



Wednesday, January 31, 2024

Dear Governor Cox,

The **American Civil Liberties Union of Utah (ACLU of Utah)** is writing to express our strong concerns regarding Senate Bill 57, also known as the Utah Constitutional Sovereignty Act. This bill purports to grant Utah the power to prohibit state government officials from enforcing or assisting in enforcing “federal directives,” including federal statutes.

We urge you to veto this bill as because it violates Article VI of the U.S. Constitution, the Supremacy Clause. Generally speaking, the Supremacy Clause establishes that the federal constitution and federal law govern over conflicting state laws or state constitutions. One reason that the Supremacy Clause is so vital is that it guarantees that everyone will enjoy all of the protections of civil rights and individual liberties provided by the U.S. Constitution and federal law, no matter which state they reside in. Purporting to give the Utah legislature the power to unilaterally declare that no Utah official will enforce or assist in the enforcement of a federal directive comes into clear conflict with this goal. For example, under this law, Utah could decide that it is refusing to allow any of its officials to enforce the federal Americans with Disabilities Act or the federal Civil Rights Act, leaving the people who benefit from those landmark laws less protected while that action is litigated. People in Utah deserve certainty that the state will honor their federal rights and protections, and SB 57 will throw this principle into serious doubt.

For all these reasons, we ask that you veto SB 57. Thank you for your attention and time in considering this request.

Sincerely,

Brittney Nystrom
Executive Director, ACLU of Utah

A handwritten signature in blue ink, appearing to read "Brittney Nystrom", written over a horizontal line.

Brittney Nystrom
Executive Director
ACLU of Utah

CC:

Lt. Governor Deidre Henderson
Jon Pierpont
Neil Abercrombie
Jennifer Napier-Pearce
Emma Williams