

Part 2

Point of Order and Appeals of the Decision of the Chair

HR4-2-201 Point of order.

- (1)
 - (a) If a representative believes that there has been a breach of order, a breach of rules, or a breach of established parliamentary practice, the representative may rise and, without being recognized, state: "point of order."
 - (b) When a representative raises a point of order:
 - (i) the presiding officer shall interrupt the proceedings;
 - (ii) the representative who has the floor shall yield the floor; and
 - (iii) the presiding officer shall ask the representative raising the point of order to "state your point."
 - (c) When the presiding officer responds "state your point," the representative shall briefly explain the alleged breach to the body, citing to appropriate authority if possible.
- (2)
 - (a) The presiding officer may:
 - (i) speak to points of order in preference to other representatives rising for that purpose;
 - (ii) rule on the point of order immediately;
 - (iii) consult with the chief clerk, the parliamentarian, or both before ruling on the point of order;or
 - (iv) suggest that the House recess until the presiding officer can research and rule on the point of order.
 - (b)
 - (i) Although points of order are generally decided without debate, the presiding officer may submit the point of order to the House for decision in doubtful cases.
 - (ii) If submitted to the House for decision, a presiding officer shall allow debate or discussion on the point of order by recognizing members of the House who wish to speak to the point of order.
 - (iii) A decision by the House deciding a point of order is not subject to appeal.
- (3) When the presiding officer rules on the point of order, any representative who disagrees with the presiding officer's decision may appeal that decision to the House by following the procedures and requirements of HR4-2-202.

HR4-2-202 Appeals from the decision of the chair.

- (1) Although the tradition in the Utah House is to give great weight to the rulings of the presiding officer and not make appeals lightly, a representative who disagrees with a ruling of the presiding officer may appeal that decision to the House by rising and, without waiting to be recognized, saying "I appeal the decision of the chair."
- (2) When a representative appeals the decision of the chair, the presiding officer shall clearly state the decision appealed from and may state the reasons for the decision.
- (3)
 - (a) An appeal is debatable.
 - (b) A representative may not speak more than once on the appeal without leave of the House.
- (4) The question on appeal is: "Shall the decision of the chair stand as the judgment of the House?"

- (5) When a decision of the presiding officer is appealed, a majority vote of the representatives present is required to override that decision.
- (6) The chief clerk shall ensure that the appeal and the action of the House on the appeal are entered in the journal.