

**HOUSE JOURNAL
OF THE
SIXTY-FIFTH LEGISLATURE
OF THE
STATE OF UTAH

FOURTH SPECIAL SESSION**

State Capitol
Salt Lake City, Utah
August 21, 2024

The House was called to order by Speaker Schultz at 4:48 p.m.

Prayer offered by Representative Lund.

Pledge of Allegiance led by Representative Wheatley.

The Chief Clerk, Megan Allen, read the following:

PROCLAMATION

WHEREAS, Article VI, Section 2 of the Utah Constitution authorizes the President of the Utah Senate and the Speaker of the Utah House of Representatives to issue a joint proclamation convening the Utah Legislature in a special session when two-thirds of the members of the Senate and House of Representatives favor convening the Legislature into a special session because an emergency in the affairs of the state necessitates convening the Legislature into session; and

WHEREAS, a poll conducted by the President of the Utah Senate and the Speaker of the Utah House of Representatives determined that at least two-thirds of the members of the Utah Senate and at least two-thirds of the members of the Utah House of Representatives are in favor of convening the Legislature into a special session because of the following emergencies in the affairs of the state:

(1) the Utah Supreme Court's recent decision upending over 100 years of representative democracy in Utah without the voice of the people, leaving the state vulnerable to laws advanced by foreign interests through ballot propositions that citizens cannot amend through elected representatives; and

(2) justice court backlogs resulting from an error in recent legislation;

NOW, THEREFORE, we, J. Stuart Adams, President of the Utah Senate, and Mike Schultz, Speaker of the Utah House of Representatives, by the authority vested in us by the Utah Constitution, do by this joint proclamation, call the Sixty–Fifth Legislature of the State of Utah into a Fourth Special Session at the Utah State Capitol in Salt Lake City, Utah, on the 21st day of August, 2024, at 4:45 p.m., to consider legislation to:

1. propose a constitutional amendment to Utah voters that restores the traditional effect of citizen initiatives and referenda on Utah laws by ensuring that voters, their elected representatives, and local bodies retain the ability to amend or repeal legislation, and that protects the initiative and referendum process from foreign funding interference;

2. increase the allowed number of days for referendum sponsors to gather signatures to place a voter referendum on the ballot, including postponing the effect of legislation that is potentially subject to a voter referendum;

3. amend provisions related to the administration of the 2024 regular general election only to the extent necessary to accommodate placing the above proposal to amend the Utah Constitution on the ballot for voter consideration, adding or amending no other provisions related to the 2024 regular general election; and

4. amend provisions related to justice court jurisdiction to address an error in 2024 General Session, S.B. 180, Court Jurisdiction Modifications.

J. Stuart Adams
Utah Senate President

Mike Schultz
Speaker of the House
Utah House of Representatives

Communication filed.

AMENDMENT TO PROCLAMATION

WHEREAS, the undersigned issued a joint proclamation on August 19, 2024, convening the Utah Legislature in a special session beginning on the 21st day of August 2024; and

WHEREAS, the undersigned have since been informed of the need to modify the second item of legislation to be considered at the special session;

NOW, THEREFORE, we, J. Stuart Adams, President of the Utah Senate, and Mike Schultz, Speaker of the Utah House of Representatives, do by this joint

proclamation amend the second item of legislation in the proclamation dated August 19, 2024, to read as follows:

“2. increase the allowed number of days for referendum sponsors to gather signatures to place a voter referendum on the ballot, including postponing the effect of legislation that is potentially subject to a voter referendum, and address the deference given to a law passed by initiative;”.

J. Stuart Adams
Utah Senate President

Mike Schultz
Speaker of the House
Utah House of Representatives

Communication filed.

CERTIFICATION OF MEMBERSHIP

I, Deidre M. Henderson, Lieutenant Governor of the State of Utah, do hereby certify that the attached copy of the Proclamation issued on the 19th day of August, 2024 and signed by J. Stuart Adams, President of the Utah Senate, and Mike Schultz, Speaker of th Utah House of Representatives, is a true and correct copy of the original Proclamation calling the 65th Legislature of the State of Utah into a Fourth Special Session at the Capitol Complex at Salt Lake City, Utah, on the 21st day of August, 2024, at 4:45 PM, for the purposes named in the Proclamation.

I further certify that the membership of the Utah State House of Representatives has not changed from that of the 3rd Special Session of the 65th Legislature.

IN TESTIMONY WHEREOF,
I have hereunto set my hand,
and affixed the Great Seal of the
State of Utah this 21st day of
August, 2024 at Salt Lake City,
Utah.

Deidre M. Henderson
Lieutenant Governor

Communication filed.

MISCELLANEOUS BUSINESS

Roll call showed all members present. Representatives Dunnigan, Hollins, Jack, and Romero will be remote.

Speaker Schultz announced that pursuant to Joint Rule 2-1-101, the Rules adopted by the Legislature during the 2024 General Session apply to the conduct of the House during the 2024 Fourth Special Session.

On motion of Representative Brammer, and as allowed by the Utah Constitution, the House voted to read only the short title of bills and resolutions as they are introduced or considered unless two-thirds of the House directs the reading of the long title, short title, or both.

On motion of Representative J. Moss, the House authorized Speaker Schultz to appoint a committee to notify the Senate that the House is organized and ready to do business.

Speaker Schultz appointed Representatives Musselman, Hall, and Briscoe.

On motion of Representative Dailey-Provost, the House authorized Speaker Schultz to appoint a committee to meet with a like committee from the Senate to wait upon the Governor to inform him that the Legislature is organized and ready to do business.

Speaker Schultz appointed Representatives Barlow, Clancy, and C. Moss.

On motion of Representative Teuscher, the Speaker signed, on behalf of the House, a citation honoring five graduates from Bingham High School – Brenna Miller, Brandon Lockhart, James Brown, Zach Peterson, and Nathan Gillet. The teenagers provided first aid services to Mr. Joey Espionzo who had fallen into a campfire pit.

Senators Hinkins, McCay, and Plumb formally notified the House that the Senate is organized and ready to do business.

Representative Barlow reported that Governor Cox has been notified that the Legislature is organized and ready to do business.

Representative Musselman reported that the Senate has been notified that the House is organized and ready to do business.

On motion of Representative J. Moss, the House voted to saunter at 5:05 p.m.

On motion of Representative J. Moss, the House voted to cease to saunter at 5:25 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker: August 21, 2024

The Senate passed **S.B. 4001, JUSTICE COURT JURISDICTION**, by Senator J. Plumb, and it is transmitted for consideration.

Phalin Flowers,
Secretary of the Senate

Communication filed. The bill was read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Brammer, the House voted to lift **S.B. 4001** from the Rules Committee, read it the second time, and place it at the top of the Third Reading Calendar.

THIRD READING CALENDAR

S.B. 4001, JUSTICE COURT JURISDICTION, Senator Plumb, was read the third time by short title and placed on its final passage. Representative Loubet explained the bill.

S.B. 4001 passed on the following roll call:

Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were:

Representatives

- | | | | |
|------------|-------------------|--------------|-------------|
| Abbott N. | Acton C. | Albrecht C. | Ballard M. |
| Barlow S. | Bennion G. | Birkeland K. | Bolinder B. |
| Brammer B. | Briscoe J. | Brooks W. | Burton J. |
| Chew S. | Christofferson K. | Clancy T. | Cobb J. |
| Cutler P. | Dailey-Provost J. | Defay A. | Eliason S. |
| Elison J. | Garner B. | Gricius S. | Gwynn M. |
| Hall K. | Hawkins J. | Hayes S. | Hollins S. |
| Ivory K. | Jimenez T. | Johnson D. | Judkins M. |
| King B. | Kohler M. | Kyle J. | Lee T. |
| Lesser R. | Lisonbee K. | Loubet A. | Lund S. |
| Lyman P. | MacPherson M. | Maloy A. | Matthews A. |

Moss C.	Moss J.	Musselman C.	Owens D.
Peterson K.	Petersen M.	Peterson T.	Peterson V.
Pierucci C.	Pulsipher S.	Rohner J.	Romero A.
Schultz M.	Shipp R.	Snider C.	Spendlove R.
Stenquist J.	Stoddard A.	Stratton K.	Strong M.
Teuscher J.	Thurston N.	Walter R.	Ward R.
Watkins C.	Welton D.	Wheatley M.	Whyte S.

Absent or not voting were:

Representatives

Dunnigan J.	Jack C.	Wilcox R.
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S.B. 4001 was signed by the Speaker and returned to the Senate for signature of the President.

MISCELLANEOUS BUSINESS

On motion of Representative J. Moss, the House voted to saunter at 5:30 p.m.

On motion of Representative J. Moss, the House voted to cease to saunter at 6:49 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker: August 21, 2024

The Senate passed, as amended, **S.J.R. 401**, PROPOSAL TO AMEND UTAH CONSTITUTION – VOTER LEGISLATIVE POWER, by Senator K. A. Cullimore, and it is transmitted for consideration.

Phalin Flowers,
Secretary of the Senate

Communication filed. The bill was read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Brammer, the House voted to lift **S.J.R. 401** from the Rules Committee, read it the second time, and place it at the top of the Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 401, PROPOSAL TO AMEND UTAH CONSTITUTION – VOTER LEGISLATIVE POWER, Senator Cullimore, was read the third time by short title and placed on its final passage. Representative Teuscher explained the bill.

Representatives Owens, Thurston, Rohner, Briscoe, S. Eliason, Ivory, Stoddard, Dailey–Provost, and Brammer commented.

On motion of Representative Matthews, the House voted to call the previous question and end debate.

S.J.R. 401 passed on the following roll call:

Yeas, 54; Nays, 21; Absent or not voting, 0.

Voting in the affirmative were:

Representatives

Abbott N.	Acton C.	Albrecht C.	Ballard M.
Barlow S.	Birkeland K.	Bolinder B.	Brammer B.
Brooks W.	Burton J.	Chew S.	Christofferson K.
Clancy T.	Cutler P.	Defay A.	Elison J.
Gricius S.	Gwynn M.	Hall K.	Hawkins J.
Ivory K.	Jack C.	Jimenez T.	Johnson D.
Kohler M.	Kyle J.	Lee T.	Lisonbee K.
Lund S.	Lyman P.	Maloy A.	Moss J.
Musselman C.	Peterson K.	Petersen M.	Peterson T.
Peterson V.	Pierucci C.	Pulsipher S.	Rohner J.
Schultz M.	Shipp R.	Snider C.	Spendlove R.
Stenquist J.	Stratton K.	Strong M.	Teuscher J.
Thurston N.	Walter R.	Watkins C.	Welton D.
Whyte S.	Wilcox R.		

Voting in the negative were:

Representatives

Bennion G.	Briscoe J.	Cobb J.	Dailey–Provost J.
Dunnigan J.	Eliason S.	Garner B.	Hayes S.
Hollins S.	Judkins M.	King B.	Lesser R.
Loubet A.	MacPherson M.	Matthews A.	Moss C.
Owens D.	Romero A.	Stoddard A.	Ward R.
Wheatley M.			

S.J.R. 401 was signed by the Speaker and returned to the Senate for signature of the President and enrolling.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

August 21, 2024

The Senate passed, as substituted, **1st Sub S.B. 4002**, BALLOT PROPOSITION AMENDMENTS, by Senator E. Vickers, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub S.B. 4003**, STATEWIDE INITIATIVE AND REFERENDUM AMENDMENTS, by Senator K. A. Cullimore, and it is transmitted for consideration.

Phalin Flowers,
Secretary of the Senate

Communications filed. The bills were read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Brammer, the House voted to lift **1st Sub S.B. 4002** and **1st Sub S.B. 4003** from the Rules Committee, read them the second time, and place them at the top of the Third Reading Calendar.

THIRD READING CALENDAR

1st Sub S.B. 4002, BALLOT PROPOSITION AMENDMENTS, Senator Vickers, was read the third time by short title and placed on its final passage. Representative Teuscher explained the bill.

Representatives King and Clancy commented.

1st Sub S.B. 4002 passed on the following roll call:

Yeas, 54; Nays, 20; Absent or not voting, 1.

Voting in the affirmative were:

Representatives

- | | | | |
|--------------|--------------|-------------|-------------------|
| Abbott N. | Acton C. | Albrecht C. | Ballard M. |
| Barlow S. | Birkeland K. | Bolinder B. | Brammer B. |
| Brooks W. | Burton J. | Chew S. | Christofferson K. |
| Clancy T. | Cobb J. | Cutler P. | Defay A. |
| Elison J. | Gricius S. | Gwynn M. | Hall K. |
| Hawkins J. | Ivory K. | Jimenez T. | Johnson D. |
| Kohler M. | Kyle J. | Lee T. | Lisonbee K. |
| Lund S. | Lyman P. | Maloy A. | Matthews A. |
| Moss J. | Musselman C. | Peterson K. | Petersen M. |
| Peterson T. | Peterson V. | Pierucci C. | Rohner J. |
| Schultz M. | Shipp R. | Snider C. | Spendlove R. |
| Stenquist J. | Stratton K. | Strong M. | Teuscher J. |
| Thurston N. | Walter R. | Watkins C. | Welton D. |
| Whyte S. | Wilcox R. | | |

Voting in the negative were:

Representatives

Bennion G.	Briscoe J.	Dailey–Provost J.	Dunnigan J.
Eliason S.	Garner B.	Hayes S.	Hollins S.
Judkins M.	King B.	Lesser R.	Loubet A.
MacPherson M.	Moss C.	Owens D.	Pulsipher S.
Romero A.	Stoddard A.	Ward R.	Wheatley M.

Absent or not voting was:

Representative

Jack C.

1st Sub S.B. 4002 was signed by the Speaker and returned to the Senate for signature of the President.

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1st Sub S.B. 4003, STATEWIDE INITIATIVE AND REFERENDUM AMENDMENTS, Senator Cullimore, was read the third time by short title and placed on its final passage. Representative Kyle explained the bill.

1st Sub S.B. 4003 passed on the following roll call:

Yeas, 58; Nays, 15; Absent or not voting, 2.

Voting in the affirmative were:

Representatives

Abbott N.	Acton C.	Albrecht C.	Ballard M.
Barlow S.	Birkeland K.	Bolinder B.	Brammer B.
Brooks W.	Burton J.	Chew S.	Christofferson K.
Clancy T.	Cobb J.	Cutler P.	Defay A.
Dunnigan J.	Eliason S.	Elison J.	Gricius S.
Gwynn M.	Hall K.	Hawkins J.	Ivory K.
Jimenez T.	Johnson D.	Judkins M.	Kohler M.
Kyle J.	Lee T.	Lisonbee K.	Lund S.
Lyman P.	MacPherson M.	Maloy A.	Moss J.
Musselman C.	Peterson K.	Petersen M.	Peterson T.
Peterson V.	Pierucci C.	Pulsipher S.	Rohner J.
Schultz M.	Shipp R.	Snider C.	Stenquist J.
Stratton K.	Strong M.	Teuscher J.	Thurston N.
Walter R.	Ward R.	Watkins C.	Welton D.
Whyte S.	Wilcox R.		

Voting in the negative were:

Representatives

Bennion G.	Briscoe J.	Dailey–Provost J.	Garner B.
Hayes S.	Hollins S.	King B.	Lesser R.
Loubet A.	Matthews A.	Moss C.	Owens D.
Romero A.	Stoddard A.	Wheatley M.	

Absent or not voting were:

Representatives

Jack C. Spendlove R.

1st Sub S.B. 4003 was signed by the Speaker and returned to the Senate for signature of the President.

MISCELLANEOUS BUSINESS

On motion of Representative Lesser, the House authorized Speaker Schultz to appoint a committee to meet with a like committee from the Senate to wait upon the Governor to inform him that the Legislature has completed its business and is ready to adjourn sine die.

Speaker Schultz appointed Representatives Welton, MacPherson, and Matthews.

On motion of Representative Lisonbee, the House authorized Speaker Schultz to appoint a committee to notify the Senate that the House has completed its business and is prepared to adjourn sine die.

Speaker Schultz appointed Representatives Wilcox, Gricius, and King.

Representative Wilcox reported that the Senate has been notified that the House is prepared to adjourn sine die.

Representative Welton reported that the committee, with a like committee from the Senate, has notified the Governor that the Legislature is prepared to adjourn sine die.

Senators Hinkins, McCay, and Plumb notified the House that the Senate has completed its business and is prepared to adjourn sine die.

On motion of Representative J. Moss, and at 8:02 p.m., the House voted that the Fourth Special Session of the 65th Legislature adjourn sine die.

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