

1 **JOINT RULES RESOLUTION - TECHNICAL AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

4

5 **LONG TITLE**

6 **General Description:**

7 This joint rules resolution makes technical changes to the joint legislative rules.

8 **Highlighted Provisions:**

9 This resolution:

- 10 ▶ makes existing terms consistent in their use;
- 11 ▶ provides cross-references for existing terms;
- 12 ▶ corrects inconsistent terms; and
- 13 ▶ repeals duplicate provisions.

14 **Special Clauses:**

15 None

16 **Legislative Rules Affected:**

17 AMENDS:

18 **JR3-2-806**

19 **JR6-4-305**

20 **JR7-1-411**

21 **JR7-1-509**

22 **JR7-1-611**

23 REPEALS:

24 **JR4-5-203**

25 **JR4-6-101**

26 **JR4-6-201**

27 **JR4-6-202**

28

29 *Be it resolved by the Legislature of the state of Utah:*

30 Section 1. **JR3-2-806** is amended to read:

31 **JR3-2-806. Point of order -- Appeal of chair's decision.**

32 (1) A point of order is not a motion and, except during a vote, may be made by a

33 member of an appropriations committee at any time during a committee meeting.

34 (2) If a member of an appropriations committee is concerned that legislative rules or
35 procedures are not being followed, the committee member may make a point of order.

36 (3) When a point of order is made, the chair shall immediately allow the committee
37 member to state the member's point.

38 (4) A chair shall rule on the point of order without committee discussion or debate as
39 provided in JR3-2-612.

40 (5) An appeal of the decision of the chair is not a motion and may be made by a
41 committee member after the chair has ruled on a point of order.

42 (6) (a) An appropriations committee may, by majority vote, [~~override~~] overrule the
43 decision of the chair on a point of order.

44 (b) If the committee [~~overrides~~] overrules the decision of the chair, the ruling of a
45 committee is final.

46 (c) If a committee does not [~~override~~] overrule the decision of the chair, the ruling of a
47 chair is final.

48 Section 2. **JR6-4-305** is amended to read:

49 **JR6-4-305. Vote on allegations and recommendations -- Public meeting --**
50 **Standards -- Reconsideration.**

51 (1) After conclusion of the deliberations, the committee shall meet in public and, for
52 each allegation reviewed by the committee, vote on whether the allegation is:

53 (a) proven by clear and convincing evidence; or

54 (b) not proven.

55 (2) For any count that has been voted as proven, the committee shall, by a motion
56 approved by a majority of the members of the committee, recommend one or more of the
57 following actions:

58 (a) censure;

59 (b) expulsion;

60 (c) denial or limitation of any right, power, or privilege of the respondent, if, under the
61 Utah Constitution, the Senate or House may impose that denial or limitation, and if the
62 violation bears upon the exercise or holding of any right, power, or privilege; or

63 (d) any other action that the committee determines is appropriate.

64 (3) Votes shall be taken by verbal roll call and each member's vote shall be recorded.

65 (4) A count is not considered to be proven unless a majority of the committee votes
66 that the count is proven.

67 (5) The committee, by a motion for reconsideration that is approved by a majority of
68 the committee, may reconsider and hold a new vote provided that:

69 (a) a motion to reconsider a vote on whether an allegation was proven or not proven
70 may only be made by a member of the committee who voted that the allegation was not proven;
71 and

72 (b) a motion to reconsider a vote recommending an action against the respondent may
73 only be made by a member of the committee who voted against the recommendation.

74 (6) A count that is not voted as "proven" by a majority of the members of the
75 committee is dismissed.

76 (7) The committee may close the meeting for the purposes of further deliberations,
77 subject to the requirements of JR6-4-304:

78 (a) at the direction of the chair, subject to [~~override~~] being overruled by the committee
79 as provided in JR6-2-302; or

80 (b) upon a motion approved by a majority of the members of the committee.

81 (8) After a final vote has been cast on each allegation and recommendation, the
82 committee shall prepare the finding and order as provided in JR6-4-306.

83 Section 3. **JR7-1-411** is amended to read:

84 **JR7-1-411. Creation and organization of subcommittees.**

85 (1) A legislative committee may establish one or more subcommittees if approved by:

86 (a) a majority vote of the legislative committee; and

87 (b) the Legislative Management Committee.

88 (2) The legislative committee shall establish each study assignment of a subcommittee
89 by majority vote.

90 (3) After a legislative committee establishes a subcommittee, the chairs of the
91 legislative committee shall:

92 (a) appoint at least four members of the legislative committee to serve on the
93 subcommittee;

94 (b) appoint at least one and no more than two additional members of the legislative

95 committee as chair or cochairs of the subcommittee; and

96 (c) establish the subcommittee's powers, duties, and reporting requirements.

97 (4) Each member of a subcommittee shall receive:

98 (a) compensation for attendance of a meeting of the subcommittee that is an authorized
99 legislative day as defined in JR5-1-101; and

100 (b) reimbursement for expenses in accordance with Title 5, Legislative Compensation
101 and Expenses.

102 Section 4. **JR7-1-509** is amended to read:

103 **JR7-1-509. Point of order -- Appeal of chair's decision.**

104 (1) (a) If a member of a legislative committee is concerned that the chair is not
105 following or enforcing legislative rule or procedure, the member may make a point of order.

106 (b) A point of order is not a motion.

107 (2) Except during a vote, a member of a legislative committee may make a point of
108 order at any time during a meeting of the legislative committee without recognition by the
109 chair.

110 (3) If a member of a legislative committee makes a point of order, the chair shall:

111 (a) immediately allow the member to state the member's point of order; and

112 (b) rule on the point of order without discussion or debate.

113 (4) (a) A member of the legislative committee may appeal the chair's ruling on a point
114 of order.

115 (b) An appeal of the chair's ruling on a point of order is not a motion.

116 (5) Except during a vote, a member of a legislative committee may appeal the chair's
117 ruling on a point of order at any time during a meeting of the legislative committee without
118 recognition by the chair.

119 (6) (a) If a member of the legislative committee appeals the chair's ruling on a point of
120 order, the chair shall place a vote asking the members of the legislative committee whether to
121 [~~override~~] overrule the chair's ruling on the point of order.

122 (b) The legislative committee may overrule the chair's ruling by a majority vote.

123 (7) (a) If the legislative committee [~~overrides~~] overrules the chair's ruling, the ruling of
124 the legislative committee is final.

125 (b) If the legislative committee does not [~~override~~] overrule the chair's ruling, the

126 ruling of the chair is final.

127 Section 5. **JR7-1-611** is amended to read:

128 **JR7-1-611. Assignment of committee bills -- Report on committee bills and study**
129 **items.**

130 (1) The chairs of each legislative committee shall:

131 (a) assign each of the legislative committee's bills a chief sponsor and a floor sponsor
132 from the opposite chamber; and

133 (b) deliver to the Senate Rules Committee and the House Rules Committee a report
134 that includes, for each of the legislative committee's committee bills:

135 (i) the short title;

136 (ii) the chief sponsor;

137 (iii) the floor sponsor; and

138 (iv) how each member of the [~~interim~~] legislative committee voted when the [~~interim~~]
139 legislative committee gave the committee bill a favorable recommendation, including whether
140 a member was absent at the time of the vote.

141 (2) In addition to the items described in Subsection (1), the chairs of each interim
142 committee shall deliver to the Legislative Management Committee:

143 (a) a copy of the report described in Subsection (1)(b); and

144 (b) the disposition of each issue assigned to or studied by the interim committee during
145 the preceding calendar year.

146 (3) (a) The chairs of an interim committee shall comply with this rule on or before
147 December 15.

148 (b) The chairs of a special committee shall comply with this rule as soon as practicable.

149 Section 6. **Repealer.**

150 This resolution repeals:

151 **JR4-5-203, Deadline for passing the final appropriations bill.**

152 **JR4-6-101, Certification and signature.**

153 **JR4-6-201, Recalling legislation before it is signed by the speaker and president.**

154 **JR4-6-202, Recalling legislation from the governor.**