

**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: \_\_\_\_\_

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**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; and
- ▶ makes technical changes.

**Special Clauses:**

None

**Legislative Rules Affected:**

AMENDS:

**JR4-2-502**

**JR6-1-102**

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*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.**

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

55 [~~(c) Members of the Senate and House shall not exercise any undue influence on any~~  
56 ~~governmental entity.~~]

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

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

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

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

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

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

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

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

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

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

# FISCAL NOTE

H.J.R. 12 3rd Sub. (Cherry)

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.