

JOINT RESOLUTION ON LEGISLATIVE POWER

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision on legislative power.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ modify the legislative power of the people to include a provision allowing the Legislature to require any law it passes relating to taxation to be approved by voters before taking effect.

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:

AMENDS:

ARTICLE VI, SECTION 1

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 amend Utah Constitution Article VI, Section 1, to read:

Article VI, Section 1. [Power vested in Senate, House, and People.]

(1) The Legislative power of the State shall be vested in:



28 (a) a Senate and House of Representatives which shall be designated the Legislature of
29 the State of Utah; and

30 (b) the people of the State [~~of Utah~~] as provided in Subsection (2).

31 (2) (a) (i) The legal voters of the State [~~of Utah~~], in the numbers, under the conditions,
32 in the manner, and within the time provided by statute, may:

33 (A) initiate any desired legislation and cause it to be submitted to the people for
34 adoption upon a majority vote of those voting on the legislation, as provided by statute; or

35 (B) require any law passed by the Legislature, except those laws passed by a two-thirds
36 vote of the members elected to each house of the Legislature, to be submitted to the voters of
37 the State, as provided by statute, before the law may take effect.

38 (ii) The Legislature may require any law it passes relating to taxation to be approved by
39 the voters of the State before taking effect.

40 ~~[(ii)]~~ (iii) Notwithstanding Subsection (2)(a)(i)(A), legislation initiated to allow, limit,
41 or prohibit the taking of wildlife or the season for or method of taking wildlife shall be adopted
42 upon approval of two-thirds of those voting.

43 (b) The legal voters of any county, city, or town, in the numbers, under the conditions,
44 in the manner, and within the time provided by statute, may:

45 (i) initiate any desired legislation and cause it to be submitted to the people of the
46 county, city, or town for adoption upon a majority vote of those voting on the legislation, as
47 provided by statute; or

48 (ii) require any law or ordinance passed by the law making body of the county, city, or
49 town to be submitted to the voters thereof, as provided by statute, before the law or ordinance
50 may take effect.

51 **Section 2. Submittal to voters.**

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

54 **Section 3. Contingent effective date.**

55 If the amendment proposed by this joint resolution is approved by a majority of those
56 voting on it at the next regular general election, the amendment shall take effect on January 1,
57 2015.

Legislative Review Note
as of 11-22-13 12:28 PM

Office of Legislative Research and General Counsel