



NOTICE TO ALL RESIDENTS AND PUBLIC SERVANTS OF UTAH

Declaration of Law and Duty Regarding Unconstitutional Districts and Public/Private Partnerships

This declaration is presented in pursuance of the mission of the Utah Central Committee for Protecting Rights, which is to assist Utah individuals, whether individually or as part of any organization, in asserting their constitutional rights; And to assist assemblies of the people or cities and counties and proper constitutional sub-divisions in asserting their citizens' rights and protecting their authority to represent the people, under the jurisdiction of the several constitutions.

The recent illegal creation of “15 minutes cities” or “Public Infrastructure Districts” or “Port Authorities” or “Development Authorities” or any other synonymous entity that violates the state constitution must not be honored by elected officials in the state or cities or counties of Utah. The Utah State Constitution has explicitly defined the delegation of the powers granted by the people of Utah to Utah’s government, and explicitly prohibited the re-delegation of municipal powers. This has been accomplished slowly through hundreds of bills over the years, but especially in 2023 Utah HB22, HB77 has redefined all “local districts” as “special districts”.

WHEREAS, The Constitutions of Utah and the United States limit the power of legislative bodies to write law.

WHEREAS, Article VI, Section 28 of the Utah State Constitution prohibits the re-delegation of authority when it states “*The Legislature shall not delegate to any special commission, private corporation or association any power.... to perform any municipal functions.*”

WHEREAS, Article XI, Section 7 of the Utah State Constitution further prohibits the re-delegation of authority when it states that “*special service districts*” must “*be governed by the governing authority of the county, city or town*”.

WHEREAS, Article XII, Section 20 of the Utah State Constitution prohibits the mixing of private money with public money in government or business, as this creates *consolidation of “economic and political power”* and also creates a “*contract or combination... in restraint of trade*” violating the stated principle of the free market clause described as “*It is the policy of the state of Utah that a free market system shall govern trade and commerce in this state to promote the dispersion of economic and political power*”.

WHEREAS, Article XXII, Section 5 of the Utah State Constitution prohibits public officers from profiting using public money, thus the intent of the law is to prohibit public/private partnerships. Whether a public officer directly or indirectly benefits from intentional mixing of public/private funds, the intent and spirit of the law is clear. “*Each public officer who makes a profit from public money... shall be guilty of a felony... part of the punishment shall be disqualification to hold public office*”.

WHEREAS, the requirement for all states (including Utah) in the United States of America to have a republican form of government (Article IV Section 4 US Constitution) would prohibit re-delegating authority to an entity that is not republican in form, such as one that violates the principle of separation of powers and clear boundaries to define representation, and allows for the public to not have a voice in portions of their government, which these unconstitutional districts do.

WHEREAS, the idea of re-delegating any authority away from the state, cities or counties is a violation of the will and trust of the people, as such delegating of the authority of the people of Utah can only be done in the document that contains the voice of the people of Utah, which is the Utah state constitution.

WHEREAS, any attempt by a private entity or public/private partnership (PPP) to act as if they were a government body authorized to perform functions delegated by the people of Utah in the state constitution to Utah’s lawful government, is a usurpation of authority acting under the color of law. Such an “act under the color of law” (*US Code - Title 18, 242 and Title 42, 1983*) is unconstitutional (unlawful).

THEREFORE, BE IT RESOLVED that all elected officials in Utah should discharge their duties with fidelity according to the oath which they've sworn to support, obey and defend the Utah and United States constitutions through supporting this declaration.

THEREFORE, BE IT RESOLVED that elected officials should not give any aid to the establishment of special districts or PPPs as described in this declaration.

THEREFORE, BE IT RESOLVED that if elected officials choose to actively interfere in the establishment of these unconstitutional districts and PPPs as described, such acts of interference are legal and lawful and are commendable as part of the duty of an elected official honorably discharging the duties of their oath of office.

THEREFORE, BE IT RESOLVED that regarding any existing special districts or PPPs that have been established previous to this declaration, where authority or municipal functions have already been unconstitutionally re-delegated, action should immediately begin to dismantle, replace or reform such so that municipal functions will be returned to constitutionally authorized entities, such as proper political sub-divisions where no private money or influence is mixed with the force of law and a clear separation between the three branches of government exists.

THEREFORE, BE IT RESOLVED that We the People of Utah, insist upon our government obeying the law as written in the Utah and US constitutions, which is the voice of the people of Utah.