

## HJR014S01 compared with HJR014

~~text~~ shows text that was in HJR014 but was deleted in HJR014S01.

text shows text that was not in HJR014 but was inserted into HJR014S01.

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Representative Timothy D. Hawkes proposes the following substitute bill:

### JOINT RULES RESOLUTION ~~1~~ LEGISLATIVE

#### PROCEDURE REVISIONS

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Timothy D. Hawkes**

Senate Sponsor: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This resolution modifies joint legislative rules related to legislative procedures.

##### Highlighted Provisions:

This resolution:

- ▶ addresses conference committee procedures;
- ▶ clarifies that the Office of Legislative Research and General Counsel may not place a committee note on a piece of legislation unless the legislation was drafted and distributed to committee members at the time the committee voted to favorably recommend the legislation;
- ▶ requires a standing committee to consider only legislation from the opposite body

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during the last week of the annual general session;

- ▶ repeals certain procedures related to legislation that affects executive branch workload;
- ▶ allows the Legislative Expenses Oversight Committee to adopt policies related to rates for lodging and meal reimbursements;
- ▶ addresses when news media may access the area behind the dais at a legislative committee meeting;
- ▶ ~~{prohibits a mixed special committee from opening}~~ limits the legislative committees that have authority to open a committee bill file or ~~{adopting}~~ adopt legislation as a committee bill;
- ▶ provides that any committee bill file that does not receive a favorable recommendation at the committee's last scheduled meeting of the calendar year is abandoned; and
- ▶ makes technical corrections and conforming changes.

### Special Clauses:

None

### Legislative Rules Affected:

AMENDS:

**JR3-2-902**

**JR3-2-903**

**JR4-2-101**

**JR4-2-401**

**JR4-2-501**

**JR4-2-505**

**JR4-3-103**

**JR4-3-301**

**JR4-3-302**

**JR4-5-104**

**JR5-2-101**

**JR5-2-102**

**JR7-1-101**

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**JR7-1-405**

**JR7-1-602.5**

**JR7-1-603**

**JR7-1-604**

**JR7-1-605**

**JR7-1-606**

**JR7-1-607**

**JR7-1-608**

**JR7-1-609**

**JR7-1-610**

**JR7-1-611**

ENACTS:

**JR7-1-103**

**JR7-1-601.1**

RENUMBERS AND AMENDS:

**JR7-1-601.5**, (Renumbered from JR7-1-601)

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

Section 1. ~~JR4-2-101~~JR3-2-902 is amended to read:

**JR3-2-902. Conference committee procedures.**

**(1) The chair from the house of origin of the bill shall chair meetings of the committee.**

**(2) Staff from the Office of Legislative Research and General Counsel may attend the conference committee meeting to assist in the preparation of the committee report.**

**(3) (a) Subject to Subsection (3)(b), conference committee meetings are open to the public.**

**(b) Public comment may not be received or made during a conference committee meeting unless a majority of committee members from one house and at least 50% from the other house vote to receive public comment.**

**(4) (a) A majority of committee members from each house must approve a conference committee report in order for it to be presented to the Legislature.**

**(b) (i) If the conference committee cannot reach an agreement, the committee shall**

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report the failure to agree to both houses.

(ii) Upon notice that a conference committee has failed to agree[-]:

(A) the presiding officer of each house may [either] appoint a new committee by following the requirements of JR3-2-901 or reappoint the former committee and announce the time and place of the committee's meeting[-]; or

(B) either house may vote to refuse further conferences.

(iii) If a house votes to refuse further conferences, the bill shall be returned to the originating house and filed.

[5) Before a bill being considered by a conference committee is abandoned, not to be reviewed again by either house during the remainder of the session, each house shall vote to refuse further conferences by the same committee or a new committee.]

Section 2. JR3-2-903 is amended to read:

**JR3-2-903. Conference committee report -- Contents -- Disposition.**

(1) The conference committee's report shall:

(a) be in writing; and

(b) list the vote of each member of the conference committee by name.

(2) (a) Subject to Subsection (2)(b), the committee may report any modifications or amendments to the bill that [it] the committee thinks advisable.

(b) A conference committee may not consider or report on any matter except those at issue between the two houses.

(3) (a) If the bill being discussed by the conference committee is a House bill, the Senate conference committee members shall present the conference committee report first to the Senate.

(b) If the bill being discussed by the conference committee is a Senate bill, the House conference committee members shall present the conference committee report first to the House.

[4) (a) After a motion to adopt the conference committee report is approved, the bill shall be put at the top of the third reading calendar in the first house for consideration.]

(b) When the first house has acted on the bill, it shall transmit the bill and the report to the other house, along with a letter explaining its action.]

(c) Before a house's vote is taken on the conference committee report, the report shall

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be read.]

(4) Before a house votes on a motion to adopt a conference committee report, the report shall be read.

(5) (a) If a house approves a motion to adopt a conference committee report, the bill shall be put at the top of the house's third reading calendar for consideration.

(b) If the house is the first house to consider the conference committee report, after the house acts on the bill, the house shall transmit the bill and the conference committee report to the other house along with a letter explaining the house's action.

(6) (a) If a motion to adopt a conference committee report fails, either house may request that the other house:

(i) appoint a new committee by following the requirements of JR3-2-901; or

(ii) reappoint the former committee and announce the time and place of the committee's meeting.

(b) If a house refuses a request under Subsection (6)(a), the bill shall be returned to the originating house and filed.

Section 3. 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) if the request is for a general session, designate any supporting legislators from the same house as the chief sponsor who wish to cosponsor the legislation; and

(iii) (A) provide specific 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.

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

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(b) A legislator-elect may file a request for legislation beginning on:

(i) the day after the date the election canvass is completed; or

(ii) if the legislator-elect's election results have not been finalized as of the canvass date, the day after the date the election results for the legislator-elect's race are finalized.

(c) (i) An incumbent legislator may not file any requests for legislation as of the date that the legislator:

(A) fails to file to run for election to a seat in the Legislature;

(B) resigns or is removed from office; or

(C) is ineligible to be included on the ballot for the election in which the legislator would have sought an additional term.

(ii) Subsection (2)(c)(i) does not apply to a request for legislation for a special session that occurs before the legislator leaves office.

(iii) 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.

(e) (i) If a legislator dies while in office and is the chief sponsor of one or more requests for legislation or pieces of legislation, the individual appointed to the legislator's seat may assume sponsorship of each request for legislation or piece of legislation.

(ii) If the individual appointed to the legislator's seat chooses not to assume sponsorship of one or more of the legislator's requests for legislation or pieces of legislation, the following individual shall seek another legislator to assume sponsorship of each request for legislation or piece of legislation:

(A) if the legislator was a member of the House majority caucus, the House majority

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leader;

(B) if the legislator was a member of the House minority caucus, the House minority leader;

(C) if the legislator was a member of the Senate majority caucus, the Senate majority leader; or

(D) if the legislator was a member of the Senate minority caucus, the Senate minority leader.

(iii) If the individual described in Subsection (2)(e)~~(i)~~(ii) does not find a new sponsor for a request for legislation, the Office of Legislative Research and General Counsel shall abandon the request for legislation.

(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 Senate.

(4) After a request for legislation is abandoned, a legislator may not revive the request for legislation.

(5) 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.

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Section ~~{2}~~4. JR4-2-401 is amended to read:

### JR4-2-401. Committee notes -- Notations on bill.

~~[(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 or an appropriations subcommittee.]~~

~~[(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.]~~

(1) As used in this rule, "authorized legislative committee" means ~~+~~

~~— (a) an interim committee created under JR7-1-201;~~

~~— (b) a special committee that is not a mixed special committee as those terms are defined in JR7-1-101; or~~

~~— (c) when functioning as an interim committee:~~

~~— (i) the Senate Rules Committee created in SR3-1-101; or~~

~~— (ii) the House Rules Committee created in HR3-1-101; the same as that term is defined in JR7-1-101.~~

(2) ~~[When a legislative committee or mixed committee has reviewed and voted to recommend a piece of legislation]~~ After ~~+~~an authorized legislative committee approves a motion to favorably recommend draft legislation, the Office of Legislative Research and General Counsel shall note the following on the legislation when the legislation is numbered for introduction as a bill:

(a) that the authorized legislative committee recommended the legislation; and

(b) ~~[(i) for a legislative committee;]~~ the committee vote, listed by numbers of yeas,



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nays, and absent~~;~~~~or~~].

~~[(ii) for a mixed committee;]~~

~~[(A) the number of legislators and nonlegislators on the mixed committee;]~~

~~[(B) the committee vote, listed by the number of yeas, nays, and absent, and]~~

~~[(C) the votes cast by legislators on the committee, listed by the number of yeas, nays, and absent.]~~

(3) The Office of Legislative Research and General Counsel may not place a note described in Subsection (2) on a piece of legislation if the motion to favorably recommend the draft legislation was made in violation of ~~{Subsection }~~JR7-1-512(3).

Section ~~{3}~~5. **JR4-2-501** is amended to read:

### **JR4-2-501. Numbering and distributing bills and resolutions.**

After receiving approval from the sponsor under JR4-2-301, the Office of Legislative Research and General Counsel shall:

- (1) proofread the legislation and perform other quality control measures;
- (2) indicate on the first page of the legislation that the drafting attorney has approved the legislation for filing;
- (3) place a committee ~~[or task force]~~ note on the legislation if required by JR4-2-401;
- (4) assign a number to the legislation to appear after the designation required by JR4-1-202 and JR4-1-301;
- (5) electronically set the legislation's line numbers; and
- (6) distribute an electronic copy of the legislation as required by JR4-2-503.

Section ~~{4}~~6. **JR4-2-505** is amended to read:

### **JR4-2-505. Bill information requirements on legislative website.**

The Office of Legislative Research and General Counsel shall publicly provide the following information on the Legislature's website:

- (1) a listing of each legislator's name and the number of ~~[bill files]~~ requests for legislation that are currently open in the name of that legislator for the current legislative session; and
- (2) on the respective web page for each authorized legislative committee ~~[or mixed committee, as those terms are]~~ as defined in JR4-2-401:
  - (a) a listing of the short title of each ~~[piece of]~~ request for legislation that:

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(i) is opened by the committee or the committee's chairs, as provided under JR7-1-602;

or

~~[(ii) is adopted as a committee bill by the committee; or]~~

~~[(iii) is reviewed by the committee and receives a vote for committee recommendation;~~

~~and]~~

~~[(b) if a vote to recommend a piece of legislation listed in Subsection (2)(a) was held:]~~

~~[(i) by a legislative committee:]~~

(ii) the **authorized** legislative committee voted to favorably recommend; and

(b) if the **authorized** legislative committee voted on a motion to favorably recommend a request for legislation described in Subsection (2)(a):

~~[(A)] (i) a notation as to whether [the legislation was recommended by the committee or not] the **authorized** legislative committee approved the motion; and~~

~~[(B)] (ii) a listing of the votes cast by the members of the **authorized** legislative committee, listed by name and vote[; or].~~

~~[(ii) by a mixed committee:]~~

~~[(A) a listing of votes cast by the members of the committee as a whole, listed by name and vote; and]~~

~~[(B) a listing of only those votes cast by legislator members of the committee, listed by name and vote.]~~

Section ~~{5}~~7. JR4-3-103 is amended to read:

### **JR4-3-103. Standing committee responsibilities -- Limitations.**

(1) Each standing committee shall:

(a) examine legislation referred to it;

(b) amend or substitute the legislation if necessary; and

(c) report the legislation back to the floor.

(2) After the last Friday before the 45th day of the annual general session:

(a) a House standing committee may not consider a piece of legislation introduced by a member of the House; and

(b) a Senate standing committee may not consider a piece of legislation introduced by a member of the Senate.

~~[(2)] (3) If legislation is referred to an interim committee, the interim committee may~~

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examine and recommend to the sponsor any changes to it that the committee considers necessary.

Section ~~{6}~~8. **JR4-3-301** is amended to read:

### **JR4-3-301. Definitions.**

~~[As used in this part:]~~

~~[(1)(a) "Affects workload" means:]~~

~~[(i) increases legislative workload; or]~~

~~[(ii) requiring:]~~

~~[(A) a state agency to staff a board, commission, task force, or other public body; or]~~

~~[(B) a person to submit or present a report to a legislative committee, a mixed committee, the Executive Appropriations Committee, or an appropriations subcommittee.]~~

~~[(b) "Affects workload" includes reauthorizing an existing requirement described in Subsection (1)(a)(ii).]~~

~~[(2)(a) (1) ["Increases] As used in this part, "increase legislative workload" means:~~

~~[(i) (a) placing a member of the Legislature on a board, commission, task force, or other public body;~~

~~[(ii) (b) giving authority to a member of the Legislative Management Committee to appoint a member of a board, commission, task force, or other public body; or]~~

~~[(iii) (c) requiring a legislative staff office to staff a board, commission, task force, or other public body.~~

~~[(b) (2) "Increases legislative workload" includes reauthorizing an existing provision described in Subsection [(2)(a) (1).~~

~~[(3) "Legislative committee" means the same as that term is defined in JR4-2-401.]~~

~~[(4) "Mixed committee" means the same as that term is defined in JR4-2-401.]~~

~~[(5) "State agency" means an office, department, agency, authority, commission, board, institution, hospital, college, university, or other instrumentality of the state.]~~

Section ~~{7}~~9. **JR4-3-302** is amended to read:

### **JR4-3-302. Considering legislation that increases legislative workload.**

(1) (a) The House shall refer any Senate legislation that ~~[affects]~~ increases legislative workload to the House Rules Committee before giving the legislation a third reading.

(b) The Senate shall table on third reading any House legislation that ~~[affects]~~ increases

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legislative workload.

(2) Before adjourning on the 45th day of the annual general session:

(a) each legislator shall prioritize legislation that [~~affects~~] increases legislative workload in accordance with the process established by legislative leadership; and

(b) the Legislature may pass or defeat any legislation prioritized under Subsection (2)(a).

Section ~~{8}~~10. **JR4-5-104** is amended to read:

### **JR4-5-104. Effect of governor's inaction on concurrent resolutions.**

(1) If the governor does not approve a concurrent resolution before the expiration of the time limit described in Utah Constitution, Article VII, Section 8 that would apply if the concurrent resolution were a bill, the concurrent resolution converts to a joint resolution.

(2) The legislative general counsel may make technical revisions to convert a resolution described in Subsection (1) from a concurrent resolution to a joint resolution, including the revisions necessary to comply with JR4-1-301.

(3) For a resolution that converts to a joint resolution in accordance with Subsection (1), the Office of Legislative Research and General Counsel shall note in the Laws of Utah and on the final version of the joint resolution that the resolution converted from a concurrent resolution to a joint resolution in accordance with this rule.

~~[(4) This rule does not apply to a constitutional joint resolution.]~~

Section ~~{9}~~11. **JR5-2-101** is amended to read:

### **JR5-2-101. Reimbursement of lodging.**

(1) Subject to the other provisions of this [~~section~~] rule, if a legislator's official duties necessitate overnight accommodations, the legislator may receive reimbursement for any actual lodging expenses incurred by the legislator~~[, not to exceed the daily rates published in the administrative rules governing reimbursement of lodging expenses for state employees,]~~ for an:

(a) authorized legislative day; or

(b) authorized legislative training day.

(2) Except as provided in the policies and procedures established in accordance with Subsection (3), reimbursement under Subsection (1) may not exceed the daily rates published in the administrative rules governing reimbursement of lodging expenses for state employees.

~~[(2)]~~ (3) Reimbursement for actual lodging expenses for a legislator for an authorized

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legislative day or authorized legislative training day shall be as provided in policies and procedures established by the Legislative Expenses Oversight Committee.

Section ~~{10}~~12. **JR5-2-102** is amended to read:

### **JR5-2-102. Reimbursement of meal expenses.**

(1) Subject to the other provisions of this ~~[section,]~~ rule, for each authorized legislative day or authorized legislative training day a legislator may receive reimbursement for any actual meal expenses incurred by the legislator in association with the legislator's official duties ~~[, not to exceed the rates and subject to the time calculation requirements set in the administrative rules governing reimbursement of meal expenses for state employees for an:]~~.

~~[(a) authorized legislative day, or]~~

~~[(b) authorized legislative training day.]~~

(2) Except as provided in the policies and procedures established in accordance with Subsection (3), reimbursement under Subsection (1):

(a) may not exceed the rates set in administrative rules governing reimbursement and meal expenses for state employees; and

(b) is subject to the time calculation requirements set in administrative rules governing reimbursement and meal expenses for state employees.

~~[(2)]~~ (3) Reimbursement for actual meal expenses for a legislator for an authorized legislative day or authorized legislative training day shall be as provided in policies and procedures established by the Legislative Expenses Oversight Committee.

Section ~~{11}~~13. **JR7-1-101** is amended to read:

### **JR7-1-101. Definitions.**

As used in this chapter:

(1) "Anchor location" means the physical location from which:

(a) an electronic meeting originates; or

(b) the participants are connected.

~~{(2) "Bill" means the same as that term is defined in JR4-1-101.~~

~~———— (3) "Chair" except as otherwise expressly provided, means:~~

~~———— (a) the member of the Senate appointed as chair of an interim committee by the president of the Senate under JR7-1-202;~~

~~———— (b) the member of the House of Representatives appointed as chair of an interim~~

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~~committee by the speaker of the House of Representatives under JR7-1-202;~~

~~—— (c) a member of a special committee appointed as chair of the special committee; or~~

~~—— (d) a member of a legislative committee designated by the chair of the legislative committee under Subsection (3)(a), (b), or (c) to act as chair under JR7-1-202.~~

~~—— (4) "Committee bill" means draft legislation that receives a favorable recommendation from a legislative committee other than a mixed special committee.~~

~~—— (5) "Committee bill file" means a request for legislation made by:~~

~~—— (a) a majority vote of a legislative committee other than a mixed special committee; or~~

~~—— (b) the chairs of an interim committee, if the interim committee authorizes the chairs to open one or more committee bill files in accordance with JR7-1-602.~~

~~—— (6) "Committee note" means a note that the Office of Legislative Research and General Counsel places on legislation in accordance with JR4-2-401.~~

~~—— (7) "Draft legislation" means a draft of a bill or resolution before it is numbered by the Office of Legislative Research and General Counsel.~~

~~—— (8) "Electronic meeting" means a public meeting of a legislative committee that is partially convened or conducted by means of a voice telephone or computer web or video conference.~~

~~—— (9) "Electronic notice" means electronic mail or fax.~~

~~—— (10) "Favorable recommendation" means an action of a legislative committee by majority vote to favorably recommend legislation.~~

~~—— (11) "Legislative~~ (2) "Authorized legislative committee" means:

(a) an interim committee;

(b) when functioning as an interim committee:

(i) the Senate Rules Committee created in SR3-1-101; or

(~~b~~)ii) the House Rules Committee created in HR3-1-101; or

(c) a special committee~~;~~

~~(12) "Interim committee" means a committee created under JR7-1-201.~~

~~—— (13) "Legislative sponsor" means:~~

~~—— (a) for a committee bill file, the chairs of the legislative committee that opened the i) that is not a mixed special committee; and~~

(ii) to the extent the special committee has statutory authority to open a committee bill

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~~file or {the chairs' designee; or~~

~~—— (b) for a request for legislation that is not} create a committee bill { file, the legislator who requested the request for legislation or the legislator's designee.~~

~~—— (14) "Majority vote" means:~~

~~—— (a) with respect to an interim committee, an affirmative vote of at least 50% of a quorum of members of the interim committee from one chamber and more than 50% of a quorum of members of the interim committee from the other chamber; or~~

~~—— (b) with respect to a special committee, an affirmative vote of more than 50% of a quorum.~~

~~—— (15) "Mixed special committee" means a special committee that is composed of one or more members who are legislators and one or more members who are not legislators.~~

~~—— (16) "Monitor" means to:~~

~~—— (a) hear live, by speaker, or by other equipment, all of the public statements of each member of the legislative committee who is participating in a meeting; or~~

~~—— (b) see and hear, by computer screen or other visual medium, all of the public statements of each member of the legislative committee who is participating in a meeting.~~

~~—— (17) "Original motion" means a nonprivileged motion that is accepted by the chair when no other motion is pending.~~

~~—— (18) "Participate" means the ability to communicate with all of the members of a legislative committee, either verbally or electronically, so that each member of the legislative committee can hear or see the communication.~~

~~—— (19) "Pending motion" means a motion described in JR7-1-307.~~

~~—— (20) "Privileged motion" means a motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.~~

~~—— (21) "Public statement" means a statement made in the ordinary course of business of a legislative committee with the intent that all other members of the legislative committee receive it.~~

~~—— (22) "Remote location" means a location other than the anchor location from which a member of a legislative committee may participate in the meeting.~~

~~—— (23) "Request for legislation}.~~

[(2)] (3) "Bill" means the same as that term is defined in JR4-1-101.

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~~{(24) "Resolution" means the same as that term is defined in JR4-1-101.~~

~~— (25) (a) "Special";~~ [(3)] (4) "Chair" except as otherwise expressly provided, means:

(a) the member of the Senate appointed as chair of an interim committee by the president of the Senate under JR7-1-202;

(b) the member of the House of Representatives appointed as chair of an interim committee by the speaker of the House of Representatives under JR7-1-202;

(c) a member of a special committee ~~{ " means a committee, commission, [or] task force, or other similar body that is:~~

~~— (i) created by legislation; and~~

~~— (ii) staffed by:~~

~~— (A) }~~ appointed as chair of the special committee; or

(d) a member of a legislative committee designated by the chair of the legislative committee under Subsection [(3)] (4)(a), (b), or (c) to act as chair under JR7-1-202.

[(4)] (5) "Committee bill" means draft legislation that receives a favorable recommendation from an authorized legislative committee.

[(5)] (6) "Committee bill file" means a request for legislation made by:

(a) a majority vote of [a legislative] an authorized committee; or

(b) the chairs of an interim committee, if the interim committee authorizes the chairs to open one or more committee bill files in accordance with JR7-1-602.

[(6)] (7) "Committee note" means a note that the Office of Legislative Research and General Counsel ~~{, or~~

~~— (B) the Office of the Legislative Fiscal Analyst.~~

~~— (b) "Special committee" does not include:~~

~~— (i) places on legislation in accordance with JR4-2-401.~~

[(7)] (8) "Draft legislation" means a draft of a bill or resolution before it is numbered by the Office of Legislative Research and General Counsel.

[(8)] (9) "Electronic meeting" means a public meeting of a legislative committee that is partially convened or conducted by means of a voice telephone or computer web or video conference.

[(9)] (10) "Electronic notice" means electronic mail or fax.

[(10)] (11) "Favorable recommendation" means an action of [a] an authorized



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legislative committee by majority vote to favorably recommend legislation.

~~[(11)]~~ (12) "Legislative committee" means:

(a) an interim committee;

or

(b) a special committee.

~~[(12)]~~ (13) "Interim committee" means a committee created under JR7-1-201.

~~[(13)]~~ (14) "Legislative sponsor" means:

(a) for a committee bill file, the chairs of the authorized legislative committee that opened the committee bill file or the chairs' designee; or

(b) for a request for legislation that is not a committee bill file, the legislator who requested the request for legislation or the legislator's designee.

~~[(14)]~~ (15) "Majority vote" means:

(a) with respect to an interim committee, an affirmative vote of at least 50% of a quorum of members of the interim committee from one chamber and more than 50% of a quorum of members of the interim committee from the other chamber; or

(b) with respect to a special committee, an affirmative vote of more than 50% of a quorum.

~~[(15)]~~ (16) "Mixed special committee" means a special committee that is composed of one or more members who are legislators and one or more members who are not legislators.

~~[(16)]~~ (17) "Monitor" means to:

(a) hear live, by speaker, or by other equipment, all of the public statements of each member of the legislative committee who is participating in a meeting; or

(b) see and hear, by computer screen or other visual medium, all of the public statements of each member of the legislative committee who is participating in a meeting.

~~[(17)]~~ (18) "Original motion" means a nonprivileged motion that is accepted by the chair when no other motion is pending.

~~[(18)]~~ (19) "Participate" means the ability to communicate with all of the members of a legislative committee, either verbally or electronically, so that each member of the legislative committee can hear or see the communication.

~~[(19)]~~ (20) "Pending motion" means a motion described in JR7-1-307.

~~[(20)]~~ (21) "Privileged motion" means a motion to adjourn, set a time to adjourn,

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recess, end debate, extend debate, or limit debate.

~~[(21)]~~ (22) "Public statement" means a statement made in the ordinary course of business of a legislative committee with the intent that all other members of the legislative committee receive it.

~~[(22)]~~ (23) "Remote location" means a location other than the anchor location from which a member of a legislative committee may participate in the meeting.

~~[(23)]~~ (24) "Request for legislation" means the same as that term is defined in JR4-1-101.

~~[(24)]~~ (25) "Resolution" means the same as that term is defined in JR4-1-101.

~~[(25)]~~ (26) (a) "Special committee" means a committee, commission, ~~[or]~~ task force, or other similar body that is:

(i) created by legislation; and

(ii) staffed by:

(A) the Office of Legislative Research and General Counsel; or

(B) the Office of the Legislative Fiscal Analyst.

(b) "Special committee" does not include:

(i) an interim committee;

(ii) a standing committee created under SR3-2-201 or HR3-2-201; or

(iii) a Senate confirmation committee described in SR3-3-101 or SR3-3-201.

~~[(26)]~~ ~~[(27)]~~ (27) "Subcommittee" means a subsidiary unit of a legislative committee formed in accordance with JR7-1-411.

~~[(27)]~~ ~~[(28)]~~ (28) "Substitute motion" means a nonprivileged motion that a member of a legislative committee makes when there is a nonprivileged motion pending.

Section ~~{12}~~ 14. **JR7-1-103** is enacted to read:

### **JR7-1-103. News media.**

When present for a meeting of a legislative committee, news media may not enter the area behind the dais without the permission of the chair.

Section ~~{13}~~ 15. **JR7-1-405** is amended to read:

### **JR7-1-405. Prohibited meeting times -- Exceptions.**

(1) Except as provided in this rule, a legislative committee may not meet:

(a) while the Senate or the House of Representatives is in session; or

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(b) during the period that begins on the first Thursday in December and ends the day after the day on which the Legislature adjourns ~~[that]~~ the following calendar year's general session sine die.

(2) Subsection (1) does not apply to:

(a) the Legislative Management Committee and its subcommittees;

(b) the Senate or House Management Committee;

(c) the Senate or House Rules Committee;

(d) the Senate or House Legislative Expenses Oversight Committee;

(e) a senate confirmation committee;

(f) a meeting of the Administrative Rules Review Committee for the purpose of considering draft legislation reauthorizing agency rules in accordance with Utah Code Section 63G-3-502; or

(g) the Legislative Process Committee.

(3) A meeting otherwise prohibited by this rule may be held if approved by:

(a) the president of the Senate and the speaker of the House of Representatives; or

(b) a majority vote of the Senate and a majority vote of the House of Representatives.

(4) Any action of a legislative committee that occurs during a meeting that violates this rule is invalid.

Section ~~{14}~~ 16. **JR7-1-601.1** is enacted to read:

**JR7-1-601.1. Applicability of part ~~{to mixed special committees}~~-- Limitations on authority.**

(1) The provisions of Part 6, Draft Legislation, ~~{do not}~~ only apply to ~~{a mixed special}~~ an authorized legislative committee.

(2) Notwithstanding any rule to the contrary:

(a) a ~~{mixed special}~~ legislative committee other than an authorized legislative committee may not open a committee bill file; ~~{and}~~

(b) a ~~{mixed special committee's vote to favorably recommend draft legislation does not}~~ legislative committee's favorable recommendation creates a committee bill only if the legislative committee is an authorized legislative committee; and

(c) an authorized legislative committee that is not an interim committee or a rules committee acting as an interim committee may not open a committee bill file or create a

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committee bill except to the extent authorized by statute.

Section ~~{15}~~17. **JR7-1-601.5**, which is renumbered from Section JR7-1-601 is renumbered and amended to read:

~~[JR7-1-601].~~            **JR7-1-601.5. Opening committee bill files.**

(1) Except as provided in Subsection (3), a member of ~~[a]~~an authorized legislative committee may make a motion to open a committee bill file if:

(a) the member describes the general subject matter of the legislation;

(b) the subject matter is germane to the subject matter over which the authorized legislative committee has jurisdiction; and

(c) the member intends that the authorized legislative committee take action on the resulting draft legislation before the next general session in a meeting of the authorized legislative committee.

(2) Except as provided in JR7-1-602, ~~[a]~~an authorized legislative committee may not authorize any individual or group of individuals to open a committee bill file.

(3) ~~[A]~~An authorized legislative committee may not open a committee bill file during the period that begins January 1 and ends the day after the day on which the Legislature adjourns that year's general session sine die.

Section ~~{16}~~18. ~~{JR7-1-610}~~JR7-1-602.5 is amended to read:

**JR7-1-602.5. Draft legislation presented to authorized legislative committees during the interim.**

(1) Draft legislation that is presented to [a] an authorized legislative committee for the committee's review shall be:

(a) listed on the agenda of the committee's meeting in accordance with Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and

(b) publicly posted on the Legislature's website at least 24 hours in advance of the time of commencement of the committee meeting.

(2) (a) A legislator seeking to present draft legislation to [a] an authorized legislative committee for review shall provide the drafting attorney with clear and final instructions for completing the draft legislation no later than three full working days before the commencement time of the committee meeting where the legislation will be reviewed, or at an earlier time if significant drafting time is required.

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(b) Draft legislation will be drafted in the priority and order set forth under JR4-2-102.

(3) (a) Draft legislation that is recommended by [a] an authorized legislative committee but did not meet the posting requirements of Subsection (1)(b) may not be placed directly on the reading calendar by a rules committee under SR3-1-102 or HR3-1-102.

(b) This Subsection (3) does not apply to draft legislation that met the requirements of Subsection (1)(b) but was amended or substituted during the committee meeting.

Section 19. JR7-1-603 is amended to read:

### **JR7-1-603. Four phases when considering draft legislation -- Exception.**

(1) Subject to Subsection (2), [a] an authorized legislative committee shall consider draft legislation in the following four phases:

(a) the presentation phase as described in JR7-1-604;

(b) the clarifying questions phase as described in JR7-1-605;

(c) the public comment phase as described in JR7-1-606; and

(d) the [legislative] committee action phase as described in JR7-1-607.

(2) The chair, or the authorized legislative committee by majority vote, may elect to have the authorized legislative committee consider draft legislation in a manner different from the four phases described in this part.

Section 20. JR7-1-604 is amended to read:

### **JR7-1-604. Presentation phase.**

(1) During the presentation phase:

(a) the chair shall permit the legislative sponsor of the draft legislation to present the draft legislation to the authorized legislative committee; and

(b) a member of the authorized legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.

(2) At the election of the legislative sponsor, the chair shall allow another individual to assist with the legislative sponsor's presentation if the individual has expertise related to the draft legislation.

Section 21. JR7-1-605 is amended to read:

### **JR7-1-605. Clarifying questions phase.**

(1) During the clarifying questions phase:

(a) the chair shall allow members of the authorized legislative committee to ask the

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legislative sponsor questions to help clarify:

(i) the intent or purpose of the draft legislation; or

(ii) the meaning of the language of the draft legislation; and

(b) a member of the authorized legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.

(2) The chair shall allow the legislative sponsor to respond to any clarifying question from a member of the authorized legislative committee.

Section 22. JR7-1-606 is amended to read:

**JR7-1-606. Public comment phase.**

(1) Except as otherwise provided in this rule, during the public comment phase:

(a) the chair shall take comment from one or more members of the public; and

(b) a member of the authorized legislative committee may not make a motion to amend the draft legislation or dispose of the draft legislation.

(2) The chair, or the authorized legislative committee by majority vote, may preclude or terminate the public comment phase.

Section 23. JR7-1-607 is amended to read:

**JR7-1-607. Committee action phase.**

During the committee action phase, a member of the authorized legislative committee may make a motion authorized by this chapter, including a motion to amend the draft legislation or favorably recommend the draft legislation.

Section 24. JR7-1-608 is amended to read:

**JR7-1-608. Motions related to draft legislation.**

[A] An authorized legislative committee may approve one or more of the following motions with respect to draft legislation it considers:

(1) move to the next item on the agenda;

(2) amend the draft legislation, subject to the requirements of JR7-1-609; or

(3) favorably recommend the draft legislation as a committee bill.

Section 25. JR7-1-609 is amended to read:

**JR7-1-609. Amending draft legislation -- Verbal amendments -- Amendments must be germane and clear.**

(1) Subject to Subsection (2), when timely and when recognized by the chair, a

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member of [a] an authorized legislative committee may make a motion to amend the draft legislation under consideration.

(2) (a) A member of the authorized legislative committee may make a motion to amend the draft legislation only if the subject of the proposed amendment is germane to the subject of the draft legislation.

(b) If a member of the authorized legislative committee believes a proposed amendment is not germane to the subject of the draft legislation, the member may make a point of order in accordance with JR7-1-509.

(3) A member of the authorized legislative committee may make a motion for a verbal amendment only if the verbal amendment is sufficiently clear to allow the members of the authorized legislative committee to know how the draft legislation will read when the verbal amendment is incorporated into the draft legislation.

Section 26. JR7-1-610 is amended to read:

**JR7-1-610. Committee bill files -- Effect of favorable recommendation --  
Committee bill files without recommendation abandoned.**

(1) After [a] an authorized legislative committee reviews draft legislation the authorized legislative committee may give the draft legislation a favorable recommendation.

(2) If [a] an authorized legislative committee gives draft legislation a favorable recommendation, the Office of Legislative Research and General Counsel shall:

- (a) attach a committee note to the committee bill, as required under JR4-2-401; and
- (b) assign the committee bill a bill number in accordance with JR4-2-501.

(3) (a) Except as provided in Subsection (3)(b), a committee bill file that does not receive a favorable recommendation [~~before December 31~~ of the] at the committee's last scheduled meeting of the calendar year in which the committee bill file was opened is abandoned.

(b) Subsection (3)(a) does not apply to a committee bill file opened by:

(i) the Administrative Rules Review Committee for the purpose of reauthorizing agency rules in accordance with Utah Code Section 63G-3-502; or

(ii) the Legislative Process Committee.

(4) (a) Nothing in this rule prohibits a legislator from making a request for legislation in the legislator's name to sponsor legislation that was abandoned in accordance with

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Subsection (3).

(b) A request for legislation described in Subsection (4)(a) is subject to the drafting priority described in JR4-2-102.

Section 27. JR7-1-611 is amended to read:

JR7-1-611. Assignment of committee bills -- Report on committee bills and study items.

(1) The chairs of each authorized legislative committee shall:

(a) assign each of the authorized legislative committee's bills a chief sponsor and a floor sponsor from the opposite chamber; and

(b) deliver to the Senate Rules Committee and the House Rules Committee a report that includes, for each of the authorized legislative committee's committee bills:

(i) the short title;

(ii) the chief sponsor;

(iii) the floor sponsor; and

(iv) how each member of the authorized legislative committee voted when the authorized legislative committee gave the committee bill a favorable recommendation, including whether a member was absent at the time of the vote.

(2) In addition to the items described in Subsection (1), the chairs of each interim committee shall deliver to the Legislative Management Committee:

(a) a copy of the report described in Subsection (1)(b); and

(b) the disposition of each issue assigned to or studied by the interim committee during the preceding calendar year.

(3) (a) The chairs of an interim committee shall comply with this rule on or before December 15.

(b) The chairs of ~~[a special committee]~~ an authorized legislative committee that is not an interim committee shall comply with this rule as soon as practicable.