

**JOINT RESOLUTION ON LEGISLATIVE
ETHICS COMMISSION**

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David Clark

Senate Sponsor: Dennis E. Stowell

LONG TITLE

General Description:

This joint resolution of the Legislature proposes to amend the Utah Constitution to establish a legislative ethics commission.

Highlighted Provisions:

This resolution proposes to amend the Utah Constitution to:

- ▶ establish a legislative ethics commission and define its authority; and
- ▶ authorize the Legislature to provide by rule for complaint filing procedures and requirements, for the qualifications, appointment, and terms of commission members, and for commission duties, powers, operations, and procedures.

Special Clauses:

This resolution directs the lieutenant governor to submit this proposal to voters.

This resolution provides a contingent effective date of January 1, 2011 for this proposal.

Utah Constitution Sections Affected:

AMENDS:

ARTICLE VI, SECTION 10

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:

Section 1. It is proposed to amend Utah Constitution Article VI, Section 10, to read:



28 **Article VI, Section 10. [Each house to be judge of election and qualifications of**
29 **its members -- Expulsion -- Legislative ethics commission.]**

30 (1) Each house shall be the judge of the election and qualifications of its members, and
31 may punish them for disorderly conduct, and with the concurrence of two-thirds of all the
32 members elected, expel a member for cause.

33 (2) (a) There is established a legislative ethics commission with authority to conduct an
34 independent review of each complaint alleging unethical legislative behavior, to determine
35 whether the complaint merits further consideration by the house of the member against whom
36 the complaint is made.

37 (b) (i) The commission shall consist of five members.

38 (ii) A commission member may not be a sitting legislator or a person who is registered
39 as a lobbyist.

40 (c) The Legislature may by rule provide for:

41 (i) procedures and requirements for filing a complaint alleging unethical legislative
42 behavior;

43 (ii) the qualifications, appointment, and terms of commission members; and

44 (iii) commission duties, powers, operations, and procedures.

45 **Section 2. Submittal to voters.**

46 The lieutenant governor is directed to submit this proposed amendment to the voters of
47 the state at the next regular general election in the manner provided by law.

48 **Section 3. Effective date.**

49 If the amendment proposed by this joint resolution is approved by a majority of those
50 voting on it at the next regular general election, the amendment shall take effect on January 1,
51 2011.

Legislative Review Note
as of 12-18-09 7:43 AM

Office of Legislative Research and General Counsel

H.J.R. 15 - Joint Resolution on Legislative Ethics Commission

Fiscal Note

2010 General Session
State of Utah

State Impact

Publication and distribution cost to put this resolution on the ballot will require a one-time FY 2011 appropriation of \$14,700 from the General Fund.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
General Fund, One-Time	\$0	\$14,700	\$0	\$0	\$0	\$0
Total	\$0	\$14,700	\$0	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.