

**PROPOSAL TO AMEND UTAH CONSTITUTION --
UNREASONABLE SEARCHES AND SEIZURES**

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Craig Hall

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify a provision relating to unreasonable searches and seizures.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ expand a provision relating to the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures to include language indicating the right of the people also to be secure in their electronic data and communications against unreasonable searches and seizures.

Special Clauses:

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

This resolution provides a contingent effective date of January 1, 2019, for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE I, SECTION 14

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:



28 Section 1. It is proposed to amend Utah Constitution, Article I, Section 14, to read:

29 **Article I, Section 14. [Unreasonable searches forbidden -- Issuance of warrant.]**

30 The right of the people to be secure in their persons, houses, electronic data and
31 communications, papers, and effects against unreasonable searches and seizures shall not be
32 violated; and no warrant shall issue but upon probable cause supported by oath or affirmation,
33 particularly describing the place to be searched, and the person or thing to be seized.

34 Section 2. **Submittal to voters.**

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

37 Section 3. **Contingent effective date.**

38 If the amendment proposed by this joint resolution is approved by a majority of those
39 voting on it at the next regular general election, the amendment shall take effect on January 1,
40 2019.

Legislative Review Note
Office of Legislative Research and General Counsel