

1 **PROPOSAL TO AMEND UTAH CONSTITUTION -- PUBLIC**

2 **EDUCATION GOVERNANCE**

3 2018 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jim Dabakis**

6 House Sponsor: Daniel McCay

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**LONG TITLE**

8 **General Description:**

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10 This joint resolution of the Legislature proposes to amend the Utah Constitution to  
11 modify a provision relating to the governance of the public education system.

12 **Highlighted Provisions:**

13 This resolution proposes to amend the Utah Constitution to:  
14 ▶ eliminate the State Board of Education's general control and supervision of the  
15 public education system; and  
16 ▶ provide for the general control and supervision of the public education system to be  
17 vested in a state superintendent of public instruction, appointed by the Governor  
18 with the consent of the Senate.

19 **Special Clauses:**

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

21 This resolution provides a contingent effective date of January 1, ~~2019~~ **2020**, for  
21a this  
22 proposal.

23 **Utah Constitution Sections Affected:**

24 AMENDS:

25 **ARTICLE X, SECTION 3**

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*Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each*  
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28 *of the two houses voting in favor thereof:*

29 Section 1. It is proposed to amend Utah Constitution, Article X, Section 3, to read:

30 **Article X, Section 3. [State Superintendent of Public Instruction.]**

31 The general control and supervision of the public education system shall be vested in [~~a~~  
32 ~~State Board of Education. The membership of the board shall be established and elected as~~  
33 ~~provided by statute. The State Board of Education shall appoint]~~ a State Superintendent of  
34 Public Instruction who shall be [~~the executive officer of the board]~~ appointed by the Governor  
35 with the consent of the Senate.

36 Section 2. **Submittal to voters.**

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

39 Section 3. **Contingent effective date.**

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

42 **Ŝ→ [2019] 2020 ←Ŝ .**

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**