

## **Title HR4. House Floor Procedures**

### **Chapter 1 General Provisions**

#### **HR4-1-101 Definitions.**

As used in this title:

- (1) "Appropriations bill" means a bill that appropriates money and makes no change to statute.
- (2) "Constitutional majority vote" means an affirmative vote of at least 38 members.
- (3) "Constitutional two-thirds vote" means an affirmative vote of at least 50 members.
- (4) "Majority vote" means, while a quorum is present, an affirmative vote of a majority of the members present.
- (5) "Two-thirds vote" means, while a quorum is present, an affirmative vote of at least two-thirds of the members present.
- (6) "Point of order" means a question raised by a representative about whether or not there has been a breach of order, a breach of rules, or a breach of established parliamentary practice.
- (7) "Presiding officer" means the person presiding over the Utah House of Representatives and includes:
  - (a) the speaker;
  - (b) the speaker pro tempore; and
  - (c) any representative presiding under HR1-3-103.
- (8) "Quorum" means that at least 38 members of the House of Representatives are present.

### **Chapter 2 General Floor Procedures for the Utah House of Representatives**

#### **Part 1 General Guidelines**

#### **HR4-2-101 Duties of presiding officer.**

The presiding officer may:

- (1) call the House to order at the time scheduled for convening, and proceed with the daily order of business;
- (2) announce the business before the House in the order that it is to be acted upon;
- (3) receive and submit all motions and proposals presented by representatives;
- (4) put to a vote all questions that arise in the course of proceedings, and announce the results of the vote;
- (5) enforce the House Rules governing debates;
- (6) enforce observance of order and decorum;
- (7) inform the House on any point of order or practice;
- (8) receive and announce to the House any official messages and communications; and
- (9) sign all bills, resolutions, orders, and proceedings of the House.

Enacted by H.R. 3, 2010 General Session

**HR4-2-102 Obtaining the floor.**

- (1) When a representative wishes to be recognized to speak, the representative shall:
  - (a) notify the presiding officer by electronic means; or
  - (b) if the electronic notification system is not operational, rise and address the presiding officer as:
    - (i) "Mr. (Madam) Speaker"; or
    - (ii) "Mr. (Madam) Speaker pro temp."
- (2) If two or more representatives rise at the same time to speak, the presiding officer shall decide which representative is to speak first.
- (3) After being recognized, the representative shall confine the representative's remarks to the issue under consideration.

Enacted by H.R. 3, 2010 General Session

**HR4-2-103 Calling a representative to order for violation of a rule.**

- (1)
  - (a) The presiding officer may call a representative to order for violating any House or Joint Rule.
  - (b) Any representative may call another representative to order for violating any House or Joint Rule by raising a point of order under HR4-2-201.
- (2) If the representative called to order appeals the ruling of the presiding officer, the House shall decide the issue without debate.
- (3)
  - (a) If the decision is favorable to the representative who has been called to order, the representative may proceed.
  - (b) If the decision is unfavorable, the representative is subject to censure by the House.
- (4) Notwithstanding Subsection (1), a representative may not be called to order or censured for words spoken in debate if there has been intervening business.

Enacted by H.R. 3, 2010 General Session

**HR4-2-104 Motions in writing.**

- (1) A representative shall submit certain motions to amend in writing as required by HR4-3-301.
- (2) Except as provided in Subsection (3), if a representative requests that a motion be presented in writing, the presiding officer may require that the maker of the motion prepare and submit a written motion to the chief clerk.
- (3) The presiding officer may not require that the following motions be presented in writing:
  - (a) a motion to adjourn;
  - (b) a motion to circle;
  - (c) a motion to table; or
  - (d) a motion to refer to committee.

Enacted by H.R. 3, 2010 General Session

**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 staff, 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.

Enacted by H.R. 3, 2010 General Session

### **Chapter 3 Special House Floor Procedures**

#### **Part 1 Bills and Resolutions**

##### **HR4-3-101 Consideration of bills.**

- (1) Except for the 43rd, 44th, and 45th day of the annual general session, a piece of legislation may not be read for the third time until at least the day after it is placed on the third reading calendar.
- (2) Legislation on third reading calendar shall be considered in the order that it appears on the calendar unless a constitutional majority vote of the members of the House directs other action.

Enacted by H.R. 3, 2010 General Session

##### **HR4-3-102 Reassigning legislation assigned to a standing committee.**

- (1) Legislation that has been assigned to a standing committee may be reassigned to the Rules committee or a different standing committee by:
  - (a) the presiding officer, subject to Subsection (2);
  - (b) the House of Representatives by majority vote upon motion from the floor; or
  - (c) the House of Representatives by majority vote if the committee to which the legislation was assigned recommends in the committee's report that the legislation be reassigned to a different committee.
- (2) Before the presiding officer reassigns legislation under Subsection (1)(a), the presiding officer shall announce on the floor the committee to which the presiding officer intends to reassign the legislation.

##### **HR4-3-103 Action on Senate legislation.**

- (1) When a piece of Senate legislation is received by the House with a transmittal letter informing the House that it has passed the Senate, the presiding officer shall:
  - (a) have the legislation read for the first time; and
  - (b) refer it to the House Rules Committee.
- (2) Action on Senate legislation is the same as for House legislation.

Enacted by H.R. 3, 2010 General Session

##### **HR4-3-104 Time limit for House legislation.**

- (1) Except for an appropriations bill, the House may not consider a piece of legislation introduced by a House member after the 42nd day of the annual general session of the Legislature.
- (2) The House may suspend this rule only by a constitutional two-thirds vote.

Enacted by H.R. 3, 2010 General Session

## **Part 2 Substitute Legislation**

### **HR4-3-201 Substitute legislation.**

- (1) A motion to adopt a substitute piece of legislation is in order on third reading.
- (2) The Office of Legislative Research and General Counsel shall number each substitute for record keeping and tracking purposes.

Enacted by H.R. 3, 2010 General Session

### **HR4-3-202 Substitute must be germane.**

- (1) Except as provided in Subsection (2), a representative may, if recognized by the presiding officer while the House is debating a piece of legislation, make a motion to substitute the legislation.
- (2)
  - (a) The representative making the motion to substitute shall ensure that the substitute is germane to the subject of the original legislation under consideration.
  - (b) If a representative believes that a substitute is not germane to the subject of the original legislation, the representative may raise a point of order alleging that the substitute is not germane.
  - (c) The presiding officer shall rule on the point of order by determining whether or not the substitute is germane to the subject of the original legislation.

Enacted by H.R. 3, 2010 General Session

## **Part 3 Floor Amendments**

### **HR4-3-301 Amendments in order on third reading -- 15 word rule -- Passage of amendments by a majority vote.**

- (1) A motion to amend a piece of legislation is in order on third reading.
- (2)
  - (a) A representative may verbally propose an amendment to legislation if the amendment contains 15 or fewer words .
  - (b) Unless the amendment contains 15 or fewer words, before a representative makes a motion to amend, the representative shall ensure that a copy of the proposed amendment is available online.
  - (c) Each word inserted shall count as one of the 15 words permitted under a verbal amendment, except that:
    - (i) numbering shall not be counted as a word;
    - (ii) instructions to delete a word or words shall not count as a word; and
    - (iii) a word or an exact phrase that is inserted in multiple locations shall only be counted for the first insertion.

- (3) A constitutional amendment, resolution, or bill requiring a constitutional two-thirds vote for final passage, may be amended by a majority vote.
- (4) When legislation is amended by the House, the chief clerk shall:
  - (a) for each page of the legislation modified by a House amendment, cause a new page to be printed that clearly identifies each House amendment to that page; and
  - (b) print that new page on lilac-colored paper.

Amended by H.R. 2, 2021 General Session

**HR4-3-302 Amendment must be germane.**

- (1) Except as provided in Subsection (2), a representative may, if recognized by the presiding officer while the House is debating a piece of legislation, make a motion to amend the legislation.
- (2)
  - (a) The representative making the motion to amend shall ensure that the amendment is germane to the subject of the original legislation under consideration.
  - (b) If a representative believes that an amendment is not germane to the subject of the original legislation, the representative may raise a point of order alleging that the amendment is not germane.
  - (c) The presiding officer shall rule on the point of order by determining whether or not the amendment is germane to the subject of the original legislation.

Enacted by H.R. 3, 2010 General Session

**Chapter 4  
House Calendars**

**Part 1  
Second Reading Calendar**

**HR4-4-101 Committee reports -- Second reading calendar.**

- (1) House staff shall:
  - (a) read to the House each standing committee report submitted to the House; and
  - (b) read the legislation by title unless the House suspends this requirement by a two-thirds vote.
- (2)
  - (a) If the House passes a motion to adopt the committee report, the amendments and substitutes adopted by the committee and identified on the committee report become legally part of the legislation.
  - (b) If a motion to adopt the committee report fails, the presiding officer shall return the legislation to the House Rules Committee.
- (3) A majority vote of the House is required to:
  - (a) approve a motion to adopt the committee report; and
  - (b) pass the legislation on second reading to the third reading or consent calendar.
- (4) The placement of a piece of legislation on a House reading calendar is the second reading of that legislation.

## Part 2 Third Reading Calendar

### **HR4-4-201 Third reading calendar -- Procedures.**

- (1)
  - (a) For the third reading on a piece of legislation, House staff shall read the legislation by title unless the House suspends this requirement by a two-thirds vote.
  - (b)
    - (i) After reading the title of the legislation, House staff shall identify the House standing committee that reviewed the legislation and the vote in that committee.
    - (ii) If the legislation has not been reviewed by a House standing committee, House staff shall announce that the legislation was not reviewed by a House standing committee.
- (2) When House staff has completed the third reading of the legislation, the legislation is before the House for debate.
- (3) When debate on the legislation is complete, the presiding officer shall take the final vote on the legislation.

### **HR4-4-202 Disposition of legislation voted on third reading.**

- (1) Except as provided in Subsection (2), the chief clerk or the chief clerk's designee shall:
  - (a) for a piece of House legislation passed by the House on third reading but not yet acted upon by the Senate, transmit the House legislation to the Senate for its further action;
  - (b) for a piece of House legislation that fails to pass the House on third reading, file the legislation;
  - (c) for a piece of House legislation that has passed both houses, follow the procedures and requirements of JR4-5-101;
  - (d) for a piece of Senate legislation passed by the House on third reading and not amended or substituted in the House, transmit the Senate legislation to the presiding officer of the House for the presiding officer's signature and return the legislation to the Senate for the signature of the president of the Senate;
  - (e) for a piece of Senate legislation passed by the House on third reading that was amended or substituted in the House, transmit the legislation to the Senate with the amendments or substitute for further action by the Senate; and
  - (f) for a piece of Senate legislation that fails to pass the House on third reading, transmit the legislation to the Senate with notice of the House's action.
- (2)
  - (a) The chief clerk shall ensure that the House retains possession of a piece of legislation for no more than one legislative day when:
    - (i) a representative gives notice of intention to move for reconsideration to the chief clerk or the presiding officer;
    - (ii) a representative requests that the chief clerk hold the legislation; or
    - (iii) the House passes a motion to retain possession of the legislation.

- (b) When a representative moves for reconsideration or requests a hold under Subsection (2)(a) (i) or (2)(a)(ii), the chief clerk shall give notice of the action to the speaker and to the sponsor of the legislation.
- (c) Notwithstanding the requirements of Subsection (2)(a), a piece of legislation may be released earlier than 24 hours if the hold is released.

**HR4-4-203 Motion to lift legislation from committee.**

- (1)
  - (a) Except as provided in Subsection (1)(b), a representative may make a motion to lift legislation from a standing committee or the House Rules Committee and place it on the third reading calendar.
  - (b) A representative may not make a motion under Subsection (1)(a) if the legislation was tabled by a standing committee.
- (2) Except as provided in Subsections (3) and (4), a motion to lift legislation from a standing committee or the House Rules Committee may be approved with a majority vote of the members present.
- (3) A motion to lift legislation that failed to pass a standing committee motion to send the legislation to the second reading calendar requires a vote of two-thirds of the members present.
- (4) A motion to lift legislation during the 43rd, 44th, and 45th day of the annual general session, and during any special session, requires a vote of two-thirds of the members present.
- (5) If a motion to lift legislation is approved, the presiding officer shall direct that the legislation be placed on the third reading calendar.

**Part 3**  
**Consent Calendar**

**HR4-4-301 Consent calendar.**

- (1) The presiding officer shall place legislation on the consent calendar if:
  - (a) a standing committee report recommends that the legislation be placed on the consent calendar and the standing committee report is adopted by the House; or
  - (b) the legislation is a nonbinding resolution as provided in HR3-2-405.
- (2) If the chief clerk receives written objections to a piece of legislation from six or more representatives, the chief clerk shall:
  - (a) remove the legislation from the consent calendar;
  - (b) inform the sponsor that the legislation has been removed from the consent calendar; and
  - (c) place the legislation at the bottom of the third reading calendar.
- (3) When legislation is removed from the consent calendar, the presiding officer shall inform the House of its removal.
- (4)
  - (a) If, after two calendar days, no more than five members have registered written objections to the legislation with the chief clerk:
    - (i) the legislation shall be read the third time;
    - (ii) the presiding officer shall grant the sponsor of the legislation two minutes to introduce and explain the legislation; and



- (iii) the presiding officer shall pose the question and take the final vote on the legislation.
  - (b) The presiding officer may not allow debate on legislation on the consent calendar.
- (5)
- (a) If the representative sponsoring the legislation on the consent calendar is absent from the floor when the legislation is ready to be read for the third time and considered for passage, a representative may make a motion to circle the legislation.
  - (b) If the motion to circle is successful and the representative sponsoring the legislation has not moved to uncircle the legislation before floor time is recessed or adjourned, the bill shall be placed on the bottom of the third reading calendar.

## **Part 4 Concurrence Calendar**

### **HR4-4-401 Concurrence calendar.**

- (1) After the chief clerk or the chief clerk's designee reads the transmittal letter from the Senate informing the House that the Senate has amended a piece of House legislation, the presiding officer shall place the legislation on the concurrence calendar.
- (2)
  - (a) During the first 43 days of the annual general session, the legislation shall remain on the concurrence calendar for at least one legislative day before the House may consider the question of concurrence.
  - (b) During the last two days of the annual general session, and during any special session, the House may consider legislation for concurrence after the House has been given a reasonable time to review the Senate amendments.
- (3)
  - (a) When presenting legislation to the House for concurrence, the presiding officer shall ask the sponsor of the legislation for a motion.
  - (b) The sponsor of the legislation may move to either:
    - (i) concur with the Senate amendments; or
    - (ii) refuse to concur with the Senate amendments and ask the Senate to recede from its amendments.
- (4)
  - (a) If a motion to concur with the Senate amendments passes by majority vote, the presiding officer shall open the vote on final passage of the legislation.
  - (b)
    - (i) If a motion to concur with the Senate amendments passes by a majority vote but the legislation fails to pass the final vote:
      - (A) except as provided in Subsection (4)(b)(ii), a motion to reconsider the final vote on the legislation is in order; and
      - (B) if a motion to reconsider the final vote on the legislation is successful, the legislation shall be placed on the concurrence calendar and a motion to reconsider the vote to concur with the Senate amendments is in order.
    - (ii) As provided in HR4-9-103(4)(c), the House may not reconsider legislation under this Subsection (4) if the House previously voted to reconsider a final vote on the legislation.

- (c) If a motion to concur with the Senate amendments fails, a motion to refuse to concur with the Senate amendments and ask the Senate to recede from its amendments is in order.
- (5) If a motion to refuse to concur with the Senate amendments and ask the Senate to recede from its amendments passes by a majority vote:
  - (a) the chief clerk shall return the legislation to the Senate for its further action; and
  - (b) if the Senate refuses to recede, the Senate and House shall follow the procedures and requirements of JR3-2-901 relating to the appointment of a conference committee.

## **Part 5 Time Certain Calendar**

### **HR4-4-501 Time certain calendar.**

The presiding officer shall place on the time certain calendar legislation or other matters approved by the House for a time certain under:

- (1) HR1-5-301; or
- (2) other rules allowing matters to be set for a time certain.

## **Chapter 5 Committee of the Whole**

### **HR4-5-101 Committee of the whole -- Purpose -- Process.**

- (1) Because only members of the Utah House of Representatives may speak to the House while the House is conducting business on the floor, the House must resolve itself into a committee of the whole in order to allow non-members to address the House.
- (2) The House may resolve itself into a Committee of the Whole if:
  - (a) a representative makes a motion for the House to resolve itself into a Committee of the whole; and
  - (b) the motion is approved by a majority vote of those present.

Enacted by H.R. 3, 2010 General Session

### **HR4-5-102 Procedure in committee of the whole.**

- (1) The presiding officer shall chair and preside over the committee of the whole.
- (2) House Rules apply in the committee of the whole, except that:
  - (a) a representative may not speak more than twice on the same subject;
  - (b) roll call votes are out of order during a committee of the whole; and
  - (c) a representative may not appeal the decision of the chair.

Enacted by H.R. 3, 2010 General Session

### **HR4-5-103 Motion to dissolve committee of the whole.**

A motion to dissolve a committee of the whole is always in order and is nondebatable.

Enacted by H.R. 3, 2010 General Session

## **Chapter 6 House Floor Parliamentary Procedures**

### **Part 1 General Requirements**

#### **HR4-6-101 Obtaining the floor in the House -- Remarks to be germane.**

- (1) A representative may speak to the subject under consideration if the representative is recognized by the presiding officer.
- (2) Upon recognition by the presiding officer, the representative shall ensure that the representative's remarks are germane to the subject under consideration.

Enacted by H.R. 3, 2010 General Session

#### **HR4-6-102 Motions on the floor -- General requirements and procedures.**

- (1)
  - (a) Except as provided in Subsections (2) and (3), a representative who is recognized by the presiding officer may make a motion.
  - (b) A second to the motion is not required.
- (2)
  - (a) A representative may not speak to a matter and then make a motion unless the representative has:
    - (i) asked the presiding officer to allow the representative to reserve the right to make a motion; and
    - (ii) received permission to do so from the presiding officer.
  - (b) In speaking to the matter, the representative shall confine the representative's remarks to the subject of the motion to be made.
  - (c) A representative may only reserve the right to make:
    - (i) a motion to amend the legislation being debated; or
    - (ii) a motion to substitute the legislation being debated.
- (3) The presiding officer shall:
  - (a) restate each oral motion made by a representative; and
  - (b) ensure that each written motion made by a representative is available to any representative who requests a written copy.
- (4) The representative who made a motion may withdraw it any time before the vote on the motion.

Amended by H.R. 4, 2013 General Session

#### **HR4-6-103 Sponsor may open and close debate.**

When a piece of legislation is on a calendar and ready for debate, or after accepting a motion, the presiding officer shall:

- (1) recognize the chief sponsor of the piece of legislation or of the motion and allow the chief sponsor to open and close debate on the legislation or motion; and

(2) allow the chief sponsor to close debate even if a motion to end debate has passed the House.

Enacted by H.R. 3, 2010 General Session

**HR4-6-104 Interruptions and questions.**

- (1) A representative may not interrupt or question another representative in debate without that representative's consent.
- (2)
  - (a) To obtain consent, the querying representative shall address the presiding officer and, upon recognition by the presiding officer, ask if the representative speaking will yield the floor to a question.
  - (b) If the representative speaking consents to yield the floor to a question, the presiding officer shall allow the querying representative to ask the question.
  - (c) If the representative speaking declines to yield the floor to a question, the presiding officer:
    - (i) shall inform the querying representative that the representative speaking has declined; and
    - (ii) may not allow the querying representative to ask a question.

Enacted by H.R. 3, 2010 General Session

**HR4-6-104.5 Yielding time -- Prohibition on motions.**

- (1) With the approval of the presiding officer, a representative who has the floor may yield all or part of the representative's remaining time to another representative.
- (2) A representative who has the floor as a result of time yielded from another representative may not make a motion.

Enacted by H.R. 4, 2013 General Session

**HR4-6-105 Representatives not to speak more than twice -- Maximum speaking time -- Maximum time for debate on a piece of legislation.**

- (1)
  - (a) Without permission from the House, a representative may not speak more than twice on the same piece of legislation, substitute legislation, or amendment in any one debate on the same day and on the same reading of the legislation.
  - (b)
    - (i) Except as provided in Subsection (1)(b)(ii), the presiding officer may not grant a representative who has spoken once permission to speak again on the same piece of legislation or substitute if any representative who has not spoken wishes to speak.
    - (ii) The presiding officer may grant a representative who has spoken once permission to respond to a question if the representative consents to a request that the representative yield to a question under HR4-6-104.
- (2) Sponsor presentation for a nonbinding resolution, as defined in HR3-2-405, is limited to a maximum of three minutes, or a shorter time as provided by rule.
- (3) A representative may not speak longer than 10 minutes at any time, unless another representative yields that representative's time to the representative who has the floor.
- (4) Unless extended by a majority vote, the presiding officer may not allow the House to debate a piece of legislation for more than:
  - (a) eight hours, during the first 38 calendar days of an annual general session; and
  - (b) two hours during the last seven calendar days of an annual general session.

**HR4-6-105.5 Prohibited references during debate.**

- (1) During debate on the House floor, a representative may not:
  - (a) allude to or discuss what was done or said in committee in relation to the legislation under debate, except that a representative may allude to or discuss information contained on a House or Senate committee report;
  - (b) use a display, exhibit, demonstration, or prop, including an individual who is present on the House floor, to illustrate the representative's remarks or to emphasize the representative's position; or
  - (c) read from a written, prepared speech.
- (2) During debate on the House floor, a representative may use notes when delivering a speech.
- (3) Nothing in this rule affects a representative's ability to seek approval in accordance with HR1-4-302(14) to have material placed on the representatives' desks.

**HR4-6-106 Order of action.**

If a representative makes a motion to amend or substitute legislation during debate on third reading, the presiding officer shall ensure that the House debates and passes or defeats the motion to amend or substitute before allowing debate and action on the legislation itself.

Enacted by H.R. 3, 2010 General Session

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

- (1) A representative may, upon recognition by the presiding officer, make a substitute motion, which, if adopted by vote of a majority of the House, disposes of the original motion.
- (2) If the substitute motion is not adopted, the original motion is revived.
- (3) A representative may not:
  - (a) make a substitute motion if another substitute motion has been made and is pending; or
  - (b) make a motion to end debate (call the previous question) as a substitute motion.

Enacted by H.R. 3, 2010 General Session

**HR4-6-108 Dividing a motion or question.**

- (1)
  - (a) Except as provided in Subsection (1)(b)(i), if a motion or a question in debate contains several points, a representative may ask to have the question divided for purposes of the vote.
  - (b)
    - (i) A motion to strike out and insert is not subject to division.
    - (ii) Notwithstanding Subsection (1)(b)(i), the rejection of a motion to strike out and insert one proposition does not preclude a motion to strike out and insert a different proposition.
- (2) The request to divide must clearly state how the motion or question is to be divided.
- (3)
  - (a) The presiding officer shall determine how many divisions may be made to any motion or question.
  - (b) The House may seek to overrule the chair's decision only once.

Enacted by H.R. 3, 2010 General Session

**HR4-6-109 Motions in order during debate.**

- (1)
  - (a) When a motion or question is being debated, the presiding officer may not accept any other motion except a motion:
    - (i) to adjourn, which is nondebatable;
    - (ii) to determine the time to which to adjourn, which is debatable;
    - (iii) to recess, which is nondebatable;
    - (iv) to end debate (call the previous question), which is nondebatable and requires a two-thirds vote to pass;
    - (v) to refer to a committee, which is debatable;
    - (vi) to limit debate, which is debatable;
    - (vii) to postpone to a time certain, which is debatable;
    - (viii) to circle, which is debatable;
    - (ix) to strike the enacting clause, which is debatable;
    - (x) to substitute, which is debatable; or
    - (xi) to amend, which is debatable.
  - (b) Points of order and appeals of the decision of the presiding officer are not motions and are always in order.
  - (c) The presiding officer shall grant priority to the motions listed in Subsection (1)(a) according to the order in which they are listed in that rule.
- (2)
  - (a) If an amendment or substitute to a piece of legislation has been proposed and is under consideration by the House, the presiding officer shall treat a motion to end debate (call the previous question) as directed only toward the amendment or substitute.
  - (b) If no motion to amend or substitute a piece of legislation has been made, the chair shall treat a motion to end debate (call the previous question) as directed toward action on the legislation itself.
- (3) If a motion to postpone a piece of legislation to a day certain or a motion to return a piece of legislation to the House Rules committee is defeated, a representative may not make the same motion on the same piece of legislation during the same reading of the legislation.
- (4) When a motion to refer to committee, to postpone to a time certain, or to circle is made, the presiding officer may not allow consideration of amendments or debate on the main question.
- (5) During a roll call, no motion or other business is in order except for a call of the House, until after the announcement of the result of the vote.

Enacted by H.R. 3, 2010 General Session

**HR4-6-110 Nondebatable motions.**

- (1) The presiding officer may not allow debate on a motion:
  - (a) to adjourn;
  - (b) to recess;
  - (c) to end debate (call the previous question); or
  - (d) to extend the time for debate.
- (2) The presiding officer shall decide all points of order arising from one of the above motions without debate.

Enacted by H.R. 3, 2010 General Session

## **Part 2 Specific Motions**

### **HR4-6-201 Motion to adjourn.**

A motion to adjourn is always in order except:

- (1) when a vote is being taken;
- (2) when a previous motion to adjourn has been defeated and no intervening business has been transacted; or
- (3) when another representative has the floor.

Enacted by H.R. 3, 2010 General Session

### **HR4-6-202 Motion to circle.**

- (1) A motion to circle legislation holds the legislation in place on the calendar.
- (2)
  - (a) A motion to circle preserves all amendments to the legislation already adopted by the House.
  - (b) A motion to circle extinguishes all amendments pending at the time that the motion is made.
- (3) Legislation that has been circled may only be uncircled by:
  - (a) the chief House sponsor of the legislation; or
  - (b) the representative designated by the chief Senate sponsor to be the House floor sponsor of the legislation.
- (4) When a motion to uncircle is made:
  - (a) amendments already adopted by the House are part of the legislation; and
  - (b) any pending motions to amend at the time the legislation was circled are extinguished and a new motion to amend must be made in order to revive them.
- (5) A motion to circle and a motion to uncircle require a majority vote to pass.

### **HR4-6-203 Motion to strike the enacting clause.**

- (1) When a motion to strike the enacting clause passes by a constitutional majority, the bill from which the enacting clause was stricken is dead and may not be revived.
- (2) Nothing in this rule precludes a representative from introducing a new bill identical to the bill whose enacting clause was struck.

Enacted by H.R. 3, 2010 General Session

## **Chapter 7 Voting**

### **Part 1 General Requirements**

#### **HR4-7-101 Definitions.**

As used in this chapter:

- (1) "Electronic vote" means that those representatives present vote using an electronic system that records and tallies their votes.
- (2) "Roll call vote" means a verbal voting process where:
  - (a) the chief clerk or the chief clerk's designee verbally calls the name of each representative alphabetically, except the speaker, who is called last;
  - (b) each representative present votes "aye" or "no" when the representative's name is called;
  - (c) the chief clerk or the chief clerk's designee:
    - (i) tallies the vote;
    - (ii) records those representatives who are absent or not voting; and
    - (iii) gives a copy of the tally to the presiding officer; and
  - (d) the presiding officer announces the result of the vote.
- (3) "Voice vote" means a verbal voting process where the presiding officer:
  - (a) poses the question to be voted upon in this form: "Those in favor (of the question) say aye." and "Those opposed, say no."; and
  - (b) based upon the representative's responses, announces that the question either passed or failed.

Amended by H.R. 2, 2021 General Session

#### **HR4-7-102 Number of votes required for passage.**

Unless otherwise specified in these rules:

- (1) each piece of legislation requires a constitutional majority vote -- 38 votes -- to pass;
- (2) amendments to the Utah Constitution, legislation described in Utah Constitution, Article VI, Section 25 that is intended to take effect earlier than 60 days after adjournment of the session in which it passes, amendments to court rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 50 votes -- to pass; and
- (3) a motion requires a majority vote to pass.

#### **HR4-7-103 Voting -- Representatives required to vote -- Representatives must be present to vote.**

- (1)
  - (a) A representative present within the House chamber when a vote is being taken shall vote.
  - (b)
    - (i) The chief clerk may record the vote of any representative who is present in the House Chamber who requests assistance of the chief clerk.
    - (ii) The representative shall ensure that the electronic vote is recorded accurately.
  - (c) Each representative shall vote within the time limit fixed by the presiding officer.
  - (d) Immediately before an electronic vote or a roll call vote, a representative may, upon recognition by the presiding officer, make a brief statement explaining any conflict of interest.
- (2)
  - (a) A representative may not vote on a piece of legislation or motion unless the representative is present in the House chamber.
  - (b) No representative, or any other person, may vote on behalf of another representative. A representative is the only person authorized to use that representative's assigned voting device.



- (3) If the vote is by electronic vote or roll call vote, a representative entering the chamber after the question is posed, and before the presiding officer closes the vote or announces the result, may have the question stated and vote.

Amended by H.R. 2, 2017 General Session

**HR4-7-104 Disturbing House staff during voting prohibited.**

While an electronic vote or roll call vote is being taken, a person may not disturb or remain by the desks of House staff conducting or helping to conduct the roll call vote.

**HR4-7-105 Changing vote before vote is closed.**

A representative may change the representative's vote before the presiding officer closes the vote or announces the result.

Enacted by H.R. 3, 2010 General Session

**HR4-7-106 Voting or changing vote after the vote is closed.**

- (1) After the vote is announced or an electronic vote is closed, a representative may not vote or change the representative's vote unless:
- (a) there is unanimous consent of the representatives present; and
  - (b) the result of the vote is not changed.
- (2) A representative wishing to vote or change the representative's vote after the vote has been taken on legislation or on a question shall, before the House begins the next order of business:
- (a) seek and obtain recognition from the presiding officer; and
  - (b) make a motion for leave of the body to vote or to change the representative's vote.

Enacted by H.R. 3, 2010 General Session

## **Part 2 Voting Process**

**HR4-7-201 Means of voting -- Requirements.**

- (1) The presiding officer shall ensure that the vote on final passage of a piece of legislation is taken by electronic vote or roll call vote.
- (2) The presiding officer may place other questions to the House using a voice vote, an electronic vote, or a roll call vote.

Enacted by H.R. 3, 2010 General Session

**HR4-7-202 Placing the question -- Voice vote -- Division of the House.**

- (1) After taking a voice vote, if the presiding officer is in doubt about which side prevailed, the presiding officer may require the House to vote by electronic vote or roll call vote.
- (2)
- (a) After taking a voice vote and announcing the results of the voice vote, a representative may call for division of the House without being recognized.

- (b) If five or more members request a division of the House, the presiding officer shall require the House to vote by electronic vote or roll call vote.

Enacted by H.R. 3, 2010 General Session

**HR4-7-203 Placing the question -- Electronic vote -- Process.**

- (1) When conducting an electronic vote, the presiding officer shall announce that voting is open on the measure or question that is to be voted upon.
- (2)
  - (a) Except as provided in Subsection (2)(b), the chief clerk or the chief clerk's designee shall ensure that the electronic board identifies:
    - (i) the number of the piece of legislation being voted upon, if the vote is on a bill or resolution; or
    - (ii) by brief description, the nature of the matter being voted upon, if the vote is on a motion or question.
  - (b) If the legislation or matter cannot be electronically displayed, the presiding officer shall announce the measure at the time the presiding officer announces that voting is open.
- (3) The presiding officer may establish a specific time limit for voting.
- (4) The presiding officer shall announce that voting is closed and close the vote.
- (5) When an electronic vote is taken, the printed tally sheets are the official record of the vote.

Enacted by H.R. 3, 2010 General Session

## **Chapter 8 Call of the House**

**HR4-8-101 Definitions.**

As used in this chapter, "call of the House" means the process by which the House may compel absent representatives to be present in the House chamber.

Amended by H.R. 2, 2021 General Session

**HR4-8-102 Initiating a call of the House.**

- (1) Subject to the requirements of this rule, a representative may, without being recognized by the presiding officer, demand a call of the House by verbally stating "call of the House."
- (2) After a representative demands a call of the House, the presiding officer shall say: "If 10 or more will stand, we will be in a call of the House."
- (3) If the presiding officer determines that 10 or more representatives demand a call of the House, the presiding officer shall order the call.

Amended by H.R. 4, 2013 General Session

**HR4-8-103 Effect of call of the House.**

- (1) Except for receiving and acting on the report of the sergeant-at-arms under HR4-8-104, the House may not transact any business during a call of the House.
- (2)

- (a) During a call of the House, the presiding officer shall declare out of order each motion except:
  - (i) a motion to adjourn; or
  - (ii) a motion to lift the call of the House.
- (b) The motions identified in Subsection (2)(a) must receive a majority vote from the representatives present to pass.

Enacted by H.R. 3, 2010 General Session

**HR4-8-104 Process for conducting a call of the House.**

- (1) During a call of the House:
  - (a) a representative present in the chamber may not leave the chamber; and
  - (b) the sergeant-at-arms or the sergeant's designees shall close the doors to the House chamber.
- (2) After ordering the call of the House, the presiding officer shall:
  - (a) identify any absent representatives; and
  - (b) provide the sergeant-at-arms with the names of those representatives who are absent but who have not asked to be excused.
- (3) The sergeant-at-arms or the sergeant's designees shall:
  - (a) search for the absent representatives;
  - (b) if they are found, escort them to the House chamber; and
  - (c) make a report to the House about the sergeant's efforts.

**HR4-8-105 Lifting the call of the House.**

- (1) The sergeant-at-arms may make a report on the call at any time.
- (2)
  - (a) If the presiding officer determines that all representatives are present or accounted for, the presiding officer may:
    - (i) order the call to be lifted without motion; or
    - (ii) recognize a representative for a motion to lift the call of the House.
  - (b) If the motion is approved by a majority of those present, the call of the House is lifted.
  - (c) If the motion is not approved, the sergeant-at-arms and the sergeant's designees shall continue searching for the absent representatives.
- (3) After the call is lifted:
  - (a) the sergeant-at-arms and the sergeant's designees shall open the doors of the House chamber; and
  - (b) the House shall proceed with the order of business that was pending when the call was ordered.

Enacted by H.R. 3, 2010 General Session

**Chapter 9**  
**Reconsideration of House Action**

**HR4-9-101 Motion to reconsider.**

- (1) As used in this rule, "legislative day" means a day when the House of Representatives convenes in the House chamber and conducts House business.
- (2)
  - (a) Except as provided in Subsection (3), when a question has been decided on the floor of the House, a representative voting with the prevailing side may move for reconsideration after intervening business.
  - (b) If the motion to reconsider is to reconsider passage of a piece of legislation, the representative making the motion shall include the number and short title of the legislation as part of the motion.
  - (c) If a motion for reconsideration is made on the floor of the House after a piece of legislation has left the possession of the House, the chief clerk shall request that the legislation be returned to the House.
  - (d) The presiding officer shall rule a motion for reconsideration out of order unless the motion is made:
    - (i) before the 43rd legislative day;
    - (ii) before the House adjourns on the legislative day after the legislative day on which the action sought to be reconsidered occurred; and
    - (iii) by a representative who previously served notice to the chief clerk or the presiding officer.
- (3) A representative may not make a motion to reconsider after the 42nd day of the annual general session of the Legislature.

#### **HR4-9-102 Motion to reconsider -- Procedures.**

When a representative makes a motion to reconsider, the chief clerk or the chief clerk's designee shall:

- (1) ensure that the motion is recorded in the House Journal; and
- (2) retain the legislation in the possession of the House until the time for reconsideration has expired or until the legislation has been reconsidered.

Amended by H.R. 2, 2011 General Session

#### **HR4-9-103 Rules governing motions to reconsider.**

- (1) A motion to reconsider takes precedence over all other motions and questions, except a motion to adjourn.
- (2)
  - (a) Except as provided in Subsection (2)(b), a motion to reconsider is debatable.
  - (b) A motion to reconsider is nondebatable only if the action it seeks to reconsider is nondebatable.
- (3) When a motion to reconsider is made, the presiding officer shall:
  - (a) allow the proponents a total of five minutes to address the issue;
  - (b) allow the opponents a total of five minutes to address the issue; and
  - (c) allow the proponents one minute to sum up.
- (4)
  - (a) A motion to reconsider a vote on the final passage of a piece of legislation requires approval by a constitutional majority of representatives.
  - (b) Upon adoption of a motion to reconsider and if the legislation is in possession of the House, the presiding officer shall ensure that the legislation is placed at the top of the third reading calendar.

(c) The House may not reconsider a piece of legislation more than once.