

Lincoln Fillmore proposes the following substitute bill:

Senate Rules Resolution - Amendments to Senate Rules

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This resolution modifies Senate rules.

Highlighted Provisions:

This resolution:

- defines "minority leader" and "minority party";
- addresses rules and procedures that apply to an extraordinary session;
- clarifies the dates on which the Senate convenes;
- clarifies the rules that apply to a guest who accompanies a senator on the Senate floor;
- corrects a wording error related to substitute legislation;
- clarifies procedures related to a Senate executive office confirmation committee;
- clarifies when the presiding officer may speak to a point of order;
- modifies the procedure for legislation on the consent calendar;
- modifies the rules that do not apply during a committee of the whole; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Legislative Rules Affected:

AMENDS:

SR1-1-101

SR1-3-102

SR1-5-101

SR2-4-101

SR3-2-101

SR3-2-407

30 **SR3-3-101**

31 **SR4-2-102**

32 **SR4-2-201**

33 **SR4-3-102**

34 **SR4-4-101**

35 **SR4-4-401**

36 **SR4-5-102**

37 **SR5-1-101**

38
39 *Be it resolved by the Senate of the state of Utah:*

40 Section 1. **SR1-1-101** is amended to read:

41 **SR1-1-101 . Adoption, amendment, or suspension of Senate rules.**

42 (1)(a) The Senate shall adopt Senate rules, by a constitutional two-thirds vote, at the
43 beginning of each new Legislature convening in an odd-numbered year.

44 (b) If a motion to adopt the rules under Subsection (1)(a) meets or exceeds a majority
45 vote but fails to reach a constitutional two-thirds vote:

46 (i) rules adopted by the Senate during the immediately preceding annual general
47 session, as amended during that general session and any intervening session, apply
48 to the conduct of the Senate; and

49 (ii) the presiding officer shall announce to the Senate that the previously adopted
50 rules apply to the newly convened Legislature.

51 (2)(a) Except as provided in this rule:

52 (i) during an annual general session held in an even-numbered year, rules adopted by
53 the Senate during the immediately preceding general session, as amended during
54 that general session and any intervening session, apply to the conduct of the
55 Senate; and

56 (ii) during any special session or extraordinary session, Senate rules apply as
57 provided in JR2-1-101.

58 (b) For a session described in Subsection (2)(a), the presiding officer shall announce to
59 the Senate that the previously adopted rules apply to the newly convened session.

60 (3) Except as provided in Subsection (4), additional rules may be adopted and existing rules
61 may be suspended, amended, or repealed by a majority vote, except for those rules that
62 require a two-thirds vote to adopt, suspend, amend, or repeal, including:

63 (a) rules governing motions for lifting tabled legislation from committee under

SR4-3-104; and

(b) rules governing consideration of legislation during the last three days of a session.

(4)(a) A rule that includes a voting requirement of more than a constitutional majority must be adopted and may only be amended, suspended, or repealed by a constitutional two-thirds vote.

(b) If the suspension of any Senate Rule is governed by the Utah Constitution or Utah statutes, the Senate may suspend that rule only as provided by that constitutional or statutory provision.

Section 2. **SR1-3-102** is amended to read:

SR1-3-102 . Duties of the president.

(1) The general duties of the president are to:

- (a) assign responsibilities to and supervise the officers and employees of the Senate;
- (b) assign places and determine access for news media representatives;
- (c) call the Senate to order at the time scheduled for convening, and proceed with the daily order of business;
- (d) announce the business before the Senate in the order that it is to be acted upon;
- (e) receive and submit all motions and proposals presented by senators;
- (f) put to a vote all questions that arise in the course of proceedings, and announce the results of the vote;
- (g) enforce the Senate Rules governing debates;
- (h) enforce observance of order and decorum;
- (i) inform the Senate on any point of order or practice;
- (j) receive and announce to the Senate any official messages and communications;
- (k) sign all acts, orders, and proceedings of the Senate;
- (l) appoint the members of committees; and
- (m) represent the Senate, declaring its will and obeying its commands.

(2) The president shall:

- (a) sign, or authorize a designee to sign, all requisitions on the Division of Finance to pay Senate expenses; and
- (b) give final approval of all expenditure requests as authorized by the majority leader and the minority [~~leaders of the Senate~~] leader, as that term is defined in SR3-2-101, including compensation and reimbursement for expenses for in-state and out-of-state travel on legislative business.

Section 3. **SR1-5-101** is amended to read:

SR1-5-101 . Convening -- Hour of meeting.

(1) In addition to the dates provided in JR1-2-101, the Senate shall convene on the date set by proclamation of the president that convenes the Senate into an extraordinary session.

(2) The Senate shall meet at 10 a.m. daily except Saturdays and Sundays, unless otherwise announced by the presiding officer.

Section 4. **SR2-4-101** is amended to read:

SR2-4-101 . Admittance to the Senate chamber.

(1)(a) While the Senate is convened in annual general session or special session and except as specifically provided elsewhere in this rule, only legislators, legislative officers and employees, professional staff, former legislators who are not registered as lobbyists, legal spouses of legislators, legislative interns, and individuals invited by senators are allowed in the Senate chamber, halls, and lounge.

(b) The president of the Senate may deny access to the Senate chamber, halls, and lounge to any individual, other than a legislator, if the individual uses that access to influence legislative decisions.

(2)(a) A senator or the senator's legislative intern shall accompany each visitor in the chamber, lounge, or hallways and is responsible for that visitor.

(b) After the visit, the senator or the senator's legislative intern shall ensure that the visitor leaves the chamber, lounge, or hallway.

(3)(a) A senator may invite a guest to accompany the senator on the Senate floor, provided that:

(i) the senator ensures that the guest does not encroach on a neighboring senator's desk space, impede staff work, or distract from the work of the Senate, and no neighboring senator makes such an objection; and

(ii) the guest complies with ~~[the requirements of SR2-4-102 and SR2-4-103]~~ Senate rules and practice.

(b) A senator who believes that a guest is intruding on desk space, is impeding staff work, or is distracting from the work of the Senate may communicate the senator's objection to the senator who has invited the guest, or through the majority leader, the minority leader as defined in SR3-2-101, or the president of the Senate.

Section 5. **SR3-2-101** is amended to read:

SR3-2-101 . Definitions.

As used in this chapter:

(1) "Chair" means:

(a) the chair of a standing committee; or

(b) a standing committee member who is authorized to act as chair under SR3-2-202.

(2) "Committee" means a standing committee created under SR3-2-201.

(3) "Dispose of legislation" refers to a committee action that transfers ownership of legislation to the Senate Rules Committee, to another standing committee, or to the Senate floor.

(4) "Favorable recommendation" refers to a committee action that transfers ownership of legislation to the Senate second reading calendar.

(5) "Legislation" means a Senate bill, House bill, Senate resolution, House resolution, joint resolution, or concurrent resolution.

(6) "Majority vote" means a majority of a quorum as described in SR3-2-203.

(7) "Minority leader" means the highest ranking individual elected to lead the minority party.

(8) "Minority party" means the political party in the Legislature with the second most members.

~~[(7)]~~ (9) "Original motion" means a non-privileged motion that is accepted by the chair when no other motion is pending.

~~[(8)]~~ (10) "Pending motion" refers to a motion starting when a chair accepts a motion and ending when the motion is withdrawn or until the chair calls for a vote on the motion.

~~[(9)]~~ (11)(a) "Privileged motion" means a procedural motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.

(b) Privileged motions are not substitute motions.

~~[(10)]~~ (12) "Substitute motion" means a non-privileged motion that is made when a non-privileged motion is pending.

~~[(11)]~~ (13) "Under consideration" means the time starting when a chair opens a discussion on a subject or piece of legislation that is listed on a committee agenda and ending when the committee disposes of the legislation, moves on to another item on the agenda, or adjourns.

Section 6. **SR3-2-407** is amended to read:

SR3-2-407 . Substitute legislation -- Substitutes must be germane.

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

(2)(a) A committee member may only make a motion to substitute that is germane to the

subject of the legislation under consideration.

(b) A committee member who believes that ~~[an amendment]~~ a substitute is not germane to the subject of the legislation may make a point of order or appeal as described in SR3-2-506.

Section 7. **SR3-3-101** is amended to read:

SR3-3-101 . Senate executive office confirmation committees.

(1) The president~~[-shall]~~:

(a) shall:

(i) appoint one or more Senate executive office confirmation committees composed of no more than seven senators, no more than five of whom are from the same political party; and

(ii) designate one senator to act as chair of the committee; and

(b) may appoint as members of the confirmation committee the Senate appropriations subcommittee chair and the Senate standing committee chair having jurisdiction over the agency or entity to which the nominee is appointed~~[-and]~~

~~[(c) designate one senator to act as chair of the committee].~~

(2) If called by the chair, ~~[the]~~ a Senate executive office confirmation committee shall, before any Senate ~~[confirmation]~~ extraordinary session at which gubernatorial nominees are considered for confirmation:

(a) meet to review gubernatorial nominations to fill an executive branch position; and

(b) make a recommendation to the Senate to either confirm or not confirm the nominee.

(3)(a) A majority of Senate executive office confirmation committee members constitutes a quorum.

(b) The action of a majority of a quorum constitutes action of the confirmation committee.

~~[(3)]~~ (4)(a) ~~[The]~~ A Senate executive office confirmation committee shall review the resume and qualifications of any full-time gubernatorial executive branch appointee and may interview appointees.

(b) If a meeting is held, the confirmation committee shall submit a committee report to the Senate in a form that identifies to the Senate the votes "for" and votes "against" confirmation.

~~[(4)]~~ (5) A ~~[standing]~~ Senate executive office confirmation committee may close a committee meeting only by following the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

Section 8. **SR4-2-102** is amended to read:

SR4-2-102 . Obtaining the floor.

- (1) When a senator wishes to be recognized to speak, the senator shall rise and address the presiding officer as:
 - (a) "Mr. (Madam) President"; or
 - (b) "Mr. (Madam) President pro [temp] tempore."
- (2) If two or more senators rise at the same time to speak, the presiding officer shall decide which senator is to speak first.
- (3) After being recognized, the senator shall confine the senator's remarks to the issue under consideration.

Section 9. **SR4-2-201** is amended to read:

SR4-2-201 . Point of order.

- (1)(a) If a senator believes that there has been a breach of order, a breach of rules, or a breach of established parliamentary practice, the senator may rise and, without being recognized, state: "point of order."
- (b) When a senator raises a point of order:
 - (i) the presiding officer shall interrupt the proceedings;
 - (ii) the senator who has the floor shall yield the floor; and
 - (iii) the presiding officer shall ask the senator raising the point of order to "state your point."
- (c) When the presiding officer responds "state your point," the senator shall briefly explain the alleged breach to the body, citing to appropriate authority if possible.
- (2)(a) The presiding officer may speak to points of order [~~in preference to~~] before other senators rising for that purpose.
- (b) The presiding officer may:
 - (i) rule on the point of order immediately;
 - (ii) consult with the secretary of the Senate, other staff, or another senator before ruling on the point of order; or
 - (iii) defer the point of order until the presiding officer can research and rule on the point of order.
- (c)(i) Although points of order are generally decided without debate, the presiding officer may submit the point of order to the Senate for decision in doubtful cases.
- (ii) If submitted to the Senate for decision, a presiding officer shall allow debate or discussion on the point of order by recognizing members of the Senate who wish

234 to speak to the point of order.

235 (iii) A decision by the Senate deciding a point of order is not subject to appeal.

- 236 (3) When the presiding officer rules on the point of order, any senator who disagrees with
237 the presiding officer's decision may appeal that decision to the Senate by following the
238 procedures and requirements of SR4-2-202.

239 Section 10. **SR4-3-102** is amended to read:

240 **SR4-3-102 . Consideration of bills.**

- 241 (1) Except for the 1st, 43rd, 44th, and 45th day of the annual general session, or any day
242 during a special or an extraordinary session, legislation may not be read for the third
243 time until at least the day after it is placed on the third reading calendar.
- 244 (2) Legislation on the third reading calendar shall be considered in the order that it appears
245 on the calendar unless a constitutional majority vote of the members of the Senate
246 directs other action.

247 Section 11. **SR4-4-101** is amended to read:

248 **SR4-4-101 . Standing committee reports.**

- 249 (1) As used in this rule, "favorable committee report" means a report produced by a Senate
250 standing committee for legislation that the committee voted to favorably recommend.
- 251 (2) The secretary of the Senate or the secretary's designee shall read each standing
252 committee report.
- 253 (3) If the Senate adopts a favorable committee report, the secretary of the Senate or the
254 secretary's designee shall:
- 255 (a) place the legislation, including any substitute or amendment recommended by the
256 standing committee, on the second reading calendar; or
- 257 (b) if the favorable committee report recommends that the legislation be placed on the
258 consent calendar:
- 259 (i) read the legislation for the second time; and
- 260 (ii) place the legislation on the consent calendar.
- 261 (4) If the Senate adopts a standing committee report that is not a favorable committee
262 report, the legislation is placed in accordance with the standing committee report's
263 recommendation.
- 264 (5) If the Senate fails to adopt a standing committee report, the legislation is returned to the
265 Senate Rules Committee.

266 Section 12. **SR4-4-401** is amended to read:

267 **SR4-4-401 . Consent calendar.**

- (1) As used in this rule, "legislative day" means the same as that term is defined in SR4-9-101.
- (2) Subject to Subsection (3)(b), legislation shall remain on the consent calendar for two legislative days after the day on which the legislation is placed on the consent calendar under SR4-4-201.
- (3)(a) Whenever the consent calendar contains legislation, the presiding officer shall inform the Senate each day that:
- (i) there are items on the consent calendar; and
 - (ii) if any senator objects to any legislation on the consent calendar, three or more senators may move the legislation to the second reading calendar by notifying the presiding officer verbally or in writing.
- (b) If the presiding officer receives requests to move legislation from the consent calendar to the second reading calendar from three or more senators, the secretary shall:
- (i) remove the legislation from the consent calendar; and
 - (ii) place the legislation at the bottom of the second reading calendar.
- (4) If no more than two members have registered objections to the legislation during the time period described in Subsection (2), the secretary of the Senate or the secretary's designee shall read the legislation by title.
- (5) When the secretary of the Senate or the secretary's designee has completed the third reading of the legislation:
- (a) the legislation is before the Senate; and
 - (b) subject to Subsection (6), the presiding officer shall:
 - (i) pose the final question: "This bill (resolution) has been read three times. The question is, shall this bill (resolution) pass?"; and
 - (ii) place the question as a roll call vote.
- (6) For legislation on the consent calendar, the presiding officer may not:
- (a) accept a motion to amend or substitute the legislation; or
 - (b) allow for debate.[-legislation shall be:]
 - [(a) read the third time;]
 - [(b) placed before the Senate; and]
 - [(c) considered for final passage:]
- ~~[(5)(a) The presiding officer shall pose the question on each consent calendar bill in the following form:~~

~~"The presiding officer has determined that a quorum is present.~~

~~Those who favor the question say, 'aye.'~~

~~Does the chair hear a single dissenting nay to the question?"~~]

~~[(b) If the presiding officer hears no nays to the question a roll call vote shall be taken immediately.]~~

~~[(6) Notwithstanding the requirements of Subsection (5), any senator may, before the roll call vote is taken, make a motion to remove the bill from the consent calendar and place it on the bottom of the third reading calendar.]~~

~~[(7) Nothing in this rule prevents a senator from challenging the ruling of the chair or asking for a vote on any question.]~~

Section 13. **SR4-5-102** is amended to read:

SR4-5-102 . Procedure in committee of the whole.

(1) The presiding officer shall chair and preside over the committee of the whole.

(2) Senate Rules apply in the committee of the whole, except that:

~~[(a) a senator may not speak more than twice on the same subject;]~~

~~[(b)]~~ (a) roll call votes are out of order during a committee of the whole; and

~~[(c)]~~ (b) a senator may not appeal the decision of the chair.

Section 14. **SR5-1-101** is amended to read:

SR5-1-101 . Definitions.

As used in this [Senate Rule] title:

(1)(a) "Government official" means:

(i) an individual elected to a position in state or local government when acting within the individual's official capacity; or

(ii) an individual appointed to or employed in a full-time or part-time position by state or local government when acting within the scope of employment or within the individual's official capacity.

(b) "Government official" does not mean a member of the legislative branch of state government.

(2) "Lobbyist" has the meaning identified in Utah Code Section 36-11-102.

(3) "Minority leader" means the same as that term is defined in SR3-2-101.

(4) "Minority party" means the same as that term is defined in SR3-2-101.

~~[(3)]~~ (5)(a) "Volunteer lobbyist" means a person not registered as a lobbyist who engages in lobbying within the meaning of Utah Code Section 36-11-102.

(b) "Volunteer lobbyist" does not mean an individual who appears on the individual's

336 own behalf to engage in lobbying within the meaning of Utah Code Section
337 36-11-102.
338 Section 15. **Effective Date.**
339 This resolution takes effect upon a successful vote for final passage.