

1 **PROPOSAL TO AMEND UTAH CONSTITUTION -- ANNUAL**
2 **GENERAL SESSIONS OF THE LEGISLATURE**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ann Millner**

6 House Sponsor: Michael K. McKell

8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to
11 modify provisions relating to annual general sessions of the Legislature.

12 **Highlighted Provisions:**

13 This resolution proposes to amend the Utah Constitution to:

- 14 ▶ move the beginning date of annual general sessions of the Legislature from the
15 fourth Monday in January to a day in January designated by statute; and
- 16 ▶ provide that state holidays, in addition to federal holidays, are excluded from the
17 limit on the number of days of annual general sessions of the Legislature.

18 **Special Clauses:**

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

20 This resolution provides a contingent effective date of January 1, 2021 for this proposal.

21 **Utah Constitution Sections Affected:**

22 AMENDS:

23 **ARTICLE VI, SECTION 2**

24 **ARTICLE VI, SECTION 16**

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

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

29 **Article VI, Section 2. [Time and location of annual general sessions -- Location**

30 **of sessions convened by the Governor or Legislature -- Sessions convened by the**
31 **Legislature.]**

32 (1) Annual general sessions of the Legislature shall be held at the seat of government
33 and shall begin on [~~the fourth Monday~~] the day in January designated by statute.

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

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

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

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

51 (d) In a session convened under this Subsection (3), the cumulative amount of
52 appropriations that the Legislature makes may not exceed an amount equal to 1% of the total
53 amount appropriated by the Legislature for the immediately preceding completed fiscal year.

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

56 Section 2. It is proposed to amend Utah Constitution, Article VI, Section 16, to read:

57 **Article VI, Section 16. [Duration of sessions.]**

58 Except in cases of impeachment:

59 (1) no annual general session of the Legislature may exceed 45 calendar days,
60 excluding state holidays and federal holidays;

61 (2) no session of the Legislature convened by the Governor under Article VII, Section
62 6 may exceed 30 calendar days; and

63 (3) no session of the Legislature convened by the Legislature under Article VI, Section
64 2, Subsection (3) may exceed 10 calendar days.

65 Section 3. **Submittal to voters.**

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

68 Section 4. **Contingent effective date.**

69 If the amendment proposed by this joint resolution is approved by a majority of those
70 voting on it at the next regular general election, the amendment shall take effect on January 1,
71 2021.