

CONSTITUTIONAL AMENDMENT

A

Shall the Utah Constitution be amended to make a technical wording change in the oath of office that elected and appointed officers are required to take?

Ballot Title

FOR

AGAINST

Legislative Votes

Utah Senate

24 Yes 1 No 4 Not Present

Utah House of Representatives

69 Yes 6 No 0 Not Present

Bill Title & Session

House Joint Resolution (H.J.R.) 8

2015 Legislative General Session

IMPARTIAL ANALYSIS

The current Utah Constitution requires elected or appointed officers to take an oath of office. The wording of the oath is specified in the Utah Constitution. The oath requires officers to swear to support, obey, and defend the Constitution of the United States and “the Constitution of this State.”

Constitutional Amendment A makes a technical change to the wording of the oath of office. The Amendment changes the wording from “the Constitution of this State” to “the Constitution of the State of Utah.” The Amendment is technical in nature and does not change the meaning of the oath of office or of the Utah Constitution.

Effective Date

If approved by voters, Constitutional Amendment A takes effect January 1, 2017.

Fiscal Impact

Constitutional Amendment A has no fiscal impact.

ARGUMENT IN FAVOR

Currently, the Constitutional oath of office for all state and local officials in Utah does not identify specifically the state for which it is being used. The current language refers only to the Constitution of “this State” and not to the State of Utah. The proposed constitutional amendment corrects this omission by inserting the phrase, “the State of Utah.”

- Representative Ray Ward

CONSTITUTIONAL AMENDMENT A

ARGUMENT AGAINST

No argument submitted.

FULL TEXT OF CONSTITUTIONAL AMENDMENT A

PROPOSAL TO AMEND UTAH CONSTITUTION -- OATH OF OFFICE CHANGE

2015 GENERAL SESSION

Utah Constitution Sections Affected:

AMENDS:

ARTICLE IV, SECTION 10

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 IV, Section 10, to read:

Article IV, Section 10. [Oath of office.]

All officers made elective or appointive by this Constitution or by the laws made in pursuance thereof, before entering upon the duties of their respective offices, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support, obey, and defend the Constitution of the United States and the Constitution of ~~[this]~~ the State of Utah, and that I will discharge the duties of my office with fidelity."

Section 2. **Submittal to voters.**

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

Section 3. **Contingent effective date.**

If the amendment proposed by this joint resolution is approved by a majority of those voting on it at the next regular general election, the amendment shall take effect on January 1, 2017.