

Senator Lincoln Fillmore proposes the following substitute bill:

**JOINT RULES RESOLUTION - AMENDMENTS TO JOINT
RULES**

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: James A. Dunnigan

LONG TITLE

General Description:

This resolution modifies joint legislative rules.

Highlighted Provisions:

This resolution:

- ▶ modifies references to Senate and House staff;
- ▶ modifies the permissible effective dates for legislation;
- ▶ provides that a nonbinding joint resolution converts to a Senate resolution or a House resolution, if the resolution passes the originating house but fails to pass the opposite house;
- ▶ clarifies a legislator's authority to request legislation or an appropriation when the legislator fails to win reelection;
- ▶ addresses the process by which on the 11th day of the annual general session the Office of Legislative Research and General Counsel makes public the short title of each request for legislation;
- ▶ modifies the definition of "authorized legislative committee"; and
- ▶ makes corrections to joint legislative rules, including eliminating obsolete language and clarifying existing requirements.



26 **Other Special Clauses:**

27 None

28 **Legislative Rules Affected:**

29 AMENDS:

30 **JR2-1-103**

31 **JR3-2-402**

32 **JR3-2-701**

33 **JR4-1-203**

34 **JR4-2-101**

35 **JR4-2-102**

36 **JR4-2-406**

37 **JR4-5-102**

38 **JR4-5-104**

39 **JR6-1-102**

40 **JR6-1-201**

41 **JR7-1-101**

42 **JR7-1-202**

43 **JR7-1-602.5**

44 **JR7-1-611**

45 REPEALS:

46 **JR6-1-202**



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

49 Section 1. **JR2-1-103** is amended to read:

50 **JR2-1-103. Motion to reconsider.**

51 [A] Notwithstanding any rule to the contrary, a motion to reconsider [a piece of] a final
52 vote on special session legislation may be made at any time during that special session of the
53 Legislature.

54 Section 2. **JR3-2-402** is amended to read:

55 **JR3-2-402. Executive appropriations -- Duties -- Base budgets.**

56 (1) (a) The Executive Appropriations Committee shall meet no later than the third

57 Wednesday in December to:

58 (i) direct staff as to what revenue estimate to use in preparing budget

59 recommendations, to include a forecast for federal fund receipts;

60 (ii) consider treating above-trend revenue growth as one-time revenue for major tax

61 types and for federal funds;

62 (iii) hear a report on the historical, current, and anticipated status of the following:

63 (A) debt;

64 (B) long term liabilities;

65 (C) contingent liabilities;

66 (D) General Fund borrowing;

67 (E) reserves;

68 (F) fund balances;

69 (G) nonlapsing appropriation balances;

70 (H) cash funded infrastructure investment; and

71 (I) changes in federal funds paid to the state;

72 (iv) hear a report on:

73 (A) the next fiscal year base budget appropriation for Medicaid accountable care

74 organizations according to Section [26-18-405.5](#);

75 (B) an explanation of program funding needs;

76 (C) estimates of overall medical inflation in the state; and

77 (D) mandated program changes and their estimated cost impact on Medicaid

78 accountable care organizations;

79 (v) decide whether to set aside special allocations for the end of the session, including

80 allocations:

81 (A) to address any anticipated reduction in the amount of federal funds paid to the

82 state; and

83 (B) of one-time revenue to pay down debt and other liabilities;

84 (vi) decide whether to set aside special allocations for legislation that will reduce taxes,

85 including legislation that will reduce one or more tax rates;

86 (vii) approve the appropriate amount for each subcommittee to use in preparing its

87 budget;

88 (viii) set a budget figure; and

89 (ix) adopt a base budget in accordance with Subsection (1)(b) and direct the legislative
90 fiscal analyst to prepare one or more appropriations acts appropriating one or more base
91 budgets for the next fiscal year.

92 (b) In a base budget adopted under Subsection (1)(a), appropriations from the General
93 Fund, the ~~[Education]~~ Income Tax Fund, and the Uniform School Fund shall be set as follows:

94 (i) if the next fiscal year ongoing revenue estimates set under Subsection (1)(a)(i) are
95 equal to or greater than the current fiscal year ongoing appropriations, the new fiscal year base
96 budget is not changed;

97 (ii) if the next fiscal year ongoing revenue estimates set under Subsection (1)(a)(i) are
98 less than the current fiscal year ongoing appropriations, the new fiscal year base budget is
99 reduced by the same percentage that projected next fiscal year ongoing revenue estimates are
100 lower than the total of current fiscal year ongoing appropriations;

101 (iii) in making a reduction under Subsection (1)(b)(ii), appropriated debt service shall
102 not be reduced, and other ongoing appropriations shall be reduced, in an amount sufficient to
103 make the total ongoing appropriations, including the unadjusted debt service, equal to the
104 percentage calculated under Subsection (1)(b)(ii); and

105 (iv) the new fiscal year base budget shall include an appropriation to the Department of
106 Health for Medicaid accountable care organizations in the amount required by Section
107 [26-18-405.5](#).

108 (c) The chairs of each joint appropriations subcommittee are invited to attend this
109 meeting.

110 (2) All proposed budget items shall be submitted to one of the subcommittees named in
111 [JR3-2-302](#) for consideration and recommendation.

112 (3) (a) After receiving and reviewing subcommittee reports, the Executive
113 Appropriations Committee may refer the report back to a joint appropriations subcommittee
114 with any guidelines the Executive Appropriations Committee considers necessary to assist the
115 subcommittee in producing a balanced budget.

116 (b) The subcommittee shall meet to review the new guidelines and report the
117 adjustments to the chairs of the Executive Appropriations Committee as soon as possible.

118 (4) (a) After receiving the reports, the Executive Appropriations Committee chairs will

119 report them to the Executive Appropriations Committee.

120 (b) The Executive Appropriations Committee shall:

121 (i) make any further adjustments necessary to balance the budget; and

122 (ii) complete all decisions necessary to draft the final appropriations bills no later than

123 the last Friday before the 45th day of the annual general session.

124 Section 3. **JR3-2-701** is amended to read:

125 **JR3-2-701. Request for appropriation -- Contents -- Timing.**

126 (1) (a) A legislator intending to file a request for appropriation shall file the request for
127 appropriation with the Office of the Legislative Fiscal Analyst in accordance with this rule.

128 (b) Except for an amendment to a proposed budget item described in [JR3-2-703](#), a
129 committee may not adopt, recommend, or prioritize a request for appropriation that is not filed
130 or generated in accordance with this rule.

131 (c) A legislator may not file a request for appropriation if the request is intended to
132 fund the fiscal impact of legislation.

133 (d) The Office of the Legislative Fiscal Analyst shall automatically generate a request
134 for appropriation to fund the fiscal impact of legislation if:

135 (i) the legislation has an expenditure impact of \$1,000,000 or more from the General
136 Fund or the ~~[Education]~~ Income Tax Fund; and

137 (ii) the Office of the Legislative Fiscal Analyst knows the fiscal impact of the
138 legislation before the deadline described in Subsection (3)(a).

139 (2) (a) A legislator may file a request for appropriation beginning 60 days after the day
140 on which the Legislature adjourns its annual general session sine die.

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

142 (i) the day after the day on which the election canvass is complete; or

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

145 (c) (i) An incumbent legislator may not file a request for appropriation as of the date
146 that the legislator:

147 ~~[(i)]~~ (A) fails to file to run for reelection;

148 ~~[(ii) resigns or is removed from office; or]~~

149 ~~[(iii)]~~ (B) is ineligible to be included on the ballot for the election in which the

150 legislator would have sought an additional term[-]; or

151 (C) fails to win reelection and the legislator's opponent is eligible to file a request for
152 appropriation under Subsection (2)(b).

153 (ii) Subsection (2)(c)(i) does not apply to a request for appropriation for a general
154 session that occurs while the legislator is in office.

155 (3) (a) Except as provided in Subsection (3)(b), a legislator may not file a request for
156 appropriation with the Office of the Legislative Fiscal Analyst after noon on the 11th day of the
157 annual general session.

158 (b) After the date established by this Subsection (3), a legislator may file a request for
159 appropriation if:

160 (i) for a request by a House member, the representative makes a motion to file a request
161 for appropriation and that motion is approved by a constitutional majority of the House;

162 (ii) for a request by a senator, the senator makes a motion to file a request for
163 appropriation and that motion is approved by a constitutional majority vote of the Senate; or

164 (iii) a member of the Executive Appropriations Committee has presented the request at
165 a public meeting of the Executive Appropriations Committee.

166 (4) A legislator who files a request for appropriation:

167 (a) is the chief sponsor; and

168 (b) shall provide the following information related to the project or program that is the
169 subject of the request for appropriation:

170 (i) the name and a description of the project or program;

171 (ii) the statewide purpose of the project or program;

172 (iii) if applicable, the legislator's designee who is knowledgeable about and responsible
173 for providing pertinent information while the Office of the Legislative Fiscal Analyst processes
174 the request;

175 (iv) the state funding source from which the legislator proposes to fund the project or
176 program;

177 (v) the amount of the request and whether the amount is to be appropriated one-time,
178 ongoing, or a combination of one-time and ongoing;

179 (vi) an itemized budget for the project or program;

180 (vii) the state agency that has jurisdiction over the project or program;

181 (viii) if the request is for pass through funding that a state agency will distribute, the
182 type of entity or organization the legislator intends to receive the funding;

183 (ix) the scalability of the project or program; and

184 (x) one or more outcomes the legislator expects the project or program to achieve.

185 Section 4. **JR4-1-203** is amended to read:

186 **JR4-1-203. Effective date of bills.**

187 (1) (a) Unless otherwise directed by the Legislature and subject to Subsections (2) and
188 (3), a bill becomes effective 60 days after the adjournment of the session at which it passed.

189 (b) The 60 days begins to run the day after the Legislature adjourns sine die.

190 (2) (a) The effective date of a bill may not be a date later than [~~December 31 of the~~]
191 January 1 of the second calendar year immediately following the calendar year of the session at
192 which the bill is passed.

193 (b) A bill with a contingent effective date is not subject to Subsection (2)(a).

194 (3) (a) If the effective date of a bill is contingent, before the bill may be introduced:

195 (i) the bill sponsor shall inform the legislative general counsel of the contingent
196 effective date; and

197 (ii) the legislative general counsel shall, on behalf of the bill sponsor, request approval
198 of the contingent effective date from the president and speaker.

199 (b) A bill that has a contingent effective date that is not approved by the president and
200 the speaker may not be introduced.

201 (c) Subsections (3)(a) and (b) do not apply to a bill that has a contingent effective date
202 that is contingent on voter approval of an amendment to the Utah Constitution.

203 (4) A rules committee, a standing committee, the Senate, or the House of
204 Representatives is prohibited from suspending the provisions of Subsection (2) or (3).

205 Section 5. **JR4-2-101** is amended to read:

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

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

210 (b) The request for legislation shall:

211 (i) designate the chief sponsor, who is knowledgeable about and responsible for

212 providing pertinent information as the legislation is drafted;

213 (ii) if the request is for a general session, designate any supporting legislators from the
214 same house as the chief sponsor who wish to cosponsor the legislation; and

215 (iii) (A) provide specific information concerning the change or addition to law or
216 policy that the legislator intends the proposed legislation to make; or

217 (B) identify the specific situation or concern that the legislator intends the legislation to
218 address.

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

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

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

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

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

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

228 [~~(B) resigns or is removed from office; or~~]

229 [~~(C)~~] (B) is ineligible to be included on the ballot for the election in which the
230 legislator would have sought an additional term[-]; or

231 (C) fails to win reelection and the legislator's opponent is eligible to file a request for
232 legislation under Subsection (2)(b).

233 (ii) Subsection (2)(c)(i) does not apply to a request for legislation for:

234 (A) a general session that occurs while the legislator is in office; or

235 (B) a special session that occurs [before the legislator leaves] while the legislator is in
236 office.

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

241 (d) (i) If, for any reason, a legislator who filed a request for legislation is unavailable to
242 serve in the next annual general session, the former legislator [~~shall~~] may seek another

243 legislator to assume sponsorship of each request for legislation filed by the legislator who is
244 unavailable to serve.

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

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

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

255 (A) if the legislator was a member of the House majority caucus, the House majority
256 leader;

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

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

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

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

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

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

273 [(e)] (b) On the 11th day of the annual general session, the Office of Legislative

274 Research and General Counsel shall make public on the Legislature's website the short title and
275 sponsor of each request for legislation, unless the sponsor abandons the request for legislation
276 before noon on the 11th day of the annual general session.

277 ~~(c) (i) After the [date established by this Subsection (3), a legislator may file a Request~~
278 ~~for Legislation and automatically approve the legislation for numbering if]~~ 11th day of the
279 annual general session, a legislator may file a request for legislation only if:

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

283 ~~[(ii)]~~ (B) for Senate legislation, the senator makes a motion to request ~~[a bill or~~
284 ~~resolution]~~ legislation for drafting and introduction and that motion is approved by a
285 constitutional majority vote of the Senate.

286 (ii) The Office of Legislative Research and General Counsel shall make public on the
287 Legislature's website the short title and sponsor of each request for legislation described in this
288 Subsection (3)(c).

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

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

295 Section 6. **JR4-2-102** is amended to read:

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

297 (1) As used in this rule, "interim committee" means a committee established under
298 [JR7-1-201](#).

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

301 (b) When sufficient drafting information is available, the following requests for
302 legislation shall be drafted before other requests for legislation, in the following order of
303 priority:

304 (i) a committee bill file, as defined in [JR7-1-101](#); and

305 (ii) a request for legislation that is prioritized by a legislator under Subsection (3).

306 (3) (a) Beginning on the first day on which a request for legislation may be filed under

307 [JR4-2-101](#), a member of the House of Representatives may designate up to four requests for

308 legislation as priority requests, and a member of the Senate may designate up to five requests

309 for legislation as priority requests, subject to the following deadlines:

310 (i) except as provided in Subsection (3)(b), priority request number one for

311 representatives, and priority request numbers one and two for senators, must be requested on or

312 before November 15, or the following regular business day if November 15 falls on a weekend

313 or a holiday;

314 (ii) priority request number two for representatives, and priority request number three

315 for senators, must be requested on or before the first Thursday in December, or the following

316 business day if the first Thursday falls on a holiday;

317 (iii) priority request number three for representatives, and four for senators must be

318 requested on or before the first Thursday in January, or the following business day if the first

319 Thursday falls on a holiday; and

320 (iv) priority request number four for representatives, and five for senators must be

321 requested on or before the first Thursday of the annual general session.

322 (b) (i) A representative-elect who is not a sitting legislator, shall designate priority

323 request number one on or before the first Thursday in December, or the following business day

324 if the first Thursday falls on a holiday.

325 (ii) A representative-elect who is a sitting senator shall designate each of the

326 representative-elect's priority requests in accordance with the deadlines for representatives

327 described in Subsection (3)(a).

328 (iii) (A) A senator-elect who is not a sitting legislator, shall designate priority request

329 numbers one and two on or before the first Thursday in December, or the following business

330 day if the first Thursday falls on a holiday.

331 (B) A senator-elect who is a sitting representative, shall designate priority request

332 number one in accordance with Subsection (3)(a)(i), and priority request number two on or

333 before the first Thursday in December, or the following business day if the first Thursday falls

334 on a holiday.

335 (c) (i) A legislator who is appointed to replace a legislator who resigns or is otherwise

336 unable to serve, may:

337 (A) if the legislator is a representative, designate up to four requests for legislation as
338 priority requests, less the number of priority requests designated by the legislator's predecessor;
339 or

340 (B) if the legislator is a senator, designate up to five requests for legislation as priority
341 requests, less the number of priority requests designated by the legislator's predecessor.

342 (ii) The deadline for an appointed legislator to designate each priority request is the
343 same as the deadline that would apply if the designation were made by the legislator's
344 predecessor.

345 (d) (i) A legislator who fails to make a priority request on or before a deadline loses
346 that priority request. [~~However, the legislator is not prohibited~~]

347 (ii) Subsection (3)(d)(i) does not prohibit a legislator from using any remaining priority
348 requests that are associated with a later deadline, if available.

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

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

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

355 (4) A legislator may not:

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

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

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

359 (5) (a) Notwithstanding Subsection (4), a request for legislation designated as a priority
360 request remains a priority request if the request for legislation is transferred to another
361 legislator in accordance with:

362 (i) Subsection JR4-2-101(2)(d) [or (e):] because the legislator resigned or was removed
363 from office; or

364 (ii) Subsection JR4-2-101(2)(e).

365 (b) A priority request described in Subsection (5)(a) does not count against the number
366 of priority designations to which the receiving legislator is entitled under Subsection (3).

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

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

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

373 Section 7. **JR4-2-406** is amended to read:

374 **JR4-2-406. Funding mix for state employee compensation adjustments and**
375 **internal service fund rate impacts.**

376 (1) The legislative fiscal analyst shall prepare a budget for state employee
377 compensation adjustments and internal service fund rate impacts that minimizes costs to the
378 unrestricted General Fund, ~~[Education]~~ Income Tax Fund, and Uniform School Fund, by:

379 (a) using a mix of funding sources that is proportionate to that of the base budget, as
380 defined in [JR3-2-101](#), at the appropriation unit level for the same budget year;

381 (b) including sources other than the unrestricted General Fund, ~~[Education]~~ Income
382 Tax Fund, and Uniform School Fund, regardless of the availability of additional revenue;

383 (c) adjusting the funding mix when the full or partial use of one or more sources is
384 directed in statute, federal regulation, or the terms of a federal grant; and

385 (d) adjusting the funding mix based on the appropriate use of funding sources other
386 than the unrestricted General Fund, ~~[Education]~~ Income Tax Fund, and Uniform School Fund,
387 transportation-related funds, federal funds, restricted accounts, and dedicated credits.

388 (2) When the legislative fiscal analyst adjusts the funding mix in accordance with
389 Subsection (1)(c) or (d), the legislative fiscal analyst shall:

390 (a) eliminate the appropriate portion of the source from the funding mix;

391 (b) deduct the amount associated with the source from the base budget total;

392 (c) recalculate the proportional distribution among remaining sources; and

393 (d) distribute the appropriate budget adjustment amounts accordingly.

394 (3) If the legislative fiscal analyst identifies a funding mix that would provide
395 additional spending authority for sources other than the unrestricted General Fund, ~~[Education]~~
396 Income Tax Fund, and Uniform School Fund and additional revenue is unavailable, in
397 accordance with Subsection (1)(b), an agency may make or request program reductions,

398 reprioritizations, reallocations, or fee increases pursuant with Utah Code Title 63J, Chapter 1,
399 Budgetary Procedures Act.

400 (4) The legislative fiscal analyst shall request that an internal service fund agency
401 reflect state employee compensation adjustments and impacts from rate changes in other
402 internal funds in the rates recommended by the internal service fund agency for a given budget
403 cycle, either:

- 404 (a) on a prospective basis for the budget year, based on an estimated amount; or
- 405 (b) on a one-year lag basis, if the specific internal service fund has sufficient operating
406 reserves to maintain the internal service fund's fiscal integrity.

407 (5) (a) The Executive Appropriations Committee may approve for one fiscal year
408 exceptions to the budget preparation criteria described in Subsections (1) through (4).

409 (b) The legislative fiscal analyst shall prepare a budget that includes exceptions
410 approved by the Executive Appropriations Committee under this Subsection (5).

411 (c) The Executive Appropriations Committee shall annually determine whether to
412 re-approve an exception approved by the Executive Appropriations Committee under this
413 Subsection (5).

414 Section 8. **JR4-5-102** is amended to read:

415 **JR4-5-102. Enrollment and transmittal of legislation to the governor.**

416 (1) (a) After a piece of legislation that has passed both houses has been signed by the
417 presiding officers, the secretary or chief clerk shall deliver it to the Office of Legislative
418 Research and General Counsel.

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

- 420 (i) examine and enroll the legislation;
- 421 (ii) correct any technical errors as provided by Utah Code Section [36-12-12](#); and
- 422 (iii) transmit a copy of the enrolled legislation to:
 - 423 (A) the secretary of the Senate for legislation originating in the Senate; and
 - 424 (B) the chief clerk of the House for legislation originating in the House.

425 (2) When enrolling the legislation, the Office of Legislative Research and General
426 Counsel shall:

427 (a) include the name of the House floor sponsor for Senate legislation under the
428 heading "House Sponsor: "; or

429 (b) include the name of the Senate floor sponsor for House legislation under the
430 heading "Senate Sponsor:".

431 (3) The secretary of the Senate or chief clerk of the House shall:

432 (a) certify each enrolled piece of legislation; and

433 (b) ensure that a copy of the enrolled legislation is:

434 (i) transmitted to the governor;

435 (ii) filed with the secretary or chief clerk;

436 (iii) transmitted to the chief sponsor upon request; and

437 (iv) transmitted to the Office of Legislative [Printing] Services.

438 Section 9. **JR4-5-104** is amended to read:

439 **JR4-5-104. Converting certain joint and concurrent resolutions.**

440 (1) As used in this rule:

441 (a) "Nonbinding concurrent resolution" means a nonbinding resolution that is a
442 concurrent resolution.

443 (b) "Nonbinding House joint resolution" means a nonbinding resolution that is a House
444 joint resolution.

445 (c) (i) "Nonbinding resolution" means a resolution that:

446 (A) is primarily for the purpose of recognizing, honoring, or memorializing an
447 individual, group, or event;

448 (B) requests, rather than compels, action or awareness by an individual or group; or

449 (C) is informational or promotional in nature.

450 (ii) "Nonbinding resolution" does not include:

451 (A) a rules resolution;

452 (B) a resolution for a constitutional amendment; or

453 (C) any resolution that approves or authorizes any action, requires any substantive
454 action be taken, or results in a change in law, policy, or funding.

455 (d) "Nonbinding Senate joint resolution" means a nonbinding resolution that is a
456 Senate joint resolution.

457 [Hf] (2) (a) A nonbinding concurrent resolution converts to a joint resolution if the
458 governor does not approve [a] the nonbinding concurrent resolution before the expiration of the
459 time limit described in Utah Constitution, Article VII, Section 8 that would apply if the

460 nonbinding concurrent resolution were a bill~~[- the concurrent resolution converts to a joint~~
 461 resolution].

462 (b) A nonbinding Senate joint resolution converts to a Senate resolution if:

463 (i) the Senate passes the nonbinding Senate joint resolution; and

464 (ii) the House does not pass the same version of the nonbinding Senate joint resolution
 465 as the Senate.

466 (c) A nonbinding House joint resolution converts to a House resolution if:

467 (i) the House passes the nonbinding House joint resolution; and

468 (ii) the Senate does not pass the same version of the nonbinding House joint resolution
 469 as the House.

470 (3) The version of a nonbinding Senate joint resolution or a nonbinding House joint
 471 resolution that passes the originating chamber is the version that converts to a Senate resolution
 472 or a House resolution.

473 ~~[(2)]~~ (4) (a) The Office of Legislative Research and General Counsel shall convert a
 474 resolution in accordance with this rule when the office enrolls the resolution.

475 (b) The legislative general counsel may make technical revisions to convert a
 476 resolution [described in Subsection (1) from a concurrent resolution to a joint resolution] in
 477 accordance with this rule, including the revisions necessary to comply with JR4-1-301.

478 ~~[(3)]~~ (5) [For a resolution that converts to a joint resolution in accordance with
 479 Subsection (1)] When the Office of Legislative Research and General Counsel converts a
 480 resolution in accordance with this rule, the Office of Legislative Research and General Counsel
 481 shall note the conversion in the Laws of Utah and on the [final version of the joint resolution
 482 that the resolution converted from a concurrent resolution to a joint resolution in accordance
 483 with this rule] enrolled resolution.

484 Section 10. **JR6-1-102** is amended to read:

485 **JR6-1-102. Code of official conduct.**

486 (1) As used in this rule:

487 (a) "Person" means includes an individual, a partnership, an association, an
 488 organization, a company, and a body politic and corporate, or a lobbyist from any of these.

489 (b) "Person" does not include an individual or entity described in Subsection (1)(a) that
 490 provides the legislator's primary source of income.

491 (2) Each legislator shall comply with the guidelines established in Subsection [~~(2)~~] (3).
492 ~~[(2)]~~ (3) In judging members of its house charged with an ethical violation, the Senate
493 and House Ethics Committees shall consider whether or not the member has violated any of the
494 following guidelines:

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

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

499 (c) Members of the Senate and House shall not exercise any undue influence on any
500 governmental entity. "Undue influence" means deceit or threat of violence.

501 (d) Members of the Senate and House shall not engage in any activity that would be an
502 abuse of official position or a violation of trust.

503 (e) Members of the Senate and House shall not use any nonpublic information obtained
504 by reason of their official position to gain advantage over any business or professional
505 competition for activities with the state and its political subdivisions.

506 (f) Members of the Senate and House shall not engage in any business relationship or
507 activity that would require the disclosure of confidential information obtained because of their
508 official position.

509 (g) Members of the Senate and House shall not use their official position to secure
510 privileges for themselves or others.

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

513 (i) Members of the Senate and House may accept small gifts, awards, or contributions
514 if these favors do not influence them in the discharge of official duties.

515 (j) Members of the Senate and the House may engage in business or professional
516 activities with the state or its political subdivisions if the activities are entered into under the
517 same conditions and in the same manner applicable to any private citizen or company engaged
518 in similar activities.

519 (k) Legislators may enter into transactions with the state by contract by following the
520 procedures and requirements of Utah Code Title 63G, Chapter 6a, Utah Procurement Code.

521 Section 11. **JR6-1-201** is amended to read:

522 **JR6-1-201. Declaring and recording conflicts of interest.**

523 (1) As used in this rule:

524 (a) "Conflict of interest" means the same as that term is defined in Utah Code Section
525 [20A-11-1602](#).

526 (b) "Conflict of interest disclosure" means the same as that term is defined in Utah
527 Code Section [20A-11-1602](#).

528 (2) A legislator shall file a conflict of interest disclosure by complying with the
529 requirements of Utah Code Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures.

530 (3) (a) For a legislator who is a senator, [~~the secretary of the Senate~~] Senate staff shall
531 ensure that a link to the legislator's conflict of interest disclosure is available to the public on
532 the Senate's website.

533 (b) For a legislator who is a representative, [~~the chief clerk of the House of~~
534 Representatives] House staff shall ensure that a link to the legislator's conflict of interest
535 disclosure is available to the public on the House of Representative's website.

536 (4) If a legislator has actual knowledge that the legislator has a conflict of interest that
537 is not stated on the legislator's financial disclosure form filed under Subsection (2), that
538 legislator shall, before or during a vote on legislation or any legislative matter, orally declare to
539 the committee or legislative body:

540 (a) that the legislator may have a conflict of interest; and

541 (b) what that conflict is.

542 (5) A verbal declaration of a conflict of interest under Subsection (4) shall be recorded:

543 (a) for a declaration made on the floor, in the Senate or House [~~Journal by the secretary~~
544 ~~of the Senate or the chief clerk of the House of Representatives~~] journal; or

545 (b) for a declaration made in a committee or other meeting, in the minutes of the
546 meeting.

547 (6) The requirements of this rule do not prohibit a legislator from voting on any
548 legislation or legislative matter.

549 Section 12. **JR7-1-101** is amended to read:

550 **JR7-1-101. Definitions.**

551 As used in this chapter:

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

- 553 (a) an electronic meeting originates; or
554 (b) the participants are connected.
- 555 (2) "Authorized legislative committee" means:
556 (a) an interim committee;
557 (b) the Legislative Management Committee;
558 [~~(b)~~] (c) when functioning as an interim committee:
559 (i) the Senate Rules Committee created in SR3-1-101; or
560 (ii) the House Rules Committee created in HR3-1-101; or
561 [~~(c)~~] (d) a special committee:
562 (i) that is not a mixed special committee; and
563 (ii) to the extent the special committee has statutory authority to open a committee bill
564 file or create a committee bill.
- 565 (3) "Bill" means the same as that term is defined in JR4-1-101.
566 (4) "Chair" except as otherwise expressly provided, means:
567 (a) the member of the Senate appointed as chair of an interim committee by the
568 president of the Senate under JR7-1-202;
569 (b) the member of the House of Representatives appointed as chair of an interim
570 committee by the speaker of the House of Representatives under JR7-1-202;
571 (c) a member of a special committee appointed as chair of the special committee; or
572 (d) a member of a legislative committee designated by the chair of the legislative
573 committee under Subsection (4)(a), (b), or (c) to act as chair under JR7-1-202.
- 574 (5) "Committee bill" means draft legislation that receives a favorable recommendation
575 from an authorized legislative committee.
- 576 (6) "Committee bill file" means a request for legislation made by:
577 (a) a majority vote of an authorized legislative committee; or
578 (b) the chairs of an interim committee, if the interim committee authorizes the chairs to
579 open one or more committee bill files in accordance with JR7-1-602.
- 580 (7) "Committee note" means a note that the Office of Legislative Research and General
581 Counsel places on legislation in accordance with JR4-2-401.
- 582 (8) "Draft legislation" means a draft of a bill or resolution before it is numbered by the
583 Office of Legislative Research and General Counsel.

584 (9) "Electronic meeting" means the same as that term is defined in Utah Code Section
585 [52-4-103](#).

586 (10) "Favorable recommendation" means an action of an authorized legislative
587 committee by majority vote to favorably recommend legislation.

588 (11) "Legislative committee" means:

589 (a) an interim committee; or

590 (b) a special committee.

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

592 (13) "Legislative sponsor" means:

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

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

597 (14) "Majority vote" means:

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

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

603 (15) "Mixed special committee" means a special committee that is composed of one or
604 more voting members who are legislators and one or more voting members who are not
605 legislators.

606 (16) "Original motion" means a nonprivileged motion that is accepted by the chair
607 when no other motion is pending.

608 (17) "Pending motion" means a motion described in JR7-1-307.

609 (18) "Privileged motion" means a motion to adjourn, set a time to adjourn, recess, end
610 debate, extend debate, or limit debate.

611 (19) "Public statement" means a statement made in the ordinary course of business of a
612 legislative committee with the intent that all other members of the legislative committee
613 receive it.

614 (20) "Remote location" means a location other than the anchor location from which a

615 member of a legislative committee may participate in the meeting.

616 (21) "Request for legislation" means the same as that term is defined in JR4-1-101.

617 (22) "Resolution" means the same as that term is defined in JR4-1-101.

618 (23) (a) "Special committee" means a committee, commission, task force, or other
619 similar body that is:

620 (i) created by legislation; and

621 (ii) staffed by:

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

623 (B) the Office of the Legislative Fiscal Analyst.

624 (b) "Special committee" does not include:

625 (i) an interim committee;

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

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

628 (24) "Subcommittee" means a subsidiary unit of a legislative committee formed in
629 accordance with JR7-1-411.

630 (25) "Substitute motion" means a nonprivileged motion that a member of a legislative
631 committee makes when there is a nonprivileged motion pending.

632 Section 13. **JR7-1-202** is amended to read:

633 **JR7-1-202. President and speaker to appoint legislative committee members and**
634 **chairs.**

635 (1) The president of the Senate shall appoint:

636 (a) one or more senators to each legislative committee~~[-and]~~, including one senator to
637 serve as chair of the legislative committee; or

638 ~~[(b) one senator to serve as a chair of each legislative committee.]~~

639 (b) if the legislative committee is a special committee, senators as provided by the
640 special committee's enacting legislation.

641 (2) The speaker of the House of Representatives shall appoint:

642 (a) one or more representatives to each legislative committee~~[-and]~~, including one
643 representative to serve as chair of the legislative committee; or

644 ~~[(b) one representative to serve as a chair under each legislative committee.]~~

645 (b) (i) if the legislative committee is a special committee, representatives as provided

646 by the special committee's enacting legislation.

647 (3) A chair may designate a member of the legislative committee to act as a chair for
648 all or part of a legislative committee meeting if neither chair is present at the meeting.

649 Section 14. **JR7-1-602.5** is amended to read:

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

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

654 (a) listed on the agenda of the committee's meeting in accordance with Utah Code Title
655 52, Chapter 4, Open and Public Meetings Act; and

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

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

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

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

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

669 (b) Notwithstanding Subsection (3)(a), a rules committee may refer a committee bill
670 that was posted in accordance with Subsection (1)(b) directly to a reading calendar regardless
671 of whether the committee bill was modified after posting and before the authorized legislative
672 committee's vote to recommend.

673 Section 15. **JR7-1-611** is amended to read:

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

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

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

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

681 (i) the short title;

682 (ii) the chief sponsor;

683 (iii) the floor sponsor; and

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

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

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

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

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

694 (b) The chairs of an authorized legislative committee that is not an interim committee
695 shall comply with this rule as soon as practicable.

696 Section 16. **Repealer.**

697 This resolution repeals:

698 **JR6-1-202, Disclosure of outside remuneration.**