

1                                   **SENATE RULES RESOLUTION - WITNESS**

2                                   **OATHS**

3                                   2003 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Sponsor: Lyle W. Hillyard**

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

10 This resolution affects legislative rules as follows:

11 AMENDS:

12                   **SR-24.12**

13                   **SR-24.14**

14 *Be it resolved by the Senate of the state of Utah:*

15                   Section 1. **SR-24.12** is amended to read:

16                   **SR-24.12. Committee Responsibilities.**

17                   (1) Each committee shall send a report to the Senate on each bill referred to it. With a  
18 majority vote, the committee may transmit bills with a favorable recommendation. Bills may  
19 be amended, held, tabled, returned to the Secretary of the Senate, or substituted in committee.  
20 Any bill tabled in committee shall be held until a motion is made to remove it from the table.  
21 Any tabled bill not lifted at its second committee meeting after tabling shall be sent to the  
22 Secretary of the Senate for filing. A tabled bill can be lifted from the Secretary of the Senate or  
23 its assigned standing committee by a two-thirds vote of those Senators present on the floor of  
24 the Senate, or the President of the Senate can reassign the bill to a standing committee.

25                   (2) The committee may prepare a bill addressing the same subject matter to be  
26 introduced under committee sponsorship. The chief sponsor or sponsors of a bill may request  
27 in writing that committee members sponsor the measure. Upon agreement by the committee,



the chief sponsor may relinquish individual sponsorship of the bill. A majority vote of the committee is required to amend, substitute, table, recommend, return a bill to the Secretary of the Senate, hold, or substitute sponsorship of a bill.

(3) A secretary shall record attendance and take minutes of committee action. The records shall be filed for three years in the office of the Secretary of the Senate.

(4) 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 or all person's testimony be taken under oath.

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

**SR-24.14. Public Hearings.**

(1) A committee may hold public hearings in addition to or instead of regular meetings. A public hearing may be held on the subject matter contained in one or more bills, resolutions, or proposals. The chair shall give notice to the public 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, subject to the approval of the committee, may 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. ~~[On]~~ 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, or 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 Senate.

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**Legislative Review Note**  
**as of 1-24-03 5:47 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note****Senate Rules Resolution - Witness Oaths***03-Feb-03***Bill Number SR0005***10:39 AM*

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**State Impact**

No fiscal impact.

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**Individual and Business Impact**No fiscal impact.

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**Office of the Legislative Fiscal Analyst**