

HJR023S04 compared with HJR023S03

~~deleted text~~ shows text that was in HJR023S03 but was deleted in HJR023S04.

inserted text shows text that was not in HJR023S03 but was inserted into HJR023S04.

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Senator Lincoln Fillmore proposes the following substitute bill:

JOINT RULES RESOLUTION - LEGISLATIVE PROCESS

AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: ~~James A. Dunnigan~~

Senate Sponsor: ~~Lincoln Fillmore~~

LONG TITLE

General Description:

This resolution modifies provisions of Joint Rules.

Highlighted Provisions:

This resolution:

- ▶ prohibits a single chamber from suspending a joint rule, subject to specified exceptions;
- ▶ directs the president and speaker to conduct an annual evaluation of the legislative auditor general, the legislative fiscal analyst, the director of the Office of Legislative Research and General Counsel, and the legislative general counsel;
- ▶ clarifies the rules governing a motion to reconsider made during a special session;

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- ▶ renames certain joint appropriations subcommittees and adds a new joint appropriations subcommittee;
- ▶ adds the Senate Rules Committee vice chair and the House Rules Committee vice chair to the list of members who are not counted in determining a quorum for a legislative committee, unless the member is present at the meeting;
- ▶ addresses the extent to which a sponsor may change the drafting instructions for a request for legislation;
- ▶ modifies the definition of an authorized legislative committee;
- ▶ provides which member chairs a legislative committee when both appointed chairs are absent and fail to designate an acting chair;
- ▶ addresses remote participation in a legislative committee meeting;
- ▶ modifies the process for tracking legislation that increases legislative workload;
- ▶ increases and clarifies the threshold for fiscal note bills that are subject to a funding prioritization process and passage deadline;
- ▶ allows a legislator to lobby on federal issues;
- ▶ modifies timing and staffing requirements for the Long-term Planning Conference;
- ▶ modifies the deadline for interim committee chairs to designate committee bill sponsors;
- ▶ provides that after a legislator's request for legislation becomes a committee bill, the legislator remains the committee bill's sponsor;
- ▶ updates inconsistent terminology;
- ▶ incorporates certain language from existing provisions of the Utah Code; and
- ▶ removes obsolete language.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR1-2-101

JR1-2-102

JR1-2-103

JR1-2-201

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JR1-2-202
JR1-3-102
JR1-4-501
JR2-1-101
JR2-1-102
JR2-2-101
JR2-2-201
JR2-2-203
JR3-1-101
JR3-1-102
JR3-2-302
JR3-2-403
JR3-2-404
JR3-2-901
JR3-2-902
JR3-2-903
JR3-2-904
JR3-3-101
JR3-3-103
JR4-1-101
JR4-1-202
JR4-1-301
JR4-1-302
JR4-2-101
JR4-2-103
JR4-2-202
JR4-2-203
JR4-2-502
JR4-3-104
JR4-3-107
JR4-3-109

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JR4-3-201

JR4-3-202

JR4-3-203

JR4-3-303

JR4-4-101

JR4-5-101

JR4-5-102

JR4-5-201

JR4-5-202

JR5-1-102

JR5-5-101

JR6-1-102

JR6-5-101

JR7-1-101

JR7-1-104

JR7-1-202

JR7-1-203

JR7-1-302

JR7-1-401

JR7-1-611

ENACTS:

JR1-1-104

JR1-4-701

REPEALS AND REENACTS:

JR2-1-103

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR1-1-104** is enacted to read:

JR1-1-104. Single chamber's authority to suspend Joint Rules.

(1) Except as provided in Subsection (2), a single chamber may not suspend a Joint Rule.

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(2) A single chamber may suspend by motion and majority vote one or more of the following rules:

(a) JR2-1-103;

(b) JR4-3-103(2);

(c) JR4-3-105;

(d) JR4-3-302;

(e) JR4-4-101(2)(b);

(f) JR4-4-201; or

(g) JR4-4-202.

(3) A motion and vote under Subsection (2) is valid only if the legislator making the motion identifies in the motion each rule the legislator intends to suspend.

Section 2. **JR1-2-101** is amended to read:

JR1-2-101. Convening the Legislature -- Process -- Date.

(1) The Legislature shall convene:

(a) on the date set by the Utah Constitution for the beginning of the annual general session;

(b) on the date set by the governor in the proclamation that calls the Legislature into special session; or

(c) on the date set by joint proclamation of the president and the speaker that convenes the Legislature into special session.

(2) The Legislature shall convene by:

(a) each [~~house~~] chamber being called to order;

(b) having an invocation;

(c) reciting the pledge of allegiance;

(d) reading the certificates of election and giving the oath of office to legislators, if necessary;

(e) calling the roll and declaring whether or not a quorum is present;

(f) electing a presiding officer, if necessary;

(g) appointing standing committees, if necessary;

(h) adopting rules;

(i) giving and receiving the notifications required in JR1-2-102 and JR1-2-103; and

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(j) introducing bills.

(3) Nothing in this rule:

(a) requires the Senate or House to perform the items in this rule in a particular order;

or

(b) prohibits the Senate or House from adding or deleting items.

(4) The daily order of business set forth in SR1-5-103 and HR1-5-103 governs on all legislative days other than the day on which the Legislature convenes.

Section 3. **JR1-2-102** is amended to read:

JR1-2-102. Notification of organization of each chamber.

Immediately after the organization of the Senate and House of Representatives at the beginning of each session of the Legislature, each [~~house~~] chamber shall appoint a committee composed of three legislators to notify the other [~~house~~] chamber that it is organized and ready to transact business.

Section 4. **JR1-2-103** is amended to read:

JR1-2-103. Joint committee to notify governor.

Upon a motion of the respective [~~houses~~] chambers, a joint committee consisting of three senators and three representatives shall be appointed to inform the governor personally that both chambers of the Legislature:

(1) [~~both houses of the Legislature~~] have convened and are organized; and

(2) [~~they~~] are ready to receive any communications from the governor.

Section 5. **JR1-2-201** is amended to read:

JR1-2-201. Consent of other chamber required.

(1) Except as provided in Subsection (2), each [~~house~~] chamber may adjourn from day to day until:

(a) the constitutional time limit for an annual general session or special session expires;

(b) the Legislature is dissolved because the terms of office of a majority of the members of the legislative body have expired; or

(c) the Legislature adjourns sine die.

(2) As provided in Utah Constitution, Article VI, Section 15, neither [~~house~~] chamber may adjourn for more than three days unless the other [~~house~~] chamber consents by majority vote.

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Section 6. **JR1-2-202** is amended to read:

JR1-2-202. Adjournment sine die.

(1) (a) If the Legislature is meeting until midnight on the last day of any session, the speaker and the president shall, at midnight, announce the time to the members of their respective [~~houses~~] chambers.

(b) Each [~~house~~] chamber shall cease its business at midnight.

(2) [~~Adjournment sine die shall be made~~] The Legislature shall adjourn sine die after:

(a) a committee from each [~~house~~] chamber has notified the opposite [~~house~~] chamber that they have completed their work;

(b) a joint committee has notified the governor that the Legislature has completed its work; and

(c) the governor has informed the joint committee that [~~he~~] the governor has nothing further to present to the Legislature.

Section 7. **JR1-3-102** is amended to read:

JR1-3-102. Senate and House Journals.

(1) Each [~~house~~] chamber shall:

(a) keep a journal of [~~its~~] the chamber's proceedings;

(b) publish the journal daily;

(c) ensure that [~~its~~] the journal is continuous during the legislative session, with pages numbered in consecutive order;

(d) ensure that the vote on final passage of each bill is by yeas and nays and is entered upon the journal;

(e) ensure that the vote on any other question is by yeas and nays and is entered upon the journal at the request of five members of that [~~house~~] chamber; and

(f) base the journal upon the record of the proceedings taken by the reading or docket clerk and the electronic recording of those proceedings.

(2) The secretary of the Senate and the chief clerk of the House of Representatives shall provide a final certification of the journal for their respective [~~house~~] chamber.

Section 8. **JR1-4-501** is amended to read:

JR1-4-501. Legislative recommendations to temporarily fill a vacancy in office of United States senator.

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(1) If a vacancy occurs in the office of United States senator, the Legislature shall, in accordance with this rule and Utah Code Subsection 20A-1-502(4), nominate three individuals, one of whom the governor will appoint to temporarily fill the vacancy.

(2) The Legislative Management Committee shall:

(a) adopt a joint resolution proposing three or more names to the Legislature to consider for nomination;

(b) determine which [~~house~~] chamber of the Legislature will first consider the resolution; and

(c) assign a floor sponsor for the resolution in each [~~house~~] chamber.

(3) The Legislature shall, by majority vote of each [~~house~~] chamber, submit a final resolution, containing the names of only three individuals, to the governor as the Legislature's nominees.

Section 9. **JR1-4-701** is enacted to read:

Part 7. Personnel

JR1-4-701. Annual performance evaluation of professional staff directors and general counsel.

Before July 1 each year the president and speaker shall:

(1) in consultation with the Senate minority leader and the House minority leader, conduct a performance evaluation of the legislative auditor general, the legislative fiscal analyst, the director of the Office of Legislative Research and General Counsel, and the legislative general counsel; and

(2) set compensation for the legislative auditor general, the legislative fiscal analyst, the director of the Office of Legislative Research and General Counsel, and the legislative general counsel for the upcoming fiscal year.

Section 10. **JR2-1-101** is amended to read:

JR2-1-101. Annual general session rules apply.

Except as otherwise provided in this chapter, rules adopted or amended by each [~~house~~] chamber of the Legislature during the immediately preceding annual general session, and any intervening session, apply to the conduct of that [~~house~~] chamber during a special session.

Section 11. **JR2-1-102** is amended to read:

JR2-1-102. Introduction of bills.

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Legislation authorized by the governor's special session proclamation or by joint proclamation of the president and the speaker may be introduced in either [~~house~~] chamber at any time during a special session of the Legislature.

Section 12. **JR2-1-103** is repealed and reenacted to read:

JR2-1-103. Motion to reconsider.

(1) Except as provided in Subsection (2), during a special session, a senator may make a motion to reconsider in accordance with Senate Rules governing floor procedures and a representative may make a motion to reconsider in accordance with House Rules governing floor procedures.

(2) The following provisions do not apply to a motion to reconsider made during a special session:

(a) SR4-9-101(2)(c) and (3); and

(b) HR4-9-101(2)(d) and (3).

Section 13. **JR2-2-101** is amended to read:

JR2-2-101. Veto override process.

(1) A bill passed by the Legislature and vetoed by the governor shall be reconsidered first in the [~~house~~] chamber of origin of the bill.

(2) (a) When a vetoed bill is returned to the House or Senate by the governor, it shall be placed on the third reading calendar.

(b) The Legislature may not amend or otherwise modify a vetoed bill or item of appropriation.

(3) If a constitutional two-thirds of the members elected to the first [~~house~~] chamber vote to pass the bill, it shall be sent to the other [~~house~~] chamber, together with the governor's objections.

(4) If a constitutional two-thirds of the members elected to the other [~~house~~] chamber approve the bill, the bill becomes law.

Section 14. **JR2-2-201** is amended to read:

JR2-2-201. Poll to convene and calling a veto override session.

(1) (a) If the Legislature is prevented by adjournment sine die from reconsidering any vetoed bill or item of appropriation vetoed by the governor, the president of the Senate and the speaker of the House shall poll their respective members by mail or other means to determine if

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the Legislature shall convene to reconsider vetoed legislation.

(b) Each member shall respond to the poll in writing, by telephone, or other available means.

(2) (a) The president and speaker shall notify the governor about the results of the poll.

(b) The sponsor of a bill being considered for the veto override shall be provided, upon request, the itemized list of how each legislator responded to the poll.

(3) (a) If two-thirds of the members of each [~~house~~] chamber are in favor of convening a veto override session, the Legislature shall convene in a veto override session not to exceed five calendar days, at a time agreed upon by the president and speaker.

(b) A veto override session, if called, shall be convened prior to 60 days after the adjournment of the session at which the bill or appropriation item under consideration was passed.

(4) (a) The presiding officers shall issue the call of the veto override session of the Legislature to their members.

(b) The call shall contain a list of each bill and appropriation item vetoed by the governor and the date and time for convening the veto override session.

(5) The Legislature shall consider the vetoed bills and appropriation items according to the process outlined in JR2-2-101.

Section 15. **JR2-2-203** is amended to read:

JR2-2-203. Rules governing.

Except as otherwise provided in this chapter, the rules adopted by each [~~house~~] chamber of the Legislature during the immediately preceding annual general session apply to the conduct of that [~~house~~] chamber during a veto override session.

Section 16. **JR3-1-101** is amended to read:

JR3-1-101. Process for calling and conducting -- Scope.

(1) (a) The president of the Senate and the speaker of the House may, by mutual consent, call joint conventions of the two [~~houses~~] chambers and shall include in the call the purpose for which the joint convention is called.

(b) Joint conventions shall be held in the chambers of the House of Representatives, with the president of the Senate presiding.

(2) At the time fixed for the joint convention:

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- (a) the House of Representatives shall prepare to receive the Senate; and
- (b) the Senate shall proceed to the chamber of the House of Representatives.
- (3) The secretary of the Senate and the chief clerk of the House of Representatives

shall:

- (a) act as secretaries of the joint convention; and
- (b) enter the proceedings of the convention in the journal of at least one [house]

chamber.

(4) At a joint convention, members of either [house] chamber may not engage in the transaction of any business other than that for which they were assembled.

Section 17. **JR3-1-102** is amended to read:

JR3-1-102. Rules governing joint conventions.

(1) The House Rules govern the proceedings in joint convention except those House Rules that are clearly not applicable.

(2) (a) Absent House members may be compelled to attend joint conventions under House Rules.

(b) Absent Senate members may be compelled to attend joint conventions under Senate Rules.

(c) The sergeant-at-arms of each [house] chamber shall attend joint conventions to compel the attendance of absent members if called upon.

(3) Joint conventions may adjourn from time to time as necessary.

Section 18. **JR3-2-302** is amended to read:

JR3-2-302. Joint appropriations subcommittees -- Creation -- Membership.

The members of the Joint Appropriations Committee shall be divided into the following joint appropriations subcommittees:

(1) [~~Infrastructure and General Government~~] Transportation and Infrastructure;

(2) [~~Business, Economic Development, and Labor~~] Economic and Community

Development;

(3) Executive Offices and Criminal Justice;

(4) Social Services;

(5) Higher Education;

(6) Natural Resources, Agriculture, and Environmental Quality; [and]

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(7) Public Education; and

(8) General Government.

Section 19. **JR3-2-403** is amended to read:

JR3-2-403. Quorum requirements.

A quorum of a joint appropriations subcommittee and the Executive Appropriations Committee is at least 50% in one [~~house~~] chamber and more than 50% in the other, subject to the requirements in JR3-2-404.

Section 20. **JR3-2-404** is amended to read:

JR3-2-404. Voting requirements.

(1) A majority vote of a joint appropriations subcommittee and the Executive Appropriations Committee is at least 50% of those in attendance in one [~~house~~] chamber and more than 50% of those in attendance in the other.

(2) For an appropriation subcommittee, and excluding the Executive Appropriations Committee, in determining whether a quorum is present, a legislator who is the president, the speaker, a majority leader, a majority whip, an assistant majority whip, the Senate Rules Committee chair, the Senate Rules Committee vice chair, the House Rules Committee chair, the House Rules Committee vice chair, an Executive Appropriations Committee chair, an Executive Appropriations Committee vice chair, a minority leader, a minority whip, an assistant minority whip, or the fourth member of leadership from a minority party, is not counted in determining a quorum for the committee, except during the time that the legislator is present at the meeting.

Section 21. **JR3-2-901** is amended to read:

JR3-2-901. Appointment and chairs -- Notice.

(1) (a) If the Senate refuses to concur in the House amendments to [~~a Senate bill~~] Senate legislation, the secretary of the Senate shall notify the House of the refusal and ask the House to recede from its amendments.

(b) Either [~~house~~] chamber may recede from its position on any difference existing between the two [~~houses~~] chambers by a majority vote of its members.

(c) (i) If the House refuses to recede, the speaker shall appoint a conference committee of three.

(ii) After making the appointment, the speaker shall:

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(A) publicly announce the House members of the conference committee and the time and place that the conference committee will meet;

(B) ensure that no more than two of the appointees are members of the majority party;
and

(C) direct House staff to provide electronic notice that identifies the House members of the conference committee and the time and place of the conference committee meeting.

(d) If the speaker does not immediately appoint a conference committee, the president may appoint a conference committee as provided in Subsection (2)(c).

(e) After the Senate refuses to concur in the House amendments to [~~a Senate bill~~] Senate legislation, the House may not amend or substitute the [~~bill~~] legislation, unless:

(i) the sole effect of the amendment or substitute is to recede from one or more House amendments to the [~~bill~~] legislation; or

(ii) the amendment or substitute is part of a conference committee report.

(2) (a) If the House refuses to concur in the Senate amendments to [~~a House bill~~] House legislation, the chief clerk of the House shall notify the Senate of the refusal and ask the Senate to recede from its amendments.

(b) Either [~~house~~] chamber may recede from its position on any difference existing between the two [~~houses~~] chambers by a majority vote of its members.

(c) (i) If the Senate refuses to recede, the president shall appoint a conference committee of three.

(ii) After making the appointment, the president shall:

(A) publicly announce the Senate members of the conference committee and the time and place that the conference committee will meet;

(B) ensure that no more than two of the appointees are members of the majority party;
and

(C) direct Senate staff to provide electronic notice that identifies the Senate members of the conference committee and the time and place of the conference committee meeting.

(d) If the president does not immediately appoint a conference committee, the speaker may appoint a conference committee as provided in Subsection (1)(c).

(e) After the House refuses to concur in the Senate amendments to [~~a House bill~~] House legislation, the Senate may not amend or substitute the [~~bill~~] legislation, unless:

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(i) the sole effect of the amendment or substitute is to recede from one or more Senate amendments to the [bill] legislation; or

(ii) the amendment or substitute is part of a conference committee report.

(3) (a) Whenever the president or speaker appoints a conference committee, the secretary of the Senate or chief clerk of the House shall:

(i) immediately notify the other [house] chamber of the action taken; and

(ii) request the appointment of conference committee members from that other [house] chamber.

(b) After receiving the notice and request, the presiding officer of the other [house] chamber shall:

(i) appoint a conference committee of three;

(ii) publicly announce the members of the conference committee from that [house] chamber and the time and place that the conference committee will meet; and

(iii) direct staff to provide electronic notice that identifies the members of the conference committee and the time and place of the conference committee meeting.

(4) (a) The first senator named on the conference committee is the Senate chair of the committee, and the first representative named on the conference committee is the House chair.

(b) The conference committee chairs shall direct the preparation of the conference committee report.

Section 22. **JR3-2-902** is amended to read:

JR3-2-902. Conference committee procedures.

(1) The chair from the [house] chamber of origin of the [bill] legislation shall chair meetings of the conference committee.

(2) Staff from the Office of Legislative Research and General Counsel may attend the conference committee meeting to assist in the preparation of the committee report.

(3) (a) Subject to Subsection (3)(b), conference committee meetings are open to the public.

(b) Public comment may not be received or made during a conference committee meeting unless a majority of committee members from one [house] chamber and at least 50% from the other [house] chamber vote to receive public comment.

(4) (a) A majority of committee members from each [house] chamber must approve a

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conference committee report in order for it to be presented to the Legislature.

(b) (i) If the conference committee cannot reach an agreement, the committee shall report the failure to agree to both [~~houses~~] chambers.

(ii) Upon notice that a conference committee has failed to agree:

(A) the presiding officer of each [house] chamber may appoint a new committee by following the requirements of JR3-2-901 or reappoint the former committee and announce the time and place of the committee's meeting; or

(B) either [house] chamber may vote to refuse further conferences.

(iii) If a [house] chamber votes to refuse further conferences, the [~~bill~~] legislation shall be returned to the originating [house] chamber and filed.

Section 23. **JR3-2-903** is amended to read:

JR3-2-903. Conference committee report -- Contents -- Disposition.

(1) The conference committee's report shall:

(a) be in writing; and

(b) list the vote of each member of the conference committee by name.

(2) (a) Subject to Subsection (2)(b), the committee may report any modifications or amendments to the [~~bill~~] legislation that the committee thinks advisable.

(b) A conference committee may not consider or report on any matter except those at issue between the two [~~houses~~] chambers.

(3) (a) If the [~~bill~~] legislation being discussed by the conference committee is [~~a House bill~~] House legislation, the Senate conference committee members shall present the conference committee report first to the Senate.

(b) If the [~~bill~~] legislation being discussed by the conference committee is [~~a Senate bill~~] Senate legislation, the House conference committee members shall present the conference committee report first to the House.

(4) Before a [house] chamber votes on a motion to adopt a conference committee report, the report shall be read.

(5) (a) If a [house] chamber approves a motion to adopt a conference committee report, the [~~bill~~] legislation shall be put at the top of the [~~house's~~] chamber's third reading calendar for consideration.

(b) If the [house] chamber is the first [house] chamber to consider the conference

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committee report, after the [house] chamber acts on the [bill] legislation, the [house] chamber shall transmit the [bill] legislation and the conference committee report to the other [house] chamber along with a letter explaining the [house's] chamber's action.

(6) (a) If a motion to adopt a conference committee report fails, either [house] chamber may request that the other [house] chamber:

- (i) appoint a new committee by following the requirements of JR3-2-901; or
- (ii) reappoint the former committee and announce the time and place of the committee's meeting.

(b) If a [house] chamber refuses a request under Subsection (6)(a), the [bill] legislation shall be returned to the originating [house] chamber and filed.

Section 24. **JR3-2-904** is amended to read:

JR3-2-904. Failure to meet.

If the members of the conference committee do not meet in a timely manner after being appointed, the presiding officers of both [houses] chambers may appoint a new conference committee and disband the original conference committee.

Section 25. **JR3-3-101** is amended to read:

JR3-3-101. Long-Term Planning Conference.

(1) The president of the Senate and the speaker of the House of Representatives shall, by mutual consent, call a joint Long-Term Planning Conference of members of the two houses.

(2) The conference will be held [~~at least every two years~~] on a date or dates designated jointly by the president of the Senate and the speaker of the House of Representatives.

(3) The conference may last one or two days and may include meetings, workshops, and other sessions and activities designed to accomplish the purpose of the conference as described in Section JR3-3-102.

Section 26. **JR3-3-103** is amended to read:

JR3-3-103. Conference agenda -- Staffing.

(1) The president of the Senate and the speaker of the House of Representatives shall jointly establish the agenda for the conference.

~~[(2) Under the direction of the president of the Senate and speaker of the House of Representatives, the Office of Legislative Research and General Counsel, with the assistance of other legislative staff offices, shall staff the conference in accordance with the agenda~~

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~~described in Subsection (1):]~~

~~[(3)] (2)~~ The agenda described in Subsection (1) may include a variety of presenters, including representatives of education, government, business, and the private sector.

Section 27. **JR4-1-101** is amended to read:

JR4-1-101. Definitions.

As used in this title:

(1) "Bill" means legislation introduced for consideration by the Legislature that does any, some, or all of the following to Utah statutes:

- (a) amends;
- (b) enacts;
- (c) repeals;
- (d) repeals and reenacts; or
- (e) renumbers and amends.

(2) "Boldface" means the brief descriptive summary of the contents of a statutory section prepared by the Office of Legislative Research and General Counsel that is printed for each title, chapter, part, and section of the Utah Code.

(3) "Concurrent resolution" means a written proposal of the Legislature and governor, which, to be approved, must be passed by both [~~houses~~] chambers of the Legislature and concurred to by the governor.

(4) "Constitutional joint resolution" means a joint resolution proposing to amend, enact, or repeal portions of the Utah Constitution which, to be approved for submission to the voters, must be passed by a two-thirds vote of both [~~houses~~] chambers of the Legislature.

(5) "Drafting instructions" means:

(a) specific information concerning the change or addition to law or policy that a legislator intends to propose through legislation; or

(b) a specific situation or concern that a legislator intends to address through legislation.

~~[(5)] (6)~~ "House resolution" means a written proposal of the House of Representatives which, to be approved, must be passed by the House of Representatives.

~~[(6)] (7)~~ "Joint resolution" means a written proposal of the Legislature which, to be approved, must be passed by both [~~houses~~] chambers of the Legislature, including a

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constitutional joint resolution.

~~[(7)]~~ (8) "Laws of Utah" means all of the laws currently in effect in Utah.

~~[(8)]~~ (9) "Legislation" means ~~[bills and resolutions]~~ a bill or resolution introduced for consideration by the Legislature.

~~[(9)]~~ (10) "Request for ~~[Legislation]~~ legislation" means a formal request from a legislator or ~~[interim committee that]~~ an authorized legislative committee that the Office of Legislative Research and General Counsel prepare a bill or resolution ~~[be prepared by the Office of Legislative Research and General Counsel].~~

~~[(10)]~~ (11) "Resolution" includes ~~[constitutional joint resolutions, other joint resolutions, concurrent resolutions, House resolutions, and Senate resolutions]~~ a joint resolution, concurrent resolution, House resolution, and Senate resolution.

~~[(11)]~~ (12) "Senate resolution" means a written proposal of the Senate which, to be approved, must be passed by the Senate.

~~[(12)]~~ (13) "Statute" means a law that has met the constitutional requirements for enactment.

~~[(13)]~~ (14) "Statutory section" means the unique unit of the laws of Utah that is identified by a title, chapter, and section number.

Section 28. **JR4-1-202** is amended to read:

JR4-1-202. Specific bill format requirements.

(1) Each bill shall contain:

(a) a designation containing the information required by Subsection (2);

(b) a short title, which provides a short common description of the bill;

(c) the year and type of legislative session in which the bill is to be introduced;

(d) the phrase "State of Utah";

(e) the sponsor's name, after the heading "Chief Sponsor:";

(f) if the bill is a House bill that has passed third reading in the House, the Senate sponsor's name after the heading "Senate Sponsor:";

(g) if the bill is a Senate bill that has passed third reading in the Senate, the House sponsor's name after the heading "House Sponsor:";

(h) a long title, which includes:

(i) a brief general description of the subject matter in the bill;

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(ii) a list of each section of the Utah Code affected by the bill, which cites by statute number those statutes that the bill proposes be amended, enacted, repealed and reenacted, renumbered and amended, and repealed; and

(iii) for bills that contain an appropriation, the sum proposed to be appropriated by the bill unless the bill is an appropriation bill or supplemental appropriation bill whose single subject is the appropriation of money;

(i) an enacting clause in the following form: "Be it enacted by the Legislature of the state of Utah:"; and

(j) the subject matter, given in one or more sections.

(2) The designation shall be a heading that identifies the bill by its [~~house~~] chamber of introduction and by unique number assigned to it by the Office of Legislative Research and General Counsel and shall be in the following form: "S.B." or "H.B." followed by the number assigned to the bill.

Section 29. **JR4-1-301** is amended to read:

JR4-1-301. General resolution format requirements.

(1) Each resolution shall be typewritten or printed on paper 8-1/2 by 11 inches.

(2) Each resolution shall contain:

(a) a designation containing the information required by Subsection (3);

(b) a short title;

(c) the year and type of legislative session in which the resolution is to be introduced;

(d) the phrase "State of Utah";

(e) the sponsor's name, after the heading "Chief Sponsor:";

(f) the Senate sponsor's name after the heading "Senate Sponsor:" if the resolution:

(i) is a concurrent resolution or a joint resolution;

(ii) originated in the House of Representatives; and

(iii) has passed third reading in the House of Representatives;

(g) the House sponsor's name after the heading "House Sponsor:" if the resolution:

(i) is a concurrent resolution or a joint resolution;

(ii) originated in the Senate; and

(iii) has passed third reading in the Senate;

(h) a long title, which shall include a list of constitutional sections, legislative rules, or

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the Utah Supreme Court's Rules of Procedure or Rules of Evidence affected, if applicable;

- (i) a resolving clause containing the information required by Subsection (4);
- (j) for joint resolutions, concurrent resolutions, Senate resolutions, and House

resolutions:

- (i) one or more paragraphs that begin with the word "Whereas" that function as the preamble; and

- (ii) one or more paragraphs that begin with the words "Be it Resolved" that identify the statement of purpose or policy; and

- (k) special clauses including, if necessary, an effective date.

(3) The designation shall be a heading that identifies the resolution by the resolution's [~~house~~] chamber of introduction and by unique number assigned to the resolution by the Office of Legislative Research and General Counsel and shall be in the following form:

- (a) for a joint resolution, unless the resolution converted to a joint resolution in accordance with JR4-5-104: "S.J.R." or "H.J.R." followed by the number assigned to the joint resolution;

- (b) for a concurrent resolution, regardless of whether the concurrent resolution converts to a joint resolution in accordance with JR4-5-104: "S.C.R." or "H.C.R." followed by the number assigned to the concurrent resolution;

- (c) for a Senate resolution: "S.R." followed by the number assigned to the Senate resolution; or

- (d) for a House resolution: "H.R." followed by the number assigned to the House resolution.

(4) Each resolution shall contain a resolving clause in one of the following forms:

- (a) in a constitutional joint resolution, or in a joint resolution proposing to amend the Utah Supreme Court's Rules of Procedure or Rules of Evidence: "Be it resolved by the Legislature of the state of Utah, with at least two-thirds of all members elected to each of the two houses concurring:";

- (b) in a joint resolution: "Be it resolved by the Legislature of the state of Utah:";

- (c) in a concurrent resolution: "Be it resolved by the Legislature of the state of Utah, with the Governor concurring:";

- (d) in a Senate resolution: "Be it resolved by the Senate of the state of Utah:"; or

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(e) in a House resolution: "Be it resolved by the House of Representatives of the state of Utah:".

Section 30. **JR4-1-302** is amended to read:

JR4-1-302. Effective date of resolutions.

(1) Unless otherwise directed by the Legislature and subject to Subsections (2) and (3), a resolution becomes effective on:

(a) the day that the resolution receives final approval from:

(i) the House of Representatives or the Senate, if the resolution is a single [~~house~~] chamber resolution;

(ii) both the House of Representatives and the Senate, if the resolution is a joint resolution;

(iii) the House of Representatives, the Senate, and the governor, if the resolution is a concurrent resolution; or

(iv) the House of Representatives, the Senate, and the voters at the next general election, if the resolution is a constitutional joint resolution; or

(b) the day after the day on which the time period described in JR4-5-104 expires, if the resolution is a concurrent resolution that converts to a joint resolution in accordance with JR4-5-104.

(2) (a) The effective date of a resolution may not be a date later than December 31 of the calendar year immediately following the calendar year of the session at which the resolution is passed.

(b) A resolution with a contingent effective date is not subject to Subsection (2)(a).

(3) (a) If the effective date of a resolution is contingent, before the resolution may be introduced:

(i) the resolution sponsor shall inform the legislative general counsel of the contingent effective date; and

(ii) the legislative general counsel shall, on behalf of the resolution sponsor, request approval of the contingent effective date from the president and speaker.

(b) A resolution that has a contingent effective date that is not approved by the president and the speaker may not be introduced.

(c) Subsections (3)(a) and (b) do not apply to a resolution to amend the Utah

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Constitution that is contingent on approval by the voters.

(4) A rules committee, a standing committee, the Senate, or the House of Representatives may not suspend the provisions of Subsection (2) or (3).

Section 31. **JR4-2-101** is amended to read:

JR4-2-101. Requests for legislation -- Contents -- Timing.

(1) (a) A legislator wishing to introduce a bill or resolution shall file a request for legislation with the Office of Legislative Research and General Counsel within the time limits established by this rule.

(b) The request for legislation shall:

(i) designate the chief sponsor, who is knowledgeable about and responsible for providing pertinent information as the legislation is drafted; and

~~[(ii) if the request is for a general session, designate any supporting legislators from the same house as the chief sponsor who wish to cosponsor the legislation; and]~~

~~[(iii) (A) provide specific information concerning the change or addition to law or policy that the legislator intends the proposed legislation to make; or]~~

~~[(B) identify the specific situation or concern that the legislator intends the legislation to address.]~~

(ii) include drafting instructions for the legislation.

(c) (i) (A) The chief sponsor may modify the drafting instructions provided in accordance with Subsection (1)(b)(ii) only if the modified drafting instructions do not deviate from the core subject matter of the original drafting instructions.

(B) The Office of Legislative Research and General Counsel shall apply the standard described in Subsection (1)(c)(i)(A) in a manner that favors the chief sponsor.

(ii) If the chief sponsor wishes to modify the drafting instructions in a manner prohibited under Subsection (1)(c)(i), the chief sponsor shall file a new, separate request for legislation in accordance with this rule.

(2) (a) Any legislator may file a request for legislation beginning 60 days after the Legislature adjourns its annual general session sine die.

(b) A legislator-elect may file a request for legislation beginning on:

(i) the day after the date the election canvass is completed; or

(ii) if the legislator-elect's election results have not been finalized as of the canvass

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date, the day after the date the election results for the legislator-elect's race are finalized.

(c) (i) An incumbent legislator may not file any requests for legislation as of the date that the legislator:

(A) fails to file to run for election to a seat in the Legislature;

(B) is ineligible to be included on the ballot for the election in which the legislator would have sought an additional term; or

(C) fails to win reelection and the legislator's opponent is eligible to file a request for legislation under Subsection (2)(b).

(ii) Subsection (2)(c)(i) does not apply to a request for legislation for:

(A) a general session that occurs while the legislator is in office; or

(B) a special session that occurs while the legislator is in office.

(d) (i) If, for any reason, a legislator who filed a request for legislation is unavailable to serve in the next annual general session, the former legislator may seek another legislator to assume sponsorship of each request for legislation filed by the legislator who is unavailable to serve.

(ii) If the former legislator is unable to find another legislator to sponsor the legislation within 30 days, the Office of Legislative Research and General Counsel shall abandon each [pending] request for legislation from the legislator who is unavailable to serve.

(e) (i) If a legislator dies while in office and is the chief sponsor of one or more requests for legislation or pieces of legislation, the individual appointed to the legislator's seat may assume sponsorship of each request for legislation or piece of legislation.

(ii) If the individual appointed to the legislator's seat chooses not to assume sponsorship of one or more of the legislator's requests for legislation or pieces of legislation, the following individual shall seek another legislator to assume sponsorship of each request for legislation or piece of legislation:

(A) if the legislator was a member of the House majority caucus, the House majority leader;

(B) if the legislator was a member of the House minority caucus, the House minority leader;

(C) if the legislator was a member of the Senate majority caucus, the Senate majority leader; or

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(D) if the legislator was a member of the Senate minority caucus, the Senate minority leader.

(iii) If the individual described in Subsection (2)(e)(ii) does not find a new sponsor for a request for legislation, the Office of Legislative Research and General Counsel shall abandon the request for legislation.

(3) (a) Except as provided in Subsection (3)(c), a legislator may not file a request for legislation with the Office of Legislative Research and General Counsel after noon on the 11th day of the annual general session.

(b) On the 11th day of the annual general session, the Office of Legislative Research and General Counsel shall make public on the Legislature's website the short title and sponsor of each request for legislation, unless the sponsor abandons the request for legislation before noon on the 11th day of the annual general session.

(c) (i) After the 11th day of the annual general session, a legislator may file a request for legislation only if:

(A) for House legislation, the representative makes a motion to request legislation for drafting and introduction and that motion is approved by a constitutional majority of the House; or

(B) for Senate legislation, the senator makes a motion to request legislation for drafting and introduction and that motion is approved by a constitutional majority vote of the Senate.

(ii) The Office of Legislative Research and General Counsel shall make public on the Legislature's website the short title and sponsor of each request for legislation described in this Subsection (3)(c).

(4) After a request for legislation is abandoned, a legislator may not revive the request for legislation.

(5) A legislator wishing to obtain funding for a project, program, or entity, when that funding request does not require that a statute be enacted, repealed, or amended, may not file a [~~Request for Legislation~~] request for legislation but instead shall file a request for appropriation by following the procedures and requirements of JR3-2-701.

Section 32. **JR4-2-103** is amended to read:

JR4-2-103. Legislation -- Sponsorship requirements.

(1) (a) The legislator who approves the legislation for numbering is the chief sponsor.

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(b) The chief sponsor may withdraw sponsorship of the legislation by following the procedures and requirements of Senate Rules or House Rules.

(2) (a) Before or after the [~~bill~~] legislation is introduced, legislators from the same [~~house~~] chamber as the chief sponsor may have their names added to or deleted from the legislation as co-sponsors by following the procedures and requirements of Senate Rules or House Rules.

(b) Except as provided in Subsection (3), only legislators who are members of the same [~~house~~] chamber as the chief sponsor may co-sponsor legislation.

(3) Before the secretary of the Senate or the chief clerk of the House may transfer legislation to the opposite [~~house~~] chamber, the chief sponsor shall:

(a) designate a member of the opposite [~~house~~] chamber as sponsor of the legislation for that [~~house~~] chamber; and

(b) provide the secretary or chief clerk with the name of that sponsor for designation on the legislation.

Section 33. **JR4-2-202** is amended to read:

JR4-2-202. Substitute bills or resolutions.

(1) (a) By following the procedures and requirements of Senate or House rule, a legislator may propose a committee substitute to any Senate or House legislation that is under consideration by a committee of which the legislator is a member.

(b) By following the procedures and requirements of Senate or House rule, a legislator may propose a floor substitute to any Senate or House legislation that is under consideration by the [~~house~~] chamber of which the legislator is a member.

(2) To initiate drafting of a substitute, a legislator shall give [~~drafting~~] instructions to the attorney who drafted the legislation.

(3) After the substitute sponsor has approved the substitute, the Office of Legislative Research and General Counsel shall:

(a) electronically set the line numbers of the substitute;

(b) assign a version number to the substitute; and

(c) distribute the substitute according to the substitute sponsor's instructions.

(4) (a) Subject to the other provisions of this rule, after the original version of the legislation is introduced, a rules committee, standing committee, or the Senate or House of

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Representatives may adopt the original version of the legislation or any substitute version of the legislation, regardless of the version number.

(b) (i) If the version of the legislation being adopted was previously adopted, but replaced with a different version, the version of the legislation being adopted shall be adopted as it was previously introduced, without any amendments that may have been added to the introduced version.

(ii) An amendment described in Subsection (4)(b)(i), or any other amendment otherwise in order, may be proposed by a motion separate from the motion to adopt that substitute or original version of the legislation.

(c) A rules committee, a standing committee, the Senate, and the House of Representatives are prohibited from suspending the provisions of this Subsection (4).

Section 34. **JR4-2-203** is amended to read:

JR4-2-203. Replacement bills or resolutions.

(1) If the legislative general counsel determines that a numbered bill or resolution contains a technical error, the Office of Legislative Research and General Counsel may prepare and submit a replacement bill or resolution that corrects the error.

(2) A sponsor may not file, and legislative staff may not create, replacement legislation if:

(a) the original legislation has been approved by the sponsor;

(b) the legislation has been numbered; and

(c) copies of the legislation have been distributed.

(3) Nothing in this rule prohibits a sponsor from preparing amendments to the original legislation or one or more substitutes of the original legislation and proposing their adoption by a committee or by either [~~house~~] chamber of which the legislator is a member.

Section 35. **JR4-2-502** is amended to read:

JR4-2-502. Reservation of bill numbers.

(1) In each annual general legislative session, House Bills 1 through the number of bill numbers specified under Subsection (2)(a) and Senate Bills 1 through the number of bill numbers specified under Subsection (2)(a) are reserved for other appropriations and funding bills.

(2) (a) By November 1, the Office of the Legislative Fiscal Analyst shall notify the

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Office of Legislative Research and General Counsel of the number of bill numbers to reserve in each [house] chamber for fiscal legislation for the next annual general legislative session.

(b) The notice under Subsection (2)(a) shall include the short title and the chief sponsor of each bill number reserved.

(3) To the extent practicable, each bill reserved under this rule shall alternate the sponsoring chamber between the House and Senate each year.

Section 36. **JR4-3-104** is amended to read:

JR4-3-104. Floor action.

According to the procedures and requirements of Senate Rules and House Rules, each [house] chamber shall consider legislation that is referred to it by a committee or that is otherwise in its possession.

Section 37. **JR4-3-107** is amended to read:

JR4-3-107. Legislation transmitted to other chamber.

(1) The secretary of the Senate or chief clerk of the House shall:

- (a) transmit notice of passage on third reading to the other [house] chamber;
- (b) comply with the requirements of Subsection (2) if necessary; and
- (c) if sent to the other [house] chamber, enter the date of transmission in the journal.

(2) The secretary of the Senate or chief clerk of the House shall, before transmitting a piece of legislation to the other [house] chamber, ensure that, if the legislation passed with amendments or was substituted, the amendments or substitute are:

(a) retyped or reprinted in the typeface and on the color paper designated for each [house] chamber; and

(b) transmitted with the legislation.

Section 38. **JR4-3-109** is amended to read:

JR4-3-109. Striking the enacting clause.

(1) (a) (i) Either [house] chamber may strike the enacting clause on any piece of legislation by following the procedures and requirements of Subsection (1)(a)(ii).

(ii) To strike an enacting clause, a legislator shall make a motion on the floor to strike the enacting clause and a majority of the members of that [house] chamber must approve the motion.

(b) If the enacting clause of a piece of legislation is struck:

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- (i) the action conclusively defeats the legislation; and
- (ii) a motion to reconsider the action is out of order.

(2) The enacting clause of each piece of legislation that has not passed the Legislature before adjournment sine die of an annual general session or a special session is automatically stricken.

Section 39. **JR4-3-201** is amended to read:

Part 2. Transmitting and Recording Receipt of Legislation and Notes from Other Chamber

JR4-3-201. Transmittal letters.

The secretary of the Senate or the chief clerk of the House shall:

- (1) attach a transmittal letter signed by the secretary or clerk to each piece of legislation to be transmitted to the opposite [~~house~~] chamber; and
- (2) ensure that the piece of legislation, with its transmittal letter, is sent to the opposite [~~house~~] chamber.

Section 40. **JR4-3-202** is amended to read:

JR4-3-202. Memorializing formal receipt of legislation from other chamber.

(1) (a) Upon receipt of a transmittal letter from the Senate, the chief clerk of the House or the chief clerk's designee shall sign a receipt recording the House's receipt of the legislation.

(b) Once the [~~receipt is signed~~] chief clerk or the chief clerk's designee signs the receipt, the legislation is in the possession of the House.

(2) (a) Upon receipt of a transmittal letter from the House, the secretary of the Senate or the secretary's designee shall sign a receipt recording the Senate's receipt of the legislation.

(b) Once the [~~receipt is signed~~] secretary or the secretary's designee signs the receipt, the legislation is in the possession of the Senate.

Section 41. **JR4-3-203** is amended to read:

JR4-3-203. Possession of a bill -- Process for obtaining the return of legislation sent to the other chamber.

(1) A piece of legislation is in the possession of the [~~house~~] chamber in which it has been received.

(2) A piece of legislation in the possession of one [~~house~~] chamber may be returned to the other [~~house~~] chamber only when:

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(a) the [~~house~~] chamber having possession of the legislation receives a written request from the opposite [~~house~~] chamber requesting return of the legislation; and

(b) a majority of the [~~house~~] chamber having possession of the legislation votes to return the legislation to the opposite [~~house~~] chamber.

Section 42. **JR4-3-303** is amended to read:

JR4-3-303. Reporting legislation that increases legislative workload.

(1) The Office of Legislative Research and General Counsel shall:

(a) identify legislation that increases legislative workload before the legislation passes both [~~houses~~] chambers of the Legislature; and

(b) each week during the annual general session, report legislation that increases legislative workload to [~~the president of the Senate, speaker of the House of Representatives, minority leaders, and~~] the chairs of the Senate and House Rules [~~Committees~~] committees.

(2) In making the report required by Subsection (1)(b), the Office of Legislative Research and General Counsel may provide information and make recommendations about:

(a) the funding required by the legislation;

(b) the staffing resources required to implement the legislation;

(c) the time legislators and legislative staff will be required to commit as a result of the legislation;

(d) if the legislation creates or reauthorizes a board, commission, task force, or other public body, whether the responsibilities of that board, commission, task force, or other public body could reasonably be accomplished through an existing entity or without legislation; and

(e) whether the legislation sunsets or repeals the board, commission, task force, or other public body created by the legislation.

(3) On or before the 31st day of the annual general session, the Office of Legislative Research and General Counsel shall report legislation that increases legislative workload to the president of the Senate, speaker of the House of Representatives, and minority leaders.

Section 43. ~~JR4-5-101~~ **JR4-4-101** is amended to read:

JR4-4-101. Deadline for passing certain fiscal note bills.

(1) As used in this section, "fiscal note bill" means legislation with a fiscal note that indicates a cost of \$20,000 or more to:

(a) the General Fund, Income Tax Fund, or Uniform School Fund; or

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(b) any other fund or account that affects a fund described in Subsection (1)(a).

(2) (a) The House shall refer any Senate [bill with a fiscal note of \$15,000 or more] fiscal note bill to the House Rules Committee before giving that fiscal note bill a third reading.

(b) The Senate shall table on third reading each House [bill with a fiscal note of \$15,000 or more] fiscal note bill.

[(2)] (3) (a) Before adjourning on the 43rd day of the annual general session, each legislator shall prioritize fiscal note bills and identify other projects or programs for new or one-time funding according to the process established by leadership.

(b) Before adjourning on the 44th day of the annual general session, the Legislature shall either pass or defeat each [bill with a fiscal note of \$15,000 or more] fiscal note bill except constitutional amendment resolutions.

Section 44. JR4-5-101 is amended to read:

JR4-5-101. Certification and signature.

(1) (a) When a piece of Senate legislation has passed both [~~houses~~] chambers, the secretary of the Senate shall certify its final passage by identifying:

- (i) the date that the legislation passed the Senate;
- (ii) the number of senators voting for and against the legislation;
- (iii) the number of senators absent for the vote;
- (iv) the date that the legislation passed the House;
- (v) the number of representatives voting for and against the legislation; and
- (vi) the number of representatives absent for the vote.

(b) When a piece of House legislation has passed both [~~houses~~] chambers, the chief clerk of the House shall certify its final passage by identifying:

- (i) the date that the legislation passed the House;
- (ii) the number of representatives voting for and against the legislation;
- (iii) the number of representatives absent for the vote;
- (iv) the date that the legislation passed the Senate;
- (v) the number of senators voting for and against the legislation; and
- (vi) the number of senators absent for the vote.

(2) (a) Except as provided in Subsection (2)(b), within one legislative day of final passage, each piece of legislation shall be signed:

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(i) first by the presiding officer of the [~~house~~] chamber in which it was last voted upon;
and

(ii) second by the presiding officer of the other [~~house~~] chamber.

(b) Within five days following the adjournment sine die of a legislative session, each piece of legislation passed on the final day of that legislative session shall be signed:

(i) first by the presiding officer of the [~~house~~] chamber in which it was last voted upon;
and

(ii) second by the presiding officer of the other [~~house~~] chamber.

(c) Unless the session has adjourned sine die, the secretary of the Senate or chief clerk of the House shall note in the journal that the legislation was signed by the presiding officer.

Section ~~{44}~~45. **JR4-5-102** is amended to read:

JR4-5-102. Enrollment and transmittal of legislation to the governor.

(1) (a) After a piece of legislation that has passed both [~~houses~~] chambers has been signed by the presiding officers, the secretary or chief clerk shall deliver it to the Office of Legislative Research and General Counsel.

(b) The Office of Legislative Research and General Counsel shall:

(i) examine and enroll the legislation;

(ii) correct any technical errors as provided by Utah Code Section 36-12-12; and

(iii) transmit a copy of the enrolled legislation to:

(A) the secretary of the Senate for legislation originating in the Senate; and

(B) the chief clerk of the House for legislation originating in the House.

(2) When enrolling the legislation, the Office of Legislative Research and General Counsel shall:

(a) include the name of the House floor sponsor for Senate legislation under the heading "House Sponsor:"; or

(b) include the name of the Senate floor sponsor for House legislation under the heading "Senate Sponsor:".

(3) The secretary of the Senate or chief clerk of the House shall:

(a) certify each enrolled piece of legislation; and

(b) ensure that a copy of the enrolled legislation is:

(i) transmitted to the governor;

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- (ii) filed with the secretary or chief clerk;
- (iii) transmitted to the chief sponsor upon request; and
- (iv) transmitted to the Office of Legislative Services.

Section ~~{45}~~46. JR4-5-201 is amended to read:

JR4-5-201. Recalling legislation after the legislation is signed by the speaker and president.

(1) As used in this rule:

(a) "Originating [~~house~~] chamber" means the [~~house~~] chamber in which a piece of legislation originates.

(b) "Non-originating [~~house~~] chamber" means the [~~house~~] chamber in which a piece of legislation does not originate.

(2) An originating [~~house~~] chamber may recall legislation that is in the possession of the Office of Legislative Research and General Counsel by a motion and constitutional majority vote.

(3) (a) A non-originating [~~house~~] chamber may, by motion and constitutional majority vote, request that the originating [~~house~~] chamber recall legislation from the Office of Legislative Research and General Counsel.

(b) Upon receipt of a request described in Subsection (3)(a), the originating [~~house~~] chamber may, by motion and constitutional majority vote, recall from the Office of Legislative Research and General Counsel the legislation that is the subject of the request.

(c) A non-originating [~~house~~] chamber may not recall legislation from the Office of Legislative Research and General Counsel except as provided in this Subsection (3).

(4) The Office of Legislative Research and General Counsel shall return legislation recalled under this rule:

(a) for legislation recalled under Subsection (2), to the originating [~~house~~] chamber; or

(b) for legislation recalled under Subsection (3), to the non-originating [~~house~~] chamber.

Section ~~{46}~~47. JR4-5-202 is amended to read:

JR4-5-202. Recalling legislation from the governor.

When a bill has passed both [~~houses~~] chambers of the Legislature, been signed by the presiding officers, been enrolled, and [~~has~~] been sent to the governor for his approval, it can be

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recalled only if:

(1) a joint resolution requesting that the governor return the legislation is passed by a constitutional majority vote of both [~~houses~~] chambers; and

(2) the governor elects to return it.

Section ~~{47}~~48. **JR5-1-102** is amended to read:

JR5-1-102. Legislative Expenses Oversight Committee.

(1) The presiding officer and the majority leader and minority leader of each [~~house~~] chamber are the Legislative Expenses Oversight Committee for that [~~house~~] chamber.

(2) Each committee shall:

(a) establish procedures to implement the rules on legislative expenses, including establishing systems and procedures for the reimbursement of legislative expenses;

(b) ensure that procedures are established for the purpose of avoiding duplicate or improper payments or reimbursements; and

(c) meet at least annually, or at the request of a majority of the committee, to review legislative expenses and travel budgets.

(3) Each committee may, for a calendar year, authorize up to 10 authorized legislative training days for each legislator.

(4) The presiding officer may authorize temporary emergency legislative expenses.

Section ~~{48}~~49. **JR5-5-101** is amended to read:

JR5-5-101. Reimbursement for communications device expenses.

(1) The presiding officer, the majority leader, and the minority leader of each [~~house~~] chamber of the Legislature may establish a policy governing reimbursement for expenses related to communications devices, which policy shall include:

(a) the types of communications device expenses that will be reimbursed to legislators; and

(b) the process for reimbursement of communications device expenses.

(2) A legislator may, pursuant to a policy adopted under Subsection (1), be reimbursed for use of a communications device that is:

(a) owned by the legislator; and

(b) used by the legislator in the legislator's capacity as an employee of the Legislature.

Section ~~{49}~~50. **JR6-1-102** is amended to read:

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JR6-1-102. Code of official conduct.

(1) As used in this rule:

(a) "Person" includes an individual, a partnership, an association, an organization, a company, and a body politic and corporate, or a lobbyist from any of these.

(b) "Person" does not include an individual or entity described in Subsection (1)(a) that provides the legislator's primary source of income.

(2) Each legislator shall comply with the guidelines established in Subsection (3).

(3) In judging members of its house charged with an ethical violation, the Senate and House Ethics Committees shall consider whether or not the member has violated any of the following guidelines:

(a) Members of the Senate and House shall not engage in any employment or other activity that would destroy or impair their independence of judgment.

(b) Members of the Senate and House shall not be paid by a person to lobby, consult, or to further the interests of any legislation or legislative matter, except that a person may pay a member of the Senate or House to lobby, as defined in Utah Code Section 36-11-102, for the purpose of influencing federal legislative or federal executive action.

(c) Members of the Senate and House shall not exercise any undue influence on any governmental entity. "Undue influence" means deceit or threat of violence.

(d) Members of the Senate and House shall not engage in any activity that would be an abuse of official position or a violation of trust.

(e) Members of the Senate and House shall not use any nonpublic information obtained by reason of their official position to gain advantage over any business or professional competition for activities with the state and its political subdivisions.

(f) Members of the Senate and House shall not engage in any business relationship or activity that would require the disclosure of confidential information obtained because of their official position.

(g) Members of the Senate and House shall not use their official position to secure privileges for themselves or others.

(h) While in session, members of the Senate and House shall disclose any conflict of interest on any legislation or legislative matter as provided in JR6-1-201.

(i) Members of the Senate and House may accept small gifts, awards, or contributions

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if these favors do not influence them in the discharge of official duties.

(j) Members of the Senate and the House may engage in business or professional activities with the state or its political subdivisions if the activities are entered into under the same conditions and in the same manner applicable to any private citizen or company engaged in similar activities.

(k) Legislators may enter into transactions with the state by contract by following the procedures and requirements of Utah Code Title 63G, Chapter 6a, Utah Procurement Code.

Section ~~{50}~~51. **JR6-5-101** is amended to read:

JR6-5-101. Senate and House action.

(1) The Senate or House shall:

(a) consider the recommendations of the ethics committee; and

(b) by a majority vote of that [~~house~~] chamber, either accept, dismiss, or alter these recommendations.

(2) If the committee recommends expulsion of a senator or representative, acceptance of this recommendation requires a two-thirds vote of all the members elected to the Senate or to the House.

Section ~~{51}~~52. **JR7-1-101** is amended to read:

JR7-1-101. Definitions.

As used in this chapter:

(1) "Anchor location" means the physical location from which:

(a) an electronic meeting originates; or

(b) the participants are connected.

(2) "Authorized legislative committee" means:

(a) an interim committee;

(b) the Legislative Management Committee;

(c) the Legislative Process Committee;

~~{(c)}~~ (d) when functioning as an interim committee:

(i) the Senate Rules Committee created in SR3-1-101; or

(ii) the House Rules Committee created in HR3-1-101; or

~~{(d)}~~ (e) a special committee:

(i) that is not a mixed special committee; and

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(ii) to the extent the special committee has statutory authority to open a committee bill file or create a committee bill.

(3) "Bill" means the same as that term is defined in JR4-1-101.

(4) "Chair" except as otherwise expressly provided, means:

(a) the member of the Senate appointed as chair of an interim committee by the president of the Senate under JR7-1-202;

(b) the member of the House of Representatives appointed as chair of an interim committee by the speaker of the House of Representatives under JR7-1-202;

(c) a member of a special committee appointed as chair of the special committee; or

(d) a member of a legislative committee designated by the chair of the legislative committee under Subsection (4)(a), (b), or (c) to act as chair under JR7-1-202.

(5) "Committee bill" means draft legislation that receives a favorable recommendation from an authorized legislative committee.

(6) "Committee bill file" means a request for legislation made by:

(a) a majority vote of an authorized legislative committee; or

(b) the chairs of an interim committee, if the interim committee authorizes the chairs to open one or more committee bill files in accordance with JR7-1-602.

(7) "Committee note" means a note that the Office of Legislative Research and General Counsel places on legislation in accordance with JR4-2-401.

(8) "Draft legislation" means a draft of a bill or resolution before it is numbered by the Office of Legislative Research and General Counsel.

(9) "Electronic meeting" means the same as that term is defined in Utah Code Section 52-4-103.

(10) "Favorable recommendation" means an action of an authorized legislative committee by majority vote to favorably recommend legislation for consideration by the Legislature in an upcoming legislative session.

(11) "Legislative committee" means:

(a) an interim committee; or

(b) a special committee.

(12) "Interim committee" means a committee [~~created under JR7-1-201.~~] that:

(a) is comprised of members from both chambers;

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(b) meets between annual general sessions of the Legislature to perform duties described in rule; and

(c) is created under JR7-1-201.

(13) "Legislative sponsor" means:

(a) for a committee bill file, the chairs of the authorized legislative committee that opened the committee bill file or the chairs' designee; or

(b) for a request for legislation that is not a committee bill file, the legislator who requested the request for legislation or the legislator's designee.

(14) "Majority vote" means:

(a) with respect to an interim committee, an affirmative vote of at least 50% of a quorum of members of the interim committee from one chamber and more than 50% of a quorum of members of the interim committee from the other chamber; or

(b) with respect to a special committee, an affirmative vote of more than 50% of a quorum.

(15) "Mixed special committee" means a special committee that is composed of one or more voting members who are legislators and one or more voting members who are not legislators.

(16) "Original motion" means a nonprivileged motion that is accepted by the chair when no other motion is pending.

(17) "Pending motion" means a motion described in JR7-1-307.

(18) "Privileged motion" means a motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.

(19) "Public statement" means a statement made in the ordinary course of business of a legislative committee with the intent that all other members of the legislative committee receive it.

~~[(20) "Remote location" means a location other than the anchor location from which a member of a legislative committee may participate in the meeting.]~~

~~[(21)]~~ (20) "Request for legislation" means the same as that term is defined in JR4-1-101.

~~[(22)]~~ (21) "Resolution" means the same as that term is defined in JR4-1-101.

~~[(23)]~~ (22) (a) "Special committee" means a committee, commission, task force, or

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other similar body that is:

- (i) created by legislation; and
- (ii) staffed by:
 - (A) the Office of Legislative Research and General Counsel; or
 - (B) the Office of the Legislative Fiscal Analyst.
- (b) "Special committee" does not include:
 - (i) an interim committee;
 - (ii) a standing committee created under SR3-2-201 or HR3-2-201; or
 - (iii) a Senate confirmation committee described in SR3-3-101 or SR3-3-201.

~~[(24)]~~ (23) "Subcommittee" means a subsidiary unit of a legislative committee formed in accordance with JR7-1-411.

~~[(25)]~~ (24) "Substitute motion" means a nonprivileged motion that a member of a legislative committee makes when there is a nonprivileged motion pending.

Section ~~{52}~~ 53. **JR7-1-104** is amended to read:

JR7-1-104. Prohibited items and activities in legislative committee meetings.

(1) A member of the public attending a meeting of a legislative committee may not:

~~[(1)]~~ (a) bring into the meeting room, or possess while in the meeting room, any of the following:

- ~~[(a)]~~ (i) a sign, poster, banner, or placard;
 - ~~[(b)]~~ (ii) glitter or confetti;
 - ~~[(c)]~~ (iii) a laser pointer;
 - ~~[(d)]~~ (iv) paint;
 - ~~[(e)]~~ (v) an open flame;
 - ~~[(f)]~~ (vi) an incendiary device;
 - ~~[(g)]~~ (vii) a noise maker;
 - ~~[(h)]~~ (viii) flammable liquid; or
 - ~~[(i)]~~ (ix) any harmful or hazardous substance; or
- ~~[(2)]~~ (b) engage in any of the following while in the meeting room:
- ~~[(a)]~~ (i) commercial solicitation;
 - ~~[(b)]~~ (ii) leafletting;
 - ~~[(c)]~~ (iii) throwing an item; or

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~~(d)~~ (iv) adhering any item to a furnishing, a wall, or other state property.

(2) To the extent reasonably applicable, any action by a chair under this rule applies to a member of the public participating in the meeting via video conference.

Section ~~(53)~~54. JR7-1-202 is amended to read:

JR7-1-202. President and speaker to appoint legislative committee members and chairs.

(1) The president of the Senate shall appoint:

(a) one or more senators to each legislative committee, including one senator to serve as chair of the legislative committee; or

(b) if the legislative committee is a special committee, senators as provided by the special committee's enacting legislation.

(2) The speaker of the House of Representatives shall appoint:

(a) one or more representatives to each legislative committee, including one representative to serve as chair of the legislative committee; or

(b) if the legislative committee is a special committee, representatives as provided by the special committee's enacting legislation.

(3) (a) A chair may designate a member of the legislative committee to act as [a] chair for all or part of a legislative committee meeting if neither chair is present at the meeting.

(b) If neither chair is present at the meeting and neither chair designates a member of the legislative committee to act as chair, the most senior member from the majority party who is present at the meeting shall act as chair.

Section ~~(54)~~55. JR7-1-203 is amended to read:

JR7-1-203. Quorum requirements.

(1) Except as provided in Subsection (2) and subject to the other provisions of this rule, a quorum of a legislative committee:

(a) is at least 50% of the members of the legislative committee from one chamber and more than 50% of the members of the legislative committee from the other chamber; and

(b) notwithstanding Subsection (2) or (3), shall include at least one member of the legislative committee from the Senate.

(2) A quorum of a mixed special committee is:

(a) at least 50% of the legislator members of the mixed special committee from one

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chamber and more than 50% of the legislator members of the mixed special committee from the other chamber; and

(b) more than 50% of the nonlegislator members of the mixed special committee.

(3) If a member of a legislative committee does not attend two consecutive meetings of the legislative committee in a calendar year, the member is not counted for purposes of determining a quorum for the remainder of the calendar year, unless the member is present at the meeting when the action requiring a quorum occurs.

(4) The following individuals are not counted for purposes of determining a quorum, unless the member is present at the legislative committee meeting when the action requiring a quorum occurs:

- (a) a member of the Legislative Management Committee;
- (b) the Senate chair and vice chair of the Executive Appropriations Committee;
- (c) the House chair and vice chair of the Executive Appropriations Committee;
- (d) the chair and vice chair of the Senate Rules Committee;
- (e) the chair and vice chair of the House Rules Committee;
- (f) the fourth member of leadership from the minority party in the Senate; and
- (g) the fourth member of leadership from the minority party in the House of

Representatives.

Section ~~55~~56. **JR7-1-302** is amended to read:

JR7-1-302. Chair to preserve order and decorum.

(1) The chair shall preserve order and decorum during a legislative committee meeting by:

- (a) ensuring nothing obstructs a walkway or the view of a meeting attendee;
- (b) ensuring that nothing disrupts, disturbs, or otherwise impedes the orderly course of

the meeting;

- (c) protecting state property from damage or disarray;
- (d) prohibiting speech likely to incite or produce imminent lawless action, fighting

words, or obscenity; and

(e) prohibiting any activity or item that poses a danger to the safety of a meeting attendee.

(2) To preserve order and decorum in accordance with Subsection (1), the chair may:

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- (a) prohibit the following:
 - (i) standing, waving, yelling, cheering, whistling, or clapping;
 - (ii) loud noises;
 - (iii) food or drink, other than water in a closed container;
 - (iv) musical instruments;
 - (v) any item that may require excessive cleanup; or
 - (vi) to the extent necessary to preserve order and decorum, any other item or activity

the chair determines necessary;

- (b) clear the meeting room of one or more individuals;
- (c) recess the meeting without a motion; or
- (d) request assistance from:
 - (i) the sergeant-at-arms; or
 - (ii) the Utah Highway Patrol.

(3) A member of the public participating in a legislative committee meeting via video

conference may not:

(a) use a virtual background other than one that is simple and free from distracting
visuals; or

(b) engage in any behavior that if performed in the meeting room would violate

Subsection (1).

Section ~~{56}~~57. **JR7-1-401** is amended to read:

JR7-1-401. Interim committees to receive study assignments -- Adoption of study items.

- (1) Each interim committee shall:
 - (a) study issues assigned to the committee by:
 - (i) passed legislation; or
 - (ii) the Legislative Management Committee; and
 - (b) review programs and hear reports as required by statute.
- (2) Each interim committee may:

(a) [~~as provided in Utah Code Subsection 36-12-5(1)(d);~~] investigate and study possibilities for improvement in government services within the interim committee's subject area;

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(b) request and receive research reports from interim committee staff that relate to the interim committee's subject area;

(c) request testimony from government officials, private organizations, or members of the public on issues being studied by the interim committee;

(d) make recommendations to the Legislature for legislative action; or

(e) prepare one or more committee bills based on the interim committee's studies.

(3) Each interim committee shall adopt a list of interim study items during the interim committee's first meeting of each calendar year as follows:

(a) the interim committee shall review the study items provided by the Legislative Management Committee under Subsection (1)(a)(ii);

(b) the interim committee may, by majority vote, modify or add to the list of study items described in Subsection (3)(a), provided that any additional item adopted by the committee is consistent with the interim committee's duties as described in Subsection (1) or (2) [~~of this rule~~]; and

(c) the interim committee shall adopt the original or amended list of study items by majority vote.

(4) (a) An interim committee may add an item to the committee's adopted list of study items described in Subsection (3) if:

(i) the interim committee chairs request and receive approval from the Legislative Management Committee; and

(ii) the item is consistent with the interim committee's duties as described in Subsection (1) or (2).

(b) A request under Subsection (4)(a) is deemed approved, unless the Legislative Management Committee denies the request within 30 days after the day on which the committee chairs submit the request.

Section ~~57~~58. JR7-1-611 is amended to read:

JR7-1-611. Assignment of committee bills -- Report on committee bills and study items.

(1) The chairs of each authorized legislative committee shall:

(a) no later than November 30, assign each of the authorized legislative committee's committee bills a chief sponsor and, at the chairs' election, a floor sponsor from the opposite

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chamber; and

(b) deliver to the Senate Rules Committee and the House Rules Committee a report that includes, for each of the authorized legislative committee's committee bills:

- (i) the short title;
- (ii) the chief sponsor;
- (iii) the floor sponsor, if applicable; and

(iv) how each member of the authorized legislative committee voted when the authorized legislative committee gave the committee bill a favorable recommendation, including whether a member was absent at the time of the vote.

(2) Notwithstanding Subsection (1), for a committee bill that was not a committee bill file, the sponsor of the request for legislation is the chief sponsor of the committee bill file unless the sponsor transfers the committee bill to another legislator.

~~[(2)]~~ (3)(a) In addition to the items described in Subsection (1), the chairs of each interim committee shall deliver to the Legislative Management Committee:

- ~~[(a)]~~ (i) a copy of the report described in Subsection (1)(b); and
- ~~[(b)]~~ (ii) the disposition of each issue assigned to or studied by the interim committee

during the preceding calendar year.

~~[(3)]~~ (b) ~~[(a)]~~ (i) The chairs of an interim committee shall comply with ~~[this rule on or before December 15]~~ Subsection (3)(a) before the day on which the Legislative Management Committee meets in December.

~~[(b)]~~ (ii) The chairs of an authorized legislative committee that is not an interim committee shall comply with ~~[this rule]~~ Subsection (3)(a) as soon as practicable.

Section ~~58~~ 59. **Effective date.**

This resolution takes effect upon a successful vote for final passage.