

**JOINT RULES RESOLUTION CREATING AND AMENDING
APPROPRIATIONS COMMITTEES RULES**

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dean Sanpei

Senate Sponsor: Jerry W. Stevenson

LONG TITLE

General Description:

This rules resolution creates and amends committee rules for the Joint Appropriations Committee, the joint appropriations subcommittees, and the Executive Appropriations Committee.

Highlighted Provisions:

This resolution:

- ▶ defines terms;
- ▶ establishes the powers of a committee chair for the Executive Appropriations

Committee and the joint appropriations subcommittees to:

- preserve order and decorum;
- adopt time restrictions for witnesses and presenters; and
- enforce appropriations committee rules;
- ▶ clarifies that privileged motions:
 - take precedence over non-privileged motions;
 - are to be accepted in a specified priority; and
 - except for a motion to adjourn, do not dispose of other pending motions;
- ▶ establishes parliamentary procedures for appropriations committees; and
- ▶ moves rules on conference committees and legislative procedures to a new location

without modification.



28 **Special Clauses:**

29 This resolution provides revisor instructions.

30 **Legislative Rules Affected:**

31 AMENDS:

32 **JR3-2-102**

33 **JR3-2-302**

34 **JR3-2-401**

35 **JR3-2-402**

36 **JR4-2-101**

37 ENACTS:

38 **JR3-2-303**

39 **JR3-2-403**

40 **JR3-2-404**

41 **JR3-2-405**

42 **JR3-2-605**

43 **JR3-2-606**

44 **JR3-2-607**

45 **JR3-2-608**

46 **JR3-2-609**

47 **JR3-2-610**

48 **JR3-2-611**

49 **JR3-2-612**

50 **JR3-2-613**

51 **JR3-2-701**

52 **JR3-2-702**

53 **JR3-2-703**

54 **JR3-2-704**

55 **JR3-2-705**

56 **JR3-2-706**

57 **JR3-2-707**

58 **JR3-2-708**

- 59 **JR3-2-801**
- 60 **JR3-2-802**
- 61 **JR3-2-803**
- 62 **JR3-2-804**
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- 65 **JR3-2-807**
- 66 **JR3-2-808**
- 67 **JR3-2-809**
- 68 **JR3-2-810**
- 69 **JR3-2-811**
- 70 **JR3-2-901**
- 71 **JR3-2-902**
- 72 **JR3-2-903**
- 73 **JR3-2-904**
- 74 **JR4-3-102**
- 75 **JR4-3-103**
- 76 **JR4-3-104**
- 77 **JR4-3-105**
- 78 **JR4-3-106**
- 79 **JR4-3-107**
- 80 **JR4-3-108**
- 81 **JR4-3-109**
- 82 **JR4-3-202**
- 83 **JR4-3-203**
- 84 **JR4-4-301**
- 85 **JR4-5-102**
- 86 **JR4-5-103**
- 87 **REPEALS AND REENACTS:**
- 88 **JR3-2-101**
- 89 **JR3-2-201**

121 **JR3-2-101. Definitions.**122 As used in this chapter:123 (1) "Chair" means:124 (a) the chair of an appropriations subcommittee or the Executive Appropriations125 Committee; or126 (b) a member of a joint appropriations subcommittee or the Executive Appropriations127 Committee member who is authorized to act as chair under JR3-2-303.128 (2) "Committee" means a joint appropriations subcommittee or the Executive129 Appropriations Committee.130 (3) "Majority vote" means a majority of a quorum as provided in JR3-2-404.131 (4) "Original motion" means a non-privileged motion that is accepted by the chair132 when no other motion is pending.133 (5) "Pending motion" refers to a motion starting when a chair accepts a motion and134 ending when the motion is withdrawn or when the chair calls for a vote on the motion.135 (6) (a) "Privileged motion" means a procedural motion to adjourn, set a time to136 adjourn, recess, end debate, extend debate, or limit debate.137 (b) "Privileged motions" are not substitute motions.138 (7) "Proposed budget item" means any item under consideration by an appropriations139 committee for inclusion in an appropriations bill.140 (8) "Substitute motion" means a non-privileged motion that is made when a141 non-privileged motion is pending.142 (9) "Under consideration" means the time starting when a chair opens a discussion on a143 subject or an appropriations request that is listed on a committee agenda and ending when the144 committee disposes of the subject or request, moves on to another item on the agenda, or145 adjourns.146 Section 2. **JR3-2-102** is amended to read:147 **JR3-2-102. Rules governing joint committees.**148 [~~Each standing, appropriation, and interim committee, meeting jointly, shall have at~~149 ~~least two senators and at least two representatives in its membership.]~~150 Committees of the Legislature meeting jointly shall be organized and operate under:151 (1) standing committee rules, for standing committees meeting jointly;

152 (2) interim committee rules, for interim committees meeting jointly; and
 153 (3) the rules under this part, for joint appropriations subcommittee or the Executive
 154 Appropriations Committee.

155 Section 3. **JR3-2-103** is repealed and reenacted to read:

156 **JR3-2-103. Minimum membership.**

157 Each standing, appropriation, and interim committee, meeting jointly, shall have at least
 158 two senators and at least two representatives in its membership.

159 Section 4. **JR3-2-201** is repealed and reenacted to read:

160 **Part 2. Standing Committees**

161 **JR3-2-201. Standing committees.**

162 The chairs of similar standing committees in the House and Senate may convene a joint
 163 standing committee meeting to discuss legislation of common interest with the approval of
 164 both the speaker of the House and president of the Senate.

165 Section 5. **JR3-2-302** is amended to read:

166 **Part 3. Creation and Organization**

167 **JR3-2-302. Joint appropriations subcommittees -- Creation -- Membership.**

168 [(+) The members of the Joint Appropriations Committee shall be divided into the
 169 following [subcommittees] joint appropriations subcommittees:

170 [(a)] (1) Infrastructure and General Government;

171 [(b)] (2) Business, Economic Development, and Labor;

172 [(c)] (3) Executive Offices and Criminal Justice;

173 [(d)] (4) Social Services;

174 [(e)] (5) Higher Education;

175 [(f)] (6) Natural Resources, Agriculture, and Environmental Quality;

176 [(g)] (7) Public Education; and

177 [(h)] (8) Retirement and Independent Entities.

178 [(2)(a) Subject to Subsection (3), the president of the Senate and speaker of the House
 179 shall appoint their respective members to each subcommittee.]

180 [(b) (i) The president of the Senate shall designate one senator in each subcommittee as
 181 the Senate chair.]

182 [(ii) The speaker of the House shall designate one representative in each subcommittee

183 as the House chair and one representative in each subcommittee as the House vice chair.]

184 ~~[(3) The Retirement and Independent Entities Subcommittee shall have the same~~
185 ~~members as the Retirement and Independent Entities Committee created in Utah Code Section~~
186 ~~63E-1-201.]~~

187 ~~[(4) (a) A majority of any appropriations subcommittee is a quorum for the transaction~~
188 ~~of business.]~~

189 ~~[(b) In determining a subcommittee quorum, a majority is at least 50% in one house~~
190 ~~and more than 50% in the other.]~~

191 ~~[(5) (a) In all decisions of the subcommittees, a majority vote prevails.]~~

192 ~~[(b) A majority vote is at least 50% of the members of one house and more than 50%~~
193 ~~in the other house in attendance.]~~

194 Section 6. **JR3-2-303** is enacted to read:

195 **JR3-2-303. President and speaker to appoint committee members, chairs, and**
196 **vice chairs.**

197 (1) (a) Subject to Subsection (2), the president of the Senate and speaker of the House
198 shall appoint their respective members to each committee.

199 (b) (i) The president of the Senate shall designate one senator in each committee as the
200 Senate chair.

201 (ii) The speaker of the House shall designate one representative in each committee as
202 the House chair and one representative in each committee as the House vice chair.

203 (2) The Retirement and Independent Entities subcommittee shall have the same
204 members as the Retirement and Independent Entities Committee created in Utah Code Section
205 63E-1-201.

206 (3) A vice chair may perform the duties of a chair:

207 (a) as requested by the chair; or

208 (b) in the absence of the chair.

209 (4) The chair, or the vice chair as authorized under Subsection (3), may designate a
210 member of the committee to conduct a committee meeting when neither the chair nor the vice
211 chair is able to attend a meeting.

212 (5) A committee member designated under Subsection (4) may conduct a committee
213 meeting but may not perform the duties of a chair described in JR3-2-603 and JR3-2-604.

214 (6) The Office of the Legislative Fiscal Analyst shall staff the joint appropriations
215 subcommittees.

216 Section 7. **JR3-2-401** is amended to read:

217 **JR3-2-401. Executive appropriations -- Creation -- Membership -- Staffing.**

218 (1) There is created an Executive Appropriations Committee consisting of 20 members
219 composed of:

220 (a) three members of the majority leadership of the Senate and four members of the
221 majority leadership of the House;

222 (b) two members of the minority leadership of the Senate and three members of the
223 minority leadership of the House;

224 (c) the chair and vice chair of the Senate Appropriations Committee and the chair and
225 vice chair of the House Appropriations Committee; and

226 (d) (i) one member from the majority party of the Senate as appointed by the president
227 of the Senate or as chosen by the Senate majority caucus;

228 (ii) two members from the minority party of the Senate as appointed by the Senate
229 minority leader or as chosen by the Senate minority caucus; and

230 (iii) one member from the minority party of the House as appointed by the House
231 minority leader or as chosen by the House minority caucus.

232 (2) A member of the Executive Appropriations Committee, whose membership is
233 determined under Subsection (1)(a) or (b), may appoint a designee to permanently serve in that
234 individual's place if:

235 (a) the ~~[person]~~ individual is a member of the majority party and the designee is
236 approved by the speaker or the president; or

237 (b) the ~~[person]~~ individual is a member of the minority party and the designee is
238 approved by the House or Senate minority party leader.

239 ~~[(3) (a) A majority of the Executive Appropriations Committee is a quorum for the~~
240 ~~transaction of business.]~~

241 ~~[(b) In determining a committee quorum, a majority is at least 50% in one house and~~
242 ~~more than 50% in the other.]~~

243 ~~[(4) (a) In all decisions of the Executive Appropriations Committee, a majority vote~~
244 ~~prevails.]~~

245 ~~[(b) A majority vote is at least 50% of the members of one house and more than 50%~~
246 ~~of the members of the other house in attendance.]~~

247 ~~[(5)]~~ (3) The Office of the Legislative Fiscal Analyst shall staff the Executive
248 Appropriations Committee ~~[and its subcommittees].~~

249 Section 8. **JR3-2-402** is amended to read:

250 **JR3-2-402. Executive appropriations -- Duties -- Base budgets.**

251 (1) As used in this rule:

252 (a) "Base budget" means amounts appropriated by the Legislature for each item of
253 appropriation for the current fiscal year that:

254 (i) are not designated as one-time in an appropriation, regardless of whether the
255 appropriation is covered by ongoing or one-time revenue sources; and

256 (ii) were not vetoed by the governor, unless the Legislature overrode the veto.

257 (b) "Base budget" includes:

258 (i) any changes to those amounts approved by the Executive Appropriations
259 Committee; and

260 (ii) amounts appropriated for debt service.

261 (2) (a) The Executive Appropriations Committee shall meet no later than the third
262 Wednesday in December to:

263 (i) direct staff as to what revenue estimate to use in preparing budget
264 recommendations, to include a forecast for federal fund receipts;

265 (ii) consider treating above-trend revenue growth as one-time revenue for major tax
266 types;

267 (iii) hear a report on the historical, current, and anticipated status of the following:

268 (A) debt;

269 (B) long term liabilities;

270 (C) contingent liabilities;

271 (D) General Fund borrowing;

272 (E) reserves;

273 (F) fund balances;

274 (G) nonlapsing appropriation balances;

275 (H) cash funded infrastructure investment; and

276 (I) changes in federal funds paid to the state;
277 (iv) hear a report on:
278 (A) the next fiscal year base budget appropriation for Medicaid accountable care
279 organizations according to Section [26-18-405.5](#);
280 (B) an explanation of program funding needs;
281 (C) estimates of overall medical inflation in the state; and
282 (D) mandated program changes and their estimated cost impact on Medicaid
283 accountable care organizations;
284 (v) decide whether to set aside special allocations for the end of the session, including
285 allocations:
286 (A) to address any anticipated reduction in the amount of federal funds paid to the
287 state; and
288 (B) of one-time revenue to pay down debt and other liabilities;
289 (vi) approve the appropriate amount for each subcommittee to use in preparing its
290 budget;
291 (vii) set a budget figure; and
292 (viii) adopt a base budget in accordance with Subsection (2)(b) and direct the
293 legislative fiscal analyst to prepare one or more appropriations acts appropriating one or more
294 base budgets for the next fiscal year.
295 (b) In a base budget adopted under Subsection (2)(a), appropriations from the General
296 Fund, the Education Fund, and the Uniform School Fund shall be set as follows:
297 (i) if the next fiscal year ongoing revenue estimates set under Subsection (2)(a)(i) are
298 equal to or greater than the current fiscal year ongoing appropriations, the new fiscal year base
299 budget is not changed;
300 (ii) if the next fiscal year ongoing revenue estimates set under Subsection (2)(a)(i) are
301 less than the current fiscal year ongoing appropriations, the new fiscal year base budget is
302 reduced by the same percentage that projected next fiscal year ongoing revenue estimates are
303 lower than the total of current fiscal year ongoing appropriations;
304 (iii) in making a reduction under Subsection (2)(b)(ii), appropriated debt service shall
305 not be reduced, and other ongoing appropriations shall be reduced, in an amount sufficient to
306 make the total ongoing appropriations, including the unadjusted debt service, equal to the

307 percentage calculated under Subsection (2)(b)(ii); and

308 (iv) the new fiscal year base budget shall include an appropriation to the Department of
 309 Health for Medicaid accountable care organizations in the amount required by Section
 310 [26-18-405.5](#).

311 (c) The chairs of each [~~appropriation subcommittee~~] joint appropriations subcommittee
 312 are invited to attend this meeting.

313 [~~(3) Appropriations subcommittees may not meet while the Senate or House is in~~
 314 ~~session without special leave from the speaker of the House and the president of the Senate.~~]

315 [~~(4)~~] (3) All proposed [~~items of expenditure to be included in the appropriations bills~~]
 316 budget items shall be submitted to one of the subcommittees named in [JR3-2-302](#) for
 317 consideration and recommendation.

318 [~~(5)~~] (4) (a) After receiving and reviewing subcommittee reports, the Executive
 319 Appropriations Committee may refer the report back to [~~an appropriations subcommittee~~] a
 320 joint appropriations subcommittee with any guidelines the Executive Appropriations
 321 Committee considers necessary to assist the subcommittee in producing a balanced budget.

322 (b) The subcommittee shall meet to review the new guidelines and report the
 323 adjustments to the chairs of the Executive Appropriations Committee as soon as possible.

324 [~~(6)~~] (5) (a) After receiving the reports, the Executive Appropriations Committee
 325 chairs will report them to the Executive Appropriations Committee.

326 (b) [~~That committee~~] The Executive Appropriations Committee shall:

327 (i) make any further adjustments necessary to balance the budget; and

328 (ii) complete all decisions necessary to draft the final appropriations [~~bills~~] bills no later
 329 than the 39th day of the annual general session.

330 Section 9. [JR3-2-403](#) is enacted to read:

331 **JR3-2-403. Quorum requirements.**

332 A quorum of a joint appropriations subcommittee and the Executive Appropriations
 333 Committee is at least 50% in one house and more than 50% in the other.

334 Section 10. [JR3-2-404](#) is enacted to read:

335 **JR3-2-404. Voting requirements.**

336 A majority vote of a joint appropriations subcommittee and the Executive
 337 Appropriations Committee is at least 50% of those in attendance in one house and more than

338 50% of those in attendance in the other.

339 Section 11. **JR3-2-405** is enacted to read:

340 **JR3-2-405. Committee order of business.**

341 Unless a committee chair, or a committee by majority vote, determines otherwise, the

342 order of business for an appropriations committee is:

343 (1) call to order by the chair;

344 (2) approval of the minutes of previous meetings;

345 (3) announcement of the agenda;

346 (4) announcement of time restrictions, if any, subject to the requirements of JR3-2-604;

347 and

348 (5) consideration of appropriations committee business.

349 Section 12. **JR3-2-601** is repealed and reenacted to read:

350 **Part 6. Duties of a Committee Chair**

351 **JR3-2-601. Chair to enforce legislative rules and procedures.**

352 The chair shall ensure the integrity of the appropriations committee process by

353 enforcing legislative rules and parliamentary procedure without delay.

354 Section 13. **JR3-2-602** is repealed and reenacted to read:

355 **JR3-2-602. Chair to set agenda -- Requirements.**

356 The chair of an appropriations committee shall set the agenda for the committee

357 meeting.

358 Section 14. **JR3-2-603** is repealed and reenacted to read:

359 **JR3-2-603. Chair to post notice and agenda -- Notification to sponsors of request**

360 **for an appropriation.**

361 (1) The chair shall cause a public notice and agenda to be posted at least 24 hours

362 before each appropriations committee meeting as required under Utah Code Title 52, Chapter

363 4, Open and Public Meetings Act.

364 (2) The chair shall notify the sponsor of a request for appropriation that is listed on an

365 agenda of the time and place of the committee meeting in which the request for appropriation

366 will be considered not less than 24 hours before the committee meeting.

367 Section 15. **JR3-2-604** is repealed and reenacted to read:

368 **JR3-2-604. Chair may direct order of agenda -- Time restrictions.**

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

371 (1) directing the order of the agenda;

372 (2) directing the order in which a witness or presenter will be heard;

373 (3) directing the number of witnesses or presenters that will be heard; and

374 (4) limiting the time the committee will spend on:

375 (a) an item on the agenda; or

376 (b) an individual witness or presenter.

377 Section 16. **JR3-2-605** is enacted to read:

378 **JR3-2-605. Chair to preserve order -- Powers to preserve order.**

379 (1) The chair shall preserve order and decorum during appropriations committee
380 meetings by:

381 (a) controlling outbursts and demonstrations; and

382 (b) ensuring that committee members, presenters, witnesses, and visitors act in a
383 dignified and respectful manner.

384 (2) To preserve order, the chair may:

385 (a) clear the committee room of any person who engages in disorderly conduct;

386 (b) recess an appropriations committee meeting; or

387 (c) request assistance from:

388 (i) the sergeant-at-arms; or

389 (ii) the Utah Highway Patrol.

390 Section 17. **JR3-2-606** is enacted to read:

391 **JR3-2-606. Chair to recognize committee members -- Remarks to be germane --**

392 **Committee members may make motions when recognized -- Permission to address**
393 **committee.**

394 (1) The chair shall recognize a committee member who desires to speak to a subject
395 that is under consideration by an appropriations committee.

396 (2) Upon recognition by the chair, a committee member:

397 (a) shall ensure that the member's remarks are germane to the subject under
398 consideration; and

399 (b) may make a motion that is authorized by this chapter.

400 (3) Presenters, witnesses, visitors, staff, and committee members may not speak to an
401 appropriations committee unless recognized by the chair.

402 Section 18. **JR3-2-607** is enacted to read:

403 **JR3-2-607.** **Chair to accept all motions that are in order -- Once accepted, the**
404 **motion is pending.**

405 (1) The chair shall accept a motion requested by a member of an appropriations
406 committee who has been properly recognized unless the motion is prohibited by this chapter or
407 by parliamentary procedure.

408 (2) To properly accept a motion, the chair shall:

409 (a) restate each verbal motion; and

410 (b) distribute copies of each written motion to members of the committee.

411 (3) When a chair properly accepts a motion under Subsection (2), the motion is
412 pending.

413 Section 19. **JR3-2-608** is enacted to read:

414 **JR3-2-608.** **Chair to allow response to motions before placing motions for a vote.**

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

417 (1) members of the committee to ask the committee member who placed the motion
418 questions about the motion;

419 (2) members of the committee to debate the motion;

420 (3) the sponsor of a budget item or request for appropriation that is affected by the
421 motion to respond to the motion; and

422 (4) the committee member who placed the motion to have the final word on the
423 motion.

424 Section 20. **JR3-2-609** is enacted to read:

425 **JR3-2-609.** **Chair to place motion for vote.**

426 After the chair has permitted a committee member to sum on a motion as required
427 under JR3-2-608(4), the chair shall place the motion for a vote unless the motion is withdrawn
428 subject to the requirements of JR3-2-811.

429 Section 21. **JR3-2-610** is enacted to read:

430 **JR3-2-610.** **Chair to verbally announce vote on motions -- Motions pass with**

431 **majority vote of a quorum -- Exceptions.**

- 432 (1) After an appropriations committee votes on a motion, the chair shall:
- 433 (a) determine whether the motion passed or failed;
- 434 (b) verbally announce that the motion passed or that the motion failed; and
- 435 (c) if the vote on the motion is not unanimous, verbally identify by name either the
- 436 committee members who voted "yes" or the committee members who voted "no."

437 (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority
438 vote of a quorum as defined in [JR3-2-404](#).

439 Section 22. **JR3-2-611** is enacted to read:

440 **JR3-2-611. Chair may direct a roll call vote.**

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

443 Section 23. **JR3-2-612** is enacted to read:

444 **JR3-2-612. Chair to decide points of order -- Committee may appeal chair's**
445 **decision.**

446 (1) A chair shall rule on a point of order without committee discussion or debate.

447 (2) As provided in [JR3-2-806](#), a committee member may:

- 448 (a) make a point of order; or
- 449 (b) appeal the decision of the chair.

450 Section 24. **JR3-2-613** is enacted to read:

451 **JR3-2-613. Chair to ensure integrity of minutes -- Retention of minutes --**

452 **Content requirements.**

453 (1) The chair shall:

- 454 (a) ensure that a secretary takes minutes of appropriation committee meetings; and
- 455 (b) present the minutes to the committee for approval.

456 (2) The chair shall ensure that committee minutes comply with the requirements of
457 Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

458 (3) The chair shall ensure that committee minutes include:

- 459 (a) the date, time, and place of each committee meeting;
- 460 (b) a list of committee members present;
- 461 (c) each motion made;

- 462 (d) the vote on each motion;
463 (e) points of order; and
464 (f) the outcome of each appeal of the decision of the chair.

465 Section 25. **JR3-2-701** is enacted to read:

466 **Part 7. Duties of an Appropriations Committee**

467 **JR3-2-701. Request for appropriation.**

468 (1) A legislator wishing to obtain funding for a project, program, or entity that has not
469 previously been funded, or to obtain additional or separate funding for a project, program, or
470 entity, shall file a request for appropriation with the Office of the Legislative Fiscal Analyst.

471 (2) (a) Except as provided in Subsection (2)(b), a legislator may not file a request for
472 appropriation with the Office of the Legislative Fiscal Analyst after noon on the 11th day of the
473 annual general session.

474 (b) After the date established by this Subsection (2), a legislator may file a request for
475 appropriation if:

476 (i) for a request by a House member, the representative makes a motion to file a request
477 for appropriation and that motion is approved by a constitutional majority of the House; or

478 (ii) for a request by a senator, the senator makes a motion to file a request for
479 appropriation and that motion is approved by a constitutional majority vote of the Senate.

480 (3) The request shall designate:

481 (a) the project, program, or entity to be funded;

482 (b) the source for the funding;

483 (c) the chief sponsor, who is knowledgeable about and responsible for providing
484 pertinent information as the appropriation is processed;

485 (d) supporting legislators, if any, who wish to cosponsor the appropriation; and

486 (e) the joint appropriations subcommittee to which the sponsor wishes the request to be
487 assigned, if any.

488 Section 26. **JR3-2-702** is enacted to read:

489 **JR3-2-702. Review and action on requests for appropriation.**

490 (1) (a) The legislative fiscal analyst shall review each request for appropriation.

491 (b) If the request requires that a statute be enacted, amended, or repealed, the
492 legislative fiscal analyst shall immediately transfer the request to the Office of Legislative

493 Research and General Counsel as a request for legislation.

494 (c) If the request does not require that a statute be enacted, amended, or repealed, the
495 legislative fiscal analyst shall number and title the request and refer the request to:

496 (i) the House chair of the Executive Appropriations Committee, if the sponsor is a
497 House member; or

498 (ii) the Senate chair of the Executive Appropriations Committee, if the sponsor is a
499 Senate member.

500 (2) The House or Senate chair of the Executive Appropriations Committee shall refer
501 the request to the appropriate joint appropriations subcommittees or to the Executive
502 Appropriations Committee.

503 (3) Each joint appropriations subcommittee that receives a request for appropriation
504 shall:

505 (a) allow the sponsor to present and discuss the request with the subcommittee;

506 (b) discuss the request; and

507 (c) do one of the following:

508 (i) include all or part of the requested appropriation in the budget recommendation
509 made by the subcommittee or the Executive Appropriations Committee;

510 (ii) reject the request; or

511 (iii) recommend that all or part of the requested appropriation be placed on a funding
512 prioritization list.

513 Section 27. **JR3-2-703** is enacted to read:

514 **JR3-2-703. Amending proposed budget items -- Amendments must be germane.**

515 (1) (a) Except as provided in Subsection (2), and if recognized by the chair, a
516 committee member may make a motion to amend a proposed budget item or request for
517 appropriation that is under consideration.

518 (b) (i) A committee member may propose a verbal amendment to a proposed budget
519 item or request for appropriation under consideration if the amendment contains 15 or fewer
520 words.

521 (ii) Before proposing a motion to amend, a committee member shall ensure that a
522 proposed amendment that contains more than 15 words is printed and distributed to committee
523 staff and to all committee members present.

524 (2) (a) A committee member may only make a motion to amend that is germane to the
525 proposed budget item or request for appropriation under consideration.

526 (b) A committee member who believes that an amendment is not germane to the
527 subject of the proposed budget item or request for appropriation may make a point of order or
528 appeal as described in [JR3-2-806](#).

529 Section 28. **JR3-2-704** is enacted to read:

530 **JR3-2-704. Reconsideration of action.**

531 (1) Except as provided in Subsection (2), and if recognized by the chair, a committee
532 member may make a motion to reconsider the committee's action on a proposed budget item or
533 request for appropriation if the proposed budget item or request for appropriation is:

534 (a) assigned to the committee; and

535 (b) listed on the committee agenda as required by Utah Code Title 52, Chapter 4, Open
536 and Public Meetings Act.

537 (2) A committee may not reconsider its action:

538 (a) more than once in a meeting; and

539 (b) until the committee has considered other committee business.

540 Section 29. **JR3-2-705** is enacted to read:

541 **JR3-2-705. Testimony may be taken under oath.**

542 (1) At the direction of the chair, or upon a majority vote of the committee, the
543 testimony of a witness, presenter, or visitor who speaks to a committee may be taken under
544 oath.

545 (2) The chair or committee staff shall administer the oath.

546 Section 30. **JR3-2-706** is enacted to read:

547 **JR3-2-706. Additional committee meetings.**

548 With permission from the president of the Senate and the speaker of the House, a chair
549 may hold an appropriations committee meeting independent of the regularly scheduled
550 committee meetings.

551 Section 31. **JR3-2-707** is enacted to read:

552 **JR3-2-707. Closed appropriations committee meetings.**

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

555 Section 32. **JR3-2-708** is enacted to read:

556 **JR3-2-708. Prohibited from meeting while House or Senate is in session --**

557 **Exceptions.**

558 (1) An appropriations committee may not meet while the House or Senate is in session
559 unless:

560 (a) (i) the House chair receives permission from the speaker to meet; and

561 (ii) the Senate chair receives permission from the president to meet; or

562 (b) (i) a majority of the House approves a motion for the committee to meet while the

563 House is in session; and

564 (ii) a majority of the Senate approves a motion for the committee to meet while the

565 Senate is in session.

566 (2) Unless a committee is authorized to meet as provided in Subsection (1), any action

567 taken by a committee while the House or Senate is in session is invalid.

568 Section 33. **JR3-2-801** is enacted to read:

569 **Part 8. Appropriations Committee Parliamentary Procedures**

570 **JR3-2-801. Obtaining the floor in committee -- Remarks to be germane.**

571 (1) As required in [JR3-2-606](#), a chair shall recognize a committee member who desires
572 to speak to the committee.

573 (2) A committee member who is recognized by the chair may make a motion consistent
574 with the requirements of this chapter.

575 (3) A second to a motion is not required.

576 Section 34. **JR3-2-802** is enacted to read:

577 **JR3-2-802. Committee members shall vote.**

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

580 Section 35. **JR3-2-803** is enacted to read:

581 **JR3-2-803. Privileged motions in committee -- General requirements, procedure,**
582 **and priority.**

583 (1) Privileged motions:

584 (a) are non-debatable; and

585 (b) take precedence over non-privileged motions.

586 (2) If a privileged motion is requested while another privileged motion is pending, the
587 chair shall grant priority to the privileged motions in the following order:

588 (a) adjourn;

589 (b) set time to adjourn;

590 (c) recess;

591 (d) end debate or call the question;

592 (e) extend debate; and

593 (f) limit debate.

594 (3) Except for a motion to adjourn, a privileged motion, if adopted, does not dispose of
595 other pending motions.

596 Section 36. **JR3-2-804** is enacted to read:

597 **JR3-2-804. Original motions in committee -- General requirements, procedure,**
598 **and priority.**

599 (1) Original motions:

600 (a) are debatable; and

601 (b) may be replaced with a substitute motion.

602 (2) A committee member may not make an original motion if:

603 (a) a privileged motion is pending; or

604 (b) a substitute motion is pending.

605 Section 37. **JR3-2-805** is enacted to read:

606 **JR3-2-805. Substitute motions in committee -- General requirements, procedure,**
607 **and priority.**

608 (1) Substitute motions:

609 (a) are debatable; and

610 (b) take precedence over original motions.

611 (2) (a) A committee member may make a substitute motion if an original motion is
612 pending.

613 (b) A committee member may not make a substitute motion if:

614 (i) a privileged motion is pending; or

615 (ii) another substitute motion is pending.

616 (c) If a substitute motion is adopted, a substitute motion disposes of the original

617 motion.

618 (d) If a substitute motion is not adopted, the original motion is pending.

619 Section 38. **JR3-2-806** is enacted to read:

620 **JR3-2-806. Point of order -- Appeal of chair's decision.**

621 (1) A point of order is not a motion and, except during a vote, may be made by a
622 member of an appropriations committee at any time during a committee meeting.

623 (2) If a member of an appropriations committee is concerned that legislative rules or
624 procedures are not being followed, the committee member may make a point of order.

625 (3) When a point of order is made, the chair shall immediately allow the committee
626 member to state the member's point.

627 (4) A chair shall rule on the point of order without committee discussion or debate as
628 provided in [JR3-2-612](#).

629 (5) An appeal of the decision of the chair is not a motion and may be made by a
630 committee member after the chair has ruled on a point of order.

631 (6) (a) An appropriations committee may, by majority vote, override the decision of the
632 chair on a point of order.

633 (b) If the committee overrides the decision of the chair, the ruling of a committee is
634 final.

635 (c) If a committee does not override the decision of the chair, the ruling of a chair is
636 final.

637 Section 39. **JR3-2-807** is enacted to read:

638 **JR3-2-807. Point of information.**

639 (1) A point of information is not a motion and, except during summation or a vote,
640 may be made by a member of an appropriations committee at any time during a committee
641 meeting.

642 (2) If a member of an appropriations committee desires clarification on any aspect of a
643 committee meeting, the committee member may make a point of information.

644 (3) When a point of information is made, the chair shall immediately allow the
645 committee member to state the point.

646 Section 40. **JR3-2-808** is enacted to read:

647 **JR3-2-808. Division of a motion.**

648 (1) A division is not a motion and, except during a vote, may be made by a member of
649 an appropriations committee at any time during a committee meeting without being recognized
650 by the chair.

651 (2) The committee member who divides a motion shall clearly state how the motion is
652 to be divided.

653 (3) A committee member may not divide a motion in such a manner that could create
654 an unintelligible or ambiguous result.

655 Section 41. **JR3-2-809** is enacted to read:

656 **JR3-2-809. Prohibited motions.**

657 (1) (a) Except for a motion to adjourn, a committee member may not make a motion
658 unless a quorum of the committee is present.

659 (b) When a quorum is not present, a motion to adjourn is passed with a majority vote
660 of those present.

661 (2) No motion is in order during a vote.

662 (3) A point of order is not in order during a vote.

663 Section 42. **JR3-2-810** is enacted to read:

664 **JR3-2-810. Repeating defeated motion.**

665 (1) Except as provided in Subsection (2), a motion that is defeated may not be made by
666 a committee member until the committee has considered other committee business.

667 (2) A motion to postpone a proposed budget item or a request for appropriation to a
668 day certain, if defeated, may not be made again by any committee member during the same
669 committee meeting.

670 Section 43. **JR3-2-811** is enacted to read:

671 **JR3-2-811. Withdraw motion.**

672 A pending motion may be withdrawn at any time before the motion is placed for a vote.

673 Section 44. **JR3-2-901** is enacted to read:

674 **Part 9. Conference Committees**

675 **JR3-2-901. Appointment and chairs -- Notice.**

676 (1) (a) If the Senate refuses to concur in the House amendments to a Senate bill, the
677 secretary of the Senate shall notify the House of the refusal and ask the House to recede from
678 its amendments.

679 (b) Either house may recede from its position on any difference existing between the
680 two houses by a majority vote of its members.

681 (c) (i) If the House refuses to recede, the speaker shall appoint a conference committee
682 of three.

683 (ii) After making the appointment, the speaker shall:

684 (A) publicly announce the House members of the conference committee and the time
685 and place that the conference committee will meet;

686 (B) ensure that no more than two of the appointees are members of the majority party;
687 and

688 (C) direct House staff to provide electronic notice that identifies the House members of
689 the conference committee and the time and place of the conference committee meeting.

690 (d) If the speaker does not immediately appoint a conference committee, the president
691 may appoint a conference committee as provided in Subsection (2)(c).

692 (2) (a) If the House refuses to concur in the Senate amendments to a House bill, the
693 chief clerk of the House shall notify the Senate of the refusal and ask the Senate to recede from
694 its amendments.

695 (b) Either house may recede from its position on any difference existing between the
696 two houses by a majority vote of its members.

697 (c) (i) If the Senate refuses to recede, the president shall appoint a conference
698 committee of three.

699 (ii) After making the appointment, the president shall:

700 (A) publicly announce the Senate members of the conference committee and the time
701 and place that the conference committee will meet;

702 (B) ensure that no more than two of the appointees are members of the majority party;
703 and

704 (C) direct Senate staff to provide electronic notice that identifies the Senate members
705 of the conference committee and the time and place of the conference committee meeting.

706 (d) If the president does not immediately appoint a conference committee, the speaker
707 may appoint a conference committee as provided in Subsection (1)(c).

708 (3) (a) Whenever the president or speaker appoints a conference committee, the
709 secretary of the Senate or chief clerk of the House shall:

- 710 (i) immediately notify the other house of the action taken; and
711 (ii) request the appointment of conference committee members from that other house.
712 (b) After receiving the notice and request, the presiding officer of the other house shall:
713 (i) appoint a conference committee of three;
714 (ii) publicly announce the members of the conference committee from that house and
715 the time and place that the conference committee will meet; and
716 (iii) direct staff to provide electronic notice that identifies the members of the
717 conference committee and the time and place of the conference committee meeting.
718 (4) (a) The first senator named on the conference committee is the Senate chair of the
719 committee, and the first representative named on the conference committee is the House chair.
720 (b) The conference committee chairs shall direct the preparation of the conference
721 committee report.
- 722 Section 45. **JR3-2-902** is enacted to read:
- 723 **JR3-2-902. Conference committee procedures.**
- 724 (1) The chair from the house of origin of the bill shall chair meetings of the committee.
725 (2) Staff from the Office of Legislative Research and General Counsel may attend the
726 conference committee meeting to assist in the preparation of the committee report.
727 (3) (a) Subject to Subsection (3)(b), conference committee meetings are open to the
728 public.
729 (b) Public comment may not be received or made during a conference committee
730 meeting unless a majority of committee members from one house and at least 50% from the
731 other house vote to receive public comment.
732 (4) (a) A majority of committee members from each house must approve a conference
733 committee report in order for it to be presented to the Legislature.
734 (b) (i) If the conference committee cannot reach an agreement, the committee shall
735 report the failure to agree to both houses.
736 (ii) Upon notice that a conference committee has failed to agree, the presiding officer
737 of each house may either appoint a new committee by following the requirements of [JR3-2-901](#)
738 or reappoint the former committee and announce the time and place of the committee's
739 meeting.
740 (5) Before a bill being considered by a conference committee is abandoned, not to be

741 reviewed again by either house during the remainder of the session, each house shall vote to
742 refuse further conferences by the same committee or a new committee.

743 Section 46. **JR3-2-903** is enacted to read:

744 **JR3-2-903. Conference committee report -- Contents -- Disposition.**

745 (1) The conference committee's report shall:

746 (a) be in writing; and

747 (b) list the vote of each member of the conference committee by name.

748 (2) (a) Subject to Subsection (2)(b), the committee may report any modifications or
749 amendments to the bill that it thinks advisable.

750 (b) A conference committee may not consider or report on any matter except those at
751 issue between the two houses.

752 (3) (a) If the bill being discussed by the conference committee is a House bill, the
753 Senate conference committee members shall present the conference committee report first to
754 the Senate.

755 (b) If the bill being discussed by the conference committee is a Senate bill, the House
756 conference committee members shall present the conference committee report first to the
757 House.

758 (4) (a) After a motion to adopt the conference committee report is approved, the bill
759 shall be put at the top of the third reading calendar in the first house for consideration.

760 (b) When the first house has acted on the bill, it shall transmit the bill and the report to
761 the other house, along with a letter explaining its action.

762 (c) Before a house's vote is taken on the conference committee report, the report shall
763 be read.

764 Section 47. **JR3-2-904** is enacted to read:

765 **JR3-2-904. Failure to meet.**

766 If the members of the conference committee do not meet in a timely manner after being
767 appointed, the presiding officers of both houses may appoint a new conference committee and
768 disband the original conference committee.

769 Section 48. **JR4-2-101** is amended to read:

770 **JR4-2-101. Requests for legislation -- Contents -- Timing.**

771 (1) (a) A legislator wishing to introduce a bill or resolution shall file a Request for

772 Legislation with the Office of Legislative Research and General Counsel within the time limits
773 established by this rule.

774 (b) The request for legislation shall:

775 (i) designate the chief sponsor, who is knowledgeable about and responsible for
776 providing pertinent information as the legislation is drafted;

777 (ii) designate any supporting legislators from the same house as the chief sponsor who
778 wish to cosponsor the legislation; and

779 (iii) (A) provide specific or conceptual information concerning the change or addition
780 to law or policy that the legislator intends the proposed legislation to make;

781 (B) identify the specific situation or concern that the legislator intends the legislation to
782 address; or

783 (C) identify the general subject area within which the proposed legislation is likely to
784 fall.

785 (2) (a) Any legislator may file a request for legislation beginning 60 days after the
786 Legislature adjourns its annual general session sine die.

787 (b) A legislator-elect may file a request for legislation beginning on the November 15
788 after the annual general election at which the legislator was elected.

789 (c) (i) If an incumbent legislator does not file to run for reelection or is defeated in a
790 political party convention, primary election, or general election, that legislator may not file any
791 requests for legislation as of that date.

792 (ii) The Office of Legislative Research and General Counsel shall abandon each
793 request for legislation from the legislator that is pending on that date unless, within 30 days
794 after that date, another member of the Legislature qualified to file a request for legislation
795 assumes sponsorship of the legislation.

796 (d) (i) If, for any reason, a legislator who filed a request for legislation is unavailable to
797 serve in the next annual general session, the former legislator shall seek another legislator to
798 assume sponsorship of each request for legislation filed by the legislator who is unavailable to
799 serve.

800 (ii) If the former legislator is unable to find another legislator to sponsor the legislation
801 within 30 days, the Office of Legislative Research and General Counsel shall abandon each
802 pending request for legislation from the legislator who is unavailable to serve.

803 (3) (a) Except as provided in Subsection (3)(c), a legislator may not file a Request for
804 Legislation with the Office of Legislative Research and General Counsel after noon on the 11th
805 day of the annual general session.

806 (b) Except as provided in Subsection (3)(c), by noon on the 11th day of the annual
807 general session, each legislator shall, for each Request for Legislation on file with the Office of
808 Legislative Research and General Counsel, either approve the request for numbering or
809 abandon the request.

810 (c) After the date established by this Subsection (3), a legislator may file a Request for
811 Legislation and automatically approve the legislation for numbering if:

812 (i) for House legislation, the representative makes a motion to request a bill or
813 resolution for drafting and introduction and that motion is approved by a constitutional
814 majority of the House; or

815 (ii) for Senate legislation, the senator makes a motion to request a bill or resolution for
816 drafting and introduction and that motion is approved by a constitutional majority vote of the
817 Senate.

818 (4) A legislator wishing to obtain funding for a project, program, or entity, when that
819 funding request does not require that a statute be enacted, repealed, or amended, may not file a
820 Request for Legislation but instead shall file a request for appropriation by following the
821 procedures and requirements of [~~JR4-3-101~~] [JR3-2-701](#).

822 Section 49. ~~JR4-3-101~~ is repealed and reenacted to read:

823 **CHAPTER 3. INTRODUCTION AND CONSIDERATION OF LEGISLATION**

824 **Part 1. Introduction and Consideration of Legislation**

825 **JR4-3-101. Introduction of legislation.**

826 (1) The secretary of the Senate or chief clerk of the House shall inform the presiding
827 officer about legislation ready for introduction.

828 (2) When directed to do so by the presiding officer, the reading clerk shall introduce
829 the legislation by reading its number and short title, which constitutes the legislation's first
830 reading.

831 Section 50. ~~JR4-3-102~~ is enacted to read:

832 **JR4-3-102. Reference of legislation.**

833 (1) During an annual general or special session of the Legislature, after a piece of

834 legislation has been introduced and read for the first time, it shall be referred to a committee or
835 to the floor as provided in Senate or House Rules.

836 (2) The secretary of the Senate and the chief clerk of the House or their designees shall
837 deliver all legislation assigned to a committee to the chair of that committee or to that chair's
838 designee.

839 Section 51. **JR4-3-103** is enacted to read:

840 **JR4-3-103. Standing committee responsibilities.**

841 (1) Each standing committee shall:

842 (a) examine legislation referred to it;

843 (b) amend or substitute the legislation if necessary; and

844 (c) report the legislation back to the floor.

845 (2) If legislation is referred to an interim committee, the interim committee may
846 examine and recommend to the sponsor any changes to it that the committee considers
847 necessary.

848 Section 52. **JR4-3-104** is enacted to read:

849 **JR4-3-104. Floor action.**

850 According to the procedures and requirements of Senate Rules and House Rules, each
851 house shall consider legislation that is referred to it by a committee or that is otherwise in its
852 possession.

853 Section 53. **JR4-3-105** is enacted to read:

854 **JR4-3-105. Calendaring legislation -- Preference for legislation of other chamber.**

855 During the third and fourth days of each week:

856 (1) the Senate shall consider House legislation appearing on the Senate calendar; and

857 (2) the House shall consider Senate legislation appearing on the House calendar.

858 Section 54. **JR4-3-106** is enacted to read:

859 **JR4-3-106. Notice to other chamber that legislation has failed.**

860 (1) When a piece of legislation that passed the Senate is rejected by the House, the
861 chief clerk of the House shall transmit notice of the rejection to the Senate.

862 (2) When a piece of legislation that passed the House is rejected by the Senate, the
863 secretary of the Senate shall transmit notice of the rejection to the House.

864 Section 55. **JR4-3-107** is enacted to read:

865 **JR4-3-107. Legislation transmitted to other house.**

866 (1) The secretary of the Senate or chief clerk of the House shall:

867 (a) transmit notice of passage on third reading to the other house;

868 (b) comply with the requirements of Subsection (2) if necessary; and

869 (c) if sent to the other house, enter the date of transmission in the journal.

870 (2) The secretary of the Senate or chief clerk of the House shall, before transmitting a

871 piece of legislation to the other house, ensure that, if the legislation passed with amendments or

872 was substituted, the amendments or substitute are:

873 (a) retyped or reprinted in the typeface and on the color paper designated for each

874 house; and

875 (b) transmitted with the legislation.

876 Section 56. **JR4-3-108** is enacted to read:

877 **JR4-3-108. Consideration and action on amendments to legislation made in the**
878 **other chamber.**

879 (1) (a) If the Senate amends and passes, or substitutes and passes, a piece of House

880 legislation, the House must either "concur" or "refuse to concur" in the amendments or

881 substitute.

882 (b) (i) If the House concurs, the legislation shall be voted on for final passage in the

883 House.

884 (ii) If the legislation passes, the chief clerk of the House shall notify the Senate, obtain

885 the signatures required by [JR4-6-101](#), and send the legislation to the Office of Legislative

886 Research and General Counsel for enrolling.

887 (c) If the House refuses to concur in the Senate amendments or substitute to a piece of

888 House legislation, the chief clerk of the House and the House shall follow the procedures and

889 requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.

890 (2) (a) If the House amends and passes, or substitutes and passes, a piece of Senate

891 legislation, the Senate must either "concur" or "refuse to concur" in the amendments or

892 substitute.

893 (b) (i) If the Senate concurs, the legislation shall be voted on for final passage in the

894 Senate.

895 (ii) If the legislation passes, the secretary of the Senate shall notify the House, obtain

896 the signatures required by [JR4-6-101](#), and send the legislation to the Office of Legislative
897 Research and General Counsel for enrolling.

898 (c) If the Senate refuses to concur in the House amendments or substitute to a piece of
899 Senate legislation, the secretary of the Senate and the Senate shall follow the procedures and
900 requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.

901 Section 57. **JR4-3-109** is enacted to read:

902 **JR4-3-109. Striking the enacting clause.**

903 (1) (a) (i) Either house may strike the enacting clause on any piece of legislation by
904 following the procedures and requirements of Subsection (1)(a)(ii).

905 (ii) To strike an enacting clause, a legislator shall make a motion on the floor to strike
906 the enacting clause and a majority of the members of that house must approve the motion.

907 (b) If the enacting clause of a piece of legislation is struck:

908 (i) the action conclusively defeats the legislation; and

909 (ii) a motion to reconsider the action is out of order.

910 (2) The enacting clause of each piece of legislation that has not passed the Legislature
911 before adjournment sine die of an annual general session or a special session is automatically
912 stricken.

913 Section 58. **JR4-3-201** is repealed and reenacted to read:

914 **Part 2. Transmitting and Recording Receipt of Legislation and**
915 **Notices from Other House**

916 **JR4-3-201. Transmittal letters.**

917 The secretary of the Senate or the chief clerk of the House shall:

918 (1) attach a transmittal letter signed by the secretary or clerk to each piece of legislation
919 to be transmitted to the opposite house; and

920 (2) ensure that the piece of legislation, with its transmittal letter, is sent to the opposite
921 house.

922 Section 59. **JR4-3-202** is enacted to read:

923 **JR4-3-202. Memorializing formal receipt of legislation from other house.**

924 (1) (a) Upon receipt of a transmittal letter from the Senate, the chief clerk of the House
925 or the clerk's designee shall sign a receipt recording the House's receipt of the legislation.

926 (b) Once the receipt is signed, the legislation is in the possession of the House.

927 (2) (a) Upon receipt of a transmittal letter from the House, the secretary of the Senate
928 or the secretary's designee shall sign a receipt recording the Senate's receipt of the legislation.

929 (b) Once the receipt is signed, the legislation is in the possession of the Senate.

930 Section 60. **JR4-3-203** is enacted to read:

931 **JR4-3-203. Possession of a bill -- Process for obtaining the return of legislation**
932 **sent to the other house.**

933 (1) A piece of legislation is in the possession of the house in which it has been
934 received.

935 (2) A piece of legislation in the possession of one house may be returned to the other
936 house only when:

937 (a) the house having possession of the legislation receives a written request from the
938 opposite house requesting return of the legislation; and

939 (b) a majority of the house having possession of the legislation votes to return the
940 legislation to the opposite house.

941 Section 61. **JR4-4-101** is repealed and reenacted to read:

942 **CHAPTER 4. DEADLINES FOR PASSAGE OF CERTAIN BILLS**

943 **Part 1. Bills Containing Fiscal Notes**

944 **JR4-4-101. Deadline for passing certain fiscal note bills.**

945 (1) (a) The House shall refer any Senate bill with a fiscal note of \$10,000 or more to
946 the House Rules Committee before giving that bill a third reading.

947 (b) The Senate shall table on third reading each House bill with a fiscal note of \$10,000
948 or more.

949 (2) (a) Before adjourning on the 43rd day of the annual general session, each legislator
950 shall prioritize fiscal note bills and identify other projects or programs for new or one-time
951 funding according to the process established by leadership.

952 (b) Before adjourning on the 44th day of the annual general session, the Legislature
953 shall either pass or defeat each bill with a fiscal note of \$10,000 or more except constitutional
954 amendment resolutions.

955 Section 62. **JR4-4-201** is repealed and reenacted to read:

956 **Part 2. Appropriations Bills**

957 **JR4-4-201. Deadline for passing base budget bills.**

958 (1) Each legislator shall receive a copy of each base budget bill for the next fiscal year
959 by calendared floor time on the first day of the annual general session.

960 (2) By noon on the 16th day, but not before the third day, of the annual general session,
961 the Legislature shall either pass or defeat each base budget bill.

962 Section 63. **JR4-4-202** is repealed and reenacted to read:

963 **JR4-4-202. Deadline for passing certain appropriations bills and school finance**
964 **bills.**

965 (1) Each legislator shall receive a copy of any general appropriations bills, any
966 supplemental appropriations bills, and any school finance bills by calendared floor time on the
967 42nd day of the annual general session.

968 (2) Before the calendared closing time of the 43rd day of the annual general session,
969 the Legislature shall either pass or defeat those general appropriations bills, supplemental
970 appropriations bills, and school finance bills.

971 Section 64. **JR4-4-203** is repealed and reenacted to read:

972 **JR4-4-203. Deadline for passing the final appropriations bill.**

973 (1) Each legislator shall receive a copy of the final appropriations bill by calendared
974 floor time on the 45th day of the annual general session.

975 (2) By noon on the 45th day of the annual general session, the Legislature shall either
976 pass or defeat the final appropriations bill.

977 Section 65. **JR4-4-301** is enacted to read:

978 **Part 3. Bond Bills**

979 **JR4-4-301. Deadline for passing bond bills.**

980 (1) Each legislator shall receive a copy of any bond bill by noon on the 42nd day of the
981 annual general session.

982 (2) Before the calendared closing time of the 43rd day of the annual general session,
983 the Legislature shall either pass or defeat each bond bill.

984 Section 66. **JR4-5-101** is repealed and reenacted to read:

985 **CHAPTER 5. DISPOSITION OF LEGISLATION AFTER PASSAGE**

986 **Part 1. Certifying and Enrolling the Legislation**

987 **JR4-5-101. Certification and signature.**

988 (1) (a) When a piece of Senate legislation has passed both houses, the secretary of the

989 Senate shall certify its final passage by identifying:

990 (i) the date that the legislation passed the Senate;

991 (ii) the number of senators voting for and against the legislation;

992 (iii) the number of senators absent for the vote;

993 (iv) the date that the legislation passed the House;

994 (v) the number of representatives voting for and against the legislation; and

995 (vi) the number of representatives absent for the vote.

996 (b) When a piece of House legislation has passed both houses, the chief clerk of the

997 House shall certify its final passage by identifying:

998 (i) the date that the legislation passed the House;

999 (ii) the number of representatives voting for and against the legislation;

1000 (iii) the number of representatives absent for the vote;

1001 (iv) the date that the legislation passed the Senate;

1002 (v) the number of senators voting for and against the legislation; and

1003 (vi) the number of senators absent for the vote.

1004 (2) (a) Except as provided in Subsection (2)(b), within one legislative day of final

1005 passage, each piece of legislation shall be signed:

1006 (i) first by the presiding officer of the house in which it was last voted upon; and

1007 (ii) second by the presiding officer of the other house.

1008 (b) Within five days following the adjournment sine die of a legislative session, each

1009 piece of legislation passed on the final day of that legislative session shall be signed:

1010 (i) first by the presiding officer of the house in which it was last voted upon; and

1011 (ii) second by the presiding officer of the other house.

1012 (c) Unless the session has adjourned sine die, the secretary of the Senate or chief clerk

1013 of the House shall note in the journal that the legislation was signed by the presiding officer.

1014 Section 67. **JR4-5-102** is enacted to read:

1015 **JR4-5-102. Enrollment and transmittal of legislation to the governor.**

1016 (1) (a) After a piece of legislation that has passed both houses has been signed by the

1017 presiding officers, the secretary or chief clerk shall deliver it to the Office of Legislative

1018 Research and General Counsel.

1019 (b) The Office of Legislative Research and General Counsel shall:

- 1020 (i) examine and enroll the legislation;
- 1021 (ii) correct any technical errors as provided by Utah Code Section [36-12-12](#); and
- 1022 (iii) transmit a copy of the enrolled legislation to:
- 1023 (A) the secretary of the Senate for legislation originating in the Senate; and
- 1024 (B) the chief clerk of the House for legislation originating in the House.
- 1025 (2) When enrolling the legislation, the Office of Legislative Research and General
- 1026 Counsel shall:
- 1027 (a) include the name of the House floor sponsor for Senate legislation under the
- 1028 heading "House Sponsor:"; or
- 1029 (b) include the name of the Senate floor sponsor for House legislation under the
- 1030 heading "Senate Sponsor:".
- 1031 (3) The secretary of the Senate or chief clerk of the House shall:
- 1032 (a) certify each enrolled piece of legislation; and
- 1033 (b) ensure that a copy of the enrolled legislation is:
- 1034 (i) transmitted to the governor;
- 1035 (ii) filed with the secretary or chief clerk;
- 1036 (iii) transmitted to the chief sponsor upon request; and
- 1037 (iv) transmitted to the Office of Legislative Printing.
- 1038 Section 68. **JR4-5-103** is enacted to read:
- 1039 **JR4-5-103. Legislative general counsel to correct certain technical errors.**
- 1040 The legislative general counsel may correct technical errors in the code in preparing the
- 1041 database for publication.
- 1042 Section 69. **JR4-5-201** is repealed and reenacted to read:
- 1043 **Part 2. Recalling Legislation After Passage**
- 1044 **JR4-5-201. Recalling legislation before it is signed by the speaker and president.**
- 1045 Legislation in the possession of the other house or the Office of Legislative Research
- 1046 and General Counsel may be recalled by a motion and a constitutional majority vote from the
- 1047 members of both houses.
- 1048 Section 70. **JR4-5-202** is repealed and reenacted to read:
- 1049 **JR4-5-202. Recalling legislation from the governor.**
- 1050 When a bill has passed both houses of the Legislature, been signed by the presiding

1051 officers, been enrolled, and has been sent to the governor for his approval, it can be recalled
1052 only if:

1053 (1) a joint resolution requesting that the governor return the legislation is passed by a
1054 constitutional majority vote of both houses; and

1055 (2) the governor elects to return it.

1056 Section 71. **Repealer.**

1057 This resolution repeals:

1058 **JR4-4-102, Reference of legislation.**

1059 **JR4-4-103, Committee responsibilities.**

1060 **JR4-4-104, Floor action.**

1061 **JR4-4-105, Calendaring legislation -- Preference for legislation of other chamber.**

1062 **JR4-4-106, Notice to other chamber that legislation has failed.**

1063 **JR4-4-107, Legislation transmitted to other house.**

1064 **JR4-4-108, Consideration and action on amendments to legislation made in the**
1065 **other chamber.**

1066 **JR4-4-109, Striking the enacting clause.**

1067 **JR4-5-301, Deadline for passing bond bills.**

1068 **JR4-6-102, Enrollment and transmittal of legislation to the governor.**

1069 **JR4-6-103, Legislative general counsel to correct certain technical errors.**

1070 Section 72. **Revisor instructions.**

1071 The Legislature intends that the Office of Legislative Research and General Counsel, in
1072 preparing the Legislative Rules database for publication, renumber rules and correct cross
1073 references as necessary.

Legislative Review Note
Office of Legislative Research and General Counsel