

Title SR4. Senate Floor Procedures

Chapter 1 General Provisions

SR4-1-101 Definitions.

- (1)
 - (a) "Appropriations bill" means a bill that appropriates money and makes no change to statute.
 - (b) Notwithstanding Subsection (1)(a), "appropriations bill" includes the public education budget bills.
- (2) "Constitutional majority vote" means that the matter requires 15 votes to pass on the Senate floor.
- (3) "Constitutional two-thirds vote" means that the matter requires 20 votes to pass on the Senate floor.
- (4) "Majority vote" means that the matter requires the votes of a majority of those present to pass on the Senate floor.
- (5) "Point of order" means a question raised by a senator about whether or not there has been a breach of order, a breach of rules, or a breach of established parliamentary practice.
- (6) "Presiding officer" means the person presiding over the Senate and includes:
 - (a) the president;
 - (b) the president pro tempore; and
 - (c) any senator presiding under SR1-3-103.
- (7) "Two-thirds vote" means that the matter requires the vote of two-thirds of those present to pass on the Senate floor.

Chapter 2 General Floor Procedures for the Senate

Part 1 General Guidelines

SR4-2-101 Duties of presiding officer.

The presiding officer may:

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

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.
- (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.

SR4-2-103 Calling a senator to order for violation of a rule.

- (1) As used in this rule, "censure" means an official reprimand or condemnation, which, if approved by the majority of the Senate, is printed in the journal.
- (2)
 - (a) The presiding officer may call a senator to order for violating any Senate Rule or Joint Rule.
 - (b) A senator may call a senator to order for violating any Senate Rule or Joint Rule by raising a point of order under SR4-2-201.
- (3) If a senator appeals the ruling of the presiding officer, the Senate shall decide the issue after debate.
- (4)
 - (a) If the decision is favorable to the senator who has been called to order, the senator may proceed.
 - (b) If the decision is unfavorable, the senator is subject to censure by the Senate.

SR4-2-104 Calling a senator to order for conduct in debate.

- (1)
 - (a) If a senator raises a point of order for words spoken in debate, the senator raising the point of order shall repeat the words to which exception is taken.
 - (b) The secretary of the Senate shall ensure that the words to which exception is taken are recorded in the journal.
- (2) When a point of order for words spoken in debate is made, the senator who spoke the words may not continue to speak until a ruling on the point of order is made, unless the presiding officer grants that senator permission to explain the senator's words.
- (3) A senator may not be called to order or censured for words spoken in debate if there has been intervening business.

SR4-2-105 Motions in writing.

- (1) Except as provided in Subsection (2), if a senator requests that a motion be presented in writing, the presiding officer shall require that the maker of the motion prepare and submit a written motion.
- (2) 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.

Part 2

Point of Order and Appeals of the Decision of the Chair

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 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 and then rule 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 to speak to the point of order.
 - (iii) A decision by the Senate deciding a point of order is not subject to appeal.
- (3) When the presiding officer rules on the point of order, any senator who disagrees with the presiding officer's decision may appeal that decision to the Senate by following the procedures and requirements of SR4-2-202.

SR4-2-202 Appeals from the decision of the chair.

- (1) Although the tradition in the Senate is to give great weight to the rulings of the presiding officer and to not make appeals lightly, a senator who disagrees with a ruling of the presiding officer may appeal that decision to the Senate by rising and, without waiting to be recognized, saying "I appeal the decision of the chair."
- (2) When a senator 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 senator may not speak more than once on the appeal without leave of the Senate.

- (4) The question on appeal is: "Shall the decision of the chair stand as the judgment of the Senate?"
- (5) When a decision of the presiding officer is appealed, a majority vote of the senators present is required to override that decision.
- (6) The secretary of the Senate shall ensure that the appeal and the action of the Senate on the appeal are entered in the journal.

Chapter 3 Special Senate Floor Procedures

Part 1 Bills and Resolutions

SR4-3-101 Bills placed on calendars.

- (1)
 - (a) The secretary of the Senate shall cause each bill reported to the Senate by a Senate standing committee or the Senate Rules Committee to be placed at the bottom of the second reading calendar or on the consent calendar in the order that the bill is received.
 - (b) The presiding officer shall ensure that each bill that is placed on the second reading calendar without a fiscal note is circled until the fiscal note is received.
- (2) The secretary of the Senate shall ensure that each bill on the second reading calendar that is passed by a constitutional majority vote is placed at the bottom of the third reading calendar.

SR4-3-102 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 the 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 Senate directs other action.

SR4-3-103 Reassigning legislation assigned to a standing committee.

Legislation that has been assigned to a standing committee may be assigned to the Senate Rules Committee or a different standing committee by:

- (1) the presiding officer;
- (2) the Senate by majority vote upon motion from the floor; or
- (3) the Senate by majority vote if the committee to which the legislation was assigned recommends in its committee report that the legislation be returned to the Senate Rules Committee.

SR4-3-104 Action of bills tabled in committee.

- (1)

- (a) A senator may make a motion to lift a bill tabled in the standing committee from the secretary of the Senate or from the standing committee that has possession of the bill.
 - (b) If the motion passes by a two-thirds vote of those senators present on the floor of the Senate, the bill is placed on the Senate second reading calendar.
- (2) The president of the Senate can reassign a bill tabled in a standing committee to another standing committee.

SR4-3-105 Action on House legislation.

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

SR4-3-106 Time limit for Senate legislation.

Except for an appropriations bill, the Senate may not consider a piece of legislation introduced by a senator after the 42nd day of the annual general session of the Legislature.

Part 2 Substitute Legislation

SR4-3-201 Substitute legislation.

- (1) A motion to adopt a substitute piece of legislation is in order on second or third reading.
- (2) The Office of Legislative Research and General Counsel shall number each substitute for recordkeeping and tracking purposes before the substitute is officially printed.

SR4-3-202 Substitute must be germane.

- (1) Except as provided in Subsection (2), a senator may, if recognized by the presiding officer while the senator is debating a piece of legislation, make a motion to substitute the legislation.
- (2)
- (a) The senator making the motion to substitute shall ensure that the substitute is germane to the subject of the original legislation under consideration.
 - (b) If a senator believes that a substitute is not germane to the subject of the original legislation, the senator 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.

Part 3 Floor Amendments

SR4-3-301 Amendments in order on second or third reading -- 10 word rule -- Passage of amendments by a majority vote.

- (1) A motion to amend a piece of legislation is in order on second or third reading.
- (2)
 - (a) Except as provided in Subsection (3) or (4), a senator may, if recognized by the presiding officer while the Senate is debating a piece of legislation, make a motion to amend the legislation.
 - (b)
 - (i) A senator may verbally propose an amendment to a piece of legislation if the amendment contains 10 words or fewer.
 - (ii) A senator shall ensure that a proposed amendment containing more than 10 words is printed and distributed to the secretary of the Senate and to all senators before the amendment is proposed.
- (3)
 - (a) The senator making the motion to amend shall ensure that the amendment is germane to the subject of the original legislation under consideration.
 - (b) If a senator believes that an amendment is not germane to the subject of the original legislation, the senator 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.
- (4) A constitutional amendment, resolution, or bill requiring a constitutional two-thirds vote for final passage may be amended by a majority vote.
- (5) When legislation is amended by the Senate, the secretary of the Senate shall:
 - (a) for each page of the legislation modified by a Senate amendment, cause a new page to be printed that clearly identifies each Senate amendment to that page; and
 - (b) print that new page on tan paper on the second reading and on goldenrod-colored paper on the third reading.

**Chapter 4
Senate Calendars**

**Part 1
Second Reading Calendar**

SR4-4-101 Second reading calendar.

- (1)
 - (a) After the Senate considers all legislation on the third reading calendar that is not circled or tabled, the Senate shall consider legislation on the second reading calendar as follows:
 - (i) the presiding officer shall cause each piece of legislation on the second reading calendar to be read by title before debate begins, unless the Senate suspends this requirement by a two-thirds vote;

- (ii) the secretary of the Senate or the secretary's designee shall read the committee report, noting for the Senate those instances when the legislation did not receive a Senate standing committee review or an interim committee review;
 - (iii) if the Senate passes a motion to adopt a "favorable" committee report, the legislation, including any substitute or amendment adopted by the standing committee that is identified in the committee report, is before the Senate; and
 - (iv) the presiding officer shall allow debate on the legislation.
- (b) If the Senate fails to pass a motion to adopt a "favorable" committee report, the legislation will be returned to the secretary of the Senate.
- (2)
- (a) The final question on second reading is: "Shall the bill (resolution) be read a third time?"
 - (b) The presiding officer shall place the question as a roll call vote.
 - (c) If a constitutional majority of the Senate votes in favor of the motion, the legislation is passed to the third reading calendar.

Part 2

Third Reading Calendar

SR4-4-201 Third reading calendar -- Procedures.

- (1)
- (a) For the third reading on a piece of legislation, the secretary of the Senate or the secretary's designee shall read the legislation by title, unless the Senate suspends this requirement by a two-thirds vote.
- (2) When the secretary of the Senate or the secretary's designee has completed the third reading of the legislation, the legislation is before the Senate for debate.
- (3) When debate on the legislation is complete, the presiding officer shall:
- (a) pose the final question: "This bill (resolution) has been read three times. The question is: Shall the bill (resolution) pass?"; and
 - (b) place the question as a roll call vote.

SR4-4-202 Disposition of legislation voted on third reading.

- (1) Except as provided in Subsection (2), the secretary of the Senate or the secretary's designee shall:
- (a) for a piece of Senate legislation passed by the Senate on third reading but not yet acted upon by the House, transmit the Senate legislation to the House for its further action;
 - (b) for a piece of Senate legislation that fails to pass the Senate on third reading, file the legislation;
 - (c) for a piece of Senate legislation that has passed both houses in the same form, follow the procedures and requirements of JR4-6-101(1)(b);
 - (d) for a piece of House legislation passed by the Senate on third reading and not amended or substituted in the Senate, transmit the House legislation to the presiding officer of the House for the presiding officer's signature;

- (e) for a piece of House legislation passed by the Senate on third reading that was amended or substituted in the Senate, transmit the legislation to the House with the amendment or substitute for further action by the House; and
 - (f) for a piece of House legislation that fails to pass the Senate on third reading, transmit the legislation to the House with notice of the Senate's action.
- (2) When a senator gives notice of intention to move for reconsideration, the secretary of the Senate shall:
- (a) record the notice in the journal; and
 - (b) keep possession of the bill until:
 - (i) the time for reconsideration has expired as provided in Title 4, Chapter 9, Reconsideration of Senate Action; or
 - (ii) the bill has been reconsidered.

Part 3

Consent Calendar

SR4-4-301 Consent calendar.

- (1) If a standing committee report recommends that a piece of legislation be placed on the consent calendar and the standing committee report is adopted by the Senate, the secretary of the Senate or the secretary's designee shall:
- (a) read the legislation for the second time; and
 - (b) place the legislation on the consent calendar.
- (2)
- (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 a piece of legislation on the consent calendar, three or more senators may move the legislation to the second reading calendar by notifying the secretary of the Senate verbally or in writing.
 - (b) If the secretary of the Senate receives requests to move a piece of 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.
- (3) If, after three days during which the Senate has floor time, no more than two members have registered objections to the legislation, the legislation shall be:
- (a) read the third time;
 - (b) placed before the Senate; and
 - (c) considered for final passage.
- (4)
- (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 unanimous vote of the senators present shall be recorded in favor of the legislation.
- (c) If the presiding officer hears any nays to the question, a roll call vote shall be taken immediately.
- (5) Notwithstanding the requirements of Subsection (4), 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.
- (6) Nothing in this section prevents a senator from challenging the ruling of the chair or asking for a vote on any question.

Part 4 Concurrence Calendar

SR4-4-401 Concurrence calendar.

- (1) After the secretary of the Senate or the secretary's designee reads the transmittal letter from the House informing the Senate that the House has amended or substituted a piece of Senate 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 over at least one night before the Senate may consider the question of concurrence.
 - (b) During the last two days of the annual general session and during any special session, the Senate may consider legislation for concurrence after the Senate has been given a reasonable time to review the House changes.
- (3)
 - (a) When presenting legislation to the Senate 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 House amendments; or
 - (ii) refuse to concur with the House amendments and ask the House to recede from their amendments.
 - (c) If a motion to concur with the House amendments passes by majority vote, the presiding officer shall:
 - (i) pose the question: "This bill (resolution) has been read three times. The question is: Shall this bill (resolution) pass?"; and
 - (ii) take the final roll call vote on the legislation.
 - (d) If a motion to refuse to concur with the House amendments and ask the House to recede from their amendments passes by a majority vote, the secretary of the Senate shall return the legislation to the House for its further action.
 - (e) If the House refuses to recede, the Senate and House shall follow the procedures and requirements of JR3-2-601 relating to the appointment of a conference committee.

Part 5

Time Certain Calendar

SR4-4-501 Time certain calendar.

The secretary of the Senate or the secretary's designee shall place on the time certain calendar legislation or other matters approved by the Senate for a time certain under:

- (1) SR1-5-301; or
- (2) other rules allowing matters to be set for a time certain.

Chapter 5 Committee of the Whole

SR4-5-101 Committee of the whole -- Purpose -- Process.

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

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) roll call votes are out of order during a committee of the whole; and
 - (c) a senator may not appeal the decision of the chair.

SR4-5-103 Motion to dissolve committee of the whole.

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

Chapter 6 Senate Floor Parliamentary Procedures

Part 1 General Requirements

SR4-6-101 Obtaining the floor in the Senate -- Remarks to be germane.

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

SR4-6-102 Motions on the floor -- General requirements and procedures.

- (1)
 - (a) A senator who is recognized by the presiding officer may make a motion.
 - (b) A second to the motion is not required.
- (2) The presiding officer shall restate each oral motion made by a senator.
- (3)
 - (a) After a motion is stated by the presiding officer, it is in the possession of the Senate.
 - (b) The motion may be withdrawn by the senator who made it or by a majority vote of the Senate.

SR4-6-103 Sponsor may open and close debate.

After coming to a piece of legislation on a calendar or after accepting a motion, the presiding officer shall 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.

SR4-6-104 Interruptions and questions.

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

SR4-6-105 Senators not to speak more than twice -- Maximum speaking time.

- (1) Without permission from the Senate, a senator 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.
- (2)
 - (a) Except as provided in Subsection (2)(b), the presiding officer may not grant a senator who has spoken once permission to speak again on the same piece of legislation if any senator who has not spoken wishes to speak.
 - (b) The presiding officer may grant a senator who has spoken once permission to respond to a question if the senator consents to a request that the senator yield to a question under SR4-6-104.

SR4-6-106 Order of action.

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

SR4-6-107 Substitute motions.

- (1) A senator may, upon recognition by the presiding officer, make a substitute motion, which, if adopted by vote of a majority of the Senate, disposes of the original motion.
- (2) If the substitute motion is not adopted, the original motion is revived.
- (3) A senator may not make a substitute motion if another substitute motion has been made and is pending.

SR4-6-108 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 senator 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 shall 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 Senate may seek to overrule the chair's decision only once.

SR4-6-109 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 adjourn, which is debatable;
 - (iii) to recess, with the senator having the floor retaining the floor when the Senate reassembles, which is nondebatable;
 - (iv) to call the Senate;
 - (v) to refer to a committee, which is debatable;
 - (vi) to table, which is debatable;
 - (vii) to lift from the table, which is debatable;
 - (viii) to circle, which is debatable;
 - (ix) to postpone to a time certain, which is debatable;
 - (x) to strike the enacting clause, which is debatable;
 - (xi) to adopt a substitute, which is debatable; or
 - (xii) 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 senator may not make, and the presiding officer may not accept, a motion for the previous question, which is a call for an end to debate and a vote on the matter under discussion.
- (3) If a motion to postpone a piece of legislation to a day certain or a motion to refer a piece of legislation to a committee is defeated, a senator 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 indefinitely, to postpone to a time certain, or to table is made, the presiding officer may not allow consideration of amendments or debate on the main question.

SR4-6-110 Nondebatable motions.

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

Part 2
Specific Motions

SR4-6-201 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 senator has the floor.

SR4-6-202 Motion to circle.

- (1) A motion to circle a piece of legislation holds the legislation in place on the calendar.
- (2)
 - (a) A motion to circle preserves all amendments or substitutes to the legislation already adopted by the Senate.
 - (b) A motion to circle extinguishes all amendments or substitutes pending at the time that the motion is made.
- (3) When a motion to uncircle is made:
 - (a) amendments, substitutes, or both that were already adopted by the Senate are part of the legislation; and
 - (b) any amendments or substitutes that were being discussed at the time the legislation was circled are extinguished and a new motion to amend or substitute must be made in order to revive them.

SR4-6-203 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 senator from introducing a new bill identical to the bill whose enacting clause was struck.

**Chapter 7
Voting**

**Part 1
General Requirements**

SR4-7-101 Definitions.

- (1) "Roll call vote" means a verbal voting process where:
 - (a) the secretary of the Senate or the secretary's designee verbally calls the name of each senator alphabetically, except the president, who is called last;
 - (b) each senator present votes "aye" or "nay" when the senator's name is called;
 - (c) the secretary of the Senate or the secretary's designee:
 - (i) tallies the vote;
 - (ii) records those senators 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.
- (2) "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 'nay'."; and
 - (b) based upon the senator's responses, announces that the question either passed or failed.

SR4-7-102 Number of votes required for passage.

- (1) Unless otherwise specified in these rules:
 - (a) each piece of legislation requires a constitutional majority vote -- 15 votes -- to pass;
 - (b) amendments to the Utah Constitution, amendments to court rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 20 votes -- to pass;
 - (c) legislation that is intended to take effect earlier than 60 days after adjournment of the session in which it passes requires a constitutional two-thirds vote -- 20 votes -- to pass with that immediate effective date;
 - (d) certain motions require a two-thirds vote -- two-thirds of those present -- to pass; and
 - (e) other motions require a majority vote -- a majority of those present -- to pass.
- (2) The Senate may only suspend a rule requiring that a motion must receive a two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.

SR4-7-103 Senators present required to vote.

- (1)

- (a) A senator present within the Senate chamber when a vote is being taken shall vote.
 - (b) A senator shall vote within the time limit fixed by the presiding officer.
 - (c) Immediately before a roll call vote or when casting a roll call vote, a senator may, upon recognition by the presiding officer, make a brief statement explaining any conflict of interest.
 - (d) With the permission of the presiding officer, a senator may briefly explain a vote.
- (2)
- (a) A senator may not vote on a piece of legislation or motion unless the senator is present in the Senate chamber.
 - (b) If the vote is a roll call vote or division, a senator entering the chamber after the question is posed and before the presiding officer announces the result, may have the question stated and vote.

SR4-7-104 Disturbing Senate staff during voting prohibited.

While a roll call vote is being taken, a person may not disturb or remain by the desks of the secretary of the Senate, the docket clerk, the reading clerk, the voting machine operator, or the public address system operator.

SR4-7-105 Changing vote before vote is closed.

A senator may change the senator's vote before the presiding officer announces the result.

SR4-7-106 Voting or changing vote after the vote is announced.

After the vote is announced, a senator may not vote or change the senator's vote unless:

- (1) the Senate has possession of the legislation;
- (2) there is unanimous consent of the senators present; and
- (3) the result of the vote is not changed.

Part 2
Voting Process

SR4-7-201 Means of voting -- Requirements.

- (1) The presiding officer shall ensure that the vote on final passage of a piece of legislation is taken by roll call vote.
- (2) The presiding officer shall conduct a roll call vote on other questions if requested by a senator.
- (3) During a roll call vote, the presiding officer may not accept a motion or other business, except for a request from a senator to disclose a conflict of interest or to explain the senator's vote, until after the presiding officer announces the result of the vote.

SR4-7-202 Placing the question -- Voice vote -- Division.

- (1) The presiding officer shall place all questions other than those identified in SR4-7-201 by voice vote.

- (2) After taking a voice vote, if the presiding officer is in doubt about which side prevailed, the presiding officer may require the Senate to vote by roll call vote.
- (3) If the presiding officer questions the result of the count, or if a senator calls for division, the presiding officer shall require that those voting aye stand and be counted first, followed by those voting nay standing and being counted.

Chapter 8

Call of the Senate

SR4-8-101 Definitions.

"Call of the Senate" means the process by which the Senate may compel absent senators to be present in the Senate chamber.

SR4-8-102 Initiating a call of the Senate.

- (1) Subject to the requirements of this rule, a senator may demand a call of the Senate by standing and verbally stating "call of the Senate."
- (2) After a senator demands a call of the Senate, the presiding officer shall say: "It requires at least five senators to require a call of the Senate. Will those in favor of the call please stand?"
- (3) If the presiding officer determines that five or more senators demand a call of the Senate, the presiding officer shall order the call.

SR4-8-103 Effect of call of the Senate.

- (1) Except for receiving and acting on the report of the sergeant-at-arms under SR4-8-105, the Senate may not transact any business during a call of the Senate.
- (2)
 - (a) During a call of the Senate, 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 Senate.
 - (b) The motions identified in Subsection (2)(a) must receive a majority vote from the senators present to pass.

SR4-8-104 Process for conducting a call of the Senate.

- (1) During a call of the Senate:
 - (a) a senator 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 Senate chamber.
- (2) After ordering the call of the Senate, the presiding officer may:
 - (a) in consultation with the secretary of the Senate, identify any absent senators; and
 - (b) provide the sergeant-at-arms with the names of those senators 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 senators;
 - (b) if they are found, escort them to the Senate chamber; and
 - (c) make a report to the Senate about the sergeant's efforts.

SR4-8-105 Lifting the call of the Senate.

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

Chapter 9
Reconsideration of Senate Action

SR4-9-101 Motion to reconsider.

- (1) As used in this section, "legislative day" means a day when the Senate convenes in the Senate chamber and conducts Senate business.
- (2)
 - (a) Except as provided in Subsection (3), when a question has been decided on the floor of the Senate, a senator voting with the prevailing side may:
 - (i) move for reconsideration after intervening business; or
 - (ii) give notice that a motion for reconsideration will be made.
 - (b) If a motion for reconsideration is made on the floor of the Senate after a piece of legislation has left the possession of the Senate, the secretary of the Senate shall request that the legislation be returned to the Senate.
 - (c) 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 Senate adjourns on the legislative day after the legislative day on which the action sought to be reconsidered occurred; and
 - (iii) by a senator who previously served notice.
- (3) A senator may not make a motion to reconsider after the 42nd day of the annual general session of the Legislature.

SR4-9-102 Notice of motion to reconsider.

When a senator gives notice that the senator intends to make a motion to reconsider, the secretary of the Senate or the secretary's designee shall:

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

SR4-9-103 Rules governing motions to reconsider.

- (1) A motion to reconsider a vote on the final passage of a piece of legislation requires approval by a constitutional majority of senators.
- (2) Upon adoption of a motion to reconsider, the secretary of the Senate shall ensure that the legislation is placed at the top of the calendar on which it last appeared.
- (3) The Senate may not reconsider a piece of legislation more than once.