

Chapter 2

General Floor Procedures for the Utah House of Representatives

Part 1

General Guidelines

HR4-2-101 Duties of presiding officer.

The presiding officer may:

- (1) call the House to order at the time scheduled for convening, and proceed with the daily order of business;
- (2) announce the business before the House in the order that it is to be acted upon;
- (3) receive and submit all motions and proposals presented by representatives;
- (4) put to a vote all questions that arise in the course of proceedings, and announce the results of the vote;
- (5) enforce the House Rules governing debates;
- (6) enforce observance of order and decorum;
- (7) inform the House on any point of order or practice;
- (8) receive and announce to the House any official messages and communications; and
- (9) sign all bills, resolutions, orders, and proceedings of the House.

HR4-2-102 Obtaining the floor.

- (1) When a representative wishes to be recognized to speak, the representative shall:
 - (a) notify the presiding officer by electronic means; or
 - (b) if the electronic notification system is not operational, rise and address the presiding officer as:
 - (i) "Mr. (Madam) Speaker"; or
 - (ii) "Mr. (Madam) Speaker pro temp."
- (2) If two or more representatives rise at the same time to speak, the presiding officer shall decide which representative is to speak first.
- (3) After being recognized, the representative shall confine the representative's remarks to the issue under consideration.

HR4-2-103 Calling a representative to order for violation of a rule.

- (1)
 - (a) The presiding officer may call a representative to order for violating any House or Joint Rule.
 - (b) Any representative may call another representative to order for violating any House or Joint Rule by raising a point of order under HR4-2-201.
- (2) If the representative called to order appeals the ruling of the presiding officer, the House shall decide the issue without debate.
- (3)
 - (a) If the decision is favorable to the representative who has been called to order, the representative may proceed.
 - (b) If the decision is unfavorable, the representative is subject to censure by the House.
- (4) Notwithstanding Subsection (1), a representative may not be called to order or censured for words spoken in debate if there has been intervening business.

HR4-2-104 Motions in writing.

- (1) A representative shall submit certain motions to amend in writing as required by HR4-3-301.
- (2) Except as provided in Subsection (3), if a representative requests that a motion be presented in writing, the presiding officer may require that the maker of the motion prepare and submit a written motion to the chief clerk.
- (3) The presiding officer may not require that the following motions be presented in writing:
 - (a) a motion to adjourn;
 - (b) a motion to circle;
 - (c) a motion to table; or
 - (d) a motion to refer to committee.

Part 2

Point of Order and Appeals of the Decision of the Chair

HR4-2-201 Point of order.

- (1)
 - (a) If a representative believes that there has been a breach of order, a breach of rules, or a breach of established parliamentary practice, the representative may rise and, without being recognized, state: "point of order."
 - (b) When a representative raises a point of order:
 - (i) the presiding officer shall interrupt the proceedings;
 - (ii) the representative who has the floor shall yield the floor; and
 - (iii) the presiding officer shall ask the representative raising the point of order to "state your point."
 - (c) When the presiding officer responds "state your point," the representative shall briefly explain the alleged breach to the body, citing to appropriate authority if possible.
- (2)
 - (a) The presiding officer may:
 - (i) speak to points of order in preference to other representatives rising for that purpose;
 - (ii) rule on the point of order immediately;
 - (iii) consult with the chief clerk, the parliamentarian, or both before ruling on the point of order;or
 - (iv) suggest that the House recess until the presiding officer can research and rule on the point of order.
 - (b)
 - (i) Although points of order are generally decided without debate, the presiding officer may submit the point of order to the House for decision in doubtful cases.
 - (ii) If submitted to the House for decision, a presiding officer shall allow debate or discussion on the point of order by recognizing members of the House who wish to speak to the point of order.
 - (iii) A decision by the House deciding a point of order is not subject to appeal.

- (3) When the presiding officer rules on the point of order, any representative who disagrees with the presiding officer's decision may appeal that decision to the House by following the procedures and requirements of HR4-2-202.

HR4-2-202 Appeals from the decision of the chair.

- (1) Although the tradition in the Utah House is to give great weight to the rulings of the presiding officer and not make appeals lightly, a representative who disagrees with a ruling of the presiding officer may appeal that decision to the House by rising and, without waiting to be recognized, saying "I appeal the decision of the chair."
- (2) When a representative appeals the decision of the chair, the presiding officer shall clearly state the decision appealed from and may state the reasons for the decision.
- (3)
 - (a) An appeal is debatable.
 - (b) A representative may not speak more than once on the appeal without leave of the House.
- (4) The question on appeal is: "Shall the decision of the chair stand as the judgment of the House?"
- (5) When a decision of the presiding officer is appealed, a majority vote of the representatives present is required to override that decision.
- (6) The chief clerk shall ensure that the appeal and the action of the House on the appeal are entered in the journal.