

Proposal to Amend Utah Constitution - Statewide Initiatives

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Jason B. Kyle

LONG TITLE

General Description:

This joint resolution of the Utah Legislature proposes to amend the Utah Constitution to modify a provision relating to statewide initiatives.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- provide the circumstances under which a higher percentage of voters than a majority must approve a statewide initiative that proposes to impose a new tax or to increase the rate of an existing tax or the amount of revenue collected.

Other Special Clauses:

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

This resolution provides a contingent effective date of November 23, 2026 for this proposal.

Utah Constitution Sections Affected:

AMENDS:

Article VI, Section 1 (Effective 11/23/26)

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 1, to read:

Article VI, Section 1 (Effective 11/23/26). [Power vested in Senate, House, and People.]

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

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

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

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

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

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

(ii) Notwithstanding Subsection (2)(a)(i)(A), legislation initiated to allow, limit, or prohibit the taking of wildlife or the season for or method of taking wildlife shall be adopted upon approval of two-thirds of those voting.

(iii) Notwithstanding Subsection (2)(a)(i)(A), initiated legislation that is subject to a vote that occurs after November 1, 2026, shall be adopted upon approval of at least 60% of those voting on the legislation if the initiated legislation includes:

(A) the imposition of a new tax;

(B) an expansion of an existing tax to include additional items or transactions subject to the tax;

(C) an increase in an existing tax rate; or

(D) for a property tax, a change to the tax rate that causes the tax rate to decrease less than it would under current law.

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

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

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

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

- 63 voting on it at the next regular general election, the amendment shall take effect on November
- 64 23, 2026.