₾ Approved for Filing: R.H. Rees ₾

€ 01-10-05 2:51 PM €

RESOLUTION CLARIFYING REMOVAL						
PROVISIONS 2005 GENERAL SESSION STATE OF UTAH Sponsor: David L. Hogue						
						LONG TITLE
						General Description:
						This joint resolution of the Legislature proposes to amend the Utah Constitution to
clarify the Legislature's authority relating to the removal of certain officers from office.						
Highlighted Provisions:						
This resolution proposes to amend the Utah Constitution to:						
• clarify that the Legislature retains authority to provide by statute for the removal of						
officers not liable to impeachment for reasons other than those specified for						
impeachment.						
Special Clauses:						
This resolution directs the lieutenant governor to submit this proposal to voters.						
This resolution provides an effective date of January 1, 2007.						
Utah Constitution Sections Affected:						
AMENDS:						
ARTICLE VI, SECTION 21						
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 21, to read:						
Article VI, Section 21. [Removal of officers.]						



28 specified in this article, in such manner as may be provided by law. 29 (2) Nothing in this section may be construed to impair the authority of the Legislature 30 to provide by statute for the removal from office of officers not liable to impeachment for 31 reasons other than the offenses specified in this article. 32 Section 2. Submittal to voters. 33 The lieutenant governor is directed to submit this proposed amendment to the voters of 34 the state at the next regular general election in the manner provided by law. 35 Section 3. Effective date. If the amendment proposed by this joint resolution is approved by a majority of those 36 voting on it at the next regular general election, the amendment shall take effect on January 1, 37

Legislative Review Note as of 11-27-04 2:28 PM

H.J.R. 5

38

2007.

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

01-10-05 2:51 PM

- 2 -

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Resolution Clarifying Removal Provisions

18-Jan-05 8:59 AM

State Impact

It is estimated that publication and distribution costs to put this resolution on the ballot will be \$11,500 from the General Fund.

	FY 2006 Approp.	FY 2007 Approp.	FY 2006 Revenue	FY 2007 Revenue
General Fund	\$0	\$11,500	\$0	\$0
TOTAL	\$0	\$11,500	\$0	\$0

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst