

1 **HOUSE RULES RESOLUTION FORMING SPECIAL**
2 **INVESTIGATIVE COMMITTEE**

3 2013 HOUSE SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Dean Sanpei**

7 **LONG TITLE**

8 **General Description:**

9 This resolution forms by rule a House special investigative committee.

10 **Highlighted Provisions:**

11 This resolution:

- 12 ▶ creates by rule a Special Investigative Committee;
- 13 ▶ provides for a chair of the Special Investigative Committee;
- 14 ▶ addresses quorum and voting requirements;
- 15 ▶ provides for committee member compensation;
- 16 ▶ addresses staffing;
- 17 ▶ outlines committee duties;
- 18 ▶ provides for the holding of meetings;
- 19 ▶ authorizes the committee to adopt guidelines and procedures;
- 20 ▶ requires reporting by the committee; and
- 21 ▶ addresses termination of the committee.

22 **Special Clauses:**

23 This resolution provides a repeal date.

24 **Legislative Rules Affected:**

25 ENACTS:

26 **HR3-1-202**



28 *Be it resolved by the House of Representatives of the state of Utah:*

29 Section 1. **HR3-1-202** is enacted to read:

30 **HR3-1-202. Special Investigative Committee -- Creation -- Membership --**
 31 **Compensation -- Staff -- Duties -- Meetings -- Reports -- Termination.**

32 (1) There is created a Special Investigative Committee to investigate allegations ~~H→~~ of
 32a **misconduct ←H** against
 33 the current attorney general and matters related to the attorney general that arise as part of the
 34 investigation.

35 (2) The Special Investigative Committee shall consist of nine members of the House
 36 appointed by the Speaker.

37 (3) The Speaker shall designate one of the members to serve as chair of the Special
 38 Investigative Committee.

39 (4) (a) A majority of the members of the Special Investigative Committee constitutes a
 40 quorum.

41 (b) The action of a majority of a quorum constitutes the action of the Special
 42 Investigative Committee.

43 (5) Salaries and expenses of the members of the Special Investigative Committee shall
 44 be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3,
 45 Expense and Mileage Reimbursement for Authorized Legislative Meetings, Special Sessions,
 46 and Veto Override Sessions.

47 (6) (a) The Office of Legislative Research and General Counsel shall provide staff
 48 support to the Special Investigative Committee.

49 (b) The Office of Legislative Research and General Counsel or House may contract for
 50 outside services to assist in the staffing of the Special Investigative Committee.

51 (7) The Special Investigative Committee shall:

52 (a) investigate allegations ~~H→~~ of **misconduct ←H** against the current attorney general;

53 (b) investigate matters related to the current attorney general that arise as part of the
 54 investigation; and

55 (c) report to the House findings of fact about the matters investigated and the need, if
 56 any, for legislation.

57 (8) ~~H→~~ (a) ←H The Special Investigative Committee may investigate allegations ~~H→~~ of
 57a **misconduct ←H** against the current
 58 attorney general ~~H→~~ [that] **which conduct ←H** occurred while the current attorney general:

59 ~~Ĥ→ [(a) was admitted to a state bar and that relate to the current attorney general's fitness to~~
 60 ~~subsequently serve as deputy attorney general or attorney general;~~

61 ~~——(b)] (i) ←Ĥ served as deputy attorney general;~~

62 ~~Ĥ→ [(c)] (ii) ←Ĥ was a candidate~~ ~~Ĥ→~~ , as defined in Section 20A-11-101, ←Ĥ for
 62a ~~attorney general; and~~

63 ~~Ĥ→ [(d)] (iii) ←Ĥ has served as attorney general.~~

63a ~~Ĥ→ (b) The committee may investigate allegations of misconduct that occurred before the~~
 63b ~~current attorney general became deputy attorney general if:~~

63c ~~(i) the allegations of misconduct relate to the current attorney general's fitness to serve~~
 63d ~~as attorney general; and~~

63e ~~(ii) the committee approves the investigation by a majority vote.~~ ←Ĥ

64 ~~(9) The Special Investigative Committee shall meet when called by the chair.~~

65 ~~(10) The Special Investigative Committee~~ ~~Ĥ→ [may] shall ←Ĥ adopt guidelines and~~
 65a ~~procedures to be~~

66 ~~followed in the investigation.~~

67 ~~(11) (a) The chair of the Special Investigative Committee shall provide the members of~~
 68 ~~the Special Investigative Committee a draft of the final report at least 21 days before the day on~~
 69 ~~which the Special Investigative Committee is scheduled to vote to approve the final report.~~

70 ~~(b) The Special Investigative Committee shall present a written final report to the~~
 71 ~~Ĥ→ [Speaker] House ←Ĥ when, by majority vote, the members of the Special Investigative~~
 71a ~~Committee approve~~

72 ~~a final written report.~~

73 ~~(c) The members of the Special Investigative Committee who do not vote in favor of~~
 74 ~~the final report described in Subsection (11)(a), may present a minority report to the~~ ~~Ĥ→ [Speaker]~~

74a ~~House ←Ĥ at~~

75 ~~the same time that the final report is presented to the~~ ~~Ĥ→ [Speaker] House ←Ĥ .~~

75a ~~Ĥ→ (d) The final report and minority report, if any, shall present the information and~~
 75b ~~evidence gathered by the Special Investigative Committee, and may not include specific~~
 75c ~~recommendations for actions, except for recommendations for legislation, if any.~~

75d ~~(e) The Special Investigative Committee shall provide the House periodic accounting~~
 75e ~~detailing the ongoing costs incurred in the investigation.~~ ←Ĥ

76 ~~(12) The Special Investigative Committee terminates when it issues a final written~~
 77 ~~report and a minority report, if any.~~

78 Section 2. Repeal date.

HR3-1-202 is repealed on December 31, 2014.

Legislative Review Note
as of 6-28-13 4:00 PM

Office of Legislative Research and General Counsel