



NOTICE TO UTAH RESIDENTS AND PUBLIC OFFICIALS

Medical Freedom – Always Unlawful to Force Masks

This resolution is presented in pursuance of the mission of the Utah Central Committee, which is to assist Utah individuals, businesses and organizations in asserting their constitutional rights.

The governor is not a lawmaker, and cannot create law. The health departments are not lawmaking bodies, and cannot create law. Any attempt by the legislature to grant lawmaking power to the governor is a gross violation of the Utah state constitution that has already clearly defined who has legislative power in the state of Utah.

WHEREAS, legislative power (the power to write law) is granted **only** to the legislature, or the people through referendum, in the Utah state constitution (*Article VI, Section 1*) and any attempt by the legislature to grant lawmaking power to the governor is a gross violation of the Utah state constitution.

WHEREAS, all orders coming from the governor through *Utah Code 53-2a-209(1)* that claim the governor's orders have "the full force and effect of law during the state of emergency" can never lawfully have the full effect of law under any circumstance. These "emergency" dictates may always be treated accordingly by residents of Utah

WHEREAS, the governor's executive orders and health department rules are not laws, and therefore there are zero consequences to not follow these orders and rules. However, even if *executive orders 2020-32 and 2020-36* were laws, or if *Salt Lake County health order 2020-11* was the law, the orders themselves provide many exceptions that could possibly cover every person in the state of Utah, and the order formally declares that nobody is required to provide documentation of any kind for their exemption.

WHEREAS, any attempt by a public or private entity to create policy, rules, or laws that "act under the color of law" are unconstitutional and unlawful and carry potential criminal (*US Code Title 18, 242*) and civil (*US Code Title 42, 1983*) penalties for the government official. **Any act of ignoring unconstitutional rules is in accordance with upholding the law.** If an agent acting illegally under the color of law attempts to enforce mandated mask wearing, the targeted individual has the right to defend themselves, as the Utah State Constitution declares the people's right "to enjoy and defend their lives and liberties" (*Article 1 Section 1*).

WHEREAS, under any condition, there may very well be **consequences if an individual or businesses forces anyone to engage in behavior against their will that is harmful to that person's health**, such as, but not limited to, overriding the medical advice of the targeted individual's doctor or health advisor. Various state and federal codes address the dangers of wearing masks under a variety of circumstances.

THEREFORE, businesses and individuals have **no requirement to comply with anything that is not actually a constitutionally valid law.**

THEREFORE, we invite all individuals, medical professionals and businesses to follow the law by ignoring unconstitutional pretend-legislation that claims the power to violate people's right to not wear a mask. We encourage government officials to avoid the penalties of violating someone's rights. We invite a spirit of cooperation in honoring the governing law of the land.

Addendum to UCC Resolution 2020-5:

Relevant Section of Salt Lake County Health Order 2020-11 (Not actual law anyway)

Section 4. Any individual within Salt Lake County who is age two and over and able to medically or psychologically tolerate a face covering shall be required to wear a face covering that completely covers the nose and mouth in public areas where consistent social distancing of at least six feet is not possible, reasonable, or prudent. Additional guidance can be found at <https://slco.org/health/COVID-19/business/>.

Relevant Section of the Governor's Executive Order 2020-36 (Not actual law anyway)

2. Each individual in a state facility shall wear a face covering, except as provided in Section (3).
3. Section (2) does not apply to:
 - a. a child who:
 - i. is in a childcare setting;
 - ii. is younger than two years old; or
 - iii. is two years old or older if the parent, guardian, or individual responsible for caring for the child cannot place the face covering safely on the child's face;
 - b. an individual with a medical condition, mental health condition, or disability that prevents wearing a face covering, including an individual with a medical condition for whom wearing a face covering could cause harm or obstruct breathing, or who is unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
 - c. an individual who is deaf or hard of hearing, or communicating with an individual who is deaf or hard of hearing, where the ability to see the mouth is essential for communication;
 - d. an individual who is obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
 - e. an individual who is outdoors;
 - f. an individual in a vehicle;
 - g. an individual who is using an indoor recreational facility and maintains a physical distance of at least six feet from any other individual;
 - h. an individual who is eating or drinking and maintains a physical distance of at least six feet from any other individual who is not from the same household or residence; or
 - i. a state employee who is not speaking in person with any other individual and who:
 - i. is the sole occupant of a fully enclosed room or office;
 - ii. is the sole occupant of a partially enclosed room, office, or similar space, including a cubicle, that is enclosed on at least three sides by walls or other physical barriers or dividers of a height that reaches no lower than the top of the employee's head when the employee is seated; or
 - iii. is seated or stationary, and maintains a physical distance of at least six feet from any other individual.