

HJR022 compared with HJR022S01

20 Article VI, Section 16

21 Article VI, Section 17

22 Article VI, Section 18

23 Article VI, Section 31

24 Article VII, Section 5

25 Article VII, Section 12

26 Article IX, Section 1

27

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

30 Section 1. It is proposed to amend Utah Constitution, Article VI, Section 2, to read:

31 **Article VI, Section 2. [Time and location of budget and general sessions -- Location of**
sessions convened by the Governor or Legislature -- Sessions convened by the Legislature.]

34 (1)

(a) ~~[Annual] Budget and~~ general sessions of the Legislature shall be held at the seat of government~~[-and shall begin on the day in January designated by statute].~~

36 (b) An annual budget session of the Legislature, to consider only the budget and appropriations, and if approved by two-thirds of the members of each house, bills creating policy, shall begin on the day in February designated by statute.

39 (c)

(i) A general session of the Legislature shall begin on the day in May designated by statute.

41 (ii) A general session of the Legislature shall begin on the day in September designated by statute.

43 (2)

(a) A session convened by the Governor under Article VII, Section 6 and a session convened by the Legislature under Subsection (3) shall be held at the seat of government, unless convening at the seat of government is not feasible due to epidemic, natural or human-caused disaster, enemy attack, or other public catastrophe.

47 (b) A session convened by the Governor under Article VII, Section 6, or a session convened by the Legislature under Subsection (3) may address any issue that the Legislature may consider at the annual budget session or a general session.

50 (3)

HJR022 compared with HJR022S01

- (a) The President of the Senate and Speaker of the House of Representatives shall by joint proclamation convene the Legislature into session if a poll conducted by the President and Speaker of their respective houses indicates that two-thirds of all members elected to each house are in favor of convening the Legislature into session because in their opinion a persistent fiscal crisis, war, natural disaster, or emergency in the affairs of the State necessitates convening the Legislature into session.
- 56 (b) The joint proclamation issued by the President and Speaker shall specify the business for which the Legislature is to be convened, and the Legislature may not transact any business other than that specified in the joint proclamation, except that the Legislature may provide for the expenses of the session and other matters incidental to the session.
- 61 (c) The Legislature may not be convened into session under this Subsection (3) during the 30 calendar days immediately following the adjournment sine die of [~~an annual~~] a budget or a general session of the Legislature.
- 64 (d) In a session convened under this Subsection (3), the cumulative amount of appropriations that the Legislature makes may not exceed an amount equal to 1% of the total amount appropriated by the Legislature for the immediately preceding completed fiscal year.
- 68 (e) Nothing in this Subsection (3) affects the Governor's authority to convene the Legislature under Article VII, Section 6.

70 Section 2. It is proposed to amend Utah Constitution, Article VI, Section 16, to read:

71 **Article VI, Section 16. [Duration of sessions.]**

Except in cases of impeachment:

- 73 (1) no [~~annual~~] budget or general session of the Legislature may exceed [~~45~~] 15 calendar days, excluding {~~weekends;~~} state holidays{;} and federal holidays;
- 75 (2) no session of the Legislature convened by the Governor under Article VII, Section 6 may exceed 30 calendar days; and
- 77 (3) no session of the Legislature convened by the Legislature under Article VI, Section 2, Subsection (3) may exceed 10 calendar days.

79 Section 3. It is proposed to amend Utah Constitution, Article VI, Section 17, to read:

80 **Article VI, Section 17. [Impeachment by House.]**

- 81 (1) The House of Representatives shall have the sole power of impeachment, but in order to impeach, two-thirds of all the members elected must vote therefor.

83

HJR022 compared with HJR022S01

- (2) If not already convened in [~~an annual~~] a general session, the House of Representatives may convene for the purpose of impeachment if a poll of members conducted by the Speaker of the House indicates that two-thirds of the members of the House of Representatives are in favor of convening.

87 Section 4. It is proposed to amend Utah Constitution, Article VI, Section 18, to read:

88 **Article VI, Section 18. [Trial of impeachment by Senate.]**

- 89 (1) All impeachments shall be tried by the Senate, and senators, when sitting for that purpose, shall take oath or make affirmation to do justice according to the law and the evidence.

- 92 (2) Upon an impeachment by the House of Representatives, the Senate shall, if not already convened in [~~an annual~~] a general session, convene for the purpose of trying the impeachment.

- 95 (3) When the Governor is on trial, the Chief Justice of the Supreme Court shall preside.

- 96 (4) No person shall be convicted without the concurrence of two-thirds of the senators elected.

98 Section 5. It is proposed to amend Utah Constitution, Article VI, Section 31, to read:

99 **Article VI, Section 31. [Additional compensation of legislators.]**

For attendance at meetings of interim committees established by law to function between [~~legislative~~] budget, general, and special sessions, members of the Legislature shall receive additional per diem compensation and mileage at a rate not to exceed that provided in this Constitution for [~~regular legislative~~] sessions.

104 Section 6. It is proposed to amend Utah Constitution, Article VII, Section 5, to read:

105 **Article VII, Section 5. [Executive power vested in Governor -- Duties -- Legal counsel.]**

- 107 (1) The executive power of the state shall be vested in the Governor who shall see that the laws are faithfully executed.

- 109 (2) The Governor shall transact all executive business with the officers of the government, civil and military, and may require information in writing from the officers of the Executive Department, and from the officers and managers of state institutions upon any subject relating to the condition, management, and expenses of their respective offices and institutions. The Governor may at any time when the Legislature is not in session, if deemed necessary, appoint a committee to investigate and report to the Governor upon the condition of any executive office or state institution.

- 116 (3) The Governor shall communicate by message the condition of the state to the Legislature at [~~every annual-general~~] the budget session and recommend such measures as may be deemed expedient.

- 119 (4) The Governor may appoint legal counsel to advise the Governor.

120 Section 7. It is proposed to amend Utah Constitution, Article VII, Section 12, to read:

HJR022 compared with HJR022S01

121 **Article VII, Section 12. [Board of Pardons and Parole -- Appointment -- Powers and**
122 **procedures -- Governor's powers and duties -- Legislature's powers.]**

123 (1) There is created a Board of Pardons and Parole. The Governor shall appoint the members of the
124 board with the consent of the Senate. The terms of office shall be as provided by statute.

125 (2)

126 (a) The Board of Pardons and Parole, by majority vote and upon other conditions as provided by statute,
127 may grant parole, remit fines, forfeitures, and restitution orders, commute punishments, and grant
128 pardons after convictions, in all cases except treason and impeachments, subject to regulations as
129 provided by statute.

130 (b) A fine, forfeiture, or restitution order may not be remitted and a commutation, parole, or pardon may
131 not be granted except after a full hearing before the board, in open session, and after previous notice
132 of the time and place of the hearing has been given.

133 (c) The proceedings and decisions of the board, the reasons therefor in each case, and the dissent of any
134 member who may disagree shall be recorded and filed as provided by statute with all papers used
135 upon the hearing.

136 (3)

137 (a) The Governor may grant respites or reprieves in all cases of convictions for offenses against the
138 state except treason or conviction on impeachment. These respites or reprieves may not extend
139 beyond the next session of the board. At that session, the board shall continue or determine the
140 respite or reprieve, commute the punishment, or pardon the offense as [-]provided in this section.

141 (b) In case of conviction for treason, the Governor may suspend execution of the sentence until the case
142 is reported to the Legislature at its next [~~annual~~]general session, when the Legislature shall pardon
143 or commute the sentence, or direct its execution. If the Legislature takes no action on the case before
144 adjournment of that session, the sentence shall be executed.

145 Section 8. It is proposed to amend Utah Constitution, Article IX, Section 1, to read:

146 **Article IX, Section 1. [Dividing the state into districts.]**

147 No later than the [~~annual-general~~] budget session next following the Legislature's receipt
148 of the results of an enumeration made by the authority of the United States, the Legislature
149 shall divide the state into congressional, legislative, and other districts accordingly.

150 Section 9. **Submittal to voters.**

151 The lieutenant governor is directed to submit this proposed amendment to the voters of

HJR022 compared with HJR022S01

the state at the next regular general election in the manner provided by law.

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Section 10. **Contingent effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2028.

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