

**JOINT RESOLUTION ON POLITICAL PARTIES AND
THEIR CANDIDATES**

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to enact a provision relating to political parties and their candidates.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ prohibit the infringement of the right of a political party to nominate its candidates using a process that the party defines; and
- ▶ prohibit the exercise of that right from being the basis for giving a political party or its candidates unequal treatment on the ballot or in the election process.

Special Clauses:

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2015 for this proposal.

Utah Constitution Sections Affected:

ENACTS:

ARTICLE IV, SECTION 11

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

Section 1. It is proposed to enact Utah Constitution Article IV, Section 11, to read:



28 **Article IV, Section 11. [Political party right to nominate candidates -- Unequal**
29 **treatment prohibited.]**

30 (1) The right of a political party to nominate its candidates using a process that the
31 political party defines may not be infringed.

32 (2) A political party's exercise of its right described in Subsection (1) may not be the
33 basis for the state or a political subdivision of the state giving the political party unequal
34 treatment on the ballot or in the election process.

35 **Section 2. Submittal to voters.**

36 The lieutenant governor is directed to submit this proposed amendment to the voters of
37 the state at the next regular general election in the manner provided by law.

38 **Section 3. Contingent effective date.**

39 If the amendment proposed by this joint resolution is approved by a majority of those
40 voting on it at the next regular general election, the amendment shall take effect on January 1,
41 2015.

Legislative Review Note
as of 2-12-14 12:24 PM

Office of Legislative Research and General Counsel