

1 **HOUSE JOINT RULES LEGISLATIVE**
2 **REVIEW NOTE PROCEDURES AMENDMENTS**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ben C. Ferry**

6 Senate Sponsor: Margaret Dayton

8 **LONG TITLE**

9 **General Description:**

10 This resolution modifies procedures governing legislative review notes.

11 **Highlighted Provisions:**

12 This resolution:

13 ▶ requires the legislative general counsel to place an amended legislative review note
14 on a bill or resolution when an amendment or a substitute substantively changes the
15 legislation's constitutionality.

16 **Special Clauses:**

17 None

18 **Legislative Rules Affected:**

19 AMENDS:

20 **JR4-2-402**

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

23 Section 1. **JR4-2-402** is amended to read:

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

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

27 ~~[(2) If an amendment or substitute to legislation appears to substantively change the~~
28 ~~legislation's constitutionality, any legislator may request an amended legislative review note by~~
29 ~~making a motion in a standing committee or on the floor requesting that an amended~~

30 ~~legislative review note be prepared.]~~

31 ~~[(3) If the motion is approved by a majority vote, the rules committee of the chamber~~
32 ~~where the request was made shall review the request and may either:]~~

33 ~~[(a) request that the Legislative General Counsel prepare an amended legislative~~
34 ~~review note; or]~~

35 ~~[(b) if the rules committee determines that no amended legislative review note is~~
36 ~~necessary, refer the legislation back to the standing committee or the floor.]~~

37 ~~[(4) Once the rules committee has decided the question, a motion for an amended~~
38 ~~legislative review note is out of order unless the legislation is subsequently amended or~~
39 ~~another substitute is filed.]~~

40 ~~[(5) (a) If an amended legislative review note is requested by the rules committee,~~
41 ~~when the amended note is complete, the rules committee shall refer the legislation back to its~~
42 ~~originating standing committee or give the legislation priority for floor action in preparing the~~
43 ~~calendar.]~~

44 (2) (a) If an amendment or a substitute to legislation appears to substantively change
45 the legislation's constitutionality, the Legislative General Counsel shall prepare an amended
46 legislative review note for the legislation.

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

49 ~~[(6)]~~ (3) The legislative review note or amended legislative review note is not an
50 official part of the legislation.