

1 **HOUSE RULES RESOLUTION**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Susan J. Koehn**

5 A RESOLUTION OF THE HOUSE OF REPRESENTATIVES MODIFYING COMMITTEE
6 REPORT REQUIREMENTS; CLARIFYING RULES COMMITTEE POWERS; CLARIFYING
7 THE SERGEANT-AT-ARMS'S ENFORCEMENT POWERS; CLARIFYING CONCURRENCE
8 PROCEDURES; MAKING TECHNICAL CORRECTIONS; AND PROVIDING AN
9 EFFECTIVE DATE.

10 This resolution affects legislative rules as follows:

11 AMENDS:

12 **HR-20.07**

13 **HR-24.01**

14 **HR-24.19**

15 ENACTS:

16 **HR-24.27**

17 **HR-37.10**

18 REPEALS AND REENACTS:

19 **HR-25.15**

20 REPEALS:

21 **HR-37.01**

22 **HR-37.02**

23 **HR-37.03**

24 **HR-37.04**

25 **HR-37.05**

26 **HR-37.06**

27 **HR-37.07**

28 **HR-37.08**

29 **HR-37.09**

30 *Be it resolved by the House of Representatives of the state of Utah:*

31 Section 1. **HR-20.07** is amended to read:

32 **HR-20.07. Duties of the Sergeant-at-Arms.**

33 (1) A Sergeant-at-Arms shall be appointed by the Speaker or the Speaker-elect prior to the
34 convening of each session.

35 (2) The Sergeant-at-Arms ~~[is to]~~ shall:

36 (a) maintain security~~[-];~~

37 (b) enforce the House Rules at the direction of the presiding officer or the body; and

38 (c) provide other service as requested by the Chief Clerk or the Speaker.

39 Section 2. **HR-24.01** is amended to read:

40 **HR-24.01. House Rules Committee.**

41 (1) All legislation introduced shall be submitted to the House Rules Committee.

42 ~~[(1)]~~ (2) (a) ~~[This committee]~~ The House Rules Committee has all the powers, functions,
43 and duties of a standing committee when it:

44 (i) prepares the House Rules and Joint Rules and presents them to the House before
45 adjournment on the second day of each annual general session; or

46 (ii) reviews all House Rules or Joint Rules resolutions.

47 (b) Rules resolutions reviewed by House Rules Committee shall be reported directly to the
48 House for its approval, amendment, or disapproval.

49 (c) Notwithstanding Subsection (5), when meeting as a standing committee under this
50 Subsection (2), persons other than committee members may make comments and
51 recommendations at the discretion of the chair.

52 ~~[(2)]~~ (3) For all legislation not specified in Subsection ~~[(1)]~~ (2) that is referred to the House
53 Rules Committee, the committee shall:

54 (a) (i) examine each bill for proper form, including fiscal note and interim committee note,
55 if any, and, when in proper form, order the bills printed; and

56 (ii) in extraordinary circumstances, recommend to the House that a bill be printed without
57 a fiscal note; and

58 (b) refer ~~[each bill]~~ bills to the House with a recommendation:

59 ~~[(i) that the legislation be held in the House Rules Committee;]~~
 60 ~~[(ii) (i) that the legislation be referred to a standing committee for consideration; or~~
 61 ~~[(iii) (ii) that the legislation be read the second time and placed on the third reading~~
 62 ~~calendar.~~

63 ~~[(c) (4) In carrying out [the] its functions and responsibilities under Subsection [(2)] (3),~~
 64 ~~[this committee] the House Rules Committee may not:~~

65 ~~[(i) (a) table a bill without the written consent of the sponsor;~~
 66 ~~[(ii) (b) report out any bill that has been tabled by a standing committee;~~
 67 ~~[(iii) (c) amend a bill without the written consent of the sponsor;~~
 68 ~~[(iv) (d) substitute a bill without the written consent of the sponsor; or~~
 69 ~~[(v) (e) sponsor a bill, except for the revisor's bill.~~

70 ~~[(3) (5) When this committee is carrying out the functions and responsibilities of~~
 71 ~~Subsection [(2)] (3), this committee shall:~~

72 ~~[(a) provide oral notice from the floor of the time and place of its next meeting or post~~
 73 ~~written notice of its next meeting during a legislative session when oral notice is impractical or~~
 74 ~~outside of a legislative session, 24 hour notice shall be given;]~~

75 ~~(a) during a legislative session, give notice of its meetings by either:~~

76 ~~(i) providing oral notice from the floor of the time and place of its next meeting; or~~

77 ~~(ii) when oral notice is impractical, post written notice of its next meeting;~~

78 ~~(b) when the legislature is not in session, post a notice of meeting at least 24 hours before~~
 79 ~~the meeting convenes;~~

80 ~~[(b) (c) have as its agenda all bills in its possession for assignment to committee; and~~

81 ~~[(c) (d) prepare minutes that include a record, by individual legislator, of votes taken.~~

82 ~~[(4) (6) Anyone may attend a meeting of the rules committee, but comments and~~
 83 ~~discussion are limited to members of the committee.~~

84 Section 3. **HR-24.19** is amended to read:

85 **HR-24.19. Committee Reports.**

86 (1) All business referred to a committee shall be considered in the order determined by the
 87 committee chair.

88 (2) When a bill is acted upon by a committee, the bill and a committee report detailing
 89 committee action shall be [returned immediately to the House] submitted to the Chief Clerk of the

90 House no later than the next legislative day.

91 (3) (a) If a bill is tabled, the House shall be notified.

92 (b) This notification requires no House action, [as] because the bill [shall] will be
93 automatically sent to the House Rules Committee.

94 Section 4. **HR-24.27** is enacted to read:

95 **HR-24.27. Reconsideration of Action.**

96 (1) Except as provided in Subsection (2), a committee may, by majority vote of those
97 present, reconsider any committee action at any time before the committee report is sent to the
98 House.

99 (2) A committee may not reconsider a bill more than once.

100 Section 5. **HR-25.15** is repealed and reenacted to read:

101 **HR-25.15. Concurrence calendar.**

102 (1) (a) After the communication from the Senate informing the House that the Senate has
103 amended a House bill is read, the bill shall be placed on the concurrence calendar.

104 (b) During the first 43 days of the annual general session, the bill shall remain on the
105 concurrence calendar for at least one legislative day before the House may consider the question
106 of concurrence.

107 (c) During the last two days of the annual general session, and during any special sessions,
108 the bill may be considered for concurrence after giving House members reasonable time to review
109 the Senate amendments.

110 (2) When presented to the House, the question shall be: "This bill (resolution) has been
111 read three times; the question is: Shall the House concur in the Senate amendments?"

112 Section 6. **HR-37.10** is enacted to read:

113 **HR-37.10. Impeachment.**

114 If any member submits a resolution to the House to begin impeachment proceedings, the
115 House shall adopt, by majority vote, policies establishing procedures for, and governing the
116 conduct of, the impeachment process.

117 Section 7. **Repealer.**

118 This act repeals:

119 Rule **HR-37.01, Origination of Resolution.**

120 Rule **HR-37.02, Causes for Impeachment.**

- 121 Rule **HR-37.03, Resolution of Investigation.**
- 122 Rule **HR-37.04, Impeachment Resolution Priority.**
- 123 Rule **HR-37.05, Evidence in Committee Meeting.**
- 124 Rule **HR-37.06, Committee on Articles of Impeachment.**
- 125 Rule **HR-37.07, Vote on Articles of Impeachment.**
- 126 Rule **HR-37.08, House Rules Govern.**
- 127 Rule **HR-37.09, Articles of Impeachment; Procedure.**
- 128 Section 8. **Effective date.**
- 129 This resolution takes effect upon approval by a majority vote of all members of the House
- 130 of Representatives.

Legislative Review Note
as of 1-15-99 9:17 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel