

Action: Utah Leg, Changing our Form of Government – Public/Private is Illegal

March 6, 2023 - Enoch Moore



(In our [recent video](#) on the recent train wrecks, we explained how they're connected to these 15-minute cities.)

INTRODUCTION – A NEW FORM OF GOVERNMENT?

This is one of the most important articles I've ever written. We are losing our way of life in large part because we are gradually (rapidly now) changing our form of government (public private partnerships). This year is our only opportunity to stop this, or else the state is going to change radically and permanently.

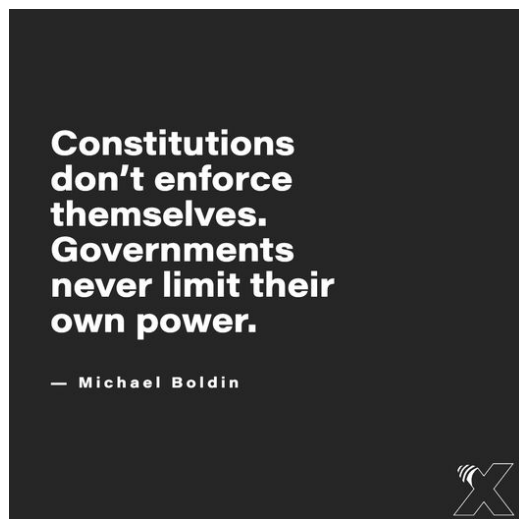
Utah has taken **unprecedented** legislative action to create a whole slew of new types of government corporations, mixing public and private like we've never before seen. These quasi-government corporations will become their own legal Districts. With the protection of unaccountable private property but yielding the power and force of government over people's lives. It is the very definition of fascism, mixing public and private jurisdictions together in the same contradictory entity. You absolutely need to understand what this is all about and why you should have a very big problem with this. No understanding of how we're losing our freedoms is complete without understanding this breakdown.



Once fully completed over the coming years, this transition will literally be the last nail in the coffin to change us from a government that is supposed to be accountable to the people into a government that rules over the people any way it wants. And I mean **literally the last nail in the proverbial coffin**. Once the government can appoint its own rulers, write and enforce its own rules, tax you for it all and you get no say in the matter, government of the people has been dissolved. No matter your political beliefs, it will never matter to government again.

It's time for Utahans to put our differences aside and unite. Left, right, center, libertarian, democrat, republican, independent, apathetic, everyone. Nobody wants an unaccountable, corporate government, controlled by a select few that just picks their friends to rule over us, taking turns every few years.

Our original constitutions are still intact to a large degree, with most of the good principles there that limit government. But because we don't know them everyone feels powerless to do anything about any of the growing tyranny in our state.



One way to understand this new movement that is happening, is by identifying it as “**Micro Regionalism**“. I won't break down “regional government” here, because I already did a full deep dive on how it's destroying our system of government (I [invite you to watch it](#) or bookmark for later).

This article is going to empower you to understand why what's happening in our state right now is fundamentally unconstitutional and give you the knowledge needed to push back. You will

learn why these new corporations are illegal and what lawful grounds you can stand on to resist them.

If you're an employee or local official in a city or county and you are bothered by all these new special district then this article is for you to have the law to stand on to stop this where you work. If you're a resident, then you'll know how to insist your local government follow the law.

Every time you see the phrase "public/private partnership" you need to immediately think "Unconstitutional"

– And you need to understand the reasons why –

I will re-emphasize, the legislature is literally creating a new form of government, piece by piece. One where the government is not accountable to the people by design – where there are no separation of powers, they can tax you with no accountability, and there's no ultimate power for the people to fix things. It's technically been happening for a long time as my [regionalism presentation](#) explained, but it's been generally slow moving up until now. They're kicking it in to overdrive like we've never seen before in this last session with a whole pile of bills that includes [SB20](#), [HB22](#), [HB77](#), [HCR7](#), [HB265](#) and [SB295](#). (We did a breakdown on [SB20 and HCR7 already here](#)).

It must be **stopped cold** in it's tracks this year, at the local level, or else the state will never recover. In the future, these new micro-[regional](#) power centers won't be reversed by the stroke of a pen because you will have billions of dollars of physical infrastructure built. All in high-density focused 15 minute cities with pre-engineered high tech surveillance of every inch of the city. But before that infrastructure is built, we absolutely can reverse it with the stroke of a pen.

This year is our opportunity to stop in Utah what will likely not be stopped in other states. **We can be different.** That's why this article exists.

If you understand the fundamental constitutional principles that make all of this illegal, then you'll understand the battle cry that needs to be sounded in the ears of Utahns and local governments all over the state. **Nullification in the cities and counties can and must put a stop to this. It's the only option, so you need to learn how to do it.**

We must never stop insisting, in the ears of all city and county representatives, that the law of the constitutions (the voice of the people) be honored, and these districts be deemed illegal at the city and county levels. We need you to be a part of making popular that which is right. Don't underestimate the power of your voice and our strength in numbers.

Even though many bills played a part in creating this monster, we're going to focus on [SB295](#) because it has every example of why these new districts are illegal. This will teach you how to identify where this is illegal as we explain the constitutional principles involved. Once you understand the principles, it is the same battle and same solution no matter how you look at it.

These new high-density, 15-minute cities are United Nations cities being built on our own soil. And the fact that they are changing the form of government in these cities to make them independently powerful, should be seen as an invasion.

DISNEY WORLD – THE PRECEDENT

Roughly 50 years ago Disney World was established in this manner, where they had the benefit of mixing the authority of public government with the benefits of private property ownership. Just last month Florida's governor finally pulled the plug on this un-American form of government. Reuters reported,

Florida Governor Ron DeSantis on Monday [took] control of a **special tax district** surrounding Walt Disney World that for half a century allowed Walt Disney Co **to operate with a high degree of autonomy**.

"The corporate kingdom finally comes to an end," DeSantis said during a press event at Lake Buena Vista near Orlando.

Read "[Florida Governor DeSantis ends 'corporate kingdom'](#)" of Walt Disney World.

ALREADY EXISTING IN UTAH

Some example of these new districts that have already been built, even BEFORE this legislative session passed all these bills, are as follows:

- [The Utah Inland Port Authority](#)
- Inland Port Extension proposed in Brigham City
- [Inland Port Extension in Iron County](#)
- The Point (15 minute city) ([Point of the Mountain State Land Authority](#))
- [Military Installation Development Authority](#)
- [Utah Lake Authority](#)

BUILDING ON 2021

As mentioned earlier, this has been happening slowly over a long time. But last year the rapid ramp-up began in the legislation for **PIDs** in the "[Public Infrastructure District Act](#)" from 2021. Many fancy names for the same thing. They're all illegal "Public/Private" partnerships, posing as a government.

Effective 5/5/2021

Chapter 4 Public Infrastructure District Act

Part 1 General Provisions

17D-4-101 Title.

This chapter is known as the "Public Infrastructure District Act."

Renumbered and Amended by Chapter 314, 2021 General Session

17D-4-102 Definitions.

As used in this chapter:

- (1) "Board" means the board of trustees of a public infrastructure district.
- (2) "Creating entity" means the county, municipality, or development authority that approves the creation of a public infrastructure district.
- (3) "Development authority" means:
 - (a) the Utah Inland Port Authority created in Section 11-58-201;
 - (b) the Point of the Mountain State Land Authority created in Section 11-59-201; or
 - (c) the military installation development authority created in Section 63H-1-201.
- (4) "District applicant" means the person proposing the creation of a public infrastructure district.
- (5) "Division" means a division of a public infrastructure district:
 - (a) that is relatively equal in number of eligible voters or potential eligible voters to all other divisions within the public infrastructure district, taking into account existing or potential developments which, when completed, would increase or decrease the population within the public infrastructure district; and
 - (b) which a member of the board represents.
- (6) "Governing document" means the document governing a public infrastructure district to which the creating entity agrees before the creation of the public infrastructure district, as amended from time to time, and subject to the limitations of Title 17B, Chapter 1, Provisions Applicable to All Local Districts, and this chapter.
- (7)

SB20

UTAH STATE CONSTITUTION

We'll begin the breakdown by reviewing three relevant references from the Utah Constitution. These principles expressed in the state constitution can also be found in our national founding documents, but I will not spend any time on the national perspective in this article as it would be redundant. Defending Utah is planning a video on our media channels to cover this later.

Reference #1

Article VI, Section 28 [Special privileges forbidden.]

The Legislature shall not delegate to any special commission, private corporation or association, any power to make, supervise or interfere with any municipal improvement, money, property or effects, whether held in trust or otherwise, to levy taxes, to select a capitol site, or to perform any municipal functions.

Meaning: The State of Utah is forbidden by the People of Utah to re-delegate municipal (local government) functions. The constitution already delegated such authority from the people to the state. Unlawful re-delegation would happen if that authority is further transferred to anything other than a standard political sub-division of the state (city or county – public only).

Reference #2

Article XI, Section 7 [Special service districts.]

(1) The Legislature may by statute authorize:

- (a) a county, city, or town to establish a special service district within all or any part of the county, city, or town, **to be governed by the governing authority of the county, city, or town**, and to provide services as provided by statute;

Meaning: “Special Service Districts” (entities other than cities or counties that perform specific functions of government) must be governed by the city/county where it resides. Boundaries and control of the people are preserved (elected mayor and city council still in control and still accountable to the people).

This section of the constitution (Art XI, Sec 7) essentially is to ensure that special service districts comply with the above reference section (Art VI, Sec 28).

To remain constitutional a guarantee that they are not re-delegating powers, a special service district must fall within the boundaries of an existing city/county and be fully controlled by that city county and can only be a public entity. We already have countless special districts across the state that are pushing the definition of this limitation, if not blatantly violating it.

Reference #3 – “Free Market System” defined in principle.

This section has three distinct sentences to break apart to read correctly. Among other things, **it is a complete ban on public/private partnerships.**

Article XII, Section 20 [Free market system as state policy -- Restraint of trade and monopolies prohibited.]

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** and the general welfare of all the people. **Each contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce is prohibited.** Except as otherwise provided by statute, it is also prohibited for any person to **monopolize**, attempt to monopolize, or **combine** or **conspire** with any other person or persons to **monopolize any part of trade or commerce.**

Sentence 1 (Spirit of the Law) – 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 and the general welfare of all the people.

Sentence 2 (contracts, intentional or accidental, that monopolize) – Each contract, combination in the form of trust or otherwise, or conspiracy in restraint of trade or commerce is prohibited.

Sentence 3 (Restriction on monopolies by a person) – Except as otherwise provided by statute, it is also prohibited for any person to monopolize, attempt to monopolize, or combine or conspire with any other person or persons to monopolize any part of trade or commerce.

Meaning: Giving state money or power to any one or specific private (or partially private) corporations over everyone else would be forbidden because it will...

– (From sentence 1) Create artificial competitive advantages in trade and commerce, in

opposition to the “free market system”.

– (From sentence 1) Consolidate economic and political power (instead of “*promoting the dispersion*” of it)

– (From sentence 2) Create a “restraint of trade” that stems from the organizing (combinations) and “contracting” methods that create these special districts.

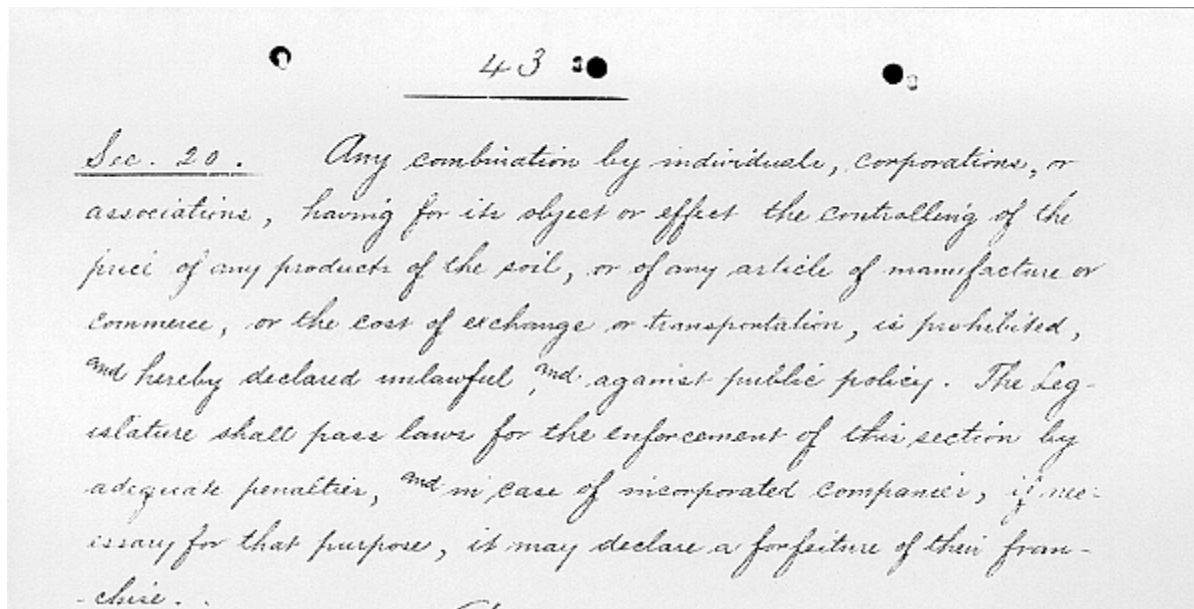
One smaller business is “restrained” from their ability to trade in the free market because of the artificial advantage granted to another business that had the right connections in the legislature to obtain the favorable status. A very important observation is to notice that this section can be broken down even further as it is an enumerated list separated by commas. Grammatically, it could also be written like this:

1. Each contract ... in restraint of trade is prohibited
2. Each combination in the form of trust ... in restraint of trade or commerce is prohibited
3. Each combination otherwise (not formed as trust) ... in restraint of trade or commerce is prohibited
4. Each conspiracy ... in restraint of trade or commerce is prohibited

This enumerated breakdown clearly emphasizes that you don’t have to prove intent of conspiracy to restrain trade, you only have to have a contract that accomplishes the restraint of trade. This does NOT mean private business contracts, as the private property clause (Art 1 Sec 1) and prohibition on contract interference clause (Art 1 Sec 18) discussed in [this article](#) would protect the right to a private contract. So only a state issued contract could potentially fall under this prohibition.

– (From Sentence 3) The “Except” word was not in the original state constitution but added in later modifications. This is an unfortunate confusion but it is still not a problem when read correctly. Some might claim this would authorize that if the law says they can do it, then that is permission to violate this entire section. But to authorize any of this by legislation would render the entire section void by violating the spirit of this law (part 1), and a law nullifying itself makes the whole thing void (contradicting itself) so this meaning cannot stand. **But that being said, it doesn’t matter anyway.** Because most importantly, this word only exists in the third sentence, so even with the most tyrannical interpretation, it can only be applied to sentence 3, and not the first two sentences.

Here’s a scan of the original constitutional text.



Source: <https://archives.utah.gov/research/exhibits/Statehood/corporations43.htm>

FREE MARKET “MONOPOLY” VS GOVERNMENT PROTECTED MONOPOLY

A free market “monopoly” is not really a monopoly, but I’m referring to a theoretical situation of a company being so well loved and chosen by the public that the public continually chooses their product over all other competitors, without the company doing anything dishonest or using any government money or power. In this situation that company would lose its market control the moment their product becomes the 2nd choice of the consuming public.

The constitutional protection of private property in Art 1 Sec 1 would allow for a **truly all-private** corporation to grow unrestricted market share based strictly on the use of private property and the “free market”, as that is the entire spirit of this law. But as soon as they use government/taxpayer/public money or power to create or maintain that monopoly the protection of private property cannot be used because their property is no longer fully private (they’re now partially owned by the public) and it immediately becomes a “restraint of trade” violating the spirit and letter of this law as described.

2013 – UTAH ALREADY WENT ON RECORD THAT THIS WAS ILLEGAL

[We reported on SJR11 in 2013](#) when the Utah legislature passed a resolution of non-compliance with **regional** entities and NGOs pushing Agenda 21/2030.

urges state and local governments ... **to not enter into any agreement, expend any sum of money, contract services, or give financial aid to those nongovernmental and intergovernmental organizations** affiliated with Agenda 21;

urges state and local governments... **to reject United Nations Agenda 21 and any grant money or financial aid attached to it;**

PUBLIC/PRIVATE IS FOREIGN INFLUENCE- PUBLIC PRIVATE PARTNERSHIPS

Even though “Public/Private Partnerships” is an old idea in the philosophy of “Regional Government”, the idea now is being pushed globally, from the top, by the World Economic Forum (WEF) and the United Nations. This is foreign government that is exercising it’s power over our state government. It is a political invasion of our way of life.

The [WEF says on their website](#):

The World Economic Forum is the International Organization for Public-Private Cooperation.

SB295 – BREAKDOWN AND HOW IT VIOLATES THE CONSTITUTION

Now that we understand the constitutional sections listed above, let’s review SB295.

Dedicated Infrastructure District Act – Breakdown of the bill

1. They get their own charter – A constitution for each District – Having its own charter makes it very independent. Able to create laws to govern itself.

211 (2) “Charter” means the document governing a dedicated infrastructure district that is
212 filed with the lieutenant governor’s office, as amended from time to time, and subject to the
213 limitations of Title 17B, Chapter 1, Provisions Applicable to All Local Districts, and this

2. “Infrastructure and Improvements”

Violation of Constitutional Reference #1 – Re-delegation of performing municipal functions to a non-government corporation

216 (4) “Infrastructure and improvements” includes:
217 (a) facilities, lines, or systems that harness geothermal energy or provide water, chilled
218 water, steam, sewer, storm drainage, natural gas, electricity, or telecommunications;
219 (b) streets, roads, curbs, gutters, sidewalks, walkways, tunnels, solid waste facilities,
220 parking facilities, public transportation facilities, rail and transit improvements, and parks,
221 trails, community centers, courts, fields, and other recreational facilities; and
222 (c) the improvements, facilities, or property for which bonds are authorized under
223 Section 11-14-103.

3. The District can fund itself through bonds and property taxes. What happened to taxation by representation? Who are the representatives? Where’s the power of the purse?

Possible Violation of Constitutional Reference #2 (if they can tax on their own with no

oversight, then are they being governed by the city where they reside?)

224 (5)(a) "Limited tax bond" means a bond:
225 (i) that is directly payable from and secured by ad valorem property taxes that are
226 levied within the entire dedicated infrastructure district boundary or within one or more tax
227 areas within the dedicated infrastructure district;
228 (A) by a dedicated infrastructure district that issues the bond; and
229 (B) on taxable property within the district or tax areas;
230 (ii) that is a general obligation of the dedicated infrastructure district; and
231 (iii) for which the ad valorem property tax levy for repayment of the bond does not
232 exceed the property tax levy rate limit established under Section 17D-4a-303 for any fiscal
233 year, except as provided in Subsection 17D-4a-301(9).
234 (b) "Limited tax bond" does not include:
235 (i) a short-term bond;
236 (ii) a tax and revenue anticipation bond; or
237 (iii) a special assessment bond.
238 (6) "Surface property owner" means an owner of the surface rights of real property.
239 (7) "Tax area" means a tax area, as that term is defined in Section 59-2-102, that is
240 created within a dedicated infrastructure district.

4. Sounds like mixing public/private here? A District is all of these at the same time?

Violation of Constitutional Reference #3

247 (3) A dedicated infrastructure district is:
248 (a) a body corporate and politic with perpetual succession;
249 (b) a quasi-municipal corporation; and
250 (c) a political subdivision of the state.

5. Claims that the laws governing the District's powers are supreme if something else is in conflict

Violation of Constitutional Reference #2 (So nobody governs them, no matter what laws happen in the cities?)

258 (6) If a provision of this chapter conflicts with any other statutory provision, the
259 provision of this chapter controls.

6. Separating the state's historical boundaries from the new public/private boundaries? If you change the layout of a city then the boundaries of the District are unaffected.

Violation of Constitutional Reference #2 (Again, nobody governs them, no matter what happens in the cities)

260 (7) The annexation of an unincorporated area by a municipality or the adjustment of a
261 boundary share by more than one municipality does not affect the boundaries of a dedicated
262 infrastructure district.
263 (8) A dedicated infrastructure district shall constitute a local entity and the board shall
264 constitute a governing body for purposes of Title 11, Chapter 42a, Commercial Property
265

7. The purpose of districts is to create "more housing" and make them "more affordable" – Affordable housing, or essentially, the entire purpose is "High Density Housing" and the infrastructure necessary to support it.

Violation of Constitutional Reference #1 – Re-delegation of municipal authority. Plus violation of SJR11 from 2013

269 **17D-4a-201. Purposes.**
270 A dedicated infrastructure district may be created in accordance with this chapter for
271 the following purposes:
272 (1) to finance the costs of infrastructure and improvements;
273 (2) to maintain and operate infrastructure and improvements if the infrastructure or
274 improvements are not transferred or dedicated to another political subdivision or public or
275 private utility because no political subdivision has agreed to provide the service in or near the

276 dedicated infrastructure district, except for electricity distribution;
277 (3) to lower the cost of infrastructure and improvements and increase the supply of
278 available building lots;
279 (4) if development within the dedicated infrastructure district has housing, to
280 increasing the supply and achieving greater economies of scale to make some or all of the
281 housing units more affordable; and
282 (5) to encourage economic development, including commercial and industrial
283 development.

8. **Appointed** and not elected. This emphasizes that the re-delegation of authority is not to a political sub division, but a body that is unaccountable to the people. The District charter decides.

Violation of the principle of “no taxation without representation”

372 **17D-4a-203. Dedicated infrastructure district board -- Charter.**
373 (1) The board of a dedicated infrastructure district shall consist of either three or five
374 members, as designated in the charter, and shall be appointed in accordance with the charter.

9. You don’t have to live in the boundaries of the district that you represent. It could be anyone from anywhere. This also re-emphasizes that board members are appointed. This **violates federalism principles**, this **violates representative government** in the typical “regional government” fashion.

Violation of Constitutional Reference #2 – Governed outside of the city/county where the District resides. Not even the boundaries of the district itself.

379 (3)(a) Notwithstanding Subsection 17B-1-302(1)(b), a board member is not required
380 to be a resident within the boundaries of the dedicated infrastructure district if:
381 (i) 75% or less of any residential units planned for construction within the dedicated
382 infrastructure district are occupied;
383 (ii) no qualified candidate files to be considered for appointment to the board; or
384 (iii) no qualified individual files a declaration of candidacy for a board position in
385 accordance with Subsection 17B-1-306(5).

10. Says that *optionally* the district's charter is allowed after certain milestones are reached to have elections.... OPTIONALLY!

402 (4)(a) A charter may provide for a transition from appointment under Subsection (1) to
403 a method of election by registered voters based upon milestones or events that the charter
404 identifies, including a milestone for each individual board position providing that when the
405 milestone is reached, the registered voters of the dedicated infrastructure district elect a
406 member of the board in place of an appointed member at the next municipal general election
407 for the board position.

11. Even if some start being elected, there will always be the appointed members.

408 (b) Regardless of whether a board member is elected under Subsection (4)(a), the
409 position of each remaining board member shall continue to be appointed under Subsection (1)
410 until the member's board position surpasses the density milestone described in the charter.

12. Powers of the District listed as

- 1) Go into debt to pay off all the construction (The developer who built the 15 minute city can pay themselves through public debt)
- 2) Join other regional governments (**Violation of SJR11 2013**)
- 3) Purchase infrastructure that's already there
- 4) Operate public services
- 5) Further re-delegate some of their duties to yet other districts

Violation of Constitutional Reference #1 – Re-delegation

441 **17D-4a-204. Dedicated infrastructure district powers.**

442 A dedicated infrastructure district shall have all of the authority conferred upon a local
443 district under Section 17B-1-103, and in addition a dedicated infrastructure district may:

444 (1) issue negotiable bonds or other debt instruments to pay all or part of the costs of
445 acquiring, acquiring an interest in, improving, or extending any infrastructure and
446 improvements, including;

447 (a) all or part of the costs of infrastructure and improvements in one or more
448 assessment areas created by the dedicated infrastructure district, as governed by Title 11,
449 Chapter 42, Assessment Area Act, and Title 11, Chapter 42a, Commercial Property Assessed
450 Clean Energy Act, and other related costs;

451 (b) all or part of the costs of infrastructure and improvements in one or more tax areas
452 created by the dedicated infrastructure district, as provided in this chapter;

453 (c) infrastructure and improvements related to the provision of housing, particularly in
454 an effort to increase the supply of housing; and

455 (d) capital costs related to public transportation;

456 (2) enter into an interlocal agreement in accordance with Title 11, Chapter 13,
457 Interlocal Cooperation Act, provided that the interlocal agreement may not expand the powers
458 of the dedicated infrastructure district, within the limitations of Title 11, Chapter 13, Interlocal
459 Cooperation Act;

460 (3) acquire completed or partially completed improvements for fair market value as
461 reasonably determined by;

462 (a) the board; or

463 (b) an engineer that a dedicated infrastructure district employs to provide the value;

464 (4) operate and maintain public infrastructure and improvements the district acquires or
465 finances and use fees, assessments, or taxes to pay for the operation and maintenance of those
466 public infrastructure and improvements; and

467 (5) dedicate infrastructure and improvements to another public entity if that public
468 entity maintains the infrastructure and improvements.

13. Original city still keeps zoning (one thing that has not been re-delegated)

470 **17D-4a-205. Relation to other entities.**

471 (1) Notwithstanding the creation of a dedicated infrastructure district, any public entity,
472 as applicable, retains all of the entity's authority over all zoning, planning, design specifications
473 and approvals, and permitting within the dedicated infrastructure district.

14. Mixing boundaries – property can be in both jurisdictions, the District and the city

474 (2) The inclusion of property within the boundaries of a dedicated infrastructure district
475 does not preclude the inclusion of the property within any other local district.

15. The city is allowed to give away property into the special District (transfer from the “republican form” of Utah government into the UN-inspired regional system)

476 (3)(a) All infrastructure that is connected to another public entity's system;

477 (i) shall be dedicated to the public entity and belongs to that public entity, regardless of
478 inclusion within the boundaries of a dedicated infrastructure district, unless the dedicated
479 infrastructure district and the public entity otherwise agree; and

16. State level Property Rights Authorities (LUDMA) cannot discriminate against Districts (Protecting the new districts from pushback?)

485 (4)(a) A land use authority under Title 10, Chapter 9a, Municipal Land Use,
486 Development, and Management Act, or Title 17, Chapter 27a, County Land Use, Development,
487 and Management Act, may not discriminate against or use the existence of a dedicated
488 infrastructure district in any evaluation or decisions regarding any land use application or land
489 use applicant.

17. Cities/Counties also not allowed to discriminate against Districts (Protecting the new districts from pushback?)

493 (c) A municipality, county, or other political subdivision may not discriminate against
494 or use the existence of a dedicated infrastructure district in accepting any public infrastructure
495 or improvement financed by a dedicated infrastructure district so long as the infrastructure or
496 improvement meets the legal standards that are applicable to any other infrastructure or
497 improvement the municipality, county, or other political subdivision accepts from
498 developments that are not financed by a dedicated infrastructure district.

18. There's one more whole section on BONDS – Regulations on how they can borrow money. We will skip this section, as the fact that they can borrow money at all is already covered.

SOLUTIONS – ACTION ITEMS

Local [nullification](#) must be done – There is no other option.

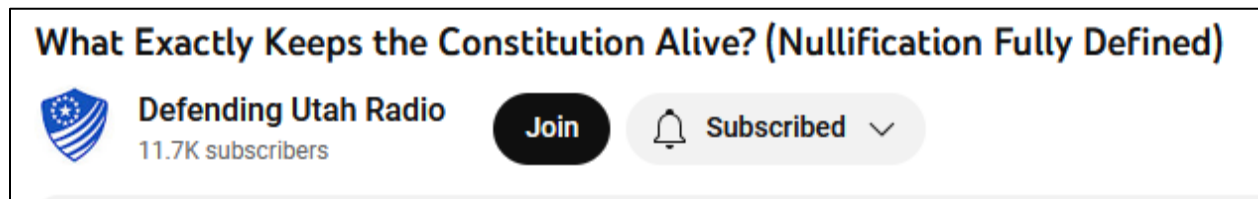
Some areas in Utah have immediate threats while other areas do not have immediate threats but will eventually be threatened.

Every single city and county needs to be asked by their constituents to nullify this, to protect our constitutional form of government and shut down these unlawful public/private and regional non-government corporations.

If your area does not have an immediate threat, you still need to get this nullified there to prevent it from coming and to set an example for other parts of the state. Live in a small town? Just by being an example, you will help other towns follow suit.

1. Spread this article around, everyone needs to understand this.
2. [Contact us](#) and we'll mentor you directly to create groups in your area that you can use to push back.
3. [Become a member of Defending Utah](#) and join our weekly training
4. Nullification at the local level is the only way to stop this – Here's your guide:

– [Watch this short video first on Nullification](#), so that you have a personal understanding on what it is, how it works, and why it's the duty of your city/county council. ***Go on YouTube and search for "Defending Utah Radio". The video title is below:



– The Utah Central Committee for Protecting Rights has published a sample nullification document for this problem. You can bring this to any government body, and they can vote to adopt it directly into their body of law (or use it as a template and write their own).

Document attached to the end of this document

– City or County Legislative Nullification – Contact your city and county representatives and ask them to protect your town from this overreach of the state. The City or County Council can vote it into city code.

– City Executive Nullification – Because these laws violate the state constitution, a mayor can unilaterally declare that it will not be executed in their town.

– Sheriff Nullification – Like any government official or employee, your county sheriff has the authority to enforce the constitution in his county. Bring the nullification declaration to your sheriff and ask him to sign this statement that he will not allow the county to create districts in conflict with the law on his watch.

5. If you know what it is, you can [organize a Committee](#) of Safety in your county. [Contact us](#) if you have a group that wants to be mentored. Email: info@defendingutah.org



NOTICE TO ALL RESIDENTS AND PUBLIC SERVANTS OF UTAH

Nullification of 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, businesses and organizations in asserting their constitutional rights or the rights of the individuals they represent. It is presented to assist assemblies of the people or cities and counties and proper constitutional subdivisions in asserting their rights and protecting their authority to represent the people.

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.

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, the requirement for all states in the united States of America to have a republican form of government 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, 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 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 and unlawful.

THEREFORE, regarding any elected official in a city or county, whether council or mayor or sheriff or any elected official holding the authority of the people, who may choose to interfere with the execution of usurped unconstitutional power, that elected official would be acting in accordance with upholding the law according to the constitutional voice of the people of Utah.