

## **Chapter 4 House Calendars**

### **Part 1 Second Reading Calendar**

#### **HR4-4-101 Second reading calendar.**

- (1) The chief clerk of the House or the chief clerk's designee shall:
  - (a) read to the House each standing committee report submitted to the House; and
  - (b) read the legislation by title unless the House suspends this requirement by a two-thirds vote.
- (2) The adoption of the House standing committee report is the second reading of each piece of legislation referred to in the report.
- (3)
  - (a) If the House passes a motion to adopt the committee report, the amendments and substitutes adopted by the committee and identified on the committee report become legally part of the legislation.
  - (b) If a motion to adopt the committee report fails, the chief clerk shall return the legislation to the House Rules Committee.
- (4) A majority vote of the House is required to:
  - (a) approve a motion to adopt the committee report; and
  - (b) pass the legislation on second reading to the third reading or consent calendar.

### **Part 2 Third Reading Calendar**

#### **HR4-4-201 Third reading calendar -- Procedures.**

- (1)
  - (a) For the third reading on a piece of legislation, the chief clerk of the House or the chief clerk's designee shall read the legislation by title unless the House suspends this requirement by a two-thirds vote.
  - (b)
    - (i) After reading the title of the legislation, the chief clerk or the chief clerk's designee shall identify the House standing committee that reviewed the legislation and the vote in that committee.
    - (ii) If the legislation has not been reviewed by a House standing committee, the chief clerk or the chief clerk's designee shall announce that the legislation was not reviewed by a House standing committee.
- (2) When the chief clerk or the chief clerk's designee has completed the third reading of the legislation, the legislation is before the House for debate.
- (3) When debate on the legislation is complete, the presiding officer shall take the final vote on the legislation.

#### **HR4-4-202 Disposition of legislation voted on third reading.**

- (1) Except as provided in Subsection (2), the chief clerk or the chief clerk's designee shall:

- (a) for a piece of House legislation passed by the House on third reading but not yet acted upon by the Senate, transmit the House legislation to the Senate for its further action;
  - (b) for a piece of House legislation that fails to pass the House on third reading, file the legislation;
  - (c) for a piece of House legislation that has passed both houses, follow the procedures and requirements of JR4-6-101(1)(b);
  - (d) for a piece of Senate legislation passed by the House on third reading and not amended or substituted in the House, transmit the Senate legislation to the presiding officer of the House for the presiding officer's signature and return the legislation to the Senate for the signature of the president of the Senate;
  - (e) for a piece of Senate legislation passed by the House on third reading that was amended or substituted in the House, transmit the legislation to the Senate with the amendments or substitute for further action by the Senate; and
  - (f) for a piece of Senate legislation that fails to pass the House on third reading, transmit the legislation to the Senate with notice of the House's action.
- (2)
- (a) The chief clerk shall ensure that the House retains possession of a piece of legislation for no more than one legislative day when:
    - (i) a representative gives notice of intention to move for reconsideration to the chief clerk;
    - (ii) a representative requests that the chief clerk hold the legislation; or
    - (iii) the House passes a motion to retain possession of the legislation.
  - (b) When a representative moves for reconsideration or requests a hold under Subsection (2)(a)(i) or (2)(a)(ii), the chief clerk shall give notice of the action to the speaker and to the sponsor of the legislation.
  - (c) Notwithstanding the requirements of Subsection (2)(a), a piece of legislation may be released earlier than 24 hours if the House is given prior public notice of the release.

**HR4-4-203 Motion to lift legislation from committee.**

- (1) A representative may make a motion to lift legislation from a standing committee or the House Rules Committee and place it on the third reading calendar.
- (2) Except as provided in Subsections (3) and (4), a motion to lift legislation from a standing committee or the House Rules Committee may be approved with a majority vote of the members present.
- (3)
  - (a) A motion to lift legislation that was tabled by a standing committee requires a vote of two-thirds of the members present.
  - (b) A motion to lift legislation that failed to pass a standing committee motion to send the legislation to the second reading calendar requires a vote of two-thirds of the members present.
- (4) A motion to lift legislation during the 43rd, 44th, and 45th day of the annual general session, and during any special session, requires a vote of two-thirds of the members present.
- (5) If a motion to lift legislation is approved, the presiding officer shall direct that the legislation be placed on the third reading calendar.

### **Part 3 Consent Calendar**

#### **HR4-4-301 Consent calendar.**

- (1) If a standing committee report recommends that a piece of legislation be placed on the consent calendar and the standing committee report is adopted by the House, the chief clerk or the chief clerk's designee shall place the legislation on the consent calendar.
- (2)
  - (a) Whenever the consent calendar contains legislation, the presiding officer shall inform the House each day that:
    - (i) there are items on the consent calendar; and
    - (ii) if any representative objects to a piece of legislation on the consent calendar, that representative should inform the chief clerk.
  - (b) If the chief clerk receives written objections to a piece of legislation from six or more representatives, the chief clerk shall:
    - (i) remove the legislation from the consent calendar;
    - (ii) inform the sponsor that the legislation has been removed from the consent calendar; and
    - (iii) place the legislation at the bottom of the third reading calendar.
- (3) The presiding officer shall announce that the legislation has been removed from the consent calendar.
- (4)
  - (a) If, after two calendar days, no more than five members have registered written objections to the legislation with the chief clerk:
    - (i) the legislation shall be read the third time;
    - (ii) the presiding officer shall grant the sponsor of the legislation two minutes to introduce and explain the legislation; and
    - (iii) the presiding officer shall pose the question and take the final vote on the legislation.
  - (b) The presiding officer may not allow debate on legislation on the consent calendar.
- (5)
  - (a) If the representative sponsoring the legislation on the consent calendar is absent from the floor when the legislation is ready to be read for the third time and considered for passage, a representative may make a motion to circle the legislation.
  - (b) If the motion to circle is successful and the representative sponsoring the legislation has not moved to uncircle the legislation before floor time is recessed or adjourned, the bill shall be placed on the bottom of the third reading calendar.

### **Part 4 Concurrence Calendar**

#### **HR4-4-401 Concurrence calendar.**

- (1) After the chief clerk or the chief clerk's designee reads the transmittal letter from the Senate informing the House that the Senate has amended a piece of House legislation, the presiding officer shall place the legislation on the concurrence calendar.
- (2)

- (a) During the first 43 days of the annual general session, the legislation shall remain on the concurrence calendar for at least one legislative day before the House may consider the question of concurrence.
  - (b) During the last two days of the annual general session, and during any special session, the House may consider legislation for concurrence after the House has been given a reasonable time to review the Senate amendments.
- (3)
- (a) When presenting legislation to the House for concurrence, the presiding officer shall ask the sponsor of the legislation for a motion.
  - (b) The sponsor of the legislation may move to either:
    - (i) concur with the Senate amendments; or
    - (ii) refuse to concur with the Senate amendments and ask the Senate to recede from their amendments.
- (4)
- (a) If a motion to concur with the Senate amendments passes by majority vote, the presiding officer shall open the vote on final passage of the legislation.
  - (b) If a motion to concur with the Senate amendments passes by a majority vote but the legislation fails to pass the final vote:
    - (i) a motion to reconsider the final vote on the legislation is in order; and
    - (ii) if a motion to reconsider the final vote on the legislation is successful, the legislation shall be placed on the concurrence calendar and a motion to reconsider the vote to concur with the Senate amendments is in order.
  - (c) If a motion to concur with the Senate amendments fails, a motion to refuse to concur with the Senate amendments and ask the Senate to recede from its amendments is in order.
- (5) If a motion to refuse to concur with the Senate amendments and ask the Senate to recede from its amendments passes by a majority vote:
- (a) the chief clerk shall return the legislation to the Senate for its further action; and
  - (b) if the Senate refuses to recede, the Senate and House shall follow the procedures and requirements of JR3-2-601 relating to the appointment of a conference committee.

## **Part 5 Time Certain Calendar**

### **HR4-4-501 Time certain calendar.**

The chief clerk or the clerk's designee shall place on the time certain calendar legislation or other matters approved by the House for a time certain under:

- (1) HR1-5-301; or
- (2) other rules allowing matters to be set for a time certain.