

**Representative Carl Wimmer** proposes the following substitute bill:

**JOINT RESOLUTION REGARDING SECRET**

**BALLOT**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Carl Wimmer**

Senate Sponsor: Howard A. Stephenson

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**LONG TITLE**

**General Description:**

This joint resolution of the Legislature proposes to amend a provision of the Utah Constitution relating to voting by secret ballot.

**Highlighted Provisions:**

This resolution proposes to amend the Utah Constitution to:

- ▶ include elections under state or federal law for public office, on an initiative or referendum, or to designate or authorize employee representation ~~H→~~ **or individual representation ←H** among the elections that are required to be by secret ballot; and
- ▶ make technical changes.

**Special Clauses:**

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

This resolution provides a contingent effective date of January 1, 2011 for this proposal.

**Utah Constitution Sections Affected:**

AMENDS:

**ARTICLE IV, SECTION 8**

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*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*



26 *of the two houses voting in favor thereof:*

27 Section 1. It is proposed to amend Utah Constitution Article IV, Section 8, to read:

28 **Article IV, Section 8. [Ballot to be secret.]**

29 (1) All elections, including elections under state or federal law for public office, on an  
30 initiative or referendum, or to designate or authorize employee representation ~~H~~→ **or individual**  
30a **representation** ←~~H~~ , shall be by  
31 secret ballot.

32 (2) Nothing in this section [~~shall~~] may be construed to prevent the use of any machine  
33 or mechanical contrivance for the purpose of receiving and registering the votes cast at any  
34 election[~~: Provided, That~~], as long as secrecy in voting [~~be~~] is preserved.

35 Section 2. **Submittal to voters.**

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

38 Section 3. **Effective date.**

39 If the amendment proposed by this joint resolution is approved by a majority of those  
40 voting on it at the next regular general election, the amendment shall take effect on January 1,  
41 2011.

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**H.J.R. 8 1st Sub. (Buff) - Joint Resolution Regarding Secret Ballot**

**Fiscal Note**

2009 General Session  
State of Utah

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**State Impact**

Enactment of this bill will require \$14,700 in a one-time General Fund appropriation to the Lt. Governor's office for publishing costs.

	<u>2009</u> <u>Approp.</u>	<u>2010</u> <u>Approp.</u>	<u>2011</u> <u>Approp.</u>	<u>2009</u> <u>Revenue</u>	<u>2010</u> <u>Revenue</u>	<u>2011</u> <u>Revenue</u>
General Fund, One-Time	\$0	\$0	\$14,700	\$0	\$0	\$0
<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$14,700</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.