

Matt MacPherson proposes the following substitute bill:

**Legislative Branch Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Matt MacPherson**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill modifies and enacts provisions related to the Legislature.

**Highlighted Provisions:**

This bill:

- provides that a legislator may introduce and vote on legislation according to the legislator's own judgment and conscience;
- reorganizes and amends the legislative general counsel's responsibility to correct technical errors in legislation and the Utah Code by:
  - directing the legislative general counsel to correct erroneous statutory history in the long title of legislation and the names of officers and funds;
  - removing the requirement that the legislative general counsel modify the highlighted provisions of legislation to correct an inconsistency between the highlighted provisions and the legislation's enacted provisions; and
  - prohibiting the legislative general counsel from making a correction that would alter the meaning or effect of law; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**36-12-12**, as last amended by Laws of Utah 2023, Chapters 21, 291 and last amended by Coordination Clause, Laws of Utah 2023, Chapter 21

ENACTS:

**36-3-307**, Utah Code Annotated 1953

30 **36-12-12.2**, Utah Code Annotated 1953

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32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **36-3-307** is enacted to read:

34 **36-3-307 . Legislator autonomy.**

35 (1) Each sitting legislator is free to perform the following legislative activities according to  
36 the legislator's own judgment and conscience:

37 (a) introducing or refraining from introducing any legislation, including legislation that  
38 enacts, repeals, or amends a provision of the Utah Code or uncodified law; and

39 (b) voting for or against any legislation.

40 (2) The provisions of this section are subject to legislative rules.

41 Section 2. Section **36-12-12** is amended to read:

42 **36-12-12 . Office of Legislative Research and General Counsel established --**

43 **Powers, functions, and duties -- Organization of office -- Selection of director and general**  
44 **counsel.**

45 (1) There is established an Office of Legislative Research and General Counsel as a  
46 permanent staff office for the Legislature.

47 (2) The powers, functions, and duties of the Office of Legislative Research and General  
48 Counsel under the supervision of the director shall be:

49 (a) to provide research and legal staff assistance to all standing, special, and interim  
50 committees as follows:

51 (i) to assist each committee chairman in planning the work of the committee;

52 (ii) to prepare and present research and legal information in accordance with  
53 committee instructions or instructions of the committee chairman;

54 (iii) to prepare progress reports of committee work when requested; and

55 (iv) to prepare a final committee report in accordance with committee instructions,  
56 that includes relevant research information, committee policy recommendations,  
57 and recommended legislation;

58 (b) to collect and examine the acts and official reports of any state and report their  
59 contents to any committee or member of the Legislature;

60 (c) to provide research and legal analysis services to any interim committee, legislative  
61 standing committee, or individual legislator on actual or proposed legislation or  
62 subjects of general legislative concern;

63 (d)(i) to exercise under the direction of the general counsel the constitutional

- 64 authority provided in Utah Constitution, Article VI, Section 32, in serving as legal  
 65 counsel to the Legislature, majority and minority leadership of the House of  
 66 Representatives or Senate, any of the Legislature's committees or subcommittees,  
 67 individual legislators, any of the Legislature's staff offices, or any of the  
 68 legislative staff; and
- 69 (ii) to represent the Legislature, majority and minority leadership of the House of  
 70 Representatives or Senate, any of the Legislature's committees or subcommittees,  
 71 individual legislators, any of the Legislature's staff offices, or any of the  
 72 legislative staff in cases and controversies before courts and administrative  
 73 agencies and tribunals;
- 74 (e) to prepare and assist in the preparation of legislative bills, resolutions, memorials,  
 75 amendments, and other documents or instruments required in the legislative process  
 76 and, under the direction of the general counsel, give advice and counsel regarding  
 77 them to the Legislature, majority and minority leadership of the House of  
 78 Representatives or Senate, any of its members or members-elect, any of its  
 79 committees or subcommittees, or the legislative staff;
- 80 (f) under the direction of the general counsel[;],
- 81 [~~(i) to review, examine, and correct any technical errors when:~~]
- 82 [~~(A) preparing legislation that passed both houses to enroll the legislation and~~  
 83 ~~prepare the laws for publication; or]~~
- 84 [~~(B) maintaining the accuracy of the electronic code database; and]~~
- 85 [~~(ii)] to deliver enrolled legislation to the House of Representatives and the Senate for~~
- 86 submission to the governor for gubernatorial action;
- 87 (g)(i) to exercise control over and to act as the repository and custodian of the official  
 88 copy and database of the current version of the Utah Constitution;
- 89 (ii) to incorporate into the Utah Constitution any amendments to the Utah  
 90 Constitution that pass during a regular general election; and
- 91 (iii) to update and maintain the bold face descriptive titles to sections of the Utah  
 92 Constitution;
- 93 (h) to prepare the laws for publication in accordance with Section 36-12-12.2;
- 94 (i)(i) to maintain, exercise control over, and act as the repository and custodian of the  
 95 official copy and database of the Utah Code, organized by title, chapter, part, and  
 96 section; and
- 97 (ii) to keep the Utah Code database current, including updating the database to reflect:

98 (A) any duly enacted legislation making changes, including future changes, to the  
99 Utah Code; and

100 (B) any corrections of technical errors made in accordance with Section  
101 36-12-12.2;

102 (j) to formulate recommendations for the revision, clarification, classification,  
103 arrangement, codification, annotation, and indexing of Utah statutes, and to develop  
104 proposed legislation to effectuate the recommendations;

105 (k) to appoint and develop a professional staff within budget limitations; and

106 (l) to prepare and submit the annual budget request for the Office of Legislative  
107 Research and General Counsel.

108 (3)(a) If, under Utah Constitution, Article VI, Section 10, the House of Representatives  
109 or Senate determines that an individual is not qualified to serve in the House of  
110 Representatives or Senate, or expels an individual from the respective chamber, but  
111 the individual continues to hold his or her elected legislative office, the Office of  
112 Legislative Research and General Counsel may not provide legislative staff services,  
113 including legal services, to the individual.

114 (b) Notwithstanding Subsection (3)(a), the Office of Legislative Research and General  
115 Counsel may provide legal services for an individual described in Subsection (3)(a) if  
116 the legal services are approved by the Legislative Management Committee described  
117 in Section 36-12-7.

118 [~~(4) The statutory authorization of the Office of Legislative Research and General Counsel~~  
119 ~~to correct technical errors provided in Subsection (2)(f), to prepare the laws for~~  
120 ~~publication in Subsection (2)(h), and to modify the electronic record to correct technical~~  
121 ~~errors under Subsection (2)(i)(ii)(B) includes:]~~

122 [(a) adopting a uniform system of punctuation, capitalization, numbering, and wording  
123 for enrolled legislation and the Laws of Utah;]

124 [(b) eliminating duplication and the repeal of laws directly or by implication, including  
125 renumbering when necessary;]

126 [(c) correcting defective or inconsistent title, chapter, part, section, and subsection  
127 structure in the arrangement of the subject matter of existing statutes;]

128 [(d) eliminating obsolete and redundant words;]

129 [(e) correcting:]

130 [(i) obvious typographical and grammatical errors; and]

131 [(ii) other obvious inconsistencies, including those involving punctuation,

- 132 capitalization, cross references, numbering, and wording;]
- 133 [(f) inserting or changing the boldface to more accurately reflect the substance of each
- 134 section, part, chapter, or title;]
- 135 [(g) merging or determining priority of any amendments, enactments, or repealers to the
- 136 same code provisions that are passed by the Legislature;]
- 137 [(h) renumbering and rearranging of a title, chapter, part, section, or provisions of a
- 138 section;]
- 139 [(i) transferring sections or dividing sections to assign separate sections numbers to
- 140 distinct subject matters;]
- 141 [(j) modifying cross references to agree with renamed or renumbered titles, chapters,
- 142 parts, or sections;]
- 143 [(k) substituting the proper section or chapter number for the terms "this act," "this bill,"
- 144 or similar terms;]
- 145 [(l) substituting the proper calendar date in the database and in the Laws of Utah;]
- 146 [(m) modifying the highlighted provisions of legislation to correct an inconsistency
- 147 between the highlighted provisions and the enacted provisions of the legislation;]
- 148 [(n) correcting the names of agencies, departments, and similar units of government;]
- 149 [(o) rearranging any misplaced statutory material, incorporating any omitted statutory
- 150 material, and correcting other obvious errors of addition or omission;]
- 151 [(p) correcting or incorporating a special clause that was publicly available on the
- 152 Legislature's website but is errantly omitted, modified, or retained during the
- 153 legislative process due to obvious technological or human error, including:]
- 154 [(i) a severability clause;]
- 155 [(ii) an effective date clause;]
- 156 [(iii) a retrospective operation clause;]
- 157 [(iv) an uncodified repeal date clause;]
- 158 [(v) a revisor instruction clause; or]
- 159 [(vi) a coordination clause;]
- 160 [(q) correcting the incorporation of an amendment due to obvious technological or
- 161 human error; and]
- 162 [(r) alphabetizing definition sections.]
- 163 [(5)] (4) In carrying out the duties provided for in this section, the director of the Office of
- 164 Legislative Research and General Counsel may obtain access to all records, documents,
- 165 and reports necessary to the scope of the director's duties according to the procedures

166 contained in Chapter 14, Legislative Subpoena Powers.

167 [(6)] (5) In organizing the management of the Office of Legislative Research and General  
168 Counsel, the Legislative Management Committee may either:

- 169 (a) select a person to serve as both the director of the office and as general counsel. In  
170 such case, the director of the office shall be a lawyer admitted to practice in Utah and  
171 shall have practical management experience or equivalent academic training; or  
172 (b) select a person to serve as director of the office who would have general supervisory  
173 authority and select another person to serve as the legislative general counsel within  
174 the office. In such case, the director of the office shall have a master's degree in  
175 public or business administration, economics, or the equivalent in academic or  
176 practical experience and the legislative general counsel shall be a lawyer admitted to  
177 practice in Utah.

178 Section 3. Section **36-12-12.2** is enacted to read:

179 **36-12-12.2 . Authority to revise code.**

180 (1) As used in this section:

- 181 (a) "Utah Code database" means an electronic repository of the Utah Code.  
182 (b) "Utah Constitution database" means an electronic repository of the Utah Constitution.

183 (2) The Office of Legislative Research and General Counsel, under the direction of the  
184 general counsel shall review, examine, and correct any technical errors when:

- 185 (a) preparing legislation that passed both chambers to enroll the legislation;  
186 (b) preparing the laws for publication; and  
187 (c) maintaining the accuracy of the Utah Code database and the Utah Constitution  
188 database in accordance with Section 36-12-12.

189 (3) The authority of the Office of Legislative Research and General Counsel to correct  
190 technical errors provided in Subsection (2):

- 191 (a) includes:  
192 (i) adopting and implementing a uniform system of punctuation, capitalization,  
193 numbering, and wording for enrolled legislation and the Laws of Utah;  
194 (ii) removing duplication;  
195 (iii) removing laws repealed directly or by implication;  
196 (iv) correcting defective or inconsistent title, chapter, part, section, and subsection  
197 structure in the arrangement of the subject matter of existing statutes;  
198 (v) eliminating obsolete and redundant words;  
199 (vi) correcting:

- 200           (A) obvious typographical and grammatical errors; and
- 201           (B) other obvious inconsistencies, including those involving punctuation,
- 202                 capitalization, cross references, numbering, and wording;
- 203       (vii) inserting or changing the boldface to more accurately reflect the substance of
- 204                 each title, chapter, part, or section;
- 205       (viii) merging or determining priority of any amendments, enactments, or repealers to
- 206                 the same code provisions that are passed by the Legislature;
- 207       (ix) correcting the incorporation of an amendment due to obvious technological or
- 208                 human error;
- 209       (x) renumbering and rearranging of a title, chapter, part, section, or provisions of a
- 210                 section;
- 211       (xi) transferring sections or dividing sections to assign separate sections numbers to
- 212                 distinct subject matters;
- 213       (xii) modifying cross references to agree with renamed or renumbered titles, chapters,
- 214                 parts, or sections;
- 215       (xiii) substituting the proper section or chapter number for the terms "this act," "this
- 216                 bill," or similar terms;
- 217       (xiv) substituting the proper calendar date in the Utah Code database and in the Laws
- 218                 of Utah;
- 219       (xv) correcting erroneous statutory history in the long title of legislation;
- 220       (xvi) correcting the names of agencies, departments, officers, funds, and similar units
- 221                 of government;
- 222       (xvii) rearranging any misplaced statutory material, incorporating any omitted
- 223                 statutory material, and correcting other obvious errors of addition or omission;
- 224       (xviii) correcting or incorporating a special clause or uncodified material that was
- 225                 publicly available on the Legislature's website but is errantly omitted, modified, or
- 226                 retained during the legislative process due to obvious technological or human
- 227                 error, including:
- 228                 (A) an appropriation clause;
- 229                 (B) a severability clause;
- 230                 (C) an effective date clause;
- 231                 (D) a retrospective operation clause;
- 232                 (E) an uncodified repeal date clause;
- 233                 (F) a revisor instruction clause; or

- 234                    (G) a coordination clause; and
- 235                    (xix) alphabetizing definition sections; and
- 236                    (b) does not include a correction that would alter the meaning or effect of law.

237                    **Section 4. Effective Date.**

238                    This bill takes effect on May 6, 2026.