

**RULES RESOLUTION ON HOUSE RULES**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: James A. Dunnigan**

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**LONG TITLE**

**General Description:**

This rules resolution amends House rules governing standing committees and floor conduct and procedures.

**Highlighted Provisions:**

This resolution:

- ▶ modifies the circumstances under which the governor, the lieutenant governor, the state attorney general, the state treasurer, the state auditor, governor's staff, and certain former legislators may be present on the House floor and in House space;
- ▶ provides that a guest who accompanies a representative on the House floor shall sit next to the representative;
- ▶ allows a standing committee chair or vice chair to designate a member of the standing committee to conduct a meeting of the standing committee;
- ▶ modifies the list of motions that are prohibited in a standing committee meeting;
- ▶ prohibits a motion to lift tabled legislation from a standing committee or the House Rules Committee and place it on the third reading calendar; and
- ▶ makes technical and conforming changes.

**Special Clauses:**

This resolution provides a coordination clause.

**Legislative Rules Affected:**

AMENDS:

**HR2-4-101**



- 28 [HR2-4-101.2](#)
- 29 [HR2-4-101.3](#)
- 30 [HR2-4-101.4](#)
- 31 [HR2-4-102](#)
- 32 [HR3-2-202](#)
- 33 [HR3-2-317](#)
- 34 [HR3-2-406](#)
- 35 [HR3-2-407](#)
- 36 [HR3-2-510](#)
- 37 [HR3-2-511](#)
- 38 [HR4-4-203](#)

**Legislative Rules Affected by Coordination Clause:**

- 40 [HR2-4-101.2](#)
- 41 [HR2-4-102](#)

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

Section 1. **HR2-4-101** is amended to read:

**HR2-4-101. Definitions.**

As used in this chapter:

(1) "Former legislator" means a person who is not a current member of the Legislature, but who served in the Utah House or Utah Senate at one time.

~~[(2) "Governor's staff" means:]~~

~~[(a) a person employed directly by the Office of the Governor or the Office of the Lieutenant Governor; and]~~

~~[(b) the director of the Office of Planning and Budget.]~~

~~[(3)]~~ (2) (a) "Guest" means an individual who is afforded access to the House space under a provision of this chapter, who is not an individual described in Subsection ~~[(3)(b)]~~ (2)(c) or a special guest as described under [HR2-4-101.2\(5\)](#).

(b) "Guest" includes:

(i) the governor, the lieutenant governor, the state attorney general, the state treasurer, the state auditor, and governor's staff; and

- 59 (ii) a former legislator who is an individual described in Subsection (2)(b)(i).
- 60 ~~[(b)]~~ (c) "Guest" does not mean a legislator, a member of House or Senate staff, a  
61 member of professional legislative staff, a House intern, or a lobbyist~~[, the governor, the~~  
62 ~~lieutenant governor, the state attorney general, the state treasurer, or the state auditor].~~
- 63 ~~[(4)]~~ (3) "House conference rooms" means one of the conference rooms adjacent to the  
64 House lounge, speaker's office, or the majority caucus room.
- 65 ~~[(5)]~~ (4) "House halls" means the passageways that allow access to:
- 66 (a) the House chamber;
- 67 (b) the House lounge;
- 68 (c) the House offices; or
- 69 (d) any other nonpublic areas adjoining the House chamber.
- 70 ~~[(6)]~~ (5) "House intern" means an individual who is:
- 71 (a) an official participant in the student intern program sponsored by the Utah  
72 Legislature and administered by the Office of Legislative Research and General Counsel; and
- 73 (b) is assigned to a representative.
- 74 ~~[(7)]~~ (6) "House offices" means:
- 75 (a) Representatives' offices adjacent to the House chamber;
- 76 (b) Representatives' offices on the third and fourth floors of the capitol building;
- 77 (c) Representatives' offices in the House building; and
- 78 (d) kitchens, restrooms, elevators, and any auxiliary rooms in the nonpublic areas  
79 connected with the offices listed above.
- 80 ~~[(8)]~~ (7) "House or Senate staff" means an individual who is employed directly by the  
81 House or Senate.
- 82 ~~[(9)]~~ (8) (a) "House space" means the House chamber, House lounge, House offices,  
83 House halls, and House conference rooms.
- 84 (b) "House space" does not mean the common public space outside the House  
85 chamber.
- 86 ~~[(10)]~~ (9) "Immediate family" means any parent, spouse, child, grandparent,  
87 grandchild, great-grandparent, great-grandchild, sibling, aunt, uncle, niece, or nephew of a  
88 member of the House, provided that the individual is not a lobbyist.
- 89 ~~[(11)]~~ (10) "Lobbying" means communicating with a legislator for the purpose of

90 influencing the passage, defeat, amendment, or postponement of legislative action.

91 ~~[(12)]~~ (11) "Lobbyist" means an individual who is required to register as a lobbyist by  
92 Utah Code Section [36-11-103](#).

93 ~~[(13)]~~ (12) "Professional legislative staff" means an individual employed by one of the  
94 Legislature's profession-based staff offices, namely the Office of Legislative Research and  
95 General Counsel, the Office of the Legislative Fiscal Analyst, the Office of the Legislative  
96 Auditor General, or the Office of Legislative Printing.

97 Section 2. **HR2-4-101.2** is amended to read:

98 **HR2-4-101.2. Admittance to House floor -- Prohibition against lobbying -- Rules**  
99 **for lobbyists on House floor.**

100 (1) ~~[While]~~ Except as otherwise provided in this rule, while the House is convened in  
101 annual general session or special session, only the following individuals are permitted on the  
102 House floor:

103 (a) a legislator;

104 (b) a member of House or Senate staff;

105 (c) a member of professional legislative staff;

106 (d) a House intern; and

107 (e) a former legislator who is not ~~[a lobbyist, and]~~;

108 (i) a lobbyist; or

109 ~~[(f)]~~ (ii) the governor, lieutenant governor, state attorney general, state treasurer, [and]  
110 or state auditor.

111 (2) (a) While the House is convened in annual general session or special session, a  
112 representative may invite one ~~[of the following individuals as a]~~ guest who is not a lobbyist to  
113 accompany the representative on the House floor, provided that:

114 ~~[(i) a member of the representative's immediate family;]~~

115 ~~[(ii) an administrative assistant other than a House intern; or]~~

116 ~~[(iii) a constituent who resides in the member's district.]~~

117 (i) the guest sits next to the representative;

118 (ii) the representative ensures that the guest does not impede staff work, distract from  
119 the work of the House, or encroach on a neighboring representative's desk;

120 (iii) the guest complies with the requirements of this rule, [HR2-4-102](#), and [HR2-4-103](#);

121 and

122 (iv) no representative objects.

123 (b) A representative may have no more than one guest on the House floor at any one  
124 time.

125 [~~(c) A representative who invites a guest onto the House floor shall:]~~

126 [~~(i) if the guest is not seated next to the representative as permitted under HR2-4-102,  
127 ensure that the guest sits on a bench on the House floor, provided that seating is available; and]~~

128 [~~(ii) ensure that the guest stays only for a short visit not to exceed one hour:]~~

129 (3) A lobbyist, a guest, or an individual described in Subsection (1)(e)[~~Subsection  
130 (1)(f), or Subsection (2)~~] is prohibited from lobbying on the House floor.

131 (4) (a) Except as provided in this Subsection (4), a lobbyist is not permitted on the  
132 House floor.

133 (b) A representative sponsoring a piece of legislation being debated by the House may  
134 invite one lobbyist with expertise on the legislation being considered to be present on the  
135 House floor during the presentation and debate on the legislation, if:

136 (i) the representative informs the sergeant-at-arms that the lobbyist is present on the  
137 House floor;

138 (ii) the representative ensures that the lobbyist is seated on a bench on the House floor  
139 during the presentation and debate on the legislation;

140 (iii) the representative ensures that the lobbyist does not engage in lobbying on the  
141 House floor; and

142 (iv) the lobbyist leaves the House floor when the House moves to another item of  
143 business.

144 (c) If the representative sponsoring the legislation needs the assistance of the lobbyist  
145 during the course of debate on the legislation, the representative may request permission of the  
146 speaker to have the lobbyist approach the representative sponsoring the legislation to provide  
147 the needed information to the representative.

148 (5) The speaker or the speaker's designee may authorize special guests to be present in  
149 the House chamber or on the House floor.

150 [~~(6) A representative who is visited by two or more guests shall arrange with the  
151 sergeant-at-arms for the guests to be seated in the House gallery.]~~

152 Section 3. **HR2-4-101.3** is amended to read:

153 **HR2-4-101.3. Admittance to the House lounge.**

154 (1) While the House is convened in annual general session or special session only the  
155 following individuals are permitted in the House lounge:

156 (a) a legislator;

157 (b) a member of House or Senate staff;

158 (c) a member of professional legislative staff;

159 (d) a member of the representative's immediate family;

160 (e) a House intern;

161 (f) a former legislator who is not [~~a lobbyist~~];

162 (i) a lobbyist; or

163 [~~(g)~~] (ii) the governor, the lieutenant governor, the state attorney general, the state  
164 treasurer, and the state auditor; and

165 [~~(h) the governor's staff, or a staff member for the attorney general, the state treasurer,~~  
166 ~~or the state auditor; and]~~

167 [(~~i~~)] (g) a lobbyist or guest as provided in Subsection (2).

168 (2) (a) A representative may invite a small number of lobbyists or guests to meet with  
169 the representative in the House lounge for the purpose of educating the lobbyists or guests  
170 about the legislative process or to discuss specific legislative issues.

171 (b) The representative shall ensure that the lobbyists and guests leave the House space  
172 when the meeting is over.

173 Section 4. **HR2-4-101.4** is amended to read:

174 **HR2-4-101.4. Admittance to the House offices, conference rooms, and halls.**

175 (1) While the House is convened in annual general session or special session only the  
176 following individuals are permitted in the House offices:

177 (a) a legislator;

178 (b) a member of House or Senate staff;

179 (c) a member of professional legislative staff;

180 (d) a House intern;

181 (e) a member of the representative's immediate family;

182 (f) a former legislator who is not [~~a lobbyist, and~~];

- 183           (i) a lobbyist; or  
 184           (ii) the governor, the lieutenant governor, the state attorney general, the state treasurer,  
 185 or the state auditor; and  
 186           (g) a lobbyist or guest, as provided in Subsection (3).  
 187           (2) An administrative assistant who is not a House intern is permitted in:  
 188           (a) the office of the representative who is employing the administrative assistant;  
 189           (b) the common areas of the House offices;  
 190           (c) a conference room in the House space, when meeting to discuss legislative business  
 191 with a representative; and  
 192           (d) the office of another representative with the consent of that representative.  
 193           (3) (a) A representative may invite a small number of lobbyists or guests to meet with  
 194 the representative in the representative's House office or a House conference room to discuss  
 195 specific legislative issues.  
 196           (b) The representative shall ensure that the lobbyists and guests leave the House space  
 197 when the meeting is over.  
 198           (4) (a) While the House is convened as a body on the House floor, and except as  
 199 provided in Subsection (4)(b), only the following individuals are allowed in the House halls:  
 200           (i) a legislator;  
 201           (ii) a member of House or Senate staff;  
 202           (iii) a member of professional legislative staff;  
 203           (iv) a House intern;  
 204           (v) an administrative assistant who is not a House intern; and  
 205           (vi) a former legislator who is not [~~a lobbyist, and~~];  
 206           (A) a lobbyist; or  
 207           [~~(vii)~~] (B) the governor, lieutenant governor, state attorney general, state treasurer, and  
 208 state auditor.  
 209           (b) Immediate family of a representative, a lobbyist, a guest, an administrative assistant  
 210 who is not a House intern, or any other authorized individual who is in transit to the House  
 211 chamber, House lounge, or House offices may pass through the House halls when traveling to  
 212 and from an authorized destination.  
 213           (5) An administrative assistant to a representative who is a not a House intern is not

214 permitted to use or be issued an access badge that grants access to the House floor, House  
215 lounge, House offices, House conference rooms, or House hallways.

216 Section 5. **HR2-4-102** is amended to read:

217 **HR2-4-102. Representatives' chairs and seating on the House floor.**

218 (1) No one other than the speaker may occupy the chair or use the desk of the speaker,  
219 without the speaker's authorization.

220 (2) When the House is convened in session, only the representative assigned to a desk  
221 and chair may occupy the chair or use the desk, except that a legislator may sit in the chair of  
222 another legislator.

223 (3) ~~[When]~~ In accordance with [HR2-4-101.2](#), when the House is convened in session, a  
224 representative may invite one individual to sit next to the representative on the House floor~~;~~  
225 ~~the representative complies with the requirements of [HR2-4-101.2](#) and the invited individual~~  
226 ~~is~~].

227 ~~[(a) another legislator;]~~

228 ~~[(b) a member of House or Senate staff;]~~

229 ~~[(c) a member of professional legislative staff;]~~

230 ~~[(d) a House intern;]~~

231 ~~[(e) a member of the representative's immediate family;]~~

232 ~~[(f) a constituent who resides in the representative's district; or]~~

233 ~~[(g) a special guest who is authorized to access the House floor under~~

234 ~~[HR2-4-101.2\(5\)](#)].]~~

235 Section 6. **HR3-2-202** is amended to read:

236 **HR3-2-202. Speaker to appoint committee members, chairs, and vice chairs.**

237 (1) The speaker of the House shall appoint members of the House to each standing  
238 committee.

239 (2) The speaker of the House shall appoint a chair to each standing committee.

240 (3) The speaker of the House may appoint a vice chair to each standing committee.

241 (4) A vice chair may perform the duties of a chair:

242 (a) as requested by the chair; or

243 (b) in the absence of the chair.

244 (5) The chair, or the vice chair as authorized under Subsection (4), may designate a



245 member of the committee to conduct a standing committee meeting [~~when neither the chair nor~~  
246 ~~the vice chair is able to attend a meeting~~].

247 (6) A committee member designated under Subsection (5) may conduct a committee  
248 meeting but may not perform the duties of a chair described in [HR3-2-302](#) and [HR3-2-303](#).

249 Section 7. **HR3-2-317** is amended to read:

250 **HR3-2-317. Chair to decide points of order -- Committee may appeal chair's**  
251 **decision.**

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

253 (2) As provided in [[HR3-2-506](#)] [HR3-2-507](#), a committee member may:

254 (a) make a point of order; or

255 (b) appeal the decision of the chair.

256 Section 8. **HR3-2-406** is amended to read:

257 **HR3-2-406. Amending legislation -- Verbal amendments -- Amendments must be**  
258 **germane.**

259 (1) (a) Except as provided in Subsection (2), and if recognized by the chair during the  
260 sponsor presentation phase or the committee action phase, a committee member may make a  
261 motion to amend the legislation that is under consideration.

262 (b) (i) A committee member may propose a verbal amendment to the legislation under  
263 consideration if the amendment contains 15 or fewer words.

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

267 (iii) Each word inserted shall count as one of the 15 words permitted under a verbal  
268 amendment, except that:

269 (A) numbering shall not be counted as a word;

270 (B) instructions to delete a word or words shall not count as a word; and

271 (C) a word or an exact phrase that is inserted in multiple locations shall only be  
272 counted for the first insertion.

273 (2) (a) A committee member may only make a motion to amend that is germane to the  
274 subject of the legislation under consideration.

275 (b) A committee member who believes that an amendment is not germane to the

276 subject of the legislation may make a point of order or appeal as described in [HR3-2-506](#).

277 Section 9. **HR3-2-407** is amended to read:

278 **HR3-2-407. Substitute legislation -- Substitutes must be germane.**

279 (1) Except as provided in Subsection (2), and if recognized by the chair during the  
280 committee action phase, a committee member may make a motion to substitute legislation that  
281 is under consideration.

282 (2) (a) A committee member may only make a motion to substitute that is germane to  
283 the subject of the legislation under consideration.

284 (b) A committee member who believes that [~~an amendment~~] a substitute is not  
285 germane to the subject of the legislation may make a point of order or appeal as described in  
286 [HR3-2-507](#).

287 Section 10. **HR3-2-510** is amended to read:

288 **HR3-2-510. Prohibited motions.**

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

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

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

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

295 (4) A committee member may not make a motion to:

296 (a) strike the enacting clause of legislation;

297 (b) strike the resolving clause of a resolution;

298 (c) circle legislation; [~~or~~]

299 (d) place legislation on a time certain calendar[-];

300 (e) postpone legislation to a day certain; or

301 (f) postpone legislation indefinitely.

302 Section 11. **HR3-2-511** is amended to read:

303 **HR3-2-511. Repeating defeated motion.**

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

306 (2) A motion to [~~postpone legislation to a day certain, to postpone legislation~~]

307 indefinitely, or to] return legislation to the House Rules Committee, if defeated, may not be  
308 made again by any committee member during the same committee meeting.

309 Section 12. **HR4-4-203** is amended to read:

310 **HR4-4-203. Motion to lift legislation from committee.**

311 (1) (a) [~~A~~] Except as provided in Subsection (1)(b), a representative may make a  
312 motion to lift legislation from a standing committee or the House Rules Committee and place it  
313 on the third reading calendar.

314 (b) A representative may not make a motion under Subsection (1)(a) if the legislation  
315 was tabled by a standing committee.

316 (2) Except as provided in Subsections (3) and (4), a motion to lift legislation from a  
317 standing committee or the House Rules Committee may be approved with a majority vote of  
318 the members present.

319 [~~(3) (a) A motion to lift legislation that was tabled by a standing committee requires a~~  
320 ~~vote of two-thirds of the members present.]~~

321 [~~(b)~~] (3) A motion to lift legislation that failed to pass a standing committee motion to  
322 send the legislation to the second reading calendar requires a vote of two-thirds of the members  
323 present.

324 (4) A motion to lift legislation during the 43rd, 44th, and 45th day of the annual  
325 general session, and during any special session, requires a vote of two-thirds of the members  
326 present.

327 (5) If a motion to lift legislation is approved, the presiding officer shall direct that the  
328 legislation be placed on the third reading calendar.

329 Section 13. **Coordinating H.R. 4 with H.R. 2 -- Superseding technical and**  
330 **substantive amendments.**

331 If this H.R. 4 and H.R. 2, House Rules Resolution - House Floor Conduct, both pass, it  
332 is the intent of the House of Representatives that the amendments to [HR2-4-101.2](#) and  
333 [HR2-4-102](#) in this resolution supersede the amendments to [HR2-4-101.2](#) and [HR2-4-102](#) in  
334 H.R. 2 when the Office of Legislative Research and General Counsel prepares the Legislative  
335 Rules database for publication.