

## Chapter 4 Utah Commission on Uniform State Laws

### **68-4-5 Creation -- Members -- Terms.**

- (1) There is established the "Utah Commission on Uniform State Laws," which consists of members of the Utah State Bar who are appointed as commissioners to the National Conference of Commissioners on Uniform State Laws as follows:
  - (a) one commissioner, appointed by the governor with the consent of the Senate, who shall be a member of the Senate at the time of appointment;
  - (b) one commissioner, appointed by the governor with the consent of the Senate, who shall be a member of the House of Representatives at the time of appointment;
  - (c) two commissioners, appointed by the governor with the consent of the Senate, who shall be active members of the Utah State Bar;
  - (d) one commissioner who is the Legislature's general counsel or, alternatively, an attorney from the Office of Legislative Research and General Counsel who is appointed by the general counsel;
  - (e) any commissioner that has previously served as a member of the commission and has been elected as a life member of the National Conference of Commissioners on Uniform State Laws according to the conference's constitution, bylaws, and rules of procedure; and
  - (f) up to one associate commissioner, appointed by the Legislature's general counsel, who is an attorney from the Office of Legislative Research and General Counsel.
- (2) Commissioners appointed by the governor shall be appointed for four-year terms commencing on the date of their confirmation by the Senate.
- (3) A commissioner continues to serve:
  - (a) unless the commissioner dies or resigns;
  - (b) unless the commissioner ceases to be a member of the Utah State Bar in good standing; or
  - (c)
    - (i) for a commissioner appointed by the governor and notwithstanding expiration of the commissioner's term under Subsection (2), until the governor:
      - (A) reappoints the commissioner to a new term; or
      - (B) appoints a successor commissioner;
    - (ii) for the general counsel, until the general counsel ceases to serve as general counsel or appoints an attorney to serve in the general counsel's place;
    - (iii) for a commissioner appointed to serve in the place of the general counsel, until the general counsel chooses to serve as a commissioner or appoints a successor commissioner; or
    - (iv) for an associate commissioner, until the general counsel appoints a successor commissioner or elects not to fill the position of associate commissioner.

Repealed and Re-enacted by Chapter 356, 2011 General Session

### **68-4-6 Vacancies.**

- (1) For a commissioner who serves in a governor-appointed position described in Subsection 68-4-5(1)(a), (b), or (c):
  - (a) the office of a commissioner becomes vacant and the governor, with the consent of the Senate, shall immediately appoint a new commissioner upon the commissioner's:
    - (i) death;
    - (ii) resignation; or

- (iii) failure to be a member of the Utah State Bar in good standing; and
- (b) the governor may, with the consent of the Senate, appoint a new commissioner or, as applicable, reappoint the current commissioner, provided that the current commissioner meets the requirements for appointment, after any of the following events:
  - (i) the commissioner's failure to actively serve as commissioner;
  - (ii) the commissioner's refusal to serve as commissioner;
  - (iii) expiration of the commissioner's term;
  - (iv) the commissioner's appointment to another position on the commission; or
  - (v) the commissioner's election as a life member of the National Conference of Commissioners on Uniform State Laws.
- (2)
  - (a) The commissioner who is the Legislature's general counsel shall serve only while acting as the Legislature's general counsel.
  - (b) A commissioner who is serving as an appointee of the Legislature's general counsel shall serve at the will of the general counsel.

Repealed and Re-enacted by Chapter 356, 2011 General Session

**68-4-7 Meetings -- Officers.**

- (1) The commissioners shall meet at least once each year and shall organize by the election of one of their number as chair and another as secretary, who shall hold their respective offices for a term of two years and until their successors are elected.
- (2) The chair and secretary may be reelected for additional terms.

Amended by Chapter 356, 2011 General Session

**68-4-8 Duties of commissioners.**

- (1) The commissioners shall:
  - (a) participate in the National Conference of Commissioners on Uniform State Laws on behalf of the state;
  - (b) examine the subjects upon which uniformity of legislation in the various states of the union is desirable but that are outside the jurisdiction of the Congress of the United States;
  - (c) confer upon these matters with the commissioners appointed by other states for the same purpose;
  - (d) at the direction of the National Conference of Commissioners on Uniform State Laws, serve on national committees that draft uniform and model laws; and
  - (e) devise and recommend other means to accomplish the purposes of this chapter.
- (2) The commission may request a legislator to sponsor, as an item on the interim study resolution, or as a bill or resolution for introduction, any uniform legislation that the commission determines would be in the best interests of the state to adopt.

Amended by Chapter 356, 2011 General Session

**68-4-9 Expenditures -- Oversight by Office of Legislative Research and General Counsel.**

- (1) A commissioner may not receive compensation or benefits for the commissioner's service, but may receive per diem and travel expenses in accordance with:
  - (a) Section 63A-3-106;
  - (b) Section 63A-3-107; and

- (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (2) The Legislature shall make appropriations to the Office of Legislative Research and General Counsel to pay the necessary expenses of the commissioners and to make appropriate contribution on behalf of this state to the National Conference of Commissioners on Uniform State Laws, including any expenses of a commissioner who has been elected as a life member of the National Conference of Commissioners on Uniform State Laws.
- (3) The commissioners shall keep a full account of their expenditures in the discharge of their official duties and shall report the account to the Office of Legislative Research and General Counsel.

Amended by Chapter 356, 2011 General Session