

1                   **JOINT RULES RESOLUTION - CONCURRENT AND JOINT**  
2                                   **RESOLUTION MODIFICATIONS**

3   2021 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Jacob L. Anderegg**

6                                   House Sponsor: James A. Dunnigan

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8   **LONG TITLE**

9   **General Description:**

10           This joint resolution modifies legislative rules related to concurrent and joint  
11   resolutions.

12   **Highlighted Provisions:**

13           This resolution:

- 14           ▶ provides that if the governor fails to approve a concurrent resolution within a  
15   specified time period, the concurrent resolution converts to a joint resolution;
- 16           ▶ addresses the effective date and certain technical aspects of a concurrent resolution  
17   that converts to a joint resolution; and
- 18           ▶ makes technical and conforming changes.

19   **Special Clauses:**

20           None

21   **Legislative Rules Affected:**

22   AMENDS:

23           **JR4-1-301**

24           **JR4-1-302**

25   ENACTS:

26           **JR4-5-104**

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

29           Section 1. **JR4-1-301** is amended to read:

- 30 **JR4-1-301. General resolution format requirements.**
- 31 (1) Each resolution shall be typewritten or printed on paper 8-1/2 by 11 inches.
- 32 (2) Each resolution shall contain:
- 33 (a) a designation containing the information required by Subsection (3);
- 34 (b) a short title;
- 35 (c) the year and type of legislative session in which the resolution is to be introduced;
- 36 (d) the phrase "State of Utah";
- 37 (e) the sponsor's name, after the heading "Chief Sponsor:";
- 38 (f) ~~[if the resolution is a House resolution that has passed third reading in the House,]~~
- 39 the Senate sponsor's name after the heading "Senate Sponsor:"[;] if the resolution:
- 40 (i) is a concurrent resolution or a joint resolution;
- 41 (ii) originated in the House of Representatives; and
- 42 (iii) has passed third reading in the House of Representatives;
- 43 (g) ~~[if the resolution is a Senate resolution that has passed third reading in the Senate,]~~
- 44 the House sponsor's name after the heading "House Sponsor:"[;] if the resolution:
- 45 (i) is a concurrent resolution or a joint resolution;
- 46 (ii) originated in the Senate; and
- 47 (iii) has passed third reading in the Senate;
- 48 (h) a long title, which shall include a list of constitutional sections, legislative rules, or
- 49 the Utah Supreme Court's Rules of Procedure or Rules of Evidence affected, if applicable;
- 50 (i) a resolving clause containing the information required by Subsection (4);
- 51 (j) for joint resolutions, concurrent resolutions, Senate resolutions, and House
- 52 resolutions:
- 53 (i) one or more paragraphs that begin with the word "Whereas" that function as the
- 54 preamble; and
- 55 (ii) one or more paragraphs that begin with the words "Be it Resolved" that identify the
- 56 statement of purpose or policy; and
- 57 (k) special clauses including, if necessary, an effective date.

58 (3) The designation shall be a heading that identifies the resolution by [its] the  
59 resolution's house of introduction and by unique number assigned to [it] the resolution by the  
60 Office of Legislative Research and General Counsel and shall be in the following form:

61 (a) for [~~constitutional joint resolutions and joint resolutions~~] a joint resolution, unless  
62 the resolution converted to a joint resolution in accordance with [JR4-5-104](#): "S.J.R." or  
63 "H.J.R." followed by the number assigned to the joint resolution;

64 (b) for [~~concurrent resolutions~~] a concurrent resolution, regardless of whether the  
65 concurrent resolution converts to a joint resolution in accordance with [JR4-5-104](#): "S.C.R." or  
66 "H.C.R." followed by the number assigned to the concurrent resolution;

67 (c) for a Senate [~~resolutions~~] resolution: "S.R." followed by the number assigned to the  
68 Senate resolution; or

69 (d) for a House [~~resolutions~~] resolution: "H.R." followed by the number assigned to the  
70 House resolution.

71 (4) Each resolution shall contain a resolving clause in one of the following forms:

72 (a) in a constitutional joint resolution, or in a joint resolution proposing to amend the  
73 Utah Supreme Court's Rules of Procedure or Rules of Evidence: "Be it resolved by the  
74 Legislature of the state of Utah, with at least two-thirds of all members elected to each of the  
75 two houses concurring:";

76 (b) in a joint resolution: "Be it resolved by the Legislature of the state of Utah:";

77 (c) in a concurrent resolution: "Be it resolved by the Legislature of the state of Utah,  
78 with the Governor concurring:";

79 (d) in a Senate resolution: "Be it resolved by the Senate of the state of Utah:"; or

80 (e) in a House resolution: "Be it resolved by the House of Representatives of the state  
81 of Utah:".

82 Section 2. **JR4-1-302** is amended to read:

83 **JR4-1-302. Effective date of resolutions.**

84 (1) Unless otherwise directed by the Legislature and subject to Subsections (2) and (3),  
85 a resolution becomes effective on:

86           (a) the day that the resolution receives final approval from:

87           ~~[(a)]~~ (i) the House of Representatives or the Senate, if ~~[(it)]~~ the resolution is a single  
88 house resolution;

89           ~~[(b)]~~ (ii) both the House of Representatives and the Senate, if ~~[(it)]~~ the resolution is a  
90 joint resolution;

91           ~~[(c)]~~ (iii) the House of Representatives, the Senate, and the governor, if ~~[(it)]~~ the  
92 resolution is a concurrent resolution; or

93           ~~[(d)]~~ (iv) the House of Representatives, the Senate, and the voters at the next general  
94 election, if ~~[(it)]~~ the resolution is a constitutional joint resolution~~[-];~~ or

95           (b) the day after the day on which the time period described in [JR4-5-104](#) expires, if  
96 the resolution is a concurrent resolution that converts to a joint resolution in accordance with  
97 [JR4-5-104](#).

98           (2) (a) The effective date of a resolution may not be a date later than December 31 of  
99 the calendar year immediately following the calendar year of the session at which the resolution  
100 is passed.

101           (b) A resolution with a contingent effective date is not subject to Subsection (2)(a).

102           (3) (a) If the effective date of a resolution is contingent, before the resolution may be  
103 introduced:

104           (i) the resolution sponsor shall inform the legislative general counsel of the contingent  
105 effective date; and

106           (ii) the legislative general counsel shall, on behalf of the resolution sponsor, request  
107 approval of the contingent effective date from the president and speaker.

108           (b) A resolution that has a contingent effective date that is not approved by the  
109 president and the speaker may not be introduced.

110           (c) Subsections (3)(a) and (b) do not apply to a resolution to amend the Utah  
111 Constitution that is contingent on approval by the voters.

112           (4) A rules committee, a standing committee, the Senate, or the House of  
113 Representatives ~~[is prohibited from suspending]~~ may not suspend the provisions of Subsection

114 (2) or (3).

115 Section 3. **JR4-5-104** is enacted to read:

116 **JR4-5-104. Effect of governor's inaction on concurrent resolutions.**

117 (1) If the governor does not approve a concurrent resolution before the expiration of  
118 the time limit described in Utah Constitution, Article VII, Section 8 that would apply if the  
119 concurrent resolution were a bill, the concurrent resolution converts to a joint resolution.

120 (2) The legislative general counsel may make technical revisions to convert a  
121 resolution described in Subsection (1) from a concurrent resolution to a joint resolution,  
122 including the revisions necessary to comply with JR4-1-301.

123 (3) For a resolution that converts to a joint resolution in accordance with Subsection  
124 (1), the Office of Legislative Research and General Counsel shall note in the Laws of Utah and  
125 on the final version of the joint resolution that the resolution converted from a concurrent  
126 resolution to a joint resolution in accordance with this rule.

127 (4) This rule does not apply to a constitutional joint resolution.