

## HJR016S03 compared with HJR016S02

~~{deleted text}~~ shows text that was in HJR016S02 but was deleted in HJR016S03.

Inserted text shows text that was not in HJR016S02 but was inserted into HJR016S03.

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~~{Representative Jeremy A. Peterson}~~Senator Deidre M. Henderson proposes the following substitute bill:

### JOINT RULES RESOLUTION -- PROCEDURE AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: ~~{Jeremy}~~James A. {Peterson}Dunnigan

Senate Sponsor: ~~{~~Deidre M. Henderson

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#### 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

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

### Special Clauses:

None

### Legislative Rules Affected:

AMENDS:

**IR2-2-103**

**JR3-2-403**

**JR3-2-404**

**JR4-2-101**

**JR4-2-102**

**JR4-2-401**

ENACTS:

**IR2-2-104**

**JR1-4-301**

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

Section 1. ~~{JR1-4-301 is enacted to read:~~

~~}{IR2-2-103 is amended to read:~~

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

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

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

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

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

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

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

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

(b) identify current, emerging, and future issues and challenges; ~~and~~

(c) develop an action plan to address the issues and challenges identified~~[-]~~; and

(d) open one or more committee bill files, by a majority vote of the committee:

(i) according to the procedures and requirements of JR4-2-102; or

(ii) by voting to authorize the committee chairs to open committee bill files as necessary for:

(A) any item on the list of study items that the chairs determine is appropriate; or

(B) one or more specific study items from the list of study items, which are specified in the motion.

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

(a) perform additional research into specific issues and challenges;

(b) develop options to address specific issues and challenges; and

(c) prepare legislation to address specific issues and challenges.

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

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

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

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

(b) Legislation recommended under Subsection (1)(a) shall be labeled with a

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committee note as provided for under JR4-2-401.

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

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

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

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

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

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

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

### **Part 3. Unlawful Harassment**

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

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

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

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

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

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

Section ~~{2}~~4. **JR3-2-403** is amended to read:

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

A quorum of a joint appropriations subcommittee and the Executive Appropriations Committee is at least 50% in one house and more than 50% in the other, subject to the

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requirements in JR3-2-404.

Section ~~{3}~~5. **JR3-2-404** is amended to read:

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

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

(2) For an appropriation subcommittee, and excluding the Executive Appropriations Committee, in determining whether a quorum is present, a legislator who is the president, the speaker, a majority leader, a majority whip, an assistant majority whip, the Senate Rules Committee chair, the House Rules Committee chair, an Executive Appropriations Committee chair, an Executive Appropriations Committee vice chair, a minority leader, a minority whip, an assistant minority whip, or the fourth member of leadership from a minority party, is not counted in determining a quorum for the committee, except during the time that the legislator is present at the meeting.

Section ~~{4}~~6. **JR4-2-101** is amended to read:

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

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

(b) The request for legislation shall:

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

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

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

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

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

(2) (a) Any legislator may file a request for legislation beginning 60 days after the

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Legislature adjourns its annual general session sine die.

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

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

(ii) The Office of Legislative Research and General Counsel shall abandon each request for legislation from the legislator that is pending on that date unless, within 30 days after that date, another member of the Legislature qualified to file a request for legislation assumes sponsorship of the legislation.

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

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

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

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

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

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

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

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Senate.

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

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

(a) a listing of each legislator's name and the ~~total~~ number of bill files ~~opened by~~ that are currently open in the name of that legislator for the current legislative session; and

(b) a listing, on the respective committee page, of ~~every interim committee bill:~~

~~(i) prioritized by the interim committee under JR4-2-102; or~~

~~(ii) approved by the interim committee.~~

~~Section 5~~ the short title of each bill opened in the name of the committee, or adopted as a committee bill by the committee, during the interim, and for each bill listed:

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

and

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

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

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

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

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

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

(i) a request for legislation that is prioritized by a legislator under Subsection ~~(2)~~ (3);

and

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

(A) a member of the interim committee makes a motion to open ~~and prioritize~~ a new

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request for legislation ~~to be~~ sponsored by the committee or to convert an existing request for legislation to committee-sponsored legislation ~~and prioritize its drafting~~;

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

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

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

(c) (i) ~~The~~ ~~Except as permitted under IR2-2-103(3), the~~ committee may not delegate the authority to ~~prioritize legislation~~ ~~designate committee bills~~ on behalf of an interim committee under Subsection (2)(b)(ii) to committee chairs or any other subset of the membership of an interim committee.

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

~~(2)~~ ~~1~~ ~~(3)~~ (a) Beginning on the first day on which a request for legislation may be filed under JR4-2-101, a legislator may designate up to three requests for legislation as priority requests subject to the following deadlines:

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

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

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

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

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



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

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

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

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

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

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

(c) transfer a priority designation to another legislator.

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

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

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

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

JR4-2-401. Committee notes.

(1) As used in this rule:

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

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

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

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

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

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

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

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

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

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

(ii) the committee vote;

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

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

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

and

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

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