

MODEL ACT
Natural Born Citizen

1 WHEREAS, Article VI of the United States Constitution provides
2 in relevant part as follows: "This Constitution, and the Laws of
3 the United States which shall be made in Pursuance thereof; and
4 all Treaties made, or which shall be made, under the Authority
5 of the United States, shall be the supreme Law of the Land; and
6 the Judges in every State shall be bound thereby, any Thing in
7 the Constitution or Laws of any State to the Contrary
8 notwithstanding. The Senators and Representatives before
9 mentioned, and the Members of the several State Legislatures,
10 and all executive and judicial Officers, both of the United
11 States and of the several States, shall be bound by Oath or
12 Affirmation, to support this Constitution; but no religious Test
13 shall ever be required as a Qualification to any Office or
14 public Trust under the United States.

15 WHEREAS Article II, Section I, Clause 5 of the United States
16 Constitution provides that "*No person except a natural born*
17 *Citizen*, or a Citizen of the United States, at the time of the
18 Adoption of this Constitution, shall be eligible to the Office
19 of President; neither shall any Person be eligible to that
20 Office who shall not have attained to the Age of thirty-five
21 Years, and been fourteen Years a Resident within the United

22 States."

23 NOW THEREFORE, be it enacted as follows:

24 "The secretary of state through the election division shall be
25 the chief election officer for all federal, state, county, city,
26 town, and district elections that are subject to this title.

27 (1) the secretary of state shall establish by clear and
28 convincing evidence that every candidate to be placed on any
29 ballot for the office of President of the United States and Vice
30 President of the United States within this state: (a) is a
31 "natural born Citizen of the United States" and a Citizen of the
32 United States; (b) has attained to the Age of thirty-five Years,
33 and (c) has been fourteen Years a Resident within the United
34 States." (3) For purposes of this provision, a "natural born
35 citizen" is a person (a) who is born of parents, both of whom
36 were American citizens at the time of the candidate's birth, (b)
37 born of parents, both of whom were resident in the United States
38 or its possessions at the time of the candidate's birth, (c) who
39 has not established citizenship of any other nation after the 40
40 age of 18 years, and(d) has not obtained citizenship in the
41 United States by means or process of naturalization.

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