

Senator Gene Davis proposes the following substitute bill:

**JUDICIAL CONDUCT COMMISSION**

**AMENDMENTS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Gene Davis**

House Sponsor: Neal B. Hendrickson

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**LONG TITLE**

**General Description:**

This bill allows the Judicial Conduct Commission to decline to investigate certain complaints.

**Highlighted Provisions:**

This bill:

► allows the Judicial Conduct Commission to decline to investigate any complaint that is received more than four years after the act or omission that constitutes the misconduct unless the complaint alleges criminal misconduct.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**78A-11-109**, as enacted by Laws of Utah 2008, Chapter 3

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*Be it enacted by the Legislature of the state of Utah:*



26 Section 1. Section **78A-11-109** is amended to read:

27 **78A-11-109. Receipt of complaints.**

28 (1) The commission shall receive and investigate any complaint against a judge.

29 (2) Unless the complaint alleges criminal misconduct, the commission may decline to  
30 investigate any complaint received four or more years after the act or omission which  
31 constitutes the alleged misconduct.

32 [~~2~~] (3) During the course of any investigation, the commission may order a hearing to  
33 be held concerning the reprimand, censure, suspension, removal, or involuntary retirement of a  
34 judge.

35 [~~3~~] (4) The commission shall provide the judge with all information necessary to  
36 prepare an adequate response or defense, which may include the identity of the complainant.

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**S.B. 191 1st Sub. (Green) - Judicial Conduct Commission Amendments**

**Fiscal Note**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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