

HJR012S04 compared with HJR012S03

~~{deleted text}~~ shows text that was in HJR012S03 but was deleted in HJR012S04.

inserted text shows text that was not in HJR012S03 but was inserted into HJR012S04.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Representative Wayne A. Harper proposes the following substitute bill:

JOINT RESOLUTION ON JOINT RULES CHANGES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: _____

LONG TITLE

General Description:

This resolution of the Legislature modifies joint rules.

Highlighted Provisions:

This resolution:

- ▶ modifies provisions governing the reservation of bill numbers;
- ▶ modifies the Code of Official Conduct;
- ▶ eliminates, in legislative rule, ethics training for lobbyists; and
- ▶ makes technical changes.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

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JR4-2-502

JR6-1-102

JR6-1-301

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

Section 1. **JR4-2-502** is amended to read:

JR4-2-502. Reservation of Bill Numbers.

(1) In annual general legislative sessions occurring in odd-numbered years:

(a) House Bill 1 is reserved for the State Agency and Higher Education Base Budget bill and Senate Bill 1 is reserved for the [~~Minimum School Program~~] Public Education Base Budget Amendments bill;

(b) House Bill 2 is reserved for the [~~Minimum School Program~~] Public Education Budget Amendments bill and Senate Bill 2 is reserved for the New Fiscal Year Supplemental Appropriations Act; and

(c) House Bill 3 is reserved for the Current Fiscal Year Supplemental Appropriations bill, and Senate Bill 3 is reserved for the Appropriations Adjustments bill.

(2) In annual general legislative sessions occurring in even-numbered years:

(a) House Bill 1 is reserved for the [~~Minimum School Program~~] Public Education Base Budget Amendments bill and Senate Bill 1 is reserved for the State Agency and Higher Education Base Budget bill;

(b) House Bill 2 is reserved for the New Fiscal Year Supplemental Appropriations Act and Senate Bill 2 is reserved for the [~~Minimum School Program~~] Public Education Budget Amendments bill; and

(c) House Bill 3 is reserved for the Appropriations Adjustments bill, and Senate Bill 3 is reserved for the Current Fiscal Year Supplemental Appropriations bill.

(3) In each annual general legislative session, House Bills 4 through 9 and Senate Bills 4 through 9 are reserved for other appropriations and funding bills.

Section 2. **JR6-1-102** is amended to read:

JR6-1-102. Code of Official Conduct.

(1) Each legislator shall comply with the guidelines established in Subsection (2).

(2) In judging members of its house charged with an ethical violation, the Senate and

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House Ethics Committees shall consider whether or not the member has violated any of the following guidelines:

(a) Members of the Senate and House shall not engage in any employment or other activity that would destroy or impair their independence of judgment.

(b) Members of the Senate and House shall not be paid by a person, as defined in JR6-1-202, to lobby, consult, or to further the interests of any legislation or legislative matter.

~~[(c) Members of the Senate and House shall not exercise any undue influence on any governmental entity.]~~

~~[(d)]~~ (c) Members of the Senate and House shall not engage in any activity that would be an abuse of official position or a violation of trust.

~~[(e)]~~ (d) Members of the Senate and House ~~[may engage in business or professional activity in competition with others, but]~~ shall not use any nonpublic information obtained by reason of their official position to gain advantage over any business or professional competition for activities with the state and its political subdivisions.

~~[(f)]~~ (e) Members of the Senate and House shall not engage in any business relationship or activity that would require the disclosure of confidential information obtained because of their official position.

~~[(g)]~~ (f) Members of the Senate and House shall not use their official position to secure privileges for themselves or others.

~~[(h)]~~ (g) While in session, members of the Senate and House shall disclose any conflict of interest on any legislation or legislative matter as provided in JR6-1-201.

~~[(i)]~~ (h) Members of the Senate and House may accept small gifts, awards, or contributions if these favors do not influence them in the discharge of official duties.

~~[(j)]~~ (i) Except as provided in Subsection (3), members of the Senate and the House may engage in business or professional activities with the state or its political subdivisions if the activities are entered into under the same conditions and in the same manner applicable to any private citizen or company engaged in similar activities.

~~[(k)]~~ (j) Legislators may enter into transactions with the state by contract by following the procedures and requirements of Title ~~[63]~~ 63G, Chapter ~~[56]~~ 6, Utah Procurement Code.

(3) (a) As also required by Section 36-19-1, a legislator, member of the legislator's household, or client may not be a party to or have an interest in the profits or benefits of a state

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contract when the state contract is the direct result of a bill sponsored by the legislator, unless the contract is let in compliance with state procurement policies and is open to the general public.

(b) Besides the penalties authorized by these rules, Section 36-19-1 also provides that any person violating this section is guilty of a class B misdemeanor.

Section 3. JR6-1-301 is amended to read:

JR6-1-301. Ethics Training Course -- Internet Availability -- Content --

Participation Tracking.

(1) The Office of Legislative Research and General Counsel shall develop and maintain an ethics training course for members of the Legislature [and lobbyists].

(2) The ethics training course shall include training materials and exercises that are available on the Internet to legislators[-lobbyists,] and to the public.

(3) The ethics training course shall be designed to assist legislators [and lobbyists] in understanding and complying with current ethical and campaign finance requirements under state law, legislative rules, and federal law.

(4) The ethics training course shall include provisions for verifying when a legislator [or lobbyist] has successfully completed key training exercises.

(5) A legislator [or lobbyist] shall successfully complete the key training exercises of the ethics training course once each year or as directed by the Legislative Management Committee.

[(6) A lobbyist who does not complete the training required by this rule is subject to an ethics complaint under Senate or House rule.]