

1                                   **JOINT RESOLUTION ON LEGISLATIVE**  
2                                   **ETHICS COMMISSION**

3                                   2010 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: David Clark**

6                                   Senate Sponsor: Dennis E. Stowell

7   Cosponsors:                                   Eric K. Hutchings                                   Paul Ray

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9   **LONG TITLE**

10   **General Description:**

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

13   **Highlighted Provisions:**

14                   This resolution proposes to amend the Utah Constitution to:  
15                   ▶ establish a legislative ethics commission and define its authority; and  
16                   ▶ authorize the Legislature to provide by rule for complaint filing procedures and  
17   requirements, for the qualifications, appointment, and terms of commission  
18   members, and for commission duties, powers, operations, and procedures.

19   **Special Clauses:**

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

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

23   **Utah Constitution Sections Affected:**

24   AMENDS:

25                   **ARTICLE VI, SECTION 10**

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

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

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

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

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

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

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

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

43           (i) procedures and requirements for filing a complaint alleging unethical legislative  
44 behavior;

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

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

47           **Section 2. Submittal to voters.**

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

50           **Section 3. Effective date.**

51           If the amendment proposed by this joint resolution is approved by a majority of those  
52 voting on it at the next regular general election, the amendment shall take effect on January 1,  
53 2011.