

HOUSE RULES RESOLUTION - WITNESS

OATHS

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Chad E. Bennion

This resolution modifies House Rules governing committee responsibilities and public hearings by allowing the committee chair or a majority of the committee to require a witness to swear or affirm an oath to tell the truth. This resolution takes effect immediately.

This resolution affects legislative rules as follows:

AMENDS:

HR-24.12

HR-24.14

Be it resolved by the House of Representatives of the state of Utah:

Section 1. **HR-24.12** is amended to read:

HR-24.12. Committee Responsibilities.

(1) Each committee shall send a report to the House on each bill referred to it. With a majority vote, the committee may transmit bills with a favorable recommendation. Bills may be amended, held, tabled, returned to the House Rules Committee, or substituted in committee. Unless the bill is tabled, held, or returned to the House Rules Committee, the committee shall make a favorable recommendation on the matter to the House. Any bill tabled in committee shall be held until the next meeting, at which time it can be lifted from the table by a two-thirds vote of the committee. Any bill tabled in committee and not lifted at its next committee meeting shall be sent to the House Rules Committee for filing. When a motion to lift a tabled bill is made, the proponents shall be given five minutes to address the motion, the opponents shall be given five minutes to address the motion, and the proponents shall be given one minute to sum up. If a tabled bill is lifted at the next committee meeting, no further action may be taken at that time. However, if the bill is scheduled for a subsequent meeting, it may receive other committee action, including being reported out favorably. A tabled bill can be lifted from

the House Rules Committee by a constitutional two-thirds vote of the House of Representatives. If a bill is tabled in a standing committee meeting and a Representative desires to lift the tabled bill from that committee prior to the committee's next meeting, the Representative may do so only with the approving vote of two-thirds of all elected Representatives.

(2) The committee may prepare a bill addressing the same subject matter to be introduced under committee sponsorship. The chief sponsor or sponsors of a bill may request in writing that committee members sponsor the measure. Upon agreement by the committee, the individual sponsor may relinquish individual sponsorship of the bill. A majority vote of the committee is required to amend, substitute, table, recommend, hold, or sponsor a bill.

(3) Except as specifically provided in this rule regarding the House Rules Committee, HR-24.01 governs the actions that may be appropriately taken by the House Rules Committee.

(4) A secretary shall record attendance and take minutes of committee action. The records shall be filed for three years in the office of the Chief Clerk of the House.

(5) If the chair allows public comment or testimony on a bill or other matter before the committee, the chair may, or a majority of the committee may, require that any person's or all persons' testimony be taken under oath.

Section 2. **HR-24.14** is amended to read:

HR-24.14. Public Hearing.

(1) A public hearing may be held in addition to, or instead of, a regular committee meeting. A public hearing may be held on the subject matter in one or more bills, resolutions, or proposals. The chair shall give the notice in accordance with Title 52, Chapter 4, Open and Public Meetings law. The notice shall include the bills or resolutions to be considered. The chair may, subject to the approval of the committee, adopt procedures for the orderly conduct of the hearing, including limitation on time for the hearing and for individual speakers, and the order in which speakers will be heard. By motion the committee may adjourn the public hearing and begin a regular committee meeting.

(2) When public hearings are being held, the committee may request testimony by persons who have expertise on the bills under discussion. [~~Upon~~] At the direction of the chair, or

upon a majority vote of the committee, the testimony may be taken under oath. The oath shall be administered by the committee chair, cochair, or committee staff. All public comment and testimony shall be received during the public comment phase of the committee meeting. Upon motion, the public comment phase of the committee meeting shall terminate. The public may not again participate except upon motion to take additional public comment.

Section 3. **Effective date.**

This resolution takes effect upon approval by a constitutional majority vote of all members of the House of Representatives.