

1 **HOUSE RULES RESOLUTION FORMING SPECIAL**
2 **INVESTIGATIVE COMMITTEE**

3 2013 HOUSE SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Dean Sanpei**

7 **LONG TITLE**

8 **General Description:**

9 This resolution forms by rule a House special investigative committee.

10 **Highlighted Provisions:**

11 This resolution:

- 12 ▶ creates by rule a Special Investigative Committee;
- 13 ▶ provides for a chair of the Special Investigative Committee;
- 14 ▶ addresses quorum and voting requirements;
- 15 ▶ provides for committee member compensation;
- 16 ▶ addresses staffing;
- 17 ▶ outlines committee duties;
- 18 ▶ provides for the holding of meetings;
- 19 ▶ authorizes the committee to adopt guidelines and procedures;
- 20 ▶ requires reporting by the committee; and
- 21 ▶ addresses termination of the committee.

22 **Special Clauses:**

23 This resolution provides a repeal date.

24 **Legislative Rules Affected:**

25 ENACTS:

26 **HR3-1-202**

28 *Be it resolved by the House of Representatives of the state of Utah:*

29 Section 1. **HR3-1-202** is enacted to read:

30 **HR3-1-202. Special Investigative Committee -- Creation -- Membership --**
31 **Compensation -- Staff -- Duties -- Meetings -- Reports -- Termination.**

32 (1) There is created a Special Investigative Committee to investigate allegations of
33 misconduct against the current attorney general and matters related to the attorney general that
34 arise as part of the investigation.

35 (2) The Special Investigative Committee shall consist of nine members of the House
36 appointed by the speaker.

37 (3) The speaker shall designate one of the members to serve as chair of the Special
38 Investigative Committee.

39 (4) (a) A majority of the members of the Special Investigative Committee constitutes a
40 quorum.

41 (b) The action of a majority of a quorum constitutes the action of the Special
42 Investigative Committee.

43 (5) Salaries and expenses of the members of the Special Investigative Committee shall
44 be paid in accordance with Section 36-2-2 and Legislative Joint Rules, Title 5, Chapter 3,
45 Expense and Mileage Reimbursement for Authorized Legislative Meetings, Special Sessions,
46 and Veto Override Sessions.

47 (6) (a) The Office of Legislative Research and General Counsel shall provide staff
48 support to the Special Investigative Committee.

49 (b) The Office of Legislative Research and General Counsel or House may contract for
50 outside services to assist in the staffing of the Special Investigative Committee.

51 (7) The Special Investigative Committee shall:

52 (a) investigate allegations of misconduct against the current attorney general;

53 (b) investigate matters related to the current attorney general that arise as part of the
54 investigation; and

55 (c) report to the House findings of fact about the matters investigated and the need, if
56 any, for legislation.

57 (8) (a) The Special Investigative Committee may investigate allegations of misconduct

58 against the current attorney general which conduct occurred while the current attorney general:

59 (i) served as deputy attorney general;

60 (ii) was a candidate, as defined in Section 20A-11-101, for attorney general; and

61 (iii) has served as attorney general.

62 (b) The committee may investigate allegations of misconduct that occurred before the
63 current attorney general became deputy attorney general if:

64 (i) the allegations of misconduct relate to the current attorney general's fitness to serve
65 as attorney general; and

66 (ii) the committee approves the investigation by a majority vote.

67 (9) The Special Investigative Committee shall meet when called by the chair.

68 (10) The Special Investigative Committee shall adopt guidelines and procedures to be
69 followed in the investigation.

70 (11) (a) The chair of the Special Investigative Committee shall provide the members of
71 the Special Investigative Committee a draft of the final report at least 21 days before the day on
72 which the Special Investigative Committee is scheduled to vote to approve the final report.

73 (b) The Special Investigative Committee shall present a written final report to the
74 House when, by majority vote, the members of the Special Investigative Committee approve a
75 final written report.

76 (c) The members of the Special Investigative Committee who do not vote in favor of
77 the final report described in Subsection (11)(a), may present a minority report to the House at
78 the same time that the final report is presented to the House.

79 (d) The Special Investigative Committee shall provide the House periodic accounting
80 detailing the ongoing costs incurred in the investigation.

81 (e) The final report and minority report, if any, shall present the information and
82 evidence gathered by the Special Investigative Committee, and may not include specific
83 recommendations for actions, except for recommendations for legislation, if any.

84 (12) The Special Investigative Committee terminates when it issues a final written
85 report and a minority report, if any.

86 Section 2. **Repeal date.**

87 HR3-1-202 is repealed on December 31, 2014.