

## Chapter 2 Senate Standing Committees

### Part 1 General Provisions

#### **SR3-2-101 Definitions.**

As used in this chapter:

- (1) "Chair" means:
  - (a) the chair of a standing committee; or
  - (b) a standing committee member who is authorized to act as chair under SR3-2-202.
- (2) "Committee" means a standing committee created under SR3-2-201.
- (3) "Dispose of legislation" refers to a committee action that transfers ownership of legislation to the Senate Rules Committee, to another standing committee, or to the Senate floor.
- (4) "Favorable recommendation" refers to a committee action that transfers ownership of legislation to the Senate second reading calendar.
- (5) "Legislation" means a Senate bill, House bill, Senate resolution, House resolution, joint resolution, or concurrent resolution.
- (6) "Majority vote" means a majority of a quorum as described in SR3-2-203.
- (7) "Original motion" means a non-privileged motion that is accepted by the chair when no other motion is pending.
- (8) "Pending motion" refers to a motion starting when a chair accepts a motion and ending when the motion is withdrawn or until the chair calls for a vote on the motion.
- (9)
  - (a) "Privileged motion" means a procedural motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.
  - (b) Privileged motions are not substitute motions.
- (10) "Substitute motion" means a non-privileged motion that is made when a non-privileged motion is pending.
- (11) "Under consideration" means the time starting when a chair opens a discussion on a subject or piece of legislation that is listed on a committee agenda and ending when the committee disposes of the legislation, moves on to another item on the agenda, or adjourns.

### Part 2 Creation and Organization of Senate Standing Committees

#### **SR3-2-201 Standing committees -- Creation.**

- (1) There are created the following standing committees:
  - (a) Business and Labor;
  - (b) Economic Development and Workforce Services;
  - (c) Education;
  - (d) Government Operations and Political Subdivisions;
  - (e) Health and Human Services;
  - (f) Judiciary, Law Enforcement, and Criminal Justice;
  - (g) Natural Resources, Agriculture, and Environment;

- (h) Revenue and Taxation;
  - (i) Rules; and
  - (j) Transportation, Public Utilities, Energy, and Technology.
- (2) The Senate members of the Retirement and Independent Entities Committee created in Utah Code Section 63E-1-201 comprise a Senate standing committee.

**SR3-2-202 President to appoint committee members, chairs, and vice chairs.**

- (1) The president of the Senate shall appoint members of the Senate to each standing committee.
- (2) The president shall appoint a chair to each standing committee.
- (3) The president may appoint a vice chair to each standing committee.
- (4) If the president does not appoint a vice chair to a standing committee, the chair may appoint a vice chair.
- (5) A vice chair may perform the duties of a chair:
  - (a) as requested by a chair; or
  - (b) in the absence of the chair.
- (6) The chair, or the vice chair as authorized under Subsection (3), may designate a member of the committee to conduct a standing committee meeting when neither the chair nor the vice chair is able to attend a meeting.
- (7) A committee member designated under Subsection (6) may conduct a committee meeting but may not perform the duties of a chair described in SR3-2-302 and SR3-2-303.
- (8) If a chair, vice chair, or the chair's designee are not present at a committee meeting, the most senior member of the majority party who is a member of the committee may chair a standing committee meeting, but that person may not perform the duties described in SR3-2-302 and SR3-2-303.

**SR3-2-203 Quorum requirements.**

- (1) Except as provided in Subsection (2), a majority of a standing committee is a quorum.
- (2) In determining whether a quorum is present, the president, majority leader, majority whip, assistant majority whip, Senate Rules Committee chair, Executive Appropriations Committee chair, minority leader, minority whip, assistant minority whip, and the fourth member of leadership from the minority party are not counted in determining a quorum for a standing committee, except during the time that the senator is present at the meeting.

**SR3-2-204 Committee order of business.**

Unless a standing committee chair, or a committee by majority vote, determines otherwise, the order of business for a standing committee is:

- (1) call to order by the chair;
- (2) approval of the minutes of previous meetings;
- (3) announcement of the agenda;
- (4) announcement of time restrictions, if any, subject to the requirements of SR3-2-304; and
- (5) consideration of standing committee business as provided in SR3-2-302(2).

### **Part 3**

#### **Duties of the Senate Standing Committee Chair**

##### **SR3-2-301 Chair to enforce legislative rules and procedures.**

The chair shall ensure the integrity of the standing committee process by enforcing legislative rules and parliamentary procedure without delay.

##### **SR3-2-302 Chair to set agenda -- Requirements.**

The chair shall:

- (1) set the agenda for a standing committee meeting;
- (2) ensure that legislation referred to the committee is considered by the committee within a reasonable time;
- (3) ensure that legislation tabled by a standing committee is listed on a standing committee agenda as required by SR3-2-408; and
- (4) ensure that legislation placed on the time certain calendar in the Senate is listed on a standing committee agenda before it is scheduled to be heard by the Senate.

##### **SR3-2-303 Chair to post notice and agenda -- Notification to sponsors.**

- (1) The chair shall cause a public notice and agenda to be posted at least 24 hours before each standing committee meeting as required under Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (2) The chair shall notify the chief Senate sponsor or chief House sponsor of legislation listed on an agenda of the time and place of the committee meeting in which the legislation will be considered not less than 24 hours before the committee meeting.

##### **SR3-2-304 Chair may direct order of agenda -- Time restrictions.**

The chair, or a committee by majority vote, may adopt committee procedures and time restrictions, including:

- (1) directing the order of the agenda;
- (2) directing the order in which a witness or presenter will be heard;
- (3) directing the number of witnesses or presenters that will be heard; and
- (4) limiting the time the committee will spend on:
  - (a) an item on the agenda; or
  - (b) an individual witness or presenter.

##### **SR3-2-305 Four phases when considering legislation.**

Legislation under consideration by a standing committee is subject to four distinct phases during a committee meeting:

- (1) the sponsor's presentation as provided in SR3-2-306;
- (2) clarifying questions as provided in SR3-2-307;
- (3) public comment as provided in SR3-2-308; and
- (4) committee action as provided in SR3-2-309.

**SR3-2-306 Sponsor presentation.**

- (1) Except as provided in Subsection (2), during the presentation phase, a committee member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the presentation phase.
- (2) During the presentation phase of a committee meeting, the chair may accept a simple motion to amend or substitute legislation if the chair permits:
  - (a) committee questions and debate;
  - (b) public comment as provided in SR3-2-308;
  - (c) the sponsor of the legislation affected by the amendment to respond to the motion to amend; and
  - (d) the committee member who made the motion to amend to have the final word on the motion as required under SR3-2-313.
- (3) During the presentation phase of a standing committee meeting, the chair shall:
  - (a) permit the chief sponsor or another legislator designated by the chief sponsor to present the chief sponsor's legislation; and
  - (b) except as provided in Subsection (4), and at the election of the chief sponsor or the chief sponsor's designee, permit persons who have expertise on the legislation to assist with the presentation as provided in SR3-2-304.
- (4) The chair may not permit:
  - (a) legislation to be presented if the chief sponsor or another legislator designated by the chief sponsor is not present; or
  - (b) legislative interns or legislative aides to present legislation.

**SR3-2-307 Clarifying questions.**

- (1) During the clarifying question phase, a committee member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the clarifying questions phase.
- (2) A chair shall allow members of the committee to ask the legislative sponsor questions, provided that the questions help to clarify the intent or purpose of the legislation or the meaning of the language of the legislation.
- (3) The chair shall allow the legislative sponsor to respond to clarifying questions.
- (4) The chair may allow, with the legislative sponsor's approval, a person authorized under SR3-2-306 to respond to clarifying questions from members of the committee.

**SR3-2-308 Public comment.**

- (1) During the public comment phase, a committee member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the public comment phase.
- (2) During the public comment phase of a committee meeting:
  - (a) the chair, or a committee by majority vote, may limit the time an individual witness or presenter speaks to a committee as authorized under SR3-2-304; and
  - (b) the chair, or the committee by majority vote, may terminate the public comment phase at any time.

- (3) Unless the chair, or a committee by majority vote, permits additional public comment, once the public comment phase has ended only committee members, legislative sponsors, staff, and those authorized under SR3-2-306 may address the committee.

**SR3-2-309 Committee action.**

During the committee action phase, a committee member may make motions to amend the legislation, to substitute the legislation, and to dispose of the legislation. All other motions authorized by this chapter are in order during the committee action phase of a committee meeting.

**SR3-2-310 Chair to preserve order -- Powers to preserve order.**

- (1) The chair shall preserve order and decorum during standing committee meetings by:
  - (a) controlling outbursts and demonstrations; and
  - (b) ensuring that committee members, presenters, witnesses, and visitors act in a dignified and respectful manner.
- (2) To preserve order, the chair may:
  - (a) clear the committee room of any person who engages in disorderly conduct;
  - (b) recess a standing committee meeting; or
  - (c) request assistance from:
    - (i) the sergeant-at-arms; or
    - (ii) the Utah Highway Patrol.

**SR3-2-311 Chair to recognize committee members -- Remarks to be germane -- Committee members may make motions when recognized -- Permission to address committee.**

- (1) The chair shall recognize a committee member who desires to speak to a subject that is under consideration by a standing committee.
- (2) It is within the discretion of a chair to recognize a committee member who desires to speak to the same subject more than twice.
- (3) Upon recognition by the chair, a committee member:
  - (a) shall ensure that the member's remarks are germane to the subject under consideration; and
  - (b) may make a motion that is authorized by this chapter.
- (4) Presenters, witnesses, visitors, staff, and committee members may not speak to a standing committee unless recognized by the chair.

**SR3-2-312 Chair to accept all motions that are in order -- Once accepted, the motion is pending.**

- (1) The chair shall accept a motion requested by a member of a standing committee who has been properly recognized unless the motion is prohibited by this chapter or by parliamentary procedure.
- (2) To properly accept a motion, the chair shall:
  - (a) restate each verbal motion;
  - (b) identify the number of each written motion to amend or substitute legislation; and
  - (c) distribute copies of each written amendment or substitute to members of the committee.
- (3) When a chair properly accepts a motion under Subsection (2), the motion is pending.

**SR3-2-313 Chair to allow response to motions before placing motions for a vote.**

After a motion has been accepted, and before the chair places a motion for a vote, the chair shall permit:

- (1) members of the committee to ask the committee member who placed the motion questions about the motion;
- (2) members of the committee to debate the motion;
- (3) the chief sponsor of the legislation that is affected by the motion to respond to the motion; and
- (4) the committee member who placed the motion to have the final word on the motion.

**SR3-2-314 Chair to place motion for vote.**

After the chair has permitted a committee member to sum on a motion as required under SR3-2-313(4), the chair shall place the motion for a vote unless the motion is withdrawn subject to the requirements of SR3-2-511.

**SR3-2-315 Chair to verbally announce vote on motions -- Motions pass with majority vote of a quorum -- Exceptions.**

- (1) After a standing committee votes on a motion, the chair shall:
  - (a) determine whether the motion passed or failed;
  - (b) verbally announce that the motion passed or that the motion failed; and
  - (c) if the vote on the motion is not unanimous, verbally identify by name either the committee members who voted "yes" or the committee members who voted "no."
- (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority vote of a quorum as described in SR3-2-203.

**SR3-2-316 Chair may direct a roll call vote.**

Although most motions will be determined by a voice vote, the chair, or a committee by majority vote, may direct a roll call vote.

**SR3-2-317 Chair to decide points of order -- Committee may appeal chair's decision.**

- (1) A chair shall rule on a point of order without committee discussion or debate.
- (2) As provided in SR3-2-506, a committee member may:
  - (a) make a point of order; or
  - (b) appeal the decision of the chair.

**SR3-2-318 Chair to send standing committee reports to the Senate.**

- (1) When a standing committee approves a motion to dispose of legislation under the requirements of SR3-2-408 or SR3-2-403, the chair shall, no later than the next legislative day, submit to the secretary of the Senate:
  - (a) the official version of the legislation; and
  - (b) a committee report, signed by the chair, describing the committee's action.
- (2) If, for any reason, the chair does not submit a committee report to the secretary of the Senate as required in Subsection (1), the secretary of the Senate shall ensure that the official version

of the legislation and the committee report are submitted before the end of the second legislative day after the legislation was acted on by a standing committee.

**SR3-2-319 Chair to ensure integrity of minutes -- Retention of minutes -- Content requirements.**

- (1) The chair shall:
  - (a) ensure that a secretary takes minutes of standing committee meetings;
  - (b) present the minutes to the committee for approval; and
  - (c) send the approved minutes to the office of the secretary of the Senate.
- (2) The secretary of the Senate shall retain committee minutes for three years.
- (3) The chair shall ensure that committee minutes comply with the requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (4) The chair shall ensure that committee minutes include:
  - (a) the date, time, and place of each committee meeting;
  - (b) a list of committee members present;
  - (c) each motion made;
  - (d) the vote on each motion;
  - (e) points of order; and
  - (f) the outcome of each appeal of the decision of the chair.

**Part 4**  
**Duties of the Senate Standing Committee**

**SR3-2-401 Standing committee review required -- Exceptions.**

- (1) Except as provided in Subsection (2), the Senate may not pass a bill, joint resolution, or concurrent resolution during the annual general session unless a Senate standing committee has given a favorable recommendation to the legislation.
- (2) Subsection (1) does not apply to:
  - (a) a resolution regarding legislative rules or legislative personnel;
  - (b) legislation that has been approved by a unanimous vote of an interim committee;
  - (c) the revisor's statute; or
  - (d) if the legislation was reviewed and approved by the Executive Appropriations Committee, legislation that:
    - (i) exclusively appropriates money;
    - (ii) amends Utah Code Title 53A, Chapter 17a, Minimum School Program Act;
    - (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or
    - (iv) authorizes the issuance of general obligation or revenue bonds.

**SR3-2-402 Standing committee review of legislation with a fiscal impact.**

Except as provided in SR3-2-401, a standing committee in one or both houses shall review legislation before the legislation is held in the opposite house because of its fiscal impact.

**SR3-2-403 Standing committee duties -- Consider legislation in a reasonable time -- Dispose of legislation.**

- (1) As required by SR3-2-302(2), a chair shall ensure that legislation referred to the committee is considered by the committee within a reasonable time.
- (2) When a committee has complied with the requirements of SR3-2-302(2), a standing committee shall dispose of the legislation by:
  - (a) returning the legislation to the Senate Rules Committee;
  - (b) tabling the legislation, subject to the requirements of SR3-2-408;
  - (c) recommending the legislation to the second reading calendar; or
  - (d) referring the legislation to a different standing committee.

**SR3-2-404 Motions to lift from the table, hold, amend, or substitute legislation.**

In addition to the actions listed in SR3-2-403(2), a standing committee may approve one or more of the following motions on a single piece of legislation:

- (1) hold the legislation;
- (2) move to the next item on an agenda;
- (3) amend the legislation, subject to the requirements of SR3-2-406;
- (4) substitute the legislation, subject to the requirements of SR3-2-407; or
- (5) lift legislation from the table, subject to the requirements of SR3-2-408.

**SR3-2-405 Consent calendar.**

- (1) A standing committee may recommend that legislation in its possession be placed on the consent calendar if:
  - (a) the committee approves a motion, by a unanimous vote, to send the legislation to the second reading calendar;
  - (b) immediately subsequent to that action, the chief sponsor requests that the legislation be placed on the consent calendar; and
  - (c) in a separate motion and vote, the committee unanimously approves the sponsor's request to place the legislation on the consent calendar instead of the second reading calendar.
- (2) If, in accordance with SR3-1-102, the Senate Rules Committee forwards a summary report from the Occupational and Professional Licensure Review Committee in conjunction with legislation referred to a standing committee, the chair shall ensure that the summary report is read orally to the committee before action is taken by the committee on the legislation that is related to the summary report.

**SR3-2-406 Amending legislation -- Amendments must be germane.**

- (1)
  - (a) Except as provided in Subsection (2), and if recognized by the chair during the committee action phase, a committee member may make a motion to amend the legislation that is under consideration.
  - (b)
    - (i) A committee member may propose a verbal amendment to the legislation under consideration if the amendment contains 25 or fewer words.

- (ii) Before proposing a motion to amend, a committee member shall ensure that a proposed amendment that contains more than 25 words is printed and distributed to committee staff and to all committee members present.
- (2)
- (a) A committee member may only make a motion to amend that is germane to the subject of the legislation under consideration.
  - (b) A committee member who believes that an amendment is not germane to the subject of the legislation may make a point of order or appeal as described in SR3-2-506.

**SR3-2-407 Substitute legislation -- Substitutes must be germane.**

- (1) Except as provided in Subsection (2), and if recognized by the chair during the committee action phase, a committee member may make a motion to substitute legislation that is under consideration.
- (2)
- (a) A committee member may only make a motion to substitute that is germane to the subject of the legislation under consideration.
  - (b) A committee member who believes that an amendment is not germane to the subject of the legislation may make a point of order or appeal as described in SR3-2-506.

**SR3-2-408 Legislation tabled in a standing committee -- Requirements.**

- (1) If legislation is tabled, the chair shall list the tabled legislation on the committee agenda for the next committee meeting.
- (2) At the next committee meeting, the committee may, by a two-thirds vote, lift the tabled legislation from the table.
- (3) If a motion to lift tabled legislation is successful, the standing committee may make any motion on the legislation that is authorized under this chapter.
- (4)
- (a) If legislation is tabled by a committee and the legislation is not lifted from the table at the committee's next meeting, the committee chair shall submit a committee report to the secretary of the Senate informing the Senate that the legislation was tabled.
  - (b) After reading the committee report on the tabled legislation, the secretary of the Senate shall send the tabled legislation to the Senate Rules Committee.

**SR3-2-409 Reconsideration of action.**

- (1) Except as provided in Subsection (2), and if recognized by the chair, a committee member may make a motion to reconsider the committee's action on legislation if the legislation is:
- (a) in the possession of the standing committee; and
  - (b) listed on the committee agenda as required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (2) A standing committee may not reconsider its action on a piece of legislation:
- (a) more than once; and
  - (b) until the committee has considered other committee business.

**SR3-2-410 Testimony may be taken under oath.**

- (1) At the direction of the chair, or upon a majority vote of the committee, the testimony of a witness, presenter, or visitor who speaks to a committee may be taken under oath.
- (2) The chair or committee staff shall administer the oath.

**SR3-2-411 Additional standing committee meetings.**

With the president of the Senate's permission, a chair may hold a committee meeting independent of regularly scheduled committee meetings on:

- (1) a single piece of legislation; or
- (2) the subject of two or more pieces of legislation.

**SR3-2-412 Closed standing committee meetings.**

A standing committee may close a committee meeting in accordance with the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

**SR3-2-413 Prohibited from meeting while Senate is in session -- Exceptions.**

- (1) A standing committee may not meet while the Senate is in session unless:
  - (a) the chair receives permission from the president to meet; or
  - (b) a majority of the Senate approves a motion for the committee to meet while the Senate is in session.
- (2) Unless a committee is authorized to meet as provided in Subsection (1), any action taken by a committee while the Senate is in session is invalid.

**Part 5**  
**Standing Committee Parliamentary Procedures**

**SR3-2-501 Obtaining the floor in committee -- Remarks to be germane.**

- (1) As required in SR3-2-311, a chair shall recognize a committee member who desires to speak to the committee.
- (2) A committee member who is recognized by the chair may make a motion consistent with the requirements of this chapter.
- (3) A second to a motion is not required.

**SR3-2-502 Committee members shall vote.**

A committee member shall vote on every motion placed for a vote while the committee member is present at a meeting.

**SR3-2-503 Privileged motions in committee -- General requirements, procedure, and priority.**

- (1) Privileged motions:
  - (a) are non-debatable; and

- (b) take precedence over non-privileged motions.
- (2) If a privileged motion is requested while another privileged motion is pending, the chair shall grant priority to the privileged motions in the following order:
  - (a) adjourn;
  - (b) set time to adjourn;
  - (c) recess;
  - (d) end debate or call the question;
  - (e) extend debate; and
  - (f) limit debate.
- (3) Except for a motion to adjourn, a privileged motion, if adopted, does not dispose of other pending motions.

**SR3-2-504 Original motions in committee -- General requirements, procedure, and priority.**

- (1) Original motions:
  - (a) are debatable; and
  - (b) may be replaced with a substitute motion.
- (2) A committee member may not make an original motion if:
  - (a) a privileged motion is pending; or
  - (b) a substitute motion is pending.

**SR3-2-505 Substitute motions in committee -- General requirements, procedure, and priority.**

- (1) Substitute motions:
  - (a) are debatable; and
  - (b) take precedence over original motions.
- (2)
  - (a) A committee member may make a substitute motion if an original motion is pending.
  - (b) A committee member may not make a substitute motion if:
    - (i) a privileged motion is pending; or
    - (ii) another substitute motion is pending.
  - (c) If a substitute motion is adopted, a substitute motion disposes of the original motion.
  - (d) If a substitute motion is not adopted, the original motion is pending.

**SR3-2-506 Point of order -- Appeal of chair's decision.**

- (1) A point of order is not a motion and, except during a vote, may be made by a member of a standing committee at any time during a committee meeting.
- (2) If a member of a standing committee is concerned that legislative rules or procedures are not being followed, the committee member may make a point of order.
- (3) When a point of order is made, the chair shall immediately allow the committee member to state the member's point.
- (4) A chair shall rule on the point of order without committee discussion or debate as provided in SR3-2-315.
- (5) An appeal of the decision of the chair is not a motion and may be made by a committee member after the chair has ruled on a point of order.

- (6) A standing committee may, by majority vote, override the decision of the chair on a point of order.
  - (a) If the committee overrides the decision of the chair, the ruling of a committee is final.
  - (b) If a committee does not override the decision of the chair, the ruling of a chair is final.

**SR3-2-507 Point of information.**

- (1) A point of information is not a motion and, except during a vote, may be made by a member of a standing committee at any time during a committee meeting.
- (2) If a member of a standing committee desires clarification on any aspect of a committee meeting, the committee member may make a point of information.
- (3) When a point of information is made, the chair shall immediately allow the committee member to state the point.

**SR3-2-508 Division of a motion.**

- (1) A division is not a motion and, except during a vote, may be made by a member of a standing committee at any time during a committee meeting without being recognized by the chair.
- (2) The committee member who divides a motion shall clearly state how the motion is to be divided.
- (3) A committee member may not divide a motion to amend legislation in such a manner that could create an unintelligible or ambiguous result.

**SR3-2-509 Prohibited motions.**

- (1)
  - (a) Except for a motion to adjourn, a committee member may not make a motion unless a quorum of the standing committee is present.
  - (b) When a quorum is not present, a motion to adjourn is passed with a majority vote of those present.
- (2) No motion is in order during a vote.
- (3) A point of order is not in order during a vote.
- (4) A committee member may not make a motion to:
  - (a) strike the enacting clause of legislation; or
  - (b) circle legislation.

**SR3-2-510 Repeating defeated motion.**

- (1) Except as provided in Subsection (2), a motion that is defeated may not be made by a committee member until the committee has considered other committee business.
- (2) A motion to postpone legislation to a day certain, to postpone legislation indefinitely, or to return legislation to the Senate Rules Committee, if defeated, may not be made again by any committee member during the same committee meeting.

**SR3-2-511 A motion may be withdrawn.**

A committee member who makes a motion may withdraw that motion at any time before the motion is placed for a vote.

