

RULES RESOLUTION ON ELECTRONIC MEETINGS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ronda Rudd Menlove

Senate Sponsor: Curtis S. Bramble

LONG TITLE

General Description:

This resolution authorizes legislative interim committees, task forces, and subcommittees to allow some members to participate in the meeting electronically from a remote location.

Highlighted Provisions:

This resolution:

- ▶ authorizes certain legislative committees to conduct electronic meetings; and
- ▶ establishes standards and requirements for notice and conduct of those meetings.

Special Clauses:

None

Legislative Rules Affected:

ENACTS:

IR3-1-105

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

Section 1. **IR3-1-105** is enacted to read:

IR3-1-105. Electronic meetings.

(1) As used in this rule:

(a) "Anchor location" means the physical location in the building and city where the committee would normally meet and from which the electronic meeting originates or from



28 which the participants are connected.

29 (b) "Committee" means an interim committee, special committee, or subcommittee of
30 the Legislature.

31 (c) "Electronic meeting" means a public meeting of a committee that is partially
32 convened or conducted by means of a voice telephone or computer web or video conference.

33 (d) "Electronic notice" means electronic mail or fax.

34 (e) "Monitor" means to:

35 (i) hear live, by speaker, or by other equipment, all of the public statements of each
36 member of the committee who is participating in a meeting; or

37 (ii) see and hear, by computer screen or other visual medium, all of the public
38 statements of each member of the committee who is participating in a meeting.

39 (f) "Participate" means the ability to communicate with all of the members of a
40 committee, either verbally or electronically, so that each member of the committee can hear or
41 see the communication.

42 (g) "Public hearing" means a committee meeting at which comments from the public
43 will be accepted.

44 (h) "Public statement" means a statement made in the ordinary course of business of
45 the committee with the intent that all other members of the public body receive it.

46 (i) "Remote location" means a location other than the anchor location from which a
47 committee member may participate in the meeting.

48 (2) A committee chair may, by following the procedures and requirements of this
49 section, convene and conduct an electronic meeting.

50 (3) (a) A committee member who will be more than 50 miles away from the anchor
51 location on the day and at the time of a scheduled meeting may request that the chair allow the
52 member to participate from a remote location.

53 (b) If a committee member wishes to participate in a committee meeting from a remote
54 location, the committee member shall, at least three days before the meeting, contact the
55 committee chair and request that the chair convene and conduct an electronic meeting.

56 (c) After receiving the request, the chair shall:

57 (i) determine whether or not the committee member will be more than 50 miles away
58 from the anchor location on the day and at the time of a scheduled meeting;

59 (ii) if the committee member will be more than 50 miles away from the anchor location
60 on that day and time, consult with committee staff to determine whether or not there are
61 sufficient equipment and connections to allow the committee member to participate from a
62 remote location; and

63 (iii) obtain permission from the president of the Senate and the speaker of the House of
64 Representatives to conduct an electronic meeting.

65 (d) If the president and speaker approve, and if sufficient equipment and connections
66 exist, the chair may grant the committee member's request to participate from a remote
67 location.

68 (4) A chair convening or conducting an electronic meeting shall:

69 (a) establish the anchor location for the public meeting in the building and city where
70 the committee would normally meet if it were not holding an electronic meeting;

71 (b) provide space and facilities at the anchor location so that interested persons and the
72 public may attend and monitor the open portions of the meeting;

73 (c) if the meeting is a public hearing, or if the chair intends to allow public comment,
74 provide space and facilities at the anchor location so that interested persons and the public may
75 attend, monitor, and participate in the open portions of the meeting; and

76 (d) if necessary, establish and communicate protocols and procedures governing the
77 electronic meeting to ensure order and fair opportunities to participate by those committee
78 members participating electronically at one or more remote locations and at the anchor
79 location.

80 (5) A chair convening or conducting an electronic meeting shall ensure that:

81 (a) public notice of the meeting, as required by Section 52-4-202 of the Utah Code, is
82 given including posting written notice at the anchor location; and

83 (b) in addition to giving public notice required by Subsection (5)(a), notice of the
84 electronic meeting given to committee members at least 24 hours before the meeting shall
85 describe how the committee members will be connected to the electronic meeting.

86 (6) A committee member participating from a remote location is included in
87 calculating a quorum and may vote.

Legislative Review Note
as of 11-17-10 2:20 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.J.R. 10, 2011 General Session

SHORT TITLE: Rules Resolution on Electronic Meetings

SPONSOR: Menlove, R.

STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

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

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.