently opened for
1654 signing.

1655 (c) The sponsors need not attach a uniform number of signature sheets to each
1656 referendum packet.

1657 [~~(5) (a) After the sponsors have prepared sufficient referendum packets, they shall~~
1658 ~~return them to the local clerk.~~]

1659 [~~(b) The local clerk shall:~~]

1660 [~~(i) number each of the referendum packets and return them to the sponsors within five~~
1661 ~~working days; and]~~

1662 [~~(ii) keep a record of the numbers assigned to each packet.~~]

1663 (d) The sponsors shall include, with each packet, a copy of the proposition information
1664 pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).

1665 Section 30. Section 20A-7-605 is amended to read:

1666 **20A-7-605. Obtaining signatures -- Verification -- Removal of signature.**

1667 (1) Any Utah voter may sign a local referendum petition if the voter is a legal voter and
1668 resides in the local jurisdiction.

1669 (2) (a) The sponsors shall ensure that the ~~[person]~~ individual in whose presence each
1670 signature sheet was signed:

1671 (i) is at least 18 years old and meets the residency requirements of Section 20A-2-105;
1672 and

1673 (ii) verifies each signature sheet by completing the verification printed on the last page
1674 of each referendum packet.

1675 (b) ~~[A person]~~ An individual may not sign the verification printed on the last page of
1676 the referendum packet if the ~~[person]~~ individual signed a signature sheet in the referendum
1677 packet.

1678 (3) (a) Any voter who has signed a referendum petition may have the voter's signature
1679 removed from the petition by submitting a ~~[notarized]~~ statement to that effect to the local clerk.

1680 (b) Except as provided in Subsection (3)(c), upon receipt of the statement, the local
1681 clerk shall remove the signature of the ~~[person]~~ individual submitting the statement from the
1682 referendum petition.

1683 (c) A local clerk may not remove signatures from a referendum petition later than
1684 seven days after the ~~[petition has been submitted to the county clerk to be certified]~~ day on
1685 which the sponsors timely submit the last signature packet to the county clerk.

1686 (4) The sponsors of a referendum petition:

1687 (a) shall, for each signature packet:

1688 (i) within seven days after the day on which the first individual signs the signature
1689 packet, provide a clear, legible image of all signatures on the signature packet to the local clerk
1690 via email or other electronic means; and

1691 (ii) immediately send a new image if the local clerk informs the sponsors that the
1692 image is not clear and legible;

1693 (b) may not permit additional signatures on a signature packet of which the sponsors
1694 have sent an image under Subsection (4)(a); and

1695 (c) may not submit a signature packet to the county clerk unless the sponsors timely
1696 comply with the requirements of Subsection (4)(a) in relation to the signature packet.

1697 (5) Each person who gathers a signature removal statement described in Subsection
1698 (3):

1699 (a) shall, within seven days after the day on which the individual signs the signature

1700 removal statement, provide a clear, legible image of the statement to the local clerk via email
1701 or other electronic means; and

1702 (b) shall, immediately send a new image if the local clerk informs the sponsors that the
1703 image is not clear and legible; and

1704 (c) may not submit a signature removal statement to the county clerk, unless the
1705 sponsors timely comply with the requirements of Subsection (5)(a) and (b) in relation to the
1706 signature removal statement.

1707 (6) (a) The local clerk shall provide to an individual, upon request:

1708 (i) an image of a signature packet or signature removal statement with the dates of birth
1709 redacted; or

1710 (ii) instead of providing an image described in Subsection (6)(a)(i), a document or
1711 electronic list containing the name and other information, other than the dates of birth, that
1712 appear on an image described in Subsection (6)(a).

1713 (b) Subject to Subsection [20A-7-606.3](#)(4), the local clerk may begin certifying,
1714 removing, and tallying signatures upon receipt of an image described in Subsection (4) or (5).

1715 Section 31. Section **20A-7-606.3** is amended to read:

1716 **20A-7-606.3. Verification of petition signatures.**

1717 (1) (a) For the purposes of this section, "substantially similar name" means:

1718 (i) the given name and surname shown on the petition, or both, contain only minor
1719 spelling differences when compared to the given name and surname shown on the official
1720 register;

1721 (ii) the surname shown on the petition exactly matches the surname shown on the
1722 official register, and the given names differ only because one of the given names shown is a
1723 commonly used abbreviation or variation of the other;

1724 (iii) the surname shown on the petition exactly matches the surname shown on the
1725 official register, and the given names differ only because one of the given names shown is
1726 accompanied by a first or middle initial or a middle name which is not shown on the other
1727 record; or

1728 (iv) the surname shown on the petition exactly matches the surname shown on the
1729 official register, and the given names differ only because one of the given names shown is an
1730 alphabetically corresponding initial that has been provided in the place of a given name shown

1731 on the other record.

1732 (b) For the purposes of this section, "substantially similar name" does not mean a name
1733 having an initial or a middle name shown on the petition that does not match a different initial
1734 or middle name shown on the official register.

1735 (2) The county clerk shall use the following procedures in determining whether or not a
1736 signer is a registered voter:

1737 (a) When a signer's name and address shown on the petition exactly match a name and
1738 address shown on the official register and the signer's signature appears substantially similar to
1739 the signature on the statewide voter registration database, the county clerk shall declare the
1740 signature valid.

1741 (b) When there is no exact match of an address and a name, the county clerk shall
1742 declare the signature valid if:

1743 (i) the address on the petition matches the address of [~~a person~~] an individual on the
1744 official register with a substantially similar name; and

1745 (ii) the signer's signature appears substantially similar to the signature on the statewide
1746 voter registration database of the [~~person~~] individual described in Subsection (2)(b)(i).

1747 (c) When there is no match of an address and a substantially similar name, the county
1748 clerk shall declare the signature valid if:

1749 (i) the birth date or age on the petition matches the birth date or age of [~~a person~~] an
1750 individual on the official register with a substantially similar name; and

1751 (ii) the signer's signature appears substantially similar to the signature on the statewide
1752 voter registration database of the [~~person~~] individual described in Subsection (2)(c)(i).

1753 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county
1754 clerk shall declare the signature to be invalid.

1755 (4) The county clerk may not provide a final verification of the signature packets
1756 submitted for a proposed referendum until eight days after the day on which a sponsor submits
1757 the final, timely signature packet to the county clerk to be certified.

1758 Section 32. Section **20A-7-607** is amended to read:

1759 **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**
1760 **referendum.**

1761 (1) When each referendum packet is received from a county clerk, the local clerk shall

1762 check off from the local clerk's record the number of each referendum packet filed.

1763 (2) Within [~~15~~] two days after the day on which the local clerk receives each
1764 referendum packet from a county clerk, the local clerk shall:

1765 (a) count the number of the names certified by the county clerks that appear on each
1766 verified signature sheet;

1767 (b) if the total number of certified names from each verified signature sheet equals or
1768 exceeds the number of names required by Section 20A-7-601 and the requirements of this part
1769 are met, mark upon the front of the petition the word "sufficient";

1770 (c) if the total number of certified names from each verified signature sheet does not
1771 equal or exceed the number of names required by Section 20A-7-601 or a requirement of this
1772 part is not met, mark upon the front of the petition the word "insufficient"; and

1773 (d) notify any one of the sponsors of the local clerk's finding.

1774 (3) If the local clerk finds the total number of certified signatures from each verified
1775 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk
1776 for a recount of the signatures appearing on the referendum petition in the presence of any
1777 sponsor.

1778 (4) (a) If the local clerk refuses to accept and file any referendum petition, any voter
1779 may apply to [~~the Supreme Court~~] a court for an extraordinary writ to compel the local clerk to
1780 do so within 10 days after the refusal.

1781 (b) If [~~the Supreme Court~~] a court determines that the referendum petition is legally
1782 sufficient, the local clerk shall file it, with a verified copy of the judgment attached to it, as of
1783 the date on which it was originally offered for filing in the local clerk's office.

1784 (c) If [~~the Supreme Court~~] a court determines that any petition filed is not legally
1785 sufficient, the [~~Supreme Court~~] court may enjoin the local clerk and all other officers from:

1786 (i) certifying or printing the ballot title and numbers of that measure on the official
1787 ballot for the next election; or

1788 (ii) as it relates to a local tax law that is conducted entirely by absentee ballot,
1789 certifying, printing, or mailing the ballot title and numbers of that measure under Section
1790 20A-7-609.5.

1791 (5) A petition determined to be sufficient in accordance with this section is qualified
1792 for the ballot.

1793 (6) (a) If a referendum relates to legislative action taken after April 15, the election
 1794 officer may not place the referendum on an election ballot until a primary election, a general
 1795 election, or a special election the following year.

1796 (b) For a referendum on a land use law, if, before August 30, the local clerk or a court
 1797 determines that the total number of certified names equals or exceeds the number of signatures
 1798 required in Section 20A-7-601, the election officer shall place the referendum on the election
 1799 ballot for the next general election.

1800 Section 33. Section 20A-7-608 is amended to read:

1801 **20A-7-608. Ballot title -- Duties of local clerk and local attorney.**

1802 (1) [~~Whenever a referendum petition is declared sufficient for submission to a vote of~~
 1803 ~~the people,~~] Upon receipt of a referendum petition, the local clerk shall deliver a copy of the
 1804 petition and the proposed law to the local attorney.

1805 (2) The local attorney shall:

1806 (a) entitle each county or municipal referendum that has qualified for the ballot

1807 "Proposition Number ___" and give it a number as assigned under Section 20A-6-107;

1808 (b) prepare a proposed ballot title for the referendum;

1809 (c) file the proposed ballot title and the numbered referendum titles with the local clerk
 1810 within ~~[15]~~ 20 days after the [~~date the referendum petition is declared sufficient for submission~~
 1811 ~~to a vote of the people~~] day on which an eligible voter submits the referendum petition to the
 1812 local clerk; and

1813 (d) promptly provide notice of the filing of the proposed ballot title to:

1814 (i) the sponsors of the petition; and

1815 (ii) the local legislative body for the jurisdiction where the referendum petition was
 1816 circulated.

1817 (3) (a) The ballot title may be distinct from the title of the law that is the subject of the
 1818 petition, and shall express, in not exceeding 100 words, the purpose of the measure.

1819 (b) In preparing a ballot title, the local attorney shall, to the best of ~~[his]~~ the local
 1820 attorney's ability, give a true and impartial statement of the purpose of the measure.

1821 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,
 1822 for or against the measure.

1823 (4) (a) Within five calendar days after the date the local attorney files a proposed ballot

1824 title under Subsection (2)(c), the local legislative body for the jurisdiction where the
1825 referendum petition was circulated and the sponsors of the petition may file written comments
1826 in response to the proposed ballot title with the local clerk.

1827 (b) Within five calendar days after the last date to submit written comments under
1828 Subsection (4)(a), the local attorney shall:

- 1829 (i) review any written comments filed in accordance with Subsection (4)(a);
- 1830 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and
- 1831 (iii) return the petition and file the ballot title with the local clerk.

1832 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall
1833 be printed on the official ballot.

1834 (5) Immediately after the local attorney files a copy of the ballot title with the local
1835 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the
1836 petition and the local legislative body for the jurisdiction where the referendum petition was
1837 circulated.

1838 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not
1839 comply with the requirements of this section, the decision of the local attorney may be
1840 appealed [~~by a petition~~] to the district court, or, if the Supreme Court has original jurisdiction,
1841 to the Supreme Court [that is], brought by:

- 1842 (i) at least three sponsors of the referendum petition; or
- 1843 (ii) a majority of the local legislative body for the jurisdiction where the referendum
1844 petition was circulated.

1845 (b) The [~~Supreme Court~~] court:

- 1846 (i) shall examine the measures and consider the arguments[~~, and, in its decision,~~]; and
- 1847 (ii) may [~~certify~~] issue an order to the local clerk that includes a ballot title for the
1848 measure that fulfills the intent of this section.

1849 (c) The local clerk shall print the title certified by the [~~Supreme Court~~] court on the
1850 official ballot.

1851 Section 34. Section **20A-7-609.5** is amended to read:

1852 **20A-7-609.5. Election on referendum challenging local tax law conducted entirely**
1853 **by absentee ballot.**

1854 (1) An election officer may administer an election on a referendum challenging a local

1855 tax law entirely by absentee ballot.

1856 (2) For purposes of an election conducted under this section, the election officer shall:

1857 (a) designate as the election day the day that is 30 days after the day on which the
1858 election officer complies with Subsection (2)(b); and

1859 (b) within 30 days after the day on which the referendum described in Subsection (1)
1860 qualifies for the ballot, mail to each registered voter within the voting precincts to which the
1861 local tax law applies:

1862 (i) an absentee ballot;

1863 (ii) a statement that there will be no polling place in the voting precinct for the
1864 election;

1865 (iii) a statement specifying the election day described in Subsection (2)(a);

1866 (iv) a business reply mail envelope;

1867 (v) instructions for returning the ballot that include an express notice about any
1868 relevant deadlines that the voter must meet in order for the voter's vote to be counted; ~~and~~

1869 (vi) a warning, on a separate page of colored paper in boldface print, indicating that if
1870 the voter fails to follow the instructions included with the absentee ballot, the voter will be
1871 unable to vote in that election because there will be no polling place in the voting precinct on
1872 the day of the election[-]; and

1873 (vii) (A) a copy of the proposition information pamphlet relating to the referendum if a
1874 proposition information pamphlet relating to the referendum was published under Section
1875 20A-7-401.5; or

1876 (B) a website address where an individual may view a copy of the proposition
1877 information pamphlet described in Subsection (2)(b)(vii)(A).

1878 (3) A voter who votes by absentee ballot under this section is not required to apply for
1879 an absentee ballot as required by this part.

1880 (4) An election officer who administers an election under this section shall:

1881 (a) (i) obtain, in person, the signatures of each voter within that voting precinct before
1882 the election; or

1883 (ii) obtain the signature of each voter within the voting precinct from the county clerk;
1884 and

1885 (b) maintain the signatures on file in the election officer's office.

1886 (5) (a) Upon receiving the returned absentee ballots under this section, the election
1887 officer shall compare the signature on each absentee ballot with the voter's signature that is
1888 maintained on file and verify that the signatures are the same.

1889 (b) If the election officer questions the authenticity of the signature on the absentee
1890 ballot, the election officer shall immediately contact the voter to verify the signature.

1891 (c) If the election officer determines that the signature on the absentee ballot does not
1892 match the voter's signature that is maintained on file, the election officer shall:

1893 (i) unless the absentee ballot application deadline described in Section 20A-3-304 has
1894 passed, immediately send another absentee ballot and other voting materials as required by this
1895 section to the voter; and

1896 (ii) disqualify the initial absentee ballot.

1897 Section 35. Section 20A-7-610 is amended to read:

1898 **20A-7-610. Return and canvass -- Conflicting measures -- Law effective on**
1899 **proclamation.**

1900 (1) The votes on the [~~law proposed by~~] proposed law that is the subject of the
1901 referendum petition shall be counted, canvassed, and delivered as provided in Title 20A,
1902 Chapter 4, Part 3, Canvassing Returns.

1903 (2) After the local board of canvassers completes [~~its~~] the canvass, the local clerk shall
1904 certify to the local legislative body the vote for and against the [~~law proposed by~~] proposed law
1905 that is the subject of the referendum petition.

1906 (3) (a) The local legislative body shall immediately issue a proclamation that:

1907 (i) gives the total number of votes cast in the local jurisdiction for and against each
1908 [~~law proposed by~~] proposed law that is the subject of a referendum petition; and

1909 (ii) declares those laws [~~proposed by~~] that are the subject of a referendum petition that
1910 were approved by majority vote to be in full force and effect as the law of the local jurisdiction.

1911 (b) When the local legislative body determines that two proposed laws, or that parts of
1912 two proposed laws approved by the people at the same election are entirely in conflict, they
1913 shall proclaim that measure to be law that has received the greatest number of affirmative
1914 votes, regardless of the difference in the majorities which those measures have received.

1915 (4) (a) Within 10 days after the local legislative body's proclamation, any qualified
1916 voter [~~who signed the referendum petition proposing the~~] residing in the jurisdiction for a law

1917 that is declared by the local legislative body to be superseded by another measure approved at
 1918 the same election may ~~[apply to the]~~ bring an action in a district court, or, if the Supreme Court
 1919 has original jurisdiction, the Supreme Court to review the decision.

1920 (b) The ~~[Supreme Court]~~ court shall:

1921 (i) consider the matter and decide whether ~~[or not]~~ the proposed laws are entirely in
 1922 conflict; and

1923 (ii) ~~[certify its]~~ issue an order, consistent with the court's decision, to the local
 1924 legislative body.

1925 (5) Within 10 days after the ~~[Supreme Court certifies its]~~ day on which the court
 1926 certifies the decision, the local legislative body shall:

1927 (a) proclaim ~~[all those]~~ as law all measures approved by the people ~~[as law]~~ that the
 1928 ~~[Supreme Court has determined]~~ court determines are not in conflict; and

1929 (b) ~~[of all those]~~ for the measures approved by the people as law that the ~~[Supreme~~
 1930 ~~Court has determined]~~ court determines to be in conflict, proclaim as law the ~~[one]~~ measure
 1931 that received the greatest number of affirmative votes, regardless of the difference in
 1932 majorities.

1933 Section 36. Section **20A-7-612** is amended to read:

1934 **20A-7-612. Misconduct of electors and officers -- Penalty.**

1935 (1) It is unlawful for ~~[any person]~~ an individual to:

1936 (a) sign any name other than ~~[his own]~~ the individual's own name to any referendum
 1937 petition;

1938 ~~[(b) knowingly sign his name more than once for the same measure at one election;]~~

1939 ~~[(c)]~~ (b) sign a referendum knowing ~~[he]~~ that the individual is not a legal voter; ~~[or]~~

1940 (c) in connection with circulating a referendum petition, represent that a document is
 1941 an official government document if the individual knows or has reason to know that the
 1942 document is not an official government document; or

1943 (d) knowingly and willfully violate any provision of this part.

1944 (2) It is unlawful for ~~[any person]~~ an individual to sign the verification for a
 1945 referendum packet knowing that:

1946 (a) ~~[he]~~ the individual does not meet the residency requirements of Section **20A-2-105**;

1947 (b) ~~[he]~~ the individual has not witnessed the signatures of ~~[those persons]~~ the

1948 individuals whose names appear in the referendum packet; or

1949 (c) one or more [~~persons~~] individuals whose signatures appear in the referendum
1950 packet;

1951 (i) is either:

1952 [(i)] (A) not registered to vote in Utah; or

1953 [(ii)] (B) does not intend to become registered to vote in Utah[-]; or

1954 (ii) appears next to an inaccurate date of signature.

1955 (3) [~~Any person violating~~] An individual who violates this part is guilty of a class A
1956 misdemeanor.

1957 (4) The county attorney or municipal attorney shall prosecute any violation of this
1958 section.

1959 Section 37. Section **20A-7-613** is amended to read:

1960 **20A-7-613. Property tax referendum petition.**

1961 (1) As used in this section, "certified tax rate" means the same as that term is defined in
1962 Section [59-2-924](#).

1963 (2) Except as provided in this section, the requirements of this part apply to a
1964 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that
1965 exceeds the certified tax rate.

1966 [~~(3) Notwithstanding Subsection [20A-7-604](#)(5), the local clerk shall number each of~~
1967 ~~the referendum packets and return them to the sponsors within two working days.]~~

1968 [(4)] (3) Notwithstanding Subsection [20A-7-606](#)(1), the sponsors shall deliver each
1969 signed and verified referendum packet to the county clerk of the county in which the packet
1970 was circulated no later than 40 days after the day on which the local clerk complies with
1971 Subsection [(3)] [20A-7-604](#)(2).

1972 [(5)] (4) Notwithstanding Subsections [20A-7-606](#)(2) and (3), the county clerk shall
1973 take the actions required in Subsections [20A-7-606](#)(2) and (3) within 10 working days after the
1974 day on which the county clerk receives the signed and verified referendum packet as described
1975 in Subsection [(4)] (3).

1976 [(6)] (5) The local clerk shall take the actions required by Section [20A-7-607](#) within
1977 two working days after the day on which the local clerk receives the referendum packets from
1978 the county clerk.

1979 [~~(7)~~] (6) Notwithstanding Subsection 20A-7-608(2), the local attorney shall prepare the
1980 ballot title within two working days after the day on which the referendum petition is declared
1981 sufficient for submission to a vote of the people.

1982 [~~(8)~~] (7) Notwithstanding Subsection 20A-7-609(2)(c), a referendum that qualifies for
1983 the ballot under this section shall appear on the ballot for the earlier of the next regular general
1984 election or the next municipal general election unless a special election is called.

1985 [~~(9)~~] (8) Notwithstanding the requirements related to absentee ballots under this title:

1986 (a) the election officer shall prepare absentee ballots for those voters who have
1987 requested an absentee ballot as soon as possible after the ballot title is prepared as described in
1988 Subsection [~~(7)~~] (6); and

1989 (b) the election officer shall mail absentee ballots on a referendum under this section
1990 the later of:

1991 (i) the time provided in Section 20A-3-305 or 20A-16-403; or

1992 (ii) the time that absentee ballots are prepared for mailing under this section.

1993 [~~(10)~~] (9) Section 20A-7-402 does not apply to a referendum described in this section.

1994 [~~(11)~~] (10) (a) If a majority of voters does not vote against imposing the tax at a rate
1995 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing
1996 entity's legislative body:

1997 (i) the certified tax rate for the fiscal year during which the referendum petition is filed
1998 is its most recent certified tax rate; and

1999 (ii) the proposed increased revenues for purposes of establishing the certified tax rate
2000 for the fiscal year after the fiscal year described in Subsection [~~(11)~~] (10)(a)(i) are the proposed
2001 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body
2002 before the filing of the referendum petition.

2003 (b) If a majority of voters votes against imposing a tax at the rate established by the
2004 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the
2005 taxing entity's most recent certified tax rate.

2006 (c) If the tax rate is set in accordance with Subsection [~~(11)~~] (10)(a)(ii), a taxing entity
2007 is not required to comply with the notice and public hearing requirements of Section 59-2-919
2008 if the taxing entity complies with those notice and public hearing requirements before the
2009 referendum petition is filed.

2010 [~~(12)~~] (11) The ballot title shall, at a minimum, include in substantially this form the
2011 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount
2012 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as
2013 budgeted, adopted, and approved by the [name of the taxing entity]".

2014 [~~(13)~~] (12) A taxing entity shall pay the county the costs incurred by the county that are
2015 directly related to meeting the requirements of this section and that the county would not have
2016 incurred but for compliance with this section.

2017 [~~(14)~~] (13) (a) An election officer shall include on a ballot a referendum that has not
2018 yet qualified for placement on the ballot, if:

2019 (i) sponsors file an application for a referendum described in this section;

2020 (ii) the ballot will be used for the election for which the sponsors are attempting to
2021 qualify the referendum; and

2022 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after
2023 the day on which the ballot will be printed.

2024 (b) If an election officer includes on a ballot a referendum described in Subsection
2025 [~~(14)~~] (13)(a), the ballot title shall comply with Subsection [~~(12)~~] (11).

2026 (c) If an election officer includes on a ballot a referendum described in Subsection
2027 [~~(14)~~] (13)(a) that does not qualify for placement on the ballot, the election officer shall inform
2028 the voters by any practicable method that the referendum has not qualified for the ballot and
2029 that votes cast in relation to the referendum will not be counted.

2030 Section 38. Section 20A-11-1202 is amended to read:

2031 **20A-11-1202. Definitions.**

2032 As used in this part:

2033 (1) "Applicable election officer" means:

2034 (a) a county clerk, if the email relates only to a local election; or

2035 (b) the lieutenant governor, if the email relates to an election other than a local
2036 election.

2037 (2) "Ballot proposition" means constitutional amendments, initiatives, referenda,
2038 judicial retention questions, opinion questions, bond approvals, or other questions submitted to
2039 the voters for their approval or rejection.

2040 (3) "Campaign contribution" means any of the following when done for a political

2041 purpose or to advocate for or against a ballot proposition:

2042 (a) a gift, subscription, donation, loan, advance, deposit of money, or anything of value
2043 given to a filing entity;

2044 (b) an express, legally enforceable contract, promise, or agreement to make a gift,
2045 subscription, donation, unpaid or partially unpaid loan, advance, deposit of money, or anything
2046 of value to a filing entity;

2047 (c) any transfer of funds from another reporting entity to a filing entity;

2048 (d) compensation paid by any person or reporting entity other than the filing entity for
2049 personal services provided without charge to the filing entity;

2050 (e) remuneration from:

2051 (i) any organization or the organization's directly affiliated organization that has a
2052 registered lobbyist; or

2053 (ii) any agency or subdivision of the state, including a school district; or

2054 (f) an in-kind contribution.

2055 (4) (a) "Commercial interlocal cooperation agency" means an interlocal cooperation
2056 agency that receives its revenues from conduct of its commercial operations.

2057 (b) "Commercial interlocal cooperation agency" does not mean an interlocal
2058 cooperation agency that receives some or all of its revenues from:

2059 (i) government appropriations;

2060 (ii) taxes;

2061 (iii) government fees imposed for regulatory or revenue raising purposes; or

2062 (iv) interest earned on public funds or other returns on investment of public funds.

2063 (5) "Expenditure" means:

2064 (a) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,
2065 or anything of value;

2066 (b) an express, legally enforceable contract, promise, or agreement to make any
2067 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of
2068 value;

2069 (c) a transfer of funds between a public entity and a candidate's personal campaign
2070 committee;

2071 (d) a transfer of funds between a public entity and a political issues committee; or

2072 (e) goods or services provided to or for the benefit of a candidate, a candidate's
2073 personal campaign committee, or a political issues committee for political purposes at less than
2074 fair market value.

2075 (6) "Filing entity" means the same as that term is defined in Section [20A-11-101](#).

2076 (7) "Governmental interlocal cooperation agency" means an interlocal cooperation
2077 agency that receives some or all of its revenues from:

2078 (a) government appropriations;

2079 (b) taxes;

2080 (c) government fees imposed for regulatory or revenue raising purposes; or

2081 (d) interest earned on public funds or other returns on investment of public funds.

2082 (8) ~~(a)~~ "Influence" means to campaign or advocate for or against a ballot proposition.

2083 ~~[(b) "Influence" does not mean providing a brief statement about a public entity's~~
2084 ~~position on a ballot proposition and the reason for that position.]~~

2085 (9) "Interlocal cooperation agency" means an entity created by interlocal agreement
2086 under the authority of Title 11, Chapter 13, Interlocal Cooperation Act.

2087 (10) "Local district" means an entity under Title 17B, Limited Purpose Local
2088 Government Entities - Local Districts, and includes a special service district under Title 17D,
2089 Chapter 1, Special Service District Act.

2090 (11) "Political purposes" means an act done with the intent or in a way to influence or
2091 intend to influence, directly or indirectly, any person to refrain from voting or to vote for or
2092 against any:

2093 (a) candidate for public office at any caucus, political convention, primary, or election;

2094 or

2095 (b) judge standing for retention at any election.

2096 (12) "Proposed initiative" means an initiative proposed in an application filed under
2097 Section [20A-7-202](#) or [20A-7-502](#).

2098 (13) "Proposed referendum" means a referendum proposed in an application filed
2099 under Section [20A-7-302](#) or [20A-7-602](#).

2100 ~~[(12)]~~ (14) (a) "Public entity" includes the state, each state agency, each county,
2101 municipality, school district, local district, governmental interlocal cooperation agency, and
2102 each administrative subunit of each of them.

2103 (b) "Public entity" does not include a commercial interlocal cooperation agency.

2104 (c) "Public entity" includes local health departments created under Title 26, Chapter 1,
2105 Department of Health Organization.

2106 [~~(13)~~] (15) (a) "Public funds" means any money received by a public entity from
2107 appropriations, taxes, fees, interest, or other returns on investment.

2108 (b) "Public funds" does not include money donated to a public entity by a person or
2109 entity.

2110 [~~(14)~~] (16) (a) "Public official" means an elected or appointed member of government
2111 with authority to make or determine public policy.

2112 (b) "Public official" includes the person or group that:

2113 (i) has supervisory authority over the personnel and affairs of a public entity; and

2114 (ii) approves the expenditure of funds for the public entity.

2115 [~~(15)~~] (17) "Reporting entity" means the same as that term is defined in Section
2116 20A-11-101.

2117 [~~(16)~~] (18) (a) "State agency" means each department, commission, board, council,
2118 agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory,
2119 library, unit, bureau, panel, or other administrative unit of the state.

2120 (b) "State agency" includes the legislative branch, the Board of Regents, the
2121 institutional councils of each higher education institution, and each higher education
2122 institution.

2123 Section 39. Section 20A-11-1203 is amended to read:

2124 **20A-11-1203. Public entity prohibited from expending public funds on certain**
2125 **electoral matters.**

2126 (1) Unless specifically required by law, and except as provided in Section
2127 20A-11-1206, a public entity may not make an expenditure from public funds for political
2128 purposes [or], to influence a ballot proposition, or to influence a proposed initiative or
2129 proposed referendum.

2130 (2) A violation of this section does not invalidate an otherwise valid election.

2131 (3) This section does not prohibit the reasonable expenditure of public funds to gather
2132 information for, and respond directly to, an individual who makes an inquiry regarding a ballot
2133 proposition, a proposed initiative, or a proposed referendum.

- 2134 (4) This section does not prohibit:
2135 (a) a public entity from conducting research, or collecting and compiling information
2136 or arguments in relation to a ballot proposition, a proposed initiative, or proposed referendum;
2137 (b) an elected or appointed official of the public entity described in Subsection (4)(a)
2138 from using the research, information, or arguments described in Subsection (4)(a) for the
2139 purpose of advocating for or against a ballot proposition, proposed initiative, or proposed
2140 referendum via a website or another medium not owned or controlled by the public entity if the
2141 public official using the research, information, or arguments described in Subsection (4)(a):
2142 (i) provides at least seven days written notice to the sponsors of the ballot proposition,
2143 proposed initiative, or proposed referendum of the elected or appointed official's intent to use
2144 the research, information, or arguments described in Subsection (4)(a) for the purpose
2145 described in this Subsection (4)(b); and
2146 (ii) permits the sponsors equal access to the website or other means used by the elected
2147 or appointed official for the sponsors to advocate for or against the ballot proposition, proposed
2148 initiative, or proposed referendum.

2149 Section 40. Section **20A-11-1205** is amended to read:

2150 **20A-11-1205. Use of public email for a political purpose.**

2151 (1) Except as provided in Subsection (5), a person may not send an email using the
2152 email of a public entity:

2153 (a) for a political purpose;

2154 (b) to advocate for or against a [~~ballot proposition~~] proposed initiative, initiative,
2155 proposed referendum, or referendum; or

2156 (c) to solicit a campaign contribution.

2157 (2) (a) The [~~applicable election officer shall~~] lieutenant governor shall, after giving the
2158 person and the complainant notice and opportunity to be heard, impose a civil fine against a
2159 person who violates Subsection (1) as follows:

2160 [~~(a)~~] (i) up to \$250 for a first violation; and

2161 [~~(b)~~] (ii) except as provided in Subsection (3), for each subsequent violation committed
2162 after any applicable election officer imposes a fine against the person for a first violation,
2163 \$1,000 multiplied by the number of violations committed by the person.

2164 (b) A person may, within five days after the day on which the lieutenant governor

2165 imposes a fine against the person under this Subsection (2), appeal the fine to a district court.

2166 (3) The applicable election officer shall consider a violation of this section as a first
2167 violation if the violation is committed more than seven years after the day on which the person
2168 last committed a violation of this section.

2169 (4) For purposes of this section, one violation means one act of sending an email,
2170 regardless of the number of recipients of the email.

2171 (5) A person does not violate this section if:

2172 (a) the lieutenant governor finds that the email described in Subsection (1) was
2173 inadvertently sent by the person [~~described in Subsection (1);~~] using the email of a public
2174 entity[-];

2175 (b) the person is directly providing information solely to another person or a group of
2176 people in response to a question asked by the other person or group of people;

2177 (c) the information the person emails is an argument or rebuttal argument prepared
2178 under Section [20A-7-401.5](#) or [20A-7-402](#), and the email includes each opposing argument and
2179 rebuttal argument that:

2180 (i) relates to the same proposed initiative, initiative, proposed referendum, or
2181 referendum; and

2182 (ii) complies with the requirements of Section [20A-7-401.5](#) or [20A-7-402](#); or

2183 (d) the person is engaging in an internal communication involving a public official or
2184 staff regarding the preparation of:

2185 (i) a written argument described in Section [20A-7-401.5](#);

2186 (ii) a written rebuttal argument described in Section [20A-7-402](#); or

2187 (iii) an initial fiscal and legal impact estimate described in Section [20A-7-502.5](#) or
2188 [20A-7-602.5](#).

2189 (6) A violation of this section does not invalidate an otherwise valid election.

2190 (7) An email sent in violation of Subsection (1), as determined by the records officer,
2191 constitutes a record, as defined in Section [63G-2-103](#), that is subject to the provisions of Title
2192 [63G](#), Chapter 2, Government Records Access and Management Act, notwithstanding any
2193 applicability of Subsection [63G-2-103](#)(22)(b)(i).

2194 Section 41. Section **20A-11-1206** is amended to read:

2195 **20A-11-1206. Exclusions.**

2196 (1) Nothing in this chapter prohibits a public official from speaking, campaigning,
2197 contributing personal money, or otherwise exercising the public official's individual First
2198 Amendment rights for political purposes.

2199 (2) (a) [Nothing] Subject to Subsection (2)(b), nothing in this chapter prohibits a public
2200 entity from providing factual information about a ballot proposition to the public, so long as the
2201 information grants equal access to both the opponents and proponents of the ballot proposition.

2202 (b) A county or municipality may not provide any information to the public about a
2203 proposed initiative, initiative, proposed referendum, or referendum unless the county or
2204 municipality:

2205 (i) provides the information in a manner required, or expressly permitted, by law; or

2206 (ii) is directly providing information solely to a person or a group of people in response
2207 to a question asked by the person or group of people.

2208 (3) Nothing in this chapter prohibits a public entity from the neutral encouragement of
2209 voters to vote.

2210 (4) Nothing in this chapter prohibits an elected official from campaigning or
2211 advocating for or against a ballot proposition.

2212 (5) Subject to Subsection (6), a county or municipality may expend a reasonable
2213 amount of public funds to:

2214 (a) prepare and publish a written argument or written rebuttal argument in accordance
2215 with Section [20A-7-401.5](#), [20A-7-402](#), or [59-1-1604](#); or

2216 (b) prepare an argument for, and present an argument at, a public meeting under
2217 Section [20A-7-405](#) or [59-1-1605](#).

2218 (6) A county or municipality may not:

2219 (a) publish an argument or rebuttal argument prepared under Section [20A-7-401.5](#) or
2220 [20A-7-402](#), unless, at the same time and in the same manner, the county or municipality
2221 publishes each opposing argument and rebuttal argument that:

2222 (i) relates to the same proposed initiative, initiative, proposed referendum, or
2223 referendum; and

2224 (ii) complies with the requirements of Section [20A-7-401.5](#) or [20A-7-402](#);

2225 (b) publish an argument or rebuttal argument for or against a proposed initiative,
2226 initiative, proposed referendum, or referendum that was not prepared and submitted in

2227 accordance with Section 20A-7-401.5 or 20A-7-402; or

2228 (c) present an argument or rebuttal argument for or against a proposed initiative,
2229 initiative, proposed referendum, or referendum at a public meeting, unless the county or
2230 municipality provides equal opportunity for persons to present opposing arguments and rebuttal
2231 arguments at the public meeting.

2232 Section 42. Section **63I-2-220** is amended to read:

2233 **63I-2-220. Repeal dates, Title 20A.**

2234 (1) Subsection 20A-5-803(8) is repealed July 1, 2023.

2235 (2) Section 20A-5-804 is repealed July 1, 2023.

2236 (3) On January 1, 2019, Subsections 20A-6-107(2) and (4) are repealed and the
2237 remaining subsections, and references to those subsections, are renumbered accordingly.

2238 (4) On July 1, 2018, in Subsection 20A-11-101(21), the language that states "
2239 10-2a-302," is repealed.

2240 (5) On January 1, 2026:

2241 (a) In Subsection 20A-1-102[(23)] (22)(a), the language that states "or Title 20A,
2242 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

2243 (b) In Subsections 20A-1-303(1)(a) and (b), the language that states "Except as
2244 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
2245 repealed.

2246 (c) In Section 20A-1-304, the language that states "Except for a race conducted by
2247 instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods
2248 Pilot Project," is repealed.

2249 (d) In Subsection 20A-3-105(1)(a), the language that states "Except as provided in
2250 Subsection (5)," is repealed.

2251 (e) In Subsections 20A-3-105(1)(b), (3)(b), and (4)(b), the language that states "Except
2252 as provided in Subsections (5) and (6)," is repealed.

2253 (f) In Subsections 20A-3-105(2)(a)(i), (3)(a), and (4)(a), the language that states
2254 "Subject to Subsection (5)," is repealed.

2255 (g) Subsection 20A-3-105(5) is repealed and the remaining subsections in Section
2256 20A-3-105 are renumbered accordingly.

2257 (h) In Subsection 20A-4-101(2)(c), the language that states "Except as provided in

2258 Subsection (2)(f)," is repealed.

2259 (i) Subsection 20A-4-101(2)(f) is repealed.

2260 (j) Subsection 20A-4-101[~~(4)~~] (3) is repealed and replaced with the following:

2261 "[~~(4)~~] (3) To resolve questions that arise during the counting of ballots, a counting
2262 judge shall apply the standards and requirements of Section 20A-4-105."

2263 (k) In Subsection 20A-4-102(1)(a), the language that states "or a rule made under
2264 Subsection 20A-4-101(2)(f)(i)" is repealed.

2265 (l) Subsection 20A-4-102(1)(b) is repealed and replaced with the following:

2266 "(b) To resolve questions that arise during the counting of ballots, a counting judge
2267 shall apply the standards and requirements of Section 20A-4-105."

2268 (m) In Subsection 20A-4-102(6)(a), the language that states ", except as provided in
2269 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made
2270 under Subsection 20A-4-101(2)(f)(i)" is repealed.

2271 (n) In Subsection 20A-4-105(1)(a), the language that states ", except as otherwise
2272 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
2273 repealed.

2274 (o) In Subsection 20A-4-105(2), the language that states "Subsection 20A-3-105(5), or
2275 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

2276 (p) In Subsections 20A-4-105(3), (5), and (12), the language that states "Except as
2277 otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot
2278 Project," is repealed.

2279 (q) In Subsection 20A-4-106(1)(a)(ii), the language that states "or Title 20A, Chapter
2280 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

2281 (r) In Subsection 20A-4-304(1)(a), the language that states "except as provided in Title
2282 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

2283 (s) Subsection 20A-4-304(2)(a)(v) is repealed and replaced with the following:

2284 "(v) from each voting precinct:

2285 (A) the number of votes for each candidate; and

2286 (B) the number of votes for and against each ballot proposition;"

2287 (t) Subsection 20A-4-401(1)(a) is repealed, the remaining subsections in Subsection (1)
2288 are renumbered accordingly, and the cross-references to those subsections are renumbered

2289 accordingly.

2290 (u) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is
2291 repealed.

2292 (v) Subsection [20A-5-404](#)(3)(b) is repealed and the remaining subsections in
2293 Subsection (3) are renumbered accordingly.

2294 (w) Subsection [20A-5-404](#)(4)(b) is repealed and the remaining subsections in
2295 Subsection (4) are renumbered accordingly.

2296 (x) Section [20A-6-203.5](#) is repealed.

2297 (y) In Subsections [20A-6-402](#)(1), (2), (3), and (4), the language that states "Except as
2298 otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter 4,
2299 Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

2300 (z) In Subsection [20A-9-404](#)(1)(a), the language that states "or Title 20A, Chapter 4,
2301 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

2302 (aa) In Subsection [20A-9-404](#)(2), the language that states "Except as otherwise
2303 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is
2304 repealed.

2305 (6) Section [20A-7-407](#) is repealed January 1, 2021.

2306 Section 43. **Revisor instructions.**

2307 The Legislature intends that the Office of Legislative Research and General Counsel, in
2308 preparing the Utah Code database for publication, replace the reference in Subsection

2309 [20A-7-407](#)(1)(b) from "this bill" to the bill's designated chapter number in the Laws of Utah.