

1                                   **JOINT RULES RESOLUTION -**  
2                                   **RECODIFICATION AND REVISIONS**

3                                   2007 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: Stephen H. Urquhart**

6                                   Senate Sponsor: John W. Hickman

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7  
8   **LONG TITLE**

9   **General Description:**

10           This bill recodifies and makes certain changes to the Legislature's Joint Rules.

11   **Highlighted Provisions:**

12           This resolution:

13           ▶ recodifies and revises joint rules governing bills and resolutions, legislative  
14 expenses, and ethics.

15   **Special Clauses:**

16           None

17   **Legislative Rules Affected:**

18   ENACTS:

19           **JR4-1-101**

20           **JR4-1-201**

21           **JR4-1-202**

22           **JR4-1-203**

23           **JR4-1-301**

24           **JR4-1-302**

25           **JR4-1-303**

26           **JR4-1-401**

27           **JR4-2-101**

28           **JR4-2-102**

29           **JR4-2-103**

**H.J.R. 11**

**Enrolled Copy**

- 30        **JR4-2-201**
- 31        **JR4-2-202**
- 32        **JR4-2-203**
- 33        **JR4-2-204**
- 34        **JR4-2-301**
- 35        **JR4-2-401**
- 36        **JR4-2-402**
- 37        **JR4-2-403**
- 38        **JR4-2-501**
- 39        **JR4-2-502**
- 40        **JR4-2-503**
- 41        **JR4-2-504**
- 42        **JR4-3-101**
- 43        **JR4-3-201**
- 44        **JR4-4-101**
- 45        **JR4-4-102**
- 46        **JR4-4-103**
- 47        **JR4-4-104**
- 48        **JR4-4-105**
- 49        **JR4-4-106**
- 50        **JR4-4-107**
- 51        **JR4-4-108**
- 52        **JR4-4-109**
- 53        **JR4-4-201**
- 54        **JR4-4-202**
- 55        **JR4-4-203**
- 56        **JR4-5-101**
- 57        **JR4-5-201**

58        **JR4-5-202**  
59        **JR4-5-203**  
60        **JR4-5-301**  
61        **JR4-6-101**  
62        **JR4-6-102**  
63        **JR4-6-103**  
64        **JR4-6-201**  
65        **JR4-6-202**  
66        **JR5-1-101**  
67        **JR5-1-102**  
68        **JR5-2-101**  
69        **JR5-2-102**  
70        **JR5-3-101**  
71        **JR5-3-102**  
72        **JR5-3-103**  
73        **JR5-4-101**  
74        **JR6-1-101**  
75        **JR6-1-102**  
76        **JR6-1-201**  
77        **JR6-1-202**  
78        **JR6-2-101**  
79        **JR6-2-102**  
80        **JR6-2-201**  
81        **JR6-2-202**  
82        **JR6-3-101**  
83        **JR6-4-101**  
84        **JR6-4-102**  
85        **JR6-4-201**

**H.J.R. 11**

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- 86        **JR6-4-202**
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- 94        **JR6-4-303**
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- 96        **JR6-4-305**
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- 98        **JR6-4-307**
- 99        **JR6-4-308**
- 100       **JR6-4-309**
- 101       **JR6-4-310**
- 102       **JR6-5-101**
- 103       **REPEALS:**
- 104       **JR-4.01**
- 105       **JR-4.02**
- 106       **JR-4.03**
- 107       **JR-4.04**
- 108       **JR-4.05**
- 109       **JR-4.06**
- 110       **JR-4.07**
- 111       **JR-4.08**
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- 113       **JR-4.10**

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194	<b>JR-16.06</b>
195	<b>JR-16.07</b>
196	<b>JR-19.01</b>
197	<b>JR-19.02</b>



226 voters, must be passed by a two-thirds vote of both houses of the Legislature.

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

229 (6) "Joint resolution" means a written proposal of the Legislature which, to be  
230 approved, must be passed by both houses of the Legislature.

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

232 (8) "Legislation" means bills and resolutions introduced for consideration by the  
233 Legislature.

234 (9) "Request for Legislation" means a formal request from a legislator or interim  
235 committee that a bill or resolution be prepared by the Office of Legislative Research and  
236 General Counsel.

237 (10) "Resolution" includes constitutional joint resolutions, other joint resolutions,  
238 concurrent resolutions, House resolutions, and Senate resolutions.

239 (11) "Senate resolution" means a written proposal of the Senate which, to be approved,  
240 must be passed by the Senate.

241 (12) "Statute" means a law that has met the constitutional requirements for enactment.

242 (13) "Statutory section" means the unique unit of the laws of Utah that is identified by  
243 a title, chapter, and section number.

244 Section 2. **JR4-1-201** is enacted to read:

245 **Part 2. Bill Format**

246 **JR4-1-201. General Bill Format Requirements.**

247 (1) Each bill shall be typewritten or printed on paper 8-1/2 by 11 inches.

248 (2) (a) When a bill proposes to enact new law, all of the language proposed to be  
249 enacted by the bill shall be underlined.

250 (b) When a bill proposes to enact a statutory section of new law, all of the language in  
251 the entire section must be underlined.

252 (c) When a bill proposes to repeal an existing statutory section and reenact that  
253 statutory section using new language, the new language of the entire section shall be

254 underlined.

255 (3) When a bill proposes to amend a statutory section without repealing the entire  
256 statutory section:

257 (a) all of the language to be repealed must appear between brackets with the letters  
258 struck through; and

259 (b) all of the new language proposed to be enacted by the bill must be underlined.

260 (4) When a bill proposes to repeal a statutory section, the statutory sections to be  
261 repealed shall be listed in the long title as required by these rules and listed by statutory section  
262 number and bold face at the end of the bill before any special clauses.

263 Section 3. **JR4-1-202** is enacted to read:

264 **JR4-1-202. Specific Bill Format Requirements.**

265 (1) Each bill shall contain:

266 (a) a designation containing the information required by Subsection (2);

267 (b) a short title, which provides a short common description of the bill;

268 (c) the year and type of legislative session in which the bill is to be introduced;

269 (d) the phrase "State of Utah";

270 (e) the sponsor's name, after the heading "Chief Sponsor:";

271 (f) if the bill is a House bill that has passed third reading in the House, the Senate  
272 sponsor's name after the heading "Senate Sponsor:";

273 (g) if the bill is a Senate bill that has passed third reading in the Senate, the House  
274 sponsor's name after the heading "House Sponsor:";

275 (h) a list of cosponsors who are members of the same house as the chief sponsor, if  
276 any;

277 (i) a long title, which includes:

278 (i) a brief general description of the subject matter in the bill;

279 (ii) a list of each section of the Utah Code affected by the bill, which cites by statute  
280 number those statutes that the bill proposes be amended, enacted, repealed and reenacted,  
281 renumbered and amended, and repealed; and

282 (iii) for bills that contain an appropriation, the sum proposed to be appropriated by the  
283 bill unless the bill is an appropriation bill or supplemental appropriation bill whose single  
284 subject is the appropriation of money;

285 (j) an enacting clause in the following form: "Be it enacted by the Legislature of the  
286 state of Utah:"; and

287 (k) the subject matter, given in one or more sections.

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

292 Section 4. **JR4-1-203** is enacted to read:

293 **JR4-1-203. Effective Date of Bills.**

294 (1) Unless otherwise directed by the Legislature, a bill becomes effective 60 days after  
295 the adjournment of the session at which it passed.

296 (2) The 60 days begins to run the day after the Legislature adjourns sine die.

297 Section 5. **JR4-1-301** is enacted to read:

298 **Part 3. Resolution Format**

299 **JR4-1-301. General Resolution Format Requirements.**

300 (1) Each resolution shall be typewritten or printed on paper 8-1/2 by 11 inches.

301 (2) Each resolution shall contain:

302 (a) a designation containing the information required by Subsection (3);

303 (b) a short title;

304 (c) the year and type of legislative session in which the resolution is to be introduced;

305 (d) the phrase "State of Utah";

306 (e) the sponsor's name, after the heading "Chief Sponsor:";

307 (f) if the resolution is a House resolution that has passed third reading in the House, the  
308 Senate sponsor's name after the heading "Senate Sponsor:";

309 (g) if the resolution is a Senate resolution that has passed third reading in the Senate,

310 the House sponsor's name after the heading "House Sponsor:";

311 (h) a long title, which shall include a list of constitutional sections, legislative rules, or  
312 the Utah Supreme Court's Rules of Procedure or Rules of Evidence affected, if applicable;

313 (i) a resolving clause containing the information required by Subsection (4);

314 (j) for joint resolutions, concurrent resolutions, Senate resolutions, and House  
315 resolutions;

316 (i) one or more paragraphs that begin with the word "Whereas" that function as the  
317 preamble; and

318 (ii) one or more paragraphs that begin with the words "Be it Resolved" that identify the  
319 statement of purpose or policy; and

320 (k) special clauses including, if necessary, an effective date.

321 (3) The designation shall be a heading that identifies the resolution by its house of  
322 introduction and by unique number assigned to it by the Office of Legislative Research and  
323 General Counsel and shall be in the following form:

324 (a) for constitutional joint resolutions and joint resolutions: "S.J.R." or "H.J.R."  
325 followed by the number assigned to the joint resolution;

326 (b) for concurrent resolutions: "S.C.R." or "H.C.R." followed by the number assigned  
327 to the concurrent resolution;

328 (c) for Senate resolutions: "S.R." followed by the number assigned to the Senate  
329 resolution; or

330 (d) for House resolutions: "H.R." followed by the number assigned to the House  
331 resolution.

332 (4) Each resolution shall contain a resolving clause in one of the following forms:

333 (a) in a constitutional joint resolution, or in a joint resolution proposing to amend the  
334 Utah Supreme Court's Rules of Procedure or Rules of Evidence: "Be it resolved by the  
335 Legislature of the state of Utah, with at least two-thirds of all members elected to each of the  
336 two houses concurring:";

337 (b) in a joint resolution: "Be it resolved by the Legislature of the state of Utah:";

338 (c) in a concurrent resolution: "Be it resolved by the Legislature of the state of Utah,  
339 with the Governor concurring:";

340 (d) in a Senate resolution: "Be it resolved by the Senate of the state of Utah:"; or

341 (e) in a House resolution: "Be it resolved by the House of Representatives of the state  
342 of Utah:".

343 Section 6. **JR4-1-302** is enacted to read:

344 **JR4-1-302. Effective Date of Resolutions.**

345 Unless otherwise directed by the Legislature, a resolution becomes effective on the day  
346 that the resolution receives final approval from:

347 (1) the House of Representatives or the Senate, if it is a single house resolution;

348 (2) both the House of Representatives and the Senate, if it is a joint resolution;

349 (3) the House of Representatives, the Senate, and the Governor, if it is a concurrent  
350 resolution; or

351 (4) the House of Representatives, the Senate, and the voters at the next general  
352 election, if it is a constitutional joint resolution.

353 Section 7. **JR4-1-303** is enacted to read:

354 **JR4-1-303. Distribution of Resolutions.**

355 (1) (a) Subject to Subsection (2), the Secretary of the Senate shall ensure that Senate  
356 Resolutions and Senate Joint Resolutions are distributed as required by the resolution.

357 (b) Subject to Subsection (2), the Chief Clerk of the House shall ensure that House  
358 Resolutions and House Joint Resolutions are distributed as required in the resolution.

359 (2) If either the House or the Senate, or both, enact a resolution urging action by the  
360 United States House of Representatives, the United States Senate, or the United States  
361 Congress as a whole, in informing those entities of the action, the resolution may only be sent  
362 to:

363 (a) the Utah congressional delegation;

364 (b) the Speaker of the United States House of Representatives;

365 (c) the majority leader of the United States Senate; and

366 (d) at the request of the legislative sponsor, any member of the appropriate U.S. House  
367 or U.S. Senate committee or subcommittee.

368 Section 8. **JR4-1-401** is enacted to read:

369 **Part 4. Amendments in Context**

370 **JR4-1-401. Identifying Adopted Amendments in Context.**

371 (1) When a Senate committee or floor amendment is adopted in the Senate, the Senate  
372 amendment shall be noted in the legislation with additional spacing and markers indicating the  
373 beginning and ending of the adopted Senate amendment.

374 (2) When a House committee or floor amendment is adopted in the House, the House  
375 amendment shall be noted in the legislation with additional spacing and markers indicating the  
376 beginning and ending of the adopted House amendment.

377 (3) (a) Notwithstanding JR4-1-201, and except as provided in Subsection (3)(b), when  
378 an additional section from the Utah Code is added to a bill by amendment:

379 (i) all of the language in the section that is to be repealed must appear between brackets  
380 with the letters struck through; and

381 (ii) all of the new language in the section that is proposed to be enacted by the bill must  
382 be underlined.

383 (b) If the additional section added to the bill by amendment is to be repealed, the text  
384 of the repealed section need not be included.

385 Section 9. **JR4-2-101** is enacted to read:

386 **CHAPTER 2. REQUESTING AND INTRODUCING BILLS AND RESOLUTIONS**

387 **Part 1. Requesting Bills or Resolutions**

388 **JR4-2-101. Requests for Legislation -- Contents -- Timing.**

389 (1) (a) A legislator wishing to introduce a bill or resolution shall file a Request for  
390 Legislation with the Office of Legislative Research and General Counsel within the time limits  
391 established by this rule.

392 (b) The request for legislation shall designate:

393 (i) the chief sponsor, who is knowledgeable about and responsible for providing

394 pertinent information as the legislation is drafted; and

395 (ii) any supporting legislators from the same house as the chief sponsor who wish to  
396 cosponsor the legislation.

397 (2) (a) Any legislator may file a request for legislation beginning 60 days after the  
398 Legislature adjourns its annual general session sine die.

399 (b) A legislator-elect may file a request for legislation beginning on the November 15  
400 after the annual general election at which the legislator was elected.

401 (c) (i) If an incumbent legislator does not file to run for reelection or is defeated in a  
402 political party convention, primary election, or general election, that legislator may not file any  
403 requests for legislation as of that date.

404 (ii) The Office of Legislative Research and General Counsel shall abandon each  
405 request for legislation from the legislator that is pending on that date unless, within 30 days  
406 after that date, another member of the Legislature qualified to file a request for legislation  
407 assumes sponsorship of the legislation.

408 (d) (i) If, for any reason, a legislator who filed a request for legislation is unavailable to  
409 serve in the next annual general session, the former legislator shall seek another legislator to  
410 assume sponsorship of each request for legislation filed by the legislator who is unavailable to  
411 serve.

412 (ii) If the former legislator is unable to find another legislator to sponsor the legislation  
413 within 30 days, the Office of Legislative Research and General Counsel shall abandon each  
414 pending request for legislation from the legislator who is unavailable to serve.

415 (3) (a) Except as provided in Subsection (3)(c), a legislator may not file a Request for  
416 Legislation with the Office of Legislative Research and General Counsel after noon on the 11th  
417 day of the annual general session.

418 (b) Except as provided in Subsection (3)(c), by noon on the 11th day of the annual  
419 general session, each legislator shall, for each Request for Legislation on file with the Office of  
420 Legislative Research and General Counsel, either approve the request for numbering or  
421 abandon the request.

422 (c) After the date established by this Subsection (3), a legislator may file a Request for  
423 Legislation and automatically approve the legislation for numbering if:

424 (i) for House legislation, the Representative makes a motion to request a bill or  
425 resolution for drafting and introduction and that motion is approved by a constitutional  
426 majority of the House; or

427 (ii) for Senate legislation, the Senator makes a motion to request a bill or resolution for  
428 drafting and introduction and that motion is approved by a constitutional majority vote of the  
429 Senate.

430 (4) A legislator wishing to obtain funding for a project, program, or entity, when that  
431 funding request does not require that a statute be enacted, repealed, or amended, may not file a  
432 Request for Legislation but instead shall file a request for appropriation by following the  
433 procedures and requirements of JR4-3-101.

434 Section 10. **JR4-2-102** is enacted to read:

435 **JR4-2-102. Prioritizing Legislation.**

436 (1) Consistent with JR4-2-101 on prefiling of bills, beginning 60 days after each annual  
437 general session and ending December 1 of each year, each legislator may make an irrevocable  
438 and nontransferable prioritization of up to three bills.

439 (2) (a) (i) When sufficient drafting information is available, priority bills and interim  
440 committee bills shall be drafted first.

441 (ii) All other bills shall be drafted on a first-in, first-out basis.

442 (b) Except as otherwise provided in these rules, before numbering any bills, the Office  
443 of Legislative Research and General Counsel shall reserve as many bill numbers as necessary  
444 to allow all designated priority bills to be the first bills numbered.

445 Section 11. **JR4-2-103** is enacted to read:

446 **JR4-2-103. Legislation -- Sponsorship Requirements.**

447 (1) (a) The legislator who approves the legislation for numbering is the chief sponsor.

448 (b) The chief sponsor may withdraw sponsorship of the legislation by following the  
449 procedures and requirements of Senate Rules or House Rules.

450 (2) (a) Before or after the bill is introduced, legislators from the same house as the  
451 chief sponsor may have their names added to or deleted from the legislation as co-sponsors by  
452 following the procedures and requirements of Senate Rules or House Rules.

453 (b) Except as provided in Subsection (3), only legislators who are members of the same  
454 house as the chief sponsor may co-sponsor legislation.

455 (3) Before the Secretary of the Senate or the Chief Clerk of the House may transfer  
456 legislation to the opposite house, the chief sponsor shall:

457 (a) designate a member of the opposite house as sponsor of the legislation for that  
458 house; and

459 (b) provide the Secretary or Chief Clerk with the name of that sponsor for designation  
460 on the legislation.

461 Section 12. **JR4-2-201** is enacted to read:

462 **Part 2. Substitute and Replacement Bills or Resolutions**

463 **JR4-2-201. Definitions.**

464 As used in this part:

465 (1) "Committee substitute" means a substitute bill or resolution that is prepared for  
466 introduction in a Senate or House standing committee.

467 (2) "Floor substitute" means a substitute bill or resolution that is prepared for  
468 introduction on the Senate or House floor.

469 (3) (a) "Germane" means that the substitute is relevant, appropriate, and in a natural  
470 and logical sequence to the subject matter of the original legislation.

471 (b) "Germane" includes a substitute that changes the effect or is in conflict with the  
472 spirit of the original legislation if the substance of the substitute can be encompassed within the  
473 short title of the underlying bill.

474 (4) "Replacement legislation" means a bill, resolution, or substitute that replaces the  
475 original because of a technical error.

476 (5) "Substitute" means a new bill or resolution that:

477 (a) replaces the old bill or resolution in title and body; and

478 (b) is germane to the subject of the original bill or resolution.

479 Section 13. **JR4-2-202** is enacted to read:

480 **JR4-2-202. Substitute Bills or Resolutions.**

481 (1) (a) By following the procedures and requirements of Senate or House rule, a  
482 legislator may propose a committee substitute to any Senate or House legislation that is under  
483 consideration by a committee of which the legislator is a member.

484 (b) By following the procedures and requirements of Senate or House rule, a legislator  
485 may propose a floor substitute to any Senate or House legislation that is under consideration by  
486 the house of which the legislator is a member.

487 (2) To initiate drafting of a substitute, a legislator shall give drafting instructions to the  
488 attorney who drafted the legislation.

489 (3) After the substitute sponsor has approved the substitute, the Office of Legislative  
490 Research and General Counsel shall:

491 (a) electronically set the line numbers of the substitute; and

492 (b) distribute the substitute according to the sponsor's instructions.

493 Section 14. **JR4-2-203** is enacted to read:

494 **JR4-2-203. Replacement Bills or Resolutions.**

495 (1) If the Legislative General Counsel determines that a numbered bill or resolution  
496 contains a technical error, the Office of Legislative Research and General Counsel may prepare  
497 and submit a replacement bill or resolution that corrects the error.

498 (2) A sponsor may not file, and legislative staff may not create, replacement legislation  
499 if:

500 (a) the original legislation has been approved by the sponsor;

501 (b) the legislation has been numbered; and

502 (c) copies of the legislation have been distributed.

503 (3) Nothing in this rule prohibits a sponsor from preparing amendments to the original  
504 legislation or one or more substitutes of the original legislation and proposing their adoption by  
505 a committee or by either house of which the legislator is a member.

506 Section 15. **JR4-2-204** is enacted to read:

507 **JR4-2-204. Substitute Bills and Amendments to Bills Must Be Germane.**

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

510 Section 16. **JR4-2-301** is enacted to read:

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

513 **JR4-2-301. Drafting and Sponsor Approval of Legislation.**

514 (1) After receiving a Request for Legislation, the Office of Legislative Research and  
515 General Counsel shall:

516 (a) review the request and any accompanying draft; and

517 (b) draft the legislation for approval by the sponsor.

518 (2) In drafting the legislation, the Office of Legislative Research and General Counsel  
519 shall, when applicable:

520 (a) ensure that the legislation is in proper legal form;

521 (b) remove any ambiguities;

522 (c) avoid constitutional or statutory conflicts; and

523 (d) correct technical errors as provided in Utah Code Section 36-12-12.

524 (3) (a) Any Request for Legislation filed directly with the Office of Legislative  
525 Research and General Counsel, with a complete accompanying draft, shall be reviewed and  
526 approved by the Office of Legislative Research and General Counsel within three legislative  
527 days.

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

530 (4) When the Office of Legislative Research and General Counsel has completed the  
531 legislation, the office shall:

532 (a) send the legislation to the chief sponsor for review and approval; and

533 (b) after the chief sponsor approves the legislation, number and distribute the

534 legislation as provided in JR4-2-503.

535 Section 17. **JR4-2-401** is enacted to read:

536 **Part 4. Committee Notes, Fiscal Notes, Legislative**  
537 **Review Notes, and Attorney Approval Notes.**

538 **JR4-2-401. Committee Notes.**

539 (1) As used in this rule:

540 (a) "Legislative committee" means a committee, commission, task force, or other  
541 policy or advisory body that is created by statute, legislation, or by the Legislative Management  
542 Committee and that is composed exclusively of legislators.

543 (b) (i) "Legislative committee" does not mean a standing committee.

544 (ii) Notwithstanding Subsection (1)(b)(i), "Legislative committee" includes each Rules  
545 Committee.

546 (c) "Mixed committee" means a committee, commission, task force, or other policy or  
547 advisory body that is:

548 (i) created by statute, legislation, or by the Legislative Management Committee;

549 (ii) composed of legislator members and nonlegislative members; and

550 (iii) staffed by the Office of Legislative Research and General Counsel or the Office of  
551 the Legislative Fiscal Analyst.

552 (2) The Office of Legislative Research and General Counsel shall:

553 (a) note on any legislation reviewed by a legislative committee that the committee  
554 recommends the legislation or has voted the legislation out without recommendation;

555 (b) note on any legislation reviewed by a mixed committee:

556 (i) the number of legislators and nonlegislators on the mixed committee;

557 (ii) the number of legislators who voted for and against recommending the legislation;

558 and

559 (iii) that the committee recommends the legislation or has voted the legislation out  
560 without recommendation; and

561 (c) ensure that the note is printed with the legislation.

562 Section 18. **JR4-2-402** is enacted to read:

563 **JR4-2-402. Legislative Review Notes.**

564 (1) The Legislative General Counsel shall place a legislative review note on the  
565 legislation.

566 (2) If an amendment or substitute to legislation appears to substantively change the  
567 legislation's constitutionality, any legislator may request an amended legislative review note by  
568 making a motion in a standing committee or on the floor requesting that an amended legislative  
569 review note be prepared.

570 (3) If the motion is approved by a majority vote, the rules committee of the chamber  
571 where the request was made shall review the request and may either:

572 (a) request that the Legislative General Counsel prepare an amended legislative review  
573 note; or

574 (b) if the rules committee determines that no amended legislative review note is  
575 necessary, refer the legislation back to the standing committee or the floor.

576 (4) Once the rules committee has decided the question, a motion for an amended  
577 legislative review note is out of order unless the legislation is subsequently amended or another  
578 substitute is filed.

579 (5) (a) If an amended legislative review note is requested by the rules committee, when  
580 the amended note is complete, the rules committee shall refer the legislation back to its  
581 originating standing committee or give the legislation priority for floor action in preparing the  
582 calendar.

583 (b) The amended legislative review note shall be made available to legislators in hard  
584 copy or electronically.

585 (6) The legislative review note is not an official part of the legislation.

586 Section 19. **JR4-2-403** is enacted to read:

587 **JR4-2-403. Fiscal Notes.**

588 (1) (a) (i) When the Legislative Fiscal Analyst receives the electronic copy of the  
589 approved legislation from the Office of Legislative Research and General Counsel, that office

590 shall, within three legislative days:

591 (A) review and analyze the legislation to determine its fiscal impact; and

592 (B) provide a fiscal note to the sponsor of the legislation.

593 (ii) The three day deadline for the preparation of the fiscal note may be extended if the  
594 Legislative Fiscal Analyst requests it, states the reasons for the delay, and informs the sponsor  
595 of the legislation of the delay.

596 (b) If the Legislative Fiscal Analyst determines that the legislation has no fiscal impact,  
597 the Legislative Fiscal Analyst may release the fiscal note immediately after the sponsor has  
598 received a copy of the fiscal note.

599 (c) The sponsor may:

600 (i) approve the release of the fiscal note;

601 (ii) direct that the fiscal note be held; or

602 (iii) if the sponsor disagrees with the fiscal note, contact the Legislative Fiscal Analyst  
603 to discuss that disagreement and provide evidence, data, or other information to support a  
604 revised fiscal note.

605 (d) If the sponsor does not contact the Legislative Fiscal Analyst with instructions  
606 about the fiscal note within one 24 hour legislative day, the Legislative Fiscal Analyst shall  
607 release the fiscal note.

608 (e) The Legislative Fiscal Analyst shall make the final determination on the fiscal note.

609 (f) The fiscal note shall be printed with the legislation.

610 (2) If an amendment or a substitute to legislation appears to substantively change the  
611 fiscal impact of the legislation, the Legislative Fiscal Analyst shall prepare an amended fiscal  
612 note for the legislation.

613 (3) The fiscal note is not an official part of the legislation.

614 Section 20. **JR4-2-501** is enacted to read:

615 **Part 5. Numbering, Distribution, and Printing of Bills and Resolutions**

616 **JR4-2-501. Numbering and Distributing Bills and Resolutions.**

617 After receiving approval from the sponsor under JR4-2-301, the Office of Legislative

618 Research and General Counsel shall:

619       (1) proofread the legislation and perform other quality control measures;

620       (2) indicate on the first page of the legislation that the drafting attorney has approved  
621 the legislation for filing;

622       (3) place a committee or task force note on the legislation if required by JR4-2-401;

623       (4) place a legislative review note on the legislation, if one is required by JR4-2-402;

624       (5) assign a number to the legislation to appear after the designation required by  
625 JR4-1-202 and JR4-1-301;

626       (6) electronically set the legislation's line numbers; and

627       (7) distribute an electronic copy of the legislation as required by JR4-2-503.

628 Section 21. **JR4-2-502** is enacted to read:

629       **JR4-2-502. Reservation of Bill Numbers.**

630       (1) In annual general legislative sessions occurring in odd-numbered years:

631       (a) House Bill 1 is reserved for the State Agency and Higher Education Base Budget  
632 bill and Senate Bill 1 is reserved for the Minimum School Program Base Budget Amendments  
633 bill;

634       (b) House Bill 2 is reserved for the Minimum School Program Budget Amendments  
635 bill and Senate Bill 2 is reserved for the New Fiscal Year Supplemental Appropriations Act;  
636 and

637       (c) House Bill 3 is reserved for the Current Fiscal Year Supplemental Appropriations  
638 bill, and Senate Bill 3 is reserved for the Appropriations Adjustments bill.

639       (2) In annual general legislative sessions occurring in even-numbered years:

640       (a) House Bill 1 is reserved for the Minimum School Program Base Budget  
641 Amendments bill and Senate Bill 1 is reserved for the State Agency and Higher Education Base  
642 Budget bill;

643       (b) House Bill 2 is reserved for the New Fiscal Year Supplemental Appropriations Act  
644 and Senate Bill 2 is reserved for the Minimum School Program Budget Amendments bill; and

645       (c) House Bill 3 is reserved for the Appropriations Adjustments bill, and Senate Bill 3

646 is reserved for the Current Fiscal Year Supplemental Appropriations bill.

647 (3) In each annual general legislative session, House Bills 4 through 9 and Senate Bills  
648 4 through 9 are reserved for other appropriations and funding bills.

649 Section 22. **JR4-2-503** is enacted to read:

650 **JR4-2-503. Distribution of Bills and Resolutions and Preparation for**  
651 **Introduction.**

652 (1) After the Office of Legislative Research and General Counsel has numbered a piece  
653 of legislation, the office shall:

654 (a) provide an electronic copy of the legislation to the Office of Legislative Printing  
655 and the Office of the Legislative Fiscal Analyst;

656 (b) post a copy on the Internet; and

657 (c) deliver a paper copy of the legislation to the chief sponsor.

658 (2) After receiving a copy of the numbered bill from Legislative Printing, the docket  
659 clerk shall:

660 (a) create the official backed copy of the legislation; and

661 (b) notify the Secretary of the Senate or the Chief Clerk of the House that the  
662 legislation is ready for introduction.

663 Section 23. **JR4-2-504** is enacted to read:

664 **JR4-2-504. Printing Bills and Resolutions.**

665 (1) As provided in Senate or House Rules, legislation may be ordered printed in the  
666 number of copies considered necessary.

667 (2) A sponsor may have copies of his legislation printed in the quantity that the sponsor  
668 considers necessary.

669 (3) As provided in Senate or House Rules, legislation may be printed before receiving a  
670 committee note or fiscal note.

671 Section 24. **JR4-3-101** is enacted to read:

672 **CHAPTER 3. REQUESTING APPROPRIATIONS**

673 **Part 1. Requesting Appropriations**

674 **JR4-3-101. Request for Appropriation.**

675 (1) A legislator wishing to obtain funding for a project, program, or entity that has not  
676 previously been funded, or to obtain additional or separate funding for a project, program, or  
677 entity, shall file a Request for Appropriation with the Office of Legislative Fiscal Analyst.

678 (2) (a) Except as provided in Subsection (2)(b), a legislator may not file a Request for  
679 Appropriation with the Office of Legislative Fiscal Analyst after noon on the 11th day of the  
680 annual general session.

681 (b) After the date established by this Subsection (2), a legislator may file a Request for  
682 Appropriation if:

683 (i) for a request by a House member, the Representative makes a motion to file a  
684 Request for Appropriation and that motion is approved by a constitutional majority of the  
685 House; or

686 (ii) for a request by a Senator, the Senator makes a motion to file a Request for  
687 Appropriation and that motion is approved by a constitutional majority vote of the Senate.

688 (3) The request shall designate:

689 (a) the project, program, or entity to be funded;

690 (b) the source for the funding;

691 (c) the chief sponsor, who is knowledgeable about and responsible for providing  
692 pertinent information as the appropriation is processed;

693 (d) supporting legislators, if any, who wish to cosponsor the appropriation; and

694 (e) the appropriation subcommittee to which the sponsor wishes the request to be  
695 assigned, if any.

696 Section 25. **JR4-3-201** is enacted to read:

697 **Part 2. Disposition of Requests for Appropriation**

698 **JR4-3-201. Review and Action on Requests for Appropriation.**

699 (1) (a) The Legislative Fiscal Analyst shall review each Request for Appropriation.

700 (b) If the request requires that a statute be enacted, amended, or repealed, the

701 Legislative Fiscal Analyst shall immediately transfer the request to the Office of Legislative

702 Research and General Counsel as a Request for Legislation.

703 (c) If the request does not require that a statute be enacted, amended, or repealed, the  
704 Legislative Fiscal Analyst shall number and title the request and refer the request to:

705 (i) the House chair of the Executive Appropriations Committee, if the sponsor is a  
706 House member; or

707 (ii) the Senate chair of the Executive Appropriations Committee, if the sponsor is a  
708 Senate member.

709 (2) The House or Senate chair of the Executive Appropriations Committee shall refer  
710 the request to the appropriate joint appropriations subcommittee.

711 (3) Each joint appropriations subcommittee that receives a Request for Appropriation  
712 shall:

713 (a) allow the sponsor to present and discuss the request with the subcommittee;

714 (b) discuss the request; and

715 (c) do one of the following:

716 (i) include all or part of the requested appropriation in the budget recommendation  
717 made by the subcommittee to the Executive Appropriations Committee;

718 (ii) reject the request; or

719 (iii) recommend to the Executive Appropriations Committee that all or part of the  
720 requested appropriation be placed on a funding prioritization list as may be established by the  
721 Executive Appropriations Committee.

722 Section 26. **JR4-4-101** is enacted to read:

723 **CHAPTER 4. INTRODUCTION AND CONSIDERATION OF LEGISLATION**

724 **Part 1. Introduction and Consideration of Legislation**

725 **JR4-4-101. Introduction of Legislation.**

726 (1) The Secretary of the Senate or Chief Clerk of the House shall inform the presiding  
727 officer about legislation ready for introduction.

728 (2) When directed to do so by the presiding officer, the reading clerk shall introduce  
729 the legislation by reading its number and short title, which constitutes the legislation's first

730 reading.

731 Section 27. **JR4-4-102** is enacted to read:

732 **JR4-4-102. Reference of Legislation.**

733 (1) During an annual general or special session of the Legislature, after a piece of  
734 legislation has been introduced and read for the first time, it shall be referred to a committee or  
735 to the floor as provided in Senate or House Rules.

736 (2) The Secretary of the Senate and the Chief Clerk of the House or their designees  
737 shall deliver all legislation assigned to a committee to the chair of that committee or to that  
738 chair's designee.

739 Section 28. **JR4-4-103** is enacted to read:

740 **JR4-4-103. Committee Responsibilities.**

741 (1) Each standing committee shall:

742 (a) examine legislation referred to it;

743 (b) amend or substitute the legislation if necessary; and

744 (c) report the legislation back to the floor.

745 (2) If legislation is referred to an interim committee, the interim committee may  
746 examine and recommend to the sponsor any changes to it that the committee considers  
747 necessary.

748 Section 29. **JR4-4-104** is enacted to read:

749 **JR4-4-104. Floor Action.**

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

753 Section 30. **JR4-4-105** is enacted to read:

754 **JR4-4-105. Calendaring Legislation -- Preference for Legislation of Other**  
755 **Chamber.**

756 During the third and fourth days of each week:

757 (1) the Senate shall consider House legislation appearing on the Senate calendar; and

758 (2) the House shall consider Senate legislation appearing on the House calendar.

759 Section 31. **JR4-4-106** is enacted to read:

760 **JR4-4-106. Notice to Other Chamber that Legislation has Failed.**

761 (1) When a piece of legislation that passed the Senate is rejected by the House, the  
762 Chief Clerk of the House of Representatives shall transmit notice of the rejection to the Senate.

763 (2) When a piece of legislation that passed the House is rejected by the Senate, the  
764 Secretary of the Senate shall transmit notice of the rejection to the House.

765 Section 32. **JR4-4-107** is enacted to read:

766 **JR4-4-107. Legislation Transmitted to Other House.**

767 (1) The Secretary of the Senate or Chief Clerk of the House shall:

768 (a) transmit notice of passage on third reading to the other house;

769 (b) comply with the requirements of Subsection (2) if necessary; and

770 (c) if sent to the other house, enter the date of transmission in the journal.

771 (2) The Secretary of the Senate or Chief Clerk of the House shall, before transmitting a  
772 piece of legislation to the other house, ensure that, if the legislation passed with amendments or  
773 was substituted, the amendments or substitute are:

774 (a) retyped or reprinted in the typeface and on the color paper designated for each  
775 house; and

776 (b) transmitted with the legislation.

777 Section 33. **JR4-4-108** is enacted to read:

778 **JR4-4-108. Consideration and Action on Amendments to Legislation Made in the**  
779 **Other Chamber.**

780 (1) (a) If the Senate amends and passes, or substitutes and passes, a piece of House  
781 legislation, the House must either "concur" or "refuse to concur" in the amendments or  
782 substitute.

783 (b) (i) If the House concurs, the legislation shall be voted on for final passage in the  
784 House.

785 (ii) If the legislation passes, the Chief Clerk of the House shall notify the Senate, obtain

786 the signatures required by JR4-6-101, and send the legislation to the Office of Legislative  
787 Research and General Counsel for enrolling.

788 (c) If the House refuses to concur in the Senate amendments or substitute to a piece of  
789 House legislation, the Chief Clerk of the House and the House shall follow the procedures and  
790 requirements of JR3-2, Part 6, Conference Committees.

791 (2) (a) If the House amends and passes, or substitutes and passes, a piece of Senate  
792 legislation, the Senate must either "concur" or "refuse to concur" in the amendments or  
793 substitute.

794 (b) (i) If the Senate concurs, the legislation shall be voted on for final passage in the  
795 Senate.

796 (ii) If the legislation passes, the Secretary of the Senate shall notify the House, obtain  
797 the signatures required by JR4-6-101, and send the legislation to the Office of Legislative  
798 Research and General Counsel for enrolling.

799 (c) If the Senate refuses to concur in the House amendments or substitute to a piece of  
800 Senate legislation, the Secretary of the Senate and the Senate shall follow the procedures and  
801 requirements of JR3-2, Part 6, Conference Committees.

802 Section 34. **JR4-4-109** is enacted to read:

803 **JR4-4-109. Striking the Enacting Clause.**

804 (1) (a) (i) Either house may strike the enacting clause on any piece of legislation by  
805 following the procedures and requirements of Subsection (1)(a)(ii).

806 (ii) To strike an enacting clause, a legislator shall make a motion on the floor to strike  
807 the enacting clause and a majority of the members of that house must approve the motion.

808 (b) If the enacting clause of a piece of legislation is struck:

809 (i) the action conclusively defeats the legislation; and

810 (ii) a motion to reconsider the action is out of order.

811 (2) The enacting clause of each piece of legislation that has not passed the Legislature  
812 before adjournment sine die of an annual general session or a special session is automatically  
813 stricken.

814 Section 35. **JR4-4-201** is enacted to read:

815 **Part 2. Transmitting and Recording Receipt of Legislation and Notices from Other**  
816 **House**

817 **JR4-4-201. Transmittal Letters.**

818 The Secretary of the Senate or the Chief Clerk of the House of Representatives shall:

819 (1) attach a transmittal letter signed by the Secretary or Clerk to each piece of

820 legislation to be transmitted to the opposite house; and

821 (2) ensure that the piece of legislation, with its transmittal letter, is sent to the opposite  
822 house.

823 Section 36. **JR4-4-202** is enacted to read:

824 **JR4-4-202. Memorializing Formal Receipt of Legislation from Other House.**

825 (1) (a) Upon receipt of a transmittal letter from the Senate, the Chief Clerk of the  
826 House of Representatives or the Clerk's designee shall sign a receipt recording the House's  
827 receipt of the legislation.

828 (b) Once the receipt is signed, the legislation is in the possession of the House.

829 (2) (a) Upon receipt of a transmittal letter from the House, the Secretary of the Senate  
830 or the Secretary's designee shall sign a receipt recording the Senate's receipt of the legislation.

831 (b) Once the receipt is signed, the legislation is in the possession of the Senate.

832 Section 37. **JR4-4-203** is enacted to read:

833 **JR4-4-203. Possession of a Bill -- Process for Obtaining the Return of Legislation**  
834 **Sent to the Other House.**

835 (1) A piece of legislation is in the possession of the house in which it has been  
836 received.

837 (2) A piece of legislation in the possession of one house may be returned to the other  
838 house only when:

839 (a) the house having possession of the legislation receives a written request from the  
840 opposite house requesting return of the legislation; and

841 (b) a majority of the house having possession of the legislation votes to return the

842 legislation to the opposite house.

843 Section 38. **JR4-5-101** is enacted to read:

844 **CHAPTER 5. DEADLINES FOR PASSAGE OF CERTAIN BILLS**

845 **Part 1. Bills Containing Fiscal Notes**

846 **JR4-5-101. Deadline for Passing Certain Fiscal Note Bills.**

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

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

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

854 (b) Before adjourning on the 40th day of the annual general session, the Legislature  
855 shall either pass or defeat each bill with a fiscal note of \$10,000 or more except constitutional  
856 amendment resolutions.

857 Section 39. **JR4-5-201** is enacted to read:

858 **Part 2. Appropriation Bills**

859 **JR4-5-201. Deadline for Passing Base Budget Bills.**

860 (1) Each legislator shall receive a copy of each base budget bill for the next fiscal year  
861 by calendared floor time on the first day of the annual general session.

862 (2) By noon on the tenth day, but not before the third day, of the annual general  
863 session, the Legislature shall either pass or defeat each base budget bill.

864 Section 40. **JR4-5-202** is enacted to read:

865 **JR4-5-202. Deadline for Passing Certain Appropriations Bills and School**  
866 **Finance Bills.**

867 (1) Each legislator shall receive a copy of any General Appropriations bills, any  
868 Supplemental Appropriations bills, and any School Finance bills by calendared floor time on  
869 the 43rd day of the annual general session.

870 (2) Before the calendared closing time of the 43rd day of the annual general session,  
871 the Legislature shall either pass or defeat those General Appropriations bills, Supplemental  
872 Appropriations bills, and School Finance bills.

873 Section 41. **JR4-5-203** is enacted to read:

874 **JR4-5-203. Deadline for Passing the Final Appropriations Bill.**

875 (1) Each legislator shall receive a copy of the final appropriations bill by calendared  
876 floor time on the 45th day of the annual general session.

877 (2) By noon on the 45th day of the annual general session, the Legislature shall either  
878 pass or defeat the final appropriations bill.

879 Section 42. **JR4-5-301** is enacted to read:

880 **Part 3. Bond Bills**

881 **JR4-5-301. Deadline for Passing Bond Bills.**

882 (1) Each legislator shall receive a copy of any bond bill by noon on the 40th day of the  
883 annual general session.

884 (2) Before the calendared closing time of the 40th day of the annual general session,  
885 the Legislature shall either pass or defeat each bond bill.

886 Section 43. **JR4-6-101** is enacted to read:

887 **CHAPTER 6. DISPOSITION OF LEGISLATION AFTER PASSAGE**

888 **Part 1. Certifying and Enrolling the Legislation**

889 **JR4-6-101. Certification and Signature.**

890 (1) (a) When a piece of Senate legislation has passed both houses, the Secretary of the  
891 Senate shall certify its final passage by identifying:

892 (i) the date that the legislation passed the Senate;

893 (ii) the number of Senators voting for and against the legislation;

894 (iii) the number of Senators absent for the vote;

895 (iv) the date that the legislation passed the House;

896 (v) the number of Representatives voting for and against the legislation; and

897 (vi) the number of Representatives absent for the vote.

898 (b) When a piece of House legislation has passed both houses, the Chief Clerk of the  
899 House shall certify its final passage by identifying:

- 900 (i) the date that the legislation passed the House;
- 901 (ii) the number of Representatives voting for and against the legislation;
- 902 (iii) the number of Representatives absent for the vote;
- 903 (iv) the date that the legislation passed the Senate;
- 904 (v) the number of Senators voting for and against the legislation; and
- 905 (vi) the number of Senators absent for the vote.

906 (2) (a) Except as provided in Subsection (2)(b), within one legislative day of final  
907 passage, each piece of legislation shall be signed:

- 908 (i) first by the presiding officer of the house in which it was last voted upon; and
- 909 (ii) second, by the presiding officer of the other house.

910 (b) Within five days following the adjournment sine die of a legislative session, each  
911 piece of legislation passed on the final day of that legislative session shall be signed:

- 912 (i) first by the presiding officer of the house in which it was last voted upon; and
- 913 (ii) second, by the presiding officer of the other house.

914 (c) Unless the session has adjourned sine die, the Secretary of the Senate or Chief  
915 Clerk of the House shall note in the journal that the legislation was signed by the presiding  
916 officer.

917 Section 44. **JR4-6-102** is enacted to read:

918 **JR4-6-102. Enrollment and Transmittal of Legislation to the Governor.**

919 (1) (a) After a piece of legislation that has passed both houses has been signed by the  
920 presiding officers, the Secretary or Chief Clerk shall deliver it to the Office of Legislative  
921 Research and General Counsel.

922 (b) The Office of Legislative Research and General Counsel shall:

- 923 (i) examine and enroll the legislation;
- 924 (ii) correct any technical errors as provided by Utah Code Section 36-12-12; and
- 925 (iii) transmit a copy of the enrolled legislation to:

- 926 (A) the Secretary of the Senate for legislation originating in the Senate; and
- 927 (B) the Chief Clerk of the House for legislation originating in the House.
- 928 (2) When enrolling the legislation, the Office of Legislative Research and General

929 Counsel shall:

930 (a) include the name of the House floor sponsor for Senate legislation under the  
931 heading "House Sponsor:"; or

932 (b) include the name of the Senate floor sponsor for House legislation under the  
933 heading "Senate Sponsor:".

934 (3) The Secretary of the Senate or Chief Clerk of the House shall:

935 (a) certify each enrolled piece of legislation;

936 (b) ensure that a copy of the enrolled legislation is:

937 (i) transmitted to the Governor;

938 (ii) filed with the Secretary or Chief Clerk;

939 (iii) transmitted to the chief sponsor upon request; and

940 (iv) transmitted to the Office of Legislative Printing.

941 Section 45. **JR4-6-103** is enacted to read:

942 **JR4-6-103. Legislative General Counsel to Correct Certain Technical Errors.**

943 The Legislative General Counsel may correct technical errors in the code in preparing  
944 the database for publication.

945 Section 46. **JR4-6-201** is enacted to read:

946 **Part 2. Recalling Legislation After Passage**

947 **JR4-6-201. Recalling Legislation Before It is Signed by the Speaker and**

948 **President.**

949 Legislation in the possession of the other house or the Office of Legislative Research  
950 and General Counsel may be recalled by a motion and a constitutional majority vote from the  
951 members of both houses.

952 Section 47. **JR4-6-202** is enacted to read:

953 **JR4-6-202. Recalling Legislation from the Governor.**

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

957 (1) a joint resolution requesting that the Governor return the legislation is passed by a  
958 constitutional majority vote of both houses; and

959 (2) the Governor elects to return it.

960 Section 48. **JR5-1-101** is enacted to read:

961 **TITLE 5. LEGISLATIVE EXPENSE AND MILEAGE REIMBURSEMENT**

962 **CHAPTER 1. GENERAL PROVISIONS**

963 **JR5-1-101. Definitions.**

964 As used in this title:

965 (1) "Authorized legislative meeting" means:

966 (a) special sessions;

967 (b) veto override sessions;

968 (c) interim committee and subcommittee meetings;

969 (d) management committee and subcommittee meetings;

970 (e) executive appropriation and subcommittee meetings; and

971 (f) the meetings of any other body where legislative participation is required by law or  
972 authorized by the Legislative Management Committee.

973 (2) "Mileage" means the mileage reimbursement allowance approved by the Division  
974 of Finance for state employees.

975 Section 49. **JR5-1-102** is enacted to read:

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

977 (1) The presiding officer and the majority leader and minority leader of each house are  
978 the Legislative Expenses Oversight Committee for that house.

979 (2) Each committee shall:

980 (a) establish procedures to implement the rules on legislative expenses, including

981 establishing vouchering systems and procedures for the disbursement of legislative expenses;

982 and

983 (b) meet at least annually, or at the request of a majority of the committee, to review  
984 legislative expenses and travel budgets.

985 (3) The presiding officer may authorize temporary emergency legislative expenses.

986 Section 50. **JR5-2-101** is enacted to read:

987 **CHAPTER 2. EXPENSE AND MILEAGE REIMBURSEMENT**

988 **DURING ANNUAL GENERAL SESSION**

989 **JR5-2-101. Lodging, Meals, and Incidental Expenses While in Annual General**  
990 **Session.**

991 (1) This rule governs legislative expenses for lodging, meals, and incidental expenses  
992 incurred when the Legislature is in annual general session.

993 (2) Each legislator shall receive an expense allowance equal to the sum of the federal  
994 lodging per diem rate for Salt Lake City and the federal meals and incidental expenses per diem  
995 rate for Salt Lake City.

996 Section 51. **JR5-2-102** is enacted to read:

997 **JR5-2-102. Transportation Cost Reimbursement While in Annual General**  
998 **Session.**

999 (1) This rule governs transportation costs incurred by legislators when the Legislature  
1000 is in annual general session.

1001 (2) (a) Each legislator shall receive transportation costs to and from the session.

1002 (b) These costs shall be computed on the basis of actual mileage for private automobile  
1003 use or the actual cost of alternative commercial transportation.

1004 Section 52. **JR5-3-101** is enacted to read:

1005 **CHAPTER 3. EXPENSE AND MILEAGE REIMBURSEMENT FOR**

1006 **AUTHORIZED LEGISLATIVE MEETINGS, SPECIAL**

1007 **SESSIONS, AND VETO OVERRIDE SESSIONS**

1008 **JR5-3-101. Meals and Incidental Expense Reimbursement for Authorized**  
1009 **Legislative Meetings, Special Sessions, and Veto Override Sessions.**

1010           (1) This rule governs reimbursement for meals and incidental expenses for legislator  
1011 attendance at authorized legislative meetings when the Legislature is not in annual general  
1012 session.

1013           (2) For each day that a legislator attends an authorized legislative meeting, the  
1014 legislator shall receive a meals and incidental expenses per diem equal to the federal meals and  
1015 incidental expenses per diem rate for Salt Lake City.

1016           (3) The Legislative Expenses Oversight Committee established in JR5-1-102 shall  
1017 ensure that legislators do not receive duplicate or improper reimbursements.

1018           Section 53. **JR5-3-102** is enacted to read:

1019           **JR5-3-102. Lodging Expense Reimbursement for Authorized Legislative**  
1020 **Meetings, Special Sessions, and Veto Override Sessions.**

1021           (1) This rule governs reimbursement for lodging expenses for legislator attendance at  
1022 authorized legislative meetings when the Legislature is not in annual general session.

1023           (2) If attendance at an authorized legislative committee meeting necessitates overnight  
1024 accommodations, legislators shall receive reimbursement for actual lodging expenses up to the  
1025 federal lodging per diem rate for Salt Lake City.

1026           (3) The Legislative Expenses Oversight Committee established in JR5-1-102 shall  
1027 ensure that legislators do not receive duplicate or improper reimbursements.

1028           Section 54. **JR5-3-103** is enacted to read:

1029           **JR5-3-103. Travel Expense Reimbursement for Authorized Legislative Meetings,**  
1030 **Special Sessions, and Veto Override Sessions.**

1031           (1) This rule governs reimbursement for travel expenses for legislator attendance at  
1032 authorized legislative meetings when the Legislature is not in annual general session.

1033           (2) (a) Each legislator shall receive transportation costs to and from the authorized  
1034 legislative committee meeting.

1035           (b) Transportation costs shall be computed on the basis of actual mileage for private  
1036 automobile use or the actual cost of alternative commercial transportation.

1037           (3) The Legislative Expenses Oversight Committee established in JR5-1-102 shall

1038 ensure that legislators do not receive duplicate or improper reimbursements.

1039 Section 55. **JR5-4-101** is enacted to read:

1040 **CHAPTER 4. OUT-OF-STATE TRAVEL**

1041 **JR5-4-101. Reimbursement for Costs of Out-of-State Travel.**

1042 The following rules govern reimbursement for out-of-state travel by legislators:

1043 (1) (a) Subject to Subsections (1)(b) and (1)(c), legislators shall receive reimbursement  
1044 for all approved actual and necessary expenses.

1045 (b) The presiding officer, the majority leader, and the minority leader shall meet  
1046 annually to establish a policy governing out-of-state travel, including the process for them to  
1047 approve out of state travel and approve reimbursement of expenses for that travel as required  
1048 under Utah Code Section 36-12-17.

1049 (c) If a legislator elects to travel to an out-of-state destination by private automobile,  
1050 the legislator shall receive actual mileage or the actual cost of alternative commercial  
1051 transportation, whichever is less.

1052 (2) Each legislator shall provide supporting documentation for each expense for which  
1053 the legislator seeks reimbursement.

1054 Section 56. **JR6-1-101** is enacted to read:

1055 **TITLE 6. LEGISLATIVE ETHICS AND ADJUDICATION**

1056 **OF ETHICS COMPLAINTS**

1057 **CHAPTER 1. ETHICS REQUIREMENTS GOVERNING LEGISLATORS**

1058 **Part 1. Ethical Standards for Legislators**

1059 **JR6-1-101. Legislative Ethics.**

1060 (1) The Utah Legislature consists of people who work part-time and must necessarily  
1061 earn their living in other jobs and professions.

1062 (2) It is necessary to reconcile the functions of privately employed legislators who have  
1063 their own private interests with the maintenance of high ethical standards and public  
1064 confidence.

1065 (3) In seeking to balance these interests, it is necessary to avoid controls that might be

1066 so strict that they discourage capable and honorable persons from entering legislative service.

1067 (4) It is recognized that public confidence in the Legislature should be promoted and  
1068 that competent members should serve in the Legislature even though most of them have private  
1069 interests of various types.

1070 (5) It is also recognized that a citizen legislator is in a different position in doing  
1071 business with the state and its political subdivisions than a public servant whose chief source of  
1072 livelihood is derived from public funds.

1073 Section 57. **JR6-1-102** is enacted to read:

1074 **JR6-1-102. Code of Official Conduct.**

1075 (1) Each legislator shall comply with the guidelines established in Subsection (2).

1076 (2) In judging members of its house charged with an ethical violation, the Senate and  
1077 House Ethics Committees shall consider whether or not the member has violated any of the  
1078 following guidelines:

1079 (a) Members of the Senate and House shall not engage in any employment or other  
1080 activity that would destroy or impair their independence of judgment.

1081 (b) Members of the Senate and House shall not be paid by a person, as defined in  
1082 JR6-1-202, to lobby, consult, or to further the interests of any legislation or legislative matter.

1083 (c) Members of the Senate and House shall not exercise any undue influence on any  
1084 governmental entity.

1085 (d) Members of the Senate and House shall not engage in any activity that would be an  
1086 abuse of official position or a violation of trust.

1087 (e) Members of the Senate and House may engage in business or professional activity  
1088 in competition with others, but shall not use any information obtained by reason of their  
1089 official position to gain advantage over any competition for activities with the state and its  
1090 political subdivisions.

1091 (f) Members of the Senate and House shall not engage in any business relationship or  
1092 activity that would require the disclosure of confidential information obtained because of their  
1093 official position.

1094 (g) Members of the Senate and House shall not use their official position to secure  
1095 privileges for themselves or others.

1096 (h) While in session, members of the Senate and House shall disclose any conflict of  
1097 interest on any legislation or legislative matter as provided in JR6-1-201.

1098 (i) Members of the Senate and House may accept small gifts, awards, or contributions  
1099 if these favors do not influence them in the discharge of official duties.

1100 (j) Except as provided in Subsection (3), members of the Senate and the House may  
1101 engage in business or professional activities with the state or its political subdivisions if the  
1102 activities are entered into under the same conditions and in the same manner applicable to any  
1103 private citizen or company engaged in similar activities.

1104 (k) Legislators may enter into transactions with the state by contract by following the  
1105 procedures and requirements of Title 63, Chapter 56, Utah Procurement Code.

1106 (3) (a) As also required by Section 36-19-1, a legislator, member of the legislator's  
1107 household, or client may not be a party to or have an interest in the profits or benefits of a state  
1108 contract when the state contract is the direct result of a bill sponsored by the legislator, unless  
1109 the contract is let in compliance with state procurement policies and is open to the general  
1110 public.

1111 (b) Besides the penalties authorized by these rules, Section 36-19-1 also provides that  
1112 any person violating this section is guilty of a class B misdemeanor.

1113 Section 58. **JR6-1-201** is enacted to read:

1114 **Part 2. Conflicts of Interest**

1115 **JR6-1-201. Declaring and Recording Conflicts of Interest.**

1116 (1) As used in this section:

1117 (a) (i) "Business in which the legislator is associated" means any business in which a  
1118 legislator is a director, officer, owner, member, partner, employee, or is a holder of stocks or  
1119 bonds in the company that have a fair market value of \$10,000 or more.

1120 (ii) "Business in which the legislator is associated" does not include business  
1121 associations by members of the legislator's immediate family.

1122 (b) "Conflict of interest" means legislation or action by a legislator that the legislator  
1123 reasonably believes may cause direct financial benefit or detriment to him, a member of the  
1124 legislator's immediate family, or a business in which the legislator is associated, and that  
1125 benefit or detriment is distinguishable from the effects of that action on the public or on the  
1126 legislator's profession, occupation, or association generally.

1127 (c) "Immediate family" means the legislator's spouse and children living in the  
1128 legislator's immediate household.

1129 (2) (a) (i) A legislator shall file a Declaration of Conflict of Interest form with the  
1130 Secretary of the Senate if the legislator is a Senator, or with the Chief Clerk of the House of  
1131 Representatives if the legislator is a Representative, to satisfy that legislator's disclosure of any  
1132 conflicts of interest as required by Subsection (1) and Utah Code Section 76-8-109.

1133 (ii) The legislator shall file the form when:

1134 (A) the legislator takes the oath of office; and

1135 (B) the legislator changes employment.

1136 (b) This Declaration of Conflict of Interest form shall include:

1137 (i) the businesses in which the legislator is associated; and

1138 (ii) the general legislative subject areas in which the legislator may have a conflict of  
1139 interest.

1140 (c) This Declaration of Conflict of Interest form is available to the public.

1141 (3) (a) Before or during any vote on legislation or any legislative matter in which a  
1142 legislator has actual knowledge that he has a conflict of interest which is not stated on the  
1143 conflict of interest form, that legislator shall orally declare to the committee or body before  
1144 which the matter is pending that the legislator may have a conflict of interest and what that  
1145 conflict is.

1146 (b) The Secretary of the Senate or the Chief Clerk shall:

1147 (i) direct committee secretaries to note the declaration of conflict of interest in the  
1148 minutes of any committee meeting; and

1149 (ii) ensure that each declaration of conflict declared on the floor is noted in the Senate

1150 Journal or House Journal.

1151 (4) This requirement of disclosure of any conflict of interest does not prohibit a  
1152 legislator from voting on any legislation or legislative matter.

1153 Section 59. **JR6-1-202** is enacted to read:

1154 **JR6-1-202. Disclosure of Outside Remuneration.**

1155 (1) As used in this section:

1156 (a) "Person" includes an individual, partnership, association, organization, company,  
1157 and bodies politic and corporate or a lobbyist from any of these.

1158 (b) "Person" does not include a person who provides the legislator's primary source of  
1159 income.

1160 (2) If any person provides remuneration to a legislator to compensate that legislator for  
1161 a loss of salary or income while the Legislature is in session, that legislator shall file a written  
1162 disclosure identifying:

1163 (a) that the legislator receives remuneration; and

1164 (b) the name of the person who provides the remuneration.

1165 (3) (a) The legislator shall file the disclosure by February 1 of each year with:

1166 (i) the Secretary of the Senate, if the legislator is a Senator; or

1167 (ii) the Chief Clerk of the House of Representatives, if the legislator is a  
1168 Representative.

1169 (b) This disclosure is available to the public.

1170 Section 60. **JR6-2-101** is enacted to read:

1171 **CHAPTER 2. HOUSE AND SENATE ETHICS COMMITTEES**

1172 **Part 1. Membership, Meetings, and Staff**

1173 **JR6-2-101. Ethics Committees -- Membership -- Jurisdiction.**

1174 (1) There is established a Senate Ethics Committee and a House Ethics Committee.

1175 (2) The Senate Ethics Committee shall be composed of:

1176 (a) the chair and three additional members appointed by the President of the Senate;  
1177 and

1178 (b) the cochair and three additional members appointed by the Senate minority leader.

1179 (3) The House Ethics Committee shall be composed of:

1180 (a) the chair and three additional members appointed by the Speaker of the House of

1181 Representatives; and

1182 (b) the cochair and three additional members appointed by the House minority leader.

1183 (4) Members of the committees shall serve two year terms.

1184 (5) If a complaint is filed against any member of the respective ethics committees, the

1185 President of the Senate or the Speaker of the House shall appoint another member of the Senate

1186 or House to serve in that member's place while the complaint is under review.

1187 Section 61. **JR6-2-102** is enacted to read:

1188 **JR6-2-102. Ethics Committee -- Meetings and Staff.**

1189 (1) The Senate and House Ethics Committees shall operate as both standing and

1190 interim committees.

1191 (2) The committees shall meet as necessary, either as called at the discretion of the

1192 chair or by a majority vote of the committee.

1193 (3) A majority of the committee is a quorum.

1194 (4) The staff of the committees consists of:

1195 (a) the director of the Office of Legislative Research and General Counsel;

1196 (b) the Legislative General Counsel; and

1197 (c) any other members of the staff of that office designated by the director.

1198 Section 62. **JR6-2-201** is enacted to read:

1199 **Part 2. Jurisdiction and Powers of Ethics Committee**

1200 **JR6-2-201. Ethics Committee -- Jurisdiction.**

1201 The Senate Ethics Committee and House Ethics Committee shall review and adjudicate

1202 any charges brought against a member of the Senate or House for acts that violate:

1203 (1) the Code of Official Conduct; or

1204 (2) any law, rule, regulation, or other standard of conduct applicable to the conduct of a

1205 member of the Senate or House in the performance of legislative responsibilities, if the conduct

1206 would reflect discredit upon the Senate or House as a whole.

1207 Section 63. **JR6-2-202** is enacted to read:

1208 **JR6-2-202. Powers -- Subpoena -- Contempt.**

1209 (1) In hearing and processing all complaints, the rules established by this Title 6 govern  
1210 the procedures to be followed by the Senate and House Ethics Committees.

1211 (2) (a) For all proceedings authorized by this title, the chair and the Director of the  
1212 Office of Legislative Research and General Counsel may require, by subpoena or otherwise,  
1213 the attendance and testimony of witnesses and the production of any materials that the  
1214 committee considers necessary.

1215 (b) The committee chair may direct staff to:

1216 (i) issue subpoenas to require the attendance of witnesses;

1217 (ii) issue subpoenas to direct the production of evidence; or

1218 (iii) issue subpoenas that require both attendance and production of evidence.

1219 (3) (a) (i) The witness's disobedience to the chair's direction to answer a question, to a  
1220 subpoena to appear, to a subpoena to produce evidence, or to a subpoena that requires both  
1221 attendance and production of evidence, constitutes contempt.

1222 (ii) The chair's direction to answer a question may only be overruled by a vote of the  
1223 majority of the committee members present.

1224 (iii) Because the object of the Fifth Amendment privilege not to incriminate oneself is  
1225 so that no criminal action will be prosecuted, it is improper for a witness to invoke the Fifth  
1226 Amendment privilege if the witness cannot be prosecuted for the crime to which the witness's  
1227 testimony relates.

1228 (b) A majority of the members of the committee may compel obedience to the  
1229 requirements of the committee by directing staff to file a contempt proceeding in state district  
1230 court against any person who:

1231 (i) fails to comply with a subpoena or a subpoena duces tecum;

1232 (ii) refuses to answer a question relevant to the investigation that does not infringe on  
1233 the person's constitutional rights; or

1234 (iii) is guilty of contempt on any other grounds specified in statute or recognized at  
1235 common law.

1236 Section 64. **JR6-3-101** is enacted to read:

1237 **CHAPTER 3. FILING COMPLAINTS ALLEGING A**  
1238 **VIOLATION OF LEGISLATIVE ETHICS**

1239 **JR6-3-101. Complaints -- Filing -- Form.**

1240 (1) Any legislator who wishes to file an ethics complaint against another legislator  
1241 shall file a written complaint:

1242 (a) with the President of the Senate and the chair of the Senate Ethics Committee, if the  
1243 complaint is against a Senator; or

1244 (b) with the Speaker of the House and the chair of the House Ethics Committee, if the  
1245 complaint is against a Representative.

1246 (2) (a) The legislator filing the complaint shall ensure that it contains the following  
1247 information:

1248 (i) the name and position or title of the person alleged to be in violation, who is the  
1249 respondent;

1250 (ii) the name and address of at least three Senators, if the respondent is a Senate  
1251 member, or at least three Representatives, if the respondent is a House member, who are filing  
1252 the complaint, who are the complainants;

1253 (iii) the nature of the alleged violation;

1254 (iv) subject to Subsection (1)(b), any facts alleged to support the complaint; and

1255 (v) all documents that support the complaint as an attachment to it.

1256 (b) If any of the facts supporting the complaint are based upon the information and  
1257 belief of the complainants, the complaint shall state that the facts are presented "upon  
1258 information and belief" and give the basis for that information and belief.

1259 Section 65. **JR6-4-101** is enacted to read:

1260 **CHAPTER 4. ETHICS COMMITTEE PROCEDURES FOR EVALUATING**  
1261 **AND ADJUDICATING COMPLAINTS**

1262           **Part 1. Notice and Review of Ethics Complaint for Sufficiency and Jurisdiction**  
1263           **JR6-4-101. Review of Ethics Complaint for Compliance with Form Requirements**  
1264 **and Notice of Complaint To Committee Members.**

1265           (1) (a) Within five days after receipt of the complaint, the staff of the committee, in  
1266 consultation with the chair and cochair, shall examine each complaint to determine if it is in  
1267 compliance with JR6-3-101.

1268           (b) (i) If the chair and cochair determine that the complaint does not comply with  
1269 JR6-3-101, the chair shall return the complaint to the complainants with a copy of the  
1270 legislative rules on ethics.

1271           (ii) The complainants may resubmit the complaint.

1272           (c) If the chair and cochair determine that the complaint complies with this title, the  
1273 chair shall:

1274           (i) accept the complaint;

1275           (ii) notify each member of the ethics committee that the complaint has been filed; and

1276           (iii) provide each member of the ethics committee with a copy of the complaint.

1277           (2) No committee member or staff may disclose publically any information received by  
1278 the committee concerning any alleged violation until the member of the Senate or House  
1279 charged in the violation has received the Summary of the Preliminary Inquiry required by  
1280 JR6-4-206.

1281           Section 66. **JR6-4-102** is enacted to read:

1282           **JR6-4-102. First Ethics Committee Meeting -- Jurisdictional and Claim Review.**

1283           (1) Within 30 days after the complaint is accepted, the chair and cochair shall:

1284           (a) schedule an ethics committee meeting; and

1285           (b) place the ethics complaint on the agenda for consideration at that meeting with the  
1286 recommendation that:

1287           (i) the complaint be considered; or

1288           (ii) the complaint be dismissed because it fails to allege facts that constitute a violation.

1289           (2) (a) At the ethics committee meeting, the committee shall determine:

1290 (i) whether or not the alleged violation in the complaint is within the jurisdiction of the  
1291 committee; and

1292 (ii) whether or not the complaint merits further inquiry.

1293 (b) The chair shall notify the complainants and respondent, in writing, of the  
1294 determination made by the committee.

1295 (3) If the committee determines that the complaint merits further inquiry, the  
1296 committee meeting shall become a preliminary inquiry to determine whether the alleged  
1297 violation occurred.

1298 Section 67. **JR6-4-201** is enacted to read:

1299 **Part 2. Preliminary Inquiry**

1300 **JR6-4-201. General Rules Governing Preliminary Inquiries.**

1301 (1) The scope of the preliminary inquiry is limited to the alleged violations stated in the  
1302 complaint.

1303 (2) (a) Only relevant or material evidence is admissible in the preliminary inquiry.

1304 (b) The chair's determination of admissibility is final and may only be overruled by a  
1305 majority vote of the committee.

1306 (3) At the beginning of the preliminary inquiry, in order to expedite the committee's  
1307 investigation and to facilitate a rapid resolution of the matter, the committee cochairs and the  
1308 respondent may agree in writing that the procedural requirements of Part 3, Disciplinary  
1309 Hearing, are waived.

1310 (4) (a) The preliminary inquiry is closed to the public.

1311 (b) The respondent and the respondent's counsel may be present during the presentation  
1312 of testimony and evidence to the committee.

1313 (c) Only Ethics Committee members and staff may be present during other portions of  
1314 the preliminary inquiry.

1315 (5) Except for the official record, no camera or recording device may be brought in or  
1316 used in the preliminary inquiry.

1317 (6) Upon consent of a majority of its members, the committee may permit any person,

1318 not compelled or invited, to appear and testify at a hearing or submit a sworn written statement  
1319 of facts or other documentary evidence for incorporation into the record.

1320 (7) (a) The release of any testimony or other evidence presented at a closed hearing and  
1321 the form and manner of that release shall be by a majority vote of all members of the  
1322 committee.

1323 (b) Committee members and committee staff may not publicly disclose any other part  
1324 of the preliminary inquiry.

1325 (8) If a majority of the committee determines that further evidence and testimony are  
1326 necessary, the committee shall:

1327 (a) adjourn and continue the preliminary inquiry hearing to a future date; and

1328 (b) establish that future date by majority vote.

1329 Section 68. **JR6-4-202** is enacted to read:

1330 **JR6-4-202. Chair as Presiding Judge.**

1331 (1) The committee chair is vested with the power to direct the committee in the  
1332 preliminary inquiry.

1333 (2) (a) If a committee member objects to a decision of the chair, that member may  
1334 appeal the decision to the committee by stating: "I appeal the decision of the chair."

1335 (b) This motion is non-debatable.

1336 (c) The chair shall direct a roll call vote to determine if the committee membership  
1337 supports the decision of the chair.

1338 (d) A majority vote of the committee is necessary to overrule the decision of the chair.

1339 (3) The chair may set time limitations on any part of the preliminary inquiry.

1340 Section 69. **JR6-4-203** is enacted to read:

1341 **JR6-4-203. Testimony and Examination of Witnesses -- Oath -- Contempt.**

1342 (1) At the direction of the committee chair and cochair, the committee may hear the  
1343 testimony of the complainants, the respondent, and witnesses.

1344 (2) (a) Each witness shall testify under oath.

1345 (b) Legislative General Counsel shall administer the oath to each witness.

1346           (3) The chair shall permit the witness to make a brief opening statement if the witness  
1347 desires.

1348           (4) The committee chair shall direct the examination of the witness as follows:

1349           (a) After the witness's presentation, the chair shall:

1350           (i) give committee members the opportunity to question the witness; and

1351           (ii) give the respondent the opportunity to question the witness.

1352           (b) The committee chair may allow further examination of the witness by the  
1353 committee, committee staff, or the respondent.

1354           (5) (a) If the witness objects to a question, the chair may direct the witness to answer.

1355           (b) If the witness still declines to answer the question, the witness may be held in  
1356 contempt as provided in JR6-2-202.

1357           (6) (a) The committee chair shall direct each witness to furnish any relevant evidence  
1358 for the committee's consideration if the witness has brought the material voluntarily or has been  
1359 required to bring it by subpoena.

1360           (b) If the witness declines to provide evidence in response to a subpoena, the witness  
1361 may be held in contempt as provided in JR6-2-202.

1362           (7) The chair may allow a witness to insert into the record a sworn written statement of  
1363 reasonable length that is relevant to the purpose, subject matter, and scope of the investigation.

1364           Section 70. **JR6-4-204** is enacted to read:

1365           **JR6-4-204. Right to Counsel -- Limitations on Counsel.**

1366           (1) Any witness testifying before the committee may have the witness's counsel  
1367 present.

1368           (2) During the preliminary inquiry, counsel for a witness shall confine his activity  
1369 exclusively to private advice to his client about the witness's legal rights.

1370           (3) Counsel for a witness may not:

1371           (a) advise the witness during the witness's testimony, except when specifically  
1372 requested by the witness;

1373           (b) address the committee;

1374 (c) ask questions of any witness, including the counsel's client; or

1375 (d) engage in oral arguments with the committee.

1376 (4) Because the committee seeks factual testimony within the personal knowledge of  
1377 the witness, the witness's counsel may not suggest testimony and answers to the witness during  
1378 the inquiry, but must allow the witness to present testimony and answer questions without  
1379 prompting or suggestions.

1380 (5) If the witness's counsel fails to comply with any of the requirements of this  
1381 JR6-4-204, the chair may exclude the counsel from the preliminary inquiry.

1382 Section 71. **JR6-4-205** is enacted to read:

1383 **JR6-4-205. Rights of the Respondent.**

1384 The chair shall give the respondent an opportunity to respond, orally or in writing, to  
1385 the allegations stated in the complaint.

1386 Section 72. **JR6-4- 206** is enacted to read:

1387 **JR6-4- 206. Record.**

1388 (1) The chair shall ensure that:

1389 (a) a record of the preliminary inquiry is made; and

1390 (b) the record includes:

1391 (i) rulings of the chair;

1392 (ii) questions of the committee and its staff;

1393 (iii) the testimony and responses of witnesses;

1394 (iv) sworn statements submitted to the committee;

1395 (v) relevant documents; and

1396 (vi) any other matters that the committee or its chair directs.

1397 (2) After the preliminary inquiry is completed, the staff of the committee shall keep a  
1398 file containing a comprehensive summary of the inquiry.

1399 Section 73. **JR6-4-207** is enacted to read:

1400 **JR6-4-207. Process for Making a Decision -- Remedies -- Publication of Decision.**

1401 (1) If, at the conclusion of the preliminary inquiry in which the procedural

1402 requirements of Part 3, Disciplinary Hearing, are not waived, the committee determines, by a  
1403 preponderance of the evidence, that there is reason to believe that the alleged violation did  
1404 occur, the committee shall direct staff to prepare a Summary of the Preliminary Inquiry.

1405 (2) If, at the conclusion of the preliminary inquiry in which the procedural  
1406 requirements of Part 3, Disciplinary Hearing, are waived, the committee determines, by clear  
1407 and convincing evidence, that the alleged violation did occur, the committee shall direct staff to  
1408 prepare a Summary of the Preliminary Inquiry.

1409 (3) (a) After the announcement of the committee's decision in the Summary of the  
1410 Preliminary Inquiry, if the procedural requirements of Part 3, Disciplinary Hearing, have been  
1411 waived, the committee shall determine what recommendation should be made to the Senate or  
1412 House with respect to any count that has been proved as provided in Subsection (4).

1413 (b) The committee may not hear any further testimony during the preliminary inquiry,  
1414 except by a majority vote of the committee.

1415 (4) (a) A count is not proved unless a majority of the committee so determine by vote.

1416 (b) A count that is not proved is dismissed.

1417 (c) If a majority of the committee does not vote that a count has been proved, a motion  
1418 to reconsider that vote may only be made by a member of the committee who voted that the  
1419 count was not proved.

1420 (5) (a) The committee may, for any count that has been voted as proved, recommend  
1421 one or more of the following actions:

1422 (i) censure;

1423 (ii) expulsion;

1424 (iii) denial or limitation of any right, power, or privilege of the respondent, if, under the  
1425 Utah Constitution, the Senate or House may impose that denial or limitation, and if the  
1426 violation bears upon the exercise or holding of any right, power, or privilege; or

1427 (iv) any other action that the committee determines is appropriate.

1428 (b) If a majority of the committee does not vote in favor of the recommendation for  
1429 action, a motion to reconsider may only be made by a member of the committee who voted

1430 against the recommendation.

1431 Section 74. **JR6-4-301** is enacted to read:

1432 **Part 3. Disciplinary Hearing**

1433 **JR6-4-301. Disciplinary Hearing -- General Provisions.**

1434 (1) If there is no waiver of the disciplinary hearing as provided in JR6-4-201(3), the  
1435 Senate and House Ethics Committees shall follow the procedures in this part to prepare for and  
1436 conduct a disciplinary hearing.

1437 (2) (a) Before beginning any disciplinary hearing, the committee shall:

1438 (i) adopt a statement establishing the scope and purpose of the hearing; and

1439 (ii) provide a copy of the statement to each witness.

1440 (b) The scope and purpose of the hearing may expand or contract during the hearing,  
1441 depending upon the evidence received.

1442 (3) The respondent has the right to counsel during all stages of the disciplinary hearing.

1443 (4) The disciplinary hearing is open to the public.

1444 Section 75. **JR6-4-302** is enacted to read:

1445 **JR6-4-302. Appointment of Special Prosecutor.**

1446 (1) (a) The chair shall appoint a special prosecutor.

1447 (b) This special prosecutor shall be paid by the Senate if it is a Senate Ethics  
1448 Committee or the House if it is a House Ethics Committee.

1449 (2) The special prosecutor shall:

1450 (a) prepare the Statement of Alleged Violation as provided in JR6-4-303; and

1451 (b) act as prosecutor against the respondent in the disciplinary hearing.

1452 Section 76. **JR6-4-303** is enacted to read:

1453 **JR6-4-303. Statement of Alleged Violation.**

1454 (1) In preparing the Statement of Alleged Violation, the special prosecutor shall, after  
1455 reviewing the Summary of the Preliminary Inquiry, ensure that:

1456 (a) the statement is divided into separate counts; and

1457 (b) each count alleges a separate violation and includes the facts that support each

1458 alleged violation.

1459 (2) After completing the Statement of Alleged Violation, the special prosecutor shall:

1460 (a) review the statement with the committee chair and committee staff;

1461 (b) obtain approval of the statement from the committee chair; and

1462 (c) transmit the Statement of Alleged Violation to the respondent and to the

1463 complainants.

1464 Section 77. **JR6-4-304** is enacted to read:

1465 **JR6-4-304. Response to Statement of Alleged Violation.**

1466 (1) Within 30 calendar days after receipt of the Statement of Alleged Violation, the

1467 respondent may file a written response to the statement, which must be signed by the

1468 respondent or the respondent's counsel.

1469 (2) The respondent shall limit the response to the following:

1470 (a) an admission or denial of each count, under oath, with any supportive evidence or

1471 relevant information;

1472 (b) an objection to any or all counts on the grounds that the count fails to state facts  
1473 that constitute a violation of the Code of Official Conduct or any law, rule, regulation, or other

1474 standard of conduct applicable to a member of the Senate or House in the performance of

1475 legislative responsibilities;

1476 (c) an objection to the jurisdiction of the committee considering the allegations

1477 contained in the statement;

1478 (d) a motion for a more detailed statement regarding the cause of action stated in the

1479 complaint; or

1480 (e) an objection to the participation of any member of the committee, the committee's

1481 staff, or the special prosecutor on the grounds that that person would be unable to render a fair

1482 and impartial judgment or investigation.

1483 (3) If the respondent fails to submit a response to the Statement of Alleged Violation or

1484 to any count contained in it, the statement or count constitutes an admission of the alleged

1485 violation.

1486 Section 78. **JR6-4-305** is enacted to read:

1487 **JR6-4-305. Committee Action on Statement of Alleged Violation and Response.**

1488 (1) (a) Within 30 calendar days after receipt of the respondent's response or the  
1489 respondent's failure to respond within that time, the committee shall determine, by majority  
1490 vote, to:

1491 (i) dismiss the complaint;

1492 (ii) grant or deny the respondent's motion for a more detailed statement, and if this  
1493 motion is granted, direct the special prosecutor to give more detail in the Statement of Alleged  
1494 Violation and give the respondent 30 days from receipt of this statement to respond as provided  
1495 in JR6-4-304;

1496 (iii) hold a disciplinary hearing; or

1497 (iv) defer action, if a judicial proceeding is pending.

1498 (b) If the committee is unable to obtain a majority vote directing further proceedings  
1499 against the respondent, the statement and complaint are considered dismissed.

1500 (2) The chair shall ensure that the respondent and complainants are notified, in writing,  
1501 of the action taken by the committee.

1502 (3) The chair may:

1503 (a) extend any time limitation, if the extension would facilitate a fair and complete  
1504 inquiry; or

1505 (b) shorten any time limitation, if special circumstances require it.

1506 (4) (a) If an objection to the participation of any person is raised in the respondent's  
1507 response under JR6-4-304(2)(e), the committee, by majority vote, shall:

1508 (i) evaluate the person against whom the objection is raised to determine whether or  
1509 not the person can fairly and impartially participate; and

1510 (ii) by majority vote, determine whether or not to allow that person to participate.

1511 (b) If a majority of the committee does not agree to exclude the person, the person may  
1512 participate.

1513 Section 79. **JR6-4-306** is enacted to read:

1514 **JR6-4-306. Disciplinary Hearing -- General Requirements -- Two Phases.**

1515 The disciplinary hearing is open to the public and consists of two phases:

1516 (1) In Phase I, the committee must determine whether or not the counts in the

1517 Statement of Alleged Violation have been proved by clear and convincing evidence.

1518 (2) In Phase II, the committee must determine what recommendation should be made

1519 to the Senate or House with respect to any count that has been proved.

1520 Section 80. **JR6-4-307** is enacted to read:

1521 **JR6-4-307. Disciplinary Hearing Process -- Phase 1, Adjudication Phase.**

1522 (1) The chair shall:

1523 (a) call the meeting to order;

1524 (b) describe the committee's authority to conduct the hearing;

1525 (c) inform the committee, the respondent, and the attendees of the purpose and scope

1526 of the hearing; and

1527 (d) proceed with the hearing.

1528 (2) Witnesses and evidence shall be received in the following order whenever possible:

1529 (a) witnesses and evidence offered by the special prosecutor;

1530 (b) witnesses and evidence offered by the respondent; and

1531 (c) rebuttal witnesses.

1532 (3) All witnesses shall testify under oath.

1533 (4) Witnesses offered by the special prosecutor shall be:

1534 (a) examined first by the special prosecutor;

1535 (b) cross-examined by the respondent or the respondent's counsel;

1536 (c) examined by committee members and committee staff; and

1537 (d) redirect examination and recross examination, if permitted by the chair.

1538 (5) Witnesses offered by the respondent shall be:

1539 (a) examined first by the respondent or respondent's counsel;

1540 (b) cross-examined by the special prosecutor;

1541 (c) examined by committee members and committee staff; and

- 1542           (d) redirect examination and recross examination if permitted by the chair.
- 1543           (6) At the disciplinary hearing, the burden of proof rests upon the special prosecutor,  
1544 who must establish a violation of any facts by clear and convincing evidence.
- 1545           (7) (a) For a count to be proved, a majority of the committee must vote that it is proved  
1546 by clear and convincing evidence.
- 1547           (b) The chair shall dismiss each count that is not proved by majority committee vote.
- 1548           (c) If a majority of the committee does not vote that a count has been proved, a motion  
1549 to reconsider that vote may only be made by a member of the committee who voted that the  
1550 count was not proved.
- 1551           Section 81. **JR6-4-308** is enacted to read:
- 1552           **JR6-4-308. Disciplinary Hearing Process -- Phase II, Penalty Phase -- Remedies.**
- 1553           (1) The committee may not hear any further testimony during Phase II unless a  
1554 majority of the committee votes to allow additional testimony.
- 1555           (2) In Phase II of the disciplinary hearing, the committee may, for any count that has  
1556 been voted as proved, recommend one or more of the following actions:
- 1557           (a) censure;
- 1558           (b) expulsion;
- 1559           (c) denial or limitation of any right, power, or privilege of the respondent, if:
- 1560           (i) under the Utah Constitution, the Senate or House may impose that denial or  
1561 limitation; and
- 1562           (ii) the violation bears upon the exercise or holding of the right, power, or privilege; or
- 1563           (d) any other action that the committee determines is appropriate.
- 1564           (3) If a majority of the committee does not vote in favor of the recommendation for  
1565 action, a motion to reconsider may only be made by a member of the committee who voted  
1566 against the recommendation.
- 1567           (4) The chair shall ensure that the committee's recommendation to the Senate or House  
1568 is:
- 1569           (a) submitted in writing; and

1570 (b) contains a brief but complete statement of the evidence that supports the  
1571 committee's recommendations.

1572 Section 82. **JR6-4-309** is enacted to read:

1573 **JR6-4-309. Announcement of Decision.**

1574 At the conclusion of the committee's deliberations in the disciplinary hearing, when a  
1575 decision has been reached, the chair shall inform the respondent and his counsel of the  
1576 committee's decision.

1577 Section 83. **JR6-4-310** is enacted to read:

1578 **JR6-4-310. Records of Disciplinary Hearing.**

1579 After the disciplinary hearing is completed, the staff of the committee shall keep a file  
1580 containing a comprehensive summary of the disciplinary hearing.

1581 Section 84. **JR6-5-101** is enacted to read:

1582 **CHAPTER 5. ACTION BY SENATE OR HOUSE ON**  
1583 **ETHICS COMMITTEE RECOMMENDATION**

1584 **JR6-5-101. Senate and House Action.**

1585 (1) The Senate or House shall:

1586 (a) consider the recommendations of the ethics committee; and

1587 (b) by a majority vote of that house, either accept, dismiss, or alter these  
1588 recommendations.

1589 (2) If the committee recommends expulsion of a Senator or Representative, acceptance  
1590 of this recommendation requires a two-thirds vote of all the members elected to the Senate or  
1591 to the House.

1592 Section 85. **Repealer.**

1593 This resolution repeals:

1594 **JR-4.01, Defining "Bill."**

1595 **JR-4.02, Defining "Resolution."**

1596 **JR-4.03, Types of Resolutions.**

1597 **JR-4.04, Bill Size.**

- 1598           **JR-4.05, Form of Bills.**
- 1599           **JR-4.06, Form of Resolutions.**
- 1600           **JR-4.07, Designation.**
- 1601           **JR-4.08, Short Title and Long Title.**
- 1602           **JR-4.09, Reference to an Appropriation in a Bill.**
- 1603           **JR-4.10, Title of Bill to be Printed Once.**
- 1604           **JR-4.11, List of Sections Affected.**
- 1605           **JR-4.12, Enacting Clause.**
- 1606           **JR-4.13, Resolving Clauses.**
- 1607           **JR-4.14, Intent Language in an Appropriations Bill.**
- 1608           **JR-4.15, Enacting New Legislation.**
- 1609           **JR-4.16, Amendments in Bill.**
- 1610           **JR-4.17, Identifying Adopted Amendments in Context.**
- 1611           **JR-4.18, Amendment or Substitution to be Germane.**
- 1612           **JR-4.19, Early Effective Date.**
- 1613           **JR-4.20, Delayed Effective Date.**
- 1614           **JR-4.20.1, Retrospective Operation.**
- 1615           **JR-4.21, General Effective Date of Bills and Resolutions.**
- 1616           **JR-4.22, Bills; Requests; Drafting; Copies; Notes.**
- 1617           **JR-4.22.1, Appropriations; Requests; Disposition.**
- 1618           **JR-4.23, Amended Fiscal Note or Amended Legislative Review Letter.**
- 1619           **JR-4.24, Substitute and Replacement Bills.**
- 1620           **JR-4.25, Bill Backs.**
- 1621           **JR-4.26, Reading of Titles of Bills.**
- 1622           **JR-4.27, Prefiling of Bills.**
- 1623           **JR-4.28, Reference of Bills.**
- 1624           **JR-4.29, Bills Ordered Printed.**
- 1625           **JR-4.30, Printing of Identical Bills.**

- 1626            **JR-4.31, Reference to Standing or Interim Committee.**
- 1627            **JR-4.32, Secretary and Chief Clerk to Deliver Bills to Standing or Interim**
- 1628 **Committees.**
- 1629            **JR-4.33, Bills Referred to Committee.**
- 1630            **JR-4.34, Bill Transmitted to Other House.**
- 1631            **JR-4.35, Possession of a Bill.**
- 1632            **JR-4.36, Preference Given to Bills of Other House.**
- 1633            **JR-4.38, Striking Enacting Clause.**
- 1634            **JR-4.39, Distribution of Resolutions.**
- 1635            **JR-4.40, Reservation of Bill Numbers.**
- 1636            **JR-6.01, Transmittal Letter Accompany Bill.**
- 1637            **JR-6.02, Notice to Other House of Rejection.**
- 1638            **JR-6.03, Transmittal Letter; By Whom Sent; Form.**
- 1639            **JR-6.04, Sponsorship of Legislation in the Other House.**
- 1640            **JR-7.01, Concurrence in Amendments.**
- 1641            **JR-8.01, Certification.**
- 1642            **JR-8.02, Presiding Officers to Sign Bills.**
- 1643            **JR-8.03, Enrollment.**
- 1644            **JR-8.04, Sent to Governor.**
- 1645            **JR-8.05, Governor's Action of Bill Reported to Other House.**
- 1646            **JR-9.01, Recalling a Bill for Corrections.**
- 1647            **JR-9.02, Recall by Joint Resolution.**
- 1648            **JR-9.03, Time Limit on Recalling a Bill.**
- 1649            **JR-13.01, Annual General Sessions.**
- 1650            **JR-13.02, Eligibility of Senators and Representatives.**
- 1651            **JR-13.03, Ineligibility to be a Legislator.**
- 1652            **JR-13.04, Senator's and Representative's Ineligibility for Office Created during**
- 1653 **Term for Which Elected.**

- 1654            **JR-13.05, Privilege from Arrest.**
- 1655            **JR-13.06, Compensation.**
- 1656            **JR-13.07, Each House to Judge Election, Qualifications, and Expulsion of**
- 1657 **Members.**
- 1658            **JR-13.08, Quorum; Attendance Compelled.**
- 1659            **JR-13.09, Rules, Officers, and Employees.**
- 1660            **JR-13.10, Filling Vacancies.**
- 1661            **JR-13.11, Contents of Journal.**
- 1662            **JR-13.12, Public Sessions; Adjournments.**
- 1663            **JR-13.13, Special and Impeachment Sessions.**
- 1664            **JR-13.19, Bill Passage and One Subject Restriction.**
- 1665            **JR-13.20, Presiding Officers to Sign Bills.**
- 1666            **JR-13.21, Effective Date of Legislation.**
- 1667            **JR-13.22, Private or Special Laws.**
- 1668            **JR-13.23, Lotteries not Authorized.**
- 1669            **JR-13.24, Delegation of Legislative Power.**
- 1670            **JR-13.25, Lending Public Credit Forbidden.**
- 1671            **JR-13.26, Continuity in Government During Emergency.**
- 1672            **JR-13.27, Additional Legislative Compensation.**
- 1673            **JR-13.28, Power to Appoint Additional Employees.**
- 1674            **JR-13.29, Appointment of Legislative Auditor.**
- 1675            **JR-13.30, Veto Override Power and Sessions.**
- 1676            **JR-13.31, Judicial Power of Senate.**
- 1677            **JR-15.01, Definition.**
- 1678            **JR-15.02, Expenses While in Session.**
- 1679            **JR-15.03, Expenses for Authorized Legislative Meetings -- Special Sessions -- Veto**
- 1680 **Override Sessions.**
- 1681            **JR-15.04, Out-of-State Travel.**

- 1682            **JR-15.05, Legislative Expenses Oversight Committee.**
- 1683            **JR-16.01, Legislative Ethics.**
- 1684            **JR-16.02, Senate and House Ethics Committees.**
- 1685            **JR-16.03, Code of Official Conduct.**
- 1686            **JR-16.04, Rules of Procedure for the Senate and House Ethics Committees.**
- 1687            **JR-16.05, Declaring and Recording Conflict of Interest.**
- 1688            **JR-16.06, Disclosure of Remuneration.**
- 1689            **JR-16.07, Disciplinary Hearing.**
- 1690            **JR-19.01, Prioritization of Bills.**
- 1691            **JR-19.02, Requesting, Refiling, Approving, and Abandoning Bills.**
- 1692            **JR-19.03, Fiscal Note Threshold; Deadline for Passing Fiscal Note Bills.**
- 1693            **JR-19.04, Bond Bills; Availability and Deadline for Passage.**
- 1694            **JR-19.05, Appropriations Bills and School Finance Bills; Availability and**
- 1695 **Deadline for Passage.**
- 1696            **JR-19.06, Second Supplemental Appropriations Bill.**
- 1697            **JR-19.07, Base Budget Bills.**