

1 **JOINT RULES AMENDMENTS RESOLUTION**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Susan J. Koehn**

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

10 This resolution affects legislative rules as follows:

11 AMENDS:

12 **JR-4.17**

13 **JR-4.22**

14 **JR-4.40**

15 **JR-8.03**

16 **JR-14.02**

17 **JR-19.03**

18 REPEALS AND REENACTS:

19 **JR-4.24**

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

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

22 **JR-4.17. Floor Amendments.**

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

25 (2) When an amendment is made in the House, it is noted with additional spacing and an
26 ["hHH"] "h" both before and after the amendment. [Hf]

27 (3) When another section from the Utah Code is added through the amendment process,

28 only new language [~~which~~] that is different from the code section cited [~~shall be~~] is underlined.

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

30 **JR-4.22. Copies and Distribution of Bills.**

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

33 (b) The request shall designate the chief sponsor.

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

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

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

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

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

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

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

44 (B) remove any ambiguities;

45 (C) avoid constitutional or statutory conflicts;

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

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

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

50 (G) eliminate all obsolete and redundant words; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

77 (iv) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be
78 ordered printed immediately after the sponsor has received a copy of the fiscal note, without a
79 24-hour delay.

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

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

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

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

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

87 **JR-4.24. Substitute and Replacement Bills.**

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

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

90 (b) the bill has been numbered; and

91 (c) copies of the bill have been distributed.

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

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

96 **JR-4.40. Reservation of Bill Numbers.**

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

103 (2) In annual general legislative sessions occurring in even-numbered years, House Bill
104 1 is reserved for a Supplemental Appropriations bill, Senate Bill 1 is reserved for the Annual
105 Appropriations bill, House Bill 2 is reserved for the General Obligation Bond bill, Senate Bill 2
106 is reserved for the Revenue Bond bill, House Bill 3 is reserved for the second Supplemental
107 Appropriations bill, [and] Senate Bill 3 is reserved for the School Finance Bill, and House Bill 4
108 is reserved for the Appropriations Coordination Act.

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

110 **JR-8.03. Enrollment.**

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

115 (a) adopting a uniform system of punctuation, capitalization, numbering, and wording;

116 (b) eliminating duplication and repealing laws directly or by implication, including
117 renumbering when necessary;

118 (c) correcting defective or inconsistent section and paragraph structure in arrangement of
119 the subject matter of existing statutes;

120 (d) eliminating all obsolete and redundant words; and

121 (e) correcting obvious errors and inconsistencies in punctuation, capitalization, numbering,
122 and wording.

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

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

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

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

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

136 **JR-14.02. Adjournment Sine Die.**

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

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

141 (2) Adjournment sine die shall be made after:

142 (a) a committee from each house has notified the opposite house that they have completed
143 their work;

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

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

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

148 **JR-19.03. Fiscal Note Threshold; Deadline for Passing Fiscal Note Bills.**

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

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

152 or more.

153 (2) (a) Before adjourning on the 33rd day of the annual general session, each legislator
154 shall prioritize fiscal note bills and identify other projects or programs for new or one-time funding
155 according to the process established by leadership.

156 (b) Before adjourning on the 40th day of the annual general session, the Legislature shall:

157 (i) either pass or defeat each bill with a fiscal note of \$10,000 or more except

158 constitutional amendment resolutions[-]; and

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

160 Section 8. **Effective date.**

161 This resolution takes effect upon approval by a majority vote of all members of the Senate

162 and House of Representatives.

Legislative Review Note

as of 1-15-99 8:45 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel