

HB0487S01 compared with HB0487

{Omitted text} shows text that was in HB0487 but was omitted in HB0487S01

inserted text shows text that was not in HB0487 but was inserted into HB0487S01

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1 {Legislator Autonomy} Legislative Branch Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Matt MacPherson

Senate Sponsor:



2

3 **LONG TITLE**

4 **General Description:**

5 This bill modifies and enacts provisions related to {legislator activities} the Legislature.

6 **Highlighted Provisions:**

7 This bill:

8 ▸ provides that a legislator may introduce and vote on legislation according to the legislator's own judgment and conscience{-} ;

10 ▸ reorganizes and amends the legislative general counsel's responsibility to correct technical errors in legislation and the Utah Code by:

12 • directing the legislative general counsel to correct erroneous statutory history in the long title of legislation and the names of officers and funds;

14 • removing the requirement that the legislative general counsel modify the highlighted provisions of legislation to correct an inconsistency between the highlighted provisions and the legislation's enacted provisions; and

17 • prohibiting the legislative general counsel from making a correction that would alter the meaning or effect of law; and

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19 ▸ makes technical and conforming changes.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **36-12-12 , as last amended by Laws of Utah 2023, Chapters 21, 291 and last amended by**
27 **Coordination Clause, Laws of Utah 2023, Chapter 21**

28 ENACTS:

29 **36-3-307** , Utah Code Annotated 1953

30 **36-12-12.2 , Utah Code Annotated 1953**

31
32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **1** is enacted to read:

34 **36-3-307. Legislator autonomy.**

35 (1) Each sitting legislator is free to perform the following legislative activities according to the
36 legislator's own judgment and conscience:

37 (a) introducing or refraining from introducing any legislation, including legislation that enacts, repeals,
38 or amends a provision of the Utah Code or uncodified law; and

39 (b) voting for or against{ ~~, or refraining from voting on,~~ } any legislation.

40 (2) The provisions of this section are subject to legislative rules.

41 Section 2. Section **36-12-12** is amended to read:

42 **36-12-12. Office of Legislative Research and General Counsel established -- Powers,**
43 **functions, and duties -- Organization of office -- Selection of director and general counsel.**

44 (1) There is established an Office of Legislative Research and General Counsel as a permanent staff
45 office for the Legislature.

46 (2) The powers, functions, and duties of the Office of Legislative Research and General Counsel under
47 the supervision of the director shall be:

48 (a) to provide research and legal staff assistance to all standing, special, and interim committees as
49 follows:

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- 51 (i) to assist each committee chairman in planning the work of the committee;
- 52 (ii) to prepare and present research and legal information in accordance with committee instructions or
instructions of the committee chairman;
- 54 (iii) to prepare progress reports of committee work when requested; and
- 55 (iv) to prepare a final committee report in accordance with committee instructions, that includes
relevant research information, committee policy recommendations, and recommended legislation;
- 58 (b) to collect and examine the acts and official reports of any state and report their contents to any
committee or member of the Legislature;
- 60 (c) to provide research and legal analysis services to any interim committee, legislative standing
committee, or individual legislator on actual or proposed legislation or subjects of general legislative
concern;
- 63 (d)
- (i) to exercise under the direction of the general counsel the constitutional authority provided in Utah
Constitution, Article VI, Section 32, in serving as legal counsel to the Legislature, majority and
minority leadership of the House of Representatives or Senate, any of the Legislature's committees
or subcommittees, individual legislators, any of the Legislature's staff offices, or any of the
legislative staff; and
- 69 (ii) to represent the Legislature, majority and minority leadership of the House of Representatives or
Senate, any of the Legislature's committees or subcommittees, individual legislators, any of the
Legislature's staff offices, or any of the legislative staff in cases and controversies before courts and
administrative agencies and tribunals;
- 74 (e) to prepare and assist in the preparation of legislative bills, resolutions, memorials, amendments, and
other documents or instruments required in the legislative process and, under the direction of the
general counsel, give advice and counsel regarding them to the Legislature, majority and minority
leadership of the House of Representatives or Senate, any of its members or members-elect, any of
its committees or subcommittees, or the legislative staff;
- 80 (f) under the direction of the general counsel[?],
- 81 [~~(i) to review, examine, and correct any technical errors when:~~]
- 82 [~~(A) preparing legislation that passed both houses to enroll the legislation and prepare the laws for
publication; or]~~
- 84 [~~(B) maintaining the accuracy of the electronic code database; and]~~

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- 85 [(ii)] to deliver enrolled legislation to the House of Representatives and the Senate for submission to the
governor for gubernatorial action;
- 87 (g)
- (i) to exercise control over and to act as the repository and custodian of the official copy and database of
the current version of the Utah Constitution;
- 89 (ii) to incorporate into the Utah Constitution any amendments to the Utah Constitution that pass during
a regular general election; and
- 91 (iii) to update and maintain the bold face descriptive titles to sections of the Utah Constitution;
- 93 (h) to prepare the laws for publication in accordance with Section 36-12-12.2;
- 94 (i)
- (i) to maintain, exercise control over, and act as the repository and custodian of the official copy and
database of the Utah Code, organized by title, chapter, part, and section; and
- 97 (ii) to keep the Utah Code database current, including updating the database to reflect:
- 98 (A) any duly enacted legislation making changes, including future changes, to the Utah Code; and
- 100 (B) any corrections of technical errors made in accordance with Section 36-12-12.2;
- 102 (j) to formulate recommendations for the revision, clarification, classification, arrangement,
codification, annotation, and indexing of Utah statutes, and to develop proposed legislation to
effectuate the recommendations;
- 105 (k) to appoint and develop a professional staff within budget limitations; and
- 106 (l) to prepare and submit the annual budget request for the Office of Legislative Research and General
Counsel.
- 108 (3)
- (a) If, under Utah Constitution, Article VI, Section 10, the House of Representatives or Senate
determines that an individual is not qualified to serve in the House of Representatives or Senate,
or expels an individual from the respective chamber, but the individual continues to hold his or her
elected legislative office, the Office of Legislative Research and General Counsel may not provide
legislative staff services, including legal services, to the individual.
- 114 (b) Notwithstanding Subsection (3)(a), the Office of Legislative Research and General Counsel may
provide legal services for an individual described in Subsection (3)(a) if the legal services are
approved by the Legislative Management Committee described in Section 36-12-7.

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- 122 [(4) The statutory authorization of the Office of Legislative Research and General Counsel to correct technical errors provided in Subsection (2)(f), to prepare the laws for publication in Subsection (2)(h), and to modify the electronic record to correct technical errors under Subsection (2)(i)(ii)(B) includes:]
- 124 [(a) adopting a uniform system of punctuation, capitalization, numbering, and wording for enrolled legislation and the Laws of Utah;]
- 126 [(b) eliminating duplication and the repeal of laws directly or by implication, including renumbering when necessary;]
- 128 [(c) correcting defective or inconsistent title, chapter, part, section, and subsection structure in the arrangement of the subject matter of existing statutes;]
- 129 [(d) eliminating obsolete and redundant words;]
- 130 [(e) correcting;]
- 131 [(i) obvious typographical and grammatical errors; and]
- 133 [(ii) other obvious inconsistencies, including those involving punctuation, capitalization, cross references, numbering, and wording;]
- 135 [(f) inserting or changing the boldface to more accurately reflect the substance of each section, part, chapter, or title;]
- 137 [(g) merging or determining priority of any amendments, enactments, or repealers to the same code provisions that are passed by the Legislature;]
- 139 [(h) renumbering and rearranging of a title, chapter, part, section, or provisions of a section;]
- 141 [(i) transferring sections or dividing sections to assign separate sections numbers to distinct subject matters;]
- 143 [(j) modifying cross references to agree with renamed or renumbered titles, chapters, parts, or sections;]
- 145 [(k) substituting the proper section or chapter number for the terms "this act," "this bill," or similar terms;]
- 146 [(l) substituting the proper calendar date in the database and in the Laws of Utah;]
- 148 [(m) modifying the highlighted provisions of legislation to correct an inconsistency between the highlighted provisions and the enacted provisions of the legislation;]
- 149 [(n) correcting the names of agencies, departments, and similar units of government;]
- 149 [(o) rearranging any misplaced statutory material, incorporating any omitted statutory material, and correcting other obvious errors of addition or omission;]

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- 151 ~~[(p) correcting or incorporating a special clause that was publicly available on the Legislature's~~
~~website but is errantly omitted, modified, or retained during the legislative process due to obvious~~
~~technological or human error, including:]~~
- 154 ~~[(i) a severability clause;]~~
- 155 ~~[(ii) an effective date clause;]~~
- 156 ~~[(iii) a retrospective operation clause;]~~
- 157 ~~[(iv) an uncodified repeal date clause;]~~
- 158 ~~[(v) a revisor instruction clause; or]~~
- 159 ~~[(vi) a coordination clause;]~~
- 160 ~~[(q) correcting the incorporation of an amendment due to obvious technological or human error; and]~~
- 162 ~~[(r) alphabetizing definition sections.]~~
- 163 ~~[(5)]~~ (4) In carrying out the duties provided for in this section, the director of the Office of Legislative
Research and General Counsel may obtain access to all records, documents, and reports necessary
to the scope of the director's duties according to the procedures contained in Chapter 14, Legislative
Subpoena Powers.
- 167 ~~[(6)]~~ (5) In organizing the management of the Office of Legislative Research and General Counsel, the
Legislative Management Committee may either:
- 169 (a) select a person to serve as both the director of the office and as general counsel. In such case,
the director of the office shall be a lawyer admitted to practice in Utah and shall have practical
management experience or equivalent academic training; or
- 172 (b) select a person to serve as director of the office who would have general supervisory authority and
select another person to serve as the legislative general counsel within the office. In such case, the
director of the office shall have a master's degree in public or business administration, economics,
or the equivalent in academic or practical experience and the legislative general counsel shall be a
lawyer admitted to practice in Utah.
- 178 Section 3. Section 3 is enacted to read:
- 179 **36-12-12.2. Authority to revise code.**
- 180 (1) As used in this section:
- 181 (a) "Utah Code database" means an electronic repository of the Utah Code.
- 182 (b) "Utah Constitution database" means an electronic repository of the Utah Constitution.
- 183

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- (2) The Office of Legislative Research and General Counsel, under the direction of the general counsel shall review, examine, and correct any technical errors when:
- 185 (a) preparing legislation that passed both chambers to enroll the legislation;
186 (b) preparing the laws for publication; and
187 (c) maintaining the accuracy of the Utah Code database and the Utah Constitution database in accordance with Section 36-12-12.
- 189 (3) The authority of the Office of Legislative Research and General Counsel to correct technical errors provided in Subsection (2):
- 191 (a) includes:
- 192 (i) adopting and implementing a uniform system of punctuation, capitalization, numbering, and wording for enrolled legislation and the Laws of Utah;
194 (ii) removing duplication;
195 (iii) removing laws repealed directly or by implication;
196 (iv) correcting defective or inconsistent title, chapter, part, section, and subsection structure in the arrangement of the subject matter of existing statutes;
198 (v) eliminating obsolete and redundant words;
199 (vi) correcting:
200 (A) obvious typographical and grammatical errors; and
201 (B) other obvious inconsistencies, including those involving punctuation, capitalization, cross references, numbering, and wording;
203 (vii) inserting or changing the boldface to more accurately reflect the substance of each title, chapter, part, or section;
205 (viii) merging or determining priority of any amendments, enactments, or repealers to the same code provisions that are passed by the Legislature;
207 (ix) correcting the incorporation of an amendment due to obvious technological or human error;
209 (x) renumbering and rearranging of a title, chapter, part, section, or provisions of a section;
211 (xi) transferring sections or dividing sections to assign separate sections numbers to distinct subject matters;
213 (xii) modifying cross references to agree with renamed or renumbered titles, chapters, parts, or sections;
215 (xiii) substituting the proper section or chapter number for the terms "this act," "this bill," or similar terms;

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- 217 (xiv) substituting the proper calendar date in the Utah Code database and in the Laws of Utah;
219 (xv) correcting erroneous statutory history in the long title of legislation;
220 (xvi) correcting the names of agencies, departments, officers, funds, and similar units of government;
222 (xvii) rearranging any misplaced statutory material, incorporating any omitted statutory material, and
correcting other obvious errors of addition or omission;
224 (xviii) correcting or incorporating a special clause or uncodified material that was publicly available on
the Legislature's website but is errantly omitted, modified, or retained during the legislative process
due to obvious technological or human error, including:
228 (A) an appropriation clause;
229 (B) a severability clause;
230 (C) an effective date clause;
231 (D) a retrospective operation clause;
232 (E) an uncodified repeal date clause;
233 (F) a revisor instruction clause; or
234 (G) a coordination clause; and
235 (xix) alphabetizing definition sections; and
236 (b) does not include a correction that would alter the meaning or effect of law.

237 Section 4. **Effective date.**

Effective Date.

This bill takes effect on May 6, 2026.

2-20-26 9:56 AM