

Effective 2/10/2015

Part 3
Duties of the House Standing Committee Chair

HR3-2-301 Chair to enforce legislative rules and procedures.

The chair shall ensure the integrity of the standing committee process by enforcing legislative rules and parliamentary procedure without delay.

HR3-2-302 Chair to set agenda -- Requirements.

The chair shall:

- (1) set the agenda for a standing committee meeting; and
- (2) ensure that legislation tabled by a standing committee is listed on a standing committee agenda as required by HR3-2-408.

HR3-2-303 Chair to post notice and agenda -- Notification to sponsors.

- (1) The chair shall cause a public notice and agenda to be posted at least 24 hours before each standing committee meeting as required under Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (2) The chair shall notify the chief House sponsor or chief Senate sponsor of legislation listed on an agenda of the time and place of the committee meeting in which the legislation will be considered not less than 24 hours before the committee meeting.

HR3-2-304 Chair may direct order of agenda -- Time restrictions.

The chair, or a committee by majority vote, may adopt committee procedures and time restrictions, including:

- (1) directing the order of the agenda;
- (2) directing the order in which a witness or presenter will be heard;
- (3) directing the number of witnesses or presenters that will be heard; and
- (4) limiting the time the committee will spend on:
 - (a) an item on the agenda; or
 - (b) an individual witness or presenter.

HR3-2-305 Four phases when considering legislation.

Legislation under consideration by a standing committee is subject to four distinct phases during a committee meeting:

- (1) the sponsor's presentation as provided in HR3-2-306;
- (2) clarifying questions as provided in HR3-2-307;
- (3) public comment as provided in HR3-2-308; and
- (4) committee action as provided in HR3-2-309.

HR3-2-306 Sponsor presentation.

- (1) Except as provided in Subsection (2), during the presentation phase, a committee member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the presentation phase.
- (2) During the presentation phase of a committee meeting, the chair may accept a simple motion to amend legislation if the chair permits:
 - (a) committee questions and debate;
 - (b) public comment as provided in HR3-2-308;
 - (c) the sponsor of the legislation affected by the amendment to respond to the motion to amend; and
 - (d) the committee member who made the motion to amend to have the final word on the motion as required under HR3-2-313.
- (3) During the presentation phase of a standing committee meeting, the chair shall:
 - (a) permit the chief sponsor or the legislator designated by the chief sponsor to be the floor sponsor in the opposite house to present the chief sponsor's legislation; and
 - (b) except as provided in Subsection (4), and at the election of a legislative sponsor, permit persons who have expertise on the legislation to assist with the presentation as provided in HR3-2-304.
- (4) The chair may not permit:
 - (a) legislation to be presented if the legislative sponsor is not present; or
 - (b) legislative interns or legislative aides to present legislation.

HR3-2-307 Clarifying questions.

- (1) During the clarifying question phase, a committee member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the clarifying questions phase.
- (2) A chair shall allow members of the committee to ask the legislative sponsor questions, provided that the questions help to clarify the intent or purpose of the legislation or the meaning of the language of the legislation.
- (3) The chair shall allow the legislative sponsor to respond to clarifying questions.
- (4) The chair may allow, with the legislative sponsor's approval, a person authorized under HR3-2-306 to respond to clarifying questions from members of the committee.

HR3-2-308 Public comment.

- (1) During the public comment phase, a committee member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the public comment phase.
- (2) During the public comment phase of a committee meeting:
 - (a) the chair, or a committee by majority vote, may limit the time an individual witness or presenter speaks to a committee as authorized under HR3-2-304; and
 - (b) the chair, or the committee by majority vote, may terminate the public comment phase at any time.
- (3) Unless the chair, or a committee by majority vote, permits additional public comment, once the public comment phase has ended only committee members, legislative sponsors, staff, and those authorized under HR3-2-307 may address the committee.

HR3-2-309 Committee action.

During the committee action phase, a committee member may make motions to amend the legislation, to substitute the legislation, and to dispose of the legislation. All other motions authorized by this chapter are in order during the committee action phase of a committee meeting.

HR3-2-310 Chair to preserve order -- Powers to preserve order.

- (1) The chair shall preserve order and decorum during standing committee meetings by:
 - (a) controlling outbursts and demonstrations; and
 - (b) ensuring that committee members, presenters, witnesses, and visitors act in a dignified and respectful manner.
- (2) To preserve order, the chair may:
 - (a) clear the committee room of any person who engages in disorderly conduct;
 - (b) recess a standing committee meeting; or
 - (c) request assistance from:
 - (i) the sergeant-at-arms; or
 - (ii) the Utah Highway Patrol.

HR3-2-311 Chair to recognize committee members -- Remarks to be germane -- Committee members may make motions when recognized -- Permission to address committee.

- (1) The chair shall recognize a committee member who desires to speak to a subject that is under consideration by a standing committee.
- (2) Upon recognition by the chair, a committee member:
 - (a) shall ensure that the member's remarks are germane to the subject under consideration; and
 - (b) may make a motion that is authorized by this chapter.
- (3) Presenters, witnesses, visitors, staff, and committee members may not speak to a standing committee unless recognized by the chair.

HR3-2-312 Chair to accept all motions that are in order -- Once accepted, the motion is pending.

- (1) The chair shall accept a motion requested by a member of a standing committee who has been properly recognized unless the motion is prohibited by this chapter or by parliamentary procedure.
- (2) To properly accept a motion, the chair shall:
 - (a) restate each verbal motion;
 - (b) identify the number of each written motion to amend or substitute legislation; and
 - (c) distribute copies of each written amendment or substitute to members of the committee.
- (3) When a chair properly accepts a motion under Subsection (2), the motion is pending.

HR3-2-313 Chair to allow response to motions before placing motions for a vote.

After a motion has been accepted, and before the chair places a motion for a vote, the chair shall permit:

- (1) members of the committee to ask the committee member who placed the motion questions about the motion;
- (2) members of the committee to debate the motion;

- (3) the chief sponsor of the legislation that is affected by the motion to respond to the motion; and
- (4) the committee member who placed the motion to have the final word on the motion.

HR3-2-314 Chair to place motion for vote.

After the chair has permitted a committee member to sum on a motion as required under HR3-2-313(4), the chair shall place the motion for a vote unless the motion is withdrawn subject to the requirements of HR3-2-511.

HR3-2-315 Chair to verbally announce vote on motions -- Motions pass with majority vote of a quorum -- Exceptions.

- (1) After a standing committee votes on a motion, the chair shall:
 - (a) determine whether the motion passed or failed;
 - (b) verbally announce that the motion passed or that the motion failed; and
 - (c) if the vote on the motion is not unanimous, verbally identify by name either the committee members who voted "yes" or the committee members who voted "no."
- (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority vote of a quorum as defined in HR3-2-203.

HR3-2-316 Chair may direct a roll call vote.

Although most motions will be determined by a voice vote, the chair, or a committee by majority vote, may direct a roll call vote.

HR3-2-317 Chair to decide points of order -- Committee may appeal chair's decision.

- (1) A chair shall rule on a point of order without committee discussion or debate.
- (2) As provided in HR3-2-506, a committee member may:
 - (a) make a point of order; or
 - (b) appeal the decision of the chair.

HR3-2-318 Chair to send standing committee reports to the House.

- (1) When a standing committee approves a motion to dispose of legislation under the requirements of HR3-2-408 or HR3-2-403, the chair shall, no later than the next legislative day, submit to the chief clerk of the House:
 - (a) the official version of the legislation; and
 - (b) a committee report, signed by the chair, describing the committee's action.
- (2)
 - (a) A committee member who dissents from a motion to dispose of legislation may request to be listed by name on the committee report.
 - (b) If a committee member requests to be listed by name on a committee report, the committee report shall include the name of the committee member.
- (3) If, for any reason, the chair does not submit a committee report to the chief clerk of the House as required in Subsection (1), the chief clerk of the House shall ensure that the official version of the legislation and the committee report are submitted before the end of the second legislative day after the legislation was acted on by a standing committee.

HR3-2-319 Chair to ensure integrity of minutes -- Retention of minutes -- Content requirements.

- (1) The chair shall:
 - (a) ensure that a secretary takes minutes of standing committee meetings;
 - (b) present the minutes to the committee for approval; and
 - (c) send the approved minutes to the office of the chief clerk of the House.
- (2) The chief clerk of the House shall retain committee minutes for three years.
- (3) The chair shall ensure that committee minutes comply with the requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
- (4) The chair shall ensure that committee minutes include:
 - (a) the date, time, and place of each committee meeting;
 - (b) a list of committee members present;
 - (c) each motion made;
 - (d) the vote on each motion;
 - (e) points of order; and
 - (f) the outcome of each appeal of the decision of the chair.