

**JOINT RULES RESOLUTION - AMENDMENTS
TO CERTAIN PROCESSES**

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Marda Dillree

This resolution modifies Joint Rules by requiring bills to be transmitted electronically rather than in hard copy and by codifying existing practice for revised fiscal notes on substitute bills and amendments to bills that have a substantial fiscal impact. This resolution clarifies the definition of "mixed committee." This resolution takes effect immediately.

This resolution affects legislative rules as follows:

AMENDS:

JR-4.22

JR-4.23

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

Section 1. **JR-4.22** is amended to read:

JR-4.22. Bills; Requests; Drafting; Copies; Notes.

(1) (a) A legislator desiring to introduce a bill that enacts, amends, or repeals statutes shall file a Request for Legislation with the Office of Legislative Research and General Counsel within the time limits established by JR-19.02.

(b) A legislator desiring 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obtain funding for a project, program, or entity, when that funding request does not require that a statute be enacted, repealed, or amended, may not file a Request for Legislation but instead shall comply with the procedures and requirements of JR-4.22.1.

(c) The request shall designate:

(i) the chief sponsor[;] who is knowledgeable about and responsible for providing pertinent information as the bill is processed; and

(ii) any supporting legislators who wish to cosponsor the bill.

(2) (a) When a member files a Request for Legislation, the Office of Legislative

Research and General Counsel shall:

- (i) review the request and any accompanying bill; and
- (ii) with the approval of the sponsor, prepare the legislation for introduction by making any changes necessary to:
 - (A) ensure that it is in proper legal form;
 - (B) remove any ambiguities;
 - (C) avoid constitutional or statutory conflicts;
 - (D) insure a uniform system of punctuation, capitalization, numbering, and wording;
 - (E) eliminate duplication and repeal of laws directly or by implication;
 - (F) correct defective or inconsistent section and paragraph structure in arrangement of the subject matter of existing statutes;
 - (G) eliminate all obsolete and redundant words; and
 - (H) correct obvious errors and inconsistencies in punctuation, capitalization, numbering, and wording.

(b) Legislative General Counsel shall indicate on the first page of the bill the drafting attorney's approval of the bill.

(3) The Office of Legislative Research and General Counsel shall ~~[reproduce ten copies]~~ send an electronic copy of the approved bill ~~[and deliver]~~ to:

- (a) ~~[seven of them to]~~ the Chief Clerk or the Secretary; and
 - (b) ~~[three of them to]~~ the Legislative Fiscal Analyst ~~[for fiscal notes]~~.
- (4) (a) As used in this Subsection (4):
- (i) (A) "Legislative committee" means a committee, commission, task force, or other policy or advisory body that is created by statute, legislation, or by the Legislative Management Committee and that is composed exclusively of legislators.
 - (B) "Legislative committee" does not mean a standing committee.
 - (C) Notwithstanding Subsection (4)(a)(i)(B), "Legislative committee" includes the Rules Committee.
- (ii) "Mixed committee" means a committee, commission, task force, or other policy or

advisory body that is:

(A) created by statute, legislation, or by the Legislative Management Committee [~~and that is~~];

(B) composed of legislator members and nonlegislative members[-]; and

(C) staffed by the Office of Legislative Research and General Counsel or the Legislative Fiscal Analyst.

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

(i) note on any bill reviewed by a legislative committee that the committee recommends the bill or has voted the bill out without recommendation;

(ii) note on any bill reviewed by a mixed committee:

(A) the number of legislators and nonlegislators on the mixed committee;

(B) the number of legislators who voted for and against recommending the bill; and

(C) that the committee recommends the bill or has voted the bill out without recommendation; and

(iii) ensure that the note is printed with the bill.

(5) (a) Any Request for Legislation filed directly with the Office of Legislative Research and General Counsel, with an accompanying bill, shall be reviewed and approved by it within three legislative days.

(b) A legislative review note shall be attached to the bill, together with any interim committee note.

(c) This three day deadline may be extended if the Director of the Office of Legislative Research and General Counsel requests it and states the reasons for the delay.

(6) (a) (i) When the Legislative Fiscal Analyst receives the approved bill, that office has three legislative days to review the bill and provide a fiscal note to the sponsor of the legislation.

(ii) The fiscal note may be printed 24 hours after the sponsor receives it unless the sponsor receives the fiscal note on a Friday, in which case the 24-hour period does not expire until the following Monday.

(iii) The sponsor may direct an earlier release of the fiscal note for printing.

(iv) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be ordered printed immediately after the sponsor has received a copy of the fiscal note, without a 24-hour delay.

(b) The three day deadline for the preparation of the fiscal note may be extended if the Legislative Fiscal Analyst requests it and states the reasons for the delay.

(c) The fiscal note shall be printed with the bill.

(7) (a) The reports of the Legislative Fiscal Analyst and the Office of Legislative Research and General Counsel shall be attached to the original copy of the bill.

(b) The report is not an official part of the bill.

Section 2. **JR-4.23** is amended to read:

JR-4.23. Amended Fiscal Note or Amended Legislative Review Letter.

(1) If an amendment or a substitute to a bill appears to substantively change the fiscal impact of the bill ~~[or]~~, the Legislative Fiscal Analyst shall prepare an amended fiscal note for the bill.

(2) If an amendment or substitute to a bill appears to substantively change the bill's constitutionality, an [amended fiscal note or] amended legislative review letter may be requested by a legislator. This request shall be by a motion in a standing committee or on the floor and shall be approved by a majority vote. This bill shall then be reviewed by the rules committee of the respective house. The rules committee shall refer the matter to the [Legislative Fiscal Analyst,] Legislative General Counsel, or shall determine that no [amended fiscal note or] amended legislative review letter is necessary and refer the bill back to the standing committee or the floor. Once this determination has been made by the rules committee, no further motion for an [amended fiscal note or] amended legislative review letter is in order unless the bill is subsequently amended or a substitute bill filed. If an [amended fiscal note or] amended legislative review letter is requested by the rules committee, when the amended [note or] letter is complete, the rules committee shall refer the bill back to its originating standing committee or give this bill priority for floor action in preparing the calendar. This amended [fiscal note or amended] legislative review letter shall be printed with any subsequent printing of the bill.

[~~(2)~~] (3) The sponsor of a bill may request an amended fiscal note or an amended legislative review letter and obtain it without further legislative approval.

Section 3. Effective date.

This resolution takes effect upon approval by a constitutional majority vote of all members of the Senate and House of Representatives.