

Representative James A. Dunnigan 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;
- ▶ prohibits a chair from taking comment from a member of the public unless the individual provides certain information;
- ▶ modifies the permissible effective dates for legislation;
- ▶ increases the threshold for fiscal note bills that are subject to a funding prioritization process and passage deadline;
- ▶ 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



26 each request for legislation;

27 ▶ modifies the definition of "authorized legislative committee";

28 ▶ provides the items and activities that are prohibited at a legislative committee

29 meeting;

30 ▶ directs the chair of a legislative committee to preserve order and decorum during a
31 meeting of the legislative committee; and

32 ▶ makes corrections to joint legislative rules, including eliminating obsolete language
33 and clarifying existing requirements.

34 **Special Clauses:**

35 None

36 **Legislative Rules Affected:**

37 AMENDS:

38 **JR2-1-103**

39 **JR3-2-402**

40 **JR3-2-606**

41 **JR3-2-701**

42 **JR4-1-203**

43 **JR4-2-101**

44 **JR4-2-102**

45 **JR4-2-406**

46 **JR4-4-101**

47 **JR4-5-102**

48 **JR4-5-104**

49 **JR6-1-102**

50 **JR6-1-201**

51 **JR7-1-101**

52 **JR7-1-202**

53 **JR7-1-602.5**

54 **JR7-1-606**

55 **JR7-1-611**

56 ENACTS:

57 **JR7-1-104**

58 REPEALS AND REENACTS:

59 **JR3-2-605**

60 **JR7-1-302**

61 REPEALS:

62 **JR6-1-202**

63

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

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

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

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

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

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

72 (1) (a) The Executive Appropriations Committee shall meet no later than the third
73 Wednesday in December to:

74 (i) direct staff as to what revenue estimate to use in preparing budget
75 recommendations, to include a forecast for federal fund receipts;

76 (ii) consider treating above-trend revenue growth as one-time revenue for major tax
77 types and for federal funds;

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

79 (A) debt;

80 (B) long term liabilities;

81 (C) contingent liabilities;

82 (D) General Fund borrowing;

83 (E) reserves;

84 (F) fund balances;

85 (G) nonlapsing appropriation balances;

86 (H) cash funded infrastructure investment; and

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

- 88 (iv) hear a report on:
- 89 (A) the next fiscal year base budget appropriation for Medicaid accountable care
- 90 organizations according to Section 26-18-405.5;
- 91 (B) an explanation of program funding needs;
- 92 (C) estimates of overall medical inflation in the state; and
- 93 (D) mandated program changes and their estimated cost impact on Medicaid
- 94 accountable care organizations;
- 95 (v) decide whether to set aside special allocations for the end of the session, including
- 96 allocations:
- 97 (A) to address any anticipated reduction in the amount of federal funds paid to the
- 98 state; and
- 99 (B) of one-time revenue to pay down debt and other liabilities;
- 100 (vi) decide whether to set aside special allocations for legislation that will reduce taxes,
- 101 including legislation that will reduce one or more tax rates;
- 102 (vii) approve the appropriate amount for each subcommittee to use in preparing its
- 103 budget;
- 104 (viii) set a budget figure; and
- 105 (ix) adopt a base budget in accordance with Subsection (1)(b) and direct the legislative
- 106 fiscal analyst to prepare one or more appropriations acts appropriating one or more base
- 107 budgets for the next fiscal year.
- 108 (b) In a base budget adopted under Subsection (1)(a), appropriations from the General
- 109 Fund, the ~~[Education]~~ Income Tax Fund, and the Uniform School Fund shall be set as follows:
- 110 (i) if the next fiscal year ongoing revenue estimates set under Subsection (1)(a)(i) are
- 111 equal to or greater than the current fiscal year ongoing appropriations, the new fiscal year base
- 112 budget is not changed;
- 113 (ii) if the next fiscal year ongoing revenue estimates set under Subsection (1)(a)(i) are
- 114 less than the current fiscal year ongoing appropriations, the new fiscal year base budget is
- 115 reduced by the same percentage that projected next fiscal year ongoing revenue estimates are
- 116 lower than the total of current fiscal year ongoing appropriations;
- 117 (iii) in making a reduction under Subsection (1)(b)(ii), appropriated debt service shall
- 118 not be reduced, and other ongoing appropriations shall be reduced, in an amount sufficient to

119 make the total ongoing appropriations, including the unadjusted debt service, equal to the
120 percentage calculated under Subsection (1)(b)(ii); and

121 (iv) the new fiscal year base budget shall include an appropriation to the Department of
122 Health for Medicaid accountable care organizations in the amount required by Section
123 [26-18-405.5](#).

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

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

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

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

134 (4) (a) After receiving the reports, the Executive Appropriations Committee chairs will
135 report them to the Executive Appropriations Committee.

136 (b) The Executive Appropriations Committee shall:

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

138 (ii) complete all decisions necessary to draft the final appropriations bills no later than
139 the last Friday before the 45th day of the annual general session.

140 Section 3. **JR3-2-605** is repealed and reenacted to read:

141 **JR3-2-605. Chair to preserve order and decorum.**

142 In accordance with [JR7-1-302](#), the chair shall preserve order and decorum during a
143 committee meeting.

144 Section 4. **JR3-2-606** is amended to read:

145 **JR3-2-606. Chair to recognize committee members -- Remarks to be germane --**
146 **Committee members may make motions when recognized -- Addressing the committee.**

147 (1) The chair shall recognize a committee member who desires to speak to a subject
148 that is under consideration by an appropriations committee.

149 (2) Upon recognition by the chair, a committee member:

150 (a) shall ensure that the member's remarks are germane to the subject under
151 consideration; and

152 (b) may make a motion that is authorized by this chapter.

153 (3) (a) Presenters, witnesses, visitors, staff, and committee members may not speak to
154 an appropriations committee unless recognized by the chair.

155 (b) The chair may not take comment from a member of the public unless:

156 (i) the individual provides the individual's legal name and the entity that the individual
157 represents, if any; and

158 (ii) if the individual is participating via video conference:

159 (A) the individual provides the individual's place of residence; and

160 (B) the individual's video is enabled.

161 Section 5. **JR3-2-701** is amended to read:

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

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

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

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

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

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

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

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

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

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

180 (ii) if the legislator-elect's election results have not been finalized as of the canvass

181 date, the day after the day on which the election results for the legislator-elect's race are final.

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

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

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

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

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

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

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

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

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

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

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

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

204 (a) is the chief sponsor; and

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

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

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

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

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

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

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

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

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

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

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

222 Section 6. **JR4-1-203** is amended to read:

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

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

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

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

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

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

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

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

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

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

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

242 Section 7. **JR4-2-101** is amended to read:

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

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

247 (b) The request for legislation shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

272 (B) a special session that occurs [~~before the legislator leaves~~] while the legislator is in
 273 office.

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

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

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

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

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

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

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

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

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

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

303 (3) (a) Except as provided in Subsection (3)(c), a legislator may not file a request for
304 legislation with the Office of Legislative Research and General Counsel after noon on the 11th

305 day of the annual general session.

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

310 [(e)] (b) On the 11th day of the annual general session, the Office of Legislative
311 Research and General Counsel shall make public on the Legislature's website the short title and
312 sponsor of each request for legislation, unless the sponsor abandons the request for legislation
313 before noon on the 11th day of the annual general session.

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

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

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

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

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

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

332 Section 8. **JR4-2-102** is amended to read:

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

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

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

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

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

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

343 (3) (a) Beginning on the first day on which a request for legislation may be filed under
344 [JR4-2-101](#), a member of the House of Representatives may designate up to four requests for
345 legislation as priority requests, and a member of the Senate may designate up to five requests
346 for legislation as priority requests, subject to the following deadlines:

347 (i) except as provided in Subsection (3)(b), priority request number one for
348 representatives, and priority request numbers one and two for senators, must be requested on or
349 before November 15, or the following regular business day if November 15 falls on a weekend
350 or a holiday;

351 (ii) priority request number two for representatives, and priority request number three
352 for senators, must be requested on or before the first Thursday in December, or the following
353 business day if the first Thursday falls on a holiday;

354 (iii) priority request number three for representatives, and four for senators must be
355 requested on or before the first Thursday in January, or the following business day if the first
356 Thursday falls on a holiday; and

357 (iv) priority request number four for representatives, and five for senators must be
358 requested on or before the first Thursday of the annual general session.

359 (b) (i) A representative-elect who is not a sitting legislator, shall designate priority
360 request number one on or before the first Thursday in December, or the following business day
361 if the first Thursday falls on a holiday.

362 (ii) A representative-elect who is a sitting senator shall designate each of the
363 representative-elect's priority requests in accordance with the deadlines for representatives
364 described in Subsection (3)(a).

365 (iii) (A) A senator-elect who is not a sitting legislator, shall designate priority request
366 numbers one and two on or before the first Thursday in December, or the following business

367 day if the first Thursday falls on a holiday.

368 (B) A senator-elect who is a sitting representative, shall designate priority request
369 number one in accordance with Subsection (3)(a)(i), and priority request number two on or
370 before the first Thursday in December, or the following business day if the first Thursday falls
371 on a holiday.

372 (c) (i) A legislator who is appointed to replace a legislator who resigns or is otherwise
373 unable to serve, may:

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

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

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

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

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

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

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

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

392 (4) A legislator may not:

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

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

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

396 (5) (a) Notwithstanding Subsection (4), a request for legislation designated as a priority
397 request remains a priority request if the request for legislation is transferred to another

398 legislator in accordance with:

399 (i) Subsection [JR4-2-101](#)(2)(d) [~~or (e)~~] because the legislator resigned or was removed
400 from office; or

401 (ii) Subsection [JR4-2-101](#)(2)(e).

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

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

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

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

410 Section 9. [JR4-2-406](#) is amended to read:

411 **[JR4-2-406. Funding mix for state employee compensation adjustments and](#)**
412 **[internal service fund rate impacts.](#)**

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

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

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

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

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

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

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

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

- 429 (c) recalculate the proportional distribution among remaining sources; and
430 (d) distribute the appropriate budget adjustment amounts accordingly.
- 431 (3) If the legislative fiscal analyst identifies a funding mix that would provide
432 additional spending authority for sources other than the unrestricted General Fund, [Education]
433 Income Tax Fund, and Uniform School Fund and additional revenue is unavailable, in
434 accordance with Subsection (1)(b), an agency may make or request program reductions,
435 reprioritizations, reallocations, or fee increases pursuant with Utah Code Title 63J, Chapter 1,
436 Budgetary Procedures Act.
- 437 (4) The legislative fiscal analyst shall request that an internal service fund agency
438 reflect state employee compensation adjustments and impacts from rate changes in other
439 internal funds in the rates recommended by the internal service fund agency for a given budget
440 cycle, either:
- 441 (a) on a prospective basis for the budget year, based on an estimated amount; or
442 (b) on a one-year lag basis, if the specific internal service fund has sufficient operating
443 reserves to maintain the internal service fund's fiscal integrity.
- 444 (5) (a) The Executive Appropriations Committee may approve for one fiscal year
445 exceptions to the budget preparation criteria described in Subsections (1) through (4).
446 (b) The legislative fiscal analyst shall prepare a budget that includes exceptions
447 approved by the Executive Appropriations Committee under this Subsection (5).
448 (c) The Executive Appropriations Committee shall annually determine whether to
449 re-approve an exception approved by the Executive Appropriations Committee under this
450 Subsection (5).
- 451 Section 10. **JR4-4-101** is amended to read:
452 **JR4-4-101. Deadline for passing certain fiscal note bills.**
- 453 (1) (a) The House shall refer any Senate bill with a fiscal note of [~~\$10,000~~] \$15,000 or
454 more to the House Rules Committee before giving that bill a third reading.
455 (b) The Senate shall table on third reading each House bill with a fiscal note of
456 [~~\$10,000~~] \$15,000 or more.
- 457 (2) (a) Before adjourning on the 43rd day of the annual general session, each legislator
458 shall prioritize fiscal note bills and identify other projects or programs for new or one-time
459 funding according to the process established by leadership.

460 (b) Before adjourning on the 44th day of the annual general session, the Legislature
461 shall either pass or defeat each bill with a fiscal note of [~~\$10,000~~] \$15,000 or more except
462 constitutional amendment resolutions.

463 Section 11. **JR4-5-102** is amended to read:

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

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

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

469 (i) examine and enroll the legislation;

470 (ii) correct any technical errors as provided by Utah Code Section [36-12-12](#); and

471 (iii) transmit a copy of the enrolled legislation to:

472 (A) the secretary of the Senate for legislation originating in the Senate; and

473 (B) the chief clerk of the House for legislation originating in the House.

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

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

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

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

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

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

483 (i) transmitted to the governor;

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

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

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

487 Section 12. **JR4-5-104** is amended to read:

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

489 (1) As used in this rule:

490 (a) "Nonbinding concurrent resolution" means a nonbinding resolution that is a

491 concurrent resolution.

492 (b) "Nonbinding House joint resolution" means a nonbinding resolution that is a House
493 joint resolution.

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

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

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

498 (C) is informational or promotional in nature.

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

500 (A) a rules resolution;

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

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

504 (d) "Nonbinding Senate joint resolution" means a nonbinding resolution that is a
505 Senate joint resolution.

506 [H] (2) (a) A nonbinding concurrent resolution converts to a joint resolution if the
507 governor does not approve [a] the nonbinding concurrent resolution before the expiration of the
508 time limit described in Utah Constitution, Article VII, Section 8 that would apply if the
509 nonbinding concurrent resolution were a bill~~[-the concurrent resolution converts to a joint~~
510 ~~resolution]~~.

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

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

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

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

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

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

519 (3) The version of a nonbinding Senate joint resolution or a nonbinding House joint
520 resolution that passes the originating chamber is the version that converts to a Senate resolution
521 or a House resolution.

522 ~~[(2)]~~ (4) (a) The Office of Legislative Research and General Counsel shall convert a
523 resolution in accordance with this rule when the office enrolls the resolution.

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

527 ~~[(3) For a resolution that converts to a joint resolution in accordance with Subsection~~
528 ~~(1)]~~

529 (5) When the Office of Legislative Research and General Counsel converts a resolution
530 in accordance with this rule, the Office of Legislative Research and General Counsel shall note
531 the conversion in the Laws of Utah and on the [final version of the joint resolution that the
532 resolution converted from a concurrent resolution to a joint resolution in accordance with this
533 rule] enrolled resolution.

534 Section 13. **JR6-1-102** is amended to read:

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

536 (1) As used in this rule:

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

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

541 (2) Each legislator shall comply with the guidelines established in Subsection ~~[(2)]~~ (3).

542 ~~[(2)]~~ (3) In judging members of its house charged with an ethical violation, the Senate
543 and House Ethics Committees shall consider whether or not the member has violated any of the
544 following guidelines:

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

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

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

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

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

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

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

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

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

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

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

571 Section 14. **JR6-1-201** is amended to read:

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

573 (1) As used in this rule:

574 (a) "Conflict of interest" means the same as that term is defined in Utah Code Section
575 [20A-11-1602](#).

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

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

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

583 (b) For a legislator who is a representative, [~~the chief clerk of the House of~~

584 Representatives] House staff shall ensure that a link to the legislator's conflict of interest
585 disclosure is available to the public on the House of Representative's website.

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

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

591 (b) what that conflict is.

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

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

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

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

599 Section 15. **JR7-1-101** is amended to read:

600 **JR7-1-101. Definitions.**

601 As used in this chapter:

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

603 (a) an electronic meeting originates; or

604 (b) the participants are connected.

605 (2) "Authorized legislative committee" means:

606 (a) an interim committee;

607 (b) the Legislative Management Committee;

608 [~~(b)~~] (c) when functioning as an interim committee:

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

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

611 [~~(c)~~] (d) a special committee:

612 (i) that is not a mixed special committee; and

613 (ii) to the extent the special committee has statutory authority to open a committee bill
614 file or create a committee bill.

- 615 (3) "Bill" means the same as that term is defined in JR4-1-101.
- 616 (4) "Chair" except as otherwise expressly provided, means:
- 617 (a) the member of the Senate appointed as chair of an interim committee by the
- 618 president of the Senate under JR7-1-202;
- 619 (b) the member of the House of Representatives appointed as chair of an interim
- 620 committee by the speaker of the House of Representatives under JR7-1-202;
- 621 (c) a member of a special committee appointed as chair of the special committee; or
- 622 (d) a member of a legislative committee designated by the chair of the legislative
- 623 committee under Subsection (4)(a), (b), or (c) to act as chair under JR7-1-202.
- 624 (5) "Committee bill" means draft legislation that receives a favorable recommendation
- 625 from an authorized legislative committee.
- 626 (6) "Committee bill file" means a request for legislation made by:
- 627 (a) a majority vote of an authorized legislative committee; or
- 628 (b) the chairs of an interim committee, if the interim committee authorizes the chairs to
- 629 open one or more committee bill files in accordance with JR7-1-602.
- 630 (7) "Committee note" means a note that the Office of Legislative Research and General
- 631 Counsel places on legislation in accordance with JR4-2-401.
- 632 (8) "Draft legislation" means a draft of a bill or resolution before it is numbered by the
- 633 Office of Legislative Research and General Counsel.
- 634 (9) "Electronic meeting" means the same as that term is defined in Utah Code Section
- 635 [52-4-103](#).
- 636 (10) "Favorable recommendation" means an action of an authorized legislative
- 637 committee by majority vote to favorably recommend legislation.
- 638 (11) "Legislative committee" means:
- 639 (a) an interim committee; or
- 640 (b) a special committee.
- 641 (12) "Interim committee" means a committee created under JR7-1-201.
- 642 (13) "Legislative sponsor" means:
- 643 (a) for a committee bill file, the chairs of the authorized legislative committee that
- 644 opened the committee bill file or the chairs' designee; or
- 645 (b) for a request for legislation that is not a committee bill file, the legislator who

646 requested the request for legislation or the legislator's designee.

647 (14) "Majority vote" means:

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

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

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

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

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

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

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

664 (20) "Remote location" means a location other than the anchor location from which a
665 member of a legislative committee may participate in the meeting.

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

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

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

670 (i) created by legislation; and

671 (ii) staffed by:

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

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

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

675 (i) an interim committee;

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

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

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

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

682 Section 16. **JR7-1-104** is enacted to read:

683 **JR7-1-104. Prohibited items and activities in legislative committee meetings.**

684 A member of the public attending a meeting of a legislative committee may not:

685 (1) bring into the meeting room, or possess while in the meeting room, any of the
686 following:

687 (a) a sign, poster, banner, or placard;

688 (b) glitter or confetti;

689 (c) a laser pointer;

690 (d) paint;

691 (e) an open flame;

692 (f) an incendiary device;

693 (g) a noise maker;

694 (h) flammable liquid; or

695 (i) any harmful or hazardous substance; or

696 (2) engage in any of the following while in the meeting room:

697 (a) commercial solicitation;

698 (b) leafletting;

699 (c) throwing an item; or

700 (d) adhering any item to a furnishing, a wall, or other state property.

701 Section 17. **JR7-1-202** is amended to read:

702 **JR7-1-202. President and speaker to appoint legislative committee members and**
703 **chairs.**

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

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

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

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

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

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

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

714 (b) (i) if the legislative committee is a special committee, representatives as provided
715 by the special committee's enacting legislation.

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

718 Section 18. **JR7-1-302** is repealed and reenacted to read:

719 **JR7-1-302. Chair to preserve order and decorum.**

720 (1) The chair shall preserve order and decorum during a legislative committee meeting
721 by:

722 (a) ensuring nothing obstructs a walkway or the view of a meeting attendee;

723 (b) ensuring that nothing disrupts, disturbs, or otherwise impedes the orderly course of
724 the meeting;

725 (c) protecting state property from damage or disarray;

726 (d) prohibiting speech likely to incite or produce imminent lawless action, fighting
727 words, or obscenity; and

728 (e) prohibiting any activity or item that poses a danger to the safety of a meeting
729 attendee.

730 (2) To preserve order and decorum in accordance with Subsection (1), the chair may:

731 (a) prohibit the following:

732 (i) standing, waving, yelling, cheering, whistling, or clapping;

733 (ii) loud noises;

734 (iii) food or drink, other than water in a closed container;

735 (iv) musical instruments;

736 (v) any item that may require excessive cleanup; or

737 (vi) to the extent necessary to preserve order and decorum, any other item or activity
738 the chair determines necessary;

739 (b) clear the meeting room of one or more individuals;

740 (c) recess the meeting without a motion; or

741 (d) request assistance from:

742 (i) the sergeant-at-arms; or

743 (ii) the Utah Highway Patrol.

744 Section 19. **JR7-1-602.5** is amended to read:

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

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

749 (a) listed on the agenda of the committee's meeting in accordance with Utah Code Title
750 52, Chapter 4, Open and Public Meetings Act; and

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

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

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

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

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

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

768 Section 20. **JR7-1-606** is amended to read:

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

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

771 (a) the chair shall, subject to Subsection (1)(c), take comment from one or more
772 members of the public; [~~and~~]

773 (b) a member of the authorized legislative committee may not make a motion to amend
774 the draft legislation or dispose of the draft legislation[~~-~~]; and

775 (c) the chair may not take comment from a member of the public unless:

776 (i) the individual provides the individual's legal name and the entity that the individual
777 represents, if any; and

778 (ii) if the individual is participating via video conference:

779 (A) the individual provides the individual's place of residence; and

780 (B) the individual's video is enabled.

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

783 Section 21. **JR7-1-611** is amended to read:

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

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

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

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

791 (i) the short title;

792 (ii) the chief sponsor;

793 (iii) the floor sponsor; and

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

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

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

800 (b) the disposition of each issue assigned to or studied by the interim committee during

801 the preceding calendar year.

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

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

806 Section 22. **Repealer.**

807 This resolution repeals:

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