

JOINT RESOLUTION ON LEGISLATOR ELIGIBILITY

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Dougall

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to amend a provision relating to legislator eligibility requirements.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ eliminate the requirement that a legislator reside in the district from which elected or for which appointed.

Special Clauses:

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

This resolution provides a contingent effective date of January 1, 2013, for this proposal.

Utah Constitution Sections Affected:

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.]

[(+)] A person is not eligible to the office of senator or representative unless the person



28 is:

29 ~~[(a)]~~ (1) a citizen of the United States;

30 ~~[(b)]~~ (2) at least twenty-five years of age;

31 ~~[(c)]~~ (3) a qualified voter ~~[in the district from which the person is chosen]; and~~

32 ~~[(d)]~~ (4) a resident of the state for three consecutive years immediately prior to:

33 ~~[(i)]~~ (a) the last date provided by statute for filing for the office, for a person seeking
34 election to the office; or

35 ~~[(ii)]~~ (b) the person's appointment to the office, for a person appointed to fill a mid-term
36 vacancy~~[-and].~~

37 ~~[(e) (i)]~~ a resident of the district from which the person is elected for six consecutive
38 months immediately prior to the last date provided by statute for filing for the office; or]

39 ~~[(ii)]~~ a resident of the district for which the person is appointed to fill a mid-term
40 vacancy for six consecutive months immediately prior to the person's appointment.]

41 ~~[(2)]~~ A person elected or appointed to the office of senator or representative may not
42 continue to serve in that office after ceasing to be a resident of the district from which elected
43 or for which appointed.]

44 Section 2. **Submittal to voters.**

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

47 Section 3. **Effective date.**

48 If the amendment proposed by this joint resolution is approved by a majority of those
49 voting on it at the next regular general election, the amendment shall take effect on January 1,
50 2013.