

1 **VOTER INFORMATION PAMPHLETS**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Peter C. Knudson**

5 House Sponsor: Kraig Powell

6

7 **LONG TITLE**

8 **Committee Note:**

9 The Government Operations and Political Subdivisions Interim Committee
10 recommended this bill.

11 **General Description:**

12 This bill amends provisions relating to voter information pamphlets.

13 **Highlighted Provisions:**

14 This bill:

15 ▶ amends the dates by which information shall be submitted for the voter information
16 pamphlet;

17 ▶ makes the mailing of a voter information pamphlet optional in certain
18 circumstances;

19 ▶ authorizes a notice of:

- 20 • the website on which a voter information pamphlet is published; and
- 21 • the phone number to call to request a voter information pamphlet by mail; and

22 ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**



28 AMENDS:

29 **11-14-202**, as last amended by Laws of Utah 2010, Chapters 90 and 388

30 **20A-7-209**, as last amended by Laws of Utah 2011, Chapter 315

31 **20A-7-402**, as last amended by Laws of Utah 2011, Chapter 335

32 **20A-7-702**, as last amended by Laws of Utah 2011, Chapter 297

33 **20A-7-703**, as last amended by Laws of Utah 2008, Chapter 225

34 **20A-7-704**, as last amended by Laws of Utah 2001, Chapter 65

35 **20A-7-706**, as last amended by Laws of Utah 2011, Chapter 297

36 **20A-7-801**, as last amended by Laws of Utah 2011, Chapters 291 and 340



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

39 Section 1. Section **11-14-202** is amended to read:

40 **11-14-202. Notice of election -- Contents -- Publication -- Mailing.**

41 (1) The governing body shall ensure that notice of the election is provided:

42 (a) once per week during three consecutive weeks by publication in a newspaper

43 having general circulation in the local political subdivision in accordance with Section

44 11-14-316, the first publication occurring not less than 21 nor more than 35 days before the

45 election;

46 (b) on a website, if available, in accordance with Section 45-1-101 for the three weeks

47 that immediately precede the election; and

48 (c) in a local political subdivision where there is no newspaper of general circulation,

49 by posting notice of the bond election in at least five public places in the local political

50 subdivision at least 21 days before the election.

51 (2) When the debt service on the bonds to be issued will increase the property tax

52 imposed upon the average value of a residence by an amount that is greater than or equal to \$15

53 per year, the governing body shall prepare and mail either a voter information pamphlet or a

54 notification described in Subsection (6):

55 (a) at least [~~seven~~] 15 days but not more than [~~30~~] 45 days before the bond election;

56 (b) to each household containing a registered voter who is eligible to vote on the

57 bonds; and

58 (c) that includes the information required by Subsections (3) and (4).

59 (3) The notice and voter information pamphlet required by this section shall include:

60 (a) the date and place of the election;

61 (b) the hours during which the polls will be open; and

62 (c) the title and text of the ballot proposition.

63 (4) The voter information pamphlet required by this section shall include:

64 (a) the information required by Subsection (3); and

65 (b) an explanation of the property tax impact, if any, of the issuance of the bonds,

66 which may be based on information the governing body determines to be useful, including:

67 (i) expected debt service on the bonds to be issued;

68 (ii) a description of the purpose, remaining principal balance, and maturity date of any

69 outstanding general obligation bonds of the issuer;

70 (iii) funds other than property taxes available to pay debt service on general obligation

71 bonds;

72 (iv) timing of expenditures of bond proceeds;

73 (v) property values; and

74 (vi) any additional information that the governing body determines may be useful to

75 explain the property tax impact of issuance of the bonds.

76 (5) The governing body shall pay the costs associated with the notice required by this

77 section.

78 (6) The governing body may ~~H~~→ [send] mail ←~~H~~ a notice of:

79 (a) the website upon which the voter information pamphlet is available; and

80 (b) the phone number a voter may call to request delivery of a voter information

81 pamphlet by mail.

82 Section 2. Section **20A-7-209** is amended to read:

83 **20A-7-209. Ballot title -- Duties of lieutenant governor and Office of Legislative**
84 **Research and General Counsel.**

85 (1) By [~~July 6~~] June 5 before the regular general election, the lieutenant governor shall

86 deliver a copy of all of the proposed laws that have qualified for the ballot to the Office of

87 Legislative Research and General Counsel.

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

89 (i) entitle each state initiative that has qualified for the ballot "Proposition Number ___"

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

91 (ii) prepare an impartial ballot title for each initiative summarizing the contents of the
92 measure; and

93 (iii) return each petition and ballot title to the lieutenant governor by [~~July 20~~] June 26.

94 (b) The ballot title may be distinct from the title of the proposed law attached to the
95 initiative petition, and shall be not more than 100 words.

96 (c) For each state initiative, the official ballot shall show:

97 (i) the number of the initiative as determined by the Office of Legislative Research and
98 General Counsel;

99 (ii) the ballot title as determined by the Office of Legislative Research and General
100 Counsel; and

101 (iii) the initial fiscal impact estimate prepared under Section 20A-7-202.5 or updated
102 under Section 20A-7-204.1.

103 (3) By [~~July 21~~] June 27, the lieutenant governor shall mail a copy of the ballot title to
104 any sponsor of the petition.

105 (4) (a) (i) At least three of the sponsors of the petition may, by July [~~30~~] 6, challenge
106 the wording of the ballot title prepared by the Office of Legislative Research and General
107 Counsel to the Supreme Court.

108 (ii) After receipt of the appeal, the Supreme Court shall direct the lieutenant governor
109 to send notice of the appeal to:

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

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

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

118 (ii) The Supreme Court may not revise the wording of the ballot title unless the
119 plaintiffs rebut the presumption by clearly and convincingly establishing that the ballot title is
120 patently false or biased.

121 (c) The Supreme Court shall:
122 (i) examine the ballot title;
123 (ii) hear arguments; and
124 (iii) certify to the lieutenant governor a ballot title for the measure that meets the
125 requirements of this section.

126 (d) The lieutenant governor shall certify the title verified by the Supreme Court to the
127 county clerks to be printed on the official ballot.

128 Section 3. Section **20A-7-402** is amended to read:

129 **20A-7-402. Local voter information pamphlet -- Contents -- Limitations --**
130 **Preparation -- Statement on front cover.**

131 (1) The county or municipality that is the subject of a ballot proposition shall prepare a
132 local voter information pamphlet that meets the requirements of this part.

133 (2) (a) The arguments for and against a ballot proposition shall conform to the
134 requirements of this section.

135 (i) To prepare arguments for or against a ballot proposition, a person shall file a request
136 with the local legislative body at least [~~50~~] 65 days before the election at which the ballot
137 proposition is to be voted upon.

138 (ii) If more than one person requests the opportunity to prepare arguments for or
139 against a ballot proposition, the governing body shall make the final designation according to
140 the following criteria:

141 (A) sponsors have priority in preparing an argument regarding a ballot proposition; and

142 (B) members of the local legislative body have priority over others.

143 (iii) (A) Except as provided by Subsection (2)(a)(iv), a sponsor of a ballot proposition
144 may prepare an argument in favor of the ballot proposition.

145 (B) Except as provided by Subsection (2)(a)(iv), a person opposed to the ballot
146 proposition who submits a request under Subsection (2)(a)(i) may prepare an argument against
147 the ballot proposition.

148 (iv) (A) For a referendum, a person who is in favor of a law that is referred to the
149 voters and who submits a request under Subsection (2)(a)(i) may prepare an argument for
150 adoption of the law.

151 (B) The sponsors of a referendum may prepare an argument against the adoption of a

152 law that is referred to the voters.

153 (v) The arguments may not:

154 (A) exceed 500 words in length; or

155 (B) list more than five names as sponsors.

156 (vi) The arguments supporting and opposing any county or municipal ballot
157 proposition shall be filed with the local clerk not less than [~~45~~] 50 days before the election at
158 which they are to be voted upon.

159 (b) The local voter information pamphlet shall include a copy of the initial fiscal
160 impact estimate prepared for each initiative under Section 20A-7-502.5.

161 (3) (a) In preparing the local voter information pamphlet, the local legislative body
162 shall:

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

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

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

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

169 (iv) ensure that the local clerk distributes either the pamphlets or the notice described
170 in Subsection (3)(c) either by mail or carrier not less than [~~eight~~] 15 days but not more than 45
171 days before the election at which the ballot propositions are to be voted upon.

172 (b) (i) If the proposed measure exceeds 500 words in length, the local legislative body
173 may direct the local clerk to summarize the measure in 500 words or less.

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

176 (c) The local legislative body may distribute a notice with:

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

179 (ii) the phone number a voter may call to request delivery of a voter information
180 pamphlet by mail or carrier.

181 Section 4. Section **20A-7-702** is amended to read:

182 **20A-7-702. Voter information pamphlet -- Form -- Contents -- Distribution.**

183 (1) The lieutenant governor shall ensure that all information submitted for publication
184 in the voter information pamphlet is:

185 (a) printed and bound in a single pamphlet;

186 (b) printed in clear readable type, no less than 10 point, except that the text of any
187 measure may be set forth in eight-point type; and

188 (c) printed on a quality and weight of paper that best serves the voters.

189 (2) The voter information pamphlet shall contain the following items in this order:

190 (a) a cover title page;

191 (b) an introduction to the pamphlet by the lieutenant governor;

192 (c) a table of contents;

193 (d) a list of all candidates for constitutional offices;

194 (e) a list of candidates for each legislative district;

195 (f) a 100-word statement of qualifications for each candidate for the office of governor,
196 lieutenant governor, attorney general, state auditor, or state treasurer, if submitted by the
197 candidate to the lieutenant governor's office before 5 p.m. on the date that falls 105 days before
198 the date of the election;

199 (g) information pertaining to all measures to be submitted to the voters, beginning a
200 new page for each measure and containing, in the following order for each measure:

201 (i) a copy of the number and ballot title of the measure;

202 (ii) the final vote cast by the Legislature on the measure if it is a measure submitted by
203 the Legislature or by referendum;

204 (iii) the impartial analysis of the measure prepared by the Office of Legislative
205 Research and General Counsel;

206 (iv) the arguments in favor of the measure, the rebuttal to the arguments in favor of the
207 measure, the arguments against the measure, and the rebuttal to the arguments against the
208 measure, with the name and title of the authors at the end of each argument or rebuttal;

209 (v) for each constitutional amendment, a complete copy of the text of the constitutional
210 amendment, with all new language underlined, and all deleted language placed within brackets;

211 (vi) for each initiative qualified for the ballot, a copy of the measure as certified by the
212 lieutenant governor and a copy of the fiscal impact estimate prepared according to Section
213 20A-7-202.5; and

214 (vii) for each referendum qualified for the ballot, a complete copy of the text of the law
215 being submitted to the voters for their approval or rejection, with all new language underlined
216 and all deleted language placed within brackets, as applicable;

217 (h) a description provided by the Judicial Performance Evaluation Commission of the
218 selection and retention process for judges, including, in the following order:

219 (i) a description of the judicial selection process;

220 (ii) a description of the judicial performance evaluation process;

221 (iii) a description of the judicial retention election process;

222 (iv) a list of the criteria of the judicial performance evaluation and the minimum
223 performance standards;

224 (v) the names of the judges standing for retention election; and

225 (vi) for each judge:

226 (A) a list of the counties in which the judge is subject to retention election;

227 (B) a short biography of professional qualifications and a recent photograph;

228 (C) for each standard of performance, a statement identifying whether or not the judge
229 met the standard and, if not, the manner in which the judge failed to meet the standard;

230 (D) a statement provided by the Utah Supreme Court identifying the cumulative
231 number of informal reprimands, when consented to by the judge in accordance with Title 78A,
232 Chapter 11, Judicial Conduct Commission, formal reprimands, and all orders of censure and
233 suspension issued by the Utah Supreme Court under Utah Constitution Article VIII, Section 13
234 during the judge's current term and the immediately preceding term, and a detailed summary of
235 the supporting reasons for each violation of the Code of Judicial Conduct that the judge has
236 received;

237 (E) a statement identifying whether or not the Judicial Performance Evaluation
238 Commission recommends the judge be retained or declines to make a recommendation; and

239 (F) any statement provided by a judge who is not recommended for retention by the
240 Judicial Performance Evaluation Commission under Section 78A-12-203;

241 (vii) for each judge, in a bar graph, the average of responses to each survey category,
242 displayed with an identification of the minimum acceptable score as set by Section 78A-12-205
243 and the average score of all judges of the same court level; and

244 (viii) a website address that contains the Judicial Performance Evaluation Commission's

245 report on the judge's performance evaluation;

246 (i) an explanation of ballot marking procedures prepared by the lieutenant governor,
247 indicating the ballot marking procedure used by each county and explaining how to mark the
248 ballot for each procedure;

249 (j) voter registration information, including information on how to obtain an absentee
250 ballot;

251 (k) a list of all county clerks' offices and phone numbers; and

252 (l) on the back cover page, a printed copy of the following statement signed by the
253 lieutenant governor:

254 "I, _____ (print name), Lieutenant Governor of Utah, certify that the
255 measures contained in this pamphlet will be submitted to the voters of Utah at the election to
256 be held throughout the state on ____ (date of election), and that this pamphlet is complete and
257 correct according to law. SEAL

258 Witness my hand and the Great Seal of the State, at Salt Lake City, Utah this ____ day
259 of ____ (month), ____ (year)

260 (signed) _____
261 Lieutenant Governor"

262 (3) No earlier than [~~40~~] 75 days, and no later than 15 days, before the day on which
263 voting commences, the lieutenant governor shall:

264 (a) (i) distribute one copy of the voter information pamphlet to each household within
265 the state;

266 (ii) distribute to each household within the state a notice of:

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

269 (B) the phone number a voter may call to request delivery of a voter information
270 pamphlet by mail; or

271 [~~(ii)~~] (iii) ensure that one copy of the voter information pamphlet is placed in one issue
272 of every newspaper of general circulation in the state;

273 (b) ensure that a sufficient number of printed voter information pamphlets are available
274 for distribution as required by this section;

275 (c) provide voter information pamphlets to each county clerk for free distribution upon

276 request and for placement at polling places; and

277 (d) ensure that the distribution of the voter information pamphlets is completed 15 days
278 before the election.

279 Section 5. Section **20A-7-703** is amended to read:

280 **20A-7-703. Impartial analysis of measure -- Determination of fiscal effects.**

281 (1) The director of the Office of Legislative Research and General Counsel, after the
282 approval of the legislative general counsel as to legal sufficiency, shall:

283 (a) prepare an impartial analysis of each measure submitted to the voters by the
284 Legislature or by initiative or referendum petition; and

285 (b) submit the impartial analysis to the lieutenant governor no later than the day that
286 falls ~~[75]~~ 90 days before the date of the election in which the measure will appear on the ballot.

287 (2) The director shall ensure that the impartial analysis:

288 (a) is not more than 1,000 words long;

289 (b) is prepared in clear and concise language that will easily be understood by the
290 average voter;

291 (c) avoids the use of technical terms as much as possible;

292 (d) shows the effect of the measure on existing law;

293 (e) identifies any potential conflicts with the United States or Utah Constitutions raised
294 by the measure;

295 (f) fairly describes the operation of the measure;

296 (g) identifies the measure's fiscal effects for the first full year of implementation and
297 the first year when the last provisions to be implemented are fully effective; and

298 (h) identifies the amount of any increase or decrease in revenue or cost to state or local
299 government.

300 (3) The director shall analyze the measure as it is proposed to be adopted without
301 considering any implementing legislation, unless the implementing legislation has been enacted
302 and will become effective upon the adoption of the measure by the voters.

303 (4) (a) In determining the fiscal effects of a measure, the director shall confer with the
304 legislative fiscal analyst.

305 (b) The director shall consider any measure that requires implementing legislation in
306 order to take effect to have no financial effect, unless implementing legislation has been

307 enacted that will become effective upon adoption of the measure by the voters.

308 (5) If the director requests the assistance of any state department, agency, or official in
309 preparing his analysis, that department, agency, or official shall assist the director.

310 Section 6. Section **20A-7-704** is amended to read:

311 **20A-7-704. Initiative measures -- Arguments for and against -- Voters' requests**
312 **for argument -- Ballot arguments.**

313 (1) (a) (i) (A) By [~~August~~] July 10 of the regular general election year, the sponsors of
314 any initiative petition that has been declared sufficient by the lieutenant governor may deliver
315 to the lieutenant governor an argument for the adoption of the measure.

316 (B) If two or more sponsors wish to submit arguments for the measure, the lieutenant
317 governor shall designate one of them to submit the argument for his side of the measure.

318 (ii) (A) Any member of the Legislature may request permission to submit an argument
319 against the adoption of the measure.

320 (B) If two or more legislators wish to submit an argument against the measure, the
321 presiding officers of the Senate and House of Representatives shall jointly designate one of
322 them to submit the argument to the lieutenant governor.

323 (b) The sponsors and the legislators submitting arguments shall ensure that each
324 argument:

325 (i) does not exceed 500 words in length; and

326 (ii) is delivered by [~~August~~] July 10.

327 (2) (a) (i) If an argument for or against a measure to be submitted to the voters by
328 initiative petition has not been filed within the time required by Subsection (1), any voter may
329 request the lieutenant governor for permission to prepare an argument for the side on which no
330 argument has been prepared.

331 (ii) If two or more voters request permission to submit arguments on the same side of a
332 measure, the lieutenant governor shall designate one of the voters to write the argument.

333 (b) Any argument prepared under this subsection shall be submitted to the lieutenant
334 governor by [~~August~~] July 20.

335 (3) The lieutenant governor may not accept a ballot argument submitted under this
336 section unless it is accompanied by:

337 (a) the name and address of the person submitting it, if it is submitted by an individual

338 voter; or

339 (b) the name and address of the organization and the names and addresses of at least
340 two of its principal officers, if it is submitted on behalf of an organization.

341 (4) (a) Except as provided in Subsection (4)(c), the authors may not amend or change
342 the arguments after they are submitted to the lieutenant governor.

343 (b) Except as provided in Subsection (4)(c), the lieutenant governor may not alter the
344 arguments in any way.

345 (c) The lieutenant governor and the authors of an argument may jointly modify an
346 argument after it is submitted if:

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

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

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

351 **20A-7-706. Copies of arguments to be sent to opposing authors -- Rebuttal**
352 **arguments.**

353 (1) When the lieutenant governor has received the arguments for and against a measure
354 to be submitted to the voters, the lieutenant governor shall immediately send copies of the
355 arguments in favor of the measure to the authors of the arguments against and copies of the
356 arguments against to the authors of the arguments in favor.

357 (2) The authors may prepare and submit rebuttal arguments not exceeding 250 words.

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

359 (i) for constitutional amendments and referendum petitions, not later than the day that
360 falls 120 days before the date of the election; and

361 (ii) for initiatives, not later than ~~August~~ July 30.

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

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

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

368 (i) they jointly agree that changes to the rebuttal argument must be made to correct

369 spelling or grammatical errors; and

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

371 (4) The lieutenant governor shall ensure that:

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

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

375 Section 8. Section **20A-7-801** is amended to read:

376 **20A-7-801. Statewide Electronic Voter Information Website Program -- Duties of**
377 **the lieutenant governor -- Content -- Duties of local election officials -- Deadlines --**
378 **Frequently asked voter questions -- Other elections.**

379 (1) There is established the Statewide Electronic Voter Information Website Program
380 administered by the lieutenant governor in cooperation with the county clerks for general
381 elections and municipal authorities for municipal elections.

382 (2) In accordance with this section, and as resources become available, the lieutenant
383 governor, in cooperation with county clerks, shall develop, establish, and maintain a
384 state-provided Internet website designed to help inform the voters of the state of:

385 (a) the offices and candidates up for election; and

386 (b) the content, effect, operation, fiscal impact, and supporting and opposing arguments
387 of ballot propositions submitted to the voters.

388 (3) Except as provided under Subsection (6), the website shall include:

389 (a) all information currently provided in the Utah voter information pamphlet under
390 Title 20A, Chapter 7, Part 7, Voter Information Pamphlet, including a section prepared,
391 analyzed, and submitted by the Judicial Council describing the judicial selection and retention
392 process;

393 (b) all information submitted by election officers under Subsection (4) on local office
394 races, local office candidates, and local ballot propositions;

395 (c) a list that contains the name of a political subdivision that operates an election day
396 voting center under Section 20A-3-703 and the location of the election day voting center; and

397 (d) other information determined appropriate by the lieutenant governor that is
398 currently being provided by law, rule, or ordinance in relation to candidates and ballot
399 questions.

400 (4) (a) An election official shall submit the following information for each ballot label
401 under the election official's direct responsibility under this title:

402 (i) a list of all candidates for each office;

403 (ii) if submitted by the candidate to the election official's office [~~on or before August~~
404 ~~20 at 5 p.m.~~] at 5 p.m. at least 45 days before the primary election and 60 days before the
405 general election:

406 (A) a statement of qualifications, not exceeding 200 words in length, for each
407 candidate;

408 (B) the following biographical information if desired by the candidate, current:

409 (I) age;

410 (II) occupation;

411 (III) city of residence;

412 (IV) years of residence in current city; and

413 (V) email address; and

414 (C) a single web address where voters may access more information about the
415 candidate and the candidate's views; and

416 (iii) factual information pertaining to all ballot propositions submitted to the voters,
417 including:

418 (A) a copy of the number and ballot title of each ballot proposition;

419 (B) the final vote cast for each ballot proposition, if any, by a legislative body if the
420 vote was required to place the ballot proposition on the ballot;

421 (C) a complete copy of the text of each ballot proposition, with all new language
422 underlined and all deleted language placed within brackets; and

423 (D) other factual information determined helpful by the election official.

424 (b) The information under Subsection (4)(a) shall be submitted to the lieutenant
425 governor no later than one business day after the deadline under Subsection (4)(a) for each
426 general election year and each municipal election year.

427 (c) The lieutenant governor shall:

428 (i) review the information submitted under this section prior to placing it on the
429 website to determine compliance under this section;

430 (ii) refuse to post information submitted under this section on the website if it is not in

431 compliance with the provisions of this section; and

432 (iii) organize, format, and arrange the information submitted under this section for the
433 website.

434 (d) The lieutenant governor may refuse to include information the lieutenant governor
435 determines is not in keeping with:

436 (i) Utah voter needs;

437 (ii) public decency; or

438 (iii) the purposes, organization, or uniformity of the website.

439 (e) A refusal under Subsection (4)(d) is subject to appeal in accordance with
440 Subsection (5).

441 (5) (a) A person whose information is refused under Subsection (4), and who is
442 aggrieved by the determination, may appeal by submitting a written notice of appeal to the
443 lieutenant governor within 10 business days after the date of the determination. A notice of
444 appeal submitted under this Subsection (5)(a) shall contain:

445 (i) a listing of each objection to the lieutenant governor's determination; and

446 (ii) the basis for each objection.

447 (b) The lieutenant governor shall review the notice of appeal and shall issue a written
448 response within 10 business days after the notice of appeal is submitted.

449 (c) An appeal of the response of the lieutenant governor shall be made to the district
450 court, which shall review the matter de novo.

451 (6) (a) The lieutenant governor shall ensure that each voter will be able to conveniently
452 enter the voter's address information on the website to retrieve information on which offices,
453 candidates, and ballot propositions will be on the voter's ballot at the next general election or
454 municipal election.

455 (b) The information on the website will anticipate and answer frequent voter questions
456 including the following:

457 (i) what offices are up in the current year for which the voter may cast a vote;

458 (ii) who is running for what office and who is the incumbent, if any;

459 (iii) what address each candidate may be reached at and how the candidate may be
460 contacted;

461 (iv) for partisan races only, what, if any, is each candidate's party affiliation;

- 462 (v) what qualifications have been submitted by each candidate;
 - 463 (vi) where additional information on each candidate may be obtained;
 - 464 (vii) what ballot propositions will be on the ballot; and
 - 465 (viii) what judges are up for retention election.
- 466 [~~(7) By not later than March 1, 2008, the lieutenant governor shall have the Statewide~~
467 ~~Electronic Voter Information Website Program ready for use in the next election in accordance~~
468 ~~with this section.]~~
- 469 [(8)] (7) As resources are made available and in cooperation with the county clerks, the
470 lieutenant governor may expand the electronic voter information website program to include
471 the same information as provided under this section for special elections and primary elections.

Legislative Review Note
as of 10-26-11 6:50 AM

Office of Legislative Research and General Counsel