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IN THE  
**SUPREME COURT OF THE STATE OF UTAH**

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LEAGUE OF WOMEN VOTERS OF UTAH, MORMON WOMEN FOR  
ETHICAL GOVERNMENT, STEFANIE CONDIE, MALCOM REID, VICTORIA  
REID, WENDY MARTIN, ELEANOR SUNDWALL, JACK MARKMAN, AND  
DALE COX,  
*Appellees,*

*v.*

UTAH STATE LEGISLATURE, UTAH LEGISLATIVE REDISTRICTING  
COMMITTEE, SENATOR SCOTT SANDALL, REPRESENTATIVE MIKE  
SCHULTZ, and SENATOR J. STUART ADAMS,  
*Appellants.*

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No. 20240965  
Heard September 25, 2024  
Filed September 25, 2024

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On Appeal of Interlocutory Order

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Third District, Salt Lake City  
The Honorable Dianna M. Gibson  
No. 220901712

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Attorneys:

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David C. Reymann, Kade N. Olsen, Tammy Frisby, Salt Lake City,  
Mark P. Gaber, Aseem Mulji, Benjamin Phillips, Washington,  
D.C., Annabelle Harless, Chicago, IL, for appellees

Victoria Ashby, Robert H. Rees, Eric N. Weeks, Michael Curtis,  
Tyler R. Green, Salt Lake City, Taylor A.R. Meehan, Frank H  
Chang, Arlington, VA, for appellants Utah State Legislature, Utah  
Legislative Redistricting Committee, Sen. Scott Sandall, Rep Mike  
Schultz, and Sen. J. Stuart Adams

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LWVU v. UTAH LEGISLATURE

Per Curiam

PER CURIAM:

¶1 This matter is before the court on interlocutory appeal from the district court's order granting a preliminary injunction. The district court determined that because the constitutional requirements for placing Amendment D on the ballot were not met, "Amendment D is void and shall be given no effect." The parties have requested expedited review of this matter. In light of that request, we issue the following per curiam order affirming the district court's decision. A published opinion detailing the court's reasoning will follow at a later date.

¶2 Under the express terms of the Utah Constitution, before a proposed amendment can be put to a popular vote, the Legislature "shall cause the [proposed amendment] to be published in at least one newspaper in every county of the state, where a newspaper is published, for two months immediately preceding the next general election." UTAH CONST. art. XXIII, § 1. After the publication requirement is met, the amendment "shall be submitted" to the voters. *Id.* We have previously held that a question must be submitted to voters by placing it "on the ballot in such words and in such form that the voters are not confused thereby." *Nowers v. Oakden*, 169 P.2d 108, 116 (Utah 1946).

¶3 The district court correctly ruled that neither constitutional prerequisite was met with respect to Amendment D. The Legislature did not cause the amendment to be published in newspapers throughout the state for two months, and the description that will appear on the ballot does not submit the amendment to voters "with such clarity as to enable the voters to express their will." *See id.*

¶4 The district court also acted within its discretion in finding that the equities favored a preliminary injunction declaring Amendment D void and ordering that any votes cast will not be counted. Although the voters should have the opportunity to decide whether Amendment D strikes the correct balance between the people's direct legislative power and that of their elected representatives, the public interest requires that constitutional amendments be submitted to voters in the way mandated by the supreme law of the state embodied in the Utah Constitution.