

HR0001S01 compared with HR0001

{Omitted text} shows text that was in HR0001 but was omitted in HR0001S01

inserted text shows text that was not in HR0001 but was inserted into HR0001S01

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1 **House Rules Resolution - Amendments to House Rules**
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 Chief Sponsor: James A. Dunnigan

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3 **LONG TITLE**
4 **General Description:**
5 This resolution modifies House rules.
6 **Highlighted Provisions:**
7 This resolution:
11 ▸ updates outdated language;
12 ▸ changes the name of the House Business and Labor Standing Committee to the House Business,
 Labor, and Commerce Standing Committee;
14 ▸ requires certain changes to legislation to be made by a motion to substitute the legislation rather
 than a motion to amend the legislation;
16 ▸ prohibits a committee member from requesting a personal privilege during a committee meeting;
 {and}
15 ▸ clarifies House floor procedures related to substitute and privileged motions; and
18 ▸ makes technical and conforming changes.
17 **Money Appropriated in this Bill:**
18 None
19 None

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21 **Legislative Rules Affected:**

22 AMENDS:

23 **HR2-4-101**

24 **HR3-2-201**

25 **HR3-2-406**

26 **HR3-2-510**

27 **HR4-3-301**

28 **HR4-6-107**

29 **HR4-6-110**

30 **HR5-2-101**

31

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

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

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

As used in this chapter:

- 36 (1) "Department head" means the same as that term is defined in Utah Code Section 63A-17-807 or a
department head's designee.
- 38 (2) "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.
- 40 (3)
- . (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)(c) or a special guest as described under
HR2-4-101.2(5).
- 43 (b) "Guest" includes:
- 44 (i) the governor, the lieutenant governor, the state attorney general, the state treasurer, the state auditor,
and governor's staff; and
- 46 (ii) a former legislator who is an individual described in Subsection (3)(b)(i).
- 47 (c) "Guest" does not mean a legislator, a member of House or Senate staff, a member of professional
legislative staff, a House intern, or a lobbyist.
- 49 (4) "House conference rooms" means one of the conference rooms adjacent to the House lounge,
speaker's office, or the majority caucus room.

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- 51 (5) "House halls" means the passageways that allow access to:
- 52 (a) the House chamber;
- 53 (b) the House lounge;
- 54 (c) the House offices; or
- 55 (d) any other nonpublic areas adjoining the House chamber.
- 56 (6) "House intern" means an individual who is:
- 57 (a) an official participant in the student intern program sponsored by the Utah Legislature and
administered by the Office of Legislative [~~Research and General Counsel~~] Services; and
- 60 (b) is assigned to a representative.
- 61 (7) "House offices" means:
- 62 (a) Representatives' offices adjacent to the House chamber;
- 63 (b) Representatives' offices on the third and fourth floors of the capitol building;
- 64 (c) Representatives' offices in the House building; and
- 65 (d) kitchens, restrooms, elevators, and any auxiliary rooms in the nonpublic areas connected with the
offices listed above.
- 67 (8) "House or Senate staff" means an individual who is employed directly by the House or Senate.
- 69 (9)
- . (a) "House space" means the House chamber, House lounge, House offices, House halls, and House
conference rooms.
- 71 (b) "House space" does not mean the common public space outside the House chamber.
- 72 (10) "Immediate family" means any parent, spouse, child, grandparent, grandchild, great-grandparent,
great-grandchild, sibling, aunt, uncle, niece, or nephew of a member of the House, provided that the
individual is not a lobbyist.
- 75 (11) "Lobbying" means communicating with a legislator for the purpose of influencing the passage,
defeat, amendment, or postponement of legislative action.
- 77 (12) "Lobbyist" means an individual who is required to register as a lobbyist by Utah Code Section
36-11-103.
- 79 (13) "Professional legislative staff" means an individual employed by one of the Legislature's
profession-based staff offices, namely the Office of Legislative Research and General Counsel, the
Office of the Legislative Fiscal Analyst, the Office of the Legislative Auditor General, or the Office
of Legislative [~~Printing~~] Services.

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83 Section 2. **HR3-2-201** is amended to read:

84 **HR3-2-201. Standing committees -- Creation.**

There are created the following standing committees to consider legislation during an annual general or special session:

- 87 (1) Business~~[-and]~~ , Labor, and Commerce;
- 88 (2) Economic Development and Workforce Services;
- 89 (3) Education;
- 90 (4) Government Operations;
- 91 (5) Health and Human Services;
- 92 (6) House Rules;
- 93 (7) Judiciary;
- 94 (8) Law Enforcement and Criminal Justice;
- 95 (9) Natural Resources, Agriculture, and Environment;
- 96 (10) Political Subdivisions;
- 97 (11) Public Utilities and Energy;
- 98 (12) Revenue and Taxation; and
- 99 (13) Transportation.

100 Section 3. **HR3-2-406** is amended to read:

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

103 (1)

. (a) Subject to ~~[Subsection (2)]~~ the provisions of this rule and HR3-2-306, and if recognized by the chair during the presentation phase or the committee action phase, a committee member may make a motion to amend the legislation that is under consideration.

107 (b)

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

109 (ii) Unless the amendment contains 15 or fewer words, before proposing a motion to amend, a committee member shall ensure that a copy of the proposed amendment is available online.

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

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

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- 115 (B) instructions to delete a word or words shall not count as a word; and
116 (C) a word or an exact phrase that is inserted in multiple locations shall only be counted for the first
insertion.
- 118 (2)
- . (a) A committee member may only make a motion to amend that is germane to the subject of the
legislation under consideration.
- 120 (b) A committee member who believes that an amendment is not germane to the subject of the
legislation may make a point of order or appeal as described in HR3-2-506.
- 122 (3)
- . (a) A committee member may not propose an amendment to legislation that:
- 123 (i) adds or removes an entire section from the legislation; or
124 (ii) modifies the legislation's effective date.
- 125 (b) To change legislation as described in Subsection (3)(a), a committee member may, subject to
HR3-2-407, make a motion to substitute the legislation.
- 127 Section 4. **HR3-2-510** is amended to read:
128 **HR3-2-510. Prohibited motions.**
- 129 (1)
- . (a) Except for a motion to adjourn or a motion to recess, a committee member may not make a motion
unless a quorum of the standing committee is present.
- 131 (b) When a quorum is not present, a motion to adjourn or a motion to recess is passed with a majority
vote of those present.
- 133 (2) No motion is in order during a vote.
- 134 (3) A point of order is not in order during a vote.
- 135 (4) A committee member may not make a motion to:
- 136 (a) strike the enacting clause of legislation;
137 (b) strike the resolving clause of a resolution;
138 (c) circle legislation;
139 (d) place legislation on a time certain calendar;
140 (e) postpone legislation to a day certain; or
141 (f) postpone legislation indefinitely.
- 142 (5)

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- . (a) A personal privilege is not a motion.
- 143 (b) A committee member may not request a personal privilege during a committee meeting.
- 145 Section 5. **HR4-3-301** is amended to read:
- 146 **HR4-3-301. Amendments in order on third reading -- 15 word rule -- Passage of**
amendments by a majority vote.
- 148 (1) [A] Subject to Subsections (2) and (3), a motion to amend a piece of legislation is in order on third
reading.
- 150 (2)
- . (a) A representative may verbally propose an amendment to legislation if the amendment contains 15 or
fewer words[-].
- 152 (b) Unless the amendment contains 15 or fewer words, before a representative makes a motion to
amend, the representative shall ensure that a copy of the proposed amendment is available online.
- 155 (c) Each word inserted shall count as one of the 15 words permitted under a verbal amendment, except
that:
- 157 (i) numbering shall not be counted as a word;
- 158 (ii) instructions to delete a word or words shall not count as a word; and
- 159 (iii) a word or an exact phrase that is inserted in multiple locations shall only be counted for the first
insertion.
- 161 (3)
- . (a) A representative may not propose an amendment to legislation that:
- 162 (i) adds or removes an entire section from the legislation; or
- 163 (ii) modifies the legislation's effective date.
- 164 (b) To change legislation as described in Subsection (3)(a), a representative may, subject to Part 2,
Substitute Legislation, make a motion to substitute the legislation.
- 166 (4) A constitutional amendment, resolution, or bill requiring a constitutional two-thirds vote for final
passage, may be amended by a majority vote.
- 168 [(4)] (5) When legislation is amended by the House, the chief clerk shall:
- 169 (a) for each page of the legislation modified by a House amendment, cause a new page to be printed
that clearly identifies each House amendment to that page; and
- 171 (b) print that new page on lilac-colored paper.
- 172 Section 6. **HR4-6-107** is amended to read:

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173 **HR4-6-107. Substitute motions.**

- 174 (1) A representative may, upon recognition by the presiding officer, make a substitute motion, which, if
adopted by vote of a majority of the House, disposes of the original motion.
- 177 (2) If the substitute motion is not adopted, the original motion is revived.
- 178 (3) A representative may not make a substitute motion if:
- 179 (a) [~~make a substitute motion if another substitute motion has been made and is pending~~] another
substitute motion is pending; or
- 181 (b) [~~make a motion to end debate (call the previous question) as a substitute motion~~] a privileged
motion is pending.

183 Section 7. **HR4-6-110** is amended to read:

184 **HR4-6-110. Privileged motions.**

- 185 (1) A privileged motion:
- 186 (a) is non-debatable;
- 187 (b) is not a substitute motion; and
- 188 (c) subject to HR4-6-109, takes precedence over a non-privileged motion.
- 189 (2) [~~The presiding officer may not allow debate on a motion~~] If a privileged motion is requested while
another privileged motion is pending, the presiding officer shall grant priority to privileged motions
in the following order:
- 192 (a) to adjourn;
- 193 (b) to recess;
- 194 (c) to end debate (call the previous question); or
- 195 (d) to extend the time for debate.
- 196 [(2)] (3) The presiding officer shall decide all points of order arising from one of the above privileged
motions without debate.

198 Section 8. **HR5-2-101** is amended to read:

199 **HR5-2-101. Lobbyist code of ethics.**

A lobbyist, volunteer lobbyist, or government official may not:

- 175 (1) attempt to influence a representative, elected or appointed state official, state employee, or
legislative employee by means of deceit or by threat of violence or economic or political reprisal
against any person or property, with intent by doing so to alter or affect the representative's, elected
or appointed state official's, state employee's, or legislative employee's decision, vote, opinion, or

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- action concerning any matter that is to be considered or performed by the representative, official, or employee or the agency or body of which the representative, official, or employee is a member;
- 182 (2) knowingly provide false information to a representative, elected or appointed state official, state employee, or legislative employee as to any material fact pertaining to any legislation;
- 185 (3) knowingly omit, conceal, or falsify in any manner information required by the lobbyist registration and lobbyist disclosure reports;
- 187 (4) participate in committee assignments or leadership races of the House of Representatives;
- 189 (5) cause or influence the introduction of any piece of legislation, substitute, or amendment for the purpose of afterwards becoming employed to secure its passage or defeat;
- 191 (6) misappropriate or misuse legislative office supplies;
- 192 (7) use legislative reproduction or facsimile machines without paying for that use;
- 193 (8) enter or use a representative's, elected or appointed state official's, state employee's, or legislative employee's office, phone, computer, or parking space without explicit permission;
- 196 (9) attempt to remove or remove any document from any representative's or legislative employee's office, desk, file cabinet, reproduction machine, facsimile machine, or any other place without explicit permission;
- 199 (10) ~~engage in sexually harassing behavior or behavior violating the state's sexual harassment policy toward representatives or employees of the Legislature~~ engage in discriminatory conduct, as defined in Legislative Management Committee Policy E -- Legislative Workplace Discrimination Prevention, toward a representative or legislative employee;
- 204 (11) offer employment to a representative or legislative employee that impairs the representative's or legislative employee's independence of judgement as to their official duties;
- 207 (12) offer employment that would require or induce a representative or legislative employee to disclose records classified as private, protected, or controlled;
- 209 (13) use or disclose for personal financial gain any records classified as private, protected, or controlled that were obtained from a representative or legislative employee or conspire with any person for that purpose; or
- 212 (14) induce or seek to induce a representative or legislative employee to commit a violation of any provision of this House rule.

240 Section 9. **Effective date.**

This resolution takes effect upon a successful vote for final passage.

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