

Lincoln Fillmore proposes the following substitute bill:

Joint Rules Resolution - Amendments to Joint Rules

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This resolution modifies joint rules.

Highlighted Provisions:

This resolution:

- defines "minority leader" and "minority party";
- modifies the definition of "increase legislative workload";
- clarifies the secretary of the Senate's and the chief clerk of the House's record keeping duties;
- modifies the publication of the Senate and House draft journals;
- addresses rules and procedures that apply to an extraordinary session;
- authorizes the Office of Legislative Research and General Counsel to request a bill on behalf of a legislator if the bill is necessary to implement a constitutional joint resolution;
- allows a legislator to co-sponsor legislation that originates in the opposite chamber of which the legislator is a member;
- defines "sunset bill" and requires:
 - the Senate to table a House sunset bill on third reading; and
 - the House to refer a Senate sunset bill to the House Rules Committee;
- modifies the process related to legislation that increases legislative workload;
- modifies a Legislative Expenses Oversight Committee's meeting requirements; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Legislative Rules Affected:**AMENDS:****JR1-3-101****JR1-3-102****JR1-3-201****JR1-4-701****JR2-1-101****JR2-2-201****JR3-2-101****JR3-2-401****JR3-2-402****JR4-1-101****JR4-2-101****JR4-2-103****JR4-3-301****JR4-3-302****JR5-1-102****JR5-3-101****JR6-2-101****JR6-2-103****JR6-4-306****JR7-1-101****ENACTS:****JR4-3-110**

*Be it resolved by the Legislature of the state of Utah:*Section 1. **JR1-3-101** is amended to read:**JR1-3-101 . Secretary and chief clerk to keep records of action.**

(1) The secretary of the Senate and the chief clerk of the House, or their designees, shall record on each bill's jacket each action on every bill or resolution taken by the Senate and House of Representatives.

(2)(a) The Senate secretary or [her] the secretary's designee shall ensure that adopted Senate amendments are inserted in the bill on goldenrod paper.

(b) The chief clerk of the House or [her] the chief clerk's designee shall ensure that

adopted House amendments are inserted in the bill on lilac paper.

Section 2. **JR1-3-102** is amended to read:

JR1-3-102 . Senate and House journals.

- (1) Each chamber shall:
 - (a) keep a journal of the chamber's proceedings;
 - (b) publish ~~[the journal daily]~~ a draft journal for each day of the legislative session;
 - (c) ensure that the journal is continuous during the legislative session, with pages numbered in consecutive order;
 - (d) ensure that the vote on final passage of each bill is by yeas and nays and is entered upon the journal;
 - (e) ensure that the vote on any other question is by yeas and nays and is entered upon the journal at the request of five members of that chamber; and
 - (f) base the journal upon the record of the proceedings taken by the reading or docket clerk and the electronic recording of those proceedings.
- (2) The secretary of the Senate and the chief clerk of the House of Representatives shall provide a final certification of the journal for their respective chamber.

Section 3. **JR1-3-201** is amended to read:

JR1-3-201 . Authorized use of legislative seal.

- (1) As used in this rule:
 - (a) "Legislative business" means activities performed by a legislator, during the legislator's term of office that are within the course and scope of the work of a legislator.
 - (b) "Legislative business" includes the use of the legislative seal on letterhead, memoranda, facsimile cover sheets, news releases, and other materials.
 - (c) "Legislative seal" means the emblem of the Utah State Senate or Utah House of Representatives designed and adopted by each body to authenticate official communications of the body or its members.
- (2)(a) Each legislator shall ensure that, in using the legislative seal, the reputation and integrity of the legislative institution is preserved.
- (b) A legislator may use the legislative seal for legislative business on personalized legislative ~~[stationary]~~ stationery, business cards, and on other documents.
- (c) The legislative seal may not be used on any political campaign materials.
- (d) A person may not use the seal for any purpose once the person ceases to be a legislator.

(3) The Senate and House shall provide to a member, upon request, an electronic or camera-ready copy of the legislative seal.

Section 4. **JR1-4-701** is amended to read:

JR1-4-701 . Annual performance evaluation of professional staff directors and general counsel.

(1) As used in this rule, "minority leader" means the same as that term is defined in JR3-2-101.

(2) Before July 1 each year the president and speaker shall:

[(+)] (a) in consultation with the Senate minority leader and the House minority leader, conduct a performance evaluation of the legislative auditor general, the legislative fiscal analyst, the director of the Office of Legislative Research and General Counsel, and the legislative general counsel; and

[(2)] (b) set compensation for the legislative auditor general, the legislative fiscal analyst, the director of the Office of Legislative Research and General Counsel, and the legislative general counsel for the upcoming fiscal year.

Section 5. **JR2-1-101** is amended to read:

TITLE JR2. Special Session, Extraordinary Session, and Veto Override Session

CHAPTER 1. Special Session and Extraordinary Session

JR2-1-101 . Annual general session rules apply.

Except as otherwise provided in this chapter, rules adopted or amended by each chamber of the Legislature during the immediately preceding annual general session, and any intervening session, apply to the conduct of that chamber during a special or an extraordinary session.

Section 6. **JR2-2-201** is amended to read:

JR2-2-201 . Poll to convene and calling a veto override session.

(1)(a) If the Legislature is prevented by adjournment sine die from reconsidering any vetoed bill or item of appropriation vetoed by the governor, the president of the Senate and the speaker of the House shall poll their respective members [~~by mail or other means~~]to determine if the Legislature shall convene to reconsider vetoed legislation.

(b) Each member shall respond to the poll in writing, by telephone, or other available means.

(2)(a) The president and speaker shall notify the governor about the results of the poll.

(b) The sponsor of a bill being considered for the veto override shall be provided, upon request, ~~[the itemized list of]~~ how each legislator responded to the poll.

(3)(a) If two-thirds of the members of each chamber are in favor of convening a veto override session, the Legislature shall convene in a veto override session not to exceed five calendar days, at a time agreed upon by the president and speaker.

(b) A veto override session, if called, shall be convened prior to 60 days after the adjournment of the session at which the bill or appropriation item under consideration was passed.

(4)(a) The presiding officers shall issue the call of the veto override session of the Legislature to their members.

(b) The call shall contain a list of each bill and appropriation item vetoed by the governor and the date and time for convening the veto override session.

(5) The Legislature shall consider the vetoed bills and appropriation items according to the process outlined in JR2-2-101.

Section 7. **JR3-2-101** is amended to read:

JR3-2-101 . Definitions.

As used in this chapter:

(1) "Accountable process budget" means a budget that is created by starting from zero and adding line items and programs recommended through an accountable budget process.

(2) "Accountable budget process" means a review of a line item or program in a simple base budget to determine whether or the extent to which to recommend the line item or program be included in a budget for the upcoming fiscal year.

(3) "Base budget" means:

(a) an accountable process budget; or

(b) for a line item or program that was not the subject of an accountable process budget analysis during the immediately preceding interim, a simple base budget.

(4) "Chair" means:

(a) the chair of an appropriations subcommittee or the Executive Appropriations Committee; or

(b) a member of a joint appropriations subcommittee or the Executive Appropriations Committee member who is authorized to act as chair under JR3-2-303.

(5) "Committee" means a joint appropriations subcommittee or the Executive Appropriations Committee.

(6) "Fee agency" means the same as that term is defined in Utah Code Section 63J-1-504.

(7) "Fee schedule" means the same as that term is defined in Utah Code Section 63J-1-504.

(8) "Majority vote" means a majority of a quorum as provided in JR3-2-404.

(9) "Minority leader" means the highest ranking individual elected to lead the minority party.

(10) "Minority party" means the political party in the Legislature with the second most members.

~~[(9)]~~ (11) "Original motion" means a non-privileged motion that is accepted by the chair when no other motion is pending.

~~[(10)]~~ (12) "Pending motion" ~~[refers to]~~ means a motion starting when a chair accepts a motion and ending when the motion is withdrawn or when the chair calls for a vote on the motion.

~~[(11)]~~ (13)(a) "Privileged motion" means a procedural motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.

(b) "Privileged motions" are not substitute motions.

~~[(12)]~~ (14)(a) "Proposed budget item" means any funding item under consideration for inclusion in an appropriations bill.

(b) "Proposed budget item" includes a request for appropriation.

~~[(13)]~~ (15) "Request for appropriation" means a legislator request to:

(a) obtain funding for a project or program that has not previously been funded;

(b) significantly expand funding for an existing project or program; or

(c) obtain separate funding for a project or program.

~~[(14)]~~ (16)(a) "Simple base budget" means amounts appropriated by the Legislature for each line item for the current fiscal year that:

(i) are not designated as one-time in an appropriation, regardless of whether the appropriation is covered by ongoing or one-time revenue sources; and

(ii) were not vetoed by the governor, unless the Legislature overrode the veto.

(b) "Simple base budget" includes:

(i) any changes to those amounts approved by the Executive Appropriations Committee; and

(ii) amounts appropriated for debt service.

~~[(15)]~~ (17) "Substitute motion" means a non-privileged motion that is made when a non-privileged motion is pending.

~~[(16)]~~ (18) "Under consideration" means the time starting when a chair opens a discussion on a subject or an appropriations request that is listed on a committee agenda and ending

when the committee disposes of the subject or request, moves on to another item on the agenda, or adjourns.

Section 8. **JR3-2-401** is amended to read:

JR3-2-401 . Executive appropriations -- Creation -- Membership -- Staffing.

(1) As used in this rule, "minority leadership" means one or more individuals elected to lead the minority party.

(2) There is created an Executive Appropriations Committee consisting of 20 members composed of:

(a) three members of the majority leadership of the Senate and four members of the majority leadership of the House;

(b) two members of the minority leadership of the Senate and three members of the minority leadership of the House;

(c) the chair and vice chair of the Senate Appropriations Committee and the chair and vice chair of the House Appropriations Committee; and

(d)(i) one member from the majority party of the Senate as appointed by the president of the Senate or as chosen by the Senate majority caucus;

(ii) two members from the minority party of the Senate as appointed by the Senate minority leader or as chosen by the Senate minority caucus; and

(iii) one member from the minority party of the House as appointed by the House minority leader or as chosen by the House minority caucus.

[(2)] (3) A member of the Executive Appropriations Committee, whose membership is determined under Subsection [(1)(a)] (2)(a) or (b), may appoint a designee to permanently serve in that individual's place if:

(a) the individual is a member of the majority party and the designee is approved by the speaker or the president; or

(b) the individual is a member of the minority party and the designee is approved by the House or Senate minority party leader.

[(3)] (4) The Office of the Legislative Fiscal Analyst shall staff the Executive Appropriations Committee.

Section 9. **JR3-2-402** is amended to read:

JR3-2-402 . Executive appropriations -- Duties -- Base budgets.

(1)(a) The Executive Appropriations Committee shall meet no later than the third Wednesday in December to:

(i) direct staff as to what revenue estimate to use in preparing budget

- 232 recommendations, to include a forecast for federal fund receipts;
- 233 (ii) consider treating above-trend revenue growth as one-time revenue for major tax
- 234 types and for federal funds;
- 235 (iii) hear a report on the historical, current, and anticipated status of the following:
- 236 (A) debt;
- 237 (B) long term liabilities;
- 238 (C) contingent liabilities;
- 239 (D) General Fund borrowing;
- 240 (E) reserves;
- 241 (F) fund balances;
- 242 (G) nonlapsing appropriation balances;
- 243 (H) cash funded infrastructure investment; and
- 244 (I) changes in federal funds paid to the state;
- 245 (iv) hear a report on:
- 246 (A) the next fiscal year base budget appropriation for Medicaid accountable care
- 247 organizations according to Utah Code Section 26B-3-203;
- 248 (B) an explanation of program funding needs;
- 249 (C) estimates of overall medical inflation in the state; and
- 250 (D) mandated program changes and their estimated cost impact on Medicaid
- 251 accountable care organizations;
- 252 (v) decide whether to set aside special allocations for the end of the session, including
- 253 allocations:
- 254 (A) to address any anticipated reduction in the amount of federal funds paid to the
- 255 state; and
- 256 (B) of one-time revenue to pay down debt and other liabilities;
- 257 (vi)(A) hear a report on construction inflation and the ongoing operation and
- 258 maintenance costs of any capital development project requested by an
- 259 institution under Utah Code Section 53B-2a-117 or 53B-22-204; and
- 260 (B) in response to the report described in Subsection (1)(a)(vi)(A), decide whether
- 261 to adjust the next fiscal year base budget or set aside special allocations for the
- 262 end of the session;
- 263 (vii) decide whether to set aside special allocations for legislation that will reduce
- 264 taxes, including legislation that will reduce one or more tax rates;
- 265 (viii) subject to Subsection (1)(c), unless waived by majority vote, if the amortization

- rate as defined in Utah Code Section 49-11-102 for the new fiscal year is less than the amortization rate for the preceding fiscal year, set aside an amount equal to the value of the reduction in the amortization rate;
- (ix) approve the appropriate amount for each subcommittee to use in preparing its budget;
- (x) set a budget figure; and
- (xi) adopt a base budget in accordance with Subsection (1)(b) and direct the legislative fiscal analyst to prepare one or more appropriations acts appropriating one or more base budgets for the next fiscal year.
- (b) In a base budget adopted under Subsection (1)(a), the Executive Appropriations Committee shall set appropriations from the General Fund, the Income Tax Fund, and the Uniform School Fund as follows:
- (i) if the next fiscal year ongoing revenue estimates set under Subsection (1)(a)(i) are equal to or greater than the current fiscal year ongoing appropriations, the new fiscal year base budget is not changed;
- (ii) if the next fiscal year ongoing revenue estimates set under Subsection (1)(a)(i) are less than the current fiscal year ongoing appropriations, the new fiscal year base budget is reduced by the same percentage that projected next fiscal year ongoing revenue estimates are lower than the total of current fiscal year ongoing appropriations;
- (iii) in making a reduction under Subsection (1)(b)(ii), appropriated debt service shall not be reduced, and other ongoing appropriations shall be reduced, in an amount sufficient to make the total ongoing appropriations, including the unadjusted debt service, equal to the percentage calculated under Subsection (1)(b)(ii); and
- (iv) the new fiscal year base budget shall include an appropriation to the Department of Health and Human Services for Medicaid accountable care organizations in the amount required by Utah Code Section 26B-3-203.
- (c)(i) The Executive Appropriations Committee shall:
- (A) comply with the set aside requirement described in Subsection [~~(1)(a)(vii)~~] (1)(a)(viii) using money from the General Fund, Income Tax Fund, and Uniform School Fund;
- (B) accumulate money set aside under Subsection [~~(1)(a)(vii)~~] (1)(a)(viii) across fiscal years; and
- (C) when the total amount set aside under Subsection [~~(1)(a)(vii)~~] (1)(a)(viii),

- including any amount to be set aside in the new fiscal year, equals or exceeds the cost of a 0.50% increase in benefited state employee salaries for the new fiscal year, include in the base budget an increase in benefited state employee salaries equal to the total set aside amount.
- (ii) The Executive Appropriations Committee may waive or modify a requirement described in Subsection (1)(c)(i) by majority vote.
- (d) The chairs of each joint appropriations subcommittee are invited to attend the meeting described in this Subsection (1).
- (2) All proposed budget items shall be submitted to one of the subcommittees named in JR3-2-302 for consideration and recommendation.
- (3)(a) After receiving and reviewing subcommittee reports, the Executive Appropriations Committee may refer the report back to a joint appropriations subcommittee with any guidelines the Executive Appropriations Committee considers necessary to assist the subcommittee in producing a balanced budget.
- (b) The subcommittee shall meet to review the new guidelines and report the adjustments to the chairs of the Executive Appropriations Committee as soon as possible.
- (4)(a) After receiving the reports, the Executive Appropriations Committee chairs will report them to the Executive Appropriations Committee.
- (b) The Executive Appropriations Committee shall:
- (i) make any further adjustments necessary to balance the budget; and
- (ii) complete all decisions necessary to draft the final appropriations bills no later than the last Friday before the 45th day of the annual general session.
- (5) No later than December 1 of each calendar year, the Executive Appropriations Committee shall:
- (a) review the budget for the Office of the Legislative Fiscal Analyst, the Office of Legislative Research and General Counsel, the Office of the Legislative Auditor General, and the Office of Legislative Services; and
- (b) certify the Legislature's budget to the governor in accordance with Utah Code Section 63J-1-201.
- Section 10. **JR4-1-101** is amended to read:
- JR4-1-101 . Definitions.**
- As used in this title:
- (1) "Bill" means legislation introduced for consideration by the Legislature that does any,

some, or all of the following to Utah statutes:

- (a) amends;
- (b) enacts;
- (c) repeals;
- (d) repeals and reenacts; or
- (e) renumbers and amends.

(2) "Boldface" means the brief descriptive summary of the contents of a statutory section prepared by the Office of Legislative Research and General Counsel that is printed for each title, chapter, part, and section of the Utah Code.

(3) "Concurrent resolution" means a written proposal of the Legislature and governor, which, to be approved, must be passed by both chambers of the Legislature and concurred to by the governor.

(4) "Constitutional joint resolution" means a joint resolution proposing to amend, enact, or repeal portions of the Utah Constitution which, to be approved for submission to the voters, must be passed by a two-thirds vote of both chambers of the Legislature.

(5) "Drafting instructions" means:

- (a) specific information concerning the change or addition to law or policy that a legislator intends to propose through legislation; or
- (b) a specific situation or concern that a legislator intends to address through legislation.

(6) "House resolution" means a written proposal of the House of Representatives which, to be approved, must be passed by the House of Representatives.

(7) "Joint resolution" means a written proposal of the Legislature which, to be approved, must be passed by both chambers of the Legislature, including a constitutional joint resolution.

(8) "Laws of Utah" means all of the laws currently in effect in Utah.

(9) "Legislation" means a bill or resolution introduced for consideration by the Legislature.

(10) "Legislative sponsor" means:

- (a) the chief sponsor under JR4-2-103; or
- (b) the legislator designated by the chief sponsor to be the opposite chamber floor sponsor.

(11) "Minority leader" means the same as that term is defined in JR3-2-101.

(12) "Minority party" means the same as that term is defined in JR3-2-101.

~~[(11)]~~ (13) "Request for legislation" means a formal request from a legislator or an authorized legislative committee that the Office of Legislative Research and General

Counsel prepare a bill or resolution.

~~[(12)]~~ (14) "Resolution" includes a joint resolution, concurrent resolution, House resolution, and Senate resolution.

~~[(13)]~~ (15) "Senate resolution" means a written proposal of the Senate which, to be approved, must be passed by the Senate.

~~[(14)]~~ (16) "Statute" means a law that has met the constitutional requirements for enactment.

~~[(15)]~~ (17) "Statutory section" means the unique unit of the laws of Utah that is identified by a title, chapter, and section number.

Section 11. **JR4-2-101** is amended to read:

JR4-2-101 . Requests for legislation -- Timing.

(1) As used in this rule, "appointed legislator" means:

(a) an incumbent legislator appointed to replace another legislator who resigns or is unable to serve; or

(b) an individual appointed to replace a legislator who resigns or is unable to serve.

(2)(a) A legislator wishing to introduce a bill or resolution shall file a request for legislation with the Office of Legislative Research and General Counsel within the time limits established by this rule.

(b) The request for legislation shall:

(i) designate the chief sponsor, who is knowledgeable about and responsible for providing pertinent information as the legislation is drafted; and

(ii) include drafting instructions for the legislation.

(c)(i)(A) The chief sponsor may modify the drafting instructions provided in accordance with Subsection (2)(b)(ii) only if the modified drafting instructions do not deviate from the core subject matter of the original drafting instructions.

(B) The Office of Legislative Research and General Counsel shall apply the standard described in Subsection (2)(c)(i)(A) in a manner that favors the chief sponsor.

(ii) If the chief sponsor wishes to modify the drafting instructions in a manner prohibited under Subsection (2)(c)(i), the chief sponsor shall file a new, separate request for legislation in accordance with this rule.

(d) If a legislator files a request for a constitutional joint resolution, the Office of Legislative Research and General Counsel may file, on the legislator's behalf, a separate request for a bill that addresses statutory changes necessary to implement the constitutional joint resolution, if applicable.

- 402 (3)(a) Any legislator may file a request for legislation beginning 60 days after the
403 Legislature adjourns its annual general session sine die.
- 404 (b) A legislator-elect may file a request for legislation beginning on:
405 (i) the day after:
406 (A) for a single county race, the date on which the county election canvass is
407 completed; or
408 (B) for a multi-county race, the date on which the statewide election canvass is
409 completed; or
410 (ii) if the legislator-elect's election results have not been finalized as of the canvass
411 date, the day after the date the election results for the legislator-elect's race are
412 finalized.
- 413 (c)(i) An incumbent legislator may not file any requests for legislation as of the date
414 that the legislator:
415 (A) fails to file to run for election to a seat in the Legislature;
416 (B) is ineligible to be included on the ballot for the election in which the legislator
417 would have sought an additional term; or
418 (C) fails to win reelection and the legislator's opponent is eligible to file a request
419 for legislation under Subsection (3)(b).
- 420 (ii) Subsection (3)(c)(i) does not apply to a request for legislation for:
421 (A) a general session that occurs while the legislator is in office; or
422 (B) a special session that occurs while the legislator is in office.
- 423 (d)(i) Except as provided in Subsection (3)(e), if a legislator who filed a request for
424 legislation is unable to serve in the next annual general session for any reason, the
425 former legislator may seek another legislator to assume sponsorship of the former
426 legislator's legislation.
- 427 (ii) If a former legislator is unable to find another legislator to assume sponsorship
428 under Subsection (3)(d)(i), the Office of Legislative Research and General
429 Counsel shall abandon each request the earlier of:
430 (A) 30 days after the day on which the former legislator is unable to serve; or
431 (B) noon on the 11th day of the annual general session.
- 432 (iii) The 30-day time period described in Subsection (3)(d)(ii)(A) begins the day on
433 which a former legislator no longer holds the former legislator's seat.
- 434 (e)(i) If a legislator dies while in office and is the chief sponsor of one or more
435 requests for legislation or pieces of legislation, the individual appointed to the

legislator's seat may assume sponsorship of each request for legislation or piece of legislation.

(ii) If the individual appointed to the legislator's seat chooses not to assume sponsorship of one or more of the legislator's requests for legislation or pieces of legislation, the following individual shall seek another legislator to assume sponsorship of each request for legislation or piece of legislation:

(A) if the legislator was a member of the House majority caucus, the House majority leader;

(B) if the legislator was a member of the House minority caucus, the House minority leader;

(C) if the legislator was a member of the Senate majority caucus, the Senate majority leader; or

(D) if the legislator was a member of the Senate minority caucus, the Senate minority leader.

(iii) If the individual described in Subsection (3)(e)(ii) does not find a new sponsor:

(A) for a request for legislation, the Office of Legislative Research and General Counsel shall abandon the request for legislation; and

(B) for legislation, the legislation shall be returned to the originating chamber and filed.

(f)(i) A legislator-elect who is an incumbent legislator may retain any requests for legislation the legislator-elect filed before the date described in Subsection (3)(b).

(ii) An appointed legislator who is an incumbent legislator may retain any requests for legislation the appointed legislator filed before assuming the seat to which the legislator is appointed.

(4)(a) Except as provided in Subsection (4)(c), a legislator may not file a request for legislation with the Office of Legislative Research and General Counsel after noon on the 11th day of the annual general session.

(b) On the 11th day of the annual general session, the Office of Legislative Research and General Counsel shall make public on the Legislature's website the short title and sponsor of each request for legislation, unless the sponsor abandons the request for legislation before noon on the 11th day of the annual general session.

(c)(i) After the 11th day of the annual general session, a legislator may file a request for legislation only if:

(A) for House legislation, the representative makes a motion to request legislation

- 470 for drafting and introduction and that motion is approved by a constitutional
471 majority of the House; or
- 472 (B) for Senate legislation, the senator makes a motion to request legislation for
473 drafting and introduction and that motion is approved by a constitutional
474 majority vote of the Senate.
- 475 (ii) The Office of Legislative Research and General Counsel shall make public on the
476 Legislature's website the short title and sponsor of each request for legislation
477 described in this Subsection (4)(c).
- 478 (5) After a request for legislation is abandoned, a legislator may not revive the request for
479 legislation.
- 480 (6) A legislator wishing to obtain funding for a project, program, or entity, when that
481 funding request does not require that a statute be enacted, repealed, or amended, may not
482 file a request for legislation but instead shall file a request for appropriation by following
483 the procedures and requirements of JR3-2-701.
- 484 Section 12. **JR4-2-103** is amended to read:
- 485 **JR4-2-103 . Legislation -- Sponsorship.**
- 486 (1) As used in this rule, "former legislator" means a legislator who:
- 487 (a) is unable to serve in the next annual general session; or
- 488 (b) is an incumbent legislator appointed to replace another legislator who resigns or is
489 unable to serve.
- 490 (2)(a) The legislator who approves a request for legislation for numbering is the chief
491 sponsor.
- 492 (b) The chief sponsor may withdraw sponsorship of the legislation by following the
493 procedures and requirements of Senate Rules or House Rules.
- 494 (c) Subject to JR4-2-102(4), the chief sponsor of the legislation cannot change more than
495 twice.
- 496 (3)~~[(a)]~~ Before or after ~~[the]~~ legislation is introduced, legislators ~~[from the same~~
497 ~~chamber as the chief sponsor]~~ may have their names added to or deleted from the
498 legislation as co-sponsors by following the procedures and requirements of Senate
499 Rules or House Rules.
- 500 ~~[(b) Except as provided in Subsection (3), only legislators who are members of the same~~
501 ~~chamber as the chief sponsor may co-sponsor legislation.]~~
- 502 (4) Before the secretary of the Senate or the chief clerk of the House may transfer
503 legislation to the opposite chamber, the chief sponsor shall:

- (a) designate a member of the opposite chamber as sponsor of the legislation for that chamber; and
- (b) provide the secretary or chief clerk with the name of that sponsor for designation on the legislation.
- (5)(a) Except as provided in JR4-2-101(3)(e):
- (i) a former legislator who is a senator and the chief sponsor of legislation may seek another senator to assume sponsorship of the former legislator's legislation; or
 - (ii) a former legislator who is a representative and the chief sponsor of legislation may seek another representative to assume sponsorship of the former legislator's legislation.
- (b) If, within 30 days, a former legislator is unable to find another legislator to assume sponsorship of the former legislator's legislation, the legislation shall be returned to the originating chamber and filed.
- (c) The 30-day time period described in Subsection (5)(b) begins the day on which a former legislator no longer holds the former legislator's seat.

Section 13. **JR4-3-110** is enacted to read:

JR4-3-110 . Consideration of sunset bills.

- (1) As used in this rule, "sunset bill" means legislation that amends Utah Code Title 63I, Chapter 1, Part 2, Repeal Dates Requiring Committee Review by Title.
- (2) Except as provided in Subsection (4):
- (a) The Senate shall table on third reading any House sunset bill.
 - (b) The House shall refer a Senate sunset bill to the House Rules Committee before giving the legislation a third reading.
- (3) The Legislature may pass or defeat a sunset bill on or before the 45th day of the annual general session.
- (4)(a) For a fiscal note bill as defined in JR4-4-101 that is a sunset bill:
- (i) this rule does not apply; and
 - (ii) the Senate and House shall comply with JR4-4-101(3).
- (b) For legislation that increases legislative workload as defined in JR4-3-301 that is a sunset bill:
- (i) this rule does not apply; and
 - (ii) the Senate and House shall comply with JR4-3-302.

Section 14. **JR4-3-301** is amended to read:

JR4-3-301 . Definitions.

538 [(1)] As used in this part[, "~~increase~~"] :

539 (1) "Fiscal note bill" means the same as that term is defined in JR4-4-101.

540 (2)(a) "Increases legislative workload" means:

541 [(a)] (i) placing a member of the Legislature on a board, commission, task force, or
542 other public body; or

543 [(b) giving authority to a member of the Legislative Management Committee to appoint
544 a member of a board, commission, task force, or other public body; or]

545 [(e)] (ii) requiring a legislative staff office to staff a board, commission, task force, or
546 other public body.

547 [(2)] (b) "Increases legislative workload" includes reauthorizing an existing provision
548 described in Subsection (1).

549 Section 15. **JR4-3-302** is amended to read:

550 **JR4-3-302 . Considering legislation that increases legislative workload.**

551 [(1)(a) The House shall refer any Senate legislation that increases legislative workload
552 to the House Rules Committee before giving the legislation a third reading.]

553 (1)(a) The House shall refer to the House Rules Committee any Senate legislation that:

554 (i) increases legislative workload; and

555 (ii) receives a favorable recommendation from a House standing committee.

556 (b) The Senate shall table on third reading any House legislation that:

557 (i) increases legislative workload; and

558 (ii) receives a favorable recommendation from a Senate standing committee.

559 (2) Except as provided in Subsection (3):

560 (a) each legislator shall prioritize legislation that increases legislative workload
561 described in Subsection (1) in accordance with the process established by legislative
562 leadership; and

563 (b) before adjourning on the 36th day of the annual general session:

564 (i) the House shall place Senate legislation prioritized under Subsection (2)(a) at the
565 top of the House's third reading calendar; and

566 (ii) the Senate shall place House legislation prioritized under Subsection (2)(a) at the
567 top of the Senate's third reading calendar.

568 (3) For a fiscal note bill that increases legislative workload:

569 (a) this rule does not apply; and

570 (b) the House and Senate shall comply with JR4-4-101.

571 [(2) Before adjourning on the 45th day of the annual general session:]

572 [(a) each legislator shall prioritize legislation that increases legislative workload in
573 accordance with the process established by legislative leadership; and]

574 [(b) the Legislature may pass or defeat any legislation prioritized under Subsection (2)(a).]

575 Section 16. **JR5-1-102** is amended to read:

576 **JR5-1-102 . Legislative Expenses Oversight Committee.**

577 [(1) The presiding officer and the majority leader and minority leader of each chamber are
578 the Legislative Expenses Oversight Committee for that chamber.]

579 (1) The Legislative Expenses Oversight Committee for each chamber shall consist of that
580 chamber's:

581 (a) presiding officer;

582 (b) majority leader; and

583 (c) minority leader, as defined in JR3-2-101.

584 (2) Each committee shall:

585 (a) establish procedures to implement the rules on legislative expenses, including
586 establishing systems and procedures for the reimbursement of legislative expenses;

587 (b) ensure that procedures are established for the purpose of avoiding duplicate or
588 improper payments or reimbursements; and

589 (c) meet ~~[at least annually]~~ as needed, or at the request of a majority of the committee, to
590 review legislative expenses and travel budgets.

591 (3) Each committee may, for a calendar year, authorize up to 10 authorized legislative
592 training days for each legislator.

593 (4) The presiding officer may authorize temporary emergency legislative expenses.

594 Section 17. **JR5-3-101** is amended to read:

595 **JR5-3-101 . Legislator compensation -- Expense reimbursement.**

596 (1) Except as provided under Subsection (2), a legislator shall receive daily compensation
597 established in accordance with Utah Code Sections 36-2-2 and 36-2-3 for an authorized
598 legislative ~~[days]~~ day as defined in JR5-1-101.

599 (2) The Legislative Management Committee may authorize compensation and expense
600 reimbursement, or expense reimbursement only, for a legislator who attends a meeting
601 on an authorized legislative day as defined in JR5-1-101.

602 (3) A legislator may not receive compensation for a meeting that the legislator attends
603 under:

604 (a) JR3-2-710;

605 (b) JR7-1-410;

(c) SR3-4-103; or

(d) HR3-3-103.

Section 18. **JR6-2-101** is amended to read:

JR6-2-101 . Ethics committees -- Membership.

(1) As used in this rule:

(a) "Minority leader" means the same as that term is defined in JR3-2-101.

(b) "Minority whip" means the second highest ranking leader of the minority party.

(2) There is established a Senate Ethics Committee and a House Ethics Committee.

[(2)] (3) The Senate Ethics Committee shall be composed of:

(a) the chair and three additional senators appointed by the president of the Senate; and

(b) the vice chair and three additional senators appointed by the Senate minority leader.

[(3)] (4) The House Ethics Committee shall be composed of:

(a) the chair and three additional representatives appointed by the speaker of the House of Representatives; and

(b) the vice chair and three additional representatives appointed by the House minority leader.

[(4)] (5) A committee member shall serve a two-year term.

[(5)] (6)(a) If a member of an ethics committee is accused of wrongdoing in a complaint to be reviewed by the committee, or if a member of an ethics committee determines that ~~[he or she]~~ the member has a conflict of interest in relation to a complaint to be reviewed by the ethics committee, a member of the Senate or House shall be appointed to temporarily serve in that member's place while the complaint is under review as follows:

(i) except as provided in Subsection ~~[(5)(a)(ii)]~~ (6)(a)(ii), the member shall be appointed by the person who appointed the member who is being temporarily replaced, consistent with Subsection ~~[(2)]~~ (3), for a member of the Senate Ethics Committee, or Subsection ~~[(3)]~~ (4), for the House Ethics Committee; or

(ii) if the person designated to make the appointment under Subsection ~~[(5)(a)(i)]~~ (6)(a)(i) is accused of wrongdoing in the complaint or determines that ~~[he or she]~~ the person has a conflict of interest in relation to the complaint, the appointment shall be made by:

(A) the Senate majority leader, if the person designated is the president of the Senate;

(B) the Senate minority whip, if the person designated is the Senate minority

- 640 leader;
- 641 (C) the House majority leader, if the person designated is the speaker of the
- 642 House; or
- 643 (D) the House minority whip, if the person designated is the House minority
- 644 leader.
- 645 (b) The temporary committee member's term ends when the committee has concluded its
- 646 review of the complaint.

647 Section 19. **JR6-2-103** is amended to read:

648 **JR6-2-103 . Independent Legislative Ethics Commission -- Membership.**

- 649 (1) As used in this rule, "minority leader" means the same as that term is defined in
- 650 JR3-2-101.
- 651 (2) There is established an Independent Legislative Ethics Commission.
- 652 [(2)] (3) The commission is composed of five persons, each of whom is registered to vote in
- 653 this state, appointed as follows:
- 654 (a) two members, who have served as judges of a court of record in this state, each of
- 655 whom shall be nominated by the mutual consent of the president of the Senate and
- 656 the speaker of the House, and appointed by a majority vote of the president of the
- 657 Senate, speaker of the House, Senate minority leader, and House minority leader;
- 658 (b) one member, who has served as a judge of a court of record in this state, nominated
- 659 by the mutual consent of the Senate minority leader and the House minority leader,
- 660 and appointed by a majority vote of the president of the Senate, speaker of the House,
- 661 Senate minority leader, and House minority leader;
- 662 (c) one member, who has served as a member of the Legislature in this state no more
- 663 recently than four years before the date of appointment, appointed by the mutual
- 664 consent of the president of the Senate and the speaker of the House of
- 665 Representatives; and
- 666 (d) one member, who has served as a member of the Legislature in this state no more
- 667 recently than four years before the date of appointment, appointed by the mutual
- 668 consent of the Senate minority leader and House minority leader.
- 669 [(3)] (4) A member of the commission may not, during the member's term of office on the
- 670 commission, act or serve as:
- 671 (a) an officeholder as defined in Utah Code Section 20A-11-101;
- 672 (b) an agency head as defined in Utah Code Section 67-16-3;
- 673 (c) a lobbyist as defined in Utah Code Section 36-11-102; or

(d) a principal as defined in Utah Code Section 36-11-102.

[(4)] (5)(a)(i) Except as provided in Subsection [(4)(a)(ii)] (5)(a)(ii), each member of the commission shall serve a four-year term.

(ii) When appointing the initial members upon formation of the commission, one member nominated by the president of the Senate and the speaker of the House of Representatives and one member nominated by the Senate minority leader and House minority leader shall be appointed to a two-year term so that approximately half of the commission is appointed every two years.

(b)(i) When a vacancy occurs in the commission's membership for any reason, a replacement member shall be appointed for the unexpired term of the vacating member using the procedures and requirements of Subsection [(2)] (3).

(ii) For the purposes of this rule, an appointment for an unexpired term of a vacating member is not considered a full term.

(c) A member may not be appointed to serve for more than two full terms, whether those terms are two or four years.

(d) A member of the commission may resign from the commission by giving one month's written notice of the resignation to the president of the Senate, speaker of the House, Senate minority leader, and House minority leader.

(e) The chair of the Legislative Management Committee shall remove a member from the commission if the member:

(i) is convicted of, or enters a plea of guilty to, a crime involving moral turpitude;

(ii) enters a plea of no contest or a plea in abeyance to a crime involving moral turpitude; or

(iii) fails to meet the qualifications of office as provided in this rule.

(f) If a commission member is accused of wrongdoing in a complaint, or if a commission member is found, under JR6-2-103.5, to have a conflict of interest in relation to a complaint, a temporary commission member shall be appointed to serve in that member's place for the purposes of reviewing that complaint using the procedures and requirements of Subsection [(2)] (3).

[(5)] (6)(a) A member of the commission may not receive compensation or benefits for the member's service, but may receive per diem and expenses incurred in the performance of the member's official duties as allowed in:

(i) Utah Code Section 63A-3-106;

(ii) Utah Code Section 63A-3-107; and

(iii) rules made by the Division of Finance according to Utah Code Sections 63A-3-106 and 63A-3-107.

(b) A member may decline to receive per diem and expenses for the member's service.

~~[(6)]~~ (7)(a) The commission members shall convene a meeting annually each January and elect, by a majority vote, a commission chair from among the commission members.

(b) A person may not serve as chair for more than two consecutive years.

Section 20. **JR6-4-306** is amended to read:

JR6-4-306 . Finding and order.

(1) As used in this rule, "minority leader" means the same as that term is defined in JR3-2-101.

~~[(1)]~~ (2)(a) If the committee determines that no allegations in the complaint were proved, the committee shall prepare a finding and order that:

(i) lists the name of each complainant;

(ii) lists the name of the respondent;

(iii) states the date of the finding and order;

(iv) for each allegation contained in the complaint:

(A) provides a reference to the code of conduct or criminal provision alleged to have been violated; and

(B) states the number and names of committee members voting that the allegation was proved and the number and names of committee members voting that the allegation was not proved;

(v) order that the complaint is dismissed because no allegations in the complaint were found to have been proved;

(vi) provide any general statement that is adopted for inclusion in the recommendation by a majority of the committee members; and

(vii) states the name of each committee member.

(b) Each committee member shall sign the finding and order.

~~[(2)]~~ (3)(a) If the committee determines that one or more allegations in the complaint were proved, the committee shall issue a finding and order that:

(i) lists the name of each complainant;

(ii) lists the name of the respondent;

(iii) states the date of the finding and order;

(iv) for each allegation contained in the complaint:

- 742 (A) provides a reference to the code of conduct or criminal provision alleged to
743 have been violated;
- 744 (B) states the number and names of committee members voting that the allegation
745 was proved and the number and names of committee members voting that the
746 allegation was not proved;
- 747 (C) if the allegation was not found to have been proven, orders that the allegation
748 be dismissed; and
- 749 (D) if the allegation was found to have been proven, contains:
- 750 (I) a description of any actions that the committee recommended be taken;
- 751 (II) the number and names of committee members voting in favor of each
752 recommendation and the number and names of committee members voting
753 against each recommendation;
- 754 (III) at the option of those members voting in favor of a recommendation, a
755 statement by one or all of those members stating the reasons for making the
756 recommendation; and
- 757 (IV) at the option of those members against a recommendation, a statement by
758 one or all of those members stating the reasons for opposing the
759 recommendation;
- 760 (v) contains any general statement that is adopted for inclusion in the finding and
761 order by a majority of the committee members;
- 762 (vi) contains a statement directing that the finding be delivered to:
- 763 (A) for the Senate Ethics Committee, to the president of the Senate, the Senate
764 majority leader, and the Senate minority leader; or
- 765 (B) for the House Ethics Committee, to the speaker of the House of
766 Representatives, the House majority leader, and the House minority leader; and
- 767 (vii) states the name of each committee member.
- 768 (b) Each committee member shall sign the finding and order.
- 769 ~~[(3)]~~ (4) A copy of the finding and order shall be made publicly available.
- 770 ~~[(4)]~~ (5) A written copy of the finding and order shall be provided to:
- 771 (a) the respondent;
- 772 (b) the first complainant named on the complaint; and
- 773 (c) any individuals required to receive a copy as stated in the finding and order.
- 774 Section 21. **JR7-1-101** is amended to read:
- 775 **JR7-1-101 . Definitions.**

As used in this chapter:

- (1) "Anchor location" means the physical location from which:
 - (a) an electronic meeting originates; or
 - (b) the participants are connected.
- (2) "Authorized legislative committee" means:
 - (a) an interim committee;
 - (b) the Legislative Management Committee;
 - (c) the Legislative Process Committee;
 - (d) when functioning as an interim committee:
 - (i) the Senate Rules Committee created in SR3-1-101; or
 - (ii) the House Rules Committee created in HR3-1-101; or
 - (e) a special committee:
 - (i) that is not a mixed special committee; and
 - (ii) to the extent the special committee has statutory authority to open a committee bill file or create a committee bill.
- (3) "Bill" means the same as that term is defined in JR4-1-101.
- (4) "Chair" except as otherwise expressly provided, means:
 - (a) the member of the Senate appointed as chair of an interim committee by the president of the Senate under JR7-1-202;
 - (b) the member of the House of Representatives appointed as chair of an interim committee by the speaker of the House of Representatives under JR7-1-202;
 - (c) a member of a special committee appointed as chair of the special committee; or
 - (d) a member of a legislative committee designated by the chair of the legislative committee under Subsection (4)(a), (b), or (c) to act as chair under JR7-1-202.
- (5) "Committee bill" means draft legislation that receives a favorable recommendation from an authorized legislative committee.
- (6) "Committee bill file" means a request for legislation made by:
 - (a) a majority vote of an authorized legislative committee; or
 - (b) the chairs of an authorized legislative committee, if the authorized legislative committee authorizes the chairs to open one or more committee bill files in accordance with JR7-1-602.
- (7) "Committee note" means a note that the Office of Legislative Research and General Counsel places on legislation in accordance with JR4-2-401.
- (8) "Draft legislation" means a draft of a bill or resolution before it is numbered by the

Office of Legislative Research and General Counsel.

(9) "Electronic meeting" means the same as that term is defined in Utah Code Section 52-4-103.

(10) "Favorable recommendation" means an action of an authorized legislative committee by majority vote to favorably recommend legislation for consideration by the Legislature in an upcoming legislative session.

(11) "Legislative committee" means:

(a) an interim committee; or

(b) a special committee.

(12) "Interim committee" means a committee that:

(a) is comprised of members from both chambers;

(b) meets between annual general sessions of the Legislature to perform duties described in rule; and

(c) is created under JR7-1-201.

(13) "Legislative sponsor" means:

(a) for a committee bill file, the chairs of the authorized legislative committee that opened the committee bill file or the chairs' designee; or

(b) for a request for legislation that is not a committee bill file, the legislator who requested the request for legislation or the legislator's designee.

(14) "Majority vote" means:

(a) with respect to an interim committee, an affirmative vote of at least 50% of a quorum of members of the interim committee from one chamber and more than 50% of a quorum of members of the interim committee from the other chamber; or

(b) with respect to a special committee, an affirmative vote of more than 50% of a quorum.

(15) "Minority leader" means the same as that term is defined in JR3-2-101.

(16) "Minority party" means the same as that term is defined in JR3-2-101.

~~[(15)]~~ (17) "Mixed special committee" means a special committee that is composed of one or more voting members who are legislators and one or more voting members who are not legislators.

~~[(16)]~~ (18) "Original motion" means a nonprivileged motion that is accepted by the chair when no other motion is pending.

~~[(17)]~~ (19) "Pending motion" means a motion described in JR7-1-307.

~~[(18)]~~ (20) "Privileged motion" means a motion to adjourn, set a time to adjourn, recess, end

844 debate, extend debate, or limit debate.

845 [(19)] (21) "Public statement" means a statement made in the ordinary course of business of
846 a legislative committee with the intent that all other members of the legislative
847 committee receive it.

848 [(20)] (22) "Request for legislation" means the same as that term is defined in JR4-1-101.

849 [(21)] (23) "Resolution" means the same as that term is defined in JR4-1-101.

850 [(22)] (24)(a) "Special committee" means a committee, commission, task force, or other
851 similar body that is:

852 (i) created by legislation; and

853 (ii) staffed by:

854 (A) the Office of Legislative Research and General Counsel; or

855 (B) the Office of the Legislative Fiscal Analyst.

856 (b) "Special committee" does not include:

857 (i) an interim committee;

858 (ii) a standing committee created under SR3-2-201 or HR3-2-201; or

859 (iii) a Senate confirmation committee described in SR3-3-101 or SR3-3-201.

860 [(23)] (25) "Subcommittee" means a subsidiary unit of a legislative committee formed in
861 accordance with JR7-1-411.

862 [(24)] (26) "Substitute motion" means a nonprivileged motion that a member of a legislative
863 committee makes when there is a nonprivileged motion pending.

864 **Section 22. Effective Date.**

865 This resolution takes effect upon a successful vote for final passage.