

Senator Deidre M. Henderson proposes the following substitute bill:

JOINT RULES RESOLUTION -- PROCEDURE AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor: Deidre M. Henderson

LONG TITLE

General Description:

This rules resolution modifies procedures provided for in the Joint and Interim Rules.

Highlighted Provisions:

This resolution:

- ▶ modifies interim rules governing the first meeting of each interim and review of study items;
- ▶ enacts procedures for adding committee notes for interim committees and certain task forces and commissions;
- ▶ provides procedures related to assigning and abandoning committee bills;
- ▶ requires a member of the news media to, in order to obtain or maintain House or Senate media credentials, take annual training on unlawful harassment, and agree to abide by the Legislature's policy on unlawful harassment;
- ▶ prohibits a member of the news media from engaging in unlawful harassment of a member, employee, or volunteer of the Legislature;
- ▶ provides for remedial action if a member of the news media violates the Legislature's unlawful harassment policy;
- ▶ modifies the quorum attendance requirements for joint appropriations subcommittees and the Executive Appropriations Committee;



- 26 ▶ modifies minimum requirements for requesting legislation to be drafted;
- 27 ▶ requires the public posting of certain bill information; and
- 28 ▶ amends interim procedures for opening and prioritizing an Interim Committee bill.

29 **Special Clauses:**

30 None

31 **Legislative Rules Affected:**

32 AMENDS:

33 **IR2-2-103**

34 **JR3-2-403**

35 **JR3-2-404**

36 **JR4-2-101**

37 **JR4-2-102**

38 **JR4-2-401**

39 ENACTS:

40 **IR2-2-104**

41 **JR1-4-301**



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

44 Section 1. **IR2-2-103** is amended to read:

45 **IR2-2-103. Interim committees -- List of study items -- Long-term planning**
46 **emphasis.**

47 (1) Each interim committee shall devote part of its [~~May~~] first meeting of the interim
48 [meeting] to long-term planning for the areas over which the committee has jurisdiction.

49 (2) During the first meeting of the interim, the committee:

50 (a) shall review the study items outlined in IR2-1-101(1), (2), and (3);

51 (b) may, by motion and a majority vote, amend or modify the study items, provided
52 that any addition to the study items shall be germane to the oversight assignment of the
53 committee; and

54 (c) shall adopt the study items by a motion and majority vote.

55 [~~(2)~~] (3) As part of the first meeting of the interim, the committee may:

56 (a) review economic and demographic trends and other applicable data;

57 (b) identify current, emerging, and future issues and challenges; ~~and~~
58 (c) develop an action plan to address the issues and challenges identified[-]; and
59 (d) open one or more committee bill files, by a majority vote of the committee:
60 (i) according to the procedures and requirements of JR4-2-102; or
61 (ii) by voting to authorize the committee chairs to open committee bill files as
62 necessary for:

63 (A) any item on the list of study items that the chairs determine is appropriate; or
64 (B) one or more specific study items from the list of study items, which are specified in
65 the motion.

66 ~~[(3)]~~ (4) The action plan under Subsection ~~[(2)]~~ (3)(c) may include plans to:

- 67 (a) perform additional research into specific issues and challenges;
- 68 (b) develop options to address specific issues and challenges; and
- 69 (c) prepare legislation to address specific issues and challenges.

70 ~~[(4)]~~ (5) The cochairs of each interim committee are encouraged to seek information,
71 ideas, and assistance from committee members, state agencies, local government, education,
72 business, industry, and interest groups in preparing for the meeting, providing presentations for
73 the meeting, and making assignments related to an action plan.

74 Section 2. **IR2-2-104** is enacted to read:

75 **IR2-2-104. Interim committees and task forces -- Recommendation of legislation**
76 **-- Abandonment and assignment of committee bills.**

77 (1) (a) An interim committee, commission, or task force that is meeting as part of the
78 legislative interim schedule may, by a majority vote, recommend legislation presented to it.

79 (b) Legislation recommended under Subsection (1)(a) shall be labeled with a
80 committee note as provided for under JR4-2-401.

81 (2) A bill opened in the name of an interim committee, commission, or task force that
82 is meeting as part of the legislative interim schedule shall:

83 (a) if the bill has received a recommendation described under Subsection (1)(a), be
84 assigned to an individual legislative sponsor by the chairs of the committee no later than
85 December 31; or

86 (b) if the bill has not received a recommendation described under Subsection (1)(a), be
87 abandoned.

88 (3) Nothing in this rule prohibits an individual legislator from sponsoring a bill that
89 was abandoned under Subsection (2)(b), provided that:

90 (a) the individual legislator sponsors the bill via a separate bill file in the name of the
91 individual legislator; and

92 (b) the individual legislator's bill file is drafted in the order required under JR4-2-102.

93 Section 3. **JR1-4-301** is enacted to read:

94 **Part 3. Unlawful Harassment**

95 **JR1-4-301. News media -- Unlawful harassment.**

96 (1) Beginning on January 1, 2019, in order to obtain or maintain House or Senate press
97 credentials, a member of the news media shall:

98 (a) on an annual basis, take online training provided by the Legislature on unlawful
99 harassment; and

100 (b) sign a document indicating that the member has received a copy of, and agrees to
101 abide by, the Legislature's policy on unlawful harassment.

102 (2) (a) A member of the news media is prohibited from engaging in unlawful
103 harassment of a member, employee, or volunteer of the Legislature.

104 (b) The Legislature may revoke a member of the media's press credentials, or take
105 other remedial action, if the member of the media violates Subsection (2)(a) or otherwise
106 violates the Legislature's harassment policy.

107 Section 4. **JR3-2-403** is amended to read:

108 **JR3-2-403. Quorum requirements.**

109 A quorum of a joint appropriations subcommittee and the Executive Appropriations
110 Committee is at least 50% in one house and more than 50% in the other, subject to the
111 requirements in JR3-2-404.

112 Section 5. **JR3-2-404** is amended to read:

113 **JR3-2-404. Voting requirements.**

114 (1) A majority vote of a joint appropriations subcommittee and the Executive
115 Appropriations Committee is at least 50% of those in attendance in one house and more than
116 50% of those in attendance in the other.

117 (2) For an appropriation subcommittee, and excluding the Executive Appropriations
118 Committee, in determining whether a quorum is present, a legislator who is the president, the

119 speaker, a majority leader, a majority whip, an assistant majority whip, the Senate Rules
120 Committee chair, the House Rules Committee chair, an Executive Appropriations Committee
121 chair, an Executive Appropriations Committee vice chair, a minority leader, a minority whip,
122 an assistant minority whip, or the fourth member of leadership from a minority party, is not
123 counted in determining a quorum for the committee, except during the time that the legislator is
124 present at the meeting.

125 Section 6. **JR4-2-101** is amended to read:

126 **JR4-2-101. Requests for legislation -- Contents -- Timing.**

127 (1) (a) A legislator wishing to introduce a bill or resolution shall file a Request for
128 Legislation with the Office of Legislative Research and General Counsel within the time limits
129 established by this rule.

130 (b) The request for legislation shall:

131 (i) designate the chief sponsor, who is knowledgeable about and responsible for
132 providing pertinent information as the legislation is drafted;

133 (ii) designate any supporting legislators from the same house as the chief sponsor who
134 wish to cosponsor the legislation; and

135 (iii) (A) provide specific [~~or conceptual~~] information concerning the change or addition
136 to law or policy that the legislator intends the proposed legislation to make; or

137 (B) identify the specific situation or concern that the legislator intends the legislation to
138 address[; ~~or~~].

139 [~~(C) identify the general subject area within which the proposed legislation is likely to~~
140 ~~fall.~~]

141 (2) (a) Any legislator may file a request for legislation beginning 60 days after the
142 Legislature adjourns its annual general session sine die.

143 (b) A legislator-elect may file a request for legislation beginning on the November 15
144 after the annual general election at which the legislator was elected.

145 (c) (i) If an incumbent legislator does not file to run for reelection or is defeated in a
146 political party convention, primary election, or general election, that legislator may not file any
147 requests for legislation as of that date.

148 (ii) The Office of Legislative Research and General Counsel shall abandon each
149 request for legislation from the legislator that is pending on that date unless, within 30 days

150 after that date, another member of the Legislature qualified to file a request for legislation
151 assumes sponsorship of the legislation.

152 (d) (i) If, for any reason, a legislator who filed a request for legislation is unavailable to
153 serve in the next annual general session, the former legislator shall seek another legislator to
154 assume sponsorship of each request for legislation filed by the legislator who is unavailable to
155 serve.

156 (ii) If the former legislator is unable to find another legislator to sponsor the legislation
157 within 30 days, the Office of Legislative Research and General Counsel shall abandon each
158 pending request for legislation from the legislator who is unavailable to serve.

159 (3) (a) Except as provided in Subsection (3)(c), a legislator may not file a Request for
160 Legislation with the Office of Legislative Research and General Counsel after noon on the 11th
161 day of the annual general session.

162 (b) Except as provided in Subsection (3)(c), by noon on the 11th day of the annual
163 general session, each legislator shall, for each Request for Legislation on file with the Office of
164 Legislative Research and General Counsel, either approve the request for numbering or
165 abandon the request.

166 (c) After the date established by this Subsection (3), a legislator may file a Request for
167 Legislation and automatically approve the legislation for numbering if:

168 (i) for House legislation, the representative makes a motion to request a bill or
169 resolution for drafting and introduction and that motion is approved by a constitutional
170 majority of the House; or

171 (ii) for Senate legislation, the senator makes a motion to request a bill or resolution for
172 drafting and introduction and that motion is approved by a constitutional majority vote of the
173 Senate.

174 (4) A legislator wishing to obtain funding for a project, program, or entity, when that
175 funding request does not require that a statute be enacted, repealed, or amended, may not file a
176 Request for Legislation but instead shall file a request for appropriation by following the
177 procedures and requirements of [JR3-2-701](#).

178 (5) The Office of Legislative Research and General Counsel shall publicly provide, on
179 the Legislature's website:

180 (a) a listing of each legislator's name and the number of bill files that are currently open

181 in the name of that legislator for the current legislative session; and

182 (b) a listing, on the respective committee page, of the short title of each bill opened in
183 the name of the committee, or adopted as a committee bill by the committee, during the
184 interim, and for each bill listed:

185 (i) an indication as to whether the bill has been recommended by the committee or not;
186 and

187 (ii) as applicable, the vote cast for the motion to recommend.

188 Section 7. **JR4-2-102** is amended to read:

189 **JR4-2-102. Drafting and prioritizing legislation.**

190 (1) As used in this section, "interim committee" means a committee established under
191 IR1-1-201.

192 ~~[(+)]~~ (2) (a) Requests for legislation shall be drafted on a first-in, first-out basis, except
193 for legislation that is prioritized under the provisions of this section.

194 ~~(b) [Notwithstanding Subsection (1)(a), the]~~ The following requests for legislation
195 shall be drafted before other requests for legislation when sufficient drafting information or
196 sponsor instruction is available:

197 (i) a request for legislation that is prioritized by a legislator under Subsection ~~[(2)]~~ (3);
198 and

199 (ii) a request for legislation that is ~~[requested by the majority vote of an interim~~
200 committee.] adopted as a committee bill by an interim committee as follows:

201 (A) a member of the interim committee makes a motion to open a new request for
202 legislation to be sponsored by the committee or to convert an existing request for legislation to
203 committee-sponsored legislation;

204 (B) the interim committee adopts the motion by a majority vote after a description or
205 discussion of the general subject matter of the legislation;

206 (C) the subject matter of the legislation is germane to the oversight assignment of the
207 interim committee; and

208 (D) the interim committee intends to take action on the legislation in a meeting of the
209 committee held before the next general session.

210 (c) (i) Except as permitted under IR2-2-103(3), the committee may not delegate the
211 authority to designate committee bills on behalf of an interim committee under Subsection

212 (2)(b)(ii) to committee chairs or any other subset of the membership of an interim committee.

213 (ii) During the interim, the drafting of committee bills that are adopted under
214 Subsection (2)(b)(ii), and for which sufficient drafting information is available, shall take
215 precedence in drafting priority over bills that have been prioritized by an individual legislator
216 under Subsection (2)(b)(i).

217 [~~2~~] (3) (a) Beginning on the first day on which a request for legislation may be filed
218 under [JR4-2-101](#), a legislator may designate up to three requests for legislation as priority
219 requests subject to the following deadlines:

220 (i) priority request number one must be requested on or before the first Thursday in
221 December, or the following business day if the first Thursday falls on a holiday;

222 (ii) priority request number two must be requested on or before the first Thursday in
223 January, or the following business day if the first Thursday falls on a holiday; and

224 (iii) priority request number three must be requested on or before the first Thursday of
225 the annual general session.

226 (b) A legislator who fails to make a priority request on or before a deadline loses that
227 priority request. However, the legislator is not prohibited from using any remaining priority
228 requests that are associated with a later deadline, if available.

229 (c) A legislator who begins serving after a deadline has passed is entitled to use only
230 those priority requests that are available under an unexpired deadline.

231 (d) A legislator may not designate a request for legislation as a priority request unless
232 the request:

233 (i) provides specific or conceptual information concerning the change or addition to
234 law or policy that the legislator intends the proposed legislation to make; or

235 (ii) identifies the specific situation or concern that the legislator intends the legislation
236 to address.

237 [~~3~~] (4) A legislator may not:

238 (a) revoke a priority designation once it has been requested;

239 (b) transfer a priority designation to a different request for legislation; or

240 (c) transfer a priority designation to another legislator.

241 [~~4~~] (5) Except as provided under [JR4-2-502](#) or as otherwise provided in these rules,
242 the Office of Legislative Research and General Counsel shall:

243 (a) reserve as many bill numbers as necessary to number the bills recommended by an
244 interim committee; and

245 (b) number all other legislation in the order in which the legislation is approved by the
246 sponsor for numbering.

247 Section 8. **JR4-2-401** is amended to read:

248 **JR4-2-401. Committee notes.**

249 (1) As used in this rule:

250 (a) "Legislative committee" means a committee, commission, task force, or other
251 policy or advisory body that is created by statute, legislation, or by the Legislative Management
252 Committee and that is composed exclusively of legislators.

253 (b) (i) "Legislative committee" does not mean a standing committee.

254 (ii) Notwithstanding Subsection (1)(b)(i), "legislative committee" includes each Rules
255 Committee.

256 (c) "Mixed committee" means a committee, commission, task force, or other policy or
257 advisory body that is:

258 (i) created by statute, legislation, or by the Legislative Management Committee;

259 (ii) composed of legislator members and nonlegislative members; and

260 (iii) staffed by the Office of Legislative Research and General Counsel or the Office of
261 the Legislative Fiscal Analyst.

262 (2) The Office of Legislative Research and General Counsel shall:

263 (a) note on any legislation reviewed by a legislative committee:

264 (i) that the committee recommends the legislation or has voted the legislation out
265 without recommendation; and

266 (ii) the committee vote;

267 (b) note on any legislation reviewed by a mixed committee:

268 (i) the number of legislators and nonlegislators on the mixed committee; and

269 (ii) the number of legislators who voted for and against recommending the legislation;

270 and

271 [~~(iii) that the committee recommends the legislation or has voted the legislation out~~
272 ~~without recommendation; and]~~

273 (c) ensure that the note is printed with the legislation.