

# Joint Rules

## Title JR1. Joint Rules Governing General Legislative Organization and Process

### Chapter 1 Rules of Procedure

#### **JR1-1-101 Sources governing legislative procedure.**

Rules of legislative procedure are derived from several sources and take precedence in the following order:

- (1) constitutional provisions, statutory provisions, and case law;
- (2) these legislative rules;
- (3) custom, usage, and practice; and
- (4) Mason's Manual of Legislative Procedure.

Enacted by H.J.R. 9, 2006 General Session

#### **JR1-1-102 Adoption of legislative rules.**

- (1)
  - (a) At the beginning of each legislative session, the Legislature shall adopt Joint Rules by a constitutional two-thirds vote of all senators and representatives.
  - (b) Except as provided in Subsection (1)(c), after the initial adoption of Joint Rules, the Legislature may adopt additional Joint Rules or amend or repeal existing Joint Rules by a constitutional majority vote.
  - (c) The Legislature may adopt or amend a Joint Rule that includes a voting requirement of more than a constitutional majority only by a constitutional two-thirds vote of all senators and representatives.
- (2) The Senate and House Rules Committees shall:
  - (a) meet before each annual general session of the Legislature convenes;
  - (b) review Joint Rules; and
  - (c) recommend to the Legislature any modifications that they consider necessary.

#### **JR1-1-103 Legislative general counsel to correct certain technical errors in legislative rules.**

The legislative general counsel may correct technical errors in the Rules of the Utah Legislature in preparing the rules for publication, including:

- (1) adopting a uniform system of punctuation, capitalization, numbering, or wording;
- (2) eliminating duplication or the repeal of rules directly or by implication, including renumbering when necessary;
- (3) correcting defective or inconsistent rule or paragraph structure in the arrangement of the subject matter of existing rules;
- (4) eliminating obsolete or redundant words;
- (5) correcting obvious errors or inconsistencies, including those involving punctuation, capitalization, cross references, numbering, or wording;
- (6) changing the boldface to more accurately reflect the substance of each rule, part, chapter, or title; and

- (7) merging or determining priority of any amendments, enactments, or repealers to the same rule provisions.

**JR1-1-104 Single chamber's authority to suspend Joint Rules.**

- (1) Except as provided in Subsection (2), a single chamber may not suspend a Joint Rule.
- (2) A single chamber may suspend by motion and majority vote one or more of the following rules:
  - (a) JR2-1-103;
  - (b) JR4-3-103(2);
  - (c) JR4-3-105;
  - (d) JR4-3-302;
  - (e) JR4-4-101(2)(b);
  - (f) JR4-4-201; or
  - (g) JR4-4-202.
- (3) A motion and vote under Subsection (2) is valid only if the legislator making the motion identifies in the motion each rule the legislator intends to suspend.

**Chapter 2  
Convening and Adjourning the Legislature**

**Part 1  
Convening the Legislature**

**JR1-2-101 Convening the Legislature -- Process -- Date.**

- (1) The Legislature shall convene:
  - (a) on the date set by the Utah Constitution for the beginning of the annual general session;
  - (b) on the date set by the governor in the proclamation that calls the Legislature into special session; or
  - (c) on the date set by joint proclamation of the president and the speaker that convenes the Legislature into special session.
- (2) The Legislature shall convene by:
  - (a) each chamber being called to order;
  - (b) having an invocation;
  - (c) reciting the pledge of allegiance;
  - (d) reading the certificates of election and giving the oath of office to legislators, if necessary;
  - (e) calling the roll and declaring whether or not a quorum is present;
  - (f) electing a presiding officer, if necessary;
  - (g) appointing standing committees, if necessary;
  - (h) adopting rules;
  - (i) giving and receiving the notifications required in JR1-2-102 and JR1-2-103; and
  - (j) introducing bills.
- (3) Nothing in this rule:
  - (a) requires the Senate or House to perform the items in this rule in a particular order; or
  - (b) prohibits the Senate or House from adding or deleting items.

(4)The daily order of business set forth in SR1-5-103 and HR1-5-103 governs on all legislative days other than the day on which the Legislature convenes.

**JR1-2-102 Notification of organization of each chamber.**

Immediately after the organization of the Senate and House of Representatives at the beginning of each session of the Legislature, each chamber shall appoint a committee composed of three legislators to notify the other chamber that it is organized and ready to transact business.

**JR1-2-103 Joint committee to notify governor.**

Upon a motion of the respective chambers, a joint committee consisting of three senators and three representatives shall be appointed to inform the governor personally that both chambers of the Legislature:

- (1)have convened and are organized; and
- (2)are ready to receive any communications from the governor.

**Part 2**  
**Adjourning the Legislature**

**JR1-2-201 Consent of other chamber required.**

- (1)Except as provided in Subsection (2), each chamber may adjourn from day to day until:
  - (a)the constitutional time limit for an annual general session or special session expires;
  - (b)the Legislature is dissolved because the terms of office of a majority of the members of the legislative body have expired; or
  - (c)the Legislature adjourns sine die.
- (2)As provided in Utah Constitution, Article VI, Section 15, neither chamber may adjourn for more than three days unless the other chamber consents by majority vote.

**JR1-2-202 Adjournment sine die.**

- (1)
  - (a)If the Legislature is meeting until midnight on the last day of any session, the speaker and the president shall, at midnight, announce the time to the members of their respective chambers.
  - (b)Each chamber shall cease its business at midnight.
- (2)The Legislature shall adjourn sine die after:
  - (a)a committee from each chamber has notified the opposite chamber that they have completed their work;
  - (b)a joint committee has notified the governor that the Legislature has completed its work; and
  - (c)the governor has informed the joint committee that the governor has nothing further to present to the Legislature.

## Chapter 3 Record and Distribution of Legislative Action

### Part 1 Recording Legislative Action

#### **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 designee shall ensure that adopted Senate amendments are inserted in the bill on goldenrod paper.
  - (b) The chief clerk of the House or her designee shall ensure that adopted House amendments are inserted in the bill on lilac paper.

Enacted by H.J.R. 9, 2006 General Session

#### **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;
  - (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.

### Part 2 Use of Legislative Seal

#### **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, 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.

Enacted by H.J.R. 9, 2006 General Session

## **Chapter 4 Miscellaneous Rules**

### **Part 2 Working Meals**

#### **JR1-4-201 Working meals -- Reimbursement to staff offices.**

- (1) A legislative staff office may purchase a meal for a legislator who is working with the staff on legislative duties through a mealtime subject to the rate limitations provided under JR5-2-102.
- (2) The House, Senate, another legislative staff office, or a legislator, may reimburse a legislative staff office for a meal provided under Subsection (1).

Enacted by S.J.R. 11, 2015 General Session

### **Part 3 Unlawful Harassment**

#### **JR1-4-301 News media -- Unlawful harassment.**

- (1) Beginning on January 1, 2019, in order to obtain or maintain House or Senate press credentials, a member of the news media shall:
  - (a) on an annual basis, take online training provided by the Legislature on unlawful harassment; and
  - (b) sign a document indicating that the member has received a copy of, and agrees to abide by, the Legislature's policy on unlawful harassment.
- (2)
  - (a) A member of the news media is prohibited from engaging in unlawful harassment of a member, employee, or volunteer of the Legislature.
  - (b) The Legislature may revoke a member of the media's press credentials, or take other remedial action, if the member of the media violates Subsection (2)(a) or otherwise violates the Legislature's harassment policy.

## Part 4 Electronic Meetings

### JR1-4-401 Definitions.

As used in this part:

- (1) "Anchor location" means the same as that term is defined in Utah Code Section 52-4-103.
- (2) "Electronic meeting" means the same as that term is defined in Utah Code Section 52-4-103.
- (3) "Emergency electronic meeting" means an electronic meeting described in Utah Code Subsection 52-4-207(5).
- (4) "Legislative public body" means a public body as defined in Utah Code Section 52-4-103 that is governed by legislative rules.
- (5) "Meeting" means the same as that term is defined in Utah Code Section 52-4-103.
- (6) "Participate" means the same as that term is defined in Utah Code Section 52-4-103.
- (7)
  - (a) "Presiding officer" means the individual presiding over the Senate or the House of Representatives.
  - (b) "Presiding officer" includes:
    - (i) for the Senate:
      - (A) the president;
      - (B) the president pro tempore; and
      - (C) any senator presiding under SR1-3-103; and
    - (ii) for the House of Representatives:
      - (A) the speaker;
      - (B) the speaker pro tempore; and
      - (C) any representative presiding under HR1-3-103.
- (8) "Specified reason" means:
  - (a) illness or injury of a member or a member's relative;
  - (b) health or safety concerns of a member or a member's relative;
  - (c) emergency travel;
  - (d) an emergency work related issue;
  - (e) an emergency child care related issue;
  - (f) a mandatory action day or a special circumstance day as those terms are defined in Utah Code Section 63A-17-111; or
  - (g) a circumstance similar to the circumstances described in Subsections (8)(a) through (f).

### JR1-4-402 Meeting format and participation -- Electronic meeting policy.

- (1) In accordance with this part and Utah Code Title 52, Chapter 4, Open and Public Meetings Act, a legislative public body may convene and conduct a meeting of the legislative public body as an electronic meeting, subject to budget, public policy, and logistical considerations.
- (2)
  - (a) Except as allowed under this rule, a member of a legislative public body who attends a meeting of the legislative public body, including an electronic meeting, shall attend the meeting in person.
  - (b) A member of a legislative public body may attend an electronic meeting of the legislative public body by electronic means only if the member:

- (i) has a specified reason; and
- (ii) informs:
  - (A) the presiding officer or the presiding officer's designee; or
  - (B) the chair or the chair's designee.
- (c) A legislative public body shall provide a description of how to electronically connect to an electronic meeting:
  - (i) to each member authorized to attend the meeting by electronic means under Subsection (2)(b); and
  - (ii)
    - (A) 24 hours before the meeting is scheduled to begin; or
    - (B) if it is impracticable to comply with the 24-hour requirement in Subsection (2)(c)(ii)(A), as soon as possible before the meeting begins.
- (3) The presiding officer or the chair of a legislative public body shall conduct an electronic meeting of the legislative public body from the anchor location.
- (4) When a legislative public body convenes an electronic meeting, a member of the legislative public body is considered present for all purposes, including determining a quorum, only if the member is:
  - (a) present in person at the anchor location; or
  - (b) participating in the meeting by electronic means.
- (5) When a member of a legislative public body attends a meeting of the legislative public body by electronic means in accordance with this part, the member shall ensure that:
  - (a) if participating via video conference, the member's attire and appearance are consistent with the attire and appearance that would be expected if the member were attending the meeting in person; and
  - (b) the member's location:
    - (i) reflects the dignity of the meeting, particularly if the member is attending via video conference; and
    - (ii) is free from any sight or noise that:
      - (A) can be seen or heard by others during the meeting; and
      - (B) is extraneous, distracting, disruptive, or inappropriate.
- (6) A member of a legislative public body may not attend a meeting by electronic means while engaging in any activity that would be abnormal or prohibited if the member were attending the meeting in person, including operating a motor vehicle.
- (7) In accordance with Utah Code Section 52-4-207, a legislative public body that convenes and conducts an electronic meeting may provide a means by which members of the public who are not physically present at the anchor location may attend the meeting by electronic means.
- (8) Notwithstanding the other provisions of this rule:
  - (a) any member of a legislative public body may attend an emergency electronic meeting by electronic means; and
  - (b) the presiding officer or the chair of a legislative public body may conduct an emergency electronic meeting of the legislative public body remotely by electronic means.

## **Part 5**

### **Congressional Vacancies**

**JR1-4-501 Legislative recommendations to temporarily fill a vacancy in office of United States senator.**

- (1) If a vacancy occurs in the office of United States senator, the Legislature shall, in accordance with this rule and Utah Code Subsection 20A-1-502(4), nominate three individuals, one of whom the governor will appoint to temporarily fill the vacancy.
- (2) The Legislative Management Committee shall:
  - (a) adopt a joint resolution proposing three or more names to the Legislature to consider for nomination;
  - (b) determine which chamber of the Legislature will first consider the resolution; and
  - (c) assign a floor sponsor for the resolution in each chamber.
- (3) The Legislature shall, by majority vote of each chamber, submit a final resolution, containing the names of only three individuals, to the governor as the Legislature's nominees.

**Part 6**

**Performance Reporting and Government Efficiency Improvement Process**

**JR1-4-601 Definitions.**

As used in this part:

- (1) "Appropriated entity" means the same as that term is defined in Utah Code Section 63J-1-902.
- (2) "Efficiency evaluation" means an evaluation of a government process identified for efficiency improvements under this part.
- (3) "Government process" means the same as that term is defined in Utah Code Section 63J-1-902.
- (4) "Legislative office" means:
  - (a) the Office of Legislative Research and General Counsel;
  - (b) the Office of the Legislative Auditor General;
  - (c) the Office of the Legislative Fiscal Analyst; or
  - (d) Legislative Services.
- (5) "Performance measure" means the same as that term is defined in Utah Code Section 63J-1-902.
- (6) "Product or service" means the same as that term is defined in Utah Code Section 63J-1-902.

**JR1-4-602 Performance reporting.**

Each legislative office shall:

- (1) develop performance measures to include in an appropriations act for each fiscal year; and
- (2) annually submit to the Subcommittee on Oversight created in Utah Code Section 36-12-8.1 a report that contains:
  - (a) any recommendations for legislative changes for the next fiscal year to the office's previously adopted performance measures; and
  - (b) the final status of the office's performance measures included in the appropriations act for the fiscal year ending the previous June 30.

**JR1-4-603 Efficiency improvement process.**



- (1)
  - (a) When conducting an efficiency evaluation under this rule, the Office of the Legislative Fiscal Analyst may work with the Governor's Office of Planning and Budget and the appropriated entity that administers the government process to identify:
    - (i) any operational inefficiencies in the government process and ways to eliminate the inefficiencies;
    - (ii) rewards or incentives for implementing recommendations of the efficiency evaluation; and
    - (iii) any misalignment in the appropriated entity's products or services in relation to the appropriated entity's adopted performance measures.
  - (b) The Office of the Legislative Fiscal Analyst shall report to the Office of the Legislative Auditor General the results of each efficiency evaluation.
- (2)
  - (a) The Office of the Legislative Auditor General shall independently review the results of each efficiency evaluation and may conduct initial survey work.
  - (b) Based on the review described in Subsection (2)(a), the Office of the Legislative Auditor General may recommend to the Audit Subcommittee created in Utah Code Section 36-12-8 that the Office of the Legislative Auditor General conducts an in-depth audit of the appropriated entity.
  - (c) The Office of the Legislative Auditor General shall provide a copy of any in-depth audit to the Audit Subcommittee created in Utah Code Section 36-12-8 for referral to a legislative committee or appropriations subcommittee.
- (3) Upon receipt of an in-depth audit under Subsection (2)(c):
  - (a) a legislative interim committee shall:
    - (i) review the appropriated entity that is the subject of the in-depth audit; and
    - (ii) if appropriate, recommend to the Legislature any legislation to improve the efficiency of the appropriated entity; and
  - (b) a legislative appropriations subcommittee shall:
    - (i) review the appropriated entity that is the subject of the in-depth audit;
    - (ii) determine whether the appropriated entity is appropriately using the appropriated entity's state funds; and
    - (iii) if appropriate, recommend to the Legislature any budgetary changes to improve the efficiency of the appropriated entity.
- (4) As part of the efficiency improvement process described in this rule, the Office of the Legislative Fiscal Analyst or the Office of the Legislative Auditor General may, in consultation with the Governor's Office of Planning and Budget:
  - (a) recommend that an appropriated entity receives training; or
  - (b) provide training to the appropriated entity.
- (5) The efficiency improvement process described in this rule does not apply to a legislative department government process.

## **Part 7 Personnel**

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

Before July 1 each year the president and speaker shall:

- (1) 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) 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.

## **Title JR2. Special Sessions and Veto Override Session**

### **Chapter 1 Special Sessions**

#### **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 session.

#### **JR2-1-102 Introduction of bills.**

Legislation authorized by the governor's special session proclamation or by joint proclamation of the president and the speaker may be introduced in either chamber at any time during a special session of the Legislature.

#### **JR2-1-103 Motion to reconsider.**

- (1) Except as provided in Subsection (2), during a special session, a senator may make a motion to reconsider in accordance with Senate Rules governing floor procedures and a representative may make a motion to reconsider in accordance with House Rules governing floor procedures.
- (2) The following provisions do not apply to a motion to reconsider made during a special session:
  - (a) SR4-9-101(2)(c) and (3); and
  - (b) HR4-9-101(2)(d) and (3).

### **Chapter 2 Veto Override Sessions**

#### **Part 1 General Veto Override Procedures**

#### **JR2-2-101 Veto override process.**

- (1) A bill passed by the Legislature and vetoed by the governor shall be reconsidered first in the chamber of origin of the bill.
- (2)
  - (a) When a vetoed bill is returned to the House or Senate by the governor, it shall be placed on the third reading calendar.
  - (b) The Legislature may not amend or otherwise modify a vetoed bill or item of appropriation.
- (3) If a constitutional two-thirds of the members elected to the first chamber vote to pass the bill, it shall be sent to the other chamber, together with the governor's objections.
- (4) If a constitutional two-thirds of the members elected to the other chamber approve the bill, the bill becomes law.

## **Part 2**

### **Veto Override Sessions**

#### **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.

#### **JR2-2-202 Scope.**

The Legislature may consider only bills or appropriation items vetoed by the governor and may not consider any bill or appropriation item that was not vetoed by the governor.

Enacted by H.J.R. 9, 2006 General Session

**JR2-2-203 Rules governing.**

Except as otherwise provided in this chapter, the rules adopted by each chamber of the Legislature during the immediately preceding annual general session apply to the conduct of that chamber during a veto override session.

**Title JR3. Joint Conventions and Joint Committees**

**Chapter 1  
Joint Conventions**

**JR3-1-101 Process for calling and conducting -- Scope.**

- (1)
  - (a)The president of the Senate and the speaker of the House may, by mutual consent, call joint conventions of the two chambers and shall include in the call the purpose for which the joint convention is called.
  - (b)Joint conventions shall be held in the chambers of the House of Representatives, with the president of the Senate presiding.
- (2)At the time fixed for the joint convention:
  - (a)the House of Representatives shall prepare to receive the Senate; and
  - (b)the Senate shall proceed to the chamber of the House of Representatives.
- (3)The secretary of the Senate and the chief clerk of the House of Representatives shall:
  - (a)act as secretaries of the joint convention; and
  - (b)enter the proceedings of the convention in the journal of at least one chamber.
- (4)At a joint convention, members of either chamber may not engage in the transaction of any business other than that for which they were assembled.

**JR3-1-102 Rules governing joint conventions.**

- (1)The House Rules govern the proceedings in joint convention except those House Rules that are clearly not applicable.
- (2)
  - (a)Absent House members may be compelled to attend joint conventions under House Rules.
  - (b)Absent Senate members may be compelled to attend joint conventions under Senate Rules.
  - (c)The sergeant-at-arms of each chamber shall attend joint conventions to compel the attendance of absent members if called upon.
- (3)Joint conventions may adjourn from time to time as necessary.

**Chapter 2  
Joint Committees**

## Part 1 General Rules Governing Joint Committees

### 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)"Original motion" means a non-privileged motion that is accepted by the chair when no other motion is pending.
- (10)"Pending motion" refers to 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)
  - (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)
  - (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)"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)
  - (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) "Substitute motion" means a non-privileged motion that is made when a non-privileged motion is pending.

(16) "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.

### **JR3-2-102 Rules governing joint committees.**

Committees of the Legislature meeting jointly shall be organized and operate under:

- (1) standing committee rules, for standing committees meeting jointly;
- (2) interim committee rules, for interim committees meeting jointly; and
- (3) the rules under this part, for joint appropriations subcommittee or the Executive Appropriations Committee.

Amended by H.J.R. 15, 2017 General Session

### **JR3-2-103 Minimum membership.**

Each standing, appropriation, and interim committee, meeting jointly, shall have at least two senators and at least two representatives in its membership.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

## **Part 2 Standing Committees**

### **JR3-2-201 Standing committees.**

The chairs of similar standing committees in the House and Senate may convene a joint standing committee meeting to discuss legislation of common interest with the approval of both the speaker of the House and president of the Senate.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

## **Part 3 Creation and Organization**

### **JR3-2-301 Joint Appropriations Committee -- Creation.**

The Joint Appropriations Committee of the Legislature consists of all the members of the Legislature.

Enacted by H.J.R. 9, 2006 General Session

### **JR3-2-302 Joint appropriations subcommittees -- Creation -- Membership.**

The members of the Joint Appropriations Committee shall be divided into the following joint appropriations subcommittees:

- (1)Transportation and Infrastructure;
- (2)Economic and Community Development;
- (3)Executive Offices and Criminal Justice;
- (4)Social Services;
- (5)Higher Education;
- (6)Natural Resources, Agriculture, and Environmental Quality;
- (7)Public Education; and
- (8)General Government.

**JR3-2-303 President and speaker to appoint committee members, chairs, and vice chairs.**

- (1)
  - (a)The president of the Senate and speaker of the House shall appoint their respective members to each committee.
  - (b)
    - (i)The president of the Senate shall designate one senator in each committee as the Senate chair.
    - (ii)The speaker of the House shall designate one representative in each committee as the House chair and one representative in each committee as the House vice chair.
- (2)A vice chair may perform the duties of a chair:
  - (a)as requested by the chair; or
  - (b)in the absence of the chair.
- (3)The chair, or the vice chair as authorized under Subsection (2), may designate a member of the committee to conduct a committee meeting when neither the chair nor the vice chair is able to attend a meeting.
- (4)A committee member designated under Subsection (3) may conduct a committee meeting but may not perform the duties of a chair described in JR3-2-603 and JR3-2-604.
- (5)The Office of the Legislative Fiscal Analyst shall staff the joint appropriations subcommittees.

Amended by S.J.R. 2, 2021 General Session

**Part 4**

**Executive Appropriations Committee and Appropriation Process -- Session**

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

- (1) 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) A member of the Executive Appropriations Committee, whose membership is determined under Subsection (1)(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) The Office of the Legislative Fiscal Analyst shall staff the Executive Appropriations Committee.

Amended by H.J.R. 15, 2017 General Session

**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 recommendations, to include a forecast for federal fund receipts;
    - (ii) consider treating above-trend revenue growth as one-time revenue for major tax types and for federal funds;
    - (iii) hear a report on the historical, current, and anticipated status of the following:
      - (A) debt;
      - (B) long term liabilities;
      - (C) contingent liabilities;
      - (D) General Fund borrowing;
      - (E) reserves;
      - (F) fund balances;
      - (G) nonlapsing appropriation balances;
      - (H) cash funded infrastructure investment; and
      - (I) changes in federal funds paid to the state;
    - (iv) hear a report on:
      - (A) the next fiscal year base budget appropriation for Medicaid accountable care organizations according to Utah Code Section 26B-3-203;
      - (B) an explanation of program funding needs;
      - (C) estimates of overall medical inflation in the state; and
      - (D) mandated program changes and their estimated cost impact on Medicaid accountable care organizations;
    - (v) decide whether to set aside special allocations for the end of the session, including allocations:
      - (A) to address any anticipated reduction in the amount of federal funds paid to the state; and
      - (B) of one-time revenue to pay down debt and other liabilities;
    - (vi)
      - (A) hear a report on construction inflation and the ongoing operation and maintenance costs of any capital development project requested by an institution under Utah Code Section 53B-2a-117 or 53B-22-204; and



- (B)in response to the report described in Subsection (1)(a)(vi)(A), decide whether to adjust the next fiscal year base budget or set aside special allocations for the end of the session;
  - (vii)decide whether to set aside special allocations for legislation that will reduce taxes, including legislation that will reduce one or more tax rates;
  - (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 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) using money from the General Fund, Income Tax Fund, and Uniform School Fund;
    - (B)accumulate money set aside under Subsection (1)(a)(vii) across fiscal years; and
    - (C)when the total amount set aside under Subsection (1)(a)(vii), 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 this meeting.
- (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.

**JR3-2-403 Quorum requirements.**

A quorum of a joint appropriations subcommittee and the Executive Appropriations Committee is at least 50% in one chamber and more than 50% in the other, subject to the requirements in JR3-2-404.

**JR3-2-404 Voting requirements.**

- (1)A majority vote of a joint appropriations subcommittee and the Executive Appropriations Committee is at least 50% of those in attendance in one chamber and more than 50% of those in attendance in the other.
- (2)For an appropriation subcommittee, and excluding the Executive Appropriations Committee, in determining whether a quorum is present, a legislator who is the president, the speaker, a majority leader, a majority whip, an assistant majority whip, the Senate Rules Committee chair, the Senate Rules Committee vice chair, the House Rules Committee chair, the House Rules Committee vice chair, an Executive Appropriations Committee chair, an Executive Appropriations Committee vice chair, a minority leader, a minority whip, an assistant minority whip, or the fourth member of leadership from a minority party, is not counted in determining a quorum for the committee, except during the time that the legislator is present at the meeting.

**JR3-2-405 Committee order of business.**

Unless a committee chair, or a committee by majority vote, determines otherwise, the order of business for an appropriations committee is:

- (1) call to order by the chair;
- (2) approval of the minutes of previous meetings;
- (3) announcement of the agenda;
- (4) announcement of time restrictions, if any, subject to the requirements of JR3-2-604; and
- (5) consideration of appropriations committee business.

Enacted by H.J.R. 15, 2017 General Session

**Part 5**  
**Executive Appropriations Committee and Subcommittees -- Interim**

**JR3-2-501 Meetings -- Accountable process budget creation -- Appropriations and fee reviews.**

- (1)
  - (a) During the interim, the Executive Appropriations Committee shall meet at least every other month on the day before interim meetings.
  - (b) The appropriations subcommittee chairs may attend these meetings and provide input regarding their budget.
- (2) Appropriations subcommittees shall meet at least once during the interim and may also hold additional meetings if authorized by the Legislative Management Committee.
- (3)
  - (a) Each interim, each appropriations subcommittee shall create an accountable process budget for approximately 20% of the budgets that fall within the appropriations subcommittee's responsibilities.
  - (b) Each appropriations subcommittee shall ensure that each of the budgets for which the appropriations subcommittee has responsibility is the subject of an accountable budget process at least once every five years.
  - (c) For each budget that is subject to an accountable budget process, an appropriations subcommittee shall:
    - (i) review and discuss the budget evaluation submitted in accordance with Utah Code Section 63J-1-903;
    - (ii) identify whether any portion of the budget overlaps with another budget; and
    - (iii) identify any opportunities to increase budgetary efficiencies.
  - (d) If a fee agency's budget is subject to review under Subsection (3)(c), an appropriations subcommittee shall:
    - (i) review the fee agency's current fee schedule submitted under Utah Code Section 63J-1-504; and
    - (ii) consider and make recommendations regarding:
      - (A) the methods the fee agency uses to determine the amount of each fee; and
      - (B) the fee agency's estimated cost related to each fee.
- (4)
  - (a) The Executive Appropriations Committee may, based on a legislator's or citizen's complaint, review any appropriation, whether in an appropriations bill or otherwise, to ensure that the entity to which the funds were appropriated complies with any legislative intent expressed in the legislation appropriating the funds.
  - (b) If the Executive Appropriations Committee finds that an entity has not complied with any legislative intent concerning an appropriation expressed in the legislation appropriating the fund, the committee may make a recommendation concerning the appropriation to the entity receiving the funds and the Legislative Management Committee.

**Part 6  
Duties of a Committee Chair**

**JR3-2-601 Chair to enforce legislative rules and procedures.**

The chair shall ensure the integrity of the appropriations committee process by enforcing legislative rules and parliamentary procedure without delay.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

**JR3-2-602 Chair to set agenda -- Requirements.**

The chair of an appropriations committee shall set the agenda for the committee meeting.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

**JR3-2-603 Chair to post notice and agenda -- Notification to sponsors of request for an appropriation.**

- (1) The chair shall cause a public notice and agenda to be posted at least 24 hours before each appropriations committee meeting as required under Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (2) The chair shall notify the sponsor of a request for appropriation that is listed on an agenda of the time and place of the committee meeting in which the request for appropriation will be considered not less than 24 hours before the committee meeting.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

**JR3-2-604 Chair may direct order of agenda -- Time restrictions.**

The chair, or a committee by majority vote, may adopt committee procedures and time restrictions, including:

- (1) directing the order of the agenda;
- (2) directing the order in which a witness or presenter will be heard;
- (3) directing the number of witnesses or presenters that will be heard; and
- (4) limiting the time the committee will spend on:
  - (a) an item on the agenda; or
  - (b) an individual witness or presenter.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

**JR3-2-605 Chair to preserve order and decorum.**

In accordance with JR7-1-302, the chair shall preserve order and decorum during a committee meeting.

**JR3-2-606 Chair to recognize committee members -- Remarks to be germane -- Committee members may make motions when recognized -- Addressing the committee.**

- (1) The chair shall recognize a committee member who desires to speak to a subject that is under consideration by an appropriations committee.
- (2) Upon recognition by the chair, a committee member:
  - (a) shall ensure that the member's remarks are germane to the subject under consideration; and
  - (b) may make a motion that is authorized by this chapter.
- (3)
  - (a) Presenters, witnesses, visitors, staff, and committee members may not speak to an appropriations committee unless recognized by the chair.

- (b) The chair may not take comment from a member of the public unless:
  - (i) the individual provides the individual's legal name and the entity that the individual represents, if any; and
  - (ii) if the individual is participating via video conference:
    - (A) the individual provides the individual's place of residence; and
    - (B) the individual's video is enabled.

**JR3-2-607 Chair to accept all motions that are in order -- Once accepted, the motion is pending.**

- (1) The chair shall accept a motion requested by a member of an appropriations committee who has been properly recognized unless the motion is prohibited by this chapter or by parliamentary procedure.
- (2) To properly accept a motion, the chair shall:
  - (a) restate each verbal motion; and
  - (b) distribute copies of each written motion to members of the committee.
- (3) When a chair properly accepts a motion under Subsection (2), the motion is pending.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-608 Chair to allow response to motions before placing motions for a vote.**

After a motion has been accepted, and before the chair places a motion for a vote, the chair shall permit:

- (1) members of the committee to ask the committee member who placed the motion questions about the motion;
- (2) members of the committee to debate the motion;
- (3) the sponsor of a budget item or request for appropriation that is affected by the motion to respond to the motion; and
- (4) the committee member who placed the motion to have the final word on the motion.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-609 Chair to place motion for vote.**

After the chair has permitted a committee member to sum on a motion as required under JR3-2-608(4), the chair shall place the motion for a vote unless the motion is withdrawn subject to the requirements of JR3-2-811.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-610 Chair to verbally announce vote on motions -- Motions pass with majority vote of a quorum -- Exceptions.**

- (1) After an appropriations committee votes on a motion, the chair shall:
  - (a) determine whether the motion passed or failed;
  - (b) verbally announce that the motion passed or that the motion failed; and
  - (c) if the vote on the motion is not unanimous, verbally identify by name either the committee members who voted "yes" or the committee members who voted "no."
- (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority vote of a quorum as defined in JR3-2-404.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-611 Chair may direct a roll call vote.**

Although most motions will be determined by a voice vote, the chair, or a committee by majority vote, may direct a roll call vote.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-612 Chair to decide points of order -- Committee may appeal chair's decision.**

- (1) A chair shall rule on a point of order without committee discussion or debate.
- (2) As provided in JR3-2-806, a committee member may:
  - (a) make a point of order; or
  - (b) appeal the decision of the chair.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-613 Chair to ensure integrity of minutes -- Retention of minutes -- Content requirements.**

- (1) The chair shall:
  - (a) ensure that a secretary takes minutes of appropriation committee meetings; and
  - (b) present the minutes to the committee for approval.
- (2) The chair shall ensure that committee minutes comply with the requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (3) The chair shall ensure that committee minutes include:
  - (a) the date, time, and place of each committee meeting;
  - (b) a list of committee members present;
  - (c) each motion made;
  - (d) the vote on each motion;
  - (e) points of order; and
  - (f) the outcome of each appeal of the decision of the chair.

Enacted by H.J.R. 15, 2017 General Session

**Part 7  
Duties of an Appropriations Committee**

**JR3-2-701 Request for appropriation -- Contents -- Timing.**

- (1)
  - (a) A legislator intending to file a request for appropriation shall file the request for appropriation with the Office of the Legislative Fiscal Analyst in accordance with this rule.
  - (b) Except for an amendment to a proposed budget item described in JR3-2-703, a committee may not adopt, recommend, or prioritize a request for appropriation that is not filed or generated in accordance with this rule.
  - (c) A legislator may not file a request for appropriation if the request is intended to fund the fiscal impact of legislation.

- (d) The Office of the Legislative Fiscal Analyst shall automatically generate a request for appropriation to fund the fiscal impact of legislation if:
  - (i) the legislation has an expenditure impact of \$1,000,000 or more from the General Fund or the Income Tax Fund; and
  - (ii) the Office of the Legislative Fiscal Analyst knows the fiscal impact of the legislation before the deadline described in Subsection (3)(a).
- (2)
  - (a) A legislator may file a request for appropriation beginning 60 days after the day on which the Legislature adjourns its annual general session sine die.
  - (b) A legislator-elect may file a request for appropriation beginning on:
    - (i) the day after the day on which the election canvass is complete; or
    - (ii) if the legislator-elect's election results have not been finalized as of the canvass date, the day after the day on which the election results for the legislator-elect's race are final.
  - (c)
    - (i) An incumbent legislator may not file a request for appropriation as of the date that the legislator:
      - (A) fails to file to run for reelection;
      - (B) is ineligible to be included on the ballot for the election in which the legislator would have sought an additional term; or
      - (C) fails to win reelection and the legislator's opponent is eligible to file a request for appropriation under Subsection (2)(b).
    - (ii) Subsection (2)(c)(i) does not apply to a request for appropriation for a general session that occurs while the legislator is in office.
- (3)
  - (a) Except as provided in Subsection (3)(b), a legislator may not file a request for appropriation with the Office of the Legislative Fiscal Analyst after noon on the 11th day of the annual general session.
  - (b) After the date established by this Subsection (3), a legislator may file a request for appropriation if:
    - (i) for a request by a House member, the representative makes a motion to file a request for appropriation and that motion is approved by a constitutional majority of the House;
    - (ii) for a request by a senator, the senator makes a motion to file a request for appropriation and that motion is approved by a constitutional majority vote of the Senate; or
    - (iii) a member of the Executive Appropriations Committee has presented the request at a public meeting of the Executive Appropriations Committee.
- (4) A legislator who files a request for appropriation:
  - (a) is the chief sponsor; and
  - (b) shall provide the following information related to the project or program that is the subject of the request for appropriation:
    - (i) the name and a description of the project or program;
    - (ii) the statewide purpose of the project or program;
    - (iii) if applicable, the legislator's designee who is knowledgeable about and responsible for providing pertinent information while the Office of the Legislative Fiscal Analyst processes the request;
    - (iv) the state funding source from which the legislator proposes to fund the project or program;
    - (v) the amount of the request and whether the amount is to be appropriated one-time, ongoing, or a combination of one-time and ongoing;
    - (vi) an itemized budget for the project or program;

- (vii) the state agency that has jurisdiction over the project or program;
- (viii) if the request is for pass through funding that a state agency will distribute, the type of entity or organization the legislator intends to receive the funding;
- (ix) the scalability of the project or program; and
- (x) one or more outcomes the legislator expects the project or program to achieve.

**JR3-2-702 Review and referral of requests for appropriation.**

- (1)
  - (a) The legislative fiscal analyst shall review each request for appropriation.
  - (b) If the request for appropriation requires that a statute be enacted, amended, or repealed, the legislative fiscal analyst shall immediately transfer the request to the Office of Legislative Research and General Counsel as a request for legislation.
  - (c) If the request for appropriation contains each item described in JR3-2-701(4) and does not require that a statute be enacted, amended, or repealed, the legislative fiscal analyst shall number, title, and refer the request for appropriation to:
    - (i) the House chair of the Executive Appropriations Committee, if the sponsor is a House member; or
    - (ii) the Senate chair of the Executive Appropriations Committee, if the sponsor is a Senate member.
- (2) The House or Senate chair of the Executive Appropriations Committee shall refer the request for appropriation to the joint appropriations subcommittee with oversight responsibility or to the Executive Appropriations Committee.
- (3) Each joint appropriations subcommittee that receives a request for appropriation shall:
  - (a) allow the sponsor to present and discuss the request for appropriation with the subcommittee;
  - (b) discuss the request for appropriation; and
  - (c) do one of the following:
    - (i) include all or part of the request for appropriation in the budget recommendation made by the subcommittee or the Executive Appropriations Committee;
    - (ii) reject the request for appropriation; or
    - (iii) recommend to the Executive Appropriations Committee that all or part of the requested appropriation be placed on a funding prioritization list.

**JR3-2-703 Amending proposed budget items -- Amendments must be germane.**

- (1)
  - (a) Except as provided in Subsection (2), and if recognized by the chair, a committee member may make a motion to amend a proposed budget item that is under consideration.
  - (b)
    - (i) A committee member may propose a verbal amendment to a proposed budget item under consideration if the amendment contains 15 or fewer words.
    - (ii) Before proposing a motion to amend, a committee member shall ensure that a proposed amendment that contains more than 15 words is printed and distributed to committee staff and to all committee members present.
- (2)
  - (a) A committee member may only make a motion to amend that is germane to the proposed budget item under consideration.



- (b) A committee member who believes that an amendment is not germane to the subject of the proposed budget item may make a point of order or appeal as described in JR3-2-806.

**JR3-2-704 Reconsideration of action.**

- (1) Except as provided in Subsection (2), and if recognized by the chair, a committee member may make a motion to reconsider the committee's action on a proposed budget item if the proposed budget item is:
  - (a) assigned to the committee; and
  - (b) listed on the committee agenda as required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (2) A committee may not reconsider its action:
  - (a) more than once in a meeting; and
  - (b) until the committee has considered other committee business.

**JR3-2-705 Testimony may be taken under oath.**

- (1) At the direction of the chair, or upon a majority vote of the committee, the testimony of a witness, presenter, or visitor who speaks to a committee may be taken under oath.
- (2) The chair or committee staff shall administer the oath.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-706 Additional committee meetings.**

With permission from the president of the Senate and the speaker of the House, a chair may hold an appropriations committee meeting independent of the regularly scheduled committee meetings.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-707 Closed appropriations committee meetings.**

An appropriations committee may close a committee meeting in accordance with the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-708 Prohibited from meeting while House or Senate is in session -- Exceptions.**

- (1) An appropriations committee may not meet while the House or Senate is in session unless:
  - (a)
    - (i) the House chair receives permission from the speaker to meet; and
    - (ii) the Senate chair receives permission from the president to meet; or
  - (b)
    - (i) a majority of the House approves a motion for the committee to meet while the House is in session; and
    - (ii) a majority of the Senate approves a motion for the committee to meet while the Senate is in session.
- (2) Unless a committee is authorized to meet as provided in Subsection (1), any action taken by a committee while the House or Senate is in session is invalid.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-709 Review of nonlapsing appropriations.**

- (1) Each appropriations subcommittee shall:
  - (a) during an accountable budget process under JR3-2-501, review each account, fund, and appropriation to a program that is designated as nonlapsing under Utah Code Section 63J-1-602.1 or 63J-1-602.2; and
  - (b) review any nonlapsing appropriations report submitted in accordance with Utah Code Section 63J-1-602.
- (2) For any nonlapsing appropriation that is saved over multiple years to pay for an anticipated expense, an appropriations subcommittee shall make a recommendation as to whether the Legislature should instead appropriate one-time funding for the expense.

**Part 8**  
**Appropriations Committee Parliamentary Procedures**

**JR3-2-801 Obtaining the floor in committee -- Remarks to be germane.**

- (1) As required in JR3-2-606, a chair shall recognize a committee member who desires to speak to the committee.
- (2) A committee member who is recognized by the chair may make a motion consistent with the requirements of this chapter.
- (3) A second to a motion is not required.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-802 Committee members shall vote.**

A committee member shall vote on every motion placed for a vote while the committee member is present at a meeting.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-803 Privileged motions in committee -- General requirements, procedure, and priority.**

- (1) Privileged motions:
  - (a) are non-debatable; and
  - (b) take precedence over non-privileged motions.
- (2) If a privileged motion is requested while another privileged motion is pending, the chair shall grant priority to the privileged motions in the following order:
  - (a) adjourn;
  - (b) set time to adjourn;
  - (c) recess;
  - (d) end debate or call the question;
  - (e) extend debate; and
  - (f) limit debate.

- (3) Except for a motion to adjourn, a privileged motion, if adopted, does not dispose of other pending motions.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-804 Original motions in committee -- General requirements, procedure, and priority.**

- (1) Original motions:
  - (a) are debatable; and
  - (b) may be replaced with a substitute motion.
- (2) A committee member may not make an original motion if:
  - (a) a privileged motion is pending; or
  - (b) a substitute motion is pending.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-805 Substitute motions in committee -- General requirements, procedure, and priority.**

- (1) Substitute motions:
  - (a) are debatable; and
  - (b) take precedence over original motions.
- (2)
  - (a) A committee member may make a substitute motion if an original motion is pending.
  - (b) A committee member may not make a substitute motion if:
    - (i) a privileged motion is pending; or
    - (ii) another substitute motion is pending.
  - (c) If a substitute motion is adopted, a substitute motion disposes of the original motion.
  - (d) If a substitute motion is not adopted, the original motion is pending.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-806 Point of order -- Appeal of chair's decision.**

- (1) A point of order is not a motion and, except during a vote, may be made by a member of an appropriations committee at any time during a committee meeting.
- (2) If a member of an appropriations committee is concerned that legislative rules or procedures are not being followed, the committee member may make a point of order.
- (3) When a point of order is made, the chair shall immediately allow the committee member to state the member's point.
- (4) A chair shall rule on the point of order without committee discussion or debate as provided in JR3-2-612.
- (5) An appeal of the decision of the chair is not a motion and may be made by a committee member after the chair has ruled on a point of order.
- (6)
  - (a) An appropriations committee may, by majority vote, overrule the decision of the chair on a point of order.
  - (b) If the committee overrules the decision of the chair, the ruling of a committee is final.
  - (c) If a committee does not overrule the decision of the chair, the ruling of a chair is final.

**JR3-2-807 Point of information.**

- (1) A point of information is not a motion and, except during summation or a vote, may be made by a member of an appropriations committee at any time during a committee meeting.
- (2) If a member of an appropriations committee desires clarification on any aspect of a committee meeting, the committee member may make a point of information.
- (3) When a point of information is made, the chair shall immediately allow the committee member to state the point.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-808 Division of a motion.**

- (1) A division is not a motion and, except during a vote, may be made by a member of an appropriations committee at any time during a committee meeting without being recognized by the chair.
- (2) The committee member who divides a motion shall clearly state how the motion is to be divided.
- (3) A committee member may not divide a motion in such a manner that could create an unintelligible or ambiguous result.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-809 Prohibited motions.**

- (1)
  - (a) Except for a motion to adjourn, a committee member may not make a motion unless a quorum of the committee is present.
  - (b) When a quorum is not present, a motion to adjourn is passed with a majority vote of those present.
- (2) No motion is in order during a vote.
- (3) A point of order is not in order during a vote.

Enacted by H.J.R. 15, 2017 General Session

**JR3-2-810 Repeating defeated motion.**

- (1) Except as provided in Subsection (2), a motion that is defeated may not be made by a committee member until the committee has considered other committee business.
- (2) A motion to postpone a proposed budget item to a day certain, if defeated, may not be made again by any committee member during the same committee meeting.

**JR3-2-811 Withdraw motion.**

A pending motion may be withdrawn at any time before the motion is placed for a vote.

Enacted by H.J.R. 15, 2017 General Session

**Part 9  
Conference Committees**

**JR3-2-901 Appointment and chairs -- Notice.**

- (1)
  - (a) If the Senate refuses to concur in the House amendments to Senate legislation, the secretary of the Senate shall notify the House of the refusal and ask the House to recede from its amendments.
  - (b) Either chamber may recede from its position on any difference existing between the two chambers by a majority vote of its members.
  - (c)
    - (i) If the House refuses to recede, the speaker shall appoint a conference committee of three.
    - (ii) After making the appointment, the speaker shall:
      - (A) publicly announce the House members of the conference committee and the time and place that the conference committee will meet;
      - (B) ensure that no more than two of the appointees are members of the majority party; and
      - (C) direct House staff to provide electronic notice that identifies the House members of the conference committee and the time and place of the conference committee meeting.
  - (d) If the speaker does not immediately appoint a conference committee, the president may appoint a conference committee as provided in Subsection (2)(c).
  - (e) After the Senate refuses to concur in the House amendments to Senate legislation, the House may not amend or substitute the legislation, unless:
    - (i) the sole effect of the amendment or substitute is to recede from one or more House amendments to the legislation; or
    - (ii) the amendment or substitute is part of a conference committee report.
- (2)
  - (a) If the House refuses to concur in the Senate amendments to House legislation, the chief clerk of the House shall notify the Senate of the refusal and ask the Senate to recede from its amendments.
  - (b) Either chamber may recede from its position on any difference existing between the two chambers by a majority vote of its members.
  - (c)
    - (i) If the Senate refuses to recede, the president shall appoint a conference committee of three.
    - (ii) After making the appointment, the president shall:
      - (A) publicly announce the Senate members of the conference committee and the time and place that the conference committee will meet;
      - (B) ensure that no more than two of the appointees are members of the majority party; and
      - (C) direct Senate staff to provide electronic notice that identifies the Senate members of the conference committee and the time and place of the conference committee meeting.
  - (d) If the president does not immediately appoint a conference committee, the speaker may appoint a conference committee as provided in Subsection (1)(c).
  - (e) After the House refuses to concur in the Senate amendments to House legislation, the Senate may not amend or substitute the legislation, unless:
    - (i) the sole effect of the amendment or substitute is to recede from one or more Senate amendments to the legislation; or
    - (ii) the amendment or substitute is part of a conference committee report.
- (3)
  - (a) Whenever the president or speaker appoints a conference committee, the secretary of the Senate or chief clerk of the House shall:
    - (i) immediately notify the other chamber of the action taken; and

- (ii) request the appointment of conference committee members from that other chamber.
- (b) After receiving the notice and request, the presiding officer of the other chamber shall:
  - (i) appoint a conference committee of three;
  - (ii) publicly announce the members of the conference committee from that chamber and the time and place that the conference committee will meet; and
  - (iii) direct staff to provide electronic notice that identifies the members of the conference committee and the time and place of the conference committee meeting.
- (4)
  - (a) The first senator named on the conference committee is the Senate chair of the committee, and the first representative named on the conference committee is the House chair.
  - (b) The conference committee chairs shall direct the preparation of the conference committee report.

**JR3-2-902 Conference committee procedures.**

- (1) The chair from the chamber of origin of the legislation shall chair meetings of the conference committee.
- (2) Staff from the Office of Legislative Research and General Counsel may attend the conference committee meeting to assist in the preparation of the committee report.
- (3)
  - (a) Subject to Subsection (3)(b), conference committee meetings are open to the public.
  - (b) Public comment may not be received or made during a conference committee meeting unless a majority of committee members from one chamber and at least 50% from the other chamber vote to receive public comment.
- (4)
  - (a) A majority of committee members from each chamber must approve a conference committee report in order for it to be presented to the Legislature.
  - (b)
    - (i) If the conference committee cannot reach an agreement, the committee shall report the failure to agree to both chambers.
    - (ii) Upon notice that a conference committee has failed to agree:
      - (A) the presiding officer of each chamber may appoint a new committee by following the requirements of JR3-2-901 or reappoint the former committee and announce the time and place of the committee's meeting; or
      - (B) either chamber may vote to refuse further conferences.
    - (iii) If a chamber votes to refuse further conferences, the legislation shall be returned to the originating chamber and filed.

**JR3-2-903 Conference committee report -- Contents -- Disposition.**

- (1) The conference committee's report shall:
  - (a) be in writing; and
  - (b) list the vote of each member of the conference committee by name.
- (2)
  - (a) Subject to Subsection (2)(b), the committee may report any modifications or amendments to the legislation that the committee thinks advisable.
  - (b) A conference committee may not consider or report on any matter except those at issue between the two chambers.

- (3)
  - (a) If the legislation being discussed by the conference committee is House legislation, the Senate conference committee members shall present the conference committee report first to the Senate.
  - (b) If the legislation being discussed by the conference committee is Senate legislation, the House conference committee members shall present the conference committee report first to the House.
- (4) Before a chamber votes on a motion to adopt a conference committee report, the report shall be read.
- (5)
  - (a) If a chamber approves a motion to adopt a conference committee report, the legislation shall be put at the top of the chamber's third reading calendar for consideration.
  - (b) If the chamber is the first chamber to consider the conference committee report, after the chamber acts on the legislation, the chamber shall transmit the legislation and the conference committee report to the other chamber along with a letter explaining the chamber's action.
- (6)
  - (a) If a motion to adopt a conference committee report fails, either chamber may request that the other chamber:
    - (i) appoint a new committee by following the requirements of JR3-2-901; or
    - (ii) reappoint the former committee and announce the time and place of the committee's meeting.
  - (b) If a chamber refuses a request under Subsection (6)(a), the legislation shall be returned to the originating chamber and filed.

**JR3-2-904 Failure to meet.**

If the members of the conference committee do not meet in a timely manner after being appointed, the presiding officers of both chambers may appoint a new conference committee and disband the original conference committee.

### **Chapter 3 Long-Term Planning Conference**

**JR3-3-101 Long-Term Planning Conference.**

- (1) The president of the Senate and the speaker of the House of Representatives shall, by mutual consent, call a joint Long-Term Planning Conference of members of the two houses.
- (2) The conference will be held on a date or dates designated jointly by the president of the Senate and the speaker of the House of Representatives.
- (3) The conference may last one or two days and may include meetings, workshops, and other sessions and activities designed to accomplish the purpose of the conference as described in Section JR3-3-102.

**JR3-3-102 Purpose of the Long-Term Planning Conference.**

The purpose of the Long-Term Planning Conference is to provide information and tools that will encourage the Legislature, and other guests invited at the discretion of the Legislature, to:

- (1) focus on long-term planning, policy making, and budgeting by the Legislature, state and local government agencies, and educational institutions;
- (2) learn about the long-term economic and demographic trends of the state;
- (3) learn about the long-term budgetary outlook for the state, including any issues or constraints;
- (4) consider ways to implement long-term planning processes as part of creating effective policies, laws, and appropriations that address more than just immediate concerns; and
- (5) make informed decisions and implement sound public policy initiatives that ensure the long-term success and economic vitality of the state and its citizens.

Enacted by H.J.R. 10, 2014 General Session

**JR3-3-103 Conference agenda -- Staffing.**

- (1) The president of the Senate and the speaker of the House of Representatives shall jointly establish the agenda for the conference.
- (2) The agenda described in Subsection (1) may include a variety of presenters, including representatives of education, government, business, and the private sector.

**Chapter 4**  
**International Relations and Trade Committee**

**Part 1**  
**General Provisions**

**JR3-4-101 Definitions.**

As used in this chapter, "international relations efforts" means activities to foster and enhance relationships between the state and foreign countries, including:

- (1) hosting foreign government officials, trade delegations, or other dignitaries;
- (2) representing the state in official visits to foreign countries;
- (3) developing relationships and laying the groundwork for increased trade, educational and cultural exchanges, language programs, tourism opportunities, and civic education experiences involving other countries; and
- (4) seeking and attracting foreign direct investment opportunities to the state.

**JR3-4-102 Repeal of committee -- Review.**

- (1) This chapter is repealed July 1, 2023.
- (2) The Economic Development and Workforce Services Interim Committee shall:
  - (a) review this chapter during the 2022 interim to evaluate whether the International Relations and Trade Committee created in this chapter should continue to function; and
  - (b) if the committee determines the International Relations and Trade Committee should continue to function, prepare legislation to amend or repeal Subsection (1) accordingly.



## **Part 2**

### **International Relations Efforts**

#### **JR3-4-201 International Relations and Trade Committee created -- Membership -- Quorum -- Chairs.**

- (1) There is created an International Relations and Trade Committee consisting of:
  - (a) the president of the Senate;
  - (b) the speaker of the House of Representatives;
  - (c) three members of the Senate, appointed by the president of the Senate, no more than two of whom may be from the majority party; and
  - (d) five members of the House of Representatives, no more than three of whom may be from the majority party.
- (2)
  - (a) A majority of committee members appointed under Subsections (1)(c) and (d) constitutes a quorum.
  - (b) The president and speaker are not counted in determining a quorum of the committee.
- (3) The president shall appoint one of the Senate members of the committee as cochair, and the speaker shall appoint one of the House of Representatives members of the committee as cochair.

#### **JR3-4-202 Purposes of committee.**

The purposes of the committee are to:

- (1) engage in international relations efforts;
- (2) serve as a focal point for legislative efforts to support the state's international relations and trade efforts;
- (3) help provide government officials, trade delegations, and other dignitaries who visit the state from foreign countries a world class hospitality experience that leaves a favorable and lasting impression and facilitates and enhances mutually enriching international relationships;
- (4) consider and study matters relating to the state's international relations and trade efforts and make recommendations to the Legislature concerning ways to advance the state's international relations and trade efforts; and
- (5) perform any other function or fulfill any other responsibility related to international relations and trade that legislative leadership assigns to the committee.

#### **JR3-4-203 Coordination with others involved in international relations.**

The committee shall:

- (1) work to fulfill the purposes of the committee, as provided in JR3-4-202; and
- (2) coordinate the committee's international relations efforts with the Governor's Office of Economic Opportunity, the World Trade Center Utah, the Economic Development Corporation of Utah, and the state's honorary consular corps.

## **Title JR4. Bills and Resolutions**

### **Chapter 1 General Provisions**

#### **Part 1 General Provisions and Format Requirements**

##### **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)"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.
- (11)"Resolution" includes a joint resolution, concurrent resolution, House resolution, and Senate resolution.
- (12)"Senate resolution" means a written proposal of the Senate which, to be approved, must be passed by the Senate.
- (13)"Statute" means a law that has met the constitutional requirements for enactment.
- (14)"Statutory section" means the unique unit of the laws of Utah that is identified by a title, chapter, and section number.

## Part 2 Bill Format

### **JR4-1-201 General bill format requirements.**

- (1) Each bill shall be typewritten or printed on paper 8-1/2 by 11 inches.
- (2)
  - (a) When a bill proposes to enact new law, all of the language proposed to be enacted by the bill shall be underlined.
  - (b) When a bill proposes to enact a statutory section of new law, all of the language in the entire section must be underlined.
  - (c) When a bill proposes to repeal an existing statutory section and reenact that statutory section using new language, the new language of the entire section shall be underlined.
- (3) When a bill proposes to amend a statutory section without repealing the entire statutory section:
  - (a) all of the language to be repealed must appear between brackets with the letters struck through; and
  - (b) all of the new language proposed to be enacted by the bill must be underlined.
- (4) When a bill proposes to repeal a statutory section, the statutory sections to be repealed shall be listed in the long title as required by these rules and listed by statutory section number and bold face at the end of the bill before any special clauses.

Enacted by H.J.R. 11, 2007 General Session

### **JR4-1-202 Specific bill format requirements.**

- (1) Each bill shall contain:
  - (a) a designation containing the information required by Subsection (2);
  - (b) a short title, which provides a short common description of the bill;
  - (c) the year and type of legislative session in which the bill is to be introduced;
  - (d) the phrase "State of Utah";
  - (e) the sponsor's name, after the heading "Chief Sponsor:";
  - (f) if the bill is a House bill that has passed third reading in the House, the Senate sponsor's name after the heading "Senate Sponsor:";
  - (g) if the bill is a Senate bill that has passed third reading in the Senate, the House sponsor's name after the heading "House Sponsor:";
  - (h) a long title, which includes:
    - (i) a brief general description of the subject matter in the bill;
    - (ii) a list of each section of the Utah Code affected by the bill, which cites by statute number those statutes that the bill proposes be amended, enacted, repealed and reenacted, renumbered and amended, and repealed; and
    - (iii) for bills that contain an appropriation, the sum proposed to be appropriated by the bill unless the bill is an appropriation bill or supplemental appropriation bill whose single subject is the appropriation of money;
  - (i) an enacting clause in the following form: "Be it enacted by the Legislature of the state of Utah:"; and
  - (j) the subject matter, given in one or more sections.

- (2)The designation shall be a heading that identifies the bill by its chamber of introduction and by unique number assigned to it by the Office of Legislative Research and General Counsel and shall be in the following form: "S.B." or "H.B." followed by the number assigned to the bill.

**JR4-1-203 Effective date of bills.**

- (1)
- (a) Unless otherwise directed by the Legislature and subject to Subsections (2) and (3), a bill becomes effective 60 days after the adjournment of the session at which it passed.
  - (b) The 60 days begins to run the day after the Legislature adjourns sine die.
- (2)
- (a) The effective date of a bill may not be a date later than January 1 of the second calendar year immediately following the calendar year of the session at which the bill is passed.
  - (b) A bill with a contingent effective date is not subject to Subsection (2)(a).
- (3)
- (a) If the effective date of a bill is contingent, before the bill may be introduced:
    - (i) the bill sponsor shall inform the legislative general counsel of the contingent effective date; and
    - (ii) the legislative general counsel shall, on behalf of the bill sponsor, request approval of the contingent effective date from the president and speaker.
  - (b) A bill that has a contingent effective date that is not approved by the president and the speaker may not be introduced.
  - (c) Subsections (3)(a) and (b) do not apply to a bill that has a contingent effective date that is contingent on voter approval of an amendment to the Utah Constitution.
- (4) A rules committee, a standing committee, the Senate, or the House of Representatives is prohibited from suspending the provisions of Subsection (2) or (3).

**Part 3  
Resolution Format**

**JR4-1-301 General resolution format requirements.**

- (1)Each resolution shall be typewritten or printed on paper 8-1/2 by 11 inches.
- (2)Each resolution shall contain:
- (a)a designation containing the information required by Subsection (3);
  - (b)a short title;
  - (c)the year and type of legislative session in which the resolution is to be introduced;
  - (d)the phrase "State of Utah";
  - (e)the sponsor's name, after the heading "Chief Sponsor:";
  - (f)the Senate sponsor's name after the heading "Senate Sponsor:"if the resolution:
    - (i)is a concurrent resolution or a joint resolution;
    - (ii)originated in the House of Representatives; and
    - (iii)has passed third reading in the House of Representatives;
  - (g)the House sponsor's name after the heading "House Sponsor:"if the resolution:
    - (i)is a concurrent resolution or a joint resolution;
    - (ii)originated in the Senate; and

- (iii) has passed third reading in the Senate;
  - (h) a long title, which shall include a list of constitutional sections, legislative rules, or the Utah Supreme Court's Rules of Procedure or Rules of Evidence affected, if applicable;
  - (i) a resolving clause containing the information required by Subsection (4);
  - (j) for joint resolutions, concurrent resolutions, Senate resolutions, and House resolutions:
    - (i) one or more paragraphs that begin with the word "Whereas" that function as the preamble; and
    - (ii) one or more paragraphs that begin with the words "Be it Resolved" that identify the statement of purpose or policy; and
  - (k) special clauses including, if necessary, an effective date.
- (3) The designation shall be a heading that identifies the resolution by the resolution's chamber of introduction and by unique number assigned to the resolution by the Office of Legislative Research and General Counsel and shall be in the following form:
- (a) for a joint resolution, unless the resolution converted to a joint resolution in accordance with JR4-5-104: "S.J.R." or "H.J.R." followed by the number assigned to the joint resolution;
  - (b) for a concurrent resolution, regardless of whether the concurrent resolution converts to a joint resolution in accordance with JR4-5-104: "S.C.R." or "H.C.R." followed by the number assigned to the concurrent resolution;
  - (c) for a Senate resolution: "S.R." followed by the number assigned to the Senate resolution; or
  - (d) for a House resolution: "H.R." followed by the number assigned to the House resolution.
- (4) Each resolution shall contain a resolving clause in one of the following forms:
- (a) in a constitutional joint resolution, or in a joint resolution proposing to amend the Utah Supreme Court's Rules of Procedure or Rules of Evidence: "Be it resolved by the Legislature of the state of Utah, with at least two-thirds of all members elected to each of the two houses concurring:";
  - (b) in a joint resolution: "Be it resolved by the Legislature of the state of Utah:";
  - (c) in a concurrent resolution: "Be it resolved by the Legislature of the state of Utah, with the Governor concurring:";
  - (d) in a Senate resolution: "Be it resolved by the Senate of the state of Utah:"; or
  - (e) in a House resolution: "Be it resolved by the House of Representatives of the state of Utah:".

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

- (1) Unless otherwise directed by the Legislature and subject to Subsections (2) and (3), a resolution becomes effective on:
- (a) the day that the resolution receives final approval from:
    - (i) the House of Representatives or the Senate, if the resolution is a single chamber resolution;
    - (ii) both the House of Representatives and the Senate, if the resolution is a joint resolution;
    - (iii) the House of Representatives, the Senate, and the governor, if the resolution is a concurrent resolution; or
    - (iv) the House of Representatives, the Senate, and the voters at the next general election, if the resolution is a constitutional joint resolution; or
  - (b) the day after the day on which the time period described in JR4-5-104 expires, if the resolution is a concurrent resolution that converts to a joint resolution in accordance with JR4-5-104.
- (2)
- (a) The effective date of a resolution may not be a date later than December 31 of the calendar year immediately following the calendar year of the session at which the resolution is passed.
  - (b) A resolution with a contingent effective date is not subject to Subsection (2)(a).

- (3)
  - (a) If the effective date of a resolution is contingent, before the resolution may be introduced:
    - (i) the resolution sponsor shall inform the legislative general counsel of the contingent effective date; and
    - (ii) the legislative general counsel shall, on behalf of the resolution sponsor, request approval of the contingent effective date from the president and speaker.
  - (b) A resolution that has a contingent effective date that is not approved by the president and the speaker may not be introduced.
  - (c) Subsections (3)(a) and (b) do not apply to a resolution to amend the Utah Constitution that is contingent on approval by the voters.
- (4) A rules committee, a standing committee, the Senate, or the House of Representatives may not suspend the provisions of Subsection (2) or (3).

**JR4-1-303 Distribution of resolutions.**

- (1)
  - (a) Subject to Subsection (2), the secretary of the Senate shall ensure that Senate Resolutions and Senate Joint Resolutions are distributed as required by the resolution.
  - (b) Subject to Subsection (2), the chief clerk of the House shall ensure that House Resolutions and House Joint Resolutions are distributed as required in the resolution.
- (2) If either the House or the Senate, or both, enact a resolution urging action by the United States House of Representatives, the United States Senate, or the United States Congress as a whole, in informing those entities of the action, the resolution may only be sent to:
  - (a) the Utah congressional delegation;
  - (b) the speaker of the United States House of Representatives;
  - (c) the majority leader of the United States Senate; and
  - (d) at the request of the legislative sponsor, any member of the appropriate U.S. House or U.S. Senate committee or subcommittee.

Enacted by H.J.R. 11, 2007 General Session

**Part 4  
Amendments in Context**

**JR4-1-401 Identifying adopted amendments in context.**

- (1) When a Senate committee or floor amendment is adopted in the Senate, the Senate amendment shall be noted in the legislation with additional spacing and markers indicating the beginning and ending of the adopted Senate amendment.
- (2) When a House committee or floor amendment is adopted in the House, the House amendment shall be noted in the legislation with additional spacing and markers indicating the beginning and ending of the adopted House amendment.
- (3)
  - (a) Notwithstanding JR4-1-201, and except as provided in Subsection (3)(b), when an additional section from the Utah Code is added to a bill by amendment:
    - (i) all of the language in the section that is to be repealed must appear between brackets with the letters struck through; and

- (ii) all of the new language in the section that is proposed to be enacted by the bill must be underlined.
- (b) If the additional section added to the bill by amendment is to be repealed, the text of the repealed section need not be included.

Enacted by H.J.R. 11, 2007 General Session

## **Chapter 2**

### **Requesting and Introducing Bills and Resolutions**

#### **Part 1**

#### **Requesting Bills or Resolutions**

#### **JR4-2-101 Requests for legislation -- Contents -- Timing.**

- (1)
  - (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 (1)(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 (1)(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 (1)(c)(i), the chief sponsor shall file a new, separate request for legislation in accordance with this rule.
- (2)
  - (a) Any legislator may file a request for legislation beginning 60 days after the Legislature adjourns its annual general session sine die.
  - (b) A legislator-elect may file a request for legislation beginning on:
    - (i) the day after the date the election canvass is completed; or
    - (ii) if the legislator-elect's election results have not been finalized as of the canvass date, the day after the date the election results for the legislator-elect's race are finalized.
  - (c)
    - (i) An incumbent legislator may not file any requests for legislation as of the date that the legislator:
      - (A) fails to file to run for election to a seat in the Legislature;
      - (B) is ineligible to be included on the ballot for the election in which the legislator would have sought an additional term; or

- (C) fails to win reelection and the legislator's opponent is eligible to file a request for legislation under Subsection (2)(b).
- (ii) Subsection (2)(c)(i) does not apply to a request for legislation for:
  - (A) a general session that occurs while the legislator is in office; or
  - (B) a special session that occurs while the legislator is in office.
- (d)
  - (i) If, for any reason, a legislator who filed a request for legislation is unavailable to serve in the next annual general session, the former legislator may seek another legislator to assume sponsorship of each request for legislation filed by the legislator who is unavailable to serve.
  - (ii) If the former legislator is unable to find another legislator to sponsor the legislation within 30 days, the Office of Legislative Research and General Counsel shall abandon each request for legislation from the legislator who is unavailable to serve.
- (e)
  - (i) If a legislator dies while in office and is the chief sponsor of one or more 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 (2)(e)(ii) does not find a new sponsor for a request for legislation, the Office of Legislative Research and General Counsel shall abandon the request for legislation.
- (3)
  - (a) Except as provided in Subsection (3)(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 for drafting and introduction and that motion is approved by a constitutional majority of the House; or
    - (B) for Senate legislation, the senator makes a motion to request legislation for drafting and introduction and that motion is approved by a constitutional majority vote of the Senate.
  - (ii) 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 described in this Subsection (3)(c).
- (4) After a request for legislation is abandoned, a legislator may not revive the request for legislation.



- (5) A legislator wishing 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 file a request for appropriation by following the procedures and requirements of JR3-2-701.

**JR4-2-102 Drafting and prioritizing legislation.**

- (1) As used in this rule, "interim committee" means a committee established under JR7-1-201.

- (2)
- (a) Requests for legislation shall be drafted on a first-in, first-out basis, except for legislation that is prioritized under the provisions of this rule.
  - (b) When sufficient drafting information is available, the following requests for legislation shall be drafted before other requests for legislation, in the following order of priority:
    - (i) a committee bill file, as defined in JR7-1-101; and
    - (ii) a request for legislation that is prioritized by a legislator under Subsection (3).
- (3)
- (a) Beginning on the first day on which a request for legislation may be filed under JR4-2-101, a member of the House of Representatives may designate up to four requests for legislation as priority requests, and a member of the Senate may designate up to five requests for legislation as priority requests, subject to the following deadlines:
    - (i) except as provided in Subsection (3)(b), priority request number one for representatives, and priority request numbers one and two for senators, must be requested on or before November 15, or the following regular business day if November 15 falls on a weekend or a holiday;
    - (ii) priority request number two for representatives, and priority request number three for senators, must be requested on or before the first Thursday in December, or the following business day if the first Thursday falls on a holiday;
    - (iii) priority request number three for representatives, and four for senators must be requested on or before the first Thursday in January, or the following business day if the first Thursday falls on a holiday; and
    - (iv) priority request number four for representatives, and five for senators must be requested on or before the first Thursday of the annual general session.
  - (b)
    - (i) A representative-elect who is not a sitting legislator, shall designate priority request number one on or before the first Thursday in December, or the following business day if the first Thursday falls on a holiday.
    - (ii) A representative-elect who is a sitting senator shall designate each of the representative-elect's priority requests in accordance with the deadlines for representatives described in Subsection (3)(a).
  - (iii)
    - (A) A senator-elect who is not a sitting legislator, shall designate priority request numbers one and two on or before the first Thursday in December, or the following business day if the first Thursday falls on a holiday.
    - (B) A senator-elect who is a sitting representative, shall designate priority request number one in accordance with Subsection (3)(a)(i), and priority request number two on or before the first Thursday in December, or the following business day if the first Thursday falls on a holiday.
- (c)

- (i) A legislator who is appointed to replace a legislator who resigns or is otherwise unable to serve, may:
  - (A) if the legislator is a representative, designate up to four requests for legislation as priority requests, less the number of priority requests designated by the legislator's predecessor; or
  - (B) if the legislator is a senator, designate up to five requests for legislation as priority requests, less the number of priority requests designated by the legislator's predecessor.
- (ii) The deadline for an appointed legislator to designate each priority request is the same as the deadline that would apply if the designation were made by the legislator's predecessor.
- (d)
  - (i) A legislator who fails to make a priority request on or before a deadline loses that priority request.
  - (ii) Subsection (3)(d)(i) does not prohibit a legislator from using any remaining priority requests that are associated with a later deadline, if available.
- (e) A legislator may not designate a request for legislation as a priority request unless the request:
  - (i) provides specific or conceptual information concerning the change or addition to law or policy that the legislator intends the proposed legislation to make; or
  - (ii) identifies the specific situation or concern that the legislator intends the legislation to address.
- (4) A legislator may not:
  - (a) revoke a priority designation once it has been requested;
  - (b) transfer a priority designation to a different request for legislation; or
  - (c) transfer a priority designation to another legislator.
- (5)
  - (a) Notwithstanding Subsection (4), a request for legislation designated as a priority request remains a priority request if the request for legislation is transferred to another legislator in accordance with:
    - (i) Subsection JR4-2-101(2)(d) because the legislator resigned or was removed from office; or
    - (ii) Subsection JR4-2-101(2)(e).
  - (b) A priority request described in Subsection (5)(a) does not count against the number of priority designations to which the receiving legislator is entitled under Subsection (3).
- (6) Except as provided under JR4-2-502 or as otherwise provided in these rules, the Office of Legislative Research and General Counsel shall:
  - (a) reserve as many bill numbers as necessary to number the bills recommended by an interim committee; and
  - (b) number all other legislation in the order in which the legislation is approved by the sponsor for numbering.

**JR4-2-103 Legislation -- Sponsorship requirements.**

- (1)
  - (a) The legislator who approves the legislation for numbering is the chief sponsor.
  - (b) The chief sponsor may withdraw sponsorship of the legislation by following the procedures and requirements of Senate Rules or House Rules.
- (2)

- (a) Before or after the legislation is introduced, legislators from the same chamber as the chief sponsor may have their names added to or deleted from the legislation as co-sponsors by following the procedures and requirements of Senate Rules or House Rules.
- (b) Except as provided in Subsection (3), only legislators who are members of the same chamber as the chief sponsor may co-sponsor legislation.
- (3) Before the secretary of the Senate or the chief clerk of the House may transfer 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.

## **Part 2**

### **Substitute and Replacement Bills or Resolutions**

#### **JR4-2-201 Definitions.**

As used in this part:

- (1) "Committee substitute" means a substitute bill or resolution that is prepared for introduction in a Senate or House standing committee.
- (2) "Floor substitute" means a substitute bill or resolution that is prepared for introduction on the Senate or House floor.
- (3)
  - (a) "Germane" means that the substitute is relevant, appropriate, and in a natural and logical sequence to the subject matter of the original legislation.
  - (b) "Germane" includes a substitute that changes the effect or is in conflict with the spirit of the original legislation if the substance of the substitute can be encompassed within the subject of the underlying bill.
- (4) "Replacement legislation" means a bill, resolution, or substitute that replaces the original because of a technical error.
- (5) "Substitute" means a new bill or resolution that:
  - (a) replaces the old bill or resolution in title and body; and
  - (b) is germane to the subject of the original bill or resolution.

Amended by H.J.R. 5, 2021 General Session

#### **JR4-2-202 Substitute bills or resolutions.**

- (1)
  - (a) By following the procedures and requirements of Senate or House rule, a legislator may propose a committee substitute to any Senate or House legislation that is under consideration by a committee of which the legislator is a member.
  - (b) By following the procedures and requirements of Senate or House rule, a legislator may propose a floor substitute to any Senate or House legislation that is under consideration by the chamber of which the legislator is a member.
- (2) To initiate drafting of a substitute, a legislator shall give instructions to the attorney who drafted the legislation.

- (3) After the substitute sponsor has approved the substitute, the Office of Legislative Research and General Counsel shall:
  - (a) electronically set the line numbers of the substitute;
  - (b) assign a version number to the substitute; and
  - (c) distribute the substitute according to the substitute sponsor's instructions.
- (4)
  - (a) Subject to the other provisions of this rule, after the original version of the legislation is introduced, a rules committee, standing committee, or the Senate or House of Representatives may adopt the original version of the legislation or any substitute version of the legislation, regardless of the version number.
  - (b)
    - (i) If the version of the legislation being adopted was previously adopted, but replaced with a different version, the version of the legislation being adopted shall be adopted as it was previously introduced, without any amendments that may have been added to the introduced version.
    - (ii) An amendment described in Subsection (4)(b)(i), or any other amendment otherwise in order, may be proposed by a motion separate from the motion to adopt that substitute or original version of the legislation.
  - (c) A rules committee, a standing committee, the Senate, and the House of Representatives are prohibited from suspending the provisions of this Subsection (4).

**JR4-2-203 Replacement bills or resolutions.**

- (1) If the legislative general counsel determines that a numbered bill or resolution contains a technical error, the Office of Legislative Research and General Counsel may prepare and submit a replacement bill or resolution that corrects the error.
- (2) A sponsor may not file, and legislative staff may not create, replacement legislation if:
  - (a) the original legislation has been approved by the sponsor;
  - (b) the legislation has been numbered; and
  - (c) copies of the legislation have been distributed.
- (3) Nothing in this rule prohibits a sponsor from preparing amendments to the original legislation or one or more substitutes of the original legislation and proposing their adoption by a committee or by either chamber of which the legislator is a member.

**JR4-2-204 Substitute bills and amendments to bills must be germane.**

A bill may not be amended or substituted unless the changes are germane to the purpose of the original bill.

Enacted by H.J.R. 11, 2007 General Session

**Part 3**  
**Drafting and Approval of Legislation by Office**  
**of Legislative Research and General Counsel**

**JR4-2-301 Drafting and sponsor approval of legislation.**

- (1) After receiving a request for legislation, the Office of Legislative Research and General Counsel shall:
  - (a) review the request and any accompanying draft; and
  - (b) draft the legislation for approval by the sponsor in the order and priority set under JR4-2-102.
- (2) In drafting the legislation, the Office of Legislative Research and General Counsel shall, when applicable:
  - (a) ensure that the legislation is in proper legal form;
  - (b) remove any ambiguities;
  - (c) avoid constitutional or statutory conflicts; and
  - (d) correct technical errors as provided in Utah Code Section 36-12-12.
- (3) When the Office of Legislative Research and General Counsel has completed the legislation, the office shall:
  - (a) send the legislation to the chief sponsor for review and approval; and
  - (b) after the chief sponsor approves the legislation, number and distribute the legislation as provided in JR4-2-503.

#### **Part 4**

### **Committee Notes, Fiscal Notes, and Legislative Review Notes**

#### **JR4-2-401 Committee notes -- Notations on bill.**

- (1) As used in this rule, "authorized legislative committee" means the same as that term is defined in JR7-1-101.
- (2) After an authorized legislative committee approves a motion to favorably recommend draft legislation, the Office of Legislative Research and General Counsel shall note the following on the legislation when the legislation is numbered for introduction as a bill:
  - (a) that the authorized legislative committee recommended the legislation; and
  - (b) the committee vote, listed by numbers of yeas, nays, and absent.
- (3) The Office of Legislative Research and General Counsel may not place a note described in Subsection (2) on a piece of legislation if the motion to favorably recommend the draft legislation was made in violation of JR7-1-512(3).

#### **JR4-2-403 Fiscal notes.**

- (1)
  - (a)
    - (i) When the legislative fiscal analyst receives the electronic copy of the approved legislation from the Office of Legislative Research and General Counsel, that office shall, within three business days:
      - (A) review and analyze the legislation to determine its fiscal impact; and
      - (B) provide a fiscal note to the sponsor of the legislation.
    - (ii) To the extent reasonably necessary, the three day deadline for the preparation of the fiscal note may be extended if:
      - (A) the legislative fiscal analyst requests it, states the reasons for the delay, and informs the sponsor of the legislation of the delay; or

- (B) the legislation affects public retirement benefits, requires an actuarial analysis to prepare the fiscal note, and the legislative fiscal analyst informs the sponsor of the legislation of the delay.
- (b) If the legislative fiscal analyst determines that the legislation has no fiscal impact, the legislative fiscal analyst may release the fiscal note immediately after the sponsor has received a copy of the fiscal note.
- (c) The sponsor may:
  - (i) approve the release of the fiscal note;
  - (ii) direct that the fiscal note be held; or
  - (iii) if the sponsor disagrees with the fiscal note, contact the legislative fiscal analyst to discuss that disagreement and provide evidence, data, or other information to support a revised fiscal note.
- (d) If the sponsor does not contact the legislative fiscal analyst with instructions about the fiscal note within one 24 hour legislative day, the legislative fiscal analyst shall release the fiscal note.
- (e) The legislative fiscal analyst shall make the final determination on the fiscal note.
- (f) The fiscal note shall be printed with the legislation.
- (2) If an amendment or a substitute to legislation appears to substantively change the fiscal impact of the legislation, the legislative fiscal analyst shall prepare an amended fiscal note for the legislation.
- (3) The fiscal note is not an official part of the legislation.

**JR4-2-406 Funding mix for state employee compensation adjustments and internal service fund rate impacts.**

- (1) The legislative fiscal analyst shall prepare a budget for state employee compensation adjustments and internal service fund rate impacts that minimizes costs to the unrestricted General Fund, Income Tax Fund, and Uniform School Fund, by:
  - (a) using a mix of funding sources that is proportionate to that of the base budget, as defined in JR3-2-101, at the appropriation unit level for the same budget year;
  - (b) including sources other than the unrestricted General Fund, Income Tax Fund, and Uniform School Fund, regardless of the availability of additional revenue;
  - (c) adjusting the funding mix when the full or partial use of one or more sources is directed in statute, federal regulation, or the terms of a federal grant; and
  - (d) adjusting the funding mix based on the appropriate use of funding sources other than the unrestricted General Fund, Income Tax Fund, and Uniform School Fund, transportation-related funds, federal funds, restricted accounts, and dedicated credits.
- (2) When the legislative fiscal analyst adjusts the funding mix in accordance with Subsection (1)(c) or (d), the legislative fiscal analyst shall:
  - (a) eliminate the appropriate portion of the source from the funding mix;
  - (b) deduct the amount associated with the source from the base budget total;
  - (c) recalculate the proportional distribution among remaining sources; and
  - (d) distribute the appropriate budget adjustment amounts accordingly.
- (3) If the legislative fiscal analyst identifies a funding mix that would provide additional spending authority for sources other than the unrestricted General Fund, Income Tax Fund, and Uniform School Fund and additional revenue is unavailable, in accordance with Subsection (1)(b), an agency may make or request program reductions, reprioritizations, reallocations, or fee increases pursuant with Utah Code Title 63J, Chapter 1, Budgetary Procedures Act.

- (4) The legislative fiscal analyst shall request that an internal service fund agency reflect state employee compensation adjustments and impacts from rate changes in other internal funds in the rates recommended by the internal service fund agency for a given budget cycle, either:
  - (a) on a prospective basis for the budget year, based on an estimated amount; or
  - (b) on a one-year lag basis, if the specific internal service fund has sufficient operating reserves to maintain the internal service fund's fiscal integrity.
- (5)
  - (a) The Executive Appropriations Committee may approve for one fiscal year exceptions to the budget preparation criteria described in Subsections (1) through (4).
  - (b) The legislative fiscal analyst shall prepare a budget that includes exceptions approved by the Executive Appropriations Committee under this Subsection (5).
  - (c) The Executive Appropriations Committee shall annually determine whether to re-approve an exception approved by the Executive Appropriations Committee under this Subsection (5).

## **Part 5**

### **Numbering, Distribution, and Printing of Bills and Resolutions**

#### **JR4-2-501 Numbering and distributing bills and resolutions.**

After receiving approval from the sponsor under JR4-2-301, the Office of Legislative Research and General Counsel shall:

- (1) proofread the legislation and perform other quality control measures;
- (2) indicate on the first page of the legislation that the drafting attorney has approved the legislation for filing;
- (3) place a committee note on the legislation if required by JR4-2-401;
- (4) assign a number to the legislation to appear after the designation required by JR4-1-202 and JR4-1-301;
- (5) electronically set the legislation's line numbers; and
- (6) distribute an electronic copy of the legislation as required by JR4-2-503.

#### **JR4-2-502 Reservation of bill numbers.**

- (1) In each annual general legislative session, House Bills 1 through the number of bill numbers specified under Subsection (2)(a) and Senate Bills 1 through the number of bill numbers specified under Subsection (2)(a) are reserved for other appropriations and funding bills.
- (2)
  - (a) By November 1, the Office of the Legislative Fiscal Analyst shall notify the Office of Legislative Research and General Counsel of the number of bill numbers to reserve in each chamber for fiscal legislation for the next annual general legislative session.
  - (b) The notice under Subsection (2)(a) shall include the short title and the chief sponsor of each bill number reserved.
- (3) To the extent practicable, each bill reserved under this rule shall alternate the sponsoring chamber between the House and Senate each year.

#### **JR4-2-503 Distribution of bills and resolutions and preparation for introduction.**

- (1) After the Office of Legislative Research and General Counsel has numbered a piece of legislation, the office shall:
  - (a) provide an electronic copy of the legislation to the chief sponsor, the Office of Legislative Printing, and the Office of the Legislative Fiscal Analyst; and
  - (b) post a copy on the Internet.
- (2) After receiving a copy of the numbered bill from legislative printing, the docket clerk shall:
  - (a) create the official backed copy of the legislation; and
  - (b) notify the secretary of the Senate or the chief clerk of the House that the legislation is ready for introduction.

Amended by S.J.R. 11, 2014 General Session

**JR4-2-504 Printing bills and resolutions.**

- (1) As provided in Senate or House Rules, legislation may be ordered printed in the number of copies considered necessary.
- (2) A sponsor may have copies of his legislation printed in the quantity that the sponsor considers necessary.
- (3) As provided in Senate or House Rules, legislation may be printed before receiving a committee note or fiscal note.

Enacted by H.J.R. 11, 2007 General Session

**JR4-2-505 Bill information requirements on legislative website.**

The Office of Legislative Research and General Counsel shall publicly provide the following information on the Legislature's website:

- (1) a listing of each legislator's name and the number of requests for legislation that are currently open in the name of that legislator for the current legislative session; and
- (2) on the respective web page for each authorized legislative committee as defined in JR4-2-401:
  - (a) a listing of the short title of each request for legislation that:
    - (i) is opened by the committee or the committee's chairs, as provided under JR7-1-602; or
    - (ii) the authorized legislative committee voted to favorably recommend; and
  - (b) if the authorized legislative committee voted on a motion to favorably recommend a request for legislation described in Subsection (2)(a):
    - (i) a notation as to whether the authorized legislative committee approved the motion; and
    - (ii) a listing of the votes cast by the members of the authorized legislative committee, listed by name and vote.

**Chapter 3  
Introduction and Consideration of Legislation**

**Part 1  
Introduction and Consideration of Legislation**

**JR4-3-101 Introduction of legislation.**



- (1) The secretary of the Senate or chief clerk of the House shall inform the presiding officer about legislation ready for introduction.
- (2) When directed to do so by the presiding officer, the reading clerk shall introduce the legislation by reading its number and short title, which constitutes the legislation's first reading.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

**JR4-3-102 Reference of legislation.**

- (1) During an annual general or special session of the Legislature, after a piece of legislation has been introduced and read for the first time, it shall be referred to a committee or to the floor as provided in Senate or House Rules.
- (2) The secretary of the Senate and the chief clerk of the House or their designees shall deliver all legislation assigned to a committee to the chair of that committee or to that chair's designee.

Enacted by H.J.R. 15, 2017 General Session

**JR4-3-103 Standing committee responsibilities -- Limitations.**

- (1) Each standing committee shall:
  - (a) examine legislation referred to it;
  - (b) amend or substitute the legislation if necessary; and
  - (c) report the legislation back to the floor.
- (2) After noon on the 41st day of the annual general session:
  - (a) a House standing committee may not consider a piece of legislation introduced by a member of the House; and
  - (b) a Senate standing committee may not consider a piece of legislation introduced by a member of the Senate.
- (3) If legislation is referred to an interim committee, the interim committee may examine and recommend to the sponsor any changes to it that the committee considers necessary.

**JR4-3-104 Floor action.**

According to the procedures and requirements of Senate Rules and House Rules, each chamber shall consider legislation that is referred to it by a committee or that is otherwise in its possession.

**JR4-3-105 Calendaring legislation -- Preference for legislation of other chamber.**

During the third and fourth days of each week:

- (1) the Senate shall consider House legislation appearing on the Senate calendar; and
- (2) the House shall consider Senate legislation appearing on the House calendar.

Enacted by H.J.R. 15, 2017 General Session

**JR4-3-106 Notice to other chamber that legislation has failed.**

- (1) When a piece of legislation that passed the Senate is rejected by the House, the chief clerk of the House shall transmit notice of the rejection to the Senate.
- (2) When a piece of legislation that passed the House is rejected by the Senate, the secretary of the Senate shall transmit notice of the rejection to the House.

Enacted by H.J.R. 15, 2017 General Session

**JR4-3-107 Legislation transmitted to other chamber.**

- (1) The secretary of the Senate or chief clerk of the House shall:
  - (a) transmit notice of passage on third reading to the other chamber;
  - (b) comply with the requirements of Subsection (2) if necessary; and
  - (c) if sent to the other chamber, enter the date of transmission in the journal.
- (2) The secretary of the Senate or chief clerk of the House shall, before transmitting a piece of legislation to the other chamber, ensure that, if the legislation passed with amendments or was substituted, the amendments or substitute are:
  - (a) retyped or reprinted in the typeface and on the color paper designated for each chamber; and
  - (b) transmitted with the legislation.

**JR4-3-108 Consideration and action on amendments to legislation made in the other chamber.**

- (1)
  - (a) If the Senate amends and passes, or substitutes and passes, a piece of House legislation, the House:
    - (i) must either "concur" or "refuse to concur" in the amendments or substitute; and
    - (ii) may not amend or substitute the legislation.
  - (b)
    - (i) If the House concurs, the legislation shall be voted on for final passage in the House.
    - (ii) If the legislation passes, the chief clerk of the House shall notify the Senate, obtain the signatures required by JR4-5-101, and send the legislation to the Office of Legislative Research and General Counsel for enrolling.
  - (c) If the House refuses to concur in the Senate amendments or substitute to a piece of House legislation, the chief clerk of the House and the House shall follow the procedures and requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.
- (2)
  - (a) If the House amends and passes, or substitutes and passes, a piece of Senate legislation, the Senate:
    - (i) must either "concur" or "refuse to concur" in the amendments or substitute; and
    - (ii) may not amend or substitute the legislation.
  - (b)
    - (i) If the Senate concurs, the legislation shall be voted on for final passage in the Senate.
    - (ii) If the legislation passes, the secretary of the Senate shall notify the House, obtain the signatures required by JR4-6-101, and send the legislation to the Office of Legislative Research and General Counsel for enrolling.
  - (c) If the Senate refuses to concur in the House amendments or substitute to a piece of Senate legislation, the secretary of the Senate and the Senate shall follow the procedures and requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.

Amended by H.J.R. 5, 2021 General Session

**JR4-3-109 Striking the enacting clause.**

- (1)

- (a)
  - (i) Either chamber may strike the enacting clause on any piece of legislation by following the procedures and requirements of Subsection (1)(a)(ii).
  - (ii) To strike an enacting clause, a legislator shall make a motion on the floor to strike the enacting clause and a majority of the members of that chamber must approve the motion.
- (b) If the enacting clause of a piece of legislation is struck:
  - (i) the action conclusively defeats the legislation; and
  - (ii) a motion to reconsider the action is out of order.
- (2) The enacting clause of each piece of legislation that has not passed the Legislature before adjournment sine die of an annual general session or a special session is automatically stricken.

## **Part 2**

### **Transmitting and Recording Receipt of Legislation and Notes from Other Chamber**

#### **JR4-3-201 Transmittal letters.**

The secretary of the Senate or the chief clerk of the House shall:

- (1) attach a transmittal letter signed by the secretary or clerk to each piece of legislation to be transmitted to the opposite chamber; and
- (2) ensure that the piece of legislation, with its transmittal letter, is sent to the opposite chamber.

#### **JR4-3-202 Memorializing formal receipt of legislation from other chamber.**

- (1)
  - (a) Upon receipt of a transmittal letter from the Senate, the chief clerk of the House or the chief clerk's designee shall sign a receipt recording the House's receipt of the legislation.
  - (b) Once the chief clerk or the chief clerk's designee signs the receipt, the legislation is in the possession of the House.
- (2)
  - (a) Upon receipt of a transmittal letter from the House, the secretary of the Senate or the secretary's designee shall sign a receipt recording the Senate's receipt of the legislation.
  - (b) Once the secretary or the secretary's designee signs the receipt, the legislation is in the possession of the Senate.

#### **JR4-3-203 Possession of a bill -- Process for obtaining the return of legislation sent to the other chamber.**

- (1) A piece of legislation is in the possession of the chamber in which it has been receipted.
- (2) A piece of legislation in the possession of one chamber may be returned to the other chamber only when:
  - (a) the chamber having possession of the legislation receives a written request from the opposite chamber requesting return of the legislation; and
  - (b) a majority of the chamber having possession of the legislation votes to return the legislation to the opposite chamber.

## **Part 3 Legislation Affecting Workload**

### **JR4-3-301 Definitions.**

- (1) As used in this part, "increase legislative workload" means:
  - (a) placing a member of the Legislature on a board, commission, task force, or other public body;
  - (b) giving authority to a member of the Legislative Management Committee to appoint a member of a board, commission, task force, or other public body; or
  - (c) requiring a legislative staff office to staff a board, commission, task force, or other public body.
- (2) "Increases legislative workload" includes reauthorizing an existing provision described in Subsection (1).

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

- (1)
  - (a) The House shall refer any Senate legislation that increases legislative workload to the House Rules Committee before giving the legislation a third reading.
  - (b) The Senate shall table on third reading any House legislation that increases legislative workload.
- (2) Before adjourning on the 45th day of the annual general session:
  - (a) each legislator shall prioritize legislation that increases legislative workload in accordance with the process established by legislative leadership; and
  - (b) the Legislature may pass or defeat any legislation prioritized under Subsection (2)(a).

### **JR4-3-303 Reporting legislation that increases legislative workload.**

- (1) The Office of Legislative Research and General Counsel shall:
  - (a) identify legislation that increases legislative workload before the legislation passes both chambers of the Legislature; and
  - (b) each week during the annual general session, report legislation that increases legislative workload to the chairs of the Senate and House Rules committees.
- (2) In making the report required by Subsection (1)(b), the Office of Legislative Research and General Counsel may provide information and make recommendations about:
  - (a) the funding required by the legislation;
  - (b) the staffing resources required to implement the legislation;
  - (c) the time legislators and legislative staff will be required to commit as a result of the legislation;
  - (d) if the legislation creates or reauthorizes a board, commission, task force, or other public body, whether the responsibilities of that board, commission, task force, or other public body could reasonably be accomplished through an existing entity or without legislation; and
  - (e) whether the legislation sunsets or repeals the board, commission, task force, or other public body created by the legislation.
- (3) On or before the 31st day of the annual general session, the Office of Legislative Research and General Counsel shall report legislation that increases legislative workload to the president of the Senate, speaker of the House of Representatives, and minority leaders.

## **Chapter 4 Deadlines for Passage of Certain Bills**

### **Part 1 Bills Containing Fiscal Notes**

#### **JR4-4-101 Deadline for passing certain fiscal note bills.**

- (1) As used in this section, "fiscal note bill" means legislation with a fiscal note that indicates a cost of \$20,000 or more to:
  - (a) the General Fund, Income Tax Fund, or Uniform School Fund; or
  - (b) any other fund or account that affects a fund described in Subsection (1)(a).
- (2)
  - (a) The House shall refer any Senate fiscal note bill to the House Rules Committee before giving that fiscal note bill a third reading.
  - (b) The Senate shall table on third reading each House fiscal note bill.
- (3)
  - (a) Before adjourning on the 43rd day of the annual general session, each legislator shall prioritize fiscal note bills and identify other projects or programs for new or one-time funding according to the process established by leadership.
  - (b) Before adjourning on the 44th day of the annual general session, the Legislature shall either pass or defeat each fiscal note bill except constitutional amendment resolutions.

### **Part 2 Appropriations Bills**

#### **JR4-4-201 Deadline for passing base budget bills.**

- (1) Each legislator shall receive a copy of each base budget bill for the next fiscal year by calendared floor time on the first day of the annual general session.
- (2) No later than noon on the 10th day, but not before the third day, of the annual general session, the Legislature shall either pass or defeat each base budget bill.

#### **JR4-4-202 Deadline for passing certain appropriations bills and school finance bills.**

- (1) Each legislator shall receive a copy of any general appropriations bills, any supplemental appropriations bills, and any school finance bills by calendared floor time on the last Monday before the 45th day of the annual general session.
- (2) Before the calendared closing time of the 43rd day of the annual general session, the Legislature shall either pass or defeat those general appropriations bills, supplemental appropriations bills, and school finance bills.

Amended by H.J.R. 5, 2021 General Session

**JR4-4-203 Deadline for passing the final appropriations bill.**

- (1) Each legislator shall receive a copy of the final appropriations bill by calendared floor time on the 45th day of the annual general session.
- (2) By noon on the 45th day of the annual general session, the Legislature shall either pass or defeat the final appropriations bill.

Repealed and Re-enacted by H.J.R. 15, 2017 General Session

**Part 3  
Bond Bills**

**JR4-4-301 Deadline for passing bond bills.**

- (1) Each legislator shall receive a copy of any bond bill by noon on the last Monday before the 45th day of the annual general session.
- (2) Before the calendared closing time of the 43rd day of the annual general session, the Legislature shall either pass or defeat each bond bill.

Amended by H.J.R. 5, 2021 General Session

**Chapter 5  
Disposition of Legislation after Passage**

**Part 1  
Certifying and Enrolling the Legislation**

**JR4-5-101 Certification and signature.**

- (1)
  - (a) When a piece of Senate legislation has passed both chambers, the secretary of the Senate shall certify its final passage by identifying:
    - (i) the date that the legislation passed the Senate;
    - (ii) the number of senators voting for and against the legislation;
    - (iii) the number of senators absent for the vote;
    - (iv) the date that the legislation passed the House;
    - (v) the number of representatives voting for and against the legislation; and
    - (vi) the number of representatives absent for the vote.
  - (b) When a piece of House legislation has passed both chambers, the chief clerk of the House shall certify its final passage by identifying:
    - (i) the date that the legislation passed the House;
    - (ii) the number of representatives voting for and against the legislation;
    - (iii) the number of representatives absent for the vote;
    - (iv) the date that the legislation passed the Senate;
    - (v) the number of senators voting for and against the legislation; and
    - (vi) the number of senators absent for the vote.
- (2)

- (a) Except as provided in Subsection (2)(b), within one legislative day of final passage, each piece of legislation shall be signed:
  - (i) first by the presiding officer of the chamber in which it was last voted upon; and
  - (ii) second by the presiding officer of the other chamber.
- (b) Within five days following the adjournment sine die of a legislative session, each piece of legislation passed on the final day of that legislative session shall be signed:
  - (i) first by the presiding officer of the chamber in which it was last voted upon; and
  - (ii) second by the presiding officer of the other chamber.
- (c) Unless the session has adjourned sine die, the secretary of the Senate or chief clerk of the House shall note in the journal that the legislation was signed by the presiding officer.

**JR4-5-102 Enrollment and transmittal of legislation to the governor.**

- (1)
  - (a) After a piece of legislation that has passed both chambers has been signed by the presiding officers, the secretary or chief clerk shall deliver it to the Office of Legislative Research and General Counsel.
  - (b) The Office of Legislative Research and General Counsel shall:
    - (i) examine and enroll the legislation;
    - (ii) correct any technical errors as provided by Utah Code Section 36-12-12; and
    - (iii) transmit a copy of the enrolled legislation to:
      - (A) the secretary of the Senate for legislation originating in the Senate; and
      - (B) the chief clerk of the House for legislation originating in the House.
- (2) When enrolling the legislation, the Office of Legislative Research and General Counsel shall:
  - (a) include the name of the House floor sponsor for Senate legislation under the heading "House Sponsor:"; or
  - (b) include the name of the Senate floor sponsor for House legislation under the heading "Senate Sponsor:".
- (3) The secretary of the Senate or chief clerk of the House shall:
  - (a) certify each enrolled piece of legislation; and
  - (b) ensure that a copy of the enrolled legislation is:
    - (i) transmitted to the governor;
    - (ii) filed with the secretary or chief clerk;
    - (iii) transmitted to the chief sponsor upon request; and
    - (iv) transmitted to the Office of Legislative Services.

**JR4-5-103 Legislative general counsel to correct certain technical errors.**

The legislative general counsel may correct technical errors in the code in preparing the database for publication.

Enacted by H.J.R. 15, 2017 General Session

**JR4-5-104 Converting certain joint and concurrent resolutions.**

- (1) As used in this rule:
  - (a) "Nonbinding concurrent resolution" means a nonbinding resolution that is a concurrent resolution.

- (b) "Nonbinding House joint resolution" means a nonbinding resolution that is a House joint resolution.
  - (c)
    - (i) "Nonbinding resolution" means a resolution that:
      - (A) is primarily for the purpose of recognizing, honoring, or memorializing an individual, group, or event;
      - (B) requests, rather than compels, action or awareness by an individual or group; or
      - (C) is informational or promotional in nature.
    - (ii) "Nonbinding resolution" does not include:
      - (A) a rules resolution;
      - (B) a resolution for a constitutional amendment; or
      - (C) any resolution that approves or authorizes any action, requires any substantive action be taken, or results in a change in law, policy, or funding.
  - (d) "Nonbinding Senate joint resolution" means a nonbinding resolution that is a Senate joint resolution.
- (2)
- (a) A nonbinding concurrent resolution converts to a joint resolution if the governor does not approve the nonbinding concurrent resolution before the expiration of the time limit described in Utah Constitution, Article VII, Section 8 that would apply if the nonbinding concurrent resolution were a bill.
  - (b) A nonbinding Senate joint resolution converts to a Senate resolution if:
    - (i) the Senate passes the nonbinding Senate joint resolution; and
    - (ii) the House does not pass the same version of the nonbinding Senate joint resolution as the Senate.
  - (c) A nonbinding House joint resolution converts to a House resolution if:
    - (i) the House passes the nonbinding House joint resolution; and
    - (ii) the Senate does not pass the same version of the nonbinding House joint resolution as the House.
- (3) The version of a nonbinding Senate joint resolution or a nonbinding House joint resolution that passes the originating chamber is the version that converts to a Senate resolution or a House resolution.
- (4)
- (a) The Office of Legislative Research and General Counsel shall convert a resolution in accordance with this rule when the office enrolls the resolution.
  - (b) The legislative general counsel may make technical revisions to convert a resolution in accordance with this rule, including the revisions necessary to comply with JR4-1-301.
- (5) When the Office of Legislative Research and General Counsel converts a resolution in accordance with this rule, the Office of Legislative Research and General Counsel shall note the conversion in the Laws of Utah and on the enrolled resolution.

## **Part 2**

### **Recalling Legislation after Passage**

#### **JR4-5-201 Recalling legislation after the legislation is signed by the speaker and president.**

- (1)As used in this rule:



- (a)"Originating chamber" means the chamber in which a piece of legislation originates.
- (b)"Non-originating chamber" means the chamber in which a piece of legislation does not originate.
- (2)An originating chamber may recall legislation that is in the possession of the Office of Legislative Research and General Counsel by a motion and constitutional majority vote.
- (3)
  - (a)A non-originating chamber may, by motion and constitutional majority vote, request that the originating chamber recall legislation from the Office of Legislative Research and General Counsel.
  - (b)Upon receipt of a request described in Subsection (3)(a), the originating chamber may, by motion and constitutional majority vote, recall from the Office of Legislative Research and General Counsel the legislation that is the subject of the request.
  - (c)A non-originating chamber may not recall legislation from the Office of Legislative Research and General Counsel except as provided in this Subsection (3).
- (4)The Office of Legislative Research and General Counsel shall return legislation recalled under this rule:
  - (a)for legislation recalled under Subsection (2), to the originating chamber; or
  - (b)for legislation recalled under Subsection (3), to the non-originating chamber.

#### **JR4-5-202 Recalling legislation from the governor.**

When a bill has passed both chambers of the Legislature, been signed by the presiding officers, been enrolled, and been sent to the governor for his approval, it can be recalled only if:

- (1)a joint resolution requesting that the governor return the legislation is passed by a constitutional majority vote of both chambers; and
- (2)the governor elects to return it.

## **Title JR5. Legislative Compensation and Expenses**

### **Chapter 1 General Provisions**

#### **JR5-1-101 Definitions.**

As used in this title:

- (1) "Authorized legislative day" means:
  - (a) a general session day, which includes any day during the period that begins on the day that the Legislature convenes in annual general session until midnight of the 45th day of the annual general session;
  - (b) a special session day;
  - (c) a veto override session day;
  - (d) an interim day designated by the Legislative Management Committee;
  - (e) an authorized legislative training day; or

- (f) any other day that includes a meeting of a committee, subcommittee, commission, task force, or other legislative meeting, provided that:
  - (i) the committee, subcommittee, commission, task force, or other entity is created by statute or joint resolution;
  - (ii) the legislator's attendance at the meeting is approved by the Legislative Management Committee; and
  - (iii) service and payment for service by the legislator is not in violation of the Utah Constitution, including Article V and Article VI, Sections 6 and 7.
- (2) "Authorized legislative training day" means a day that a Legislative Expenses Oversight Committee designates as an authorized legislative day for training or informational purposes under JR5-1-102, including the following:
  - (a) chair training;
  - (b) an issue briefing;
  - (c) legislative leadership instruction;
  - (d) legislative process training;
  - (e) legislative rules training;
  - (f) new legislator orientation; or
  - (g) another meeting to brief, instruct, orient, or train a legislator or legislator-elect in furtherance of the legislator's or legislator-elect's official duties.
- (3) "Reimbursement" means money paid to compensate a legislator for money spent by the legislator in furtherance of the legislator's official duties.

Amended by H.J.R. 6, 2017 General Session

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

- (1) The presiding officer and the majority leader and minority leader of each chamber are the Legislative Expenses Oversight Committee for that chamber.
- (2) Each committee shall:
  - (a) establish procedures to implement the rules on legislative expenses, including establishing systems and procedures for the reimbursement of legislative expenses;
  - (b) ensure that procedures are established for the purpose of avoiding duplicate or improper payments or reimbursements; and
  - (c) meet at least annually, or at the request of a majority of the committee, to review legislative expenses and travel budgets.
- (3) Each committee may, for a calendar year, authorize up to 10 authorized legislative training days for each legislator.
- (4) The presiding officer may authorize temporary emergency legislative expenses.

**Chapter 2**  
**Lodging, Meal, and Transportation Expenses**

**JR5-2-101 Reimbursement of lodging.**

- (1) Subject to the other provisions of this rule, if a legislator's official duties necessitate overnight accommodations, the legislator may receive reimbursement for any actual lodging expenses incurred by the legislator for an:

- (a) authorized legislative day; or
  - (b) authorized legislative training day.
- (2) Except as provided in the policies and procedures established in accordance with Subsection (3), reimbursement under Subsection (1) may not exceed the daily rates published in the administrative rules governing reimbursement of lodging expenses for state employees.
- (3) Reimbursement for actual lodging expenses for a legislator for an authorized legislative day or authorized legislative training day shall be as provided in policies and procedures established by the Legislative Expenses Oversight Committee.

**JR5-2-102 Reimbursement of meal expenses.**

- (1) Subject to the other provisions of this rule, for each authorized legislative day or authorized legislative training day a legislator may receive reimbursement for any actual meal expenses incurred by the legislator in association with the legislator's official duties.
- (2) Except as provided in the policies and procedures established in accordance with Subsection (3), reimbursement under Subsection (1):
- (a) may not exceed the rates set in administrative rules governing reimbursement and meal expenses for state employees; and
  - (b) is subject to the time calculation requirements set in administrative rules governing reimbursement and meal expenses for state employees.
- (3) Reimbursement for actual meal expenses for a legislator for an authorized legislative day or authorized legislative training day shall be as provided in policies and procedures established by the Legislative Expenses Oversight Committee.

**JR5-2-103 Reimbursement for transportation costs.**

- (1) A legislator may receive reimbursement for any actual transportation costs incurred by the legislator in association with the legislator's official duties for an:
- (a) authorized legislative day; or
  - (b) authorized legislative training day.
- (2) Transportation costs reimbursed under this rule shall be equal to:
- (a) for travel by private vehicle, the actual mileage incurred by the legislator for the legislator's private automobile use to and from the legislative meeting, to be paid in accordance with the private vehicle mileage reimbursement rate that is applied when daily pool fleet vehicles are unavailable, as published in the administrative rules governing reimbursement of transportation expenses for state employees;
  - (b) for public transportation:
    - (i) the actual cost of the transportation incurred by the legislator to and from the legislative meeting;
    - (ii) the private vehicle mileage actually incurred by the legislator to and from the terminus of the public transportation; and
    - (iii) the cost of parking actually incurred by the legislator; or
  - (c) for commercial transportation:
    - (i) the actual cost of the transportation, which shall be limited to coach or standard economy class, incurred by the legislator to and from the legislative meeting;
    - (ii) the private vehicle mileage actually incurred by the legislator to and from the terminus of the commercial transportation; and
    - (iii) the cost of parking actually incurred by the legislator.

- (3) Reimbursement for actual transportation costs incurred for a legislator for an authorized legislative day or an authorized legislative training day shall be as provided in procedures established by the Legislative Expenses Oversight Committee.

Amended by H.J.R. 5, 2021 General Session

**JR5-2-104 Verification -- Procedures.**

A legislator shall provide a receipt or other similar supporting documentation for each cost or expense for which the legislator seeks reimbursement under this chapter.

Enacted by H.J.R. 6, 2013 General Session

**JR5-2-105 Declining reimbursement and reduced reimbursement.**

- (1) A legislator may decline to request or to receive reimbursement for any expense or cost that is reimbursable under this chapter.
- (2) A legislator may request and receive a partial or reduced reimbursement for any expense or cost that is reimbursable under this chapter.

Enacted by H.J.R. 6, 2013 General Session

### **Chapter 3 Legislator Compensation**

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

- (1) Except as provided under Subsection (2), a legislator shall receive daily compensation established in accordance with Utah Code Sections 36-2-2 and 36-2-3 for authorized legislative days as defined in JR5-1-101.
- (2) The Legislative Management Committee may authorize compensation and expense reimbursement, or expense reimbursement only, for a legislator who attends a meeting on an authorized legislative day as defined in JR5-1-101.

Amended by H.J.R. 5, 2021 General Session

### **Chapter 4 Out-of-State Travel**

**JR5-4-101 Reimbursement for costs of out-of-state travel.**

The following rules govern reimbursement for out-of-state travel by legislators:

- (1)
- (a) Subject to Subsections (1)(b) and (1)(c), legislators shall receive reimbursement for all approved actual and necessary expenses.
- (b) The presiding officer, the majority leader, and the minority leader shall meet annually to establish a policy governing out-of-state travel, including the process for them to approve out of state travel and approve reimbursement of expenses for that travel as required under Utah Code Section 36-12-17.

- (c) If a legislator elects to travel to an out-of-state destination by private automobile, the legislator shall receive actual mileage or the actual cost of alternative commercial transportation, whichever is less.
- (2) Each legislator shall provide supporting documentation for each expense for which the legislator seeks reimbursement.

Enacted by H.J.R. 11, 2007 General Session

## **Chapter 5 Communication Device Expenses**

### **JR5-5-101 Reimbursement for communications device expenses.**

- (1) The presiding officer, the majority leader, and the minority leader of each chamber of the Legislature may establish a policy governing reimbursement for expenses related to communications devices, which policy shall include:
  - (a) the types of communications device expenses that will be reimbursed to legislators; and
  - (b) the process for reimbursement of communications device expenses.
- (2) A legislator may, pursuant to a policy adopted under Subsection (1), be reimbursed for use of a communications device that is:
  - (a) owned by the legislator; and
  - (b) used by the legislator in the legislator's capacity as an employee of the Legislature.

### **JR5-5-102 Verification -- Procedures.**

- (1) Each legislator shall provide supporting documentation for each cost or expense for which a legislator seeks reimbursement under this chapter.
- (2) The Legislative Expenses Oversight Committee shall ensure that procedures are established for the purpose of avoiding duplicate or improper reimbursements.

Enacted by S.J.R. 14, 2011 General Session

### **JR5-5-103 Declining reimbursement and reduced reimbursement.**

- (1) A legislator may decline to request or receive reimbursement for any expense that is reimbursable under this chapter.
- (2) A legislator may request and receive a partial or reduced reimbursement for any expense that is reimbursable under this chapter.

Enacted by S.J.R. 14, 2011 General Session

## **Title JR6. Legislative Ethics and Adjudication of Ethics Complaints**

### **Chapter 1 Ethics Requirements Governing Legislators**

## Part 1 Ethical Standards for Legislators

### **JR6-1-101 Legislative ethics.**

- (1) The Utah Legislature consists of people who work part-time and must necessarily earn their living in other jobs and professions.
- (2) It is necessary to reconcile the functions of privately employed legislators who have their own private interests with the maintenance of high ethical standards and public confidence.
- (3) In seeking to balance these interests, it is necessary to avoid controls that might be so strict that they discourage capable and honorable persons from entering legislative service.
- (4) It is recognized that public confidence in the Legislature should be promoted and that competent members should serve in the Legislature even though most of them have private interests of various types.
- (5) It is also recognized that a citizen legislator is in a different position in doing business with the state and its political subdivisions than a public servant whose chief source of livelihood is derived from public funds.

Enacted by H.J.R. 11, 2007 General Session

### **JR6-1-102 Code of official conduct.**

- (1) As used in this rule:
  - (a) "Person" includes an individual, a partnership, an association, an organization, a company, and a body politic and corporate, or a lobbyist from any of these.
  - (b) "Person" does not include an individual or entity described in Subsection (1)(a) that provides the legislator's primary source of income.
- (2) Each legislator shall comply with the guidelines established in Subsection (3).
- (3) In judging members of its house charged with an ethical violation, the Senate and 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 to lobby, consult, or to further the interests of any legislation or legislative matter, except that a person may pay a member of the Senate or House to lobby, as defined in Utah Code Section 36-11-102, for the purpose of influencing federal legislative or federal executive action.
  - (c) Members of the Senate and House shall not exercise any undue influence on any governmental entity. "Undue influence" means deceit or threat of violence.
  - (d) 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) Members of the Senate and House 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) 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) Members of the Senate and House shall not use their official position to secure privileges for themselves or others.

- (h) 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) 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) 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) Legislators may enter into transactions with the state by contract by following the procedures and requirements of Utah Code Title 63G, Chapter 6a, Utah Procurement Code.

**JR6-1-103 Receipt of campaign donations.**

(1) As used in this rule:

- (a) "Campaign contribution" means cash or a negotiable instrument contributed for a political purpose to a campaigner.
- (b) "Campaigner" means:
  - (i) a legislative office candidate;
  - (ii) an individual who holds a legislative office;
  - (iii) a personal campaign committee of a person described in Subsection (1)(b)(i) or (ii);
  - (iv) a political action committee controlled by a person described in Subsection (1)(b)(i) or (ii); or
  - (v) a person acting on behalf of a person described in Subsections (1)(b)(i) through (iv).
- (c) "Capitol hill" means the same as that term is defined in Utah Code Section 36-5-1.
- (d) "Indirect campaign contribution" means a campaign contribution that is delivered to a campaigner:
  - (i) when the campaigner is not present; or
  - (ii) via a third party or delivery service.
- (e) "Political purpose" means the same as "political purposes" is defined in Utah Code Section 20A-11-101.

- (2)
- (a) A campaigner may not accept receipt of a campaign contribution on capitol hill.
  - (b) A legislator who is in violation of this rule is subject to an ethics complaint regardless of whether the violation occurred while the legislator was a legislative office holder or a legislative office candidate.
- (3) Notwithstanding Subsection (2), a campaigner shall not be considered to have accepted receipt of a campaign contribution if:
- (a) the campaign contribution is an indirect campaign contribution; and
  - (b) the campaigner promptly:
    - (i) returns the campaign contribution to the donor; or
    - (ii) refuses the campaign contribution in a written communication or other verifiable manner.

Amended by H.J.R. 5, 2021 General Session

**Part 2  
Conflicts of Interest**

**JR6-1-201 Declaring and recording conflicts of interest.**

- (1) As used in this rule:
  - (a) "Conflict of interest" means the same as that term is defined in Utah Code Section 20A-11-1602.
  - (b) "Conflict of interest disclosure" means the same as that term is defined in Utah Code Section 20A-11-1602.
- (2) A legislator shall file a conflict of interest disclosure by complying with the requirements of Utah Code Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures.
- (3)
  - (a) For a legislator who is a senator, Senate staff shall ensure that a link to the legislator's conflict of interest disclosure is available to the public on the Senate's website.
  - (b) For a legislator who is a representative, House staff shall ensure that a link to the legislator's conflict of interest disclosure is available to the public on the House of Representative's website.
- (4) If a legislator has actual knowledge that the legislator has a conflict of interest that is not stated on the legislator's financial disclosure form filed under Subsection (2), that legislator shall, before or during a vote on legislation or any legislative matter, orally declare to the committee or legislative body:
  - (a) that the legislator may have a conflict of interest; and
  - (b) what that conflict is.
- (5) A verbal declaration of a conflict of interest under Subsection (4) shall be recorded:
  - (a) for a declaration made on the floor, in the Senate or House journal; or
  - (b) for a declaration made in a committee or other meeting, in the minutes of the meeting.
- (6) The requirements of this rule do not prohibit a legislator from voting on any legislation or legislative matter.

**Part 3  
Ethics Training**

**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.
- (2) The ethics training course shall include training materials and exercises that are available on the Internet to legislators and to the public.
- (3) The ethics training course shall be designed to assist legislators 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 has successfully completed key training exercises.
- (5) A legislator shall successfully complete the key training exercises of the ethics training course once each year or as directed by the Legislative Management Committee.

Amended by H.J.R. 12, 2011 General Session



**Chapter 2**  
**House and Senate Ethics Committees and**  
**Independent Legislative Ethics Commission**

**Part 1**  
**Membership, Meetings, and Staff**

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

- (1) There is established a Senate Ethics Committee and a House Ethics Committee.
- (2) 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) 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) A committee member shall serve a two-year term.
- (5)
  - (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 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), the member shall be appointed by the person who appointed the member who is being temporarily replaced, consistent with Subsection (2), for a member of the Senate Ethics Committee, or Subsection (3), for the House Ethics Committee; or
    - (ii) if the person designated to make the appointment under Subsection (5)(a)(i) is accused of wrongdoing in the complaint or determines that he or she 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 leader;
      - (C) the House majority leader, if the person designated is the speaker of the House; or
      - (D) the House minority whip, if the person designated is the House minority leader.
  - (b) The temporary committee member's term ends when the committee has concluded its review of the complaint.

Amended by S.J.R. 3, 2010 General Session

**JR6-2-102 Ethics committee -- Meetings and staff.**

- (1) The Senate and House Ethics Committees shall operate as both standing and interim committees.
- (2) The committees shall meet as necessary, either as called at:
  - (a) the discretion of the chair; or
  - (b) by a majority vote of the committee.
- (3) A majority of the committee is a quorum.

- (4) The staff of each committee consists of:
  - (a) the director of the Office of Legislative Research and General Counsel;
  - (b) the legislative general counsel; and
  - (c) any other staff designated by the director or the legislative general counsel.

Amended by S.J.R. 3, 2010 General Session

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

- (1) There is established an Independent Legislative Ethics Commission.
- (2) The commission is composed of five persons, each of whom is registered to vote in this state, appointed as follows:
  - (a) two members, who have served as judges of a court of record in this state, each of whom shall be nominated by the mutual consent of the president of the Senate and the speaker of the House, and appointed by a majority vote of the president of the Senate, speaker of the House, Senate minority leader, and House minority leader;
  - (b) one member, who has served as a judge of a court of record in this state, nominated by the mutual consent of the Senate minority leader and the House minority leader, and appointed by a majority vote of the president of the Senate, speaker of the House, Senate minority leader, and House minority leader;
  - (c) one member, who has served as a member of the Legislature in this state no more recently than four years before the date of appointment, appointed by the mutual consent of the president of the Senate and the speaker of the House of Representatives; and
  - (d) one member, who has served as a member of the Legislature in this state no more recently than four years before the date of appointment, appointed by the mutual consent of the Senate minority leader and House minority leader.
- (3) A member of the commission may not, during the member's term of office on the commission, act or serve as:
  - (a) an officeholder as defined in Utah Code Section 20A-11-101;
  - (b) an agency head as defined in Utah Code Section 67-16-3;
  - (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)
  - (a)
    - (i) Except as provided in Subsection (4)(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).
    - (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).
- (5)
- (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)
- (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.

**JR6-2-103.5 Motion to disqualify Independent Legislative Ethics Commission member for conflict of interest.**

- (1) A complainant may file a motion to disqualify one or more members of the Independent Legislative Ethics Commission from participating in proceedings relating to an ethics complaint if the individual files the motion within 20 days after the later of:
- (a) the day on which the individual files the ethics complaint; or
  - (b) the day on which the individual knew or should have known of the grounds upon which the motion is based.
- (2) A respondent may file a motion to disqualify one or more members of the commission from participating in proceedings relating to an ethics complaint if the respondent files the motion within 20 days after the later of:
- (a) the day on which the respondent receives delivery of the ethics complaint; or
  - (b) the day on which the respondent knew or should have known of the grounds upon which the motion is based.
- (3) A motion filed under this rule shall include:
- (a) a statement that the members to whom the motion relates have a conflict of interest that, under the circumstances, would lead a reasonable person to question the impartiality of the members;
  - (b) a detailed description of the grounds supporting the statement described in Subsection (3)(a); and

- (c) a statement that the motion is filed in good faith, supported by an affidavit or declaration under penalty of Title 78B, Chapter 18a, Uniform Unsworn Declarations Act, stating that the motion and all accompanying statements and documents are true and correct to the best of the complainant's or respondent's knowledge.
- (4) A party may not file more than one motion to disqualify, unless the second or subsequent motion:
  - (a) is based on grounds of which the party was not aware, and could not have been aware, at the time of the earlier motion; and
  - (b) is accompanied by a statement, included in the affidavit or declaration described in Subsection (3)(c), explaining how and when the party first became aware of the grounds described in Subsection (4)(a).
- (5) The commission shall dismiss a motion filed under this rule, with prejudice, if the motion:
  - (a) is not timely filed; or
  - (b) does not comply with the requirements of this rule.
- (6) A member of the commission may:
  - (a) on the member's own motion, disqualify the member from participating in proceedings relating to an ethics complaint if the member believes that the member has a conflict of interest that, under the circumstances, would lead a reasonable person to question the impartiality of the member; or
  - (b) ask the commission to disqualify another member of the commission if the member believes that the member has a conflict of interest that, under the circumstances, would lead a reasonable person to question the impartiality of the member.
- (7)
  - (a) When a party files a motion under this rule, or when a commission member makes a request under Subsection (6)(b), the commission member for whom disqualification is sought may make the initial determination regarding whether the commission member has a conflict of interest.
  - (b) If a commission member described in Subsection (7)(a) determines that the commission member has a conflict of interest, the commission member shall disqualify the commission member from participating in the matter.
  - (c) If a commission member described in Subsection (7)(a) determines that the commission member does not have a conflict of interest, or declines to make the determination, the remainder of the commission shall, by majority vote, determine whether the commission member has a conflict of interest.
  - (d) A vote of the commission, under Subsection (7)(c), constitutes a final decision on the issue of a conflict of interest.
- (8) In making a determination under Subsection (7)(c), the commission may:
  - (a) gather additional evidence;
  - (b) hear testimony; or
  - (c) request that the commission member who is the subject of the motion or request file an affidavit or declaration responding to questions posed by commission.

Amended by H.J.R. 5, 2021 General Session

**JR6-2-104 Independent Legislative Ethics Commission -- Meetings -- Staff.**

- (1) The Independent Legislative Ethics Commission shall meet for the purpose of reviewing an ethics complaint when:

- (a) except otherwise expressly provided in this title, called to meet at the discretion of the chair;  
or
  - (b) called to meet by a majority vote of the commission.
- (2) A majority of the commission is a quorum.
- (3)
- (a) The commission shall prepare, on an annual basis, a summary data report that contains:
    - (i) a general description of the activities of the commission during the past year;
    - (ii) the number of ethics complaints filed with the commission;
    - (iii) the number of ethics complaints reviewed by the commission;
    - (iv) the number of complaints filed against a member of the House of Representatives;
    - (v) the number of complaints filed against a member of the Senate;
    - (vi) a summary description of any ethics complaints that were recommended by the commission for review by a Legislative ethics committee; and
    - (vii) an accounting of the commission's budget and expenditures.
  - (b) The summary data report shall be submitted to an appropriate committee of the Legislature on an annual basis.
  - (c) The summary data report shall be a public record.
- (4) The Senate and the House of Representatives shall employ staff for the commission at a level that is reasonable to assist the commission in performing its duties as established in this chapter.
- (5)
- (a) The Legislative Management Committee shall:
    - (i) authorize each staff position for the commission; and
    - (ii) approve the employment of each staff member for the commission.
  - (b) Notwithstanding Subsection (5)(a), the commission may hire an individual without authorization from the Legislative Management Committee if:
    - (i) the individual is hired by a majority vote of the commission, which authorization, in order to preserve the confidentiality of the complaint, shall be discussed and voted upon in a closed meeting of the commission;
    - (ii) the individual is hired for the purpose of assisting the commission with organizing, reviewing, and marshaling facts and evidence raised in connection with a complaint filed with the commission;
    - (iii) the individual is hired on a temporary, contractual basis; and
    - (iv) the total amount payable under the contract for services does not exceed \$5,000.
  - (c) A contract issued under Subsection (5)(b) is a private record as provided in Utah Code Section 63G-2-302.
- (6) Staff for the commission shall work only for the commission and may not perform services for the Senate, House of Representatives, or other legislative offices.

Amended by S.J.R. 16, 2015 General Session

## **Part 2**

### **General Powers and Procedures**

**JR6-2-201 Authority to review complaint -- Grounds for complaint -- Limitations on filings.**

- (1) Subject to the requirements of this chapter, the Senate Ethics Committee, the House Ethics Committee, and the Independent Legislative Ethics Commission are authorized to review an ethics complaint against a legislator if the complaint alleges:
  - (a) a violation of the code of official conduct as provided in JR6-1-102;
  - (b) a violation of JR6-1-103;
  - (c) a conviction of, or a plea of guilty to, a crime involving moral turpitude; or
  - (d) a plea of no contest or a plea in abeyance to a crime involving moral turpitude.
- (2)
  - (a) For an alleged violation under Subsection (1)(a), the complaint must be filed within two years of the date that the action or omission that forms the basis of the alleged violation occurred or within two years of the date that the action or omission would have been discovered by a reasonable person.
  - (b) For an alleged violation under Subsection (1)(c) or (d), the complaint shall be filed within two years of the date that the plea or conviction that forms the basis of the allegation was entered.
- (3)
  - (a) A complaint may not contain an allegation if that allegation and the general facts and circumstances supporting that allegation have been previously reviewed by the commission or an ethics committee unless:
    - (i) the allegation was previously reviewed by the commission and dismissed without being referred to an ethics committee for review;
    - (ii) the allegation is accompanied by material facts or circumstances supporting the allegation that were not raised or pled to the commission when the allegation was previously reviewed; and
    - (iii) the allegation and the general facts and circumstances supporting that allegation have only been reviewed by the commission on one previous occasion.
  - (b) If an allegation in the complaint does not comply with the requirements of Subsection (3)(a), the allegation shall be summarily dismissed with prejudice by:
    - (i) the chair of the Independent Legislative Ethics Commission, when reviewing the complaint under JR6-4-101; or
    - (ii) the commission, when reviewing the complaint under JR6-4-201.

Amended by H.J.R. 16, 2013 General Session

**JR6-2-202 General powers -- Jurisdiction.**

- (1) The commission and the committees have jurisdiction only over an individual who is currently serving in the Legislature.
- (2) The commission and the committees shall dismiss an ethics complaint if the respondent legislator resigns from the Legislature.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

**Part 3**  
**General Provisions Governing Hearings on Ethics Complaint**

**JR6-2-301 General procedures for conducting a hearing on an ethics complaint.**

- (1) In conducting a hearing on a complaint, the Independent Legislative Ethics Commission or the Senate or House Ethics Committee shall comply with the following process in the order specified:
  - (a) introduction and instructions for procedure and process, at the discretion of the chair;
  - (b) complainants' opening argument, to be presented by a complainant or complainants' counsel;
  - (c) complainants' presentation of evidence and witnesses in support of allegations in the complaint;
  - (d) consideration of motions to dismiss the complaint or motions for a directed verdict, as applicable;
  - (e) respondent's opening argument, to be presented by the respondent or respondent's counsel;
  - (f) respondent's presentation of evidence and witnesses refuting allegations in the complaint;
  - (g) presentation of rebuttal evidence and witnesses by the complainants, at the discretion of the chair;
  - (h) presentation of rebuttal evidence and witnesses by the respondent, at the discretion of the chair;
  - (i) complainants' closing argument, to be presented by a complainant or complainants' counsel;
  - (j) respondent's closing argument, to be presented by the respondent or respondent's counsel;
  - (k) deliberations by the commission or committee; and
  - (l) adoption of the commission's or committee's findings.
- (2) The commission or an ethics committee may, in extraordinary circumstances, vary the order contained in Subsection (1) by majority vote and by providing notice to the parties.
- (3) The chair may schedule the examination of a witness or evidence subpoenaed at the request of the chair or the committee under JR6-2-303 at the chair's discretion.

Enacted by S.J.R. 3, 2010 General Session

**JR6-2-302 Chair as presiding judge.**

- (1) Except as expressly provided otherwise in this title, the chair of the Independent Legislative Ethics Commission and the chair of the Senate or House Ethics Committee is vested with the power to direct the commission or committee during meetings authorized by this title.
- (2) Unless expressly prohibited from doing so under this title, the commission or committee may overrule a decision of the chair by using the following procedure:
  - (a) If a member objects to a decision of the chair, that member may appeal the decision by stating:
    - (i) "I appeal the decision of the chair."; and
    - (ii) the basis for the objection.
  - (b) This motion is nondebatable.
  - (c) The chair shall direct a roll call vote to determine if the commission or committee supports the decision of the chair.
  - (d) A majority vote of the commission or committee is necessary to overrule the decision of the chair.
- (3) The chair may set time limitations on any part of a meeting or hearing authorized by this title.

Enacted by S.J.R. 3, 2010 General Session

**JR6-2-303 Subpoena powers.**

- (1) For all proceedings authorized by this title, the Independent Legislative Ethics Commission or the Senate or House Ethics Committee may issue a subpoena to:

- (a) require the attendance of a witness;
  - (b) direct the production of evidence; or
  - (c) require both the attendance of a witness and the production of evidence.
- (2) The commission shall issue a subpoena under this rule:
- (a) as required under JR6-2-305;
  - (b) at the direction of the commission chair, if the chair determines that the testimony or evidence is relevant to the review of a complaint under Chapter 4, Part 2, Review of Ethics Complaint by the Independent Legislative Ethics Commission; or
  - (c) upon a vote of a majority of the commission members.
- (3) An ethics committee shall issue a subpoena under this rule:
- (a) as required under JR6-2-305;
  - (b) at the direction of the committee chair or vice chair, if the chair or vice chair determines that the testimony or evidence is relevant to review of a complaint under Chapter 4, Part 3, Review of Ethics Complaint by Ethics Committee; or
  - (c) upon a vote of a majority of the committee members.
- (4) The director of the Office of Legislative Research and General Counsel shall issue a subpoena on behalf of an ethics committee when requested to do so by one of the persons or entities authorized to do so under Subsection (3).

Enacted by S.J.R. 3, 2010 General Session

**JR6-2-304 Contempt of the Legislature.**

- (1)
- (a) The following actions constitute contempt of the Legislature in relation to actions and proceedings under this title:
    - (i) disobedience to a direction of the commission chair;
    - (ii) disobedience to a direction of an ethics committee chair;
    - (iii) failure to answer a question during a hearing when directed to do so by:
      - (A) the commission chair, unless the direction is overridden by the commission under JR6-2-302;
      - (B) an ethics committee chair, unless the direction is overridden by the committee under JR6-2-302; or
      - (C) a majority of the commission or committee;
    - (iv) failure to comply with a subpoena or other order issued under authority of this title;
    - (v) violation of privacy provisions established by JR6-3-102;
    - (vi) violation of the communication provisions established by JR6-2-306;
    - (vii) violation of a request to comply with a provision of this title by a chair or a majority of the members of the commission or committee; or
    - (viii) any other ground that is specified in statute or recognized at common law.
  - (b) Because the purpose of the Fifth Amendment privilege not to incriminate oneself is to prevent prosecution for criminal action, it is improper for a witness to invoke the Fifth Amendment privilege if the witness cannot be prosecuted for the crime to which the witness's testimony relates.
- (2)
- (a) The following persons may authorize an enforcement action against a person in contempt of the Legislature under the provisions of this title:
    - (i) the commission chair, subject to the provisions of JR6-2-302;
    - (ii) members of the commission, by means of a majority vote;



- (iii) an ethics committee chair, subject to the provisions of JR6-2-302; or
- (iv) members of an ethics committee, by means of a majority vote.
- (b) In initiating and pursuing an action against an individual for contempt of the Legislature, the plaintiff shall comply with the procedures and requirements of Utah Code Section 36-14-5.

Enacted by S.J.R. 3, 2010 General Session

**JR6-2-305 Testimony and examination of witnesses -- Oath -- Procedure -- Contempt.**

- (1)
  - (a) The chair shall ensure that each witness listed in the complaint and response is subpoenaed for appearance at the hearing unless:
    - (i) the witness is unable to be properly identified or located; or
    - (ii) service is otherwise determined to be impracticable.
  - (b) The chair shall determine the scheduling and order of witnesses and presentation of evidence.
  - (c) The commission or committee may, by majority vote:
    - (i) overrule the chair's decision not to subpoena a witness under Subsection (1)(a);
    - (ii) modify the chair's determination on the scheduling and order of witnesses under Subsection (1)(b);
    - (iii) decline to hear or call a witness that has been requested by the complainant or respondent;
    - (iv) decline to review or consider evidence submitted in relation to an ethics complaint; or
    - (v) request and subpoena witnesses or evidence according to the procedures of JR6-2-303.
- (2)
  - (a) Each witness shall testify under oath.
  - (b) The chair or the chair's designee shall administer the oath to each witness.
- (3) After the oath has been administered to the witness, the chair shall direct testimony as follows:
  - (a) allow the party that has called the witness, or that party's counsel, to question the witness;
  - (b) allow the opposing party, or that party's counsel, to cross-examine the witness;
  - (c) allow additional questioning by a party or a party's counsel as appropriate;
  - (d) give commission or committee members the opportunity to question the witness; and
  - (e) as appropriate, allow further examination of the witness by the commission or committee, or the parties or their counsel.
- (4)
  - (a) If the witness, a party, or a party's counsel objects to a question, the chair shall:
    - (i) direct the witness to answer; or
    - (ii) rule that the witness is not required to answer the question.
  - (b) If the witness declines to answer a question after the chair or a majority of the commission or committee determines that the witness is required to answer the question, the witness may be held in contempt as provided in JR6-2-304.
- (5)
  - (a) The chair or a majority of the members of the commission or committee may direct a witness to furnish any relevant evidence for consideration if the witness has brought the material voluntarily or has been required to bring it by subpoena.
  - (b) If the witness declines to provide evidence in response to a subpoena, the witness may be held in contempt as provided in JR6-2-304.

Enacted by S.J.R. 3, 2010 General Session

**JR6-2-306 Communications of commission and committee members.**

- (1) As used in this rule, "third party" means:
  - (a) for a member of the Independent Legislative Ethics Commission, a person who is not a member of the commission or staff to the commission; or
  - (b) for a member of an ethics committee, a person who is not a member of the committee or staff to the committee.
- (2) While a complaint is under review by the commission or an ethics committee, a member of that commission or committee may not initiate or consider any communications concerning the complaint with a third party unless:
  - (a) the communication is expressly permitted under the procedures established by this title; or
  - (b) the communication is made by the third party, in writing, simultaneously to:
    - (i) all members of the commission or committee; and
    - (ii) a staff member of the commission or committee.
- (3)
  - (a) While the commission is reviewing a complaint under this title, a commission member may communicate outside of the meetings, hearing, or deliberations with another member of, or staff to, the commission, only if the member's communication does not materially compromise the member's responsibility to independently review and make decisions in relation to the complaint.
  - (b) While a committee is reviewing a complaint under this title, a committee member may communicate outside of the meeting, hearing, or deliberations with another member of, or staff to, the committee, only if the member's communication does not materially compromise the member's responsibility to independently review and make decisions in relation to the complaint.
- (4) While a complaint is under review by an ethics committee, a member of the commission may not comment publicly or privately about the commission's decision, reasoning, or other matters relating to the ethics complaint, but may provide or refer a questioner to the commission's written recommendation.

Amended by H.J.R. 5, 2021 General Session

**JR6-2-307 Attorney fees and costs.**

- (1) A person filing a complaint under this title:
  - (a) may, but is not required to, retain legal representation during the complaint review process; and
  - (b) is responsible for payment of complainants' attorney fees and costs incurred.
- (2)
  - (a) A legislator against whom a complaint is filed under this title:
    - (i) may, but is not required to, retain legal representation during the complaint review process; and
    - (ii) is responsible for that legislator's own attorney fees and costs involved, except as provided in Subsection (2)(b).
  - (b) The Senate, for a senator, or the House of Representatives, for a representative, shall pay the reasonable attorney fees and costs incurred by a legislator against whom a complaint is filed under this title if:
    - (i) the commission declines to recommend that any allegation in the complaint be reviewed by an ethics committee; or

- (ii) an ethics committee determines that none of the allegations in the complaint that were recommended for review by the commission have been proved.
- (3)
- (a) An attorney participating in a hearing before the commission or an ethics committee shall comply with:
    - (i) the rules of professional conduct established by the Utah Supreme Court;
    - (ii) the procedures and requirements of this title; and
    - (iii) the directions of the chairs, commission, and ethics committees.
  - (b) Violations of Subsection (3)(a) may constitute:
    - (i) contempt of the Legislature under JR6-2-304; or
    - (ii) a violation of the rules of professional conduct subject to enforcement by the Utah State Bar.

Enacted by S.J.R. 3, 2010 General Session

### **Chapter 3**

#### **Filing a Complaint Alleging a Violation of Legislative Ethics**

#### **JR6-3-101 Ethics complaints -- Filing -- Form.**

- (1)
- (a) The following individuals, who shall be referred to as the complainants, may file a complaint against an individual legislator if the complaint meets the requirements of JR6-2-201 and Subsection (1)(b):
    - (i) two or more members of the House of Representatives, for a complaint against a representative, provided that the complaint contains evidence or sworn testimony that:
      - (A) sets forth facts and circumstances supporting the alleged violation; and
      - (B) is evidence or sworn testimony of the type that would generally be admissible under the Utah Rules of Evidence;
    - (ii) two or more members of the Senate, for a complaint against a senator, provided that the complaint contains evidence or sworn testimony that:
      - (A) sets forth facts and circumstances supporting the alleged violation; and
      - (B) is evidence or sworn testimony of the type that would generally be admissible under the Utah Rules of Evidence; or
    - (iii) two or more registered voters currently residing within Utah, if, for each alleged violation pled in the complaint, at least one of those registered voters has personal knowledge of the facts and circumstances supporting the alleged violation.
  - (b) A complainant may file a complaint only against an individual who is serving as a member of the Legislature on the date that the complaint is filed.
- (2)
- (a) Complainants shall file a complaint with the chair of the Independent Legislative Ethics Commission.
  - (b) Except as provided in Subsection (2)(c), an individual may not file a complaint during the 60 calendar days immediately preceding:
    - (i) a regular primary election, if the accused legislator is a candidate in the primary election; or
    - (ii) a regular general election in which the accused legislator is a candidate, unless the accused legislator is unopposed in the election.

- (c) Notwithstanding Subsection (2)(b), an individual may file a complaint within the time frame provided in that subsection if:
  - (i) the complaint includes evidence that the subject of the complaint has been convicted of, plead guilty to, entered a plea of no contest to, or entered a plea in abeyance to a crime of moral turpitude; and
  - (ii) the crime of moral turpitude is one of the allegations contained in the complaint.
- (3) The complainants shall ensure that each complaint filed under this rule is in writing and contains the following information:
  - (a) the name and position or title of the legislator alleged to be in violation, who shall be referred to as the respondent;
  - (b) the name, address, and telephone number of each individual who is filing the complaint;
  - (c) a description of each alleged violation, including for each alleged violation:
    - (i) a reference to:
      - (A) the section of the code of conduct alleged to have been violated; or
      - (B) the criminal provision violated and the docket number of the case involving the legislator;
    - (ii) the name of the complainant or complainants who have personal knowledge of the facts and circumstances supporting each allegation;
    - (iii) the facts and circumstances supporting each allegation, which shall be provided by:
      - (A) copies of official records or documentary evidence; or
      - (B) one or more affidavits, each of which shall comply with the following format:
        - (I) the name, address, and telephone number of the signer;
        - (II) a statement that the signer has personal knowledge of the facts and circumstances alleged in the affidavit;
        - (III) the facts and circumstances testified to by the signer;
        - (IV) a statement that the affidavit is believed to be true and correct and that false statements are subject to penalties of perjury; and
        - (V) the signature of the signer;
  - (d) a list of the witnesses that the complainants wish to have called, including for each witness:
    - (i) the name, address, and, if available, one or more telephone numbers of the witness;
    - (ii) a brief summary of the testimony to be provided by the witness; and
    - (iii) a specific description of any documents or evidence complainants desire the witness to produce;
  - (e) a statement that each complainant:
    - (i) has reviewed the allegations contained in the complaint and the sworn statements and documents attached to the complaint;
    - (ii) believes that the complaint is submitted in good faith and not for any improper purpose such as for the purpose of harassing the respondent, causing unwarranted harm to the respondent's reputation, or causing unnecessary expenditure of public funds; and
    - (iii) believes the allegations contained in the complaint to be true and accurate; and
  - (f) the signature of each complainant.

**JR6-3-102 Privacy of ethics complaints -- Contempt -- Enforcement of finding of contempt -- Dismissal.**

- (1)
  - (a) Except as provided in Subsection (1)(b), a person, including the complainants, the respondent, commission members, a committee chair or vice chair, or staff to the commission

or a committee, may not disclose the existence of a complaint, a response, nor any information concerning any alleged violation that is the subject of a complaint.

- (b) The restrictions in Subsection (1)(a) do not apply to:
- (i) a complaint or response that is publicly released by the commission and referred to an ethics committee for review under the procedures and requirements of JR6-4-204, and the allegations contained in the publicly released complaint or response;
  - (ii) the respondent's voluntary disclosure of a finding by the commission that no allegations in a complaint were proved, after that finding is issued by the commission under the procedures and requirements of JR6-4-204;
  - (iii) disclosing facts or allegations about potential criminal violations to law enforcement authorities;
  - (iv) a disclosure by a respondent that is made solely for the purpose of, and only to the extent necessary for, retaining counsel or conducting an interview, seeking evidence, or taking other action to prepare to defend against a complaint;
  - (v) a communication between a commission or committee member and the commission's or committee's attorneys or staff; or
  - (vi) a disclosure to a person that is determined necessary, by a majority vote of the commission or committee, to conduct the duties of the commission or committee.
- (2) When a person makes a disclosure under Subsection (1)(b)(iv) or (vi), the person making the disclosure shall inform the person to whom the disclosure is made of the nondisclosure requirements described in this section.
- (3) A person who violates the provisions of Subsection (1)(a) is in contempt of the Legislature and proceedings may be initiated to enforce the finding of contempt using the procedures provided in JR6-2-304 and Utah Code Section 36-14-5.
- (4) Except as provided in JR6-4-101(3), if the identity of the legislator who is the subject of an ethics complaint or the identity of the filer of an ethics complaint is publicly disclosed during the period that the Independent Legislative Ethics Commission is reviewing the complaint, the complaint shall be summarily dismissed without prejudice.

## Chapter 4

### Procedures for Reviewing Ethics Complaints

#### Part 1

#### Initial Review of Ethics Complaint and Response

##### **JR6-4-101 Review of ethics complaint for compliance with form requirements -- Independent requirements for complaint -- Notice.**

- (1) Within five business days after receipt of a complaint, the staff of the Independent Legislative Ethics Commission, in consultation with the chair of the commission, shall examine the complaint to determine if it is in compliance with JR6-2-201 or JR6-3-101.
- (2)
- (a) If the chair determines that the complaint does not comply with JR6-2-201 or JR6-3-101, the chair shall:
    - (i) return the complaint to the first complainant named on the complaint with:
      - (A) a statement detailing the reason for the non-compliance; and

- (B) a copy of the applicable legislative rules; and
- (ii) notify the president of the Senate and the chair and vice-chair of the Senate Ethics Committee, if the legislator named in the complaint is a senator, or the speaker of the House of Representatives and the chair and vice-chair of the House Ethics Committee, if the legislator named in the complaint is a representative, that:
  - (A) a complaint was filed against a member of the Senate or House, respectively, but was returned for non-compliance with legislative rule; and
  - (B) the fact that a complaint was filed and returned shall be kept confidential until the commission submits its annual summary data report as required by JR6-2-104.
- (b) If a complaint is returned for non-compliance with the requirements of this title, the complainants may file another complaint if the new complaint independently meets the requirements of JR6-3-101, including any requirements for timely filing.
- (3) If the chair determines that the complaint complies with the requirements of this rule, the chair shall:
  - (a) accept the complaint;
  - (b) notify the president of the Senate and the chair and vice-chair of the Senate Ethics Committee, if the legislator named in the complaint is a senator, or the speaker of the House of Representatives and the chair and vice-chair of the House Ethics Committee, if the legislator named in the complaint is a representative:
    - (i) that a complaint has been filed against a member of the Senate or House, respectively;
    - (ii) of the identity of the legislator who is the subject of the complaint and the identity of the person or persons filing the complaint;
    - (iii) of the nature of the allegations contained in the complaint; and
    - (iv) that the fact that a complaint was filed, the nature of the allegations raised in the complaint, and the identity of the legislator and the complainants shall be kept confidential until the commission publicly discloses the existence of the complaint via:
      - (A) a recommendation that an allegation in the complaint be heard by a legislative ethics committee; or
      - (B) submission of the commission's annual summary data report as required by JR6-2-104;
  - (c) notify each member of the Independent Legislative Ethics Commission that the complaint has been filed and accepted and that the existence of and contents of the complaint and the identities of the parties shall be kept confidential; and
  - (d) promptly forward the complaint to the legislator who is the subject of the ethics complaint via personal delivery or a delivery method that provides verification of receipt, together with:
    - (i) notice that the existence of and contents of the complaint, and the identities of the parties, are confidential and should not be publicly disclosed;
    - (ii) a copy of the applicable legislative rules; and
    - (iii) notice of the legislator's deadline for filing a response to the complaint.

Amended by S.J.R. 16, 2015 General Session

**JR6-4-102 Meeting of the Independent Legislative Ethics Commission for review of complaint -- Procedures.**

By no later than 10 calendar days after the day on which the complaint is accepted under JR6-4-101, the commission chair shall:

- (1) schedule a commission meeting on a date no later than 60 calendar days after the date on which the committee chair and vice chair accept the complaint;
- (2) place the complaint on the agenda for consideration at that meeting;

- (3) provide notice of the date, time, and location of the meeting to:
  - (a) the members of the commission;
  - (b) the first complainant named in the complaint; and
  - (c) the respondent; and
- (4) provide a copy of the complaint to each member of the commission.

Amended by S.J.R. 3, 2010 General Session

**JR6-4-103 Response to ethics complaint -- Filing -- Form.**

- (1) The legislator that is the subject of the complaint may file a response to the complaint no later than 30 days after the day on which the legislator receives delivery of the complaint.
- (2) The respondent shall file the response with the commission and shall ensure that the response is in writing and contains the following information:
  - (a) the name, address, and telephone number of the respondent;
  - (b) for each alleged violation in the complaint:
    - (i) each affirmative defense asserted in response to the allegation, including a general description of each affirmative defense and the facts and circumstances supporting the defense to be provided by one or more affidavits, each of which shall comply with the following format:
      - (A) the name, address, and telephone number of the signer;
      - (B) a statement that the signer has personal knowledge of the facts and circumstances alleged in the affidavit;
      - (C) the facts and circumstances testified to by the signer;
      - (D) a statement that the affidavit is believed to be true and correct and that false statements are subject to penalties of perjury; and
      - (E) the signature of the signer;
    - (ii) the facts and circumstances refuting the allegation, which shall be provided by:
      - (A) copies of official records or documentary evidence; or
      - (B) one or more affidavits, each of which shall comply with the following format:
        - (I) the name, address, and telephone number of the signer;
        - (II) a statement that the signer has personal knowledge of the facts and circumstances alleged in the affidavit;
        - (III) the facts and circumstances testified to by the signer;
        - (IV) a statement that the affidavit is believed to be true and correct and that false statements are subject to penalties of perjury; and
        - (V) the signature of the signer;
  - (c) a list of the witnesses that the respondent wishes to have called, including for each witness:
    - (i) the name, address, and, if available, telephone number of the witness;
    - (ii) a brief summary of the testimony to be provided by the witness; and
    - (iii) a specific description of any documents or evidence the respondent desires the witness to produce;
  - (d) a statement that the respondent:
    - (i) has reviewed the allegations contained in the complaint and the sworn statements and documents attached to the response; and
    - (ii) believes the contents of the response to be true and accurate; and
  - (e) the signature of the respondent.
- (3) Promptly after receiving the response, the commission shall provide copies of the response to:
  - (a) each member of the commission; and

- (b) the first named complainant on the complaint.

## Part 2

### Review of Ethics Complaint by the Independent Legislative Ethics Commission

#### **JR6-4-201 Review of ethics complaint by the Independent Legislative Ethics Commission.**

- (1) The scope of the Independent Legislative Ethics Commission's review is limited to the alleged violations stated in the complaint.
- (2)
  - (a) Before holding the meeting for review of the complaint, the commission chair may schedule a separate meeting of the commission for the purposes of:
    - (i) hearing motions or arguments from the parties, including hearing motions or arguments relating to dismissal of a complaint, admission of evidence, or procedures;
    - (ii) holding a vote of the commission, with or without the attendance of the parties, on procedural or commission business matters relating to a complaint; or
    - (iii) reviewing a complaint, with or without the attendance of the parties, to determine if the complaint should be dismissed in whole or in part, by means of a majority vote of the commission, because it pleads facts or circumstances against a legislator that have already been reviewed by the commission or an ethics committee as provided in JR6-2-201.
  - (b) Notwithstanding JR6-4-102, the commission may, by a majority vote, change the date of the meeting for review of the complaint in order to accommodate:
    - (i) a meeting authorized under Subsection (2)(a); or
    - (ii) necessary scheduling requirements.
- (3)
  - (a) The commission shall comply with the Utah Rules of Evidence except where the commission determines, by majority vote, that a rule is not compatible with the requirements of this title.
  - (b) The chair shall make rulings on admissibility of evidence consistent with the provisions of JR6-2-302.
- (4)
  - (a) All meetings and hearings authorized in this part are closed to the public.
  - (b) The following individuals may be present during the presentation of testimony and evidence to the commission:
    - (i) the complainants, except that no more than three complainants may be present at one time;
    - (ii) complainants' counsel, if applicable;
    - (iii) the respondent;
    - (iv) the respondent's counsel, if applicable;
    - (v) members of the commission;
    - (vi) staff to the commission;
    - (vii) a witness, while testifying before the commission; and
    - (viii) necessary security personnel.
  - (c) The complainants, respondent, and their respective counsel may be excluded from a portion of the meeting when the commission discusses administrative, procedural, legal, or evidentiary issues by:
    - (i) the order of the chair, subject to override as provided in JR6-2-302; or
    - (ii) a majority vote of the commission.



- (d) When the commission deliberates at the conclusion of presentation of testimony and evidence, the commission shall ensure that those deliberations are closed to all persons except for the members of the commission and commission staff.
- (5) If a majority of the commission determines that a continuance is necessary to obtain further evidence and testimony, to accommodate administrative needs, or to accommodate the attendance of commission members, witnesses, or a party, the commission shall:
  - (a) adjourn and continue the meeting to a future date and time after notice to the parties; and
  - (b) establish that future date and time by majority vote.

Amended by S.J.R. 3, 2010 General Session

**JR6-4-202 Record -- Recording of meetings.**

- (1)
  - (a) Except as provided in Subsection (1)(b), an individual may not use a camera or other recording device in any meeting authorized by this part.
  - (b)
    - (i) The commission shall keep an audio or video recording of all portions of each meeting authorized by this part.
    - (ii) If the commission elects, by a majority vote, to release the commission's recommendation in a public meeting, the meeting may, upon a majority vote of the commission, be opened to cameras or other recording devices.
- (2) In addition to the recording required in Subsection (1), the chair shall ensure that a record of the meeting or hearing is made, which shall include:
  - (a) official minutes taken during the meeting or hearing, if any;
  - (b) copies of all documents or other items admitted into evidence by the commission;
  - (c) copies of any documents or written orders or rulings issued by the chair or the commission; and
  - (d) any other information that a majority of the commission or the chair directs.
- (3) Except for the recommendation prepared by the commission, which shall be either a private or public record as determined in JR6-4-204, any recording, testimony, evidence, or other record of a meeting authorized by this part is a private record under Utah Code Section 63G-2-302 and may not be disclosed.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

**JR6-4-203 Process for making a decision -- Deliberations.**

- (1) After each party has presented a closing argument, the commission shall, at the direction of the chair, begin its private deliberations:
  - (a) immediately after conclusion of the closing arguments; or
  - (b) at a future meeting of the commission, on a date and time determined by a majority of the members of the commission.
- (2)
  - (a) The chair of the commission shall conduct the deliberations.
  - (b) Upon a motion made by a commission member, the commission may exclude commission staff from all or a portion of the deliberations by a majority vote of the commission.
- (3)
  - (a) During deliberations, for each allegation reviewed by the commission, each member shall determine and cast a vote stating whether the allegation is:

- (i) proven by a preponderance of the evidence; or
- (ii) not proven.
- (b) A verbal roll call vote shall be taken on each allegation and each member's vote shall be recorded.
- (4)
  - (a) A count is not considered to be proven unless four of the five members of the commission vote that the count is proven.
  - (b) A count that is not considered to be proven is dismissed.
  - (c)
    - (i) Before the commission issues its recommendation under JR6-4-204, the commission may, upon a majority vote, reconsider and hold a new vote on an allegation.
    - (ii) A motion to reconsider a vote may only be made by a member of the commission who voted that the allegation was not proved.
- (5) At the conclusion of deliberations, the commission shall prepare its recommendations as provided in JR6-4-204.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

**JR6-4-204 Recommendations of commission.**

- (1) If the commission determines that no allegations in the complaint were proved, the commission shall:
  - (a) issue and enter into the record an order that the complaint is dismissed because no allegations in the complaint were found to have been proved;
  - (b) classify all recordings, testimony, evidence, orders, findings, and other records directly relating to the meetings authorized by this part as private records under Utah Code Section 63G-2-302;
  - (c) provide notice of the determination, in a manner determined by a majority vote of the commission, to:
    - (i) the respondent; and
    - (ii) the first complainant named on the complaint; and
  - (d) provide notice to each person named in Subsection (1)(c) that, under the provisions of JR6-3-102 and other provisions of this title, a person who discloses the findings of the commission in violation of any provision of this chapter is in contempt of the Legislature and is subject to penalties for contempt.
- (2) If the commission determines that one or more of the allegations in the complaint were proved, the commission shall:
  - (a) if one or more allegations were not found to have been proven, enter into the record an order dismissing those unproven allegations;
  - (b) prepare a written recommendation to the Senate Ethics Committee, if the respondent is a senator, or to the House Ethics Committee, if the respondent is a representative, that:
    - (i) lists the name of each complainant;
    - (ii) lists the name of the respondent;
    - (iii) states the date of the recommendation;
    - (iv) for each allegation that was found to be proven:
      - (A) provides a reference to the code of conduct or criminal provision allegedly violated;
      - (B) states the number and names of commission members voting that the allegation was proved and the number and names of commission members voting that the allegation was not proved;

- (C) at the option of those members voting that the allegation was proved, includes a statement by one or all of those members stating the reasons for voting that the allegation was proved, provided that the statement does not cite specific evidence, specific testimony, or specific witnesses; and
  - (D) at the option of those members voting that the allegation was not proved, includes a statement by one or all of those members stating the reasons for voting that the allegation was not proved, provided that the statement does not cite specific evidence, specific testimony, or specific witnesses;
  - (v) contains any general statement that is adopted for inclusion in the recommendation by a majority of the members of the commission;
  - (vi) contains a statement referring the allegations found to have been proved to the appropriate ethics committee for review;
  - (vii) states the name of each member of the commission; and
  - (viii) is signed by each commission member;
  - (c) direct staff to publicly release the recommendation, the complaint, and the response, subject to the redaction of any allegations that were dismissed by the commission; and
  - (d) classify all other recordings, testimony, evidence, orders, findings, and other records directly relating to the meetings and hearings authorized by this part as private records under Utah Code Section 63G-2-302.
- (3) The commission shall ensure that a copy of the recommendation is made publicly available and promptly provided to:
- (a) the respondent, together with notice that the respondent may amend the respondent's witness list as provided in JR6-4-301;
  - (b) the first complainant named on the complaint, together with notice that the complainants may amend their witness list as provided in JR6-4-301; and
  - (c) the chair and vice chair of the Senate Ethics Committee, if the respondent is a senator, or the chair and vice chair of the House Ethics Committee, if the respondent is a representative.
- (4) The commission shall ensure that, within five business days of the date of issuance of the recommendation:
- (a) the complaint and the response are redacted to remove references to those allegations found not to have been proven by the commission, if one or more allegations were found not to have been proven; and
  - (b) the following documents are made publicly available and are provided to the chair and vice chair of the Senate Ethics Committee, if the respondent is a senator, or the chair and vice chair of the House Ethics Committee, if the respondent is a representative:
    - (i) a cover letter referring the allegations contained in the edited complaint to the ethics committee for the committee's review;
    - (ii) a copy of the edited complaint;
    - (iii) a copy of the edited response; and
    - (iv) a copy of the recommendation.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

### **Part 3**

## **Review of Ethics Complaint by Ethics Committee**

**JR6-4-301 Receipt of recommendation from Independent Legislative Ethics Commission -- Scheduling of Ethics Committee hearing -- Amendments.**

- (1) Within five calendar days of the date that the chair of the Senate Ethics or House Ethics Committee receives the commission's recommendation as provided under JR6-4-204, the chair and vice chair of the committee shall:
  - (a) schedule a committee hearing to review the complaint on a date no later than 30 days after the day on which the committee receives the recommendation; and
  - (b) place the ethics complaint on the agenda for consideration at that hearing.
- (2)
  - (a) The complainants may not amend the complaint.
  - (b) The respondent may not amend the response.
  - (c) The complainant and respondent may file with the committee, within 10 days of the date of issuance of the commission's recommendations, an amended list of witnesses and evidence that they wish to have subpoenaed by the committee.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

**JR6-4-302 Review of ethics complaint by Ethics Committee.**

- (1) The scope of the committee's review is limited to the alleged violations found to have been proven by the commission, as pled in the edited complaint and the edited response provided by the commission.
- (2)
  - (a) Before holding the hearing for review of the complaint as scheduled in JR6-4-301, the chair may schedule a separate meeting of the committee to:
    - (i) hear motions or arguments from the parties, including hearing motions or arguments relating to dismissal of a complaint, admission of evidence, or procedures; or
    - (ii) hold a vote of the committee, with or without the attendance of the parties, on procedural or committee business matters relating to a complaint.
  - (b) Notwithstanding JR6-4-301, the committee may, by a majority vote, change the date of the hearing scheduled in JR6-4-301 in order to accommodate:
    - (i) a meeting authorized under Subsection (2)(a); or
    - (ii) necessary scheduling requirements.
- (3)
  - (a) The committee shall comply with the Utah Rules of Evidence, except where the committee determines, by majority vote, that a rule is not compatible with the requirements of this title.
  - (b) The chair shall make rulings on admissibility of evidence consistent with the provisions of JR6-4-202.
- (4)
  - (a) A meeting or hearing held under this Chapter 4, Part 3, Review of Ethics Complaint by Ethics Committee:
    - (i) is subject to the requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
    - (ii) may be closed by a majority vote of the committee, held in the public portion of the meeting, for:
      - (A) any purpose permitted under Utah Code Section 52-4-205;
      - (B) the purpose of discussing legal, evidentiary, or procedural matters with the committee or staff; or
      - (C) deliberations, as provided in JR6-4-304.

- (b) Only committee members, committee staff, and necessary security personnel may attend a closed meeting.
- (5) If a majority of the committee determines that a continuance of a meeting or hearing is necessary to obtain further evidence and testimony, to accommodate administrative needs, or to accommodate the attendance of committee members, witnesses, or a party, the chair or committee shall:
  - (a) adjourn and continue the hearing or meeting to a future date and time; and
  - (b) establish that future date and time by majority vote.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

**JR6-4-303 Record -- Recording of meetings.**

- (1)
  - (a) Except as provided in Subsection (1)(b), an individual may not use a camera or other recording device in any meeting authorized by this part.
  - (b)
    - (i) The committee shall keep an audio or video recording of all portions of each meeting authorized by this part.
    - (ii) If the committee elects, by a majority vote, to release the committee's finding and order in a public meeting, that meeting may, upon a majority vote of the committee, be opened to cameras or other recording devices.
- (2) In addition to the recording required in Subsection (1), the chair shall ensure that a record of each hearing or meeting is made, which shall include:
  - (a) official minutes taken during the meeting or hearing, if any;
  - (b) copies of all documents or other items admitted into evidence;
  - (c) copies of any documents, written orders, or written rulings issued by the chair or the committee; and
  - (d) any other information that a majority of the committee or the chair directs.
- (3)
  - (a) Except as provided in Subsection (3)(b), all recordings, testimony, evidence, and other records of meetings and hearings authorized by this part are public records.
  - (b) All recordings, minutes, and other records produced during a closed meeting authorized under this part are classified as private records under Utah Code Section 63G-2-302.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

**JR6-4-304 Process for making a decision -- Deliberations -- Voting in public meeting.**

- (1) After each party has presented a closing argument, the committee shall deliberate in a closed meeting:
  - (a) immediately after conclusion of the closing arguments; or
  - (b) at a future meeting of the committee, on a date and time determined by a majority of the members of the committee.
- (2) The chair of the committee shall conduct the deliberations.
- (3) During the deliberations, committee members may:
  - (a) discuss evidence and testimony;
  - (b) discuss and debate whether an allegation was proven or not proven;
  - (c) discuss and debate what actions should be taken or not taken against the respondent in relation to each allegation;

- (d) discuss and debate any other matter related to the allegations in the complaint that is before the committee; and
  - (e) conduct, at the call of the chair or a majority of the members of the committee, a non-binding straw poll on any matter related to the complaint.
- (4)
- (a) Notwithstanding JR6-2-306, and except as provided in Subsection (4)(b), from the time of completion of closing arguments through the time that the written finding and order are publicly issued, a committee member may not discuss any of the following matters with any other person outside of official committee deliberations:
    - (i) the substance or specifics of the allegations, testimony, or evidence of the complaint under review;
    - (ii) a committee member's intended vote;
    - (iii) a committee member's recommendation for actions to be taken or not taken against the respondent in relation to the complaint; or
    - (iv) any other non-administrative matter related to the complaint.
  - (b) During deliberations, committee members may privately consult with staff for the purpose of discussing legal, evidentiary, or procedural matters.
- (5) Deliberations shall continue until they are concluded or continued to another date and time:
- (a) at the direction of the chair, subject to JR6-2-302; or
  - (b) upon a motion approved by a majority of the committee members.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

**JR6-4-305 Vote on allegations and recommendations -- Public meeting -- Standards -- Reconsideration.**

- (1) After conclusion of the deliberations, the committee shall meet in public and, for each allegation reviewed by the committee, vote on whether the allegation is:
  - (a) proven by clear and convincing evidence; or
  - (b) not proven.
- (2) For any count that has been voted as proven, the committee shall, by a motion approved by a majority of the members of the committee, recommend one or more of the following actions:
  - (a) censure;
  - (b) expulsion;
  - (c) denial or limitation of any right, power, or privilege of the respondent, if, under the Utah Constitution, the Senate or House may impose that denial or limitation, and if the violation bears upon the exercise or holding of any right, power, or privilege; or
  - (d) any other action that the committee determines is appropriate.
- (3) Votes shall be taken by verbal roll call and each member's vote shall be recorded.
- (4) A count is not considered to be proven unless a majority of the committee votes that the count is proven.
- (5) The committee, by a motion for reconsideration that is approved by a majority of the committee, may reconsider and hold a new vote provided that:
  - (a) a motion to reconsider a vote on whether an allegation was proven or not proven may only be made by a member of the committee who voted that the allegation was not proven; and
  - (b) a motion to reconsider a vote recommending an action against the respondent may only be made by a member of the committee who voted against the recommendation.
- (6) A count that is not voted as "proven" by a majority of the members of the committee is dismissed.

- (7) The committee may close the meeting for the purposes of further deliberations, subject to the requirements of JR6-4-304:
  - (a) at the direction of the chair, subject to being overruled by the committee as provided in JR6-2-302; or
  - (b) upon a motion approved by a majority of the members of the committee.
- (8) After a final vote has been cast on each allegation and recommendation, the committee shall prepare the finding and order as provided in JR6-4-306.

**JR6-4-306 Finding and order.**

- (1)
  - (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)
  - (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:
      - (A) provides a reference to the code of conduct or criminal provision alleged to have been violated;
      - (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;
      - (C) if the allegation was not found to have been proven, orders that the allegation be dismissed; and
      - (D) if the allegation was found to have been proven, contains:
        - (I) a description of any actions that the committee recommended be taken;
        - (II) the number and names of committee members voting in favor of each recommendation and the number and names of committee members voting against each recommendation;

- (III) at the option of those members voting in favor of a recommendation, a statement by one or all of those members stating the reasons for making the recommendation; and
- (IV) at the option of those members against a recommendation, a statement by one or all of those members stating the reasons for opposing the recommendation;
- (v) contains any general statement that is adopted for inclusion in the finding and order by a majority of the committee members;
- (vi) contains a statement directing that the finding be delivered to:
  - (A) for the Senate Ethics Committee, to the president of the Senate, the Senate majority leader, and the Senate minority leader; or
  - (B) for the House Ethics Committee, to the speaker of the House of Representatives, the House majority leader, and the House minority leader; and
- (vii) states the name of each committee member.
- (b) Each committee member shall sign the finding and order.
- (3) A copy of the finding and order shall be made publicly available.
- (4) A written copy of the finding and order shall be provided to:
  - (a) the respondent;
  - (b) the first complainant named on the complaint; and
  - (c) any individuals required to receive a copy as stated in the finding and order.

Repealed and Re-enacted by S.J.R. 3, 2010 General Session

## **Chapter 5**

### **Action by Senate or House on Ethics Committee Recommendation**

#### **JR6-5-101 Senate and House action.**

- (1) The Senate or House shall:
  - (a) consider the recommendations of the ethics committee; and
  - (b) by a majority vote of that chamber, either accept, dismiss, or alter these recommendations.
- (2) If the committee recommends expulsion of a senator or representative, acceptance of this recommendation requires a two-thirds vote of all the members elected to the Senate or to the House.

## **Chapter 6**

### **Communications with Other Branches of Government**

#### **JR6-6-101 Communications with the judiciary.**

- (1) As used in this section, "final decision or order" means a decision or order that determines the rights of the parties and concerning which appellate remedies have been exhausted or the time for appeal has expired.
- (2)
  - (a) A legislator may not communicate, either verbally or in writing, with a judge in reference to a particular judicial case or proceeding until a final decision or order has been made on the matter.



- (b) Inquiries to the judiciary that are merely technical or logistical in nature should be made with the Administrative Office of the Courts or a clerk of the court.

Enacted by S.J.R. 6, 2009 General Session

**JR6-6-102 Exceptions -- Acting in normal course of private employment.**

The restrictions in this chapter shall not apply to a communication that a legislator makes with the judiciary in the normal course of the legislator's private employment, provided that the legislator does not use his or her status as a legislator in an attempt to unduly influence the judiciary.

Enacted by S.J.R. 6, 2009 General Session

**Title JR7. Interim**

**Chapter 1  
Interim and Special Committees**

**Part 1  
General Provisions**

**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 interim committee, if the interim 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)"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)"Original motion" means a nonprivileged motion that is accepted by the chair when no other motion is pending.
- (17)"Pending motion" means a motion described in JR7-1-307.
- (18)"Privileged motion" means a motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.
- (19)"Public statement" means a statement made in the ordinary course of business of a legislative committee with the intent that all other members of the legislative committee receive it.
- (20)"Request for legislation" means the same as that term is defined in JR4-1-101.
- (21)"Resolution" means the same as that term is defined in JR4-1-101.
- (22)
  - (a)"Special committee" means a committee, commission, task force, or other similar body that is:
    - (i)created by legislation; and
    - (ii)staffed by:
      - (A)the Office of Legislative Research and General Counsel; or

(B)the Office of the Legislative Fiscal Analyst.

(b)"Special committee" does not include:

(i)an interim committee;

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

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

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

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

**JR7-1-102 Application of rules for special committees -- Priority in the event of conflict.**

If a provision of this chapter conflicts with a provision in legislation or rule that is specific to a special committee, the provision in the legislation or rule that is specific to the special committee controls.

**JR7-1-103 News media.**

When present for a meeting of a legislative committee, news media may not enter the area behind the dais without the permission of the chair.

**JR7-1-104 Prohibited items and activities in legislative committee meetings.**

(1)A member of the public attending a meeting of a legislative committee may not:

(a)bring into the meeting room, or possess while in the meeting room, any of the following:

(i)a sign, poster, banner, or placard;

(ii)glitter or confetti;

(iii)a laser pointer;

(iv)paint;

(v)an open flame;

(vi)an incendiary device;

(vii)a noise maker;

(viii)flammable liquid; or

(ix)any harmful or hazardous substance; or

(b)engage in any of the following while in the meeting room:

(i)commercial solicitation;

(ii)leafletting;

(iii)throwing an item; or

(iv)adhering any item to a furnishing, a wall, or other state property.

(2)To the extent reasonably applicable, any action by a chair under this rule applies to a member of the public participating in the meeting via video conference.

**Part 2**  
**Creation and Organization of Legislative Committees**

**JR7-1-201 Interim committees -- Creation.**

There are created the following interim committees:

- (1) Business and Labor Interim Committee;
- (2) Economic Development and Workforce Services Interim Committee;
- (3) Education Interim Committee;
- (4) Government Operations Interim Committee;
- (5) Health and Human Services Interim Committee;
- (6) Judiciary Interim Committee;
- (7) Law Enforcement and Criminal Justice Interim Committee;
- (8) Natural Resources, Agriculture, and Environment Interim Committee;
- (9) Political Subdivisions Interim Committee;
- (10) Public Utilities, Energy, and Technology Interim Committee;
- (11) Retirement and Independent Entities Interim Committee;
- (12) Revenue and Taxation Interim Committee; and
- (13) Transportation Interim Committee.

**JR7-1-202 President and speaker to appoint legislative committee members and chairs.**

- (1)The president of the Senate shall appoint:
  - (a)one or more senators to each legislative committee, including one senator to serve as chair of the legislative committee; or
  - (b)if the legislative committee is a special committee, senators as provided by the special committee's enacting legislation.
- (2)The speaker of the House of Representatives shall appoint:
  - (a)one or more representatives to each legislative committee, including one representative to serve as chair of the legislative committee; or
  - (b)if the legislative committee is a special committee, representatives as provided by the special committee's enacting legislation.
- (3)
  - (a)A chair may designate a member of the legislative committee to act as chair for all or part of a legislative committee meeting if neither chair is present at the meeting.
  - (b)If neither chair is present at the meeting and neither chair designates a member of the legislative committee to act as chair, the most senior member from the majority party who is present at the meeting shall act as chair.

**JR7-1-203 Quorum requirements.**

- (1)Except as provided in Subsection (2) and subject to the other provisions of this rule, a quorum of a legislative committee:
  - (a)is at least 50% of the members of the legislative committee from one chamber and more than 50% of the members of the legislative committee from the other chamber; and
  - (b)notwithstanding Subsection (2) or (3), shall include at least one member of the legislative committee from the Senate.
- (2)A quorum of a mixed special committee is:
  - (a)at least 50% of the legislator members of the mixed special committee from one chamber and more than 50% of the legislator members of the mixed special committee from the other chamber; and
  - (b)more than 50% of the nonlegislator members of the mixed special committee.

- (3) If a member of a legislative committee does not attend two consecutive meetings of the legislative committee in a calendar year, the member is not counted for purposes of determining a quorum for the remainder of the calendar year, unless the member is present at the meeting when the action requiring a quorum occurs.
- (4) The following individuals are not counted for purposes of determining a quorum, unless the member is present at the legislative committee meeting when the action requiring a quorum occurs:
  - (a) a member of the Legislative Management Committee;
  - (b) the Senate chair and vice chair of the Executive Appropriations Committee;
  - (c) the House chair and vice chair of the Executive Appropriations Committee;
  - (d) the chair and vice chair of the Senate Rules Committee;
  - (e) the chair and vice chair of the House Rules Committee;
  - (f) the fourth member of leadership from the minority party in the Senate; and
  - (g) the fourth member of leadership from the minority party in the House of Representatives.

**JR7-1-204 Committee order of business.**

Unless a chair, or the legislative committee by majority vote, determines otherwise, the order of business for a legislative committee is:

- (1) call to order;
- (2) approval of the minutes of the immediately preceding meeting;
- (3) brief description of each item on the agenda;
- (4) announcement of any time restrictions, subject to JR7-1-305;
- (5) consideration of legislative committee business for the meeting; and
- (6) adjournment.

**Part 3**  
**Duties of Legislative Committee Chairs**

**JR7-1-301 Chairs to enforce legislative rules and procedures.**

Each chair is responsible for ensuring the integrity of the committee process by enforcing legislative rules and parliamentary procedure without delay.

**JR7-1-302 Chair to preserve order and decorum.**

- (1) The chair shall preserve order and decorum during a legislative committee meeting by:
  - (a) ensuring nothing obstructs a walkway or the view of a meeting attendee;
  - (b) ensuring that nothing disrupts, disturbs, or otherwise impedes the orderly course of the meeting;
  - (c) protecting state property from damage or disarray;
  - (d) prohibiting speech likely to incite or produce imminent lawless action, fighting words, or obscenity; and
  - (e) prohibiting any activity or item that poses a danger to the safety of a meeting attendee.
- (2) To preserve order and decorum in accordance with Subsection (1), the chair may:
  - (a) prohibit the following:

- (i)standing, waving, yelling, cheering, whistling, or clapping;
- (ii)loud noises;
- (iii)food or drink, other than water in a closed container;
- (iv)musical instruments;
- (v)any item that may require excessive cleanup; or
- (vi)to the extent necessary to preserve order and decorum, any other item or activity the chair determines necessary;
- (b)clear the meeting room of one or more individuals;
- (c)recess the meeting without a motion; or
- (d)request assistance from:
  - (i)the sergeant-at-arms; or
  - (ii)the Utah Highway Patrol.
- (3)A member of the public participating in a legislative committee meeting via video conference may not:
  - (a)use a virtual background other than one that is simple and free from distracting visuals; or
  - (b)engage in any behavior that if performed in the meeting room would violate Subsection (1).

**JR7-1-303 Chairs to set agenda.**

Subject to the other provisions of this chapter, including JR7-1-401 and JR7-1-402, the agenda for a legislative committee meeting shall be set by the chairs of the legislative committee.

**JR7-1-304 Chairs to post notice and agenda.**

The chairs of each legislative committee shall cause a public notice and agenda for each meeting of the legislative committee to be posted at least 24 hours before the meeting as required by Utah Code, Title 52, Chapter 4, Open and Public Meetings Act.

**JR7-1-305 Chairs may direct order of agenda -- Time restrictions.**

A chair, or a legislative committee by majority vote, may adopt one or more committee procedures or time restrictions related to the manner in which the legislative committee hears the items on an agenda, including:

- (1) directing the order of the agenda;
- (2) directing the order in which the legislative committee hears a witness or presenter;
- (3) directing the number of witnesses or presenters that the legislative committee hears; or
- (4) limiting the time the legislative committee spends:
  - (a) on an item on an agenda; or
  - (b) hearing from a witness or presenter.

**JR7-1-306 Chairs to recognize committee members.**

A chair shall recognize any member of the legislative committee who desires to speak on a subject that is under consideration by the legislative committee.

**JR7-1-307 Chairs to accept all motions that are in order.**

- (1) A chair shall accept any motion made by a member of the legislative committee who the chair has recognized, unless the motion is prohibited by this chapter.
- (2) To accept a motion, the chair shall restate the motion.
- (3) If a chair accepts a motion, the motion is pending.

**JR7-1-308 Chairs to allow response to motions before placing motions for a vote.**

After a chair accepts a motion and before the chair places the motion for a vote, the chair shall allow:

- (1) any member of the legislative committee to ask one or more questions about the motion of the member who made the motion;
- (2) members of the legislative committee to debate the motion;
- (3) if the legislative committee is considering draft legislation, the legislative sponsor to respond to the motion; and
- (4) the member of the legislative committee who made the motion to provide a summation on the motion.

**JR7-1-309 Chairs to place motions for vote.**

Unless withdrawn in accordance with JR7-1-508, the chair shall place a pending motion for a vote after the member of the legislative committee who made the motion provides a summation on the motion or waives the opportunity to provide a summation on the motion.

**JR7-1-310 Chairs to verbally announce vote on motions -- Motions pass with majority vote.**

- (1) After a legislative committee votes on a motion, the chair shall:
  - (a) determine and verbally announce whether the motion passed or failed; and
  - (b) unless the vote on the motion is unanimous, verbally identify by name each committee member who voted "yes" or each committee member who voted "no."
- (2) Unless otherwise specified, a motion passes with a majority vote.

Amended by H.J.R. 5, 2021 General Session

**JR7-1-311 Chairs may direct a roll call vote.**

A chair, or the legislative committee by majority vote, may require a roll call vote.

**JR7-1-312 Chairs to ensure integrity of minutes -- Retention of minutes -- Content requirements.**

- (1) Each chair shall:
  - (a) cause a draft of the minutes of the chair's legislative committee to be available for each member of the legislative committee to review before the legislative committee approves the minutes; and
  - (b) ensure that the minutes of each meeting of the legislative committee include:
    - (i) each item required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
    - (ii) each motion, point of order, or appeal of a decision on a point of order.
- (2) The Office of Legislative Research and General Counsel shall retain a physical or electronic copy of the minutes for each meeting of a legislative committee for three years.

## Part 4 Powers and Duties of Legislative Committees

### **JR7-1-401 Interim committees to receive study assignments -- Adoption of study items.**

- (1) Each interim committee shall:
  - (a) study issues assigned to the committee by:
    - (i) passed legislation; or
    - (ii) the Legislative Management Committee; and
  - (b) review programs and hear reports as required by statute.
- (2) Each interim committee may:
  - (a) investigate and study possibilities for improvement in government services within the interim committee's subject area;
  - (b) request and receive research reports from interim committee staff that relate to the interim committee's subject area;
  - (c) request testimony from government officials, private organizations, or members of the public on issues being studied by the interim committee;
  - (d) make recommendations to the Legislature for legislative action; or
  - (e) prepare one or more committee bills based on the interim committee's studies.
- (3) Each interim committee shall adopt a list of interim study items during the interim committee's first meeting of each calendar year as follows:
  - (a) the interim committee shall review the study items provided by the Legislative Management Committee under Subsection (1)(a)(ii);
  - (b) the interim committee may, by majority vote, modify or add to the list of study items described in Subsection (3)(a), provided that any additional item adopted by the committee is consistent with the interim committee's duties as described in Subsection (1) or (2); and
  - (c) the interim committee shall adopt the original or amended list of study items by majority vote.
- (4)
  - (a) An interim committee may add an item to the committee's adopted list of study items described in Subsection (3) if:
    - (i) the interim committee chairs request and receive approval from the Legislative Management Committee; and
    - (ii) the item is consistent with the interim committee's duties as described in Subsection (1) or (2).
  - (b) A request under Subsection (4)(a) is deemed approved, unless the Legislative Management Committee denies the request within 30 days after the day on which the committee chairs submit the request.

### **JR7-1-402 Review of audit reports.**

If a legislative committee receives an audit report from the Audit Subcommittee of the Legislative Management Committee for review, the legislative committee shall:

- (1) review the audit report and make an affirmative decision whether each recommendation in the audit report should be implemented;



- (2) if necessary, open a committee bill file to implement any recommendation the legislative committee recommends the Legislature implement; and
- (3) recommend an appropriation to the Executive Appropriations Committee, if appropriate.

**JR7-1-403 Review rules referred by Administrative Rules Review Committee.**

If a legislative committee receives an administrative rule for review from the Administrative Rules Review Committee, the legislative committee may:

- (1) review the administrative rule; and
- (2)
  - (a) recommend to the Administrative Rules Review Committee whether the Legislature should reauthorize the administrative rule; or
  - (b) decide whether to recommend any related statutory change to the Legislature.

**JR7-1-404 Location of interim committee meetings.**

- (1) Unless approved by the Legislative Management Committee, an interim committee shall meet at the time and in the room assigned by the Legislative Management Committee.
- (2) Notwithstanding Subsection (1), a chair of an interim committee may start a meeting of the interim committee earlier or end a meeting of the interim committee later than the time assigned by the Legislative Management Committee if:
  - (a) the chair complies with:
    - (i) Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
    - (ii) JR7-1-405; and
  - (b) the meeting does not interfere with a caucus meeting.

**JR7-1-405 Prohibited meeting times -- Exceptions.**

- (1) Except as provided in this rule, a legislative committee may not meet:
  - (a) while the Senate or the House of Representatives is in session; or
  - (b) during the period that begins on the first Thursday in December and ends the day after the day on which the Legislature adjourns the following calendar year's general session sine die.
- (2) Subsection (1) does not apply to:
  - (a) the Legislative Management Committee and its subcommittees;
  - (b) the Senate or House Management Committee;
  - (c) the Senate or House Rules Committee;
  - (d) the Senate or House Legislative Expenses Oversight Committee;
  - (e) a senate confirmation committee;
  - (f) a meeting of the Administrative Rules Review Committee for the purpose of considering draft legislation reauthorizing agency rules in accordance with Utah Code Section 63G-3-502; or
  - (g) the Legislative Process Committee.
- (3) A meeting otherwise prohibited by this rule may be held if approved by:
  - (a) the president of the Senate and the speaker of the House of Representatives; or
  - (b) a majority vote of the Senate and a majority vote of the House of Representatives.
- (4) Any action of a legislative committee that occurs during a meeting that violates this rule is invalid.

**JR7-1-406 Closed legislative committee meetings.**

A meeting of a legislative committee is open to the public unless closed in accordance with Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

**JR7-1-408 Testimony may be taken under oath.**

- (1) At the direction of a chair of the legislative committee, or upon majority vote of the legislative committee, a legislative committee may take the testimony of a witness, presenter, or visitor under oath.
- (2) A chair of the legislative committee or committee staff shall administer the oath.

**JR7-1-409 Subpoena powers.**

A chair may subpoena testimony or documents in accordance with Utah Code Title 36, Chapter 14, Legislative Subpoena Powers.

**JR7-1-410 Right of legislators to attend legislative committee meetings.**

- (1) Any member of the Legislature may:
  - (a) attend any meeting of a legislative committee or a subcommittee, unless the meeting is closed in accordance with Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
  - (b) if recognized by the chair, present the legislator's views on the subject under consideration.
- (2) A legislator who attends a meeting of a legislative committee of which the legislator is not a member or a meeting of a subcommittee of which the legislator is not a member may not:
  - (a) make a motion;
  - (b) vote; or
  - (c) receive compensation for attending the meeting, unless approved by the Legislative Expenses Oversight Committee for the chamber of which the legislator is a member.

**JR7-1-411 Creation and organization of subcommittees.**

- (1) A legislative committee may establish one or more subcommittees if approved by:
  - (a) a majority vote of the legislative committee; and
  - (b) the Legislative Management Committee.
- (2) The legislative committee shall establish each study assignment of a subcommittee by majority vote.
- (3) After a legislative committee establishes a subcommittee, the chairs of the legislative committee shall:
  - (a) appoint at least four members of the legislative committee to serve on the subcommittee;
  - (b) appoint at least one and no more than two additional members of the legislative committee as chair or cochairs of the subcommittee; and
  - (c) establish the subcommittee's powers, duties, and reporting requirements.
- (4) Each member of a subcommittee shall receive:
  - (a) compensation for attendance of a meeting of the subcommittee that is an authorized legislative day as defined in JR5-1-101; and
  - (b) reimbursement for expenses in accordance with Title 5, Legislative Compensation and Expenses.

## **Part 5**

### **Legislative Committee Parliamentary Procedures**

#### **JR7-1-501 Obtaining the floor in legislative committee meeting -- Remarks to be germane.**

- (1) An individual may not speak to a legislative committee unless recognized by the chair.
- (2) In accordance with JR7-1-306, the chair shall recognize a member of a legislative committee who requests to speak to the legislative committee.
- (3) After the chair recognizes a member of a legislative committee, the member:
  - (a) shall ensure that the member's remarks are germane to the subject under consideration; and
  - (b) may make a motion consistent with the requirements of this chapter.

#### **JR7-1-502 Members shall vote when present.**

Each member of a legislative committee who is present when the legislative committee votes on a motion shall vote on the motion.

#### **JR7-1-503 Privileged motions -- General requirements, procedures, and priority.**

- (1) A privileged motion:
  - (a) is nondebatable; and
  - (b) takes precedence over a nonprivileged motion.
- (2) If a member of a legislative committee makes a privileged motion while another privileged motion is pending, the chair shall place the motions in the following order:
  - (a) adjourn;
  - (b) set a time to adjourn;
  - (c) recess;
  - (d) end debate or call the question;
  - (e) extend debate; and
  - (f) limit debate.
- (3) Except for a motion to adjourn, a privileged motion, if approved, does not dispose of any other pending motion.

#### **JR7-1-504 Original motions -- General requirements and procedures.**

- (1) An original motion:
  - (a) is debatable; and
  - (b) may be replaced with a substitute motion.
- (2) A member of a legislative committee may not make an original motion if:
  - (a) a privileged motion is pending; or
  - (b) a substitute motion is pending.

#### **JR7-1-505 Substitute motions -- General requirements and procedures.**

- (1) A substitute motion:
  - (a) is debatable; and

- (b) takes precedence over an original motion.
- (2) A member of a legislative committee may not make a substitute motion if:
  - (a) a privileged motion is pending; or
  - (b) another substitute motion is pending.
- (3) If a substitute motion is adopted, the adoption disposes of the original motion.
- (4) If a substitute motion is not adopted, the original motion is pending.

**JR7-1-506 Reconsideration of action.**

- (1) Except as provided in Subsection (2), a member of a legislative committee may make a motion to reconsider an action of the legislative committee if:
  - (a) the issue or draft legislation that is the subject of the action being reconsidered is on the legislative committee's agenda as required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
  - (b) the legislative committee considered other business after the legislative committee voted to take the action that is being reconsidered.
- (2) A legislative committee may not reconsider an action more than once.

**JR7-1-507 Repeating a defeated motion.**

If a legislative committee defeats a motion made by a member of the legislative committee, a member of the legislative committee may not make the motion again until the legislative committee considers other committee business.

**JR7-1-508 Withdrawing a motion.**

A member of a legislative committee who makes a motion may withdraw the motion at any time before the motion is placed for a vote.

**JR7-1-509 Point of order -- Appeal of chair's decision.**

- (1)
  - (a) If a member of a legislative committee is concerned that the chair is not following or enforcing legislative rule or procedure, the member may make a point of order.
  - (b) A point of order is not a motion.
- (2) Except during a vote, a member of a legislative committee may make a point of order at any time during a meeting of the legislative committee without recognition by the chair.
- (3) If a member of a legislative committee makes a point of order, the chair shall:
  - (a) immediately allow the member to state the member's point of order; and
  - (b) rule on the point of order without discussion or debate.
- (4)
  - (a) A member of the legislative committee may appeal the chair's ruling on a point of order.
  - (b) An appeal of the chair's ruling on a point of order is not a motion.
- (5) Except during a vote, a member of a legislative committee may appeal the chair's ruling on a point of order at any time during a meeting of the legislative committee without recognition by the chair.
- (6)

- (a) If a member of the legislative committee appeals the chair's ruling on a point of order, the chair shall place a vote asking the members of the legislative committee whether to overrule the chair's ruling on the point of order.
  - (b) The legislative committee may overrule the chair's ruling by a majority vote.
- (7)
- (a) If the legislative committee overrules the chair's ruling, the ruling of the legislative committee is final.
  - (b) If the legislative committee does not overrule the chair's ruling, the ruling of the chair is final.

**JR7-1-510 Point of information.**

- (1)
- (a) If a member of a legislative committee desires clarification on any aspect of a legislative committee meeting, the member may make a point of information.
  - (b) A point of information is not a motion.
- (2) Except during a vote, a member of a legislative committee may make a point of information at any time during a meeting of the legislative committee.
- (3) If a member of a legislative committee makes a point of information, the chair shall immediately allow the member to state the member's point of information.

**JR7-1-511 Division of a motion.**

- (1)
- (a) Except during a vote, a member of a legislative committee may request division of a motion at any time during a meeting of the legislative committee without being recognized by the chair.
  - (b) A request for division is not a motion.
- (2) If a member of a legislative committee requests division of a motion:
- (a) the member shall clearly state how the motion is to be divided; and
  - (b) the chair shall:
    - (i) restate how the motion is to be divided; and
    - (ii) place each motion that results from the divided motion.
- (3) A member of a legislative committee may not divide a motion to amend draft legislation if the division could create an unintelligible or ambiguous result.

**JR7-1-512 Prohibited motions and requests.**

- (1)
- (a) Except a motion to adjourn, a member of a legislative committee may not make a motion unless a quorum of the legislative committee is present.
  - (b) If a member of a legislative committee makes a motion to adjourn when a quorum of the legislative committee is not present, the motion passes by an affirmative vote of a majority of the legislative committee members present.
- (2) The following are not in order during a vote:
- (a) a motion;
  - (b) a point of order;
  - (c) a point of information; or
  - (d) a request for division.

- (3) A member of a legislative committee may not make a motion to favorably recommend draft legislation unless the legislation is drafted and distributed to the members of the legislative committee.

## **Part 6 Draft Legislation**

### **JR7-1-601.1 Applicability of part -- Limitations on authority.**

- (1) The provisions of Part 6, Draft Legislation, only apply to an authorized legislative committee.
- (2) Notwithstanding any rule to the contrary:
  - (a) a legislative committee other than an authorized legislative committee may not open a committee bill file;
  - (b) a legislative committee's favorable recommendation creates a committee bill only if the legislative committee is an authorized legislative committee; and
  - (c) an authorized legislative committee that is not an interim committee or a rules committee acting as an interim committee may not open a committee bill file or create a committee bill except to the extent authorized by statute.

### **JR7-1-601.5 Opening committee bill files.**

- (1) Except as provided in Subsection (3), a member of an authorized legislative committee may make a motion to open a committee bill file if:
  - (a) the member describes the general subject matter of the legislation;
  - (b) the subject matter is germane to the subject matter over which the authorized legislative committee has jurisdiction; and
  - (c) the member intends that the authorized legislative committee take action on the resulting draft legislation before the next general session in a meeting of the authorized legislative committee.
- (2) Except as provided in JR7-1-602, an authorized legislative committee may not authorize any individual or group of individuals to open a committee bill file.
- (3) An authorized legislative committee may not open a committee bill file during the period that begins January 1 and ends the day after the day on which the Legislature adjourns that year's general session sine die.

### **JR7-1-602 Interim committee chairs' authority to open committee bill files.**

- (1) An interim committee may authorize the committee chairs to independently open one or more committee bill files throughout the interim period if:
  - (a) that authority is granted by the interim committee to the chairs by means of a motion and majority vote;
  - (b) the motion and vote occur during the interim committee's first meeting of the calendar year;
  - (c) the subject matter of each committee bill file opened by the chairs is directly related to:
    - (i) a study item on the list adopted by the interim committee under JR7-1-401(3); or
    - (ii) a subject or issue that is expressly stated in the motion made under this rule; and
  - (d) the decision to open each committee bill file is made jointly by the chairs.

- (2) No committee other than an interim committee may delegate the authority to independently open a committee bill file to the chair or chairs of a committee.
- (3) In the next interim committee meeting after opening a bill file, the chairs shall give the committee members notice:
  - (a) that the chairs have opened the committee bill file; and
  - (b) of the short title and subject matter of the committee bill file.

**JR7-1-602.5 Draft legislation presented to authorized legislative committees during the interim.**

- (1) Draft legislation that is presented to an authorized legislative committee for the committee's review shall be:
  - (a) listed on the agenda of the committee's meeting in accordance with Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and
  - (b) publicly posted on the Legislature's website at least 24 hours in advance of the time of commencement of the committee meeting.
- (2)
  - (a) A legislator seeking to present draft legislation to an authorized legislative committee for review shall provide the drafting attorney with clear and final instructions for completing the draft legislation no later than three full working days before the commencement time of the committee meeting where the legislation will be reviewed, or at an earlier time if significant drafting time is required.
  - (b) Draft legislation will be drafted in the priority and order set forth under JR4-2-102.
- (3)
  - (a) Draft legislation that is recommended by an authorized legislative committee but did not meet the posting requirements of Subsection (1)(b) may not be placed directly on a reading calendar by a rules committee under SR3-1-102 or HR3-1-102.
  - (b) Notwithstanding Subsection (3)(a), a rules committee may refer a committee bill that was posted in accordance with Subsection (1)(b) directly to a reading calendar regardless of whether the committee bill was modified after posting and before the authorized legislative committee's vote to recommend.

**JR7-1-603 Four phases when considering draft legislation -- Exception.**

- (1) Subject to Subsection (2), an authorized legislative committee shall consider draft legislation in the following four phases:
  - (a) the presentation phase as described in JR7-1-604;
  - (b) the clarifying questions phase as described in JR7-1-605;
  - (c) the public comment phase as described in JR7-1-606; and
  - (d) the committee action phase as described in JR7-1-607.
- (2) The chair, or the authorized legislative committee by majority vote, may elect to have the authorized legislative committee consider draft legislation in a manner different from the four phases described in this part.

**JR7-1-604 Presentation phase.**

- (1) During the presentation phase:

- (a) the chair shall permit the legislative sponsor of the draft legislation to present the draft legislation to the authorized legislative committee; and
  - (b) a member of the authorized legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.
- (2) At the election of the legislative sponsor, the chair shall allow another individual to assist with the legislative sponsor's presentation if the individual has expertise related to the draft legislation.

**JR7-1-605 Clarifying questions phase.**

- (1) During the clarifying questions phase:
- (a) the chair shall allow members of the authorized legislative committee to ask the legislative sponsor questions to help clarify:
    - (i) the intent or purpose of the draft legislation; or
    - (ii) the meaning of the language of the draft legislation; and
  - (b) a member of the authorized legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.
- (2) The chair shall allow the legislative sponsor to respond to any clarifying question from a member of the authorized legislative committee.

**JR7-1-606 Public comment phase.**

- (1) Except as otherwise provided in this rule, during the public comment phase:
- (a) the chair shall, subject to Subsection (1)(c), take comment from one or more members of the public;
  - (b) a member of the authorized legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation; and
  - (c) the chair may not take comment from a member of the public unless:
    - (i) the individual provides the individual's legal name and the entity that the individual represents, if any; and
    - (ii) if the individual is participating via video conference:
      - (A) the individual provides the individual's place of residence; and
      - (B) the individual's video is enabled.
- (2) The chair, or the authorized legislative committee by majority vote, may preclude or terminate the public comment phase.

**JR7-1-607 Committee action phase.**

During the committee action phase, a member of the authorized legislative committee may make a motion authorized by this chapter, including a motion to amend the draft legislation or favorably recommend the draft legislation.

**JR7-1-608 Motions related to draft legislation.**

An authorized legislative committee may approve one or more of the following motions with respect to draft legislation it considers:

- (1) move to the next item on the agenda;
- (2) amend the draft legislation, subject to the requirements of JR7-1-609; or



(3) favorably recommend the draft legislation as a committee bill.

**JR7-1-609 Amending draft legislation -- Verbal amendments -- Amendments must be germane and clear.**

- (1) Subject to Subsection (2), when timely and when recognized by the chair, a member of an authorized legislative committee may make a motion to amend the draft legislation under consideration.
- (2)
  - (a) A member of the authorized legislative committee may make a motion to amend the draft legislation only if the subject of the proposed amendment is germane to the subject of the draft legislation.
  - (b) If a member of the authorized legislative committee believes a proposed amendment is not germane to the subject of the draft legislation, the member may make a point of order in accordance with JR7-1-509.
- (3) A member of the authorized legislative committee may make a motion for a verbal amendment only if the verbal amendment is sufficiently clear to allow the members of the authorized legislative committee to know how the draft legislation will read when the verbal amendment is incorporated into the draft legislation.

**JR7-1-610 Committee bill files -- Effect of favorable recommendation -- Committee bill files without recommendation abandoned.**

- (1) After an authorized legislative committee reviews draft legislation the authorized legislative committee may give the draft legislation a favorable recommendation.
- (2) If an authorized legislative committee gives draft legislation a favorable recommendation, the Office of Legislative Research and General Counsel shall:
  - (a) attach a committee note to the committee bill, as required under JR4-2-401; and
  - (b) assign the committee bill a bill number in accordance with JR4-2-501.
- (3)
  - (a) Except as provided in Subsection (3)(b), a committee bill file that does not receive a favorable recommendation at the committee's last scheduled meeting of the calendar year in which the committee bill file was opened is abandoned.
  - (b) Subsection (3)(a) does not apply to a committee bill file opened by:
    - (i) the Administrative Rules Review Committee for the purpose of reauthorizing agency rules in accordance with Utah Code Section 63G-3-502; or
    - (ii) the Legislative Process Committee.
- (4)
  - (a) Nothing in this rule prohibits a legislator from making a request for legislation in the legislator's name to sponsor legislation that was abandoned in accordance with Subsection (3).
  - (b) A request for legislation described in Subsection (4)(a) is subject to the drafting priority described in JR4-2-102.

**JR7-1-611 Assignment of committee bills -- Report on committee bills and study items.**

- (1) The chairs of each authorized legislative committee shall:

- (a) no later than November 30, assign each of the authorized legislative committee's committee bills a chief sponsor and, at the chairs' election, a floor sponsor from the opposite chamber; and
  - (b) deliver to the Senate Rules Committee and the House Rules Committee a report that includes, for each of the authorized legislative committee's committee bills:
    - (i) the short title;
    - (ii) the chief sponsor;
    - (iii) the floor sponsor, if applicable; and
    - (iv) how each member of the authorized legislative committee voted when the authorized legislative committee gave the committee bill a favorable recommendation, including whether a member was absent at the time of the vote.
- (2) Notwithstanding Subsection (1), for a committee bill that was not a committee bill file, the sponsor of the request for legislation is the chief sponsor of the committee bill file unless the sponsor transfers the committee bill to another legislator.
- (3)
- (a) In addition to the items described in Subsection (1), the chairs of each interim committee shall deliver to the Legislative Management Committee:
    - (i) a copy of the report described in Subsection (1)(b); and
    - (ii) the disposition of each issue assigned to or studied by the interim committee during the preceding calendar year.
  - (b)
    - (i) The chairs of an interim committee shall comply with Subsection (3)(a) before the day on which the Legislative Management Committee meets in December.
    - (ii) The chairs of an authorized legislative committee that is not an interim committee shall comply with Subsection (3)(a) as soon as practicable.