

JOINT RULES AMENDMENTS RESOLUTION

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Susan J. Koehn

A JOINT RESOLUTION OF THE LEGISLATURE REVISING JOINT RULES; MODIFYING BILL DISTRIBUTION REQUIREMENTS; CLARIFYING REPLACEMENT BILL REQUIREMENTS; RESERVING HOUSE BILL 4; CLARIFYING ADJOURNMENT SINE DIE TIMING; CLARIFYING TIMING FOR PASSAGE OF APPROPRIATIONS COORDINATION ACTS; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.

This resolution affects legislative rules as follows:

AMENDS:

JR-4.17

JR-4.22

JR-4.40

JR-8.03

JR-14.02

JR-19.03

REPEALS AND REENACTS:

JR-4.24

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

Section 1. **JR-4.17** is amended to read:

JR-4.17. Identifying Amendments in Context.

(1) When an amendment is made in the Senate, it is noted with additional spacing and an ["~~s~~SS"] "s" both before and after the amendment.

(2) When an amendment is made in the House, it is noted with additional spacing and an ["~~h~~HH"] "h" both before and after the amendment. [H]

(3) When another section from the Utah Code is added through the amendment process, only new language [~~which~~] that is different from the code section cited [~~shall be~~] is underlined.

Section 2. **JR-4.22** is amended to read:

JR-4.22. Bills; Requests; Drafting; Copies; Notes.

(1) (a) A member desiring to introduce a bill shall file a Request for Legislation with the Office of Legislative Research and General Counsel.

(b) The request shall designate the chief sponsor.

(c) A bill may have two types of sponsors:

(i) a chief sponsor who is knowledgeable about and responsible for providing pertinent information as the bill is processed; and

(ii) supporting legislators who wish to cosponsor the bill.

(2) (a) When a member files a Request for Legislation, the Office of Legislative Research and General Counsel shall:

(i) review the request and any accompanying bill; and

(ii) with the approval of the sponsor, prepare the legislation for introduction by making any changes necessary to:

(A) insure that it is in proper legal form;

(B) remove any ambiguities;

(C) avoid constitutional or statutory conflicts;

(D) insure a uniform system of punctuation, capitalization, numbering, and wording;

(E) eliminate duplication and repeal of laws directly or by implication;

(F) correct defective or inconsistent section and paragraph structure in arrangement of the subject matter of existing statutes;

(G) eliminate all obsolete and redundant words; and

(H) correct obvious errors and inconsistencies in punctuation, capitalization, numbering, and wording.

(b) Legislative General Counsel shall indicate on the first page of the bill the drafting attorney's approval of the bill.

(3) The Office of Legislative Research and General Counsel shall reproduce ten copies of the approved bill and deliver:

(a) seven of them to the Chief Clerk or the Secretary; and

(b) three of them to the Legislative Fiscal Analyst for fiscal notes.

(4) (a) The Director of the Office of Legislative Research and General Counsel shall note on any bill reviewed by an interim committee that the committee recommends the bill or has voted the bill out without recommendation.

(b) This interim committee or note shall be printed with the bill.

(5) (a) Any Request for Legislation filed directly with the Office of Legislative Research and General Counsel, with an accompanying bill, shall be reviewed and approved by it within three legislative days.

(b) A legislative review note shall be attached to the bill, together with any interim committee note.

(c) This three day deadline may be extended if the Director of the Office of Legislative Research and General Counsel requests it and states the reasons for the delay.

~~[(d) The legislative review letter shall be printed with the bill.]~~

(6) (a) (i) When the Legislative Fiscal Analyst receives the approved bill, that office has three legislative days to review the bill and provide a fiscal note to the sponsor of the legislation.

(ii) The fiscal note may be printed 24 hours after the sponsor receives it unless the sponsor receives the fiscal note on a Friday, in which case the 24-hour period does not expire until the following Monday.

(iii) The sponsor may direct an earlier release of the fiscal note for printing.

(iv) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be ordered printed immediately after the sponsor has received a copy of the fiscal note, without a 24-hour delay.

(b) The three day deadline for the preparation of the fiscal note may be extended if the Legislative Fiscal Analyst requests it and states the reasons for the delay.

(c) The fiscal note shall be printed with the bill.

(7) (a) The reports of the Legislative Fiscal Analyst and the Office of Legislative Research and General Counsel shall be attached to the original copy of the bill.

(b) The report is not an official part of the bill.

Section 3. **JR-4.24** is repealed and reenacted to read:

JR-4.24. Substitute and Replacement Bills.

(1) A sponsor may not file, and legislative staff may not accept, a replacement bill if:

(a) the original bill has been approved by the sponsor;

(b) the bill has been numbered; and

(c) copies of the bill have been distributed.

(2) Nothing in this rule prohibits a sponsor from preparing amendments to the original bill or one or more substitutes of the original bill and proposing their adoption by a committee or by the entire House or Senate.

Section 4. **JR-4.40** is amended to read:

JR-4.40. Reservation of Bill Numbers.

(1) In annual general legislative sessions occurring in odd-numbered years, House Bill 1 is reserved for the Annual Appropriations bill, Senate Bill 1 is reserved for a Supplemental Appropriations bill, House Bill 2 is reserved for the Revenue Bond bill, Senate Bill 2 is reserved for the General Obligation Bond bill, House Bill 3 is reserved for the School Finance bill, [~~and~~] Senate Bill 3 is reserved for the second Supplemental Appropriations bill, and House Bill 4 is reserved for the Appropriations Coordination Act.

(2) In annual general legislative sessions occurring in even-numbered years, House Bill 1 is reserved for a Supplemental Appropriations bill, Senate Bill 1 is reserved for the Annual Appropriations bill, House Bill 2 is reserved for the General Obligation Bond bill, Senate Bill 2 is reserved for the Revenue Bond bill, House Bill 3 is reserved for the second Supplemental Appropriations bill, [~~and~~] Senate Bill 3 is reserved for the School Finance Bill, and House Bill 4 is reserved for the Appropriations Coordination Act.

Section 5. **JR-8.03** is amended to read:

JR-8.03. Enrollment.

(1) After a bill which has passed both houses has been signed by the presiding officers, it shall be enrolled and examined by the Office of Legislative Research and General Counsel and any technical errors corrected. The statutory authorization of Legislative General Counsel to correct

technical errors includes:

- (a) adopting a uniform system of punctuation, capitalization, numbering, and wording;
- (b) eliminating duplication and repealing laws directly or by implication, including renumbering when necessary;
- (c) correcting defective or inconsistent section and paragraph structure in arrangement of the subject matter of existing statutes;
- (d) eliminating all obsolete and redundant words; and
- (e) correcting obvious errors and inconsistencies in punctuation, capitalization, numbering, and wording.

(2) The enrolled bill shall then be certified by the Secretary or Chief Clerk.

(3) After a bill or resolution has passed both houses and has been certified, endorsed, and enrolled, three copies of the enrolled bill shall be distributed as follows: one shall be filed with the Secretary or Chief Clerk, one shall be given to the chief sponsor of the bill, and one shall be given to the legislative bill room. ~~[The Secretary or Chief Clerk may distribute other copies of the enrolled bills upon request.]~~

(4) Any bill which has passed both houses and has not been enrolled before the Legislature adjourns, shall be enrolled by the Office of Legislative Research and General Counsel after adjournment and shall be examined by the Secretary or Chief Clerk of the house where it originated.

(5) Legislative General Counsel may correct technical errors in the code in finalizing the database for publication.

Section 6. **JR-14.02** is amended to read:

JR-14.02. Adjournment Sine Die.

(1) (a) If the Legislature is meeting until midnight on the last day of any session, the ~~[Secretary of the Senate and the Chief Clerk of the House]~~ Speaker and the President shall, ~~[at]~~ when the clock shows midnight, announce the time to the members of their respective houses.

(b) Each house shall cease its business at midnight.

(2) Adjournment sine die shall be made after:

(a) a committee from each house has notified the opposite house that they have completed

their work;

(b) a joint committee has notified the Governor of their respective reports; and

(c) the Governor has informed the joint committee that he has nothing further to bring before the Legislature.

Section 7. **JR-19.03** is amended to read:

JR-19.03. Fiscal Note Threshold; Deadline for Passing Fiscal Note Bills; Appropriation Coordination Act.

(1) (a) The House shall refer any Senate bill with a fiscal note of \$10,000 or more to the House Rules Committee before giving that bill a third reading.

(b) The Senate shall table on third reading each House bill with a fiscal note of \$10,000 or more.

(2) (a) Before adjourning on the 33rd 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 40th day of the annual general session, the Legislature shall:

(i) either pass or defeat each bill with a fiscal note of \$10,000 or more except constitutional amendment resolutions[-]; and

(ii) either pass or defeat any appropriation coordination act.

Section 8. **Effective date.**

This resolution takes effect upon approval by a majority vote of all members of the Senate and House of Representatives.