

James A. Dunnigan proposes the following substitute bill:

1 **House Rules Resolution - Amendments to House Rules**

 2025 GENERAL SESSION

 STATE OF UTAH

Chief Sponsor: James A. Dunnigan

2
3 **LONG TITLE**

4 **General Description:**

5 This resolution modifies House rules.

6 **Highlighted Provisions:**

7 This resolution:

8 ▸ updates outdated language;

9 ▸ changes the name of the House Business and Labor Standing Committee to the House

10 Business, Labor, and Commerce Standing Committee;

11 ▸ requires certain changes to legislation to be made by a motion to substitute the legislation
12 rather than a motion to amend the legislation;

13 ▸ prohibits a committee member from requesting a personal privilege during a committee
14 meeting;

15 ▸ clarifies House floor procedures related to substitute and privileged motions; and

16 ▸ makes technical and conforming changes.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

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**

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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) "Department head" means the same as that term is defined in Utah Code Section 63A-17-807 or a department head's designee.
- (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.
- (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).
- (b) "Guest" includes:
 - (i) the governor, the lieutenant governor, the state attorney general, the state treasurer, the state auditor, and governor's staff; and
 - (ii) a former legislator who is an individual described in Subsection (3)(b)(i).
- (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.
- (4) "House conference rooms" means one of the conference rooms adjacent to the House lounge, speaker's office, or the majority caucus room.
- (5) "House halls" means the passageways that allow access to:
 - (a) the House chamber;
 - (b) the House lounge;
 - (c) the House offices; or
 - (d) any other nonpublic areas adjoining the House chamber.
- (6) "House intern" means an individual who is:
 - (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
 - (b) is assigned to a representative.
- (7) "House offices" means:
 - (a) Representatives' offices adjacent to the House chamber;
 - (b) Representatives' offices on the third and fourth floors of the capitol building;
 - (c) Representatives' offices in the House building; and

- 65 (d) kitchens, restrooms, elevators, and any auxiliary rooms in the nonpublic areas
 66 connected with the offices listed above.
- 67 (8) "House or Senate staff" means an individual who is employed directly by the House or
 68 Senate.
- 69 (9)(a) "House space" means the House chamber, House lounge, House offices, House
 70 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,
 73 great-grandparent, great-grandchild, sibling, aunt, uncle, niece, or nephew of a member
 74 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
 76 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
 78 Section 36-11-103.
- 79 (13) "Professional legislative staff" means an individual employed by one of the
 80 Legislature's profession-based staff offices, namely the Office of Legislative Research
 81 and General Counsel, the Office of the Legislative Fiscal Analyst, the Office of the
 82 Legislative Auditor General, or the Office of Legislative ~~Printing~~ Services.

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

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

85 There are created the following standing committees to consider legislation during an
 86 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**
102 **be germane.**

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

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

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

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

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

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
117 counted for the first insertion.

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

120 (b) A committee member who believes that an amendment is not germane to the subject
121 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,
126 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
130 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
132 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)(a) A personal privilege is not a motion.
- 143 (b) A committee member may not request a personal privilege during a committee
- 144 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**
- 147 **amendments by a majority vote.**
- 148 (1) [A] Subject to Subsections (2) and (3), a motion to amend a piece of legislation is in
- 149 order on third reading.
- 150 (2)(a) A representative may verbally propose an amendment to legislation if the
- 151 amendment contains 15 or fewer words[-].
- 152 (b) Unless the amendment contains 15 or fewer words, before a representative makes a
- 153 motion to amend, the representative shall ensure that a copy of the proposed
- 154 amendment is available online.
- 155 (c) Each word inserted shall count as one of the 15 words permitted under a verbal
- 156 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
- 160 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
- 165 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

167 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
170 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:

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

174 (1) A representative may, upon recognition by the presiding officer, make a substitute
175 motion, which, if adopted by vote of a majority of the House, disposes of the original
176 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~~]
180 another substitute motion is pending; or

181 (b) [~~make a motion to end debate (call the previous question) as a substitute motion~~] a
182 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
190 requested while another privileged motion is pending, the presiding officer shall grant
191 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
197 privileged motions without debate.

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

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

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

- 201 (1) attempt to influence a representative, elected or appointed state official, state employee,
202 or legislative employee by means of deceit or by threat of violence or economic or
203 political reprisal against any person or property, with intent by doing so to alter or affect
204 the representative's, elected or appointed state official's, state employee's, or legislative
205 employee's decision, vote, opinion, or action concerning any matter that is to be
206 considered or performed by the representative, official, or employee or the agency or
207 body of which the representative, official, or employee is a member;
- 208 (2) knowingly provide false information to a representative, elected or appointed state
209 official, state employee, or legislative employee as to any material fact pertaining to any
210 legislation;
- 211 (3) knowingly omit, conceal, or falsify in any manner information required by the lobbyist
212 registration and lobbyist disclosure reports;
- 213 (4) participate in committee assignments or leadership races of the House of
214 Representatives;
- 215 (5) cause or influence the introduction of any piece of legislation, substitute, or amendment
216 for the purpose of afterwards becoming employed to secure its passage or defeat;
- 217 (6) misappropriate or misuse legislative office supplies;
- 218 (7) use legislative reproduction or facsimile machines without paying for that use;
- 219 (8) enter or use a representative's, elected or appointed state official's, state employee's, or
220 legislative employee's office, phone, computer, or parking space without explicit
221 permission;
- 222 (9) attempt to remove or remove any document from any representative's or legislative
223 employee's office, desk, file cabinet, reproduction machine, facsimile machine, or any
224 other place without explicit permission;
- 225 (10) ~~engage in sexually harassing behavior or behavior violating the state's sexual~~
226 ~~harassment policy toward representatives or employees of the Legislature~~ engage in
227 discriminatory conduct, as defined in Legislative Management Committee Policy E --
228 Legislative Workplace Discrimination Prevention, toward a representative or legislative
229 employee;
- 230 (11) offer employment to a representative or legislative employee that impairs the
231 representative's or legislative employee's independence of judgement as to their official
232 duties;
- 233 (12) offer employment that would require or induce a representative or legislative employee
234 to disclose records classified as private, protected, or controlled;

235 (13) use or disclose for personal financial gain any records classified as private, protected,
236 or controlled that were obtained from a representative or legislative employee or
237 conspire with any person for that purpose; or

238 (14) induce or seek to induce a representative or legislative employee to commit a violation
239 of any provision of this House rule.

240 Section 9. **Effective Date.**

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