

**PROPOSAL TO AMEND UTAH CONSTITUTION --
LEGISLATOR QUALIFICATIONS**

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig Hall

Senate Sponsor: Daniel McCay

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to legislator qualifications.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ specify that certain qualifications of a person elected or appointed as a legislator apply as of the time of election or appointment.

Special Clauses:

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

This resolution provides a contingent effective date of January 1, 2021 for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE VI, SECTION 5

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 5, to read:

Article VI, Section 5. [Who is eligible as a legislator.]

(1) A person is not eligible to the office of senator or representative unless the person



28 is:

29 (a) at the time of election or appointment:

30 [~~(a)~~] (i) a citizen of the United States;

31 [~~(b)~~] (ii) at least twenty-five years of age; and

32 [~~(c)~~] (iii) a qualified voter in the district from which the person is chosen;

33 [~~(d)~~] (b) a resident of the state for three consecutive years immediately prior to:

34 (i) the last date provided by statute for filing for the office, for a person seeking
35 election to the office; or

36 (ii) the person's appointment to the office, for a person appointed to fill a mid-term
37 vacancy; and

38 [~~(e)~~] (c) (i) a resident of the district from which the person is elected for six
39 consecutive months immediately prior to the last date provided by statute for filing for the
40 office; or

41 (ii) a resident of the district for which the person is appointed to fill a mid-term
42 vacancy for six consecutive months immediately prior to the person's appointment.

43 (2) A person elected or appointed to the office of senator or representative may not
44 continue to serve in that office after ceasing to be a resident of the district from which elected
45 or for which appointed.

46 Section 2. **Submittal to voters.**

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

49 Section 3. **Contingent effective date.**

50 If the amendment proposed by this joint resolution is approved by a majority of those
51 voting on it at the next regular general election, the amendment shall take effect on January 1,
52 2021.