

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

2 **STATEWIDE INITIATIVES**

3 2023 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Jason B. Kyle**

6 Senate Sponsor: _____

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 statewide initiatives.

12 **Highlighted Provisions:**

13 This resolution proposes to amend the Utah Constitution to:

- 14 ▶ require a higher percentage of voters than a majority to approve an initiative
- 15 proposing to impose a new tax or to increase the rate of an existing tax.

16 **Special Clauses:**

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

18 This resolution provides a contingent effective date of January 1, 2025 for this proposal.

19 **Utah Constitution Sections Affected:**

20 AMENDS:

21 **Article VI, Section 1**

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

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

26 **Article VI, Section 1. [Power vested in Senate, House, and People.]**

27 (1) The Legislative power of the State shall be vested in:



28 (a) a Senate and House of Representatives which shall be designated the Legislature of
29 the State of Utah; and

30 (b) the people of the State of Utah as provided in Subsection (2).

31 (2) (a) (i) The legal voters of the State of Utah, in the numbers, under the conditions, in
32 the manner, and within the time provided by statute, may:

33 (A) initiate any desired legislation and cause it to be submitted to the people for
34 adoption upon a majority vote of those voting on the legislation, as provided by statute; or

35 (B) require any law passed by the Legislature, except those laws passed by a two-thirds
36 vote of the members elected to each house of the Legislature, to be submitted to the voters of
37 the State, as provided by statute, before the law may take effect.

38 (ii) Notwithstanding Subsection (2)(a)(i)(A)[;]:

39 (A) legislation initiated to allow, limit, or prohibit the taking of wildlife or the season
40 for or method of taking wildlife shall be adopted upon approval of two-thirds of those
41 voting[;]; and

42 (B) legislation initiated to impose a new tax or to raise the rate of an existing tax may
43 not be adopted without the approval of at least 60% of those voting on the legislation.

44 (b) The legal voters of any county, city, or town, in the numbers, under the conditions,
45 in the manner, and within the time provided by statute, may:

46 (i) initiate any desired legislation and cause it to be submitted to the people of the
47 county, city, or town for adoption upon a majority vote of those voting on the legislation, as
48 provided by statute; or

49 (ii) require any law or ordinance passed by the law making body of the county, city, or
50 town to be submitted to the voters thereof, as provided by statute, before the law or ordinance
51 may take effect.

52 **Section 2. Submittal to voters.**

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

55 **Section 3. Contingent effective date.**

56 If the amendment proposed by this joint resolution is approved by a majority of those
57 voting on it at the next regular general election, the amendment shall take effect on January 1,
58 2025.