

**PROPOSAL TO AMEND UTAH CONSTITUTION --
ATTORNEY GENERAL AUTHORITY**

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brian S. King

Senate Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify the authority of the Attorney General.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ provide that the Attorney General, in representing the State in legal proceedings, may act only to support or protect the State's interests, as established by the Legislature or Governor.

Special Clauses:

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

This resolution provides a contingent effective date of January 1, 2023 for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE VII, SECTION 16

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 VII, Section 16, to read:

Article VII, Section 16. [Duties of Attorney General.]



28 (1) The Attorney General shall be the legal adviser of the State officers, except as
29 otherwise provided by this Constitution, and shall perform such other duties as provided by
30 law.

31 (2) In representing the State in legal proceedings, the Attorney General may act only as
32 necessary to support or protect State interests as reflected in statute, duly adopted
33 administrative rule, or other official policies adopted or enacted by the Legislature or Governor.

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 2023.