

1 **PROPOSAL TO AMEND UTAH CONSTITUTION - SPECIAL**
2 **SESSION APPROPRIATIONS**

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Bradley G. Last**

6 Senate Sponsor: Jerry W. Stevenson

8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to
11 modify a provision relating to a legislative session convened by the president and
12 speaker.

13 **Highlighted Provisions:**

14 This resolution proposes to amend the Utah Constitution to:
15 ▶ modify the amount of appropriations the Legislature may make during a session
16 convened by the president and speaker.

17 **Special Clauses:**

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

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

20 **Utah Constitution Sections Affected:**

21 AMENDS:

22 **ARTICLE VI, SECTION 2**

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

26 Section 1. It is proposed to amend Utah Constitution, Article VI, Section 2, to read:

27 **Article VI, Section 2. [Time and location of annual general sessions -- Location**
28 **of sessions convened by the Governor or Legislature -- Sessions convened by the**
29 **Legislature.]**

30 (1) Annual general sessions of the Legislature shall be held at the seat of government
31 and shall begin on the day in January designated by statute.

32 (2) A session convened by the Governor under Article VII, Section 6 and a session
33 convened by the Legislature under Subsection (3) shall be held at the seat of government,
34 unless convening at the seat of government is not feasible due to epidemic, natural or
35 human-caused disaster, enemy attack, or other public catastrophe.

36 (3) (a) The President of the Senate and Speaker of the House of Representatives shall
37 by joint proclamation convene the Legislature into session if a poll conducted by the President
38 and Speaker of their respective houses indicates that two-thirds of all members elected to each
39 house are in favor of convening the Legislature into session because in their opinion a
40 persistent fiscal crisis, war, natural disaster, or emergency in the affairs of the State necessitates
41 convening the Legislature into session.

42 (b) The joint proclamation issued by the President and Speaker shall specify the
43 business for which the Legislature is to be convened, and the Legislature may not transact any
44 business other than that specified in the joint proclamation, except that the Legislature may
45 provide for the expenses of the session and other matters incidental to the session.

46 (c) The Legislature may not be convened into session under this Subsection (3) during
47 the 30 calendar days immediately following the adjournment sine die of an annual general
48 session of the Legislature.

49 (d) (i) In a session convened under this Subsection (3), the cumulative amount of
50 ~~[appropriations that the Legislature makes]~~ additional money appropriated by the Legislature
51 may not exceed an amount equal to ~~[10%]~~ 5% of the total amount appropriated by the
52 Legislature for the immediately preceding completed fiscal year.

53 (ii) The limit in Subsection (3)(d)(i) does not apply to:

54 (A) an appropriation that decreases the amount of money authorized for expenditure in
55 a fiscal year; or

56 (B) an appropriation of money that the federal government provides to the State to
57 address a fiscal, public health, or other emergency or crisis.

58 (e) Nothing in this Subsection (3) affects the Governor's authority to convene the
59 Legislature under Article VII, Section 6.

60 Section 2. **Submittal to voters.**

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

63 Section 3. **Contingent effective date.**

64 If the amendment proposed by this joint resolution is approved by a majority of those
65 voting on it at the next regular general election, the amendment shall take effect on January 1,
66 2023.