

**LEGISLATIVE ELIGIBILITY RESOLUTION**

1998 GENERAL SESSION

STATE OF UTAH

**Sponsor: Patrice Arent**

A JOINT RESOLUTION OF THE LEGISLATURE PROPOSING TO AMEND THE UTAH CONSTITUTION; AMENDING THE REQUIREMENTS OF ELIGIBILITY AS A STATE LEGISLATOR; MAKING THE RESIDENCY REQUIREMENTS CONSECUTIVE AND APPLICABLE IMMEDIATELY PRIOR TO THE LAST DATE FOR FILING FOR OFFICE; DIRECTING THE LIEUTENANT GOVERNOR TO WITHDRAW S.J.R. 1, PASSED DURING THE 1997 GENERAL SESSION, REPLACE IT WITH THIS RESOLUTION AND, PLACE IT BEFORE THE VOTERS; AND PROVIDING AN EFFECTIVE DATE.

This resolution proposes to change the Utah Constitution as follows:

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.]**

No person shall be eligible to the office of senator or representative who [as of the last date provided by law for filing for the office] is not ~~is~~ a citizen of the United States ~~is~~ ~~;~~ ~~is~~ twenty-five years of age ~~is~~ ~~;~~ ~~is~~ a qualified voter in the district from which [he] the person is chosen ~~is~~ ~~;~~ ~~is~~ a resident of the state for three consecutive years [of the State] immediately prior to the last date provided by statute for filing for the office ~~is~~ ~~;~~ ~~is~~ and [for six months] a resident of the district from which [he] the person is

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24 elected for six consecutive months immediately prior to the last date provided by statute for filing  
25 for the office. No person elected to the office of senator or representative shall continue to serve  
26 in that office after ceasing to be a resident of the district from which elected.

27       Section 2. **Replacing previous resolution -- Submittal to electors.**

1        The lieutenant governor is directed to withdraw S.J.R. 1, Resolution Amending Legislator  
2 Eligibility Standards, passed during the 1997 General Session, and submit in its place this  
3 proposed amendment to the electors of the state at the next general election in the manner provided  
4 by statute.

4a    **§ SECTION 3. EFFECTIVE DATE**

4b        **IF APPROVED BY THE ELECTORS OF THE STATE, THE AMENDMENT PROPOSED BY THIS JOINT**  
4c **RESOLUTION SHALL TAKE EFFECT ON JANUARY 1, 1999.** §

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**Legislative Review Note**  
**as of 8-7-97 10:49 AM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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