

Representative Wayne A. Harper proposes the following substitute bill:

JOINT RESOLUTION ON JOINT RULES CHANGES

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

Senate Sponsor: _____

LONG TITLE

General Description:

This resolution of the Legislature modifies joint rules.

Highlighted Provisions:

This resolution:

- ▶ modifies provisions governing the reservation of bill numbers;
- ▶ modifies the Code of Official Conduct;
- ▶ prohibits campaign contributions on capitol hill; and
- ▶ makes technical changes.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR4-2-502

JR6-1-102

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

Section 1. **JR4-2-502** is amended to read:

JR4-2-502. Reservation of Bill Numbers.

2nd Sub. H.J.R. 12



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

27 (a) House Bill 1 is reserved for the State Agency and Higher Education Base Budget
28 bill and Senate Bill 1 is reserved for the ~~[Minimum School Program]~~ Public Education Base
29 Budget Amendments bill;

30 (b) House Bill 2 is reserved for the ~~[Minimum School Program]~~ Public Education
31 Budget Amendments bill and Senate Bill 2 is reserved for the New Fiscal Year Supplemental
32 Appropriations Act; and

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

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

36 (a) House Bill 1 is reserved for the ~~[Minimum School Program]~~ Public Education Base
37 Budget Amendments bill and Senate Bill 1 is reserved for the State Agency and Higher
38 Education Base Budget bill;

39 (b) House Bill 2 is reserved for the New Fiscal Year Supplemental Appropriations Act
40 and Senate Bill 2 is reserved for the ~~[Minimum School Program]~~ Public Education Budget
41 Amendments bill; and

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

44 (3) In each annual general legislative session, House Bills 4 through 9 and Senate Bills
45 4 through 9 are reserved for other appropriations and funding bills.

46 Section 2. **JR6-1-102** is amended to read:

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

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

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

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

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

56 ~~[(c) Members of the Senate and House shall not exercise any undue influence on any~~

57 ~~governmental entity.]~~

58 ~~[(d)]~~ (c) Members of the Senate and House shall not engage in any activity that would
59 be an abuse of official position or a violation of trust.

60 ~~[(e)]~~ (d) Members of the Senate and House ~~[may engage in business or professional~~
61 ~~activity in competition with others, but]~~ shall not use any nonpublic information obtained by
62 reason of their official position to gain advantage over any business or professional competition
63 for activities with the state and its political subdivisions.

64 ~~[(f)]~~ (e) Members of the Senate and House shall not engage in any business
65 relationship or activity that would require the disclosure of confidential information obtained
66 because of their official position.

67 ~~[(g)]~~ (f) Members of the Senate and House shall not use their official position to secure
68 privileges for themselves or others.

69 ~~[(h)]~~ (g) While in session, members of the Senate and House shall disclose any conflict
70 of interest on any legislation or legislative matter as provided in JR6-1-201.

71 ~~[(i)]~~ (h) Members of the Senate and House may accept small gifts, awards, or
72 contributions if these favors do not influence them in the discharge of official duties .

73 (i) Members of the Senate and House may not accept campaign contributions from any
74 person while on capitol hill, as the term "capitol hill" is defined in Section 36-5-1.

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

79 (k) Legislators may enter into transactions with the state by contract by following the
80 procedures and requirements of Title ~~[63]~~ 63G, Chapter ~~[56]~~ 6, Utah Procurement Code.

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

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

FISCAL NOTE

H.J.R. 12 2nd Sub. (Gray)

SHORT TITLE: **Joint Resolution on Joint Rules Changes**

SPONSOR: **Harper, W.**

2011 GENERAL SESSION, 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.