

# Constitutional Amendment C

## Ballot Title

Shall the Utah Constitution be amended to have the office of county sheriff be elected by voters?

## Legislative Votes

### Utah House:

72 Yes 0 No 3 Not Present

### Utah Senate:

26 Yes 0 No 3 Not Present

## Ballot Title & Session

2023 Legislative General Session

House Joint Resolution (H.J.R.) 10

*Proposal to Amend Utah Constitution - Election of County Sheriffs*

## Impartial Analysis

### Current Provisions of the Utah Constitution

The current Utah Constitution does not specifically address the office of county sheriff. Instead, the office is established by statute. The authority of a county sheriff, the method of selecting a county sheriff, and the term of office are governed by state statute and local ordinance.

### Effect of Constitutional Amendment C

Constitutional Amendment C would add the office of county sheriff to the state constitution and establish a four-year term of office for a county sheriff, providing a uniform framework for the sheriffs' election and terms of office. If the amendment passes, voters must approve any future changes to the election of or terms of office for a county sheriff.

### Effective Date

If approved by voters, Constitutional Amendment C takes effect on January 1, 2025.

### Fiscal Effects

The Legislative Fiscal Analyst has determined that approval of Constitutional Amendment C will likely not have a fiscal impact.

## Argument in Favor

**Argument in Favor** ([H.J.R. 10](#) Proposal to Amend Utah Constitution - Election of County Sheriffs)

**By voting “yes” on Amendment C, Utah voters have the opportunity to protect the honored tradition of electing their county sheriff.**

While county sheriffs in Utah have traditionally been elected by voters in their respective counties, without constitutional protections, this fundamental aspect of local governance is vulnerable to potential changes. By voting to require the election of county sheriffs in our state constitution, we can ensure the continuation of our current selection process—a process that upholds the principles of accountability, transparency, and local representation that are central to our Utah ideals.

### **Amendment C Promotes Accountability**

The office of the county sheriff holds a unique position within our communities. It is more than just a law enforcement role; it is a reflection of the collective will of the people. Elected sheriffs:

- Are directly accountable to the citizens they serve, providing a vital link between law enforcement agencies and the communities they protect.
- Have a mandate to uphold the values and priorities of their constituents.
- Ensure law enforcement practices are responsive to local communities' evolving needs and preferences.
- Are held accountable at the ballot box for their actions, policies, and decisions—safeguarding against abuses of power, neglect of duty, or violations of civil liberties.
- Build trust, cooperation, and collaboration in the pursuit of public safety and justice.

### **Amendment C is Supported by County Sheriffs**

Amendment C received unanimous support from every county sheriff in the state.

### **Amendment C Empowers Communities**

Protecting the election of county sheriffs in our state constitution is not merely a symbolic gesture—it is a commitment to preserving the principles of citizen participation and accountability to the people. **By casting a vote in support of this amendment, Utahns can empower communities, strengthen the rule of law, and shape the direction of their local law enforcement agencies.**

– Speaker Mike Schultz and President J. Stuart Adams

### **Rebuttal to Argument in Favor**

No rebuttal was submitted to the argument in favor of Constitutional Amendment B.

### **Argument Against**

No argument was submitted against Constitutional Amendment B.

### **Rebuttal to the Argument Against**

No rebuttal was submitted to the argument against Constitutional Amendment B.

# Full Text of Constitutional Amendment C

## PROPOSAL TO AMEND UTAH CONSTITUTION - ELECTION OF COUNTY SHERIFFS

2023 General Session

Utah Constitution Sections Affected:

ENACTS:

### ARTICLE XI, 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 enact Utah Constitution Article XI, Section 10, to read:

#### **Article XI, Section 10. [Election of County Sheriffs.]**

(1) Each county shall have an office of county sheriff.

(2) The office of county sheriff is an elected office.

(3) Their term of office shall be four years from the first day of January next after their election.

#### 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, 2025.