

SJR009S02 compared with SJR009S01

~~{deleted text}~~ shows text that was in SJR009S01 but was deleted in SJR009S02.

inserted text shows text that was not in SJR009S01 but was inserted into SJR009S02.

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~~{Senator Lincoln Fillmore}~~ 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

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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 each request for legislation;
- ▶ modifies the definition of "authorized legislative committee";
- ▶ provides the items and activities that are prohibited at a legislative committee meeting;
- ▶ directs the chair of a legislative committee to preserve order and decorum during a meeting of the legislative committee; and
- ▶ makes corrections to joint legislative rules, including eliminating obsolete language and clarifying existing requirements.

~~{Other}~~ Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR2-1-103

JR3-2-402

JR3-2-606

JR3-2-701

JR4-1-203

JR4-2-101

JR4-2-102

JR4-2-406

JR4-4-101

JR4-5-102

JR4-5-104

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JR6-1-102

JR6-1-201

JR7-1-101

JR7-1-202

JR7-1-602.5

JR7-1-606

JR7-1-611

ENACTS:

JR7-1-104

REPEALS AND REENACTS:

JR3-2-605

JR7-1-302

REPEALS:

JR6-1-202

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

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

JR2-1-103. Motion to reconsider.

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

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

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

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

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

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

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

(A) debt;

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- (B) long term liabilities;
 - (C) contingent liabilities;
 - (D) General Fund borrowing;
 - (E) reserves;
 - (F) fund balances;
 - (G) nonlapsing appropriation balances;
 - (H) cash funded infrastructure investment; and
 - (I) changes in federal funds paid to the state;
- (iv) hear a report on:
- (A) the next fiscal year base budget appropriation for Medicaid accountable care organizations according to Section 26-18-405.5;
 - (B) an explanation of program funding needs;
 - (C) estimates of overall medical inflation in the state; and
 - (D) mandated program changes and their estimated cost impact on Medicaid accountable care organizations;
- (v) decide whether to set aside special allocations for the end of the session, including allocations:
- (A) to address any anticipated reduction in the amount of federal funds paid to the state; and
 - (B) of one-time revenue to pay down debt and other liabilities;
- (vi) decide whether to set aside special allocations for legislation that will reduce taxes, including legislation that will reduce one or more tax rates;
- (vii) approve the appropriate amount for each subcommittee to use in preparing its budget;
- (viii) set a budget figure; and
- (ix) adopt a base budget in accordance with Subsection (1)(b) and direct the legislative fiscal analyst to prepare one or more appropriations acts appropriating one or more base budgets for the next fiscal year.
- (b) In a base budget adopted under Subsection (1)(a), appropriations from the General Fund, the ~~[Education]~~ Income Tax Fund, and the Uniform School Fund shall be set as follows:
- (i) if the next fiscal year ongoing revenue estimates set under Subsection (1)(a)(i) are

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equal to or greater than the current fiscal year ongoing appropriations, the new fiscal year base budget is not changed;

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

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

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

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

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

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

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

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

(b) The Executive Appropriations Committee shall:

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

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

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

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

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In accordance with JR7-1-302, the chair shall preserve order and decorum during a committee meeting.

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

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

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

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

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

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

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

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

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

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

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

(B) the individual's video is enabled.

Section ~~3~~5. JR3-2-701 is amended to read:

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

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

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

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

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

(i) the legislation has an expenditure impact of \$1,000,000 or more from the General

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Fund or the ~~[Education]~~ Income Tax Fund; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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- (a) is the chief sponsor; and
- (b) shall provide the following information related to the project or program that is the subject of the request for appropriation:
 - (i) the name and a description of the project or program;
 - (ii) the statewide purpose of the project or program;
 - (iii) if applicable, the legislator's designee who is knowledgeable about and responsible for providing pertinent information while the Office of the Legislative Fiscal Analyst processes the request;
 - (iv) the state funding source from which the legislator proposes to fund the project or program;
 - (v) the amount of the request and whether the amount is to be appropriated one-time, ongoing, or a combination of one-time and ongoing;
 - (vi) an itemized budget for the project or program;
 - (vii) the state agency that has jurisdiction over the project or program;
 - (viii) if the request is for pass through funding that a state agency will distribute, the type of entity or organization the legislator intends to receive the funding;
 - (ix) the scalability of the project or program; and
 - (x) one or more outcomes the legislator expects the project or program to achieve.

Section ~~4~~6. **JR4-1-203** is amended to read:

JR4-1-203. Effective date of bills.

- (1) (a) Unless otherwise directed by the Legislature and subject to Subsections (2) and (3), a bill becomes effective 60 days after the adjournment of the session at which it passed.
 - (b) The 60 days begins to run the day after the Legislature adjourns sine die.
- (2) (a) The effective date of a bill may not be a date later than [~~December 31 of the~~] January 1 of the second calendar year immediately following the calendar year of the session at which the bill is passed.
 - (b) A bill with a contingent effective date is not subject to Subsection (2)(a).
- (3) (a) If the effective date of a bill is contingent, before the bill may be introduced:
 - (i) the bill sponsor shall inform the legislative general counsel of the contingent effective date; and
 - (ii) the legislative general counsel shall, on behalf of the bill sponsor, request approval

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of the contingent effective date from the president and speaker.

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

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

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

Section ~~5~~7. **JR4-2-101** is amended to read:

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

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

(b) The request for legislation shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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leader; or

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

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

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

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

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

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

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

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

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

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

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

Section ~~6~~8. **JR4-2-102** is amended to read:

JR4-2-102. Drafting and prioritizing legislation.

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

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

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

- (i) a committee bill file, as defined in JR7-1-101; and
- (ii) a request for legislation that is prioritized by a legislator under Subsection (3).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) A legislator may not:

- (a) revoke a priority designation once it has been requested;
- (b) transfer a priority designation to a different request for legislation; or
- (c) transfer a priority designation to another legislator.

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

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

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

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

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

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

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

Section ~~77~~9. **JR4-2-406** is amended to read:

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

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

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

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

(c) adjusting the funding mix when the full or partial use of one or more sources is

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directed in statute, federal regulation, or the terms of a federal grant; and

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

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

- (a) eliminate the appropriate portion of the source from the funding mix;
- (b) deduct the amount associated with the source from the base budget total;
- (c) recalculate the proportional distribution among remaining sources; and
- (d) distribute the appropriate budget adjustment amounts accordingly.

(3) If the legislative fiscal analyst identifies a funding mix that would provide additional spending authority for sources other than the unrestricted General Fund, [~~Education~~] Income Tax Fund, and Uniform School Fund and additional revenue is unavailable, in accordance with Subsection (1)(b), an agency may make or request program reductions, reprioritizations, reallocations, or fee increases pursuant with Utah Code Title 63J, Chapter 1, Budgetary Procedures Act.

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

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

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

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

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

Section ~~{8}~~10. ~~{JR4-5-102}~~JR4-4-101 is amended to read:

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JR4-4-101. Deadline for passing certain fiscal note bills.

(1) (a) The House shall refer any Senate bill with a fiscal note of [~~\$10,000~~] \$15,000 or more to the House Rules Committee before giving that bill a third reading.

(b) The Senate shall table on third reading each House bill with a fiscal note of [~~\$10,000~~] \$15,000 or more.

(2) (a) Before adjourning on the 43rd day of the annual general session, each legislator shall prioritize fiscal note bills and identify other projects or programs for new or one-time funding according to the process established by leadership.

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

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

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

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

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

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

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

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

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

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

- (a) certify each enrolled piece of legislation; and
- (b) ensure that a copy of the enrolled legislation is:

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- (i) transmitted to the governor;
- (ii) filed with the secretary or chief clerk;
- (iii) transmitted to the chief sponsor upon request; and
- (iv) transmitted to the Office of Legislative ~~[Printing]~~ Services.

Section ~~9~~12. **JR4-5-104** is amended to read:

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

(1) As used in this rule:

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

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

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

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

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

(C) is informational or promotional in nature.

(ii) "Nonbinding resolution" does not include:

(A) a rules resolution;

(B) a resolution for a constitutional amendment; or

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

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

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

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

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

(ii) the House does not pass the same version of the nonbinding Senate joint resolution

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as the Senate.

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

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

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

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

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

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

~~[(3) ~~[(5)]~~ ~~{}~~ For a resolution that converts to a joint resolution in accordance with Subsection (1)] ~~{}~~~~

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

Section ~~{10}~~ 13. **JR6-1-102** is amended to read:

JR6-1-102. Code of official conduct.

(1) As used in this rule:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section ~~{11}~~14. **JR6-1-201** is amended to read:

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

(1) As used in this rule:

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

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

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

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

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

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

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

(b) what that conflict is.

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

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

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

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

Section ~~{12}~~15. **JR7-1-101** is amended to read:

JR7-1-101. Definitions.

As used in this chapter:

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

(a) an electronic meeting originates; or

(b) the participants are connected.

(2) "Authorized legislative committee" means:

(a) an interim committee;

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(b) the Legislative Management Committee;

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

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

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

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

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

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

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

(4) "Chair" except as otherwise expressly provided, means:

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

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

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

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

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

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

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

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

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

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

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

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

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(11) "Legislative committee" means:

- (a) an interim committee; or
- (b) a special committee.

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

(13) "Legislative sponsor" means:

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

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

(14) "Majority vote" means:

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

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

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

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

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

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

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

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

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

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

(23) (a) "Special committee" means a committee, commission, task force, or other

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similar body that is:

- (i) created by legislation; and
- (ii) staffed by:
 - (A) the Office of Legislative Research and General Counsel; or
 - (B) the Office of the Legislative Fiscal Analyst.
- (b) "Special committee" does not include:
 - (i) an interim committee;
 - (ii) a standing committee created under SR3-2-201 or HR3-2-201; or
 - (iii) a Senate confirmation committee described in SR3-3-101 or SR3-3-201.
- (24) "Subcommittee" means a subsidiary unit of a legislative committee formed in

accordance with JR7-1-411.

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

Section ~~{13}~~16. ~~{JR7-1-202}~~JR7-1-104 is ~~{amended}~~enacted to read:

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

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

(1) bring into the meeting room, or possess while in the meeting room, any of the

following:

- (a) a sign, poster, banner, or placard;
- (b) glitter or confetti;
- (c) a laser pointer;
- (d) paint;
- (e) an open flame;
- (f) an incendiary device;
- (g) a noise maker;
- (h) flammable liquid; or
- (i) any harmful or hazardous substance; or
- (2) engage in any of the following while in the meeting room:
 - (a) commercial solicitation;
 - (b) leafletting;
 - (c) throwing an item; or

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

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

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

(1) The president of the Senate shall appoint:

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) protecting state property from damage or disarray;

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

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

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

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(a) prohibit the following:

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

(ii) loud noises;

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

(iv) musical instruments;

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

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

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

(c) recess the meeting without a motion; or

(d) request assistance from:

(i) the sergeant-at-arms; or

(ii) the Utah Highway Patrol.

Section ~~{14}~~19. JR7-1-602.5 is amended to read:

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

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

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

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

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

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

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

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

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

Section ~~{15}20~~. ~~{JR7-1-611}~~JR7-1-606 is amended to read:

JR7-1-606. Public comment phase.

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

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

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

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

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

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

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

(B) the individual's video is enabled.

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

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

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

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

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

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

(i) the short title;

(ii) the chief sponsor;

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(iii) the floor sponsor; and

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

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

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

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

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

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

Section ~~16~~22. **Repealer.**

This resolution repeals:

JR6-1-202, Disclosure of outside remuneration.