

JOINT RESOLUTION AMENDING STATE TAXING

AUTHORITY

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Casey O. Anderson

House Sponsor: _____

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to modify requirements for increasing a state tax or fee.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ require a two-thirds vote of the Legislature when enacting any tax increase or any fee increase that exceeds the cost of providing a service.

Special Clauses:

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

This resolution provides a contingent effective date of January 1, 2013, for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE VI, SECTION 22

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 VI, Section 22, to read:

Article VI, Section 22. [Reading of bills -- Bill to contain only one subject -- Bills



28 **passed by majority.]**

29 (1) Every bill shall be read by title three separate times in each house except in cases
30 where two-thirds of the house where such bill is pending suspend this requirement.

31 (2) Except general appropriation bills and bills for the codification and general revision
32 of laws, no bill shall be passed containing more than one subject, which shall be clearly
33 expressed in its title.

34 (3) The vote upon the final passage of all bills shall be by yeas and nays and entered
35 upon the respective journals of the house in which the vote occurs.

36 (4) No bill or joint resolution shall be passed except with the assent of the majority of
37 all the members elected to each house of the Legislature[-], except that the assent of two-thirds
38 of all members elected to each house is required for any bill that provides for:

39 (a) a tax increase; or

40 (b) a fee increase if the increased fee will generate revenue exceeding the actual cost of
41 providing the service for which the fee is charged.

42 Section 2. **Submittal to voters.**

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

45 Section 3. **Effective date.**

46 If the amendment proposed by this joint resolution is approved by a majority of those
47 voting on it at the next regular general election, the amendment shall take effect on January 1,
48 2013.

Legislative Review Note
as of 8-16-11 9:28 AM

Office of Legislative Research and General Counsel