

Chapter 7 Voting

Part 1 General Requirements

SR4-7-101 Definitions.

- (1) "Roll call vote" means a verbal voting process where:
 - (a) the secretary of the Senate or the secretary's designee verbally calls the name of each senator alphabetically, except the president, who is called last;
 - (b) each senator present votes "aye" or "nay" when the senator's name is called;
 - (c) the secretary of the Senate or the secretary's designee:
 - (i) tallies the vote;
 - (ii) records those senators who are absent or not voting; and
 - (iii) gives a copy of the tally to the presiding officer; and
 - (d) the presiding officer announces the result of the vote.
- (2) "Voice vote" means a verbal voting process where the presiding officer:
 - (a) poses the question to be voted upon in this form: "Those in favor (of the question) say 'aye'." and "Those opposed say 'nay'."; and
 - (b) based upon the senator's responses, announces that the question either passed or failed.

SR4-7-102 Number of votes required for passage.

- (1) Unless otherwise specified in these rules:
 - (a) each piece of legislation requires a constitutional majority vote -- 15 votes -- to pass;
 - (b) amendments to the Utah Constitution, amendments to court rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 20 votes -- to pass;
 - (c) legislation that is intended to take effect earlier than 60 days after adjournment of the session in which it passes requires a constitutional two-thirds vote -- 20 votes -- to pass with that immediate effective date;
 - (d) certain motions require a two-thirds vote -- two-thirds of those present -- to pass; and
 - (e) other motions require a majority vote -- a majority of those present -- to pass.
- (2) The Senate may only suspend a rule requiring that a motion must receive a two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.

SR4-7-103 Senators present required to vote.

- (1)
 - (a) A senator present within the Senate chamber when a vote is being taken shall vote.
 - (b) A senator shall vote within the time limit fixed by the presiding officer.
 - (c) Immediately before a roll call vote or when casting a roll call vote, a senator may, upon recognition by the presiding officer, make a brief statement explaining any conflict of interest.
 - (d) With the permission of the presiding officer, a senator may briefly explain a vote.
- (2)
 - (a) A senator may not vote on a piece of legislation or motion unless the senator is present in the Senate chamber.

- (b) If the vote is a roll call vote or division, a senator entering the chamber after the question is posed and before the presiding officer announces the result, may have the question stated and vote.

SR4-7-104 Disturbing Senate staff during voting prohibited.

While a roll call vote is being taken, a person may not disturb or remain by the desks of the secretary of the Senate, the docket clerk, the reading clerk, the voting machine operator, or the public address system operator.

SR4-7-105 Changing vote before vote is closed.

A senator may change the senator's vote before the presiding officer announces the result.

SR4-7-106 Voting or changing vote after the vote is announced.

After the vote is announced, a senator may not vote or change the senator's vote unless:

- (1) the Senate has possession of the legislation;
- (2) there is unanimous consent of the senators present; and
- (3) the result of the vote is not changed.

**Part 2
Voting Process**

SR4-7-201 Means of voting -- Requirements.

- (1) The presiding officer shall ensure that the vote on final passage of a piece of legislation is taken by roll call vote.
- (2) The presiding officer shall conduct a roll call vote on other questions if requested by a senator.
- (3) During a roll call vote, the presiding officer may not accept a motion or other business, except for a request from a senator to disclose a conflict of interest or to explain the senator's vote, until after the presiding officer announces the result of the vote.

SR4-7-202 Placing the question -- Voice vote -- Division.

- (1) The presiding officer shall place all questions other than those identified in SR4-7-201 by voice vote.
- (2) After taking a voice vote, if the presiding officer is in doubt about which side prevailed, the presiding officer may require the Senate to vote by roll call vote.
- (3) If the presiding officer questions the result of the count, or if a senator calls for division, the presiding officer shall require that those voting aye stand and be counted first, followed by those voting nay standing and being counted.