

Article IV Elections and Right of Suffrage

Article IV, Section 1 [Equal political rights.]

The rights of citizens of the State of Utah to vote and hold office shall not be denied or abridged on account of sex. Both male and female citizens of this State shall enjoy equally all civil, political and religious rights and privileges.

Article IV, Section 2 [Qualifications to vote.]

Every citizen of the United States, eighteen years of age or over, who makes proper proof of residence in this state for thirty days next preceding any election, or for such other period as required by law, shall be entitled to vote in the election.

Article IV, Section 3 [Voters -- Immunity from arrest.]

In all cases except those of treason, felony or breach of the peace, voters shall be privileged from arrest on the days of election, during their attendance at elections, and going to and returning therefrom.

Article IV, Section 4 [Voters -- Immunity from militia duty.]

No voter shall be obliged to perform militia duty on the day of election except in time of war or public danger.

Article IV, Section 5 [Voters to be citizens of United States.]

No person shall be deemed a qualified voter of this State unless such person be a citizen of the United States.

Article IV, Section 6 [Mentally incompetent persons, convicted felons, and certain criminals ineligible to vote.]

Any mentally incompetent person, any person convicted of a felony, or any person convicted of treason or a crime against the elective franchise, may not be permitted to vote at any election or be eligible to hold office in this State until the right to vote or hold elective office is restored as provided by statute.

Article IV, Section 7 [Property qualification forbidden.]

No property qualification shall be required for any person to vote or hold office.

Article IV, Section 8 [Election to be by secret ballot.]

(1) All elections, including elections under state or federal law for public office, on an initiative or referendum, or to designate or authorize employee representation or individual representation, shall be by secret ballot.

- (2) Nothing in this section may be construed to prevent the use of any machine or mechanical contrivance for the purpose of receiving and registering the votes cast at any election, as long as secrecy in voting is preserved.

Article IV, Section 9 [General and special elections -- Terms -- Election of local officers.]

- (1) Each general election shall be held on the Tuesday next following the first Monday in November of each even-numbered year.
- (2) Special elections may be held as provided by statute.
- (3) The term of each officer, except legislator, elected at a general election shall commence on the first Monday in January next following the date of the election.
- (4) The election of officers of each city, town, school district, and other political subdivision of the State shall be held at the time and in the manner provided by statute.

Article IV, Section 10 [Oath of office.]

All officers made elective or appointive by this Constitution or by the laws made in pursuance thereof, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this State, and that I will discharge the duties of my office with fidelity.["]