

1 **HOUSE RULES RESOLUTION - WITNESS**

2 **OATHS**

3 2003 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Chad E. Bennion**

6 **This resolution modifies House Rules governing committee responsibilities and public**
7 **hearings by allowing the committee chair or a majority of the committee to require a**
8 **witness to swear or affirm an oath to tell the truth. This resolution takes effect**
9 **immediately.**

10 This resolution affects legislative rules as follows:

11 AMENDS:

12 **HR-24.12**

13 **HR-24.14**

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

15 Section 1. **HR-24.12** is amended to read:

16 **HR-24.12. Committee Responsibilities.**

17 (1) Each committee shall send a report to the House on each bill referred to it. With a
18 majority vote, the committee may transmit bills with a favorable recommendation. Bills may
19 be amended, held, tabled, returned to the House Rules Committee, or substituted in committee.
20 Unless the bill is tabled, held, or returned to the House Rules Committee, the committee shall
21 make a favorable recommendation on the matter to the House. Any bill tabled in committee
22 shall be held until the next meeting, at which time it can be lifted from the table by a two-thirds
23 vote of the committee. Any bill tabled in committee and not lifted at its next committee
24 meeting shall be sent to the House Rules Committee for filing. When a motion to lift a tabled
25 bill is made, the proponents shall be given five minutes to address the motion, the opponents
26 shall be given five minutes to address the motion, and the proponents shall be given one minute
27 to sum up. If a tabled bill is lifted at the next committee meeting, no further action may be



28 taken at that time. However, if the bill is scheduled for a subsequent meeting, it may receive
29 other committee action, including being reported out favorably. A tabled bill can be lifted from
30 the House Rules Committee by a constitutional two-thirds vote of the House of
31 Representatives. If a bill is tabled in a standing committee meeting and a Representative
32 desires to lift the tabled bill from that committee prior to the committee's next meeting, the
33 Representative may do so only with the approving vote of two-thirds of all elected
34 Representatives.

35 (2) The committee may prepare a bill addressing the same subject matter to be
36 introduced under committee sponsorship. The chief sponsor or sponsors of a bill may request
37 in writing that committee members sponsor the measure. Upon agreement by the committee,
38 the individual sponsor may relinquish individual sponsorship of the bill. A majority vote of the
39 committee is required to amend, substitute, table, recommend, hold, or sponsor a bill.

40 (3) Except as specifically provided in this rule regarding the House Rules Committee,
41 HR-24.01 governs the actions that may be appropriately taken by the House Rules Committee.

42 (4) A secretary shall record attendance and take minutes of committee action. The
43 records shall be filed for three years in the office of the Chief Clerk of the House.

44 (5) If the chair allows public comment or testimony on a bill or other matter before the
45 committee, the chair may, or a majority of the committee may, require that any person's or all
46 persons' testimony be taken under oath.

47 Section 2. **HR-24.14** is amended to read:

48 **HR-24.14. Public Hearing.**

49 (1) A public hearing may be held in addition to, or instead of, a regular committee
50 meeting. A public hearing may be held on the subject matter in one or more bills, resolutions,
51 or proposals. The chair shall give the notice in accordance with Title 52, Chapter 4, Open and
52 Public Meetings law. The notice shall include the bills or resolutions to be considered. The
53 chair may, subject to the approval of the committee, adopt procedures for the orderly conduct
54 of the hearing, including limitation on time for the hearing and for individual speakers, and the
55 order in which speakers will be heard. By motion the committee may adjourn the public
56 hearing and begin a regular committee meeting.

57 (2) When public hearings are being held, the committee may request testimony by
58 persons who have expertise on the bills under discussion. ~~Upon~~ At the direction of the chair

59 or upon a majority vote of the committee, the testimony may be taken under oath. The oath
60 shall be administered by the committee chair, cochair, or committee staff. All public comment
61 and testimony shall be received during the public comment phase of the committee meeting.
62 Upon motion, the public comment phase of the committee meeting shall terminate. The public
63 may not again participate except upon motion to take additional public comment.

64 Section 3. **Effective date.**

65 This resolution takes effect upon approval by a constitutional majority vote of all
66 members of the House of Representatives.

Legislative Review Note

as of 1-20-03 10:20 AM

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

Office of Legislative Research and General Counsel

Fiscal Note**House Rules Resolution - Witness Oaths***21-Jan-03***Bill Number HR0004***10:05 AM*

State Impact

No fiscal impact.

Individual and Business ImpactNo fiscal impact.

Office of the Legislative Fiscal Analyst

