

1 **JOINT RULES RESOLUTION - AMENDMENTS**
2 **TO CERTAIN PROCESSES**

3 2003 GENERAL SESSION
4 STATE OF UTAH

5 **Sponsor: Marda Dillree**

6 **This resolution modifies Joint Rules by requiring bills to be transmitted electronically**
7 **rather than in hard copy and by codifying existing practice for revised fiscal notes on**
8 **substitute bills and amendments to bills that have a substantial fiscal impact. This**
9 **resolution clarifies the definition of "mixed committee." This resolution takes effect**
10 **immediately.**

11 This resolution affects legislative rules as follows:

12 AMENDS:

13 **JR-4.22**

14 **JR-4.23**

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

16 Section 1. **JR-4.22** is amended to read:

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

18 (1) (a) A legislator desiring to introduce a bill that enacts, amends, or repeals statutes
19 shall file a Request for Legislation with the Office of Legislative Research and General
20 Counsel within the time limits established by JR-19.02.

21 (b) A legislator desiring to obtain funding for a project, program, or entity, when that
22 funding request does not require that a statute be enacted, repealed, or amended, may not file a
23 Request for Legislation but instead shall comply with the procedures and requirements of
24 JR-4.22.1.

25 (c) The request shall designate:

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



- 28 (ii) any supporting legislators who wish to cosponsor the bill.
- 29 (2) (a) When a member files a Request for Legislation, the Office of Legislative
- 30 Research and General Counsel shall:
- 31 (i) review the request and any accompanying bill; and
- 32 (ii) with the approval of the sponsor, prepare the legislation for introduction by making
- 33 any changes necessary to:
- 34 (A) ensure that it is in proper legal form;
- 35 (B) remove any ambiguities;
- 36 (C) avoid constitutional or statutory conflicts;
- 37 (D) insure a uniform system of punctuation, capitalization, numbering, and wording;
- 38 (E) eliminate duplication and repeal of laws directly or by implication;
- 39 (F) correct defective or inconsistent section and paragraph structure in arrangement of
- 40 the subject matter of existing statutes;
- 41 (G) eliminate all obsolete and redundant words; and
- 42 (H) correct obvious errors and inconsistencies in punctuation, capitalization,
- 43 numbering, and wording.
- 44 (b) Legislative General Counsel shall indicate on the first page of the bill the drafting
- 45 attorney's approval of the bill.
- 46 (3) The Office of Legislative Research and General Counsel shall [~~reproduce ten~~
- 47 ~~copies~~] send an electronic copy of the approved bill [~~and deliver~~] to:
- 48 (a) [~~seven of them to~~] the Chief Clerk or the Secretary; and
- 49 (b) [~~three of them to~~] the Legislative Fiscal Analyst [~~for fiscal notes~~].
- 50 (4) (a) As used in this Subsection (4):
- 51 (i) (A) "Legislative committee" means a committee, commission, task force, or other
- 52 policy or advisory body that is created by statute, legislation, or by the Legislative Management
- 53 Committee and that is composed exclusively of legislators.
- 54 (B) "Legislative committee" does not mean a standing committee.
- 55 (C) Notwithstanding Subsection (4)(a)(i)(B), "Legislative committee" includes the
- 56 Rules Committee.
- 57 (ii) "Mixed committee" means a committee, commission, task force, or other policy or
- 58 advisory body that is:

59 (A) created by statute, legislation, or by the Legislative Management Committee [~~and~~
60 ~~that is~~];

61 (B) composed of legislator members and nonlegislative members[-]; and

62 (C) staffed by the Office of Legislative Research and General Counsel or the
63 Legislative Fiscal Analyst.

64 (b) The Director of the Office of Legislative Research and General Counsel shall:

65 (i) note on any bill reviewed by a legislative committee that the committee
66 recommends the bill or has voted the bill out without recommendation;

67 (ii) note on any bill reviewed by a mixed committee:

68 (A) the number of legislators and nonlegislators on the mixed committee;

69 (B) the number of legislators who voted for and against recommending the bill; and

70 (C) that the committee recommends the bill or has voted the bill out without
71 recommendation; and

72 (iii) ensure that the note is printed with the bill.

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

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

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

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

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

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

87 (iv) If the Legislative Fiscal Analyst determines the bill has no fiscal impact, it may be
88 ordered printed immediately after the sponsor has received a copy of the fiscal note, without a
89 24-hour delay.

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

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

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

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

96 Section 2. **JR-4.23** is amended to read:

97 **JR-4.23. Amended Fiscal Note or Amended Legislative Review Letter.**

98 (1) If an amendment or a substitute to a bill appears to substantively change the fiscal
99 impact of the bill ~~[or]~~, the Legislative Fiscal Analyst shall prepare an amended fiscal note for
100 the bill.

101 (2) If an amendment or substitute to a bill appears to substantively change the bill's
102 constitutionality, an ~~[amended fiscal note or]~~ amended legislative review letter may be
103 requested by a legislator. This request shall be by a motion in a standing committee or on the
104 floor and shall be approved by a majority vote. This bill shall then be reviewed by the rules
105 committee of the respective house. The rules committee shall refer the matter to the
106 ~~[Legislative Fiscal Analyst,] Legislative General Counsel, or shall determine that no ~~[amended~~~~
107 ~~fiscal note or]~~ amended legislative review letter is necessary and refer the bill back to the
108 standing committee or the floor. Once this determination has been made by the rules
109 committee, no further motion for an ~~[amended fiscal note or]~~ amended legislative review letter
110 is in order unless the bill is subsequently amended or a substitute bill filed. If an ~~[amended~~
111 ~~fiscal note or]~~ amended legislative review letter is requested by the rules committee, when the
112 amended ~~[note or]~~ letter is complete, the rules committee shall refer the bill back to its
113 originating standing committee or give this bill priority for floor action in preparing the
114 calendar. This amended ~~[fiscal note or amended]~~ legislative review letter shall be printed with
115 any subsequent printing of the bill.

116 ~~[(2)]~~ (3) The sponsor of a bill may request an amended fiscal note or an amended
117 legislative review letter and obtain it without further legislative approval.

118 Section 3. **Effective date.**

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

Legislative Review Note
as of 1-14-03 5:03 PM

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

Office of Legislative Research and General Counsel

Fiscal Note**Joint Rules Resolution - Amendments to Certain Processes***20-Jan-03***Bill Number HJR005***1:34 PM*

State Impact

Provisions of this rule change may save some costs with elimination of some of the hard copies of bills currently being produced.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst