

**SR5-3-103 Enforcement -- Investigating committee.**

- (1)
  - (a) Within 14 calendar days after receipt of a letter requesting the appointment of a committee to investigate the complaint, the president shall:
    - (i) appoint a committee composed of five members, three from the majority party and two from the minority party, to investigate the complaint; and
    - (ii) designate one senator as the committee chair.
  - (b) The president may not appoint a senator who signed the complaint to the investigating committee.
- (2)
  - (a) The chair of the committee shall schedule a committee meeting to investigate the complaint.
  - (b)
    - (i) The committee shall comply with the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act, including the procedures and requirements for closing a meeting.
    - (ii) The Office of Legislative Research and General Counsel shall staff the committee.
  - (c)
    - (i) At the hearing, the committee shall review the complaint.
    - (ii) The committee may allow the legislators who filed the complaint to address and be questioned by the committee.
    - (iii) The committee shall provide the lobbyist, volunteer lobbyist, or government official who is the subject of the complaint with the opportunity to address and be questioned by the committee.
    - (iv) The committee may allow other persons with information relevant to the complaint to address and be questioned by the committee.
  - (v)
    - (A) The complainants, the lobbyist, volunteer lobbyist, or government official, and any witness appearing before the committee, may have legal counsel present.
    - (B) That counsel may privately advise their client about the client's legal rights when specifically requested to do so by their client, but may not address the committee, ask questions of any party or witness, or engage in oral arguments with the committee.
    - (C) If counsel fails to abide by any of these rules, the committee may exclude the counsel from the meeting.
    - (D) Upon completion of the investigation, the committee shall report to the president, recommending what action, if any, should be taken against the lobbyist, volunteer lobbyist, or government official.
- (3) The president, after reviewing the committee's recommendation, may take appropriate action.