

**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: Curtis S. Bramble

---

---

**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           This bill provides a coordination clause.

49 **Utah Code Sections Affected:**

50 AMENDS:

51           **11-14-301**, as last amended by Laws of Utah 2018, Chapter 284

52           **20A-7-101**, as last amended by Laws of Utah 2017, Chapter 291

53           **20A-7-402**, as last amended by Laws of Utah 2017, Chapters 91, 147, and 291

54           **20A-7-501**, as last amended by Laws of Utah 2016, Chapter 176

55           **20A-7-502**, as last amended by Laws of Utah 2017, Chapter 291

56           **20A-7-502.5**, as last amended by Laws of Utah 2017, Chapter 291

- 57 [20A-7-504](#), as last amended by Laws of Utah 2016, Chapter 365
- 58 [20A-7-505](#), as last amended by Laws of Utah 2012, Chapter 72
- 59 [20A-7-506](#), as last amended by Laws of Utah 2012, Chapter 72
- 60 [20A-7-506.3](#), as last amended by Laws of Utah 2011, Chapter 17
- 61 [20A-7-507](#), as last amended by Laws of Utah 2011, Chapter 17
- 62 [20A-7-508](#), as last amended by Laws of Utah 2017, Chapter 291
- 63 [20A-7-509](#), as last amended by Laws of Utah 2009, Chapter 202
- 64 [20A-7-510](#), as last amended by Laws of Utah 2010, Chapter 367
- 65 [20A-7-512](#), as last amended by Laws of Utah 2013, Chapter 253
- 66 [20A-7-513](#), as last amended by Laws of Utah 2017, Chapter 291
- 67 [20A-7-601](#), as last amended by Laws of Utah 2016, Chapter 365
- 68 [20A-7-602](#), as last amended by Laws of Utah 2016, Chapter 365
- 69 [20A-7-602.5](#), as enacted by Laws of Utah 2014, Chapter 364
- 70 [20A-7-603](#), as last amended by Laws of Utah 2016, Chapter 365
- 71 [20A-7-604](#), as last amended by Laws of Utah 2016, Chapter 365
- 72 [20A-7-605](#), as last amended by Laws of Utah 2012, Chapter 72
- 73 [20A-7-606.3](#), as last amended by Laws of Utah 2011, Chapter 17
- 74 [20A-7-607](#), as last amended by Laws of Utah 2014, Chapter 396
- 75 [20A-7-608](#), as last amended by Laws of Utah 2008, Chapter 315
- 76 [20A-7-609.5](#), as enacted by Laws of Utah 2014, Chapter 396
- 77 [20A-7-610](#), as last amended by Laws of Utah 2010, Chapter 367
- 78 [20A-7-612](#), as last amended by Laws of Utah 2001, Chapter 20
- 79 [20A-7-613](#), as last amended by Laws of Utah 2016, Chapters 350, 365, and 367
- 80 [20A-11-1202](#), as last amended by Laws of Utah 2017, Chapter 68
- 81 [20A-11-1203](#), as last amended by Laws of Utah 2015, Chapter 435
- 82 [20A-11-1205](#), as last amended by Laws of Utah 2018, Chapter 44
- 83 [20A-11-1206](#), as enacted by Laws of Utah 2015, Chapter 435
- 84 [63I-2-220](#), as last amended by Laws of Utah 2018, Chapters 187 and 458
- 85 ENACTS:
- 86 [20A-7-401.3](#), Utah Code Annotated 1953
- 87 [20A-7-401.5](#), Utah Code Annotated 1953

- 88 [20A-7-405](#), Utah Code Annotated 1953
- 89 [20A-7-406](#), Utah Code Annotated 1953
- 90 [20A-7-407](#), Utah Code Annotated 1953
- 91 [20A-7-502.7](#), Utah Code Annotated 1953
- 92 [20A-7-602.7](#), Utah Code Annotated 1953
- 93 [20A-7-602.8](#), Utah Code Annotated 1953

94 **Utah Code Sections Affected by Revisor Instructions:**

- 95 [20A-7-407](#), Utah Code Annotated 1953

96 **Utah Code Sections Affected by Coordination Clause:**

- 97 [20A-7-402](#), as last amended by Laws of Utah 2017, Chapters 91, 147, and 291



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

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

101 **11-14-301. Issuance of bonds by governing body -- Computation of indebtedness**  
102 **under constitutional and statutory limitations.**

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

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

109 (b) The 10-year period described in Subsection (2)(a) is tolled if, at any time during the  
110 10-year period:

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

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

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

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

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

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

123 (c) ~~[A]~~ For a bond described in this section that is approved by voters on or after May  
124 8, 2002, but before May 14, 2019, a tolling period described in Subsection (2)(b)(i) ends on the  
125 later of the day on which:

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

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

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

133 (d) For a bond described in this section that was approved by voters on or after May  
134 14, 2019, a tolling period described in Subsection (2)(b)(i) ends:

135 (i) if a county, city, town, metro township, or court determines, under Section  
136 [20A-7-602.7](#), that the proposed referendum is not legally referable to voters, the later of:

137 (A) the day on which the county, city, town, or metro township provides the notice  
138 described in Subsection [20A-7-602.7\(1\)\(b\)\(ii\)](#); or

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

141 (ii) if a county, city, town, metro township, or court determines, under Section  
142 [20A-7-602.7](#), that the proposed referendum is legally referable to voters, the later of:

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

145 or

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

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

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

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

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

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

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

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

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

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

178           (5) Where bonds are issued by a city, town, or county payable solely from revenues  
179 derived from the operation of revenue-producing facilities of the city, town, or county, or  
180 payable solely from a special fund into which are deposited excise taxes levied and collected by

181 the city, town, or county, or excise taxes levied by the state and rebated pursuant to law to the  
182 city, town, or county, or any combination of those excise taxes, the bonds shall be included as  
183 bonded indebtedness of the city, town, or county only to the extent required by the Utah  
184 Constitution, and any bonds not so required to be included as bonded indebtedness of the city,  
185 town, or county need not be authorized at an election, except as otherwise provided by the Utah  
186 Constitution, the bonds being hereby expressly excluded from the election requirement of  
187 Section 11-14-201.

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

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

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

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

198 **20A-7-101. Definitions.**

199 As used in this chapter:

200 (1) "Budget officer" means:

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

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

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

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

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

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

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

212 (5) "Final fiscal impact statement" means a financial statement prepared after voters  
213 approve an initiative that contains the information required by Subsection [20A-7-202.5\(2\)](#) or  
214 [20A-7-502.5\(2\)](#).

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

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

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

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

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

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

228 (b) "Land use law" does not include a land use decision, as defined in Section  
229 [10-9a-103](#) or [17-27a-103](#).

230 [~~9~~] (10) "Legal signatures" means the number of signatures of legal voters that:

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

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

233 [~~10~~] (11) "Legal voter" means a person who:

234 (a) is registered to vote; or

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

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

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

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

242 [~~H~~] (13) "Local attorney" means the county attorney, city attorney, or town attorney



243 in whose jurisdiction a local initiative or referendum petition is circulated.

244 ~~[(12)]~~ (14) "Local clerk" means the county clerk, city recorder, or town clerk in whose  
245 jurisdiction a local initiative or referendum petition is circulated.

246 ~~[(13)]~~ (15) (a) "Local law" includes:

247 (i) an ordinance;

248 (ii) a resolution;

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

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

251 (iii) a land use law; or

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

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

254 ~~[(14)]~~ (16) "Local legislative body" means the legislative body of a county, city, town,  
255 or metro township.

256 ~~[(15)]~~ (17) "Local obligation law" means a local law passed by the local legislative  
257 body regarding a bond that was approved by a majority of qualified voters in an election.

258 ~~[(16)]~~ (18) "Local tax law" means a law, passed by a political subdivision with an  
259 annual or biannual calendar fiscal year, that increases a tax or imposes a new tax.

260 ~~[(17)]~~ (19) "Measure" means a proposed constitutional amendment, an initiative, or  
261 referendum.

262 ~~[(18)]~~ (20) "Referendum" means a process by which a law passed by the Legislature or  
263 by a local legislative body is submitted or referred to the voters for their approval or rejection.

264 ~~[(19)]~~ (21) "Referendum packet" means a copy of the referendum petition, a copy of  
265 the law being submitted or referred to the voters for their approval or rejection, and the  
266 signature sheets, all of which have been bound together as a unit.

267 ~~[(20)]~~ (22) (a) "Signature" means a holographic signature.

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

269 ~~[(21)]~~ (23) "Signature sheets" means sheets in the form required by this chapter that are  
270 used to collect signatures in support of an initiative or referendum.

271 (24) "Special local ballot proposition" means a local ballot proposition that is not a  
272 standard local ballot proposition.

273 ~~[(22)]~~ (25) "Sponsors" means the legal voters who support the initiative or referendum

274 and who sign the application for petition copies.

275 (26) (a) "Standard local ballot proposition" means a local ballot proposition for an  
276 initiative or a referendum.

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

279 ~~[(23)]~~ (27) "Sufficient" means that the signatures submitted in support of an initiative  
280 or referendum petition have been certified and verified as required by this chapter.

281 ~~[(24)]~~ (28) "Tax percentage difference" means the difference between the tax rate  
282 proposed by an initiative or an initiative petition and the current tax rate.

283 ~~[(25)]~~ (29) "Tax percentage increase" means a number calculated by dividing the tax  
284 percentage difference by the current tax rate and rounding the result to the nearest thousandth.

285 ~~[(26)]~~ (30) "Verified" means acknowledged by the person circulating the petition as  
286 required in Sections 20A-7-205 and 20A-7-305.

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

288 **20A-7-401.3. Voter participation areas.**

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

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

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

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

302 (2) (a) This section does not apply to a metro township with a population of less than  
303 10,000, a county of the fifth or sixth class, a city of the fifth class, or a town.

304 (b) A metro township, city, or county that has established council districts that are not

305 at-large districts may, regardless of the number of council districts that are not at-large districts,  
306 use the council districts as voter participation areas under this section.

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

308 **20A-7-401.5. Proposition information pamphlet.**

309 (1) (a) (i) Within 15 days after the day on which an eligible voter files an application to  
310 circulate an initiative petition under Section [20A-7-502](#) or an application to circulate a  
311 referendum petition under Section [20A-7-602](#):

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

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

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

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

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

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

335 (e) The author of a written argument described in Subsection (1)(a)(i)(B) submitted by

336 a county or municipality may submit a revised version of the written argument to the county's  
337 or municipality's election officer within 20 days after the day on which the eligible voter files  
338 an application to circulate an initiative petition under Section [20A-7-502](#) or an application to  
339 circulate a referendum petition under Section [20A-7-602](#).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

365 (4) (a) A proposition information pamphlet is a draft for purposes of Title 63G,  
366 Chapter 2, Government Records Access and Management Act, until the earlier of when the

367 election officer:

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

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

370 (b) Within 21 days after the day on which the eligible voter files an application to

371 circulate an initiative petition under Section 20A-7-502, or an application to circulate a

372 referendum petition under Section 20A-7-602, the election officer shall provide a copy of the

373 proposition information pamphlet to the sponsors of the initiative or referendum and each

374 individual who submitted an argument included in the proposition information pamphlet.

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

377 (a) within the later of 10 days after the day on which the municipality or a court

378 determines that the proposed initiative or referendum is legally referable to voters, or, if the

379 election officer modifies an argument under Subsection (2)(c), three days after the day on

380 which the election officer and the person that submitted the argument agree on the

381 modification:

382 (i) by sending the proposition information pamphlet electronically to each individual in

383 the municipality for whom the municipality has an email address, unless the individual has

384 indicated that the municipality is prohibited from using the individual's email address for that

385 purpose; and

386 (ii) by posting the proposition information pamphlet on the Utah Public Notice

387 Website, created in Section 63F-1-701, and the home page of the municipality's website, if the

388 municipality has a website, until:

389 (A) if the sponsors of the proposed initiative or referendum do not timely deliver any

390 verified initiative packets under Section 20A-7-506 or any verified referendum packets under

391 Section 20A-7-606, the day after the date of the deadline for delivery of the verified initiative

392 packets or verified referendum packets;

393 (B) the local clerk determines, under Section 20A-7-507 or 20A-7-607, that the

394 number of signatures necessary to qualify the proposed initiative or referendum for placement

395 on the ballot is insufficient and the determination is not timely appealed or is upheld after

396 appeal; or

397 (C) the day after the date of the election at which the proposed initiative or referendum

398 appears on the ballot; and

399 (b) if the municipality regularly mails a newsletter, utility bill, or other material to the  
400 municipality's residents, including an Internet address, where a resident may view the  
401 proposition information pamphlet, in the next mailing, for which the municipality has not  
402 begun preparation, that falls on or after the later of:

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

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

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

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

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

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

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

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

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

427 **20A-7-402. Local voter information pamphlet -- Contents -- Limitations --**  
428 **Preparation -- Statement on front cover.**

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

431 ~~[(2) The arguments for or against a ballot proposition shall conform to the~~  
432 ~~requirements of this section.]~~

433 ~~[(3)]~~ (2) (a) Within the time requirements described in Subsection ~~[(3)]~~ (2)(c)(i), a  
434 municipality that is subject to a special local ballot proposition shall provide a notice that  
435 complies with the requirements of Subsection ~~[(3)]~~ (2)(c)(ii) to the municipality's residents by:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

459 (ii) ensure that the notice contains:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

493 [(†)] (h) An election officer shall refuse to accept and publish an argument that is  
494 submitted after the deadline described in Subsection [~~(3)(h)~~] (2)(g)(iii).

495 [(4)] (3) (a) An election officer who timely receives the written arguments in favor of  
496 and against a special local ballot proposition shall, within one business day after the day on  
497 which the election office receives both written arguments, send, via mail or email:

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

501 (ii) a copy of the written argument against the special local ballot proposition to the  
502 eligible voter who submitted the written argument in favor of the special local ballot  
503 proposition.

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

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

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

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

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

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

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

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

520 (d) An election officer shall refuse to accept and publish a written rebuttal argument in  
521 relation to a special local ballot proposition that is submitted after the deadline described in

522 Subsection [~~(4)~~] (3)(b)(iii) or [~~(4)~~] (3)(c)(iii).

523 [~~(5)~~] (4) (a) Except as provided in Subsection [~~(5)~~] (4)(b), in relation to a special local  
524 ballot proposition:

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

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

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

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

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

536 (c) An election officer shall refuse to accept and publish [~~an~~] a written argument or  
537 written rebuttal argument in relation to a special local ballot proposition if the eligible voter  
538 who submits the written argument or written rebuttal argument fails to negotiate, in good faith,  
539 to modify the written argument or written rebuttal argument in accordance with Subsection  
540 [~~(5)~~] (4)(b).

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

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

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

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

552 (c) shall submit the written rebuttal argument no later than 45 days before the election

553 day on which the standard local ballot proposition will be submitted to the voters.

554 (7) (a) A county or municipality that submitted a written argument against a standard  
555 local ballot proposition that is included in a proposition information pamphlet under Section  
556 20A-7-401.5:

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

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

561 and

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

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

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

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

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

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

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

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

583 (ii) reduce the number of words to come into compliance with the requirements of this

584 section.

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

587 (i) fails to negotiate, in good faith, to modify the written rebuttal argument in

588 accordance with Subsection (9)(b); or

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

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

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

596 [~~(7)~~] (11) (a) The local voter information pamphlet shall include a copy of the initial  
597 fiscal impact estimate and the legal impact statement prepared for each initiative under Section  
598 [20A-7-502.5](#).

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

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

604 [~~(8)~~] (12) (a) In preparing the local voter information pamphlet, the election officer  
605 shall:

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

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

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

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

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

615 (A) a voter information pamphlet; or

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

617 (b) (i) If the ~~[proposed measure]~~ language of the ballot proposition exceeds 500 words  
618 in length, the election officer may summarize the ~~[measure]~~ ballot proposition in 500 words or  
619 less.

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

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

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

626 (A) the address of the Statewide Electronic Voter Information Website authorized by  
627 Section [20A-7-801](#); and

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

630 Section 6. Section [20A-7-405](#) is enacted to read:

631 **[20A-7-405. Public meeting.](#)**

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

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

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

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

642 (c) holds the public meeting:

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

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

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

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

649 **20A-7-406. Informational materials.**

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

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

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

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

657 **20A-7-407. Applicability of statute to pending processes.**

658 (1) If a local initiative or local referendum process is pending as described in  
659 Subsection (2), that local initiative or local referendum process:

660 (a) is subject to the provisions of law that were in effect on May 13, 2019; and  
661 (b) is not subject to the provisions of this bill.

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

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

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

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

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

670 **20A-7-501. Initiatives -- Signature requirements -- Time requirements.**

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

674 ~~[(i) 10% 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 exceeds 25,000;]~~

677 ~~[(ii) 12-1/2% of all the votes cast in the county, city, town, or metro township for all~~  
678 ~~candidates for President of the United States at the last election at which a President of the~~  
679 ~~United States was elected if the total number of votes does not exceed 25,000 but is more than~~  
680 ~~10,000;]~~

681 ~~[(iii) 15% of all the votes cast in the county, city, town, or metro township for all~~  
682 ~~candidates for President of the United States at the last election at which a President of the~~  
683 ~~United States was elected if the total number of votes does not exceed 10,000 but is more than~~  
684 ~~2,500;]~~

685 ~~[(iv) 20% of all the votes cast in the county, city, town, or metro township for all~~  
686 ~~candidates for President of the United States at the last election at which a President of the~~  
687 ~~United States was elected if the total number of votes does not exceed 2,500 but is more than~~  
688 ~~500;]~~

689 ~~[(v) 25% of all the votes cast in the county, city, town, or metro township for all~~  
690 ~~candidates for President of the United States at the last election at which a President of the~~  
691 ~~United States was elected if the total number of votes does not exceed 500 but is more than~~  
692 ~~250; and]~~

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

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

701 (1) As used in this section:

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

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

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

- 708           (a) for a county of the first class:  
709           (i) 7.75% of the number of active voters in the county; and  
710           (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%  
711 of the county's voter participation areas;  
712           (b) for a metro township with a population of 100,000 or more, or a city of the first  
713 class:  
714           (i) 7.5% of the number of active voters in the metro township or city; and  
715           (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%  
716 of the metro township's or city's voter participation areas;  
717           (c) for a county of the second class:  
718           (i) 8% of the number of active voters in the county; and  
719           (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of  
720 the county's voter participation areas;  
721           (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
722 a city of the second class:  
723           (i) 8.25% of the number of active voters in the metro township or city; and  
724           (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%  
725 of the metro township's or city's voter participation areas;  
726           (e) for a county of the third class:  
727           (i) 9.5% of the number of active voters in the county; and  
728           (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%  
729 of the county's voter participation areas;  
730           (f) for a metro township with a population of 30,000 or more but less than 65,000, or a  
731 city of the third class:  
732           (i) 10% of the number of active voters in the metro township or city; and  
733           (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%  
734 of the metro township's or city's voter participation areas;  
735           (g) for a county of the fourth class:  
736           (i) 11.5% of the number of active voters in the county; and  
737           (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%  
738 of the county's voter participation areas;



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

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

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

744 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city  
745 of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro  
746 township, city, or county; or

747 (j) for a metro township with a population of less than 1,000, a town, or a county of the  
748 sixth class, 35% of the number of active voters in the metro township, town, or county.

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

753 ~~[(3)]~~ (4) (a) The local legislative body shall either adopt or reject the proposed law  
754 without change or amendment within 30 days ~~[of receipt of]~~ after the day on which the local  
755 legislative body receives the proposed law under Subsection (3).

756 (b) The local legislative body may:

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

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

759 (iii) reject the proposed law.

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

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

767 (ii) If a local legislative body of a municipality rejects a proposed ~~[municipal ordinance~~  
768 ~~or amendment]~~ law, or takes no action on ~~[it]~~ a proposed law, the municipal recorder or clerk  
769 shall submit ~~[it]~~ the proposed law to the voters of the municipality at the next municipal

770 general election immediately after the petition is filed under Section [20A-7-502](#).

771 (e) (i) If ~~[the]~~ a local legislative body rejects ~~[the]~~ a proposed ~~[ordinance or~~  
772 ~~amendment]~~ law, or takes no action on ~~[it]~~ a proposed law, the local legislative body may adopt  
773 a competing local law.

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

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

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

783 Section 10. Section [20A-7-502](#) is amended to read:

784 **[20A-7-502. Local initiative process -- Application procedures.](#)**

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

787 (2) The application shall contain:

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

789 (b) a statement indicating that each of the sponsors~~[:(i)]~~ is a registered voter; ~~[and]~~

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

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

794 ~~[(F) except as provided in Subsection (2)(b)(ii)(B)(II), within the last three years; or]~~

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

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

800 ~~[(e)]~~ (d) the signature of each of the sponsors, [attested to] acknowledged by a notary

801 public;

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

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

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

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

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

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

813 **20A-7-502.5. Initial fiscal and legal impact estimate -- Preparation of estimate.**

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

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

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

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

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

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

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

832 from each source;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

863 percent increase in the current tax rate."

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

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

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

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

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

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

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

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

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

894 Section 12. Section **20A-7-502.7** is enacted to read:

895 **20A-7-502.7. Referability to voters.**

896 (1) Within 20 days after the day on which an eligible voter files an application to  
897 circulate an initiative petition under Section [20A-7-502](#), the county, city, town, or metro  
898 township to which the initiative pertains shall:

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

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

902 (i) legally referable to voters; or

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

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

905 (a) the proposed law is patently unconstitutional;

906 (b) the proposed law is nonsensical;

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

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

909 (e) the proposed law contains more than one subject as evaluated in accordance with

910 Subsection [20A-7-502\(3\)](#);

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

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

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

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

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

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

923 (4) If a county, city, town, or metro township rejects a proposed initiative, a sponsor of  
924 the proposed initiative may, within 10 days after the day on which a sponsor is notified under

925 Subsection (1)(b), appeal the decision to:

926 (a) district court; or

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

928 (5) If, on appeal, the court determines that the law proposed in the initiative petition is

929 legally referable to voters, the local clerk shall comply with Subsection [20A-7-504\(2\)](#) within

930 five days after the day on which the determination, and any appeal of the determination, is

931 final.

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

933 **20A-7-504. Circulation requirements -- Local clerk to provide sponsors with**  
934 **materials.**

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

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

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

944 (b) one signature sheet.

945 (3) The sponsors of the petition shall:

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

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

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

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

955 (c) The sponsors need not attach a uniform number of signature sheets to each

956 initiative packet.

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

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

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

962 ~~[(i) number each of the initiative packets and return them to the sponsors within five~~  
963 ~~working days; and]~~

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

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

966 **20A-7-505. Obtaining signatures -- Verification -- Removal of signature.**

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

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

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

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

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

977 (3) (a) (i) Any voter who has signed an initiative petition may have the voter's signature  
978 removed from the petition by submitting a notarized statement to that effect to the [local]  
979 county clerk.

980 (ii) In order for the signature to be removed, the statement must be received by the  
981 [local] county clerk ~~[before he delivers the petition to the county clerk to be certified]~~ no later  
982 than seven days after the day on which the sponsors submit the last signature packet to the  
983 county clerk.

984 (b) Upon timely receipt of the statement, the [local] county clerk shall remove the  
985 signature of the [person] individual submitting the statement from the initiative petition.

986 ~~[(c) No one may remove signatures from an initiative petition after the petition is~~



987 submitted to the county clerk to be certified.]

988 Section 15. Section **20A-7-506** is amended to read:

989 **20A-7-506. Submitting the initiative petition -- Certification of signatures by the**  
990 **county clerks -- Transfer to local clerk.**

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

993 (i) for county initiatives:

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

995 (B) the April 15 immediately before the next regular general election immediately after  
996 the application is filed under Section **20A-7-502**; or

997 (ii) for municipal initiatives:

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

999 (B) the April 15 immediately before the next municipal general election immediately  
1000 after the application is filed under Section **20A-7-502**.

1001 (b) A sponsor may not submit an initiative packet after the deadline established in this  
1002 Subsection (1).

1003 [~~(2) (a) No later than May 1, the county clerk shall:~~]

1004 [~~(i) check the names of all persons completing the verification on the last page of each~~  
1005 ~~initiative packet to determine whether those persons are residents of Utah and are at least 18~~  
1006 ~~years old; and]~~

1007 [~~(ii) submit the name of each of those persons who is not a Utah resident or who is not~~  
1008 ~~at least 18 years old to the attorney general and county attorney.]~~

1009 [~~(b)~~] (2) The county clerk may not certify a signature under Subsection (3) on an  
1010 initiative packet that is not verified in accordance with Section **20A-7-505**.

1011 (3) No later than May 15, the county clerk shall:

1012 (a) determine whether or not each signer is a voter according to the requirements of  
1013 Section **20A-7-506.3**;

1014 (b) certify on the petition whether or not each name is that of a voter; and

1015 (c) deliver all of the verified packets to the local clerk.

1016 Section 16. Section **20A-7-506.3** is amended to read:

1017 **20A-7-506.3. Verification of petition signatures.**

1018 (1) (a) For the purposes of this section, "substantially similar name" means:  
1019 (i) the given name and surname shown on the petition, or both, contain only minor  
1020 spelling differences when compared to the given name and surname shown on the official  
1021 register;  
1022 (ii) the surname shown on the petition exactly matches the surname shown on the  
1023 official register, and the given names differ only because one of the given names shown is a  
1024 commonly used abbreviation or variation of the other;  
1025 (iii) the surname shown on the petition exactly matches the surname shown on the  
1026 official register, and the given names differ only because one of the given names shown is  
1027 accompanied by a first or middle initial or a middle name which is not shown on the other  
1028 record; or  
1029 (iv) the surname shown on the petition exactly matches the surname shown on the  
1030 official register, and the given names differ only because one of the given names shown is an  
1031 alphabetically corresponding initial that has been provided in the place of a given name shown  
1032 on the other record.  
1033 (b) For the purposes of this section, "substantially similar name" does not mean a name  
1034 having an initial or a middle name shown on the petition that does not match a different initial  
1035 or middle name shown on the official register.  
1036 (2) The county clerk shall use the following procedures in determining whether or not a  
1037 signer is a registered voter:  
1038 (a) When a signer's name and address shown on the petition exactly match a name and  
1039 address shown on the official register and the signer's signature appears substantially similar to  
1040 the signature on the statewide voter registration database, the county clerk shall declare the  
1041 signature valid.  
1042 (b) When there is no exact match of an address and a name, the county clerk shall  
1043 declare the signature valid if:  
1044 (i) the address on the petition matches the address of ~~[a person]~~ an individual on the  
1045 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)(b)(i).  
1048 (c) When there is no match of an address and a substantially similar name, the county

1049 clerk shall declare the signature valid if:

1050 (i) the birth date or age on the petition matches the birth date or age of ~~[a person]~~ an  
1051 individual on the official register with a substantially similar name; and

1052 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1053 voter registration database of the ~~[person]~~ individual described in Subsection (2)(c)(i).

1054 (d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the  
1055 county clerk shall declare the signature to be invalid.

1056 Section 17. Section **20A-7-507** is amended to read:

1057 **20A-7-507. Evaluation by the local clerk.**

1058 (1) When each initiative packet is received from a county clerk, the local clerk shall  
1059 check off from the local clerk's record the number of each initiative packet filed.

1060 (2) (a) After all of the initiative packets have been received by the local clerk, the local  
1061 clerk shall count the number of the names certified by the county clerk that appear on each  
1062 verified signature sheet.

1063 (b) If the total number of certified names from each verified signature sheet equals or  
1064 exceeds the number of names required by Section **20A-7-501** and the requirements of this part  
1065 are met, the local clerk shall mark upon the front of the petition the word "sufficient."

1066 (c) If the total number of certified names from each verified signature sheet does not  
1067 equal or exceed the number of names required by Section **20A-7-501** or a requirement of this  
1068 part is not met, the local clerk shall mark upon the front of the petition the word "insufficient."

1069 (d) The local clerk shall immediately notify any one of the sponsors of the local clerk's  
1070 finding.

1071 (3) If the local clerk finds the total number of certified signatures from each verified  
1072 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
1073 for a recount of the signatures appearing on the initiative petition in the presence of any  
1074 sponsor.

1075 (4) Once a petition is declared insufficient, the sponsors may not submit additional  
1076 signatures to qualify the petition for the ballot.

1077 ~~[(5)(a) If the local clerk refuses to accept and file any initiative petition, any voter may~~  
1078 ~~apply to the supreme court for an extraordinary writ to compel him to do so within 10 days~~  
1079 ~~after the refusal.]~~

1080 ~~[(b) If the supreme court determines that the initiative petition is legally sufficient, the~~  
1081 ~~local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on~~  
1082 ~~which it was originally offered for filing in the local clerk's office.]~~

1083 ~~[(c) If the supreme court determines that any petition filed is not legally sufficient, the~~  
1084 ~~supreme court may enjoin the local clerk and all other officers from certifying or printing the~~  
1085 ~~ballot title and numbers of that measure on the official ballot.]~~

1086 ~~[(6)]~~ (5) A petition determined to be sufficient in accordance with this section is  
1087 qualified for the ballot.

1088 Section 18. Section **20A-7-508** is amended to read:

1089 **20A-7-508. Ballot title -- Duties of local clerk and local attorney.**

1090 (1) ~~[Whenever an initiative petition is declared sufficient for submission to a vote of~~  
1091 ~~the people]~~ Upon receipt of an initiative petition, the local clerk shall deliver a copy of the  
1092 petition and the proposed law to the local attorney.

1093 (2) The local attorney shall:

1094 (a) entitle each county or municipal initiative that has qualified for the ballot  
1095 "Proposition Number \_\_\_" and give it a number as assigned under Section **20A-6-107**;

1096 (b) prepare a proposed ballot title for the initiative;

1097 (c) file the proposed ballot title and the numbered initiative titles with the local clerk  
1098 within ~~[15]~~ 20 days after the ~~[date the initiative petition is declared sufficient for submission to~~  
1099 ~~a vote of the people]~~ day on which an eligible voter submits the initiative petition to the local  
1100 clerk; and

1101 (d) promptly provide notice of the filing of the proposed ballot title to:

1102 (i) the sponsors of the petition; and

1103 (ii) the local legislative body for the jurisdiction where the initiative petition was  
1104 circulated.

1105 (3) (a) The ballot title may be distinct from the title of the proposed law attached to the  
1106 initiative petition, and shall express, in not exceeding 100 words, the purpose of the measure.

1107 (b) In preparing a ballot title, the local attorney shall, to the best of the local attorney's  
1108 ability, give a true and impartial statement of the purpose of the measure.

1109 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,  
1110 for or against the measure.

1111 (d) If the initiative proposes a tax increase, the local attorney shall include the  
1112 following statement, in bold, in the ballot title:

1113 "This initiative seeks to increase the current (insert name of tax) rate by (insert the tax  
1114 percentage difference) percent, resulting in a(n) (insert the tax percentage increase) percent  
1115 increase in the current tax rate."

1116 (4) (a) Within five calendar days after the date the local attorney files a proposed ballot  
1117 title under Subsection (2)(c), the local legislative body for the jurisdiction where the initiative  
1118 petition was circulated and the sponsors of the petition may file written comments in response  
1119 to the proposed ballot title with the local clerk.

1120 (b) Within five calendar days after the last date to submit written comments under  
1121 Subsection (4)(a), the local attorney shall:

1122 (i) review any written comments filed in accordance with Subsection (4)(a);

1123 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and

1124 (iii) return the petition and file the ballot title with the local clerk.

1125 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall  
1126 be printed on the official ballot.

1127 (5) Immediately after the local attorney files a copy of the ballot title with the local  
1128 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the  
1129 petition and the local legislative body for the jurisdiction where the initiative petition was  
1130 circulated.

1131 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not  
1132 comply with the requirements of this section, the decision of the local attorney may be  
1133 appealed [by a petition] to the district court, or, if the Supreme Court has original jurisdiction,  
1134 to the Supreme Court [that is], brought by:

1135 (i) at least three sponsors of the initiative petition; or

1136 (ii) a majority of the local legislative body for the jurisdiction where the initiative  
1137 petition was circulated.

1138 (b) The ~~[Supreme Court]~~ court:

1139 (i) shall examine the measures and consider arguments~~[, and, in its decision,];~~ and

1140 (ii) may certify to the local clerk a ballot title for the measure that fulfills the intent of  
1141 this section.

1142 (c) The local clerk shall print the title certified by the [~~Supreme Court~~] court on the  
1143 official ballot.

1144 Section 19. Section **20A-7-509** is amended to read:

1145 **20A-7-509. Form of ballot -- Manner of voting.**

1146 (1) The local clerk shall ensure that the number and ballot title are presented upon the  
1147 official ballot with, immediately adjacent to them, the words "For" and "Against," each word  
1148 presented with an adjacent square in which the [~~elector~~] voter may indicate [~~his~~] the voter's  
1149 vote.

1150 (2) [~~Electors~~] Voters desiring to vote in favor of enacting the law proposed by the  
1151 initiative petition shall mark the square adjacent to the word "For," and [~~those~~] voters desiring  
1152 to vote against enacting the law proposed by the initiative petition shall mark the square  
1153 adjacent to the word "Against."

1154 Section 20. Section **20A-7-510** is amended to read:

1155 **20A-7-510. Return and canvass -- Conflicting measures -- Law effective on**  
1156 **proclamation.**

1157 (1) The votes on the law proposed by the initiative petition shall be counted,  
1158 canvassed, and delivered as provided in Title 20A, Chapter 4, Part 3, Canvassing Returns.

1159 (2) After the local board of canvassers completes its canvass, the local clerk shall  
1160 certify to the local legislative body the vote for and against the law proposed by the initiative  
1161 petition.

1162 (3) (a) The local legislative body shall immediately issue a proclamation that:

1163 (i) gives the total number of votes cast in the local jurisdiction for and against each law  
1164 proposed by an initiative petition; and

1165 (ii) declares those laws proposed by an initiative petition that were approved by  
1166 majority vote to be in full force and effect as the law of the local jurisdiction.

1167 (b) When the local legislative body determines that two proposed laws, or that parts of  
1168 two proposed laws approved by the people at the same election are entirely in conflict, they  
1169 shall proclaim that measure to be law that has received the greatest number of affirmative  
1170 votes, regardless of the difference in the majorities which those measures have received.

1171 (c) (i) Within 10 days after the local legislative body's proclamation, any qualified  
1172 voter who signed the initiative petition proposing the law that is declared by the local

1173 legislative body to be superseded by another measure approved at the same election may [~~apply~~  
 1174 ~~to the~~] bring an action in district court, or, if the Supreme Court has original jurisdiction, the  
 1175 Supreme Court to review the decision.

1176 (ii) The court shall:

1177 (A) consider the matter and decide whether [~~or not~~] the proposed laws are entirely in  
 1178 conflict; and

1179 (B) [~~certify its~~] issue an order, consistent with the court's decision, to the local  
 1180 legislative body.

1181 (4) Within 10 days after the [~~Supreme Court certifies its~~] day on which the court  
 1182 certifies the decision, the local legislative body shall:

1183 (a) proclaim as law all [~~those~~] measures approved by the people [~~as law~~] that the  
 1184 [~~Supreme Court has determined~~] court determines are not in conflict; and

1185 (b) [~~of all those~~] for the measures approved by the people as law that the [~~Supreme~~  
 1186 ~~Court has determined~~] court determines to be in conflict, proclaim as law the [~~one~~] measure  
 1187 that received the greatest number of affirmative votes, regardless of the difference in  
 1188 majorities.

1189 Section 21. Section **20A-7-512** is amended to read:

1190 **20A-7-512. Misconduct of electors and officers -- Penalty.**

1191 (1) It is unlawful for any [~~person~~] individual to:

1192 (a) sign any name other than the [~~person's own~~] individual's own name to any initiative  
 1193 petition;

1194 [~~(b) knowingly sign the person's name more than once for the same measure at one~~  
 1195 ~~election;~~]

1196 [~~(c)~~] (b) sign an initiative knowing the [~~person~~] individual is not a legal voter; or

1197 [~~(d)~~] (c) knowingly and willfully violate any provision of this part.

1198 (2) It is unlawful for any [~~person~~] individual to sign the verification for an initiative  
 1199 packet knowing that:

1200 (a) the [~~person~~] individual does not meet the residency requirements of Section  
 1201 [20A-2-105](#);

1202 (b) the [~~person~~] individual has not witnessed the signatures of [~~those persons~~] the  
 1203 individuals whose names appear in the initiative packet; or

1204 (c) one or more ~~[persons]~~ individuals whose signatures appear in the initiative packet is  
1205 either:

- 1206 (i) not registered to vote in Utah; or
- 1207 (ii) does not intend to become registered to vote in Utah.

1208 (3) ~~[Any person violating]~~ An individual who violates this part is guilty of a class A  
1209 misdemeanor.

1210 Section 22. Section **20A-7-513** is amended to read:

1211 **20A-7-513. Fiscal review -- Repeal, amendment, or resubmission.**

1212 (1) No later than 60 days after the date of an election in which the voters approve an  
1213 initiative petition, the budget officer shall:

1214 (a) for each initiative approved by the voters, prepare a final fiscal impact statement,  
1215 using current financial information and containing the information required by Subsection  
1216 **20A-7-502.5(2)**, except for the information required by Subsection **20A-7-502.5(2)(a)(vii)**; and

1217 (b) deliver a copy of the final fiscal impact statement to:

- 1218 (i) the local legislative body of the jurisdiction where the initiative was circulated;
- 1219 (ii) the local clerk; and
- 1220 (iii) the first ~~[five]~~ three sponsors listed on the initiative application.

1221 (2) If the final fiscal impact statement exceeds the initial fiscal impact estimate by 25%  
1222 or more, the local legislative body shall review the final fiscal impact statement and may, by a  
1223 majority vote:

- 1224 (a) repeal the law established by passage of the initiative;
- 1225 (b) amend the law established by the passage of the initiative; or
- 1226 (c) pass a resolution informing the voters that they may file an initiative petition to  
1227 repeal the law enacted by the passage of the initiative.

1228 Section 23. Section **20A-7-601** is amended to read:

1229 **20A-7-601. Referenda -- General signature requirements -- Signature**  
1230 **requirements for land use laws and subjurisdictional laws -- Time requirements.**

1231 ~~[(1) Except as provided in Subsection (2) or (3), a person seeking to have a local law~~  
1232 ~~passed by the local legislative body submitted to a vote of the people shall obtain legal~~  
1233 ~~signatures equal to:]~~

1234 ~~[(a) 10% 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 exceeds 25,000;]

1237 [~~(b) 12-1/2% of all the votes cast in the county, city, or town for all candidates for~~  
1238 ~~president of the United States at the last election at which a president of the United States was~~  
1239 ~~elected if the total number of votes does not exceed 25,000 but is more than 10,000;]~~

1240 [~~(c) 15% 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 10,000 but is more than 2,500;]~~

1243 [~~(d) 20% 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 2,500 but is more than 500;]~~

1246 [~~(e) 25% of all the votes cast in the county, city, or town for all candidates for president~~  
1247 ~~of the United States at the last election at which a president of the United States was elected if~~  
1248 ~~the total number of votes does not exceed 500 but is more than 250; and]~~

1249 [~~(f) 30% of all the votes cast in the county, city, or town for all candidates for president~~  
1250 ~~of the United States at the last election at which a president of the United States was elected if~~  
1251 ~~the total number of votes does not exceed 250;]~~

1252 [~~(2) (a) As used in this Subsection (2), "land use law" includes a land use development~~  
1253 ~~code, an annexation ordinance, and comprehensive zoning ordinances;]~~

1254 [~~(b) Except as provided in Subsection (3), a person seeking to have a land use law or~~  
1255 ~~local obligation law passed by the local legislative body submitted to a vote of the people shall~~  
1256 ~~obtain legal signatures equal to:]~~

1257 [~~(i) in a county or in a city of the first or second class, 20% of all votes cast in the~~  
1258 ~~county or city for all candidates for president of the United States at the last election at which a~~  
1259 ~~president of the United States was elected; and]~~

1260 [~~(ii) in a city of the third, fourth, or fifth class or a town, 35% of all the votes cast in the~~  
1261 ~~city or town for all candidates for president of the United States at the last election at which a~~  
1262 ~~president of the United States was elected;]~~

1263 [~~(3) (a) As used in this Subsection (3):]~~

1264 [~~(i) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the~~  
1265 ~~jurisdiction of a county, city, or town that are subject to a subjurisdictional law;]~~

1266 ~~[(ii) "Subjurisdictional law" means a local law or local obligation law passed by a local~~  
1267 ~~legislative body that imposes a tax or other payment obligation on property in an area that does~~  
1268 ~~not include all precincts and subprecincts under the jurisdiction of the county, city, or town.]~~

1269 ~~[(b) A person seeking to have a subjurisdictional law passed by the local legislative~~  
1270 ~~body submitted to a vote of the people shall obtain legal signatures of the residents in the~~  
1271 ~~subjurisdiction equal to:]~~

1272 ~~[(i) 10% of the total 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 exceeds 25,000;]~~

1275 ~~[(ii) 12-1/2% of all the votes cast in the subjurisdiction for all candidates for president~~  
1276 ~~of the United States at the last election at which a president of the United States was elected if~~  
1277 ~~the total number of votes does not exceed 25,000 but is more than 10,000;]~~

1278 ~~[(iii) 15% 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 10,000 but is more than 2,500;]~~

1281 ~~[(iv) 20% 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 2,500 but is more than 500;]~~

1284 ~~[(v) 25% of all the votes cast in the subjurisdiction for all candidates for president of~~  
1285 ~~the United States at the last election at which a president of the United States was elected if the~~  
1286 ~~total number of votes does not exceed 500 but is more than 250; and]~~

1287 ~~[(vi) 30% of all the votes cast in the subjurisdiction for all candidates for president of~~  
1288 ~~the United States at the last election at which a president of the United States was elected if the~~  
1289 ~~total number of votes does not exceed 250;]~~

1290 (1) As used in this section:

1291 (a) "Number of active voters" means the number of active voters in the county, city, or  
1292 town on the immediately preceding January 1.

1293 (b) "Subjurisdiction" means an area comprised of all precincts and subprecincts in the  
1294 jurisdiction of a county, city, or town that are subject to a subjurisdictional law.

1295 (c) (i) "Subjurisdictional law" means a local law or local obligation law passed by a  
1296 local legislative body that imposes a tax or other payment obligation on property in an area that

1297 does not include all precincts and subprecincts under the jurisdiction of the county, city, town,  
1298 or metro township.

1299 (ii) "Subjurisdictional law" does not include a land use law.

1300 (d) "Voter participation area" means an area described in Subsection [20A-7-401.3\(1\)\(a\)](#)  
1301 or (2)(b).

1302 (2) Except as provided in Subsection (3) or (4), an eligible voter seeking to have a local  
1303 law passed by the local legislative body submitted to a vote of the people shall obtain legal  
1304 signatures equal to:

1305 (a) for a county of the first class:

1306 (i) 7.75% of the number of active voters in the county; and

1307 (ii) beginning on January 1, 2020, 7.75% of the number of active voters in at least 75%  
1308 of the county's voter participation areas;

1309 (b) for a metro township with a population of 100,000 or more, or a city of the first  
1310 class:

1311 (i) 7.5% of the number of active voters in the metro township or city; and

1312 (ii) beginning on January 1, 2020, 7.5% of the number of active voters in at least 75%  
1313 of the metro township's or city's voter participation areas;

1314 (c) for a county of the second class:

1315 (i) 8% of the number of active voters in the county; and

1316 (ii) beginning on January 1, 2020, 8% of the number of active voters in at least 75% of  
1317 the county's voter participation areas;

1318 (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
1319 a city of the second class:

1320 (i) 8.25% of the number of active voters in the metro township or city; and

1321 (ii) beginning on January 1, 2020, 8.25% of the number of active voters in at least 75%  
1322 of the metro township's or city's voter participation areas;

1323 (e) for a county of the third class:

1324 (i) 9.5% of the number of active voters in the county; and

1325 (ii) beginning on January 1, 2020, 9.5% of the number of active voters in at least 75%  
1326 of the county's voter participation areas;

1327 (f) for a metro township with a population of 30,000 or more but less than 65,000, or a

1328 city of the third class:

1329 (i) 10% of the number of active voters in the metro township or city; and

1330 (ii) beginning on January 1, 2020, 10% of the number of active voters in at least 75%

1331 of the metro township's or city's voter participation areas;

1332 (g) for a county of the fourth class:

1333 (i) 11.5% of the number of active voters in the county; and

1334 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%

1335 of the county's voter participation areas;

1336 (h) for a metro township with a population of 10,000 or more but less than 30,000, or a

1337 city of the fourth class:

1338 (i) 11.5% of the number of active voters in the metro township or city; and

1339 (ii) beginning on January 1, 2020, 11.5% of the number of active voters in at least 75%

1340 of the metro township's or city's voter participation areas;

1341 (i) for a metro township with a population of 1,000 or more but less than 10,000, a city

1342 of the fifth class, or a county of the fifth class, 25% of the number of active voters in the metro

1343 township, city, or county; or

1344 (j) for a metro township with a population of less than 1,000, a town, or a county of the  
1345 sixth class, 35% of the number of active voters in the metro township, town, or county.

1346 (3) Except as provided in Subsection (4), an eligible voter seeking to have a land use  
1347 law or local obligation law passed by the local legislative body submitted to a vote of the  
1348 people shall obtain legal signatures equal to:

1349 (a) for a county of the first, second, third, or fourth class:

1350 (i) 16% of the number of active voters in the county; and

1351 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%

1352 of the county's voter participation areas;

1353 (b) for a county of the fifth or sixth class:

1354 (i) 16% of the number of active voters in the county; and

1355 (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%

1356 of the county's voter participation areas;

1357 (c) for a metro township with a population of 100,000 or more, or a city of the first  
1358 class:

- 1359           (i) 15% of the number of active voters in the metro township or city; and  
1360           (ii) beginning on January 1, 2020, 15% of the number of active voters in at least 75%  
1361 of the metro township's or city's voter participation areas;  
1362           (d) for a metro township with a population of 65,000 or more but less than 100,000, or  
1363 a city of the second class:  
1364           (i) 16% of the number of active voters in the metro township or city; and  
1365           (ii) beginning on January 1, 2020, 16% of the number of active voters in at least 75%  
1366 of the metro township's or city's voter participation areas;  
1367           (e) for a metro township with a population of 30,000 or more but less than 65,000, or a  
1368 city of the third class:  
1369           (i) 27.5% of the number of active voters in the metro township or city; and  
1370           (ii) beginning on January 1, 2020, 27.5% of the number of active voters in at least 75%  
1371 of the metro township's or city's voter participation areas;  
1372           (f) for a metro township with a population of 10,000 or more but less than 30,000, or a  
1373 city of the fourth class:  
1374           (i) 29% of the number of active voters in the metro township or city; and  
1375           (ii) beginning on January 1, 2020, 29% of the number of active voters in at least 75%  
1376 of the metro township's or city's voter participation areas;  
1377           (g) for a metro township with a population of 1,000 or more but less than 10,000, or a  
1378 city of the fifth class, 35% of the number of active voters in the metro township or city; or  
1379           (h) for a metro township with a population of less than 1,000 or a town, 40% of the  
1380 number of active voters in the metro township or town.  
1381           (4) A person seeking to have a subjurisdictional law passed by the local legislative  
1382 body submitted to a vote of the people shall obtain legal signatures of the residents in the  
1383 subjurisdiction equal to:  
1384           (a) 10% of the number of active voters in the subjurisdiction if the number of active  
1385 voters exceeds 25,000;  
1386           (b) 12-1/2% of the number of active voters in the subjurisdiction if the number of  
1387 active voters does not exceed 25,000 but is more than 10,000;  
1388           (c) 15% of the number of active voters in the subjurisdiction if the number of active  
1389 voters does not exceed 10,000 but is more than 2,500;

1390 (d) 20% of the number of active voters in the subjurisdiction if the number of active  
 1391 voters does not exceed 2,500 but is more than 500;

1392 (e) 25% of the number of active voters in the subjurisdiction if the number of active  
 1393 voters does not exceed 500 but is more than 250; and

1394 (f) 30% of the number of active voters in the subjurisdiction if the number of active  
 1395 voters does not exceed 250.

1396 ~~[(4)]~~ (5) (a) Sponsors of any referendum petition challenging, under Subsection ~~[(1)~~,  
 1397 ~~(2), or (3)]~~ (2), (3), or (4), any local law passed by a local legislative body shall file the  
 1398 application within ~~[five]~~ seven days after the ~~[passage of]~~ day on which the local law was  
 1399 passed.

1400 (b) Except as provided in Subsection ~~[(4)]~~ (5)(c), when a referendum petition has been  
 1401 declared sufficient, the local law that is the subject of the petition does not take effect unless  
 1402 and until the local law is approved by a vote of the people.

1403 (c) When a referendum petition challenging a subjurisdictional law has been declared  
 1404 sufficient, the subjurisdictional law that is the subject of the petition does not take effect unless  
 1405 and until the subjurisdictional law is approved by a vote of the people who reside in the  
 1406 subjurisdiction.

1407 ~~[(5)]~~ (6) If the referendum passes, the local law that was challenged by the referendum  
 1408 is repealed as of the date of the election.

1409 ~~[(6)]~~ (7) Nothing in this section authorizes a local legislative body to impose a tax or  
 1410 other payment obligation on a subjurisdiction in order to benefit an area outside of the  
 1411 subjurisdiction.

1412 Section 24. Section **20A-7-602** is amended to read:

1413 **20A-7-602. Local referendum process -- Application procedures.**

1414 (1) ~~[Persons]~~ An eligible voter wishing to circulate a referendum petition shall file an  
 1415 application with the local clerk.

1416 (2) The application shall contain:

1417 (a) the name and residence address of at least five sponsors of the referendum petition;

1418 (b) a certification indicating that each of the sponsors~~[(i)]~~ is a resident of Utah; ~~[and]~~

1419 ~~[(ii) (A) if the referendum challenges a county local law, has voted in a regular general~~  
 1420 ~~election in Utah within the last three years; or]~~

1421 ~~[(B) if the referendum challenges a municipal local law, has voted in a regular~~  
1422 ~~municipal election in Utah within the last three years;]~~

1423 (c) a statement indicating that each of the sponsors has voted in an election in Utah in  
1424 the last three years;

1425 ~~[(c)]~~ (d) the signature of each of the sponsors, ~~[attested to]~~ acknowledged by a notary  
1426 public; and

1427 ~~[(d)]~~ (e) (i) if the referendum challenges an ordinance or resolution, one copy of the  
1428 law; or

1429 (ii) if the referendum challenges a local law that is not an ordinance or resolution, a  
1430 written description of the local law, including the result of the vote on the local law.

1431 Section 25. Section ~~20A-7-602.5~~ is amended to read:

1432 **20A-7-602.5. Initial fiscal and legal impact estimate -- Preparation of estimate.**

1433 (1) Within three ~~[working]~~ business days after the day on which the local clerk receives  
1434 an application for a referendum petition, the local clerk shall submit a copy of the application  
1435 to the county, city, or town's budget officer.

1436 (2) (a) The budget officer, together with legal counsel, shall prepare an unbiased, good  
1437 faith estimate of the fiscal and legal impact of repealing the law the referendum proposes to  
1438 repeal that contains:

1439 (i) a dollar amount representing the total estimated fiscal impact of repealing the law;

1440 (ii) if repealing the law would increase or decrease taxes, a dollar amount representing  
1441 the total estimated increase or decrease for each type of tax that would be impacted by the law's  
1442 repeal and a dollar amount representing the total estimated increase or decrease in taxes that  
1443 would result from the law's repeal;

1444 (iii) if repealing the law would result in the issuance or a change in the status of bonds,  
1445 notes, or other debt instruments, a dollar amount representing the total estimated increase or  
1446 decrease in public debt that would result;

1447 (iv) a listing of all sources of funding for the estimated costs that would be associated  
1448 with the law's repeal, showing each source of funding and the percentage of total funding that  
1449 would be provided from each source;

1450 (v) a dollar amount representing the estimated costs or savings, if any, to state and  
1451 local government entities if the law were repealed;

1452 (vi) the legal impacts that would result from repealing the law, including:  
1453 (A) any significant effects on a person's vested property rights;  
1454 (B) any significant effects on other laws or ordinances;  
1455 (C) any significant legal liability the city, county, or town may incur; and  
1456 (D) any other significant legal impact as determined by the budget officer and the legal  
1457 counsel; and

1458 (vii) a concise explanation, not exceeding 100 words, of the above information and of  
1459 the estimated fiscal impact, if any, if the law were repealed.

1460 (b) (i) If repealing the law would have no fiscal impact, the local budget officer shall  
1461 include a summary statement in the initial fiscal impact statement in substantially the following  
1462 form:

1463 "The (title of the local budget officer) estimates that repealing the law this referendum  
1464 proposes to repeal would have no significant fiscal impact and would not result in either an  
1465 increase or decrease in taxes or debt."

1466 (ii) If repealing the law is estimated to have a fiscal impact, the local budget officer  
1467 shall include a summary statement describing the fiscal impact.

1468 (iii) If the estimated fiscal impact of repealing the law is highly variable or is otherwise  
1469 difficult to reasonably express in a summary statement, the local budget officer may include in  
1470 the summary statement a brief explanation that identifies those factors impacting the variability  
1471 or difficulty of the estimate.

1472 (3) Within ~~[25]~~ 20 calendar days after the day on which the local clerk submits a copy  
1473 of the application under Subsection (1), the budget officer shall:

1474 (a) deliver a copy of the initial fiscal impact estimate, including the legal impact  
1475 estimate, to the local clerk's office; and

1476 (b) ~~[mail]~~ deliver a copy of the initial fiscal impact estimate, including the legal impact  
1477 estimate, to the first ~~[five]~~ three sponsors named in the application.

1478 Section 26. Section ~~20A-7-602.7~~ is enacted to read:

1479 **20A-7-602.7. Referability to voters of local law other than land use law.**

1480 (1) Within 20 days after the day on which an eligible voter files an application to  
1481 circulate a referendum petition under Section ~~20A-7-602~~ for a local law other than a land use  
1482 law, the county, city, town, or metro township to which the referendum pertains shall:



- 1483 (a) review the application to determine whether the proposed referendum is legally  
1484 referable to voters; and
- 1485 (b) notify the first three sponsors, in writing, whether the proposed referendum is:  
1486 (i) legally referable to voters; or  
1487 (ii) rejected as not legally referable to voters.
- 1488 (2) For a local law other than a land use law, a proposed referendum is legally referable  
1489 to voters unless:
- 1490 (a) the proposed referendum challenges an action that is administrative, rather than  
1491 legislative, in nature;
- 1492 (b) the proposed referendum challenges more than one law passed by the local  
1493 legislative body; or
- 1494 (c) the application for the proposed referendum was not timely filed or does not  
1495 comply with the requirements of this part.
- 1496 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
1497 or metro township may not, for a local law other than a land use law:
- 1498 (a) reject a proposed referendum as not legally referable to voters; or  
1499 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
1500 proposed referendum on the grounds that the proposed referendum is not legally referable to  
1501 voters.
- 1502 (4) (a) If, under Subsection (1)(b)(ii), a county, city, town, or metro township rejects a  
1503 proposed referendum concerning a local law other than a land use law, a sponsor of the  
1504 proposed referendum may, within 10 days after the day on which a sponsor is notified under  
1505 Subsection (1)(b), challenge or appeal the decision to:
- 1506 (i) the Supreme Court, by means of an extraordinary writ, if possible; or  
1507 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
1508 under Subsection (4)(a)(i).
- 1509 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection (4)  
1510 (a) terminates the referendum.
- 1511 (5) If, on a challenge or appeal, the court determines that the proposed referendum  
1512 described in Subsection (4) is legally referable to voters, the local clerk shall comply with  
1513 Subsection [20A-7-604\(2\)](#) within five days after the day on which the determination, and any

1514 challenge or appeal of the determination, is final.

1515 Section 27. Section **20A-7-602.8** is enacted to read:

1516 **20A-7-602.8. Referability to voters of local land use law.**

1517 (1) Within 20 days after the day on which an eligible voter files an application to  
1518 circulate a referendum petition under Section [20A-7-602](#) for a land use law, the county,  
1519 city, town, or metro township to which the referendum pertains shall:

1520 (a) review the application to determine whether the proposed referendum is legally  
1521 referable to voters; and

1522 (b) notify the first three sponsors, in writing, whether the proposed referendum is:

1523 (i) legally referable to voters; or

1524 (ii) rejected as not legally referable to voters.

1525 (2) For a land use law, a proposed referendum is legally referable to voters unless:

1526 (a) the proposed referendum challenges an action that is administrative, rather than  
1527 legislative, in nature;

1528 (b) the proposed referendum challenges a land use decision, rather than a land use  
1529 regulation, as those terms are defined in Section [10-9a-103](#) or [17-27a-103](#);

1530 (c) the proposed referendum challenges more than one law passed by the local  
1531 legislative body; or

1532 (d) the application for the proposed referendum was not timely filed or does not  
1533 comply with the requirements of this part.

1534 (3) After the end of the 20-day period described in Subsection (1), a county, city, town,  
1535 or metro township may not, for a land use law:

1536 (a) reject a proposed referendum as not legally referable to voters; or

1537 (b) except as provided in Subsection (4), challenge, in a legal action or otherwise, a  
1538 proposed referendum on the grounds that the proposed referendum is not legally referable to  
1539 voters.

1540 (4) (a) If a county, city, town, or metro township rejects a proposed referendum  
1541 concerning a land use law, a sponsor of the proposed referendum may, within seven days after  
1542 the day on which a sponsor is notified under Subsection (1)(b), challenge or appeal the decision  
1543 to:

1544 (i) the Supreme Court, by means of an extraordinary writ, if possible; or

1545 (ii) a district court, if the sponsor is prohibited from pursuing an extraordinary writ  
1546 under Subsection (4)(a)(i).

1547 (b) Failure of a sponsor to timely challenge or appeal a rejection under Subsection  
1548 (4)(a) terminates the referendum.

1549 (5) If, on challenge or appeal, the court determines that the proposed referendum is  
1550 legally referable to voters, the local clerk shall comply with Subsection 20A-7-604(2) within  
1551 five days after the day on which the determination, and any challenge or appeal of the  
1552 determination, is final.

1553 Section 28. Section 20A-7-603 is amended to read:

1554 **20A-7-603. Form of referendum petition and signature sheets.**

1555 (1) (a) Each proposed referendum petition shall be printed in substantially the  
1556 following form:

1557 "REFERENDUM PETITION To the Honorable \_\_\_\_, County Clerk/City  
1558 Recorder/Town Clerk:

1559 We, the undersigned citizens of Utah, respectfully order that (description of local law or  
1560 portion of local law being challenged), passed by the \_\_\_\_ be referred to the voters for their  
1561 approval or rejection at the regular/municipal general election to be held on  
1562 \_\_\_\_\_(month\day\year);

1563 Each signer says:

1564 I have personally signed this petition;

1565 The date next to my signature correctly reflects the date that I actually signed the  
1566 petition;

1567 I have personally reviewed the entire statement included with this packet;

1568 I am registered to vote in Utah or intend to become registered to vote in Utah before the  
1569 certification of the petition names by the county clerk; and

1570 My residence and post office address are written correctly after my name."

1571 (b) The sponsors of a referendum shall attach a copy of the law that is the subject of the  
1572 referendum to each referendum petition.

1573 (2) Each signature sheet shall:

1574 (a) be printed on sheets of paper 8-1/2 inches long and 11 inches wide;

1575 (b) be ruled with a horizontal line three-fourths inch from the top, with the space above

1576 that line blank for the purpose of binding;

1577 (c) contain the title of the referendum printed below the horizontal line;

1578 (d) contain the word "Warning" printed or typed at the top of each signature sheet  
1579 under the title of the referendum;

1580 (e) contain, to the right of the word "Warning," the following statement printed or  
1581 typed in not less than eight-point, single-leaded type:

1582 "It is a class A misdemeanor for an individual to sign a referendum petition with any  
1583 other name than the individual's own name, or to knowingly sign the individual's name more  
1584 than once for the same measure, or to sign a referendum petition when the individual knows  
1585 that the individual is not a registered voter and knows that the individual does not intend to  
1586 become registered to vote before the certification of the petition names by the county clerk.";

1587 (f) contain horizontally ruled lines three-eighths inch apart under the "Warning"  
1588 statement required by this section;

1589 (g) be vertically divided into columns as follows:

1590 (i) the edge of the first column shall appear [at] .5 inch from the extreme left of the  
1591 sheet, be [~~five-eighths~~] .25 inch wide, and be headed, together with the second column, "For  
1592 Office Use Only[;]" [~~and be subdivided with a light vertical line down the middle~~];

1593 (ii) the second column shall be .25 inch wide;

1594 [(ii)] (iii) the [~~next~~] third column shall be [~~2-1/2~~] 2.5 inches wide, headed "Registered  
1595 Voter's Printed Name (must be legible to be counted)";

1596 [(iii)] (iv) the [~~next~~] fourth column shall be [~~2-1/2~~] 2.5 inches wide, headed "Signature  
1597 of Registered Voter";

1598 (v) the fifth column shall be .75 inch wide, headed "Date Signed";

1599 [(iv)] (vi) the [~~next~~] sixth column shall be [~~one inch~~] three inches wide, headed [~~"Birth~~  
1600 Date or Age (Optional)"] "Street Address, City, Zip Code"; and

1601 [(v)] (vii) the [~~final~~] seventh column shall be [~~4-3/8 inches~~] .75 inch wide, headed  
1602 ["~~Street Address, City, Zip Code~~";] "Birth Date or Age (Optional)";

1603 (h) be horizontally divided into rows as follows:

1604 (i) the top of the first row, for the purpose of entering the information described in  
1605 Subsection (2)(g), shall be .5 inch high;

1606 [(h) spanning the sheet horizontally beneath each row on which a registered voter may

1607 ~~submit the information described in Subsection (2)(g),]~~

1608 (ii) the second row shall be .15 inch high and contain the following statement printed  
1609 or typed in not less than eight-point, single-leaded type: "By signing this petition, you are  
1610 stating that you have read and understand the law this petition seeks to overturn."; and

1611 (iii) the first and second rows shall be repeated, in order, leaving sufficient room at the  
1612 bottom of the sheet for the information described in Subsection (2)(i); and

1613 (i) at the bottom of the sheet, contain the following statement: "Birth date or age  
1614 information is not required, but it may be used to verify your identity with voter registration  
1615 records. If you choose not to provide it, your signature may not be verified as a valid signature  
1616 if you change your address before petition signatures are verified or if the information you  
1617 provide does not match your voter registration records."

1618 (3) The final page of each referendum packet shall contain the following printed or  
1619 typed statement:

1620 "Verification

1621 State of Utah, County of \_\_\_\_

1622 I, \_\_\_\_\_, of \_\_\_\_\_, hereby state that:

1623 I am a resident of Utah and am at least 18 years old;

1624 All the names that appear in this referendum packet were signed by [~~persons~~]  
1625 individuals who professed to be the [~~persons~~] individuals whose names appear in it, and each  
1626 of [~~them signed his~~] the individuals signed the individual's name on it in my presence;

1627 I did not knowingly make a misrepresentation of fact concerning the law this petition  
1628 seeks to overturn;

1629 I believe that each individual has printed and signed [~~his~~] the individual's name and  
1630 written [~~his~~] the individual's post office address and residence correctly, and that each signer is  
1631 registered to vote in Utah or intends to become registered to vote before the certification of the  
1632 petition names by the county clerk.

1633 \_\_\_\_\_"

1634 (4) The forms prescribed in this section are not mandatory, and, if substantially  
1635 followed, the referendum petitions are sufficient, notwithstanding clerical and merely technical  
1636 errors.

1637 Section 29. Section **20A-7-604** is amended to read:

1638           **20A-7-604. Circulation requirements -- Local clerk to provide sponsors with**  
1639 **materials.**

1640           (1) In order to obtain the necessary number of signatures required by this part, the  
1641 sponsors shall, after the sponsors receive the documents described in Subsection (2) and  
1642 Subsection [20A-7-401.5\(4\)\(b\)](#), circulate referendum packets that meet the form requirements  
1643 of this part.

1644           (2) Within five days after the day on which a [~~local clerk receives an application that~~  
1645 ~~complies with the requirements of Section [20A-7-602](#)] county, city, town, metro township, or  
1646 court determines, in accordance with Section [20A-7-602.7](#), that a proposed referendum is  
1647 legally referable to voters, the local clerk shall furnish to the sponsors[:(~~a~~) ~~five copies~~] a copy  
1648 of the referendum petition[;] and a signature sheet.~~

1649           [~~(b) five signature sheets.~~]

1650           (3) The sponsors of the petition shall:

1651           (a) arrange and pay for the printing of all additional copies of the petition and signature  
1652 sheets; and

1653           (b) ensure that the copies of the petition and signature sheets meet the form  
1654 requirements of this section.

1655           (4) (a) The sponsors may prepare the referendum for circulation by creating multiple  
1656 referendum packets.

1657           (b) The sponsors shall create those packets by binding a copy of the referendum  
1658 petition, a copy of the law that is the subject of the referendum, and no more than 50 signature  
1659 sheets together at the top in such a way that the packets may be conveniently opened for  
1660 signing.

1661           (c) The sponsors need not attach a uniform number of signature sheets to each  
1662 referendum packet.

1663           [~~(5) (a) After the sponsors have prepared sufficient referendum packets, they shall~~  
1664 ~~return them to the local clerk.~~]

1665           [~~(b) The local clerk shall:~~]

1666           [~~(i) number each of the referendum packets and return them to the sponsors within five~~  
1667 ~~working days; and]~~

1668           [~~(ii) keep a record of the numbers assigned to each packet.~~]

1669 (d) The sponsors shall include, with each packet, a copy of the proposition information  
1670 pamphlet provided to the sponsors under Subsection 20A-7-401.5(4)(b).

1671 Section 30. Section **20A-7-605** is amended to read:

1672 **20A-7-605. Obtaining signatures -- Verification -- Removal of signature.**

1673 (1) Any Utah voter may sign a local referendum petition if the voter is a legal voter and  
1674 resides in the local jurisdiction.

1675 (2) (a) The sponsors shall ensure that the [person] individual in whose presence each  
1676 signature sheet was signed:

1677 (i) is at least 18 years old and meets the residency requirements of Section **20A-2-105**;  
1678 and

1679 (ii) verifies each signature sheet by completing the verification printed on the last page  
1680 of each referendum packet.

1681 (b) [~~A person~~] An individual may not sign the verification printed on the last page of  
1682 the referendum packet if the [person] individual signed a signature sheet in the referendum  
1683 packet.

1684 (3) (a) Any voter who has signed a referendum petition may have the voter's signature  
1685 removed from the petition by submitting a [~~notarized~~] statement to that effect to the [~~local~~]  
1686 county clerk.

1687 (b) Except as provided in Subsection (3)(c), upon receipt of the statement, the [~~local~~]  
1688 county clerk shall remove the signature of the [person] individual submitting the statement  
1689 from the referendum petition.

1690 (c) A [~~local~~] county clerk may not remove signatures from a referendum petition later  
1691 than seven days after the [~~petition has been submitted to the county clerk to be certified~~] day on  
1692 which the sponsors timely submit the last signature packet to the county clerk.

1693 (4) The sponsors of a referendum petition:

1694 (a) shall, for each signature packet:

1695 (i) within seven days after the day on which the first individual signs the signature  
1696 packet, provide a clear, legible image of all signatures on the signature packet to the county  
1697 clerk via email or other electronic means; and

1698 (ii) immediately send a new image if the county clerk informs the sponsors that the  
1699 image is not clear and legible;

1700 (b) may not permit additional signatures on a signature packet of which the sponsors  
1701 have sent an image under Subsection (4)(a); and

1702 (c) may not submit a signature packet to the county clerk unless the sponsors timely  
1703 comply with the requirements of Subsection (4)(a) in relation to the signature packet.

1704 (5) Each person who gathers a signature removal statement described in Subsection  
1705 (3):

1706 (a) shall, within seven days after the day on which the individual signs the signature  
1707 removal statement, provide a clear, legible image of the statement to the county clerk via email  
1708 or other electronic means; and

1709 (b) shall, immediately send a new image if the local clerk informs the sender that the  
1710 image is not clear and legible; and

1711 (c) may not submit a signature removal statement to the county clerk, unless the sender  
1712 timely complies with the requirements of Subsections (5)(a) and (b) in relation to the signature  
1713 removal statement.

1714 (6) (a) The county clerk shall provide to an individual, upon request:

1715 (i) an image of a signature packet or signature removal statement with the dates of birth  
1716 redacted; or

1717 (ii) instead of providing an image described in Subsection (6)(a)(i), a document or  
1718 electronic list containing the name and other information, other than the dates of birth, that  
1719 appear on an image described in this Subsection (6)(a).

1720 (b) Subject to Subsection [20A-7-606.3](#)(4), the local clerk may begin certifying,  
1721 removing, and tallying signatures upon receipt of an image described in Subsection (4) or (5).

1722 Section 31. Section **20A-7-606.3** is amended to read:

1723 **20A-7-606.3. Verification of petition signatures.**

1724 (1) (a) For the purposes of this section, "substantially similar name" means:

1725 (i) the given name and surname shown on the petition, or both, contain only minor  
1726 spelling differences when compared to the given name and surname shown on the official  
1727 register;

1728 (ii) 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 a  
1730 commonly used abbreviation or variation of the other;



1731 (iii) the surname shown on the petition exactly matches the surname shown on the  
1732 official register, and the given names differ only because one of the given names shown is  
1733 accompanied by a first or middle initial or a middle name which is not shown on the other  
1734 record; or

1735 (iv) the surname shown on the petition exactly matches the surname shown on the  
1736 official register, and the given names differ only because one of the given names shown is an  
1737 alphabetically corresponding initial that has been provided in the place of a given name shown  
1738 on the other record.

1739 (b) For the purposes of this section, "substantially similar name" does not mean a name  
1740 having an initial or a middle name shown on the petition that does not match a different initial  
1741 or middle name shown on the official register.

1742 (2) The county clerk shall use the following procedures in determining whether or not a  
1743 signer is a registered voter:

1744 (a) When a signer's name and address shown on the petition exactly match a name and  
1745 address shown on the official register and the signer's signature appears substantially similar to  
1746 the signature on the statewide voter registration database, the county clerk shall declare the  
1747 signature valid.

1748 (b) When there is no exact match of an address and a name, the county clerk shall  
1749 declare the signature valid if:

1750 (i) the address on the petition matches the address of [~~a person~~] an individual on the  
1751 official register with a substantially similar name; and

1752 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1753 voter registration database of the [~~person~~] individual described in Subsection (2)(b)(i).

1754 (c) When there is no match of an address and a substantially similar name, the county  
1755 clerk shall declare the signature valid if:

1756 (i) the birth date or age on the petition matches the birth date or age of [~~a person~~] an  
1757 individual on the official register with a substantially similar name; and

1758 (ii) the signer's signature appears substantially similar to the signature on the statewide  
1759 voter registration database of the [~~person~~] individual described in Subsection (2)(c)(i).

1760 (d) If a signature is not declared valid under Subsection (2)(a), (b), or (c), the county  
1761 clerk shall declare the signature to be invalid.

1762           (4) The county clerk may not provide a final verification of the signature packets  
1763 submitted for a proposed referendum until eight days after the day on which a sponsor submits  
1764 the final, timely signature packet to the county clerk to be certified.

1765           Section 32. Section **20A-7-607** is amended to read:

1766           **20A-7-607. Evaluation by the local clerk -- Determination of election for vote on**  
1767 **referendum.**

1768           (1) When each referendum packet is received from a county clerk, the local clerk shall  
1769 check off from the local clerk's record the number of each referendum packet filed.

1770           (2) Within [~~15~~] two days after the day on which the local clerk receives each  
1771 referendum packet from a county clerk, the local clerk shall:

1772           (a) count the number of the names certified by the county clerks that appear on each  
1773 verified signature sheet;

1774           (b) if the total number of certified names from each verified signature sheet equals or  
1775 exceeds the number of names required by Section **20A-7-601** and the requirements of this part  
1776 are met, mark upon the front of the petition the word "sufficient";

1777           (c) if the total number of certified names from each verified signature sheet does not  
1778 equal or exceed the number of names required by Section **20A-7-601** or a requirement of this  
1779 part is not met, mark upon the front of the petition the word "insufficient"; and

1780           (d) notify any one of the sponsors of the local clerk's finding.

1781           (3) If the local clerk finds the total number of certified signatures from each verified  
1782 signature sheet to be insufficient, any sponsor may file a written demand with the local clerk  
1783 for a recount of the signatures appearing on the referendum petition in the presence of any  
1784 sponsor.

1785           (4) (a) If the local clerk refuses to accept and file any referendum petition, any voter  
1786 may apply to [~~the Supreme Court~~] a court for an extraordinary writ to compel the local clerk to  
1787 do so within 10 days after the refusal.

1788           (b) If [~~the Supreme Court~~] a court determines that the referendum petition is legally  
1789 sufficient, the local clerk shall file it, with a verified copy of the judgment attached to it, as of  
1790 the date on which it was originally offered for filing in the local clerk's office.

1791           (c) If [~~the Supreme Court~~] a court determines that any petition filed is not legally  
1792 sufficient, the [~~Supreme Court~~] court may enjoin the local clerk and all other officers from:

1793 (i) certifying or printing the ballot title and numbers of that measure on the official  
1794 ballot for the next election; or

1795 (ii) as it relates to a local tax law that is conducted entirely by absentee ballot,  
1796 certifying, printing, or mailing the ballot title and numbers of that measure under Section  
1797 [20A-7-609.5](#).

1798 (5) A petition determined to be sufficient in accordance with this section is qualified  
1799 for the ballot.

1800 (6) (a) If a referendum relates to legislative action taken after April 15, the election  
1801 officer may not place the referendum on an election ballot until a primary election, a general  
1802 election, or a special election the following year.

1803 (b) For a referendum on a land use law, if, before August 30, the local clerk or a court  
1804 determines that the total number of certified names equals or exceeds the number of signatures  
1805 required in Section [20A-7-601](#), the election officer shall place the referendum on the election  
1806 ballot for the next general election.

1807 Section 33. Section **20A-7-608** is amended to read:

1808 **20A-7-608. Ballot title -- Duties of local clerk and local attorney.**

1809 (1) [~~Whenever a referendum petition is declared sufficient for submission to a vote of~~  
1810 ~~the people,~~] Upon receipt of a referendum petition, the local clerk shall deliver a copy of the  
1811 petition and the proposed law to the local attorney.

1812 (2) The local attorney shall:

1813 (a) entitle each county or municipal referendum that has qualified for the ballot  
1814 "Proposition Number \_\_\_" and give it a number as assigned under Section [20A-6-107](#);

1815 (b) prepare a proposed ballot title for the referendum;

1816 (c) file the proposed ballot title and the numbered referendum titles with the local clerk  
1817 within [~~15~~] 20 days after the [~~date the referendum petition is declared sufficient for submission~~  
1818 ~~to a vote of the people~~] day on which an eligible voter submits the referendum petition to the  
1819 local clerk; and

1820 (d) promptly provide notice of the filing of the proposed ballot title to:

1821 (i) the sponsors of the petition; and

1822 (ii) the local legislative body for the jurisdiction where the referendum petition was  
1823 circulated.

1824 (3) (a) The ballot title may be distinct from the title of the law that is the subject of the  
1825 petition, and shall express, in not exceeding 100 words, the purpose of the measure.

1826 (b) In preparing a ballot title, the local attorney shall, to the best of ~~his~~ the local  
1827 attorney's ability, give a true and impartial statement of the purpose of the measure.

1828 (c) The ballot title may not intentionally be an argument, or likely to create prejudice,  
1829 for or against the measure.

1830 (4) (a) Within five calendar days after the date the local attorney files a proposed ballot  
1831 title under Subsection (2)(c), the local legislative body for the jurisdiction where the  
1832 referendum petition was circulated and the sponsors of the petition may file written comments  
1833 in response to the proposed ballot title with the local clerk.

1834 (b) Within five calendar days after the last date to submit written comments under  
1835 Subsection (4)(a), the local attorney shall:

1836 (i) review any written comments filed in accordance with Subsection (4)(a);

1837 (ii) prepare a final ballot title that meets the requirements of Subsection (3); and

1838 (iii) return the petition and file the ballot title with the local clerk.

1839 (c) Subject to Subsection (6), the ballot title, as determined by the local attorney, shall  
1840 be printed on the official ballot.

1841 (5) Immediately after the local attorney files a copy of the ballot title with the local  
1842 clerk, the local clerk shall serve a copy of the ballot title by mail upon the sponsors of the  
1843 petition and the local legislative body for the jurisdiction where the referendum petition was  
1844 circulated.

1845 (6) (a) If the ballot title furnished by the local attorney is unsatisfactory or does not  
1846 comply with the requirements of this section, the decision of the local attorney may be  
1847 appealed ~~[by a petition]~~ to the district court, or, if the Supreme Court has original jurisdiction,  
1848 to the Supreme Court [that is], brought by:

1849 (i) at least three sponsors of the referendum petition; or

1850 (ii) a majority of the local legislative body for the jurisdiction where the referendum  
1851 petition was circulated.

1852 (b) The ~~[Supreme Court]~~ court:

1853 (i) shall examine the measures and consider the arguments~~[, and, in its decision,]; and~~

1854 (ii) may ~~[certify]~~ issue an order to the local clerk that includes a ballot title for the

1855 measure that fulfills the intent of this section.

1856 (c) The local clerk shall print the title certified by the [~~Supreme Court~~] court on the  
1857 official ballot.

1858 Section 34. Section **20A-7-609.5** is amended to read:

1859 **20A-7-609.5. Election on referendum challenging local tax law conducted entirely**  
1860 **by absentee ballot.**

1861 (1) An election officer may administer an election on a referendum challenging a local  
1862 tax law entirely by absentee ballot.

1863 (2) For purposes of an election conducted under this section, the election officer shall:

1864 (a) designate as the election day the day that is 30 days after the day on which the  
1865 election officer complies with Subsection (2)(b); and

1866 (b) within 30 days after the day on which the referendum described in Subsection (1)  
1867 qualifies for the ballot, mail to each registered voter within the voting precincts to which the  
1868 local tax law applies:

1869 (i) an absentee ballot;

1870 (ii) a statement that there will be no polling place in the voting precinct for the  
1871 election;

1872 (iii) a statement specifying the election day described in Subsection (2)(a);

1873 (iv) a business reply mail envelope;

1874 (v) instructions for returning the ballot that include an express notice about any  
1875 relevant deadlines that the voter must meet in order for the voter's vote to be counted; ~~and~~

1876 (vi) a warning, on a separate page of colored paper in boldface print, indicating that if  
1877 the voter fails to follow the instructions included with the absentee ballot, the voter will be  
1878 unable to vote in that election because there will be no polling place in the voting precinct on  
1879 the day of the election[-]; and

1880 (vii) (A) a copy of the proposition information pamphlet relating to the referendum if a  
1881 proposition information pamphlet relating to the referendum was published under Section  
1882 20A-7-401.5; or

1883 (B) a website address where an individual may view a copy of the proposition  
1884 information pamphlet described in Subsection (2)(b)(vii)(A).

1885 (3) A voter who votes by absentee ballot under this section is not required to apply for

1886 an absentee ballot as required by this part.

1887 (4) An election officer who administers an election under this section shall:

1888 (a) (i) obtain, in person, the signatures of each voter within that voting precinct before  
1889 the election; or

1890 (ii) obtain the signature of each voter within the voting precinct from the county clerk;  
1891 and

1892 (b) maintain the signatures on file in the election officer's office.

1893 (5) (a) Upon receiving the returned absentee ballots under this section, the election  
1894 officer shall compare the signature on each absentee ballot with the voter's signature that is  
1895 maintained on file and verify that the signatures are the same.

1896 (b) If the election officer questions the authenticity of the signature on the absentee  
1897 ballot, the election officer shall immediately contact the voter to verify the signature.

1898 (c) If the election officer determines that the signature on the absentee ballot does not  
1899 match the voter's signature that is maintained on file, the election officer shall:

1900 (i) unless the absentee ballot application deadline described in Section 20A-3-304 has  
1901 passed, immediately send another absentee ballot and other voting materials as required by this  
1902 section to the voter; and

1903 (ii) disqualify the initial absentee ballot.

1904 Section 35. Section 20A-7-610 is amended to read:

1905 **20A-7-610. Return and canvass -- Conflicting measures -- Law effective on**  
1906 **proclamation.**

1907 (1) The votes on the [~~law proposed by~~] proposed law that is the subject of the  
1908 referendum petition shall be counted, canvassed, and delivered as provided in Title 20A,  
1909 Chapter 4, Part 3, Canvassing Returns.

1910 (2) After the local board of canvassers completes [~~its~~] the canvass, the local clerk shall  
1911 certify to the local legislative body the vote for and against the [~~law proposed by~~] proposed law  
1912 that is the subject of the referendum petition.

1913 (3) (a) The local legislative body shall immediately issue a proclamation that:

1914 (i) gives the total number of votes cast in the local jurisdiction for and against each  
1915 [~~law proposed by~~] proposed law that is the subject of a referendum petition; and

1916 (ii) declares those laws [~~proposed by~~] that are the subject of a referendum petition that

1917 were approved by majority vote to be in full force and effect as the law of the local jurisdiction.

1918 (b) When the local legislative body determines that two proposed laws, or that parts of  
 1919 two proposed laws approved by the people at the same election are entirely in conflict, they  
 1920 shall proclaim that measure to be law that has received the greatest number of affirmative  
 1921 votes, regardless of the difference in the majorities which those measures have received.

1922 (4) (a) Within 10 days after the local legislative body's proclamation, any qualified  
 1923 voter ~~[who signed the referendum petition proposing the]~~ residing in the jurisdiction for a law  
 1924 that is declared by the local legislative body to be superseded by another measure approved at  
 1925 the same election may ~~[apply to the]~~ bring an action in a district court, or, if the Supreme Court  
 1926 has original jurisdiction, the Supreme Court to review the decision.

1927 (b) The ~~[Supreme Court]~~ court shall:

1928 (i) consider the matter and decide whether ~~[or not]~~ the proposed laws are entirely in  
 1929 conflict; and

1930 (ii) ~~[certify its]~~ issue an order, consistent with the court's decision, to the local  
 1931 legislative body.

1932 (5) Within 10 days after the ~~[Supreme Court certifies its]~~ day on which the court  
 1933 certifies the decision, the local legislative body shall:

1934 (a) proclaim ~~[all those]~~ as law all measures approved by the people ~~[as law]~~ that the  
 1935 ~~[Supreme Court has determined]~~ court determines are not in conflict; and

1936 (b) ~~[of all those]~~ for the measures approved by the people as law that the ~~[Supreme~~  
 1937 ~~Court has determined]~~ court determines to be in conflict, proclaim as law the ~~[one]~~ measure  
 1938 that received the greatest number of affirmative votes, regardless of the difference in  
 1939 majorities.

1940 Section 36. Section **20A-7-612** is amended to read:

1941 **20A-7-612. Misconduct of electors and officers -- Penalty.**

1942 (1) It is unlawful for ~~[any person]~~ an individual to:

1943 (a) sign any name other than ~~[his own]~~ the individual's own name to any referendum  
 1944 petition;

1945 ~~[(b) knowingly sign his name more than once for the same measure at one election;]~~

1946 ~~[(c)]~~ (b) sign a referendum knowing ~~[he]~~ that the individual is not a legal voter; ~~[or]~~

1947 (c) in connection with circulating a referendum petition, represent that a document is

1948 an official government document if the individual knows or has reason to know that the  
1949 document is not an official government document; or

1950 (d) knowingly and willfully violate any provision of this part.

1951 (2) It is unlawful for ~~[any person]~~ an individual to sign the verification for a  
1952 referendum packet knowing that:

1953 (a) ~~[he]~~ the individual does not meet the residency requirements of Section [20A-2-105](#);

1954 (b) ~~[he]~~ the individual has not witnessed the signatures of ~~[those persons]~~ the  
1955 individuals whose names appear in the referendum packet; or

1956 (c) one or more ~~[persons]~~ individuals whose signatures appear in the referendum  
1957 packet;

1958 (i) is either:

1959 [(i)] (A) not registered to vote in Utah; or

1960 [(ii)] (B) does not intend to become registered to vote in Utah[-]; or

1961 (ii) appears next to an inaccurate date of signature.

1962 (3) ~~[Any person violating]~~ An individual who violates this part is guilty of a class A  
1963 misdemeanor.

1964 (4) The county attorney or municipal attorney shall prosecute any violation of this  
1965 section.

1966 Section 37. Section **20A-7-613** is amended to read:

1967 **20A-7-613. Property tax referendum petition.**

1968 (1) As used in this section, "certified tax rate" means the same as that term is defined in  
1969 Section [59-2-924](#).

1970 (2) Except as provided in this section, the requirements of this part apply to a  
1971 referendum petition challenging a taxing entity's legislative body's vote to impose a tax rate that  
1972 exceeds the certified tax rate.

1973 ~~[(3) Notwithstanding Subsection [20A-7-604\(5\)](#), the local clerk shall number each of~~  
1974 ~~the referendum packets and return them to the sponsors within two working days.]~~

1975 ~~[(4)]~~ (3) Notwithstanding Subsection [20A-7-606\(1\)](#), the sponsors shall deliver each  
1976 signed and verified referendum packet to the county clerk of the county in which the packet  
1977 was circulated no later than 40 days after the day on which the local clerk complies with  
1978 Subsection ~~[(3)]~~ [20A-7-604\(2\)](#).



1979           ~~[(5)]~~ (4) Notwithstanding Subsections [20A-7-606\(2\)](#) and (3), the county clerk shall  
1980 take the actions required in Subsections [20A-7-606\(2\)](#) and (3) within 10 working days after the  
1981 day on which the county clerk receives the signed and verified referendum packet as described  
1982 in Subsection ~~[(4)]~~ (3).

1983           ~~[(6)]~~ (5) The local clerk shall take the actions required by Section [20A-7-607](#) within  
1984 two working days after the day on which the local clerk receives the referendum packets from  
1985 the county clerk.

1986           ~~[(7)]~~ (6) Notwithstanding Subsection [20A-7-608\(2\)](#), the local attorney shall prepare the  
1987 ballot title within two working days after the day on which the referendum petition is declared  
1988 sufficient for submission to a vote of the people.

1989           ~~[(8)]~~ (7) Notwithstanding Subsection [20A-7-609\(2\)\(c\)](#), a referendum that qualifies for  
1990 the ballot under this section shall appear on the ballot for the earlier of the next regular general  
1991 election or the next municipal general election unless a special election is called.

1992           ~~[(9)]~~ (8) Notwithstanding the requirements related to absentee ballots under this title:

1993           (a) the election officer shall prepare absentee ballots for those voters who have  
1994 requested an absentee ballot as soon as possible after the ballot title is prepared as described in  
1995 Subsection ~~[(7)]~~ (6); and

1996           (b) the election officer shall mail absentee ballots on a referendum under this section  
1997 the later of:

1998           (i) the time provided in Section [20A-3-305](#) or [20A-16-403](#); or

1999           (ii) the time that absentee ballots are prepared for mailing under this section.

2000           ~~[(10)]~~ (9) Section [20A-7-402](#) does not apply to a referendum described in this section.

2001           ~~[(11)]~~ (10) (a) If a majority of voters does not vote against imposing the tax at a rate  
2002 calculated to generate the increased revenue budgeted, adopted, and approved by the taxing  
2003 entity's legislative body:

2004           (i) the certified tax rate for the fiscal year during which the referendum petition is filed  
2005 is its most recent certified tax rate; and

2006           (ii) the proposed increased revenues for purposes of establishing the certified tax rate  
2007 for the fiscal year after the fiscal year described in Subsection ~~[(11)]~~ (10)(a)(i) are the proposed  
2008 increased revenues budgeted, adopted, and approved by the taxing entity's legislative body  
2009 before the filing of the referendum petition.

2010 (b) If a majority of voters votes against imposing a tax at the rate established by the  
2011 vote of the taxing entity's legislative body, the certified tax rate for the taxing entity is the  
2012 taxing entity's most recent certified tax rate.

2013 (c) If the tax rate is set in accordance with Subsection [~~(11)~~] (10)(a)(ii), a taxing entity  
2014 is not required to comply with the notice and public hearing requirements of Section 59-2-919  
2015 if the taxing entity complies with those notice and public hearing requirements before the  
2016 referendum petition is filed.

2017 [~~(12)~~] (11) The ballot title shall, at a minimum, include in substantially this form the  
2018 following: "Shall the [name of the taxing entity] be authorized to levy a tax rate in the amount  
2019 sufficient to generate an increased property tax revenue of [amount] for fiscal year [year] as  
2020 budgeted, adopted, and approved by the [name of the taxing entity]".

2021 [~~(13)~~] (12) A taxing entity shall pay the county the costs incurred by the county that are  
2022 directly related to meeting the requirements of this section and that the county would not have  
2023 incurred but for compliance with this section.

2024 [~~(14)~~] (13) (a) An election officer shall include on a ballot a referendum that has not  
2025 yet qualified for placement on the ballot, if:

2026 (i) sponsors file an application for a referendum described in this section;

2027 (ii) the ballot will be used for the election for which the sponsors are attempting to  
2028 qualify the referendum; and

2029 (iii) the deadline for qualifying the referendum for placement on the ballot occurs after  
2030 the day on which the ballot will be printed.

2031 (b) If an election officer includes on a ballot a referendum described in Subsection  
2032 [~~(14)~~] (13)(a), the ballot title shall comply with Subsection [~~(12)~~] (11).

2033 (c) If an election officer includes on a ballot a referendum described in Subsection  
2034 [~~(14)~~] (13)(a) that does not qualify for placement on the ballot, the election officer shall inform  
2035 the voters by any practicable method that the referendum has not qualified for the ballot and  
2036 that votes cast in relation to the referendum will not be counted.

2037 Section 38. Section **20A-11-1202** is amended to read:

2038 **20A-11-1202. Definitions.**

2039 As used in this part:

2040 (1) "Applicable election officer" means:

- 2041 (a) a county clerk, if the email relates only to a local election; or  
2042 (b) the lieutenant governor, if the email relates to an election other than a local  
2043 election.
- 2044 (2) "Ballot proposition" means constitutional amendments, initiatives, referenda,  
2045 judicial retention questions, opinion questions, bond approvals, or other questions submitted to  
2046 the voters for their approval or rejection.
- 2047 (3) "Campaign contribution" means any of the following when done for a political  
2048 purpose or to advocate for or against a ballot proposition:
- 2049 (a) a gift, subscription, donation, loan, advance, deposit of money, or anything of value  
2050 given to a filing entity;
- 2051 (b) an express, legally enforceable contract, promise, or agreement to make a gift,  
2052 subscription, donation, unpaid or partially unpaid loan, advance, deposit of money, or anything  
2053 of value to a filing entity;
- 2054 (c) any transfer of funds from another reporting entity to a filing entity;
- 2055 (d) compensation paid by any person or reporting entity other than the filing entity for  
2056 personal services provided without charge to the filing entity;
- 2057 (e) remuneration from:
- 2058 (i) any organization or the organization's directly affiliated organization that has a  
2059 registered lobbyist; or
- 2060 (ii) any agency or subdivision of the state, including a school district; or
- 2061 (f) an in-kind contribution.
- 2062 (4) (a) "Commercial interlocal cooperation agency" means an interlocal cooperation  
2063 agency that receives its revenues from conduct of its commercial operations.
- 2064 (b) "Commercial interlocal cooperation agency" does not mean an interlocal  
2065 cooperation agency that receives some or all of its revenues from:
- 2066 (i) government appropriations;
- 2067 (ii) taxes;
- 2068 (iii) government fees imposed for regulatory or revenue raising purposes; or
- 2069 (iv) interest earned on public funds or other returns on investment of public funds.
- 2070 (5) "Expenditure" means:
- 2071 (a) a purchase, payment, donation, distribution, loan, advance, deposit, gift of money,

2072 or anything of value;

2073 (b) an express, legally enforceable contract, promise, or agreement to make any  
2074 purchase, payment, donation, distribution, loan, advance, deposit, gift of money, or anything of  
2075 value;

2076 (c) a transfer of funds between a public entity and a candidate's personal campaign  
2077 committee;

2078 (d) a transfer of funds between a public entity and a political issues committee; or

2079 (e) goods or services provided to or for the benefit of a candidate, a candidate's  
2080 personal campaign committee, or a political issues committee for political purposes at less than  
2081 fair market value.

2082 (6) "Filing entity" means the same as that term is defined in Section 20A-11-101.

2083 (7) "Governmental interlocal cooperation agency" means an interlocal cooperation  
2084 agency that receives some or all of its revenues from:

2085 (a) government appropriations;

2086 (b) taxes;

2087 (c) government fees imposed for regulatory or revenue raising purposes; or

2088 (d) interest earned on public funds or other returns on investment of public funds.

2089 (8) [(a)] "Influence" means to campaign or advocate for or against a ballot proposition.

2090 [~~(b) "Influence" does not mean providing a brief statement about a public entity's~~  
2091 ~~position on a ballot proposition and the reason for that position.]~~

2092 (9) "Interlocal cooperation agency" means an entity created by interlocal agreement  
2093 under the authority of Title 11, Chapter 13, Interlocal Cooperation Act.

2094 (10) "Local district" means an entity under Title 17B, Limited Purpose Local  
2095 Government Entities - Local Districts, and includes a special service district under Title 17D,  
2096 Chapter 1, Special Service District Act.

2097 (11) "Political purposes" means an act done with the intent or in a way to influence or  
2098 intend to influence, directly or indirectly, any person to refrain from voting or to vote for or  
2099 against any:

2100 (a) candidate for public office at any caucus, political convention, primary, or election;

2101 or

2102 (b) judge standing for retention at any election.

2103 (12) "Proposed initiative" means an initiative proposed in an application filed under  
2104 Section 20A-7-202 or 20A-7-502.

2105 (13) "Proposed referendum" means a referendum proposed in an application filed  
2106 under Section 20A-7-302 or 20A-7-602.

2107 ~~[(12)]~~ (14) (a) "Public entity" includes the state, each state agency, each county,  
2108 municipality, school district, local district, governmental interlocal cooperation agency, and  
2109 each administrative subunit of each of them.

2110 (b) "Public entity" does not include a commercial interlocal cooperation agency.

2111 (c) "Public entity" includes local health departments created under Title 26, Chapter 1,  
2112 Department of Health Organization.

2113 ~~[(13)]~~ (15) (a) "Public funds" means any money received by a public entity from  
2114 appropriations, taxes, fees, interest, or other returns on investment.

2115 (b) "Public funds" does not include money donated to a public entity by a person or  
2116 entity.

2117 ~~[(14)]~~ (16) (a) "Public official" means an elected or appointed member of government  
2118 with authority to make or determine public policy.

2119 (b) "Public official" includes the person or group that:

2120 (i) has supervisory authority over the personnel and affairs of a public entity; and

2121 (ii) approves the expenditure of funds for the public entity.

2122 ~~[(15)]~~ (17) "Reporting entity" means the same as that term is defined in Section  
2123 20A-11-101.

2124 ~~[(16)]~~ (18) (a) "State agency" means each department, commission, board, council,  
2125 agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory,  
2126 library, unit, bureau, panel, or other administrative unit of the state.

2127 (b) "State agency" includes the legislative branch, the Board of Regents, the  
2128 institutional councils of each higher education institution, and each higher education  
2129 institution.

2130 Section 39. Section 20A-11-1203 is amended to read:

2131 **20A-11-1203. Public entity prohibited from expending public funds on certain**  
2132 **electoral matters.**

2133 (1) Unless specifically required by law, and except as provided in Section

2134 20A-11-1206, a public entity may not:

2135 (a) make an expenditure from public funds for political purposes [or]<sub>2</sub> to influence a  
2136 ballot proposition[-], or to influence a proposed initiative or proposed referendum; or

2137 (b) publish on the public entity's website an argument for or against a ballot  
2138 proposition, a proposed initiative, or a proposed referendum.

2139 (2) A violation of this section does not invalidate an otherwise valid election.

2140 (3) This section does not prohibit the reasonable expenditure of public funds to gather  
2141 information for, and respond directly to, an individual who makes an inquiry regarding a ballot  
2142 proposition, a proposed initiative, or a proposed referendum.

2143 (4) This section does not prohibit:

2144 (a) a public entity from conducting research, or collecting and compiling information  
2145 or arguments in relation to, a ballot proposition, a proposed initiative, or a proposed  
2146 referendum;

2147 (b) an elected or appointed official of the public entity described in Subsection (4)(a)  
2148 from using the research, information, or arguments described in Subsection (4)(a) for the  
2149 purpose of advocating for or against a ballot proposition, proposed initiative, or proposed  
2150 referendum via a website, or another medium, not owned or controlled by the public entity;

2151 (c) a public entity from posting on the public entity's website a link to another website,  
2152 with a brief description, that is not owned or controlled by a public entity, or from publishing in  
2153 any medium owned, controlled, or paid for by a public entity a website address, with a brief  
2154 description, where an individual may view research, information, and arguments for or against  
2155 a ballot proposition, proposed initiative, or proposed referendum if the public entity:

2156 (i) before posting the link or publishing the address, provides at least seven days  
2157 written notice to the sponsors of the ballot proposition, proposed initiative, or proposed  
2158 referendum:

2159 (A) of the public entity's intent to post the link or publish the address;

2160 (B) a description of each medium in which the public entity intends to post the link or  
2161 publish the address; and

2162 (C) the dates of the publication or posting; and

2163 (ii) posts, immediately adjacent to the link or address, and brief description described  
2164 in Subsection (4)(c)(i), a link to, or an address for, a website, with a brief description,

2165 containing the sponsors' research, information, and arguments for or against the ballot  
2166 proposition, proposed initiative, or proposed referendum, if the sponsors provide a link or  
2167 address within seven days after the day on which the sponsors receive the notice described in  
2168 Subsection (4)(c)(i); or

2169 (d) a public entity from posting on the public entity's website, or any medium, a  
2170 complete copy of a proposition information pamphlet described in Section 20A-7-401.5 or a  
2171 voter information pamphlet.

2172 Section 40. Section **20A-11-1205** is amended to read:

2173 **20A-11-1205. Use of public email for a political purpose.**

2174 (1) Except as provided in Subsection (5), a person may not send an email using the  
2175 email of a public entity:

2176 (a) for a political purpose;

2177 (b) to advocate for or against a [~~ballot proposition~~] proposed initiative, initiative,  
2178 proposed referendum, or referendum; or

2179 (c) to solicit a campaign contribution.

2180 (2) (a) The [~~applicable election officer shall~~] lieutenant governor shall, after giving the  
2181 person and the complainant notice and an opportunity to be heard, impose a civil fine against a  
2182 person who violates Subsection (1) as follows:

2183 [~~(a)~~] (i) up to \$250 for a first violation; and

2184 [~~(b)~~] (ii) except as provided in Subsection (3), for each subsequent violation committed  
2185 after [~~any applicable election officer~~] the lieutenant governor imposes a fine against the person  
2186 for a first violation, \$1,000 multiplied by the number of violations committed by the person.

2187 (b) A person may, within 30 days after the day on which the lieutenant governor  
2188 imposes a fine against the person under this Subsection (2), appeal the fine to a district court.

2189 (3) The [~~applicable election officer~~] lieutenant governor shall consider a violation of  
2190 this section as a first violation if the violation is committed more than seven years after the day  
2191 on which the person last committed a violation of this section.

2192 (4) For purposes of this section, one violation means one act of sending an email,  
2193 regardless of the number of recipients of the email.

2194 (5) A person does not violate this section if:

2195 (a) the lieutenant governor finds that the email described in Subsection (1) was

2196 inadvertently sent by the person [~~described in Subsection (1);~~] using the email of a public  
2197 entity[-];

2198 (b) the person is directly providing information solely to another person or a group of  
2199 people in response to a question asked by the other person or group of people;

2200 (c) the information the person emails is an argument or rebuttal argument prepared  
2201 under Section 20A-7-401.5 or 20A-7-402, and the email includes each opposing argument and  
2202 rebuttal argument that:

2203 (i) relates to the same proposed initiative, initiative, proposed referendum, or  
2204 referendum; and

2205 (ii) complies with the requirements of Section 20A-7-401.5 or 20A-7-402; or

2206 (d) the person is engaging in:

2207 (i) an internal communication solely within the public entity;

2208 (ii) a communication solely with another public entity;

2209 (iii) a communication solely with legal counsel;

2210 (iv) a communication solely with the sponsors of an initiative or referendum;

2211 (v) a communication solely with a land developer for a project permitted by a local  
2212 land use law that is challenged by a proposed referendum or a referendum; or

2213 (vi) a communication solely with a person involved in a business transaction directly  
2214 relating to a project described in Subsection (5)(d)(v).

2215 (6) A violation of this section does not invalidate an otherwise valid election.

2216 (7) An email sent in violation of Subsection (1), as determined by the records officer,  
2217 constitutes a record, as defined in Section 63G-2-103, that is subject to the provisions of Title  
2218 63G, Chapter 2, Government Records Access and Management Act, notwithstanding any  
2219 applicability of Subsection 63G-2-103(22)(b)(i).

2220 Section 41. Section 20A-11-1206 is amended to read:

2221 **20A-11-1206. Exclusions.**

2222 (1) Nothing in this chapter prohibits a public official from speaking, campaigning,  
2223 contributing personal money, or otherwise exercising the public official's individual First  
2224 Amendment rights for political purposes.

2225 (2) (a) ~~[Nothing]~~ Subject to Subsection (2)(b), nothing in this chapter prohibits a public  
2226 entity from providing factual information about a ballot proposition to the public, so long as the



2227 information grants equal access to both the opponents and proponents of the ballot proposition.

2228 (b) A county or municipality may not provide any information to the public about a  
2229 proposed initiative, initiative, proposed referendum, or referendum unless the county or  
2230 municipality:

2231 (i) provides the information in a manner required, or expressly permitted, by law; or

2232 (ii) is directly providing information solely to a person or a group of people in response  
2233 to a question asked by the person or group of people.

2234 (3) Nothing in this chapter prohibits a public entity from the neutral encouragement of  
2235 voters to vote.

2236 (4) Nothing in this chapter prohibits an elected official from campaigning or  
2237 advocating for or against a ballot proposition.

2238 (5) Subject to Subsection (6), a county or municipality may expend a reasonable  
2239 amount of public funds to:

2240 (a) prepare and publish a written argument or written rebuttal argument in accordance  
2241 with Section [20A-7-401.5](#), [20A-7-402](#), or [59-1-1604](#); or

2242 (b) prepare an argument for, and present an argument at, a public meeting under  
2243 Section [20A-7-405](#) or [59-1-1605](#).

2244 (6) A county or municipality may not:

2245 (a) publish an argument or rebuttal argument prepared under Section [20A-7-401.5](#) or  
2246 [20A-7-402](#), unless, at the same time and in the same manner, the county or municipality  
2247 publishes each opposing argument and rebuttal argument that:

2248 (i) relates to the same proposed initiative, initiative, proposed referendum, or  
2249 referendum; and

2250 (ii) complies with the requirements of Section [20A-7-401.5](#) or [20A-7-402](#);

2251 (b) publish an argument or rebuttal argument for or against a proposed initiative,  
2252 initiative, proposed referendum, or referendum that was not prepared and submitted in  
2253 accordance with Section [20A-7-401.5](#) or [20A-7-402](#); or

2254 (c) present an argument or rebuttal argument for or against a proposed initiative,  
2255 initiative, proposed referendum, or referendum at a public meeting, unless the county or  
2256 municipality provides equal opportunity for persons to present opposing arguments and rebuttal  
2257 arguments at the public meeting.

2258 Section 42. Section **63I-2-220** is amended to read:  
2259 **63I-2-220. Repeal dates, Title 20A.**  
2260 (1) Subsection **20A-5-803**(8) is repealed July 1, 2023.  
2261 (2) Section **20A-5-804** is repealed July 1, 2023.  
2262 (3) On January 1, 2019, Subsections **20A-6-107**(2) and (4) are repealed and the  
2263 remaining subsections, and references to those subsections, are renumbered accordingly.  
2264 (4) On July 1, 2018, in Subsection **20A-11-101**(21), the language that states "  
2265 **10-2a-302**," is repealed.  
2266 (5) On January 1, 2026:  
2267 (a) In Subsection **20A-1-102**~~[(23)]~~ (22)(a), the language that states "or Title 20A,  
2268 Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.  
2269 (b) In Subsections **20A-1-303**(1)(a) and (b), the language that states "Except as  
2270 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
2271 repealed.  
2272 (c) In Section **20A-1-304**, the language that states "Except for a race conducted by  
2273 instant runoff voting under Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods  
2274 Pilot Project," is repealed.  
2275 (d) In Subsection **20A-3-105**(1)(a), the language that states "Except as provided in  
2276 Subsection (5)," is repealed.  
2277 (e) In Subsections **20A-3-105**(1)(b), (3)(b), and (4)(b), the language that states "Except  
2278 as provided in Subsections (5) and (6)," is repealed.  
2279 (f) In Subsections **20A-3-105**(2)(a)(i), (3)(a), and (4)(a), the language that states  
2280 "Subject to Subsection (5)," is repealed.  
2281 (g) Subsection **20A-3-105**(5) is repealed and the remaining subsections in Section  
2282 **20A-3-105** are renumbered accordingly.  
2283 (h) In Subsection **20A-4-101**(2)(c), the language that states "Except as provided in  
2284 Subsection (2)(f)," is repealed.  
2285 (i) Subsection **20A-4-101**(2)(f) is repealed.  
2286 (j) Subsection **20A-4-101**~~[(4)]~~ (3) is repealed and replaced with the following:  
2287 "~~[(4)]~~ (3) To resolve questions that arise during the counting of ballots, a counting  
2288 judge shall apply the standards and requirements of Section **20A-4-105**."

2289 (k) In Subsection 20A-4-102(1)(a), the language that states "or a rule made under  
2290 Subsection 20A-4-101(2)(f)(i)" is repealed.

2291 (l) Subsection 20A-4-102(1)(b) is repealed and replaced with the following:

2292 "(b) To resolve questions that arise during the counting of ballots, a counting judge  
2293 shall apply the standards and requirements of Section 20A-4-105."

2294 (m) In Subsection 20A-4-102(6)(a), the language that states ", except as provided in  
2295 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, or a rule made  
2296 under Subsection 20A-4-101(2)(f)(i)" is repealed.

2297 (n) In Subsection 20A-4-105(1)(a), the language that states ", except as otherwise  
2298 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
2299 repealed.

2300 (o) In Subsection 20A-4-105(2), the language that states "Subsection 20A-3-105(5), or  
2301 Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

2302 (p) In Subsections 20A-4-105(3), (5), and (12), the language that states "Except as  
2303 otherwise provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot  
2304 Project," is repealed.

2305 (q) In Subsection 20A-4-106(1)(a)(ii), the language that states "or Title 20A, Chapter  
2306 4, Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

2307 (r) In Subsection 20A-4-304(1)(a), the language that states "except as provided in Title  
2308 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

2309 (s) Subsection 20A-4-304(2)(a)(v) is repealed and replaced with the following:  
2310 "(v) from each voting precinct:

2311 (A) the number of votes for each candidate; and

2312 (B) the number of votes for and against each ballot proposition;".

2313 (t) Subsection 20A-4-401(1)(a) is repealed, the remaining subsections in Subsection (1)  
2314 are renumbered accordingly, and the cross-references to those subsections are renumbered  
2315 accordingly.

2316 (u) Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project, is  
2317 repealed.

2318 (v) Subsection 20A-5-404(3)(b) is repealed and the remaining subsections in  
2319 Subsection (3) are renumbered accordingly.

2320 (w) Subsection [20A-5-404\(4\)\(b\)](#) is repealed and the remaining subsections in  
 2321 Subsection (4) are renumbered accordingly.

2322 (x) Section [20A-6-203.5](#) is repealed.

2323 (y) In Subsections [20A-6-402\(1\)](#), (2), (3), and (4), the language that states "Except as  
 2324 otherwise required for a race conducted by instant runoff voting under Title 20A, Chapter 4,  
 2325 Part 6, Municipal Alternate Voting Methods Pilot Project," is repealed.

2326 (z) In Subsection [20A-9-404\(1\)\(a\)](#), the language that states "or Title 20A, Chapter 4,  
 2327 Part 6, Municipal Alternate Voting Methods Pilot Project" is repealed.

2328 (aa) In Subsection [20A-9-404\(2\)](#), the language that states "Except as otherwise  
 2329 provided in Title 20A, Chapter 4, Part 6, Municipal Alternate Voting Methods Pilot Project," is  
 2330 repealed.

2331 (6) Section [20A-7-407](#) is repealed January 1, 2021.

2332 Section 43. **Revisor instructions.**

2333 The Legislature intends that the Office of Legislative Research and General Counsel, in  
 2334 preparing the Utah Code database for publication, replace the reference in Subsection  
 2335 [20A-7-407\(1\)\(b\)](#) from "this bill" to the bill's designated chapter number in the Laws of Utah.

2336 Section 44. **Coordinating H.B. 119 with S.B. 33 -- Substantive and technical**  
 2337 **amendments.**

2338 If this H.B. 119 and S.B. 33, Political Procedures Amendments, both pass and become  
 2339 law, it is the intent of the Legislature that the Office of Legislative Research and General  
 2340 Counsel shall prepare the Utah Code database for publication by amending Subsections  
 2341 [20A-7-402\(3\)\(f\)](#) through (i) to read:

2342 "[(f)] (g) (i) [Except as provided in Subsection (3)(g), a] A sponsor of a special local  
 2343 ballot proposition may prepare [an] a written argument in favor of the special local ballot  
 2344 proposition.

2345 (ii) [Except as provided in Subsection (3)(g), and subject] Subject to Subsection [(3)]  
 2346 (2)(e), an eligible voter opposed to the special local ballot proposition who submits a request  
 2347 under Subsection [(3)] (2)(d) may prepare [an] a written argument against the special local  
 2348 ballot proposition.

2349 [(g) (i) For a referendum, subject to Subsection (3)(e), an eligible voter who is in favor  
 2350 of a law that is referred to the voters and who submits a request under Subsection (3)(d) may

2351 ~~prepare an argument for adoption of the law.]~~

2352 ~~[(ii) The sponsors of a referendum may prepare an argument against the adoption of a~~  
2353 ~~law that is referred to the voters.]~~

2354 (h) An eligible voter who submits ~~[an]~~ a written argument under this section in relation  
2355 to a special local ballot proposition shall:

2356 (i) ensure that the written argument does not exceed 500 words in length, not counting  
2357 the information described in Subsection (2)(h)(ii) or (iv);

2358 (ii) ~~[ensure that the argument does not]~~ list, at the end of the argument, at least one, but  
2359 no more than five, names as sponsors;

2360 (iii) submit the written argument to the election officer before 5 p.m. no later than 60  
2361 days before the election day on which the ballot proposition will be submitted to the voters;

2362 ~~[and]~~

2363 (iv) list in the argument, immediately after the eligible voter's name, the eligible voter's  
2364 residential address; and

2365 ~~[(iv)]~~ (v) ~~[include]~~ submit with the written argument the eligible voter's name,  
2366 residential address, postal address, email address if available, and phone number.

2367 (i) An election officer shall refuse to accept and publish an argument ~~[that is]~~  
2368 submitted after the deadline described in Subsection ~~[(3)]~~(2)(h)(iii)."