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2021 UT SJR 5	**Author:** Buxton **Version:** Adopted **Version Date:** 02/12/2021

S.J.R. 5 Adopted

Representative Timothy D. Hawkes proposes the following substitute bill:

JOINT RULES RESOLUTION -- LEGISLATION AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David G. Buxton

House Sponsor: Timothy D. Hawkes

LONG TITLE

General Description:

This resolution modifies joint legislative rules related to legislation.

Highlighted Provisions:

This resolution:

• addresses the process for reassigning legislation sponsored by a legislator who dies while in office;

• provides that a legislator may not revive an abandoned request for legislation;

• allows a legislator-elect to designate the same number of priority requests as a sitting legislator;

• addresses the number of priority requests allowed for a newly appointed legislator;

• provides a deadline by which:

• a representative-elect must designate priority request number one;

• a senator-elect must designate priority request numbers one and two; and

• a newly appointment legislator must designate the legislator's priority requests; and

• makes technical and conforming changes.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR4-2-101

JR4-2-102

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

Section 1. **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~~ request for ~~Legislation~~ legislation with the Office of Legislative Research and General Counsel within the time limits established by this rule.

(b) The request for legislation shall:

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

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

(iii) (A) provide specific 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 reelection;

(B) resigns or is removed from office; or

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

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

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

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

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

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

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

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

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

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

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

(iii) If the individual described in Subsection (2)(e)(i) 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~~ request for ~~Legislation~~ legislation with the Office of Legislative Research and General Counsel after noon on the 11th day of the annual general session.

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

abandon the request.

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

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

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

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

~~(4)~~ (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 2. **JR4-2-102** is amended to read:

JR4-2-102. Drafting and prioritizing legislation.

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

(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.

(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.

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

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

~~(d)~~ (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

(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 Subsection JR4-2-101(2)(d) or (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).

~~(5)~~ (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.

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