

1 **HOUSE RULES RESOLUTION -**
2 **RECODIFICATION AND REVISIONS**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ben C. Ferry**

6
7 **LONG TITLE**

8 **General Description:**

9 This resolution recodifies and revises House Rules.

10 **Highlighted Provisions:**

11 This resolution:

- 12 ▶ reorganizes, renumbers, and makes corrections and additions to House Rules.

13 **Special Clauses:**

14 None

15 **Legislative Rules Affected:**

16 **ENACTS:**

17 **HR1-1-101**

18 **HR1-1-102**

19 **HR1-1-103**

20 **HR1-2-101**

21 **HR1-3-101**

22 **HR1-3-102**

23 **HR1-3-103**

24 **HR1-4-101**

25 **HR1-4-102**

26 **HR1-4-201**

27 **HR1-4-202**



28 **HR1-5-101**
29 **HR1-5-102**
30 **HR1-5-103**
31 **HR1-5-201**
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35 **HR1-5-303**
36 **HR1-6-101**
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- 148 **HR5-3-104**
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- 151 **HR-20.02**

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294
295 *Be it resolved by the House of Representatives of the state of Utah:*

296 Section 1. **HR1-1-101** is enacted to read:

297 **TITLE 1. RULES GOVERNING ORGANIZATION AND MANAGEMENT OF THE**
 298 **UTAH HOUSE OF REPRESENTATIVES**

299 **CHAPTER 1. ADOPTION OF RULES AND PRACTICES**

300 **HR1-1-101. Adoption, Amendment, or Suspension of House Rules.**

301 (1) The House of Representatives shall adopt House rules at the beginning of each
 302 legislative session by a constitutional two-thirds vote.

303 (2) Except as provided in this Subsection (2) and in Subsection (3), after the initial
 304 adoption of House rules, additional rules may be adopted or existing rules may be suspended,
 305 amended, or repealed by a majority vote, except the following, which require a two-thirds vote
 306 to adopt, suspend, amend, or repeal:

- 307 (a) rules governing limitation of debate;
 308 (b) rules governing a motion to end debate (call the previous question);
 309 (c) rules governing motions for lifting tabled legislation from committee;
 310 (d) rules governing consideration of legislation during the last three days of a session;

311 and

- 312 (e) rules governing voting in Title 4, Chapter 7, Voting.
 313 (3) (a) A rule that includes a voting requirement of more than a constitutional majority
 314 must be adopted and may only be amended, suspended, or repealed by a constitutional
 315 two-thirds vote of all Representatives.

316 (b) If the suspension of any House Rule is governed by the Utah Constitution or Utah
 317 statutes, the House may suspend that rule only as provided by that constitutional or statutory
 318 provision.

319 Section 2. **HR1-1-102** is enacted to read:

320 **HR1-1-102. Constitutional Motion.**

321 At the beginning of each session of the House, before the reading of any piece of
 322 legislation, the House Rules Committee chair shall make the following motion:

323 "Mr. (Madam) Speaker, as allowed by the Utah Constitution and the Joint Rules of the
 324 Legislature, I move that the House continue its practice of reading only the short title of bills
 325 and resolutions as they are introduced or considered on a House calendar and not read the long
 326 title of the bills and resolutions unless a majority of the House directs the reading of the long
 327 title, short title, or both of any House or Senate bill or resolution."

328 Section 3. **HR1-1-103** is enacted to read:

329 **HR1-1-103. Mason's Manual of Legislative Procedure -- Reference.**

330 In addition to House Rules and other applicable legislative rules, the presiding officer
 331 may use Mason's Manual of Legislative Procedure as a reference when a question arises about
 332 parliamentary practice, legislative process, or legislative procedure that is not resolved by
 333 reference to legislative rules.

334 Section 4. **HR1-2-101** is enacted to read:

335 **CHAPTER 2. INITIAL ORGANIZATION**

336 **HR1-2-101. Calling the House to Order.**

337 (1) Except as provided in Subsection (2), on the first day of each annual general

338 session of the Legislature during odd-numbered years, the person whose term as Speaker of the
339 House most recently expired shall call the House to order and preside until the Representatives
340 have taken the oath of office and elected a new Speaker.

341 (2) If the Speaker-elect was Speaker during the previous Legislature or if the former
342 Speaker is unavailable, the Speaker-elect shall designate a person to call the House to order and
343 preside until the Representatives have taken the oath of office and elected a Speaker.

344 Section 5. **HR1-3-101** is enacted to read:

345 **CHAPTER 3. SPEAKER OF THE HOUSE**

346 **HR1-3-101. Election of Speaker.**

347 The House of Representatives shall elect a Speaker from among its members to perform
348 the duties established by this chapter.

349 Section 6. **HR1-3-102** is enacted to read:

350 **HR1-3-102. Duties of the Speaker.**

351 (1) The general duties of the Speaker are to:

352 (a) call the House to order at the time scheduled for convening, and proceed with the
353 daily order of business;

354 (b) announce the business before the House in the order that it is to be acted upon;

355 (c) receive and submit in the proper manner all motions and proposals presented by
356 Representatives;

357 (d) put to a vote all questions that arise in the course of proceedings, and announce the
358 results of the vote;

359 (e) enforce the House Rules governing debates;

360 (f) enforce observance of order and decorum;

361 (g) inform the House on any point of order or practice;

362 (h) receive and announce to the House any official messages and communications;

363 (i) sign all acts, orders, and proceedings of the House;

364 (j) appoint the members of committees;

365 (k) assign responsibilities to, and supervise the officers and employees of, the House;

366 (l) assign places and determine access for news media representatives; and

367 (m) represent the House, declaring its will and obeying its commands.

368 (2) The Speaker shall:

369 (a) sign, or authorize a designee to sign, all requisitions on the Division of Finance to
370 pay House expenses; and

371 (b) give final approval of all expenditure requests as authorized by the majority and
372 minority leaders of the House, including per diem compensation, travel expenses, and expenses
373 for in-state and out-of-state travel on legislative business.

374 Section 7. **HR1-3-103** is enacted to read:

375 **HR1-3-103. Temporary Presiding Officer in Speaker's Absence.**

376 (1) (a) The Speaker shall name a Representative to act as Speaker Pro Tempore during
377 the absence of the Speaker.

378 (b) If an interim vacancy in the office of Speaker occurs because of the death,
379 resignation, or disability of the Speaker, the Speaker Pro Tempore shall conduct the necessary
380 business of the House only until an election is held by the House to fill the vacancy.

381 (2) Notwithstanding Subsection (1), the Speaker may name any other Representative to
382 perform the duties of presiding officer for a period not to exceed one legislative day.

383 (3) If the Speaker and the Speaker Pro Tempore are absent at the time the session is
384 scheduled to convene, and the Speaker has not designated another Representative to perform
385 the duties of presiding officer, the Representative of the majority party who is senior in House
386 service shall call the House to order and preside until one of them returns.

387 (4) The Speaker Pro Tempore, and each Representative authorized to preside by the
388 Speaker or this rule, has all the powers and responsibilities of the Speaker while presiding.

389 Section 8. **HR1-4-101** is enacted to read:

390 **CHAPTER 4. OTHER HOUSE OFFICERS**

391 **Part 1. Chief Clerk**

392 **HR1-4-101. Appointment of Chief Clerk.**

393 The Speaker or Speaker-elect of the House shall appoint a person to serve as Chief
394 Clerk of the Utah House of Representatives.

395 Section 9. **HR1-4-102** is enacted to read:

396 **HR1-4-102. Duties of the Chief Clerk.**

397 The general duties of the Chief Clerk are to:

398 (1) act as chief administrative officer of the House, subject to direction by the Speaker
399 of the House;

- 400 (2) certify and transmit legislation to the Senate and inform the Senate of all House
 401 action;
- 402 (3) assist in the preparation of the House Journal and certify it as an accurate reflection
 403 of House action;
- 404 (4) make the following technical corrections to legislation either before or following
 405 final passage:
- 406 (a) correct the spelling of words;
 407 (b) correct the erroneous division and hyphenation of words;
 408 (c) correct mistakes in numbering sections and their references;
 409 (d) capitalize words or change capitalized words to lower case;
 410 (e) change numbers from words to figures or from figures to words; and
 411 (f) underscore or remove underscoring in legislation without a motion to amend;
- 412 (5) modify the long title of a piece of legislation to ensure that the long title accurately
 413 reflects any changes to the legislation made by amendment or substitute;
- 414 (6) supervise all House of Representatives' non-partisan personnel ~~H~~→ **during a**
 414a **session** ~~H~~ and assign them
 415 duties and responsibilities;
- 416 (7) keep a record of the attendance of ~~H~~→ **[all House of Representatives' employees] each**
 416a **in-session employee** ~~H~~ and
 417 ensure that ~~H~~→ **[any] each** ~~H~~ in-session employee ~~H~~→ **[who is absent is not paid for the days of**
 417a **absence] is paid only for hours worked** ~~H~~ ;
- 418 (8) be the custodian of all official documents;
- 419 (9) receive all numbered legislation from the Office of Legislative Research and
 420 General Counsel;
- 421 (10) record the number, title, sponsor, each action, and final disposition of each piece
 422 of legislation on the legislation;
- 423 (11) prepare and distribute the daily order of business each day;
- 424 (12) advise the Speaker on parliamentary procedure, constitutional requirements, and
 425 Joint and House Rules;
- 426 (13) assist with amendments to legislation;
- 427 (14) record votes and present the results to the Speaker;
- 428 (15) transmit all enrolled House bills and House concurrent resolutions to the
 429 Governor;
- 430 (16) approve material for placement on the Representatives' desks if a Representative

431 has authorized that distribution;

432 (17) maintain all calendars for the House floor; and

433 (18) record the votes of any member who is present in the House chamber who
434 requests assistance of the Chief Clerk.

435 Section 10. **HR1-4-201** is enacted to read:

436 **Part 2. Sergeant at Arms.**

437 **HR1-4-201. Appointment of Sergeant-at-Arms.**

438 The Speaker or Speaker-elect of the House shall appoint a person to serve as
439 Sergeant-at-Arms of the Utah House of Representatives.

440 Section 11. **HR1-4-202** is enacted to read:

441 **HR1-4-202. Duties of the Sergeant-at-Arms.**

442 The Sergeant-at-Arms and the employees under the Sergeant's direction shall:

443 (1) maintain security;

444 (2) enforce the House Rules at the direction of the presiding officer of the House;

445 (3) enforce the provision of Utah Code Title 26, Chapter 38, Utah Indoor Clean Air
446 Act, in areas controlled by the House; and

447 (4) provide other service as requested by the Chief Clerk or the Speaker.

448 Section 12. **HR1-5-101** is enacted to read:

449 **CHAPTER 5. SCHEDULE FOR THE HOUSE OF REPRESENTATIVES**

450 **Part 1. Convening and Daily Schedule**

451 **HR1-5-101. Hour of Meeting.**

452 During the regular general session, the House shall meet at 10:00 a.m. daily except
453 Saturdays and Sundays, unless otherwise announced by the presiding officer.

454 Section 13. **HR1-5-102** is enacted to read:

455 **HR1-5-102. Roll Call -- Quorum.**

456 (1) The presiding officer or the presiding officer's designee shall:

457 (a) take a roll call of Representatives at the beginning of each day's session; and

458 (b) ensure that the names of those present and absent are recorded in the journal.

459 (2) (a) The House may not begin House business until a constitutional majority of
460 Representatives are present as a quorum.

461 (b) Notwithstanding Subsection (2)(a), less than a majority of Representatives may:

- 462 (i) convene each day; and
- 463 (ii) compel the attendance of absent members.

464 Section 14. **HR1-5-103** is enacted to read:

465 **HR1-5-103. Daily Order of Business.**

466 (1) The daily order of business is:

467 (a) call to order by the presiding officer;

468 (b) prayer and Pledge of Allegiance;

469 (c) roll call;

470 (d) announcement of excused absences;

471 (e) communications from the Governor;

472 (f) communications from the Senate;

473 (g) reports from committees;

474 (h) introduction of legislation given to the Chief Clerk at least one hour before the
475 beginning of the session for inclusion in that day's agenda;

476 (i) unfinished business;

477 (j) consideration of legislation on consent calendar;

478 (k) consideration of legislation on the concurrence calendar;

479 (l) consideration of legislation on the third reading calendars; and

480 (m) miscellaneous business.

481 (2) With the approval of a constitutional majority of Representatives, the House may,
482 at any time, proceed out of order to any business.

483 (3) The presiding officer shall decide all questions of priority of House business
484 without debate.

485 Section 15. **HR1-5-201** is enacted to read:

486 **Part 2. Guest Speakers and Executive Sessions**

487 **HR1-5-201. Scheduling Guest Speakers.**

488 (1) As used in this rule:

489 (a) "Guest speaker" means a person who is scheduled to address the House of
490 Representatives who is not a Representative.

491 (b) "Guest speaker" does not include:

492 (i) a person who is called to address the House on a particular piece of legislation or

493 issue under consideration by the House; or

494 (ii) a Representative's introduction or acknowledgment of a visitor or special guest who
495 does not address the House.

496 (2) Before a guest speaker may address the House, the Chief Clerk, under the direction
497 of the Speaker, must schedule the guest speaker for a time certain on the House Daily Order of
498 Business.

499 Section 16. **HR1-5-202** is enacted to read:

500 **HR1-5-202. Executive Session.**

501 (1) When the House of Representatives approves a motion to go into executive session,
502 the Sergeant-at-Arms shall close the House chamber doors.

503 (2) The presiding officer may require that all persons, except the Representatives,
504 Chief Clerk, Journal Clerk, and Sergeant-at-Arms leave the chamber.

505 (3) During the executive session, everyone present must remain within the chamber.

506 (4) Everyone present shall keep all matters discussed in executive session confidential.

507 Section 17. **HR1-5-301** is enacted to read:

508 **Part 3. Miscellaneous Requirements Relating to the House Schedule**

509 **HR1-5-301. Special Order of Business -- Time Certain.**

510 (1) (a) A Representative may make a motion, or the House Rules committee may
511 recommend, that a piece of legislation become a special order of business on the time certain
512 calendar.

513 (b) If the motion is approved by a majority of the members present, the Chief Clerk
514 shall place the legislation on the time certain calendar.

515 (2) At the time set for consideration of the legislation, the presiding officer shall place
516 the legislation before the House.

517 Section 18. **HR1-5-302** is enacted to read:

518 **HR1-5-302. Messages and Reports Received at any Time.**

519 The presiding officer may present communications from the Governor, the Senate,
520 other state officers, and the House Rules Committee at any time, unless the presiding officer is
521 presenting a question or a vote is being taken.

522 Section 19. **HR1-5-303** is enacted to read:

523 **HR1-5-303. Unfinished Business.**

524 When the House has unfinished business at the time of recess or adjournment, that
525 unfinished business has priority on the daily order of business on the next legislative day.

526 Section 20. **HR1-6-101** is enacted to read:

527 **CHAPTER 6. IMPEACHMENT**

528 **HR1-6-101. Impeachment.**

529 If any Representative submits a resolution to the House to begin impeachment
530 proceedings, the House shall adopt, by constitutional majority vote, policies establishing
531 procedures for, and governing the conduct of, the impeachment process.

532 Section 21. **HR1-7-101** is enacted to read:

533 **CHAPTER 7. COMMENDING OR EXPRESSING CONDOLENCES TO UTAH**
534 **CITIZEN**

535 **HR1-7-101. Commendation or Condolence Citations -- Types of Citations -- Use**
536 **of Citations.**

537 (1) As used in this chapter:

538 (a) (i) "Citation" means a certificate issued to honor or commend an individual or
539 group, or to express condolences to the family of a deceased individual.

540 (ii) "Citation" includes a legislator citation, a House of Representatives citation, and a
541 Utah Legislature citation.

542 (b) "House of Representatives citation" means a citation issued on behalf of the Utah
543 House of Representatives.

544 (c) "Legislator citation" means a citation issued on behalf of an individual
545 Representative.

546 (d) "Utah Legislature citation" means a citation issued on behalf of both houses of the
547 Utah Legislature.

548 (2) Representatives shall use a citation to express the commendation or condolence of a
549 Representative, the Utah House of Representatives, or the Utah Legislature.

550 Section 22. **HR1-7-102** is enacted to read:

551 **HR1-7-102. Obtaining a Legislator Citation.**

552 (1) With the approval of the presiding officer, a Representative may request that the
553 Chief Clerk of the House prepare a citation for the Representative's own signature.

554 (2) A Legislator citation does not require any floor action by the House of

555 Representatives.

556 Section 23. **HR1-7-103** is enacted to read:

557 **HR1-7-103. Obtaining a House of Representatives Citation.**

558 (1) During any legislative session, a Representative may:

559 (a) request that the Chief Clerk of the House prepare a citation for the Representative's
560 signature; and

561 (b) after requesting and receiving permission for personal privilege, make a motion on
562 the floor of the House to:

563 (i) approve the citation; and

564 (ii) authorize the Speaker of the House to sign the citation on behalf of the House of
565 Representatives.

566 (2) When the Legislature is not in session, a Representative may request a citation for
567 the sponsor's and the Speaker's signature.

568 Section 24. **HR1-7-104** is enacted to read:

569 **HR1-7-104. Obtaining a Utah Legislature citation.**

570 (1) During any legislative session, a Representative may:

571 (a) request that the Chief Clerk of the House prepare a citation for the Representative's
572 signature; and

573 (b) after requesting and receiving permission for personal privilege, make a motion of
574 the floor of the House to:

575 (i) approve the citation;

576 (ii) authorize the Speaker of the House to sign the citation on behalf of the House of
577 Representatives; and

578 (iii) present the proposed citation to the Senate for its approval.

579 (2) When the Legislature is not in session, a Representative may request a citation for
580 the sponsor's and the Speaker's and the President's signature.

581 Section 25. **HR2-1-101** is enacted to read:

582 **TITLE 2. RULES GOVERNING ATTENDANCE, BEHAVIOR, AND DECORUM IN**

583 **THE UTAH HOUSE OF REPRESENTATIVES**

584 **CHAPTER 1. ATTENDANCE**

585 **HR2-1-101. Representatives Shall be Present.**

586 A member of the Utah House of Representatives shall be present within the House
587 chamber during a session of the House, unless excused or unavoidably absent.

588 Section 26. **HR2-1-102** is enacted to read:

589 **HR2-1-102. Absent Representatives.**

590 If a quorum of the Utah House of Representatives is not present at the time the House is
591 scheduled to convene, the presiding officer or the presiding officer's designee shall direct the
592 Sergeant-at-Arms to:

593 (1) find sufficient absent Representatives to make a quorum for the transaction of
594 business; and

595 (2) escort them to the chamber.

596 Section 27. **HR2-2-101** is enacted to read:

597 **CHAPTER 2. DECORUM**

598 **HR2-2-101. Speaker to Maintain Order.**

599 The Speaker or presiding officer shall maintain order and decorum during sessions of
600 the House.

601 Section 28. **HR2-2-102** is enacted to read:

602 **HR2-2-102. Breaches of the Order of the House.**

603 (1) The Speaker or presiding officer may call a Representative to order if the
604 Representative is speaking impertinently, superfluously, tediously, or irrelevantly.

605 (2) If called to order, the Representative shall sit down, unless granted permission to
606 explain the speech.

607 Section 29. **HR2-2-103** is enacted to read:

608 **HR2-2-103. Disorderly Conduct in House.**

609 (1) The Speaker or presiding officer may order the House areas or gallery cleared if a
610 disturbance occurs.

611 (2) The Sergeant-at-Arms shall enforce this rule in the areas controlled by the House.

612 Section 30. **HR2-2-104** is enacted to read:

613 **HR2-2-104. Impugning Motives of a Representative.**

614 (1) A Representative may not impugn the motives of any other Representative either on
615 the floor of the House or in committee.

616 (2) A Representative who believes that the motives of any Representative has been

617 impugned by another Representative may raise a point of order.

618 Section 31. **HR2-2-105** is enacted to read:

619 **HR2-2-105. Movement out of and within the House Chamber.**

620 (1) When the Speaker or presiding officer is presenting a question, a Representative
621 may not leave the House chamber.

622 (2) When a Representative is speaking, no person may walk between the
623 Representative and the Speaker or presiding officer.

623a **H→ Section 31a. HR2-2-106 is enacted to read:**

623b **HR2-2-106. Smoking and electronic cigarettes prohibited**

623c (1) As used in this section, "electronic cigarette" means any device, other than a
623d combustible cigarette or cigar, intended to deliver vapor containing nicotine into a person's
623e respiratory system.

623f (2) A person may not smoke or use an electronic cigarette in the House chamber or
623g other house controlled areas.

623h (3) The sergeant at arms shall enforce this rule. ←H

624 Section 32. **HR2-3-101** is enacted to read:

625 **CHAPTER 3. CONFLICTS OF INTEREST**

626 **HR2-3-101. Reporting Conflicts of Interest.**

627 (1) (a) Except as provided in Subsection (1)(b), a Representative satisfies the
628 requirement of Utah Code Section 76-8-109 to disclose a conflict of interest by filing the
629 Declaration of Conflict of Interest form required by JR6-1-201 with the Chief Clerk of the
630 House.

631 (b) (i) In addition to the Declaration of Conflict of Interest form required by Section
632 76-8-109 and JR6-1-201, before or during any vote on legislation or any legislative matter in
633 which a Representative has actual knowledge that the Representative has a conflict of interest
634 that is not stated on the conflict of interest form, that Representative shall orally declare to the
635 committee or body before which the matter is pending that the Representative may have a
636 conflict of interest and what that conflict is.

637 (ii) The declaration of conflict of interest shall be noted in the minutes of any
638 committee meeting or in the Senate or House Journal.

639 (2) (a) Before speaking on the floor of the House on any legislation or legislative
640 matter in which a Representative reasonably believes that the Representative may have a
641 conflict of interest, the Representative should orally disclose to the House that the
642 Representative may have a conflict of interest and what that conflict is.

643 (b) The Chief Clerk shall ensure that the declaration of the conflict of interest is noted
644 in the House Journal.

645 (3) Nothing in this House rule requires a Representative with a conflict of interest on
646 legislation or a legislative matter pending before the House to orally disclose that conflict of
647 interest if the Representative does not speak on the legislation or legislative matter and the

648 conflict has been disclosed on the Representative's conflict of interest form.

649 Section 33. **HR2-4-101** is enacted to read:

650 **CHAPTER 4. GENERAL RULES GOVERNING THE HOUSE FLOOR**

651 **HR2-4-101. Admittance to House Chamber.**

652 (1) As used in this rule:

653 (a) "Former legislator" means a person who is not a current member of the Legislature,
654 but who served in the Utah House or Utah Senate at one time.

655 (b) "Governor's staff" means:

656 (i) a person employed directly by the Office of the Governor or the Office of the
657 Lieutenant Governor; and

658 (ii) the director of the Office of Planning and Budget.

659 (c) "Guest" means a person who is not a legislator, legislative employee, a member of
660 professional legislative staff, an intern, a lobbyist, the governor, or the lieutenant governor.

661 (d) "House conference rooms" means one of the conference rooms adjacent to the
662 House lounge, Speaker's office, or the majority caucus room.

663 (e) "House halls" means the passageways that allow access to:

664 (i) the House chamber;

665 (ii) the House lounge;

666 (iii) the House offices; and

667 (iv) other areas behind and adjoining the House chamber.

668 (f) (i) "House offices" means the offices behind and adjacent to the House chamber and
669 the reception areas connected to them.

670 (ii) "House offices" includes each House conference room.

671 (g) (i) "House space" means the House chamber, House lounge, House offices, the
672 House halls, and the other areas behind and adjoining the House chamber.

673 (ii) "House space" does not mean the common public space outside the front of the
674 House chamber.

675 (h) "Immediate family" means any parent, spouse, child, grandparent, grandchild,
676 great-grandparent, great-grandchild, or sibling of a member of the House who is not a lobbyist.

677 (i) "Intern" means a person who is an official participant in the intern program
678 sponsored by the Utah Legislature.

- 679 (j) "Legislative employee" means persons employed directly by the House or Senate.
680 (k) (i) "Lobbyist" means either:
681 (A) a person required to register as a lobbyist by Section 36-11-103; or
682 (B) a person who is seeking to influence any legislator to vote for or vote against any
683 legislation.
684 (ii) "Lobbyist" does not mean the governor or lieutenant governor.
685 (l) "Professional legislative staff" means persons employed by the Office of Legislative
686 Research and General Counsel, the Office of Legislative Fiscal Analyst, the Office of the
687 Legislative Auditor General, and the Office of Legislative Printing.
688 (2) (a) While the House is convened in annual general session or special session and
689 except as provided in Subsections (2)(b), (c), (d), and (e):
690 (i) only legislators, legislative employees, professional legislative staff, interns, former
691 legislators who are not lobbyists, the governor, and the lieutenant governor are allowed in the
692 House chamber; and
693 (ii) a Representative may have no more than one guest in the House chamber at any
694 one time.
695 (b) A Representative may invite only one of the following to sit next to the
696 Representative in the House chamber:
697 (i) a member of the Representative's immediate family;
698 (ii) another legislator;
699 (iii) a legislative employee;
700 (iv) a member of professional legislative staff; or
701 (v) an intern.
702 (c) The Speaker or the Speaker's designee may authorize special guests to be present in
703 the chamber or to sit with a Representative.
704 (d) (i) Except as provided in Subsection (2)(d)(ii), lobbyists do not have access to the
705 floor of the House.
706 (ii) (A) The Representative sponsoring a piece of legislation being debated by the
707 House may invite one lobbyist with expertise on the legislation being considered to be present
708 in the chamber.
709 (B) The Representative shall inform the Sergeant-at-Arms that the lobbyist is present.

710 (C) The Representative shall ensure that the lobbyist is seated on a bench in the rear of
711 the chamber during the presentation and debate on the legislation.

712 (D) If, during the course of debate on the legislation, the Representative needs the
713 assistance of the lobbyist, the Representative may request the permission of the Speaker to
714 have the lobbyist approach the Representative sponsoring the legislation to provide the needed
715 information.

716 (E) When the House moves to another item of business, the lobbyist shall leave the
717 House floor.

718 (e) Representatives who invite guests who are not lobbyists into the chamber shall:

719 (i) unless the guest is authorized by this rule to sit next to the Representative, ensure
720 that the guest sits on a bench in the rear of the chamber; and

721 (ii) inform the guest that they may stay only for a short visit not to exceed one hour.

722 (f) Representatives who are visited by groups shall arrange with the Sergeant-at-Arms
723 for them to be seated in the gallery.

724 (3) (a) While the House is convened in annual general session or special session and
725 except as provided in Subsection (3)(b), only legislators, legislative employees, professional
726 legislative staff, immediate family, interns, former legislators who are not lobbyists, the
727 governor, the lieutenant governor, and the governor's staff are allowed in the House lounge.

728 (b) (i) A Representative may invite a small number of lobbyists or guests to meet with
729 the Representative in the House lounge to educate them about the legislative process or to
730 discuss specific legislative issues.

731 (ii) The Representative shall ensure that the lobbyists and guests leave the House space
732 when the meeting is over.

733 (4) (a) While the House is convened in annual general session or special session and
734 except as provided in Subsection (4)(b), only legislators, legislative employees, professional
735 legislative staff, immediate family, interns, and former legislators who are not lobbyists are
736 allowed in the House offices.

737 (b) (i) A Representative may invite a small number of lobbyists or guests to meet with
738 the Representative in the Representative's House office or a House conference room to discuss
739 specific legislative issues.

740 (ii) The Representative shall ensure that the lobbyists and guests leave the House space

741 when the meeting is over.

742 (5) (a) While the House is convened as a body in House chambers, and except as
743 provided in Subsection (5)(b), only the following persons are allowed in the House halls:

744 (i) legislators;

745 (ii) legislative employees;

746 (iii) professional legislative staff;

747 (iv) interns;

748 (v) former legislators who are not lobbyists;

749 (vi) the governor; and

750 (vii) the lieutenant governor.

751 (b) Immediate family, lobbyists, and guests in transit to the House chamber, House
752 lounge, or House offices may pass through the House halls.

753 (6) The Sergeant-at-Arms, under the direction of the Speaker, shall enforce the
754 requirements of this rule.

755 Section 34. **HR2-4-102** is enacted to read:

756 **HR2-4-102. Representatives' Chairs Not To Be Occupied by Others.**

757 When the House is convened in session, no one other than the Speaker or a member
758 may occupy the chair or use the desk of the Speaker or any Representative.

759 Section 35. **HR2-4-103** is enacted to read:

760 **HR2-4-103. Lobbying Prohibited.**

761 Lobbying is not permitted in the House chamber.

762 Section 36. **HR2-4-104** is enacted to read:

763 **HR2-4-104. Recognition of Visiting Groups and Individuals.**

764 (1) The presiding officer may recognize visiting groups and individuals.

765 (2) A Representative who requests and receives personal privilege from the Speaker or
766 the Speaker's designee may introduce visiting groups or individuals.

767 Section 37. **HR2-4-105** is enacted to read:

768 **HR2-4-105. News Media.**

769 (1) (a) News media with House press credentials shall be admitted to the House
770 chamber, halls, lounge, and committee rooms.

771 (b) While the House is convened in House chambers, news media representatives shall

772 remain in the area designated for the news media and may not enter the floor of the House, the
773 circle, or the Speaker's dais.

774 (2) With permission of the Speaker or the Speaker's designee, the news media may
775 conduct and record interviews in the House lounge, halls, available committee rooms, or in the
776 House chamber or gallery.

777 (3) The news media shall also comply with the other provisions in HR2-4-102 and
778 HR2-4-103.

779 (4) The Sergeant-at-Arms, under the direction of the Speaker, shall enforce the
780 requirements of this rule.

781 Section 38. **HR2-5-101** is enacted to read:

782 **CHAPTER 5. RULES GOVERNING SPONSORING LEGISLATION**

783 **HR2-5-101. Representatives May Request and Sponsor Legislation -- Substituting**
784 **a Sponsor -- Withdrawing as a Cosponsor.**

785 (1) A Representative may request and sponsor legislation as provided in Joint Rules
786 Title 4, Bills and Resolutions.

787 (2) (a) After a piece of legislation has been introduced, the chief Representative
788 sponsor of the legislation may withdraw from sponsoring the legislation by:

789 (i) finding another Representative to act as chief sponsor of the legislation; and

790 (ii) filing a substitution of sponsorship form with the Chief Clerk before final passage
791 of the legislation in the House.

792 (b) A Representative seeking to withdraw as the chief sponsor need not obtain
793 permission from the House to withdraw.

794 (3) (a) Before final passage of the legislation in the House, a Representative cosponsor
795 of a bill may withdraw as a cosponsor of that legislation.

796 (b) A Representative seeking to withdraw as a cosponsor need not:

797 (i) obtain permission from the House to withdraw; or

798 (ii) provide a substitute cosponsor for the legislation.

799 Section 39. **HR3-1-101** is enacted to read:

800 **TITLE 3. RULES GOVERNING THE RULES COMMITTEE AND THE STANDING**

801 **COMMITTEES OF THE UTAH HOUSE OF REPRESENTATIVES**

802 **CHAPTER 1. HOUSE RULES COMMITTEE AND OTHER SPECIAL**

COMMITTEES

Part 1. House Rules Committee

HR3-1-101. House Rules Committee -- Appointment -- General Responsibilities.

(1) The Speaker shall appoint members of the House of Representatives to serve on the House Rules Committee.

(2) The House Rules Committee shall perform the following functions as further elaborated in this part:

(a) receive introduced legislation from the House and recommend that the legislation be assigned to a House standing committee or to the House third reading calendar;

(b) receive legislation from the House that has been sent back to the House Rules Committee from the third reading calendar, and recommend to the House which legislation should be assigned to the third reading calendar and the order in which it should be heard; and

(c) function as a standing committee or interim committee when reviewing Joint Rules, Interim Rules, and House Rules.

Section 40. **HR3-1-102** is enacted to read:

HR3-1-102. House Rules Committee -- Assignment duties.

(1) The presiding officer shall submit all legislation introduced in the House of Representatives to the House Rules Committee.

(2) For all legislation not specified in HR3-1-103 that is referred to the House Rules Committee, the committee shall:

(a) (i) examine the legislation for proper form, including fiscal note and interim committee note, if any; and

(b) either:

(i) refer legislation to the House with a recommendation:

(A) that the legislation be referred to a standing committee for consideration; or

(B) that the legislation be read the second time and placed on the third reading calendar; or

(ii) hold the legislation.

(c) If the chair of the House Rules Committee receives a summary report from the Occupational and Professional Licensure Review Committee related to newly regulating an occupation or profession within the two calendar years immediately preceding the session in

834 which a piece of legislation is introduced related to the regulation by the Division of
835 Occupational and Professional Licensing of that occupation or profession:
836 (i) the chair of the House Rules Committee shall ensure that the House Rules
837 Committee is informed of the summary report before the House Rules Committee takes action
838 on the legislation; and
839 (ii) if the House Rules Committee refers the legislation to the House as provided for in
840 Subsection (2)(a)(i):
841 (A) the Office of Legislative Research and General Counsel shall make the summary
842 report reasonably available to the public and to legislators; and
843 (B) if the legislation is referred to a standing committee, the House Rules Committee
844 shall forward the summary report to the standing committee.
845 (3) In carrying out its functions and responsibilities under this rule, the House Rules
846 Committee may not:
847 (a) table legislation without the written consent of the sponsor;
848 (b) report out any legislation that has been tabled by a standing committee;
849 (c) amend legislation without the written consent of the sponsor; or
850 (d) substitute legislation without the written consent of the sponsor.
851 (4) The House Rules Committee may recommend a time certain for floor consideration
852 of any legislation when it is reported out of the House Rules Committee, or at any other time.
853 (5) When the committee is carrying out its functions and responsibilities under this
854 rule, the committee shall:
855 (a) during a legislative session, give notice of its meetings by either:
856 (i) providing oral notice from the House floor of the time and place of its next meeting;
857 or
858 (ii) when oral notice is impractical, post written notice of its next meeting;
859 (b) when the Legislature is not in session, post a notice of meeting at least 24 hours
860 before the meeting convenes;
861 (c) have as its agenda all legislation in its possession for assignment to committee or to
862 the House calendars; and
863 (d) prepare minutes that include a record, by individual Representative, of votes taken.
864 (6) Anyone may attend a meeting of the rules committee, but comments and discussion

865 are limited to members of the committee and the committee's staff.

866 Section 41. **HR3-1-103** is enacted to read:

867 **HR3-1-103. House Rules Committee -Standing and Interim Committee duties.**

868 (1) (a) The House Rules Committee has all the powers, functions, and duties of a
869 standing committee or interim committee when it:

870 (i) prepares the House Rules, Interim Rules, and Joint Rules and presents them to the
871 House before adjournment on the second day of each annual general session; or

872 (ii) reviews all proposed House Rules, Interim Rules, or Joint Rules resolutions.

873 (2) Any rules resolutions reviewed and approved by the House Rules Committee may
874 be reported directly to the House for its approval, amendment, or disapproval.

875 (3) When meeting as a standing committee or interim committee under this rule,
876 persons other than committee members may address the committee at the discretion of the
877 chair.

878 (4) When meeting as a standing committee or interim committee under this rule, the
879 House Rules Committee shall comply with the provisions of Utah Code Title 52, Chapter 4,
880 Open and Public Meetings Act.

881 Section 42. **HR3-1-104** is enacted to read:

882 **HR3-1-104. Rules Committee Duties During Sifting.**

883 (1) Upon motion from the floor, the House Rules Committee shall prioritize legislation
884 for floor action and review and update this priority as necessary for the calendars.

885 (2) The House Rules Committee may recommend a time certain for floor consideration
886 of any legislation when it is reported out of the House Rules Committee, or at any other time.

887 (3) When the House Rules Committee is carrying out its functions and responsibilities
888 under this rule, the committee shall:

889 (a) during a legislative session, give notice of its meetings by either:

890 (i) providing oral notice from the floor of the time and place of its next meeting; or

891 (ii) when oral notice is impractical, post written notice of its next meeting;

892 (b) when the Legislature is not in session, post a notice of meeting at least 24 hours
893 before the meeting convenes;

894 (c) have as its agenda all legislation in its possession; and

895 (d) prepare minutes that include a record, by individual Representative, of votes taken.

896 (4) Anyone may attend a meeting of the rules committee, but comments and discussion
897 are limited to members of the committee and committee staff.

898 Section 43. **HR3-1-105** is enacted to read:

899 **HR3-1-105. Calendaring Interim Committee Legislation.**

900 (1) The presiding officer shall have interim committee legislation that was approved by
901 a majority vote of the interim committee members, read for the first time and referred to the
902 House Rules Committee for calendaring.

903 (2) (a) The House Rules Committee may refer the legislation to the calendar without
904 standing committee review, or it may recommend that the legislation be referred to a standing
905 committee.

906 (b) If the House Rules Committee recommends that the legislation be placed on the
907 Third Reading Calendar without standing committee review, the sponsor or any other
908 Representative may move that the legislation be reviewed by a standing committee before the
909 legislation's consideration on the floor.

910 (c) If this motion is approved by a majority of the Representatives present, the
911 legislation shall be referred to a standing committee for consideration.

912 Section 44. **HR3-1-201** is enacted to read:

913 **Part 2. Special Committees and Task Forces**

914 **HR3-1-201. Special Committees.**

915 (1) The House may form special committees, including task forces, by motion or
916 resolution.

917 (2) The Speaker shall appoint the members of those special committees.

918 Section 45. **HR3-2-101** is enacted to read:

919 **CHAPTER 2. HOUSE STANDING COMMITTEES**

920 **Part 1. General Provisions**

921 **HR3-2-101. Definitions.**

922 As used in this chapter, "standing committee chair" means the chair of a standing
923 committee or the chair's designee.

924 Section 46. **HR3-2-102** is enacted to read:

925 **HR3-2-102. Standing Committee Review Required -- Exceptions.**

926 (1) The House of Representatives may not pass a bill, joint resolution, or concurrent

927 resolution during the annual general session that has not been reviewed by a House standing
 928 committee.

929 (2) This rule does not apply to:

930 (a) a resolution regarding legislative rules or legislative personnel;

931 (b) legislation that has been approved by an interim committee;

932 (c) the revisor's statute; or

933 (d) if the legislation was reviewed and approved by the Executive Appropriations

934 Committee, legislation that:

935 (i) exclusively appropriates monies;

936 (ii) amends Utah Code Title 53A, Chapter 17a, Minimum School Program Act;

937 (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; and

938 (iv) authorizes the issuance of general obligation or revenue bonds.

939 Section 47. **HR3-2-103** is enacted to read:

940 **HR3-2-103. Standing Committee Review of Legislation with Fiscal Impact.**

941 Except as provided in HR3-2-102, a standing committee open to the public in one or

942 both houses shall review a piece of legislation before the legislation is held in the opposite

943 house because of its fiscal impact.

944 Section 48. **HR3-2-104** is enacted to read:

945 **HR3-2-104. Standing Committees Prohibited from Meeting While House is in**

946 **Session -- Exceptions.**

947 A standing committee may not meet while the House is in session unless:

948 (1) the chair receives permission to meet from the Speaker; or

949 (2) a floor motion for the committee to meet while the House is in session is approved

950 by a majority of the Representatives present on the floor.

951 Section 49. **HR3-2-201** is enacted to read:

952 **Part 2. Organization of House Standing Committees**

953 **HR3-2-201. Standing Committees.**

954 (1) The Speaker shall appoint the following standing committees, including appointing

955 a chair and vice-chair:

956 (a) Business and Labor;

957 (b) Education;

958 (c) Government Operations;
959 (d) Health and Human Services;
960 (e) House Rules;
961 (f) Judiciary;
962 (g) Law Enforcement and Criminal Justice;
963 (h) Natural Resources, Agriculture, and Environment;
964 (i) Political Subdivisions;
965 (j) Public Utilities and Technology;
966 (k) Revenue and Taxation;
967 (l) Transportation; and
968 (m) Workforce Services and Community and Economic Development.
969 (2) The members of the Retirement and Independent Entities Committee created in
970 Utah Code Section 63E-1-201 who are appointed from the House of Representatives are a
971 standing committee.

972 Section 50. **HR3-2-202** is enacted to read:

973 **HR3-2-202. Committee Attendance -- Quorum.**

974 (1) Except as provided in Subsection (2), a majority of a standing committee is a
975 quorum for the transaction of business.

976 (2) In determining whether or not a quorum is present, the Speaker, Majority Leader,
977 Majority Whip, Assistant Majority Whip, House Rules Committee Chair, House
978 Appropriations Committee Chair, Minority Leader, Minority Whip, Assistant Minority Whip,
979 and the fourth member of leadership from the minority party are not counted in determining a
980 quorum, except during the time that the Representative is present at the meeting.

981 Section 51. **HR3-2-301** is enacted to read:

982 **Part 3. Notice and Agendas for House Standing Committees**

983 **HR3-2-301. Chair to set Agenda.**

984 The standing committee chair, or the standing committee chair's designee, shall set the
985 agenda for standing committee meetings.

986 Section 52. **HR3-2-302** is enacted to read:

987 **HR3-2-302. Notice of Standing Committee Meetings.**

988 (1) (a) The standing committee chair may call committee meetings after giving not less

989 than 24 hours public notice as required under Utah Code Title 52, Chapter 4, Open and Public
990 Meetings Act.

991 (b) Staff shall post the time, room number, and agenda of a committee meeting in an
992 area accessible to the public.

993 (2) The standing committee chair shall:

994 (a) notify the sponsor of legislation pending before the committee of the time and place
995 of the committee meeting in which the legislation will be considered; and

996 (b) invite the chief sponsor to present the legislation to the committee before the
997 committee acts on it.

998 Section 53. **HR3-2-303** is enacted to read:

999 **HR3-2-303. Legislation Scheduled for Time Certain Has Priority in Committee.**

1000 If legislation assigned to a standing committee has been placed on the time certain
1001 calendar, the standing committee chair shall place that legislation on an agenda for the standing
1002 committee's review so that the committee's report on the legislation is received by the floor
1003 before the time set for consideration of the legislation.

1004 Section 54. **HR3-2-304** is enacted to read:

1005 **HR3-2-304. Agenda to include Tabled Legislation.**

1006 (1) A standing committee chair shall ensure that the standing committee's agenda lists
1007 the number, title, and sponsor of any legislation tabled by the standing committee at the
1008 previous standing committee meeting.

1009 (2) As provided in HR3-2-408, the standing committee may lift the tabled legislation
1010 from the table at the meeting following the one at which it was tabled.

1011 Section 55. **HR3-2-401** is enacted to read:

1012 **Part 4. Standing Committee Meetings**

1013 **HR3-2-401. Chair to Set the Agenda -- Chair to Preserve Order -- Appeal --**
1014 **Restrictions on Visitors -- Disorderly Conduct in Committee Meeting.**

1015 (1) (a) The standing committee chair shall decide points of order.

1016 (b) On motion and approval by a majority vote of the committee members present, the
1017 committee may override the chair's decision on any point of order.

1018 (c) The motion and action shall be entered in the standing committee minutes.

1019 (2) (a) A visitor may not speak or address the committee unless the visitor is

1020 recognized by the standing committee chair.

1021 (b) The standing committee chair may impose restrictions on the time a visitor is
1022 allowed to speak.

1023 (c) A visitor may not sit in Representatives' chairs.

1024 (d) The standing committee chair may order the committee room cleared of visitors if
1025 there is disorderly conduct.

1026 Section 56. **HR3-2-402** is enacted to read:

1027 **HR3-2-402. Voting -- Chair to Verbally Announce the Vote -- Dissenting**
1028 **Members to be Reported -- Division of the Question.**

1029 (1) A committee member present shall vote on every question.

1030 (2) (a) If requested by a committee member or at the discretion of the chair, the
1031 standing committee chair may direct a roll call vote.

1032 (b) During a vote, the standing committee chair may not take any motions or conduct
1033 any other business.

1034 (3) (a) If a question contains several points, a committee member may, except as
1035 provided in Subsection (3)(d), request to have the question divided for purposes of voting.

1036 (b) The committee member requesting division of the question shall clearly state how
1037 the question is to be divided.

1038 (c) (i) The standing committee chair shall determine how many divisions may be made
1039 to any question.

1040 (ii) The committee may seek to overrule the standing committee chair's decision only
1041 once.

1042 (d) A committee member may not request, and the standing committee chair may not
1043 grant, division of the question when the motion directs that language be stricken and new
1044 language be inserted.

1045 (4) After the committee votes on a question, the standing committee chair shall:

1046 (a) determine whether the motion passed or failed;

1047 (b) verbally announce that the motion passed or that the motion failed;

1048 (c) verbally identify by name either the committee members who voted "yes" or the
1049 committee members who voted "no"; and

1050 (d) ensure that the vote is recorded in the minutes.

1051 (5) Members dissenting from a committee report may file a minority report or may be
1052 listed on the committee report as dissenting.

1053 Section 57. **HR3-2-403** is enacted to read:

1054 **HR3-2-403. Committee Order of Business.**

1055 Unless the standing committee chair or a majority of the committee determines
1056 otherwise, the standing committee order of business is:

1057 (1) call to order by the standing committee chair;

1058 (2) approval of the minutes of previous meetings;

1059 (3) announcement of the agenda;

1060 (4) announcement of time restrictions, if any;

1061 (5) communications, if any; and

1062 (6) consideration of standing committee business.

1063 Section 58. **HR3-2-404** is enacted to read:

1064 **HR3-2-404. Public Comment During Standing Committee Meetings.**

1065 (1) (a) During a standing committee meeting, the chair shall receive public comment
1066 and testimony during the public comment portion of the committee meeting, if a public
1067 comment portion is held.

1068 (b) The standing committee chair, or a majority of the standing committee, may
1069 terminate the public comment phase of the committee meeting.

1070 (c) Once any public comment phase of the committee meeting has ended,
1071 non-committee members may not provide public comment unless the standing committee chair
1072 or a majority of the standing committee authorizes additional public comment.

1073 (2) (a) At the direction of the standing committee chair, or upon a majority vote of the
1074 standing committee, the testimony of any person speaking during the public comment phase of
1075 the committee meeting may be taken under oath.

1076 (b) The standing committee chair or committee staff shall administer the oath.

1077 Section 59. **HR3-2-405** is enacted to read:

1078 **HR3-2-405. Public Hearings.**

1079 (1) The standing committee chair or a majority of the committee may:

1080 (a) hold a public hearing in addition to, or instead of, a regular standing committee
1081 meeting; and

1082 (b) hold the public hearing on a single piece of legislation or on a broader subject
1083 contained in one or more pieces of legislation.

1084 (2) If the standing committee holds a public hearing independent of a regular standing
1085 committee meeting, the standing committee chair shall:

1086 (a) give notice of the public hearing by complying with the procedures and
1087 requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and

1088 (b) ensure that the notice includes the legislation to be considered.

1089 (3) The standing committee chair may, subject to the approval of the standing
1090 committee, adopt procedures for the orderly conduct of the hearing, including:

1091 (a) limiting the time for the public hearing;

1092 (b) limiting the time that individual speakers may speak; and

1093 (c) directing the order in which speakers will be heard.

1094 (4) During a public hearing, the standing committee may request or require testimony
1095 by persons who have expertise on the legislation under discussion.

1096 (5) (a) At the direction of the standing committee chair, or upon a majority vote of the
1097 standing committee, the testimony of any person speaking during the public hearing may be
1098 taken under oath.

1099 (b) The standing committee chair or committee staff shall administer the oath.

1100 Section 60. **HR3-2-406** is enacted to read:

1101 **HR3-2-406. Standing Committee Duties -- Process.**

1102 (1) With a majority vote, a standing committee may, for each piece of legislation in its
1103 possession:

1104 (a) pass the legislation out of the standing committee with a recommendation that it be
1105 read for the second time and placed on the third reading calendar;

1106 (b) pass the legislation out of committee with a recommendation that it be read for the
1107 second time and placed on the consent calendar;

1108 (c) amend the legislation;

1109 (d) substitute the legislation;

1110 (e) hold the legislation;

1111 (f) table the legislation;

1112 (g) return the legislation to the House Rules Committee; or

- 1113 (h) some combination of Subsections (1)(a) through (g).
- 1114 (2) If in accordance with HR3-1-102 the House Rules Committee forwards a summary
- 1115 report from the Occupational and Professional Licensure Review Committee in conjunction
- 1116 with legislation referred to a standing committee, the chair of the standing committee shall
- 1117 ensure that the summary report is read orally to the standing committee before action is taken
- 1118 by the standing committee on the legislation that is related to the summary report.
- 1119 (3) A standing committee may report a piece of legislation to the House with the
- 1120 recommendation that the legislation be placed on the consent calendar if:
- 1121 (a) the sponsor has requested that the legislation be placed on the consent calendar;
- 1122 (b) the committee has passed the legislation out favorably by unanimous vote with a
- 1123 quorum present; and
- 1124 (c) in a separate motion and vote, the committee has, with a quorum present,
- 1125 unanimously recommended that the legislation be placed on the consent calendar.
- 1126 (4) The standing committee chair shall ensure that:
- 1127 (a) the committee sends a report to the House detailing its action on each piece of
- 1128 legislation referred to it;
- 1129 (b) a secretary records attendance and takes minutes of committee action; and
- 1130 (c) the record of attendance and minutes are filed in the office of the Chief Clerk of the
- 1131 House and retained for three years.
- 1132 Section 61. **HR3-2-407** is enacted to read:
- 1133 **HR3-2-407. Reconsideration of Action.**
- 1134 (1) Except as provided in Subsection (2), a standing committee may, by majority vote
- 1135 of those present, reconsider any committee action at any time before the committee report is
- 1136 sent to the House.
- 1137 (2) A standing committee may not reconsider a piece of legislation more than once.
- 1138 Section 62. **HR3-2-408** is enacted to read:
- 1139 **HR3-2-408. Disposition of Legislation Tabled in a Standing Committee.**
- 1140 (1) The standing committee chair shall hold any legislation tabled in a standing
- 1141 committee until the next committee meeting.
- 1142 (2) (a) At the next committee meeting, the standing committee may, with a two-thirds
- 1143 vote, lift the tabled legislation from the table.

1144 (b) When a motion to lift a piece of tabled legislation is made, the standing committee
1145 chair shall:

1146 (i) give proponents five minutes to address the motion;

1147 (ii) give opponents five minutes to address the motion; and

1148 (iii) give the proponents one minute to sum up.

1149 (c) (i) If tabled legislation is lifted from the table at the next committee meeting after it
1150 was tabled, the standing committee may not take any further action on the legislation at that
1151 meeting.

1152 (ii) If the legislation is placed on an agenda for a subsequent standing committee
1153 meeting, the standing committee may take any of the actions on the legislation authorized by
1154 HR3-2-406(1).

1155 (3) The standing committee chair shall send any legislation tabled in the standing
1156 committee that is not lifted from the table at the next standing committee meeting to the House
1157 Rules Committee for filing.

1158 (4) With a constitutional two-thirds vote of the House of Representatives, the House
1159 may lift legislation tabled in a standing committee meeting from:

1160 (a) the House Rules Committee; or

1161 (b) that standing committee before the committee's next meeting.

1162 Section 63. **HR3-2-409** is enacted to read:

1163 **HR3-2-409. Substitute Legislation -- Substitutes Must Be Germane.**

1164 (1) Except as provided in Subsection (2), a Representative may, if recognized by the
1165 committee chair while the standing committee is debating a piece of legislation, make a motion
1166 to substitute the legislation.

1167 (2) (a) The committee member making the motion to substitute shall ensure that the
1168 substitute is germane to the subject of the original legislation under consideration.

1169 (b) If a committee member believes that a substitute is not germane to the subject of
1170 the original legislation, the committee member may raise a point of order alleging that the
1171 substitute is not germane.

1172 (c) The committee chair shall rule on the point of order by determining whether or not
1173 the substitute is germane to the subject of the original legislation.

1174 Section 64. **HR3-2-410** is enacted to read:

1175 **HR3-2-410. Amending Legislation -- Amendment Must be Germane.**

1176 (1) (a) Except as provided in Subsection (2), a committee member may, if recognized
1177 by the standing committee chair while the committee is debating a piece of legislation, make a
1178 motion to amend the legislation.

1179 (b) (i) A committee member may verbally propose an amendment to a piece of
1180 legislation if the amendment contains 15 words or less.

1181 (ii) A committee member shall ensure that a proposed amendment containing more
1182 than 15 words is printed and distributed to the committee staff and all committee members
1183 present before the amendment is proposed.

1184 (2) (a) The committee member making the motion to amend shall ensure that the
1185 amendment is germane to the subject of the original legislation under consideration.

1186 (b) If a committee member believes that an amendment is not germane to the subject of
1187 the original legislation, the committee member may raise a point of order alleging that the
1188 amendment is not germane.

1189 (c) The standing committee chair shall rule on the point of order by determining
1190 whether or not the amendment is germane to the subject of the original legislation.

1191 Section 65. **HR3-2-501** is enacted to read:

1192 **Part 5. House Standing Committee Parliamentary Procedures**

1193 **HR3-2-501. Obtaining the Floor in Committee -- Remarks to be Germane.**

1194 (1) The standing committee chair shall recognize any committee member who wishes
1195 to speak to the subject under consideration.

1196 (2) Upon recognition by the standing committee chair, the committee member shall
1197 ensure that the member's remarks are germane to the subject under consideration.

1198 Section 66. **HR3-2-502** is enacted to read:

1199 **HR3-2-502. Motions in Committee -- General Requirements and Procedures.**

1200 (1) (a) Except as provided in Subsections (2) and (3), any standing committee member
1201 who is recognized by the standing committee chair may make a motion.

1202 (b) A second to the motion is not required.

1203 (2) (a) A committee member may not speak to a matter and then make a motion unless
1204 the committee member has:

1205 (i) asked the standing committee chair to allow the member to reserve the right to make

- 1206 a motion; and
- 1207 (ii) received permission to do so from the standing committee chair.
- 1208 (b) In speaking to the matter, the committee member shall confine the member's
- 1209 remarks to the subject of the motion to be made.
- 1210 (c) A committee member may only reserve the right to make:
- 1211 (i) a motion to amend; or
- 1212 (ii) a substitute motion.
- 1213 (3) A committee member may not make:
- 1214 (a) a motion to strike the enacting clause of a bill;
- 1215 (b) a motion to strike the resolving clause of a resolution; or
- 1216 (c) a motion to circle.
- 1217 (4) The standing committee chair shall:
- 1218 (a) restate each oral motion made by a committee member; and
- 1219 (b) ensure that each written motion made by a committee member is distributed to the
- 1220 committee members.
- 1221 (5) The committee member who made a motion may withdraw it at any time before the
- 1222 vote on the motion, unless a substitute motion has been made and is still pending.
- 1223 Section 67. **HR3-2-503** is enacted to read:
- 1224 **HR3-2-503. Substitute Motions.**
- 1225 (1) A committee member may, upon recognition by the standing committee chair,
- 1226 make a substitute motion, which, if adopted by a vote of a majority of the members present,
- 1227 disposes of the original motion.
- 1228 (2) If the substitute motion is not adopted, the original motion is revived.
- 1229 (3) The committee member who made a substitute motion may withdraw it any time
- 1230 before the vote on the substitute motion.
- 1231 (4) A committee member may not:
- 1232 (a) make a substitute motion if another substitute motion has been made and is
- 1233 pending; or
- 1234 (b) make a motion to end debate (call the previous question) as a substitute motion.
- 1235 Section 68. **HR3-2-504** is enacted to read:
- 1236 **HR3-2-504. Motions in Order During Debate.**

1237 (1) (a) When a motion or question is being debated, the standing committee chair may
1238 not accept any other motion except a motion:

1239 (i) to adjourn, which is nondebatable;

1240 (ii) to determine the time to which to adjourn, which is debatable;

1241 (iii) to recess, which is nondebatable;

1242 (iv) to end debate (call the previous question), which is nondebatable and requires a
1243 two-thirds vote to pass;

1244 (v) to refer to another committee, which is debatable;

1245 (vi) to limit debate, which is debatable;

1246 (vii) to postpone to a time certain, which is debatable;

1247 (viii) to table, which is debatable;

1248 (ix) to adopt a substitute, which is debatable; or

1249 (x) to amend, which is debatable.

1250 (b) Points of order and appeals of the decision of the chair are not motions and are
1251 always in order.

1252 (c) The standing committee chair shall grant priority to the motions listed in Subsection
1253 (1)(a) according to the order in which they are listed in that subsection.

1254 (2) (a) If a motion to amend or substitute the legislation has been proposed and is under
1255 consideration by the committee, the standing committee chair shall treat a motion to end debate
1256 (call the previous question) as directed only toward adoption of the amendment or substitute.

1257 (b) If no motion to amend or substitute legislation has been made, the standing
1258 committee chair shall treat a motion to end debate (call the previous question) as directed
1259 toward action on the legislation itself.

1260 (3) If a motion to postpone a piece of legislation to a day certain or a motion to return a
1261 piece of legislation to the Rules committee is defeated, a committee member may not make the
1262 same motion on the same piece of legislation during the same committee meeting.

1263 Section 69. **HR3-2-505** is enacted to read:

1264 **HR3-2-505. Nondebatable Motions.**

1265 (1) The standing committee chair may not allow debate on a motion:

1266 (a) to adjourn;

1267 (b) to recess; and

- 1268 (c) to end debate (call the previous question).
- 1269 (2) The standing committee chair shall decide all points of order arising from one of
- 1270 the motions identified in Subsection (1) without debate.
- 1271 Section 70. **HR3-2-506** is enacted to read:
- 1272 **HR3-2-506. Motion to Adjourn.**
- 1273 A motion to adjourn is always in order except:
- 1274 (1) when a vote is being taken;
- 1275 (2) when a previous motion to adjourn has been defeated and no intervening business
- 1276 has been transacted; or
- 1277 (3) when another committee member has the floor.
- 1278 Section 71. **HR3-2-601** is enacted to read:
- 1279 **Part 6. House Standing Committee Reports to the House**
- 1280 **HR3-2-601. Committee Reports.**
- 1281 (1) When a piece of legislation is acted upon by a committee, the standing committee
- 1282 chair shall, no later than the next legislative day, submit to the Chief Clerk of the House:
- 1283 (a) the official version of the legislation; and
- 1284 (b) a committee report detailing the committee's action signed by the standing
- 1285 committee chair.
- 1286 (2) (a) If a piece of legislation is tabled by a committee and is not lifted from the table
- 1287 at the next standing committee, the standing committee chair shall, no later than the next
- 1288 legislative day, submit a committee report to the Chief Clerk of the House informing the House
- 1289 that the legislation was tabled.
- 1290 (b) After reading the committee report on the tabled legislation, the Chief Clerk shall
- 1291 send the legislation to the House Rules Committee.
- 1292 Section 72. **HR4-1-101** is enacted to read:
- 1293 **TITLE 4. HOUSE FLOOR PROCEDURES**
- 1294 **CHAPTER 1. GENERAL PROVISIONS**
- 1295 **HR4-1-101. Definitions.**
- 1296 (1) "Appropriations bill" means a bill that appropriates money and makes no change to
- 1297 statute.
- 1298 (2) "Constitutional majority vote" means that the matter requires 38 votes to pass on

- 1299 the House floor.
- 1300 (3) "Constitutional two-thirds vote" means that the matter requires 50 votes to pass on
- 1301 the House floor.
- 1302 (4) "Majority vote" means that the matter requires the votes of a majority of those
- 1303 present to pass on the House floor.
- 1304 (5) "Two-thirds vote" means that the matter requires the vote of two-thirds of those
- 1305 present to pass on the House floor.
- 1306 (6) "Point of order" means a question raised by a Representative about whether or not
- 1307 there has been a breach of order, a breach of rules, or a breach of established parliamentary
- 1308 practice.
- 1309 (7) "Presiding officer" means the person presiding over the Utah House of
- 1310 Representatives and includes:
- 1311 (a) the Speaker;
- 1312 (b) the Speaker Pro Tempore; and
- 1313 (c) any Representative presiding under HR1-3-103.
- 1314 Section 73. **HR4-2-101** is enacted to read:
- 1315 **CHAPTER 2. GENERAL FLOOR PROCEDURES FOR THE UTAH HOUSE OF**
- 1316 **REPRESENTATIVES**
- 1317 **Part 1. General Guidelines**
- 1318 **HR4-2-101. Duties of Presiding Officer.**
- 1319 The presiding officer may:
- 1320 (1) call the House to order at the time scheduled for convening, and proceed with the
- 1321 daily order of business;
- 1322 (2) announce the business before the House in the order that it is to be acted upon;
- 1323 (3) receive and submit all motions and proposals presented by Representatives;
- 1324 (4) put to a vote all questions that arise in the course of proceedings, and announce the
- 1325 results of the vote;
- 1326 (5) enforce the House Rules governing debates;
- 1327 (6) enforce observance of order and decorum;
- 1328 (7) inform the House on any point of order or practice;
- 1329 (8) receive and announce to the House any official messages and communications; and

1330 (9) sign all bills, resolutions, orders, and proceedings of the House.

1331 Section 74. **HR4-2-102** is enacted to read:

1332 **HR4-2-102. Obtaining the Floor.**

1333 (1) When a Representative wishes to be recognized to speak, the Representative shall:

1334 (a) notify the presiding officer by electronic means; or

1335 (b) if the electronic notification system is not operational, rise and address the
1336 presiding officer as:

1337 (i) "Mr. (Madam) Speaker"; or

1338 (ii) "Mr. (Madam) Speaker Pro Temp."

1339 (2) If two or more Representatives rise at the same time to speak, the presiding officer
1340 shall decide which Representative is to speak first.

1341 (3) After being recognized, the Representative shall confine the Representative's
1342 remarks to the issue under consideration.

1343 Section 75. **HR4-2-103** is enacted to read:

1344 **HR4-2-103. Calling a Representative to Order for Violation of a Rule.**

1345 (1) (a) The presiding officer may call a Representative to order for violating any House
1346 or Joint Rule.

1347 (b) Any Representative may call another Representative to order for violating any
1348 House or Joint Rule by raising a point of order under HR4-2-201.

1349 (2) If the Representative called to order appeals the ruling of the presiding officer, the
1350 House shall decide the issue without debate.

1351 (3) (a) If the decision is favorable to the Representative who has been called to order,
1352 the Representative may proceed.

1353 (b) If the decision is unfavorable, the Representative is subject to censure by the
1354 House.

1355 (4) Notwithstanding Subsection (1), a Representative may not be called to order or
1356 censured for words spoken in debate if there has been intervening business.

1357 Section 76. **HR4-2-104** is enacted to read:

1358 **HR4-2-104. Motions in Writing.**

1359 (1) A Representative shall submit certain motions to amend in writing as required by
1360 HR4-3-301.

1361 (2) Except as provided in Subsection (3), if a Representative requests that a motion be
1362 presented in writing, the presiding officer may require that the maker of the motion prepare and
1363 submit a written motion to the Chief Clerk.

1364 (3) The presiding officer may not require that the following motions be presented in
1365 writing:

1366 (a) a motion to adjourn;

1367 (b) a motion to circle;

1368 (c) a motion to table; or

1369 (d) a motion to refer to committee.

1370 Section 77. **HR4-2-201** is enacted to read:

1371 **Part 2. Point of Order and Appeals of the Decision of the Chair**

1372 **HR4-2-201. Point of Order.**

1373 (1) (a) If a Representative believes that there has been a breach of order, a breach of
1374 rules, or a breach of established parliamentary practice, the Representative may rise and,
1375 without being recognized, state: "point of order."

1376 (b) When a Representative raises a point of order:

1377 (i) the presiding officer shall interrupt the proceedings;

1378 (ii) the Representative who has the floor shall yield the floor; and

1379 (iii) the presiding officer shall ask the Representative raising the point of order to "state
1380 your point."

1381 (c) When the presiding officer responds "state your point," the Representative shall
1382 briefly explain the alleged breach to the body, citing to appropriate authority if possible.

1383 (2) (a) The presiding officer may:

1384 (i) speak to points of order in preference to other Representatives rising for that
1385 purpose;

1386 (ii) rule on the point of order immediately;

1387 (iii) consult with the Chief Clerk, the parliamentarian, or both before ruling on the
1388 point of order; or

1389 (iv) suggest that the House recess until the presiding officer can research and rule on
1390 the point of order.

1391 (b) (i) Although points of order are generally decided without debate, the presiding

1392 officer may submit the point of order to the House for decision in doubtful cases.

1393 (ii) If submitted to the House for decision, a presiding officer shall allow debate or
1394 discussion on the point of order by recognizing members of the House who wish to speak to the
1395 point of order.

1396 (iii) A decision by the House deciding a point of order is not subject to appeal.

1397 (3) When the presiding officer rules on the point of order, any Representative who
1398 disagrees with the presiding officer's decision may appeal that decision to the House by
1399 following the procedures and requirements of HR4-2-202.

1400 Section 78. **HR4-2-202** is enacted to read:

1401 **HR4-2-202. Appeals from the Decision of the Chair.**

1402 (1) Although the tradition in the Utah House is to give great weight to the rulings of the
1403 presiding officer and not make appeals lightly, a Representative who disagrees with a ruling of
1404 the presiding officer may appeal that decision to the House by rising and, without waiting to be
1405 recognized, saying "I appeal the decision of the chair."

1406 (2) When a Representative appeals the decision of the chair, the presiding officer shall
1407 clearly state the decision appealed from and may state the reasons for the decision.

1408 (3) (a) An appeal is debatable.

1409 (b) A Representative may not speak more than once on the appeal without leave of the
1410 House.

1411 (4) The question on appeal is: "Shall the decision of the chair stand as the judgment of
1412 the House?"

1413 (5) When a decision of the presiding officer is appealed, a majority vote of the
1414 Representatives present is required to override that decision.

1415 (6) The Chief Clerk shall ensure that the appeal and the action of the House on the
1416 appeal are entered in the journal.

1417 Section 79. **HR4-3-101** is enacted to read:

CHAPTER 3. SPECIAL HOUSE FLOOR PROCEDURES

Part 1. Bills and Resolution

1420 **HR4-3-101. Consideration of Bills.**

1421 (1) Except for the 43rd, 44th, and 45th day of the annual general session, a piece of
1422 legislation may not be read for the third time until at least the day after it is placed on the third

1423 reading calendar.

1424 (2) Legislation on third reading calendar shall be considered in the order that it appears
1425 on the calendar unless a constitutional majority vote of the members of the House directs other
1426 action.

1427 Section 80. **HR4-3-102** is enacted to read:

1428 **HR4-3-102. Re-assigning Legislation Assigned to a Standing Committee.**

1429 (1) Legislation that has been assigned to a standing committee may be assigned to the
1430 Rules committee or a different standing committee by:

1431 (a) the presiding officer;

1432 (b) the House of Representatives by majority vote upon motion from the floor; or

1433 (c) the House of Representatives by majority vote if the committee to which the
1434 legislation was assigned recommends in its committee report that the legislation be returned to
1435 the House Rules Committee.

1436 Section 81. **HR4-3-103** is enacted to read:

1437 **HR4-3-103. Action on Senate Legislation.**

1438 (1) When a piece of Senate legislation is received by the House with a transmittal letter
1439 informing the House that it has passed the Senate, the presiding officer shall:

1440 (a) have the legislation read for the first time; and

1441 (b) refer it to the House Rules Committee.

1442 (2) Action on Senate legislation is the same as for House legislation.

1443 Section 82. **HR4-3-104** is enacted to read:

1444 **HR4-3-104. Time Limit for House Legislation.**

1445 (1) Except for an appropriations bill, the House may not consider a piece of legislation
1446 introduced by a House member after the 42nd day of the annual general session of the
1447 Legislature.

1448 (2) The House may suspend this rule only by a constitutional two-thirds vote.

1449 Section 83. **HR4-3-201** is enacted to read:

1450 **Part 2. Substitute Legislation**

1451 **HR4-3-201. Substitute Legislation.**

1452 (1) A motion to adopt a substitute piece of legislation is in order on third reading.

1453 (2) The Office of Legislative Research and General Counsel shall number each

1454 substitute for record keeping and tracking purposes.

1455 Section 84. **HR4-3-202** is enacted to read:

1456 **HR4-3-202. Substitute Must Be Germane.**

1457 (1) Except as provided in Subsection (2), a Representative may, if recognized by the
1458 presiding officer while the House is debating a piece of legislation, make a motion to substitute
1459 the legislation.

1460 (2) (a) The Representative making the motion to substitute shall ensure that the
1461 substitute is germane to the subject of the original legislation under consideration.

1462 (b) If a Representative believes that a substitute is not germane to the subject of the
1463 original legislation, the Representative may raise a point of order alleging that the substitute is
1464 not germane.

1465 (c) The presiding officer shall rule on the point of order by determining whether or not
1466 the substitute is germane to the subject of the original legislation.

1467 Section 85. **HR4-3-301** is enacted to read:

1468 **Part 3. Floor Amendments**

1469 **HR4-3-301. Amendments in Order on Third Reading -- 15 word rule -- Passage of**
1470 **Amendments by a Majority Vote.**

1471 (1) A motion to amend a piece of legislation is in order on third reading.

1472 (2) (a) A Representative may verbally propose an amendment to legislation if the
1473 amendment contains 15 words or less.

1474 (b) A Representative shall ensure that a proposed amendment containing more than 15
1475 words is printed on pink paper and available to the Chief Clerk and each Representative
1476 present before the motion to amend is made.

1477 (3) A constitutional amendment, resolution, or bill requiring a constitutional two-thirds
1478 vote for final passage, may be amended by a majority vote.

1479 (4) When legislation is amended by the House, the Chief Clerk shall:

1480 (a) for each page of the legislation modified by a House amendment, cause a new page
1481 to be printed that clearly identifies each House amendment to that page; and

1482 (b) print that new page on lilac-colored paper.

1483 Section 86. **HR4-3-302** is enacted to read:

1484 **HR4-3-302. Amendment Must be Germane.**

1485 (1) Except as provided in Subsection (2), a Representative may, if recognized by the
1486 presiding officer while the House is debating a piece of legislation, make a motion to amend
1487 the legislation.

1488 (2) (a) The Representative making the motion to amend shall ensure that the
1489 amendment is germane to the subject of the original legislation under consideration.

1490 (b) If a Representative believes that an amendment is not germane to the subject of the
1491 original legislation, the Representative may raise a point of order alleging that the amendment
1492 is not germane.

1493 (c) The presiding officer shall rule on the point of order by determining whether or not
1494 the amendment is germane to the subject of the original legislation.

1495 Section 87. **HR4-4-101** is enacted to read:

CHAPTER 4. HOUSE CALENDARS

Part 1. Second Reading Calendar

HR4-4-101. Second Reading Calendar.

1499 (1) (a) The Chief Clerk of the House or the Chief Clerk's designee shall:

1500 (i) read to the House each standing committee report submitted to the House; and

1501 (ii) read the legislation by title unless the House suspends this requirement by a
1502 two-thirds vote.

1503 (2) The adoption of the House standing committee report is the second reading of each
1504 piece of legislation referred to in the report.

1505 (3) (a) If the House passes a motion to adopt the committee report, the amendments
1506 and substitutes adopted by the committee and identified on the committee report become
1507 legally part of the legislation.

1508 (b) If a motion to adopt the committee report fails, the Chief Clerk shall return the
1509 legislation to the House Rules Committee.

1510 (4) A majority vote of the House is required to:

1511 (a) approve a motion to adopt the committee report; and

1512 (b) pass the legislation on second reading to the third reading or consent calendar.

1513 Section 88. **HR4-4-201** is enacted to read:

Part 2. Third Reading Calendar

HR4-4-201. Third Reading Calendar -- Procedures.

1515

1516 (1) (a) For the third reading on a piece of legislation, the Chief Clerk of the House or
1517 the Chief Clerk's designee shall read the legislation by title unless the House suspends this
1518 requirement by a two-thirds vote.

1519 (b) (i) After reading the title of the legislation, the Chief Clerk or the Chief Clerk's
1520 designee shall identify the House standing committee that reviewed the legislation and the vote
1521 in that committee.

1522 (ii) If the legislation has not been reviewed by a House standing committee, the Chief
1523 Clerk or the Chief Clerk's designee shall announce that the legislation was not reviewed by a
1524 House standing committee.

1525 (2) When the Chief Clerk or the Chief Clerk's designee has completed the third reading
1526 of the legislation, the legislation is before the House for debate.

1527 (3) When debate on the legislation is complete, the presiding officer shall:

1528 (a) pose the final question: "This bill (resolution) has been read three times; the
1529 question is: Shall the bill (resolution) pass?"; and

1530 (b) take the final vote on the legislation.

1531 Section 89. **HR4-4-202** is enacted to read:

1532 **HR4-4-202. Disposition of Legislation Voted on Third Reading.**

1533 (1) Except as provided in Subsection (2), the Chief Clerk or the Chief Clerk's designee
1534 shall:

1535 (a) for a piece of House legislation passed by the House on third reading but not yet
1536 acted upon by the Senate, transmit the House legislation to the Senate for its further action;

1537 (b) for a piece of House legislation that fails to pass the House on third reading, file the
1538 legislation;

1539 (c) for a piece of House legislation that has passed both houses, follow the procedures
1540 and requirements of JR4-6-101(1)(b);

1541 (d) for a piece of Senate legislation passed by the House on third reading and not
1542 amended or substituted in the House, transmit the Senate legislation to the presiding officer of
1543 the House for the presiding officer's signature and return the legislation to the Senate for the
1544 signature of the President of the Senate;

1545 (e) for a piece of Senate legislation passed by the House on third reading that was
1546 amended or substituted in the House, transmit the legislation to the Senate with the

1547 amendments or substitute for further action by the Senate; and
1548 (f) for a piece of Senate legislation that fails to pass the House on third reading,
1549 transmit the legislation to the Senate with notice of the House's action.

1550 (2) (a) The Chief Clerk shall ensure that the House retains possession of a piece of
1551 legislation for no more than one legislative day when:

1552 (i) a Representative gives notice of intention to move for reconsideration to the Chief
1553 Clerk;

1554 (ii) a Representative requests that the Chief Clerk hold the legislation; or

1555 (iii) the House passes a motion to retain possession of the legislation.

1556 (b) Notwithstanding the requirements of Subsection (2)(a), a piece of legislation may
1557 be released earlier than 24 hours if the House is given prior public notice of the release.

1558 Section 90. **HR4-4-203** is enacted to read:

1559 **HR4-4-203. Motion to Lift Legislation from Committee.**

1560 (1) A Representative may make a motion to lift a piece of legislation from a standing
1561 committee or the House Rules Committee and place it on the third reading calendar.

1562 (2) (a) Except as provided in Subsection (2)(b), if the motion is approved by a majority
1563 of the members present, the presiding officer shall direct that the legislation be placed on the
1564 bottom of the third reading calendar.

1565 (b) During the 43nd, 44th, and 45th day of the annual general session, and during any
1566 special session, a motion to lift a piece of legislation from a standing committee or the House
1567 Rules Committee must be approved by a vote of two-thirds of the members present.

1568 Section 91. **HR4-4-301** is enacted to read:

1569 **Part 3. Consent Calendar**

1570 **HR4-4-301. Consent Calendar.**

1571 (1) If a standing committee report recommends that a piece of legislation be placed on
1572 the consent calendar and the standing committee report is adopted by the House, the Chief
1573 Clerk or the Chief Clerk's designee shall place the legislation on the consent calendar.

1574 (2) (a) Whenever the consent calendar contains legislation, the presiding officer shall
1575 inform the House each day that:

1576 (i) there are items on the consent calendar; and

1577 (ii) if any Representative objects to a piece of legislation on the consent calendar, that

1578 Representative should inform the Chief Clerk.

1579 (b) If the Chief Clerk receives written objections to a piece of legislation from six or
1580 more Representatives, the Chief Clerk shall:

1581 (i) remove the legislation from the consent calendar;

1582 (ii) inform the sponsor that the legislation has been removed from the consent calendar;

1583 and

1584 (iii) place the legislation at the bottom of the third reading calendar.

1585 (3) The presiding officer shall announce that the legislation has been removed from the
1586 consent calendar.

1587 (4) (a) If, after three days during which the House has floor time, no more than five
1588 members have registered written objections to the legislation with the Chief Clerk:

1589 (i) the legislation shall be read the third time;

1590 (ii) the presiding officer shall grant the sponsor of the legislation two minutes to
1591 introduce and explain the legislation; and

1592 (iii) the presiding officer shall pose the question and take the final vote on the
1593 legislation.

1594 (b) The presiding officer may not allow debate on legislation on the consent calendar.

1595 Section 92. **HR4-4-401** is enacted to read:

1596 **Part 4. Concurrence Calendar**

1597 **HR4-4-401. Concurrence Calendar.**

1598 (1) After the Chief Clerk or the Chief Clerk's designee reads the transmittal letter from
1599 the Senate informing the House that the Senate has amended a piece of House legislation, the
1600 presiding officer shall place the legislation on the concurrence calendar.

1601 (2) (a) During the first 43 days of the annual general session, the legislation shall
1602 remain on the concurrence calendar for at least one legislative day before the House may
1603 consider the question of concurrence.

1604 (b) During the last two days of the annual general session, and during any special
1605 session, the House may consider legislation for concurrence after the House has been given a
1606 reasonable time to review the Senate amendments.

1607 (3) (a) When presenting legislation to the House for concurrence, the presiding officer
1608 shall ask the sponsor of the legislation for a motion.

- 1609 (b) The sponsor of the legislation may move to either:
 1610 (i) concur with the Senate amendments; or
 1611 (ii) refuse to concur with the Senate amendments and ask the Senate to recede from
 1612 their amendments.
 1613 (c) If a motion to concur with the Senate amendments passes by majority vote, the
 1614 presiding officer shall:
 1615 (i) pose the question: "Shall the bill (resolution) as amended by the Senate pass?"; and
 1616 (ii) take the final vote on the legislation.
 1617 (d) If a motion to refuse to concur with the Senate amendments and ask the Senate to
 1618 recede from their amendments passes by a majority vote, the Chief Clerk shall return the
 1619 legislation to the Senate for its further action.
 1620 (e) If the Senate refuses to recede, the Senate and House shall follow the procedures
 1621 and requirements of JR3-2-601 relating to the appointment of a conference committee.
 1622 Section 93. **HR4-4-501** is enacted to read:
 1623 **Part 5. Time Certain Calendar**
 1624 **HR4-4-501. Time Certain Calendar.**
 1625 The Chief Clerk or the Clerk's designee shall place on the time certain calendar
 1626 legislation or other matters approved by the House for a time certain under:
 1627 (1) HR1-5-301; or
 1628 (2) other rules allowing matters to be set for a time certain.
 1629 Section 94. **HR4-5-101** is enacted to read:
 1630 **CHAPTER 5. COMMITTEE OF THE WHOLE**
 1631 **HR4-5-101. Committee of the Whole -- Purpose -- Process.**
 1632 (1) Because only members of the Utah House of Representatives may speak to the
 1633 House while the House is conducting business on the floor, the House must resolve itself into a
 1634 Committee of the Whole in order to allow non-members to address the House.
 1635 (2) The House may resolve itself into a Committee of the Whole if:
 1636 (a) a Representative makes a motion for the House to resolve itself into a Committee of
 1637 the Whole; and
 1638 (b) the motion is approved by a majority vote of those present.
 1639 Section 95. **HR4-5-102** is enacted to read:

1640 **HR4-5-102. Procedure in Committee of the Whole.**

1641 (1) The presiding officer shall chair and preside over the Committee of the Whole.

1642 (2) House Rules apply in the Committee of the Whole, except that:

1643 (a) a Representative may not speak more than twice on the same subject;

1644 (b) roll call votes are out of order during a Committee of the Whole; and

1645 (c) a Representative may not appeal the decision of the chair.

1646 Section 96. **HR4-5-103** is enacted to read:

1647 **HR4-5-103. Motion to Dissolve Committee of the Whole.**

1648 A motion to dissolve a Committee of the Whole is always in order and is nondebatable.

1649 Section 97. **HR4-6-101** is enacted to read:

1650 **CHAPTER 6. HOUSE FLOOR PARLIAMENTARY PROCEDURES**

1651 **Part 1. General Requirements**

1652 **HR4-6-101. Obtaining the Floor in the House -- Remarks to be Germane.**

1653 (1) A Representative may speak to the subject under consideration if the

1654 Representative is recognized by the presiding officer.

1655 (2) Upon recognition by the presiding officer, the Representative shall ensure that the

1656 Representative's remarks are germane to the subject under consideration.

1657 Section 98. **HR4-6-102** is enacted to read:

1658 **HR4-6-102. Motions on the Floor -- General Requirements and Procedures.**

1659 (1) (a) Except as provided in Subsections (2) and (3), a Representative who is

1660 recognized by the presiding officer may make a motion.

1661 (b) A second to the motion is not required.

1662 (2) (a) A Representative may not speak to a matter and then make a motion unless the

1663 Representative has:

1664 (i) asked the presiding officer to allow the Representative to reserve the right to make a
1665 motion; and

1666 (ii) received permission to do so from the presiding officer.

1667 (b) In speaking to the matter, the Representative shall confine the Representative's

1668 remarks to the subject of the motion to be made.

1669 (c) A Representative may only reserve the right to make:

1670 (i) a motion to amend; or

- 1671 (ii) a substitute motion.
- 1672 (3) The presiding officer shall:
- 1673 (a) restate each oral motion made by a Representative; and
- 1674 (b) ensure that each written motion made by a Representative is available to any
- 1675 Representative who requests a written copy.
- 1676 (4) The Representative who made a motion may withdraw it any time before the vote
- 1677 on the motion.
- 1678 Section 99. **HR4-6-103** is enacted to read:
- 1679 **HR4-6-103. Sponsor May Open and Close Debate.**
- 1680 When a piece of legislation is on a calendar and ready for debate, or after accepting a
- 1681 motion, the presiding officer shall:
- 1682 (1) recognize the chief sponsor of the piece of legislation or of the motion and allow
- 1683 the chief sponsor to open and close debate on the legislation or motion; and
- 1684 (2) allow the chief sponsor to close debate even if a motion to end debate has passed
- 1685 the House.
- 1686 Section 100. **HR4-6-104** is enacted to read:
- 1687 **HR4-6-104. Interruptions and Questions.**
- 1688 (1) A Representative may not interrupt or question another Representative in debate
- 1689 without that Representative's consent.
- 1690 (2) (a) To obtain consent, the querying Representative shall address the presiding
- 1691 officer and, upon recognition by the presiding officer, ask if the Representative speaking will
- 1692 yield the floor to a question.
- 1693 (b) If the Representative speaking consents to yield the floor to a question, the
- 1694 presiding officer shall allow the querying Representative to ask the question.
- 1695 (c) If the Representative speaking declines to yield the floor to a question, the presiding
- 1696 officer:
- 1697 (i) shall inform the querying Representative that the Representative speaking has
- 1698 declined; and
- 1699 (ii) may not allow the querying Representative to ask a question.
- 1700 Section 101. **HR4-6-105** is enacted to read:
- 1701 **HR4-6-105. Representatives Not to Speak More Than Twice -- Maximum**

1702 **Speaking Time.**

1703 (1) (a) Without permission from the House, a Representative may not speak more than
1704 twice on the same piece of legislation, substitute legislation, or amendment in any one debate
1705 on the same day and on the same reading of the legislation.

1706 (b) (i) Except as provided in Subsection (1)(b)(ii), the presiding officer may not grant a
1707 Representative who has spoken once permission to speak again on the same piece of legislation
1708 or substitute if any Representative who has not spoken wishes to speak.

1709 (ii) The presiding officer may grant a Representative who has spoken once permission
1710 to respond to a question if the Representative consents to a request that the Representative yield
1711 to a question under HR4-6-104.

1712 (2) A Representative may not speak longer than 15 minutes at any time, unless another
1713 Representative yields that Representative's time to the Representative who has the floor.

1714 (3) Unless extended by a majority vote:

1715 (a) during the first 38 days of an annual general session, the presiding officer may not
1716 allow the House to debate a piece of legislation for more than eight hours; and

1717 (b) during the last seven days of an annual general session, the presiding officer may
1718 not allow the House to debate a piece of legislation for more than two hours.

1719 Section 102. **HR4-6-106** is enacted to read:

1720 **HR4-6-106. Order of Action.**

1721 If a Representative makes a motion to amend or substitute legislation during debate on
1722 third reading, the presiding officer shall ensure that the House debates and passes or defeats the
1723 motion to amend or substitute before allowing debate and action on the legislation itself.

1724 Section 103. **HR4-6-107** is enacted to read:

1725 **HR4-6-107. Substitute Motions.**

1726 (1) A Representative may, upon recognition by the presiding officer, make a substitute
1727 motion, which, if adopted by vote of a majority of the House, disposes of the original motion.

1728 (2) If the substitute motion is not adopted, the original motion is revived.

1729 (3) A Representative may not:

1730 (a) make a substitute motion if another substitute motion has been made and is
1731 pending; or

1732 (b) make a motion to end debate (call the previous question) as a substitute motion.

1733 Section 104. **HR4-6-108** is enacted to read:

1734 **HR4-6-108. Dividing a Motion or Question.**

1735 (1) (a) Except as provided in Subsection (1)(b)(i), if a motion or a question in debate
1736 contains several points, a Representative may ask to have the question divided for purposes of
1737 the vote.

1738 (b) (i) A motion to strike out and insert is not subject to division.

1739 (ii) Notwithstanding Subsection (1)(b)(i), the rejection of a motion to strike out and
1740 insert one proposition does not preclude a motion to strike out and insert a different
1741 proposition.

1742 (2) The request to divide must clearly state how the motion or question is to be divided.

1743 (3) (a) The presiding officer shall determine how many divisions may be made to any
1744 motion or question.

1745 (b) The House may seek to overrule the chair's decision only once.

1746 Section 105. **HR4-6-109** is enacted to read:

1747 **HR4-6-109. Motions in Order During Debate.**

1748 (1) (a) When a motion or question is being debated, the presiding officer may not
1749 accept any other motion except a motion:

1750 (i) to adjourn, which is nondebatable;

1751 (ii) to determine the time to which to adjourn, which is debatable;

1752 (iii) to recess, which is nondebatable;

1753 (iv) to end debate (call the previous question), which is nondebatable and requires a
1754 two-thirds vote to pass;

1755 (v) to refer to a committee, which is debatable;

1756 (vi) to limit debate, which is debatable;

1757 (vii) to postpone to a time certain, which is debatable;

1758 (viii) to circle, which is debatable;

1759 (ix) to strike the enacting clause, which is debatable;

1760 (x) to substitute, which is debatable; or

1761 (xi) to amend, which is debatable.

1762 (b) Points of order and appeals of the decision of the presiding officer are not motions
1763 and are always in order.

1764 (c) The presiding officer shall grant priority to the motions listed in Subsection (1)(a)
1765 according to the order in which they are listed in that rule.

1766 (2) (a) If an amendment or substitute to a piece of legislation has been proposed and is
1767 under consideration by the House, the presiding officer shall treat a motion to end debate (call
1768 the previous question) as directed only toward the amendment or substitute.

1769 (b) If no motion to amend or substitute a piece of legislation has been made, the chair
1770 shall treat a motion to end debate (call the previous question) as directed toward action on the
1771 legislation itself.

1772 (3) If a motion to postpone a piece of legislation to a day certain or a motion to return a
1773 piece of legislation to the House Rules committee is defeated, a Representative may not make
1774 the same motion on the same piece of legislation during the same reading of the legislation.

1775 (4) When a motion to refer to committee, to postpone to a time certain, or to circle is
1776 made, the presiding officer may not allow consideration of amendments or debate on the main
1777 question.

1778 (5) During a roll call, no motion or other business is in order except for a call of the
1779 House, until after the announcement of the result of the vote.

1780 Section 106. **HR4-6-110** is enacted to read:

1781 **HR4-6-110. Nondebatable Motions.**

1782 (1) The presiding officer may not allow debate on a motion:

1783 (a) to adjourn;

1784 (b) to recess;

1785 (c) to end debate (call the previous question); or

1786 (d) to extend the time for debate.

1787 (2) The presiding officer shall decide all points of order arising from one of the above
1788 motions without debate.

1789 Section 107. **HR4-6-201** is enacted to read:

1790 **Part 2. Specific Motions**

1791 **HR4-6-201. Motion to Adjourn.**

1792 A motion to adjourn is always in order except:

1793 (1) when a vote is being taken;

1794 (2) when a previous motion to adjourn has been defeated and no intervening business

- 1795 has been transacted; or
- 1796 (3) when another Representative has the floor.
- 1797 Section 108. **HR4-6-202** is enacted to read:
- 1798 **HR4-6-202. Motion to Circle.**
- 1799 (1) A motion to circle a piece of legislation holds the legislation in place on the
- 1800 calendar.
- 1801 (2) (a) A motion to circle preserves all amendments to the legislation already adopted
- 1802 by the House.
- 1803 (b) A motion to circle extinguishes all amendments pending at the time that the motion
- 1804 is made.
- 1805 (3) When a motion to uncircle is made:
- 1806 (a) amendments already adopted by the House are part of the legislation; and
- 1807 (b) any amendments that were being discussed at the time the legislation was circled
- 1808 are extinguished and a new motion to amend must be made in order to revive them.
- 1809 Section 109. **HR4-6-203** is enacted to read:
- 1810 **HR4-6-203. Motion to Strike the Enacting Clause.**
- 1811 (1) When a motion to strike the enacting clause passes by a constitutional majority, the
- 1812 bill from which the enacting clause was stricken is dead and may not be revived.
- 1813 (2) Nothing in this rule precludes a Representative from introducing a new bill
- 1814 identical to the bill whose enacting clause was struck.
- 1815 Section 110. **HR4-7-101** is enacted to read:
- 1816 **CHAPTER 7. VOTING**
- 1817 **Part 1. General Requirements**
- 1818 **HR4-7-101. Definitions.**
- 1819 (1) "Electronic vote" means that those Representatives present vote using an electronic
- 1820 system that records and tallies their votes.
- 1821 (2) "Roll call vote" means a verbal voting process where:
- 1822 (a) the Chief Clerk or the Chief Clerk's designee verbally calls the name of each
- 1823 Representative alphabetically, except the Speaker, who is called last;
- 1824 (b) each Representative present votes "aye" or "nay" when the Representative's name is
- 1825 called;

- 1826 (c) the Chief Clerk or the Chief Clerk's designee:
1827 (i) tallies the vote;
1828 (ii) records those Representatives who are absent or not voting; and
1829 (iii) gives a copy of the tally to the presiding officer; and
1830 (d) the presiding officer announces the result of the vote.
1831 (3) "Voice Vote" means a verbal voting process where the presiding officer:
1832 (a) poses the question to be voted upon in this form: "Those in favor (of the question)
1833 say aye." and "Those opposed, say nay."; and
1834 (b) based upon the Representative's responses, announces that the question either
1835 passed or failed.
1836 Section 111. **HR4-7-102** is enacted to read:
1837 **HR4-7-102. Number of Votes Required for Passage.**
1838 (1) Unless otherwise specified in these rules:
1839 (a) each piece of legislation requires a constitutional majority vote -- 38 votes -- to
1840 pass;
1841 (b) amendments to the Utah Constitution, legislation that is intended to take effect
1842 earlier than 60 days after adjournment of the session in which it passes, amendments to court
1843 rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 50
1844 votes -- to pass;
1845 (c) certain motions require a two-thirds vote -- two-thirds of those present -- to pass;
1846 and
1847 (d) other motions require a majority vote -- a majority of those present -- to pass.
1848 (2) The House may only suspend a rule requiring that a motion must receive a
1849 two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.
1850 Section 112. **HR4-7-103** is enacted to read:
1851 **HR4-7-103. Representatives Required to Vote -- Representatives must Be Present**
1852 **to Vote.**
1853 (1) (a) A Representative present within the House chamber when a vote is being taken
1854 shall vote.
1855 (b) (i) The Chief Clerk may record the vote of any Representative who is present in the
1856 House Chamber who requests assistance of the Chief Clerk.

1857 (ii) The Representative shall ensure that the electronic vote is recorded accurately.
1858 (c) Each Representative shall vote within the time limit fixed by the presiding officer.
1859 (d) Immediately before an electronic vote or a roll call vote, a Representative may,
1860 upon recognition by the presiding officer, make a brief statement explaining any conflict of
1861 interest.

1862 (2) (a) A Representative may not vote on a piece of legislation or motion unless the
1863 Representative is present in the House chamber.

1864 (b) If the vote is by electronic vote or roll call vote, a Representative entering the
1865 chamber after the question is posed, and before the presiding officer closes the vote or
1866 announces the result, may have the question stated and vote.

1867 Section 113. **HR4-7-104** is enacted to read:

1868 **HR4-7-104. Disturbing House Staff during Voting Prohibited.**

1869 While an electronic vote or roll call vote is being taken, a person may not disturb or
1870 remain by the desks of the Chief Clerk of the House, the Docket Clerk, the Minute Clerk, the
1871 Voting Machine Operator, or the Public Address System Operator.

1872 Section 114. **HR4-7-105** is enacted to read:

1873 **HR4-7-105. Changing Vote Before Vote is Closed.**

1874 A Representative may change the Representative's vote before the presiding officer
1875 closes the vote or announces the result.

1876 Section 115. **HR4-7-106** is enacted to read:

1877 **HR4-7-106. Voting or Changing Vote After the Vote is Closed.**

1878 (1) After the vote is announced or an electronic vote is closed, a Representative may
1879 not vote or change the Representative's vote unless:

1880 (a) there is unanimous consent of the Representatives present; and

1881 (b) the result of the vote is not changed.

1882 (2) A Representative wishing to vote or change the Representative's vote after the vote
1883 has been taken on legislation or on a question shall, before the House begins the next order of
1884 business:

1885 (a) seek and obtain recognition from the presiding officer; and

1886 (b) make a motion for leave of the body to vote or to change the Representative's vote.

1887 Section 116. **HR4-7-201** is enacted to read:

Part 2. Voting Process

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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.

Section 117. **HR4-7-202** is enacted to read:

HR4-7-202. Placing the Question -- Voice Vote -- Division of the House.

(1) (a) 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.

Section 118. **HR4-7-203** is enacted to read:

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.

1919 Section 119. **HR4-8-101** is enacted to read:

1920 **CHAPTER 8. CALL OF THE HOUSE**

1921 **HR4-8-101. Definitions.**

1922 "Call of the House" means the process by which the House may compel absent
1923 Representatives to be present in the House chamber.

1924 Section 120. **HR4-8-102** is enacted to read:

1925 **HR4-8-102. Initiating a Call of the House.**

1926 (1) Subject to the requirements of this rule, a Representative may, without being
1927 recognized by the presiding officer, demand a call of the House by verbally stating "call of the
1928 House."

1929 (2) After a Representative demands a call of the House, the presiding officer shall say:
1930 "It requires at least 10 Representatives to require a call of the House. Will those in favor of the
1931 call please stand."

1932 (3) If the presiding officer determines that 10 or more Representatives demand a call of
1933 the House, the presiding officer shall order the call.

1934 Section 121. **HR4-8-103** is enacted to read:

1935 **HR4-8-103. Effect of Call of the House.**

1936 (1) Except for receiving and acting on the report of the Sergeant-at-Arms under
1937 HR4-8-104, the House may not transact any business during a call of the House.

1938 (2) (a) During a call of the House, the presiding officer shall declare out of order each
1939 motion except:

1940 (i) a motion to adjourn; or

1941 (ii) a motion to lift the call of the House.

1942 (b) The motions identified in Subsection (2)(a) must receive a majority vote from the
1943 Representatives present to pass.

1944 Section 122. **HR4-8-104** is enacted to read:

1945 **HR4-8-104. Process for Conducting a Call of the House.**

1946 (1) During a call of the House:

1947 (a) a Representative present in the chamber may not leave the chamber; and

1948 (b) the Sergeant-at-Arms or the Sergeant's designees shall close the doors to the House
1949 chamber.

1950 (2) After ordering the call of the House, the presiding officer shall:
1951 (a) in consultation with the Chief Clerk, identify any absent Representatives; and
1952 (b) provide the Sergeant-at-Arms with the names of those Representatives who are
1953 absent but who have not asked to be excused.
1954 (3) The Sergeant-at-Arms or the sergeant's designees shall:
1955 (a) search for the absent Representatives;
1956 (b) if they are found, escort them to the House chamber; and
1957 (c) make a report to the House about the Sergeant's efforts.
1958 Section 123. **HR4-8-105** is enacted to read:
1959 **HR4-8-105. Lifting the Call of the House.**
1960 (1) The Sergeant-at-Arms may make a report on the call at any time.
1961 (2) (a) If the presiding officer determines that all Representatives are present or
1962 accounted for, the presiding officer may:
1963 (i) order the call to be lifted without motion; or
1964 (ii) recognize a Representative for a motion to lift the call of the House.
1965 (b) If the motion is approved by a majority of those present, the call of the House is
1966 lifted.
1967 (c) If the motion is not approved, the Sergeant-at-Arms and the Sergeant's designees
1968 shall continue searching for the absent Representatives.
1969 (3) After the call is lifted:
1970 (a) the Sergeant-at-Arms and the Sergeant's designees shall open the doors of the
1971 House chamber; and
1972 (b) the House shall proceed with the order of business that was pending when the call
1973 was ordered.
1974 Section 124. **HR4-9-101** is enacted to read:
1975 **CHAPTER 9. RECONSIDERATION OF HOUSE ACTION**
1976 **HR4-9-101. Motion to Reconsider.**
1977 (1) As used in this section, "legislative day" means a day when the House of
1978 Representatives convenes in the House chamber and conducts House business.
1979 (2) (a) Except as provided in Subsection (3), when a question has been decided on the
1980 floor of the House, a Representative voting with the prevailing side may move for

1981 reconsideration after intervening business.

1982 (b) If the motion to reconsider is to reconsider passage of a piece of legislation, the
1983 Representative making the motion shall include the number and short title of the legislation as
1984 part of the motion.

1985 (c) If a motion for reconsideration is made on the floor of the House after a piece of
1986 legislation has left the possession of the House, the Chief Clerk shall request that the
1987 legislation be returned to the House.

1988 (d) The presiding officer shall rule a motion for reconsideration out of order unless the
1989 motion is made:

1990 (i) before the 43rd legislative day;

1991 (ii) before the House adjourns on the legislative day after the legislative day on which
1992 the action sought to be reconsidered occurred; and

1993 (iii) by a Representative who previously served notice.

1994 (3) A Representative may not make a motion to reconsider after the 42nd day of the
1995 annual general session of the Legislature.

1996 Section 125. **HR4-9-102** is enacted to read:

1997 **HR4-9-102. Notice of Motion to Reconsider.**

1998 When a Representative gives notice that the Representative intends to make a motion to
1999 reconsider, the Chief Clerk or the Chief Clerk's designee shall:

2000 (1) ensure that the notice is recorded in the House Journal; and

2001 (2) retain the legislation in the possession of the House until the time for
2002 reconsideration has expired or until the legislation has been reconsidered.

2003 Section 126. **HR4-9-103** is enacted to read:

2004 **HR4-9-103. Rules Governing Motions to Reconsider.**

2005 (1) A motion to reconsider takes precedence over all other motions and questions,
2006 except a motion to adjourn.

2007 (2) (a) Except as provided in Subsection (2)(b), a motion to reconsider is debatable.

2008 (b) A motion to reconsider is nondebatable only if the action it seeks to reconsider is
2009 nondebatable.

2010 (3) When a motion to reconsider is made, the presiding officer shall:

2011 (a) allow the proponents a total of five minutes to address the issue;

- 2012 (b) allow the opponents a total of five minutes to address the issue; and
- 2013 (c) allow the proponents one minute to sum up.
- 2014 (4) (a) A motion to reconsider a vote on the final passage of a piece of legislation
- 2015 requires approval by a constitutional majority of Representatives.
- 2016 (b) Upon adoption of a motion to reconsider and if the legislation is in possession of
- 2017 the House, the Chief Clerk shall ensure that the legislation is placed at the top of the third
- 2018 reading calendar.
- 2019 (c) The House may not reconsider a piece of legislation more than once.
- 2020 Section 127. **HR5-1-101** is enacted to read:

TITLE 5. LOBBYIST ETHICS AND ENFORCEMENT

CHAPTER 1. GENERAL PROVISIONS

HR5-1-101. Definitions.

As used in this House Rule:

(1) (a) "Government official" means:

- 2026 (i) an individual elected to a position in state or local government when acting within
- 2027 the individual's official capacity; and
- 2028 (ii) an individual appointed to or employed in a full-time or part-time position by state
- 2029 or local government when acting within the scope of employment or within the individual's
- 2030 official capacity.

2031 (b) "Government official" does not mean a member of the legislative branch of state
2032 government.

2033 (2) "Lobbyist" has the meaning identified in Subsections 36-11-102(9)(a) and (b).

2034 (3) (a) "Volunteer lobbyist" means a person not registered as a lobbyist who engages in
2035 lobbying within the meaning of Subsection 36-11-102(8).

2036 (b) "Volunteer lobbyist" does not mean an individual who appears on the individual's
2037 own behalf to engage in lobbying within the meaning of Subsection 36-11-102(8).

2038 Section 128. **HR5-2-101** is enacted to read:

CHAPTER 2. LOBBYIST ETHICS

HR5-2-101. Lobbyist Code of Ethics.

A lobbyist, volunteer lobbyist, or government official may not:

- 2042 (1) attempt to influence a Representative, elected or appointed state official, state

2043 employee, or legislative employee by means of deceit or by threat of violence or economic or
2044 political reprisal against any person or property, with intent by doing so to alter or affect the
2045 Representative's, elected or appointed state official's, state employee's, or legislative employee's
2046 decision, vote, opinion, or action concerning any matter that is to be considered or performed
2047 by the Representative, official, or employee or the agency or body of which the Representative,
2048 official, or employee is a member;

2049 (2) knowingly provide false information to a Representative, elected or appointed state
2050 official, state employee, or legislative employee as to any material fact pertaining to any
2051 legislation;

2052 (3) knowingly omit, conceal, or falsify in any manner information required by the
2053 lobbyist registration and lobbyist disclosure reports;

2054 (4) participate in committee assignments or leadership races of the House of
2055 Representatives;

2056 (5) cause or influence the introduction of any piece of legislation, substitute, or
2057 amendment for the purpose of afterwards becoming employed to secure its passage or defeat;

2058 (6) misappropriate or misuse legislative office supplies;

2059 (7) use legislative reproduction or facsimile machines without paying for that use;

2060 (8) enter or use a Representative's, elected or appointed state official's, state
2061 employee's, or legislative employee's office, phone, computer, or parking space without explicit
2062 permission;

2063 (9) attempt to remove or remove any document from any Representative's or legislative
2064 employee's office, desk, file cabinet, reproduction machine, facsimile machine, or any other
2065 place without explicit permission;

2066 (10) engage in sexually harassing behavior or behavior violating the state's sexual
2067 harassment policy toward Representatives or employees of the Legislature;

2068 (11) offer employment to a Representative or legislative employee that impairs the
2069 Representative's or legislative employee's independence of judgement as to their official duties;

2070 (12) offer employment that would require or induce a Representative or legislative
2071 employee to disclose records classified as private, protected, or controlled;

2072 (13) use or disclose for personal financial gain any records classified as private,
2073 protected, or controlled that were obtained from a Representative or legislative employee or

2074 conspire with any person for that purpose; or

2075 (14) induce or seek to induce a Representative or legislative employee to commit a
2076 violation of any provision of this House rule.

2077 Section 129. **HR5-3-101** is enacted to read:

2078 **CHAPTER 3. ENFORCEMENT OF LOBBYIST CODE OF ETHICS**

2079 **HR5-3-101. Enforcement -- Written Complaint.**

2080 (1) To initiate an ethics complaint against a lobbyist, volunteer lobbyist, or government
2081 official who has violated the Lobbyist Code of Ethics established in HR5-2-101, three
2082 Representatives shall file a written complaint with the Speaker of the House, the House
2083 minority leader, and the lobbyist, volunteer lobbyist, or government official who is the subject
2084 of the complaint.

2085 (2) The written complaint shall contain:

2086 (a) the name and address of each of the three Representatives who are filing the
2087 complaint;

2088 (b) the name of the lobbyist, volunteer lobbyist, or government official who is the
2089 subject of the complaint;

2090 (c) the nature of the alleged violation, citing specifically to the provisions of
2091 HR5-2-101 that the lobbyist, volunteer lobbyist, or government official is alleged to have
2092 violated;

2093 (d) all documents that support the complaint as an attachment to it; and

2094 (e) the facts alleged to support the complaint.

2095 (3) (a) A complaint filed under this rule is a protected record under Utah Code Title
2096 63G, Chapter 2, Government Records Access and Management Act, until referred to the House
2097 Management Committee for action, because disclosure of the information in the complaint
2098 would constitute a clearly unwarranted invasion of personal privacy and that disclosure is not
2099 in the public interest.

2100 (b) A complaint filed under this rule that is dismissed by the Speaker and minority
2101 leader is a protected record under Title 63G, Chapter 2, Government Records Access and
2102 Management Act, because disclosure of the information in the complaint would constitute a
2103 clearly unwarranted invasion of personal privacy and that disclosure is not in the public
2104 interest.

2105 Section 130. **HR5-3-102** is enacted to read:

2106 **HR5-3-102. Enforcement -- Speaker Review -- Minority Leader Review.**

2107 (1) (a) After receiving the complaint, the Speaker shall meet with the Representatives
2108 who filed the complaint, the lobbyist, volunteer lobbyist, or government official who is the
2109 subject of the complaint, and any other persons who have relevant information about the
2110 complaint.

2111 (b) In that meeting, the Speaker may choose to meet with those persons together or
2112 separately.

2113 (2) (a) After the meeting, the Speaker shall inform the minority leader that the Speaker
2114 recommends that:

2115 (i) the complaint be dismissed;

2116 (ii) the lobbyist, volunteer lobbyist, or government official be privately chastised and
2117 the complaint be dismissed; or

2118 (iii) the House Management Committee be convened to hear the complaint.

2119 (b) (i) After receipt of the Speaker's recommendation, the minority leader shall meet
2120 with the Representatives who filed the complaint, the lobbyist, volunteer lobbyist, or
2121 government official who is the subject of the complaint, and any other persons who have
2122 relevant information about the complaint.

2123 (ii) In that meeting, the minority leader may choose to meet with those persons together
2124 or separately.

2125 (c) After the meeting, the minority leader shall prepare a letter informing the Speaker
2126 that the minority leader:

2127 (i) concurs in the Speaker's recommendation for disposition of the complaint; or

2128 (ii) does not concur in the Speaker's recommendation for disposition of the complaint.

2129 (d) If the minority leader concurs in the Speaker's recommendation, the Speaker shall
2130 implement the decision.

2131 (e) If the minority leader does not concur in the Speaker's recommendation, the
2132 Speaker shall, within 30 days after having received the written complaint, convene the House
2133 Management Committee to hear the complaint.

2134 Section 131. **HR5-3-103** is enacted to read:

2135 **HR5-3-103. Enforcement -- Hearing -- Staff.**

2136 (1) If the Speaker must convene the House Management Committee, the Speaker shall,
2137 after consultation with the House minority leader, schedule a House Management Committee
2138 meeting to adjudicate the complaint.

2139 (2) (a) The committee must comply with the procedures and requirements of Utah
2140 Code Title 52, Chapter 4, Open and Public Meetings Act, including the procedures and
2141 requirements for closing a meeting.

2142 (b) The Office of Legislative Research and General Counsel shall staff the committee.

2143 (3) (a) At the hearing, the committee shall review the complaint.

2144 (b) The committee may allow the Representatives who filed the complaint to address
2145 and be questioned by the committee.

2146 (c) The committee shall provide the lobbyist, volunteer lobbyist, or government official
2147 who is the subject of the complaint with the opportunity to address and be questioned by the
2148 committee.

2149 (d) The committee may allow other persons with information relevant to the complaint
2150 to address and be questioned by the committee.

2151 (e) (i) The complainants, the lobbyist, volunteer lobbyist, or government official, and
2152 any witness appearing before the committee may have legal counsel present.

2153 (ii) That counsel may privately advise their client about the client's legal rights when
2154 specifically requested to do so by their client, but may not address the committee, ask questions
2155 of any party or witness, or engage in oral arguments with the committee.

2156 (iii) If counsel fails to abide by any of these rules, the committee may exclude the
2157 counsel from the meeting.

2158 Section 132. **HR5-3-104** is enacted to read:

2159 **HR5-3-104. Enforcement -- Penalty.**

2160 (1) If the House Management Committee determines by a preponderance of the
2161 evidence that the lobbyist, volunteer lobbyist, or government official has violated one or more
2162 provisions of HR5-2-101, the committee may impose any sanction against the lobbyist,
2163 volunteer lobbyist, or government official that is not forbidden by the United States
2164 constitution or the Utah Constitution.

2165 (2) Appropriate sanctions include, but are not limited to, any, all, or some combination
2166 of the following:

2167 (a) prohibiting the lobbyist, volunteer lobbyist, or government official from access to
2168 some or all of the legislative area of the State Capitol for a period of time; and

2169 (b) recommending an adjudicative proceeding be filed with the lieutenant governor
2170 against the lobbyist under Utah Code Title 36, Chapter 11, Part 4, Penalties and Statutory
2171 Construction.

2172 Section 133. **Repealer.**

2173 This resolution repeals:

2174 **HR-20.01, Calling the House to Order.**

2175 **HR-20.02, Election of Speaker.**

2176 **HR-20.03, Speaker May Call a Representative to Chair.**

2177 **HR-20.04, Temporary Presiding Officer in Speaker's Absence.**

2178 **HR-20.05, Duties of the Speaker.**

2179 **HR-20.06, Duties of the Chief Clerk.**

2180 **HR-20.07, Duties of the Sergeant-at-Arms.**

2181 **HR-20.08, Substitution of Sponsor; Withdrawal of Cosponsor.**

2182 **HR-21.01, Representatives Shall be Present.**

2183 **HR-21.02, Absent Representatives.**

2184 **HR-22.01, Speaker to Maintain Order; Appeal Process.**

2185 **HR-22.02, Disorderly Conduct in House.**

2186 **HR-22.03, Smoking Not Permitted.**

2187 **HR-22.04, Obtaining the Floor.**

2188 **HR-22.05, Calling a Representative to Order for Violation of a Rule.**

2189 **HR-22.06, Calling a Representative to Order for Conduct in Debate.**

2190 **HR-22.07, Impugning Motives of a Representative.**

2191 **HR-22.08, Speaker to Decide Who is Entitled to Floor.**

2192 **HR-22.09, Representatives Not to Leave Chamber.**

2193 **HR-22.10, Voting.**

2194 **HR-23.01, Hour of Meeting.**

2195 **HR-23.02, Roll Call; Quorum.**

2196 **HR-23.03, Daily Order of Business.**

2197 **HR-23.04, Messages and Reports Received at any Time.**

- 2198 **HR-23.05, Action out of Regular Order.**
- 2199 **HR-23.06, Priority of Business.**
- 2200 **HR-23.07, Unfinished Business.**
- 2201 **HR-23.08, Final Certification of the Journal.**
- 2202 **HR-23.09, Commendation; Condolence Citations.**
- 2203 **HR-23.10, Types of Citations; Use of Citations.**
- 2204 **HR-23.11, Standing Committee Review of Fiscal Impact Bills.**
- 2205 **HR-23.13, Standing Committee Review.**
- 2206 **HR-24.01, House Rules Committee.**
- 2207 **HR-24.02, House Rules Committee to Establish Calendar.**
- 2208 **HR-24.03, Legislation Scheduled for Time Certain Has Priority in Committee.**
- 2209 **HR-24.05, Standing Committees.**
- 2210 **HR-24.06, Committee Chairman.**
- 2211 **HR-24.07, Notice of Committee Meeting.**
- 2212 **HR-24.08, Agenda to include Tabled Bills.**
- 2213 **HR-24.09, Committees Not to Meet While House is in Session.**
- 2214 **HR-24.10, Special Committees.**
- 2215 **HR-24.11, Committee Attendance; Quorum.**
- 2216 **HR-24.12, Committee Responsibilities.**
- 2217 **HR-24.14, Public Hearing.**
- 2218 **HR-24.15, Sponsor of Bill to be Notified.**
- 2219 **HR-24.16, Voting -- Chair to Verbally Announce the Vote -- Dissenting Members**
- 2220 **to be Reported.**
- 2221 **HR-24.17, Chairman to Preserve Order; Appeal.**
- 2222 **HR-24.18, Committee Report to Include Signature of Chairman.**
- 2223 **HR-24.19, Committee Reports.**
- 2224 **HR-24.20, Disorderly Conduct in Committee Meeting.**
- 2225 **HR-24.21, Obtaining the Floor in Committee.**
- 2226 **HR-24.22, Visitors.**
- 2227 **HR-24.23, Committee Order of Business.**
- 2228 **HR-24.24, Motions.**

- 2229 **HR-24.25, Motion to End Debate.**
- 2230 **HR-24.26, Votes.**
- 2231 **HR-24.27, Reconsideration of Action.**
- 2232 **HR-24.28, Committee of the Whole.**
- 2233 **HR-24.29, Procedure in Committee of the Whole.**
- 2234 **HR-24.30, Motion to Dissolve Committee of the Whole.**
- 2235 **HR-24.33, Scheduling Guest Speakers.**
- 2236 **HR-25.01, Calendaring Interim Committee Bills.**
- 2237 **HR-25.03, Consideration of Bills.**
- 2238 **HR-25.04, Special Order of Business.**
- 2239 **HR-25.05, Second Reading Calendar.**
- 2240 **HR-25.08, Third Reading Calendar.**
- 2241 **HR-25.09, Third Reading of Money Bills.**
- 2242 **HR-25.10, Amendments to House Bills.**
- 2243 **HR-25.11, Re-referring Bills to Committee.**
- 2244 **HR-25.12, Action on Senate Bill.**
- 2245 **HR-25.13, Time Limit for House Bills.**
- 2246 **HR-25.14, Consent Calendar.**
- 2247 **HR-25.15, Concurrence Calendar.**
- 2248 **HR-26.01, Declaration of Conflict of Interest Form.**
- 2249 **HR-26.02, Verbal Disclosure of Conflict of Interest in House Floor Debate.**
- 2250 **HR-27.01, Motion to Be Stated Before Debate.**
- 2251 **HR-27.02, Withdrawing a Motion.**
- 2252 **HR-27.03, No Second Required of Motions.**
- 2253 **HR-27.04, Motion in Order During Debate.**
- 2254 **HR-27.05, Motion to Adjourn.**
- 2255 **HR-27.07, Motion to Circle.**
- 2256 **HR-27.08, Motion to Postpone.**
- 2257 **HR-27.09, Motion to Strike Enacting Clause.**
- 2258 **HR-27.10, Filling Blanks.**
- 2259 **HR-27.11, Amendment Must be Germane.**

- 2260 **HR-27.12, Motion to Refer to Committee, Postpone, or Circle**
2261 **HR-27.13, Nondebatable Motions.**
2262 **HR-27.14, Division of a Question.**
2263 **HR-27.15, Substitute Motions.**
2264 **HR-27.16, Constitutional Motion.**
2265 **HR-27.17, Motion to Lift a Bill from Committee**
2266 **HR-28.01, Representatives Not to Speak More Than Twice; Maximum Floor**
2267 **Time.**
2268 **HR-28.02, Interruptions and Questions.**
2269 **HR-28.03, Sponsor May Open and Close Debate.**
2270 **HR-28.04, Committee Chairman to Report Findings.**
2271 **HR-28.05, Previous Question.**
2272 **HR-28.06, Breaches of the Order of the House.**
2273 **HR-29.01, Motions in Writing.**
2274 **HR-29.02, Passage of Amendments by a Majority Vote.**
2275 **HR-29.03, Amendments in Order on Third Reading.**
2276 **HR-29.04, Reporting on Committee Amendments.**
2277 **HR-29.05, Amendments Referred to Committees to be Reported.**
2278 **HR-29.06, Order of Action.**
2279 **HR-30.01, Representatives Required to Vote.**
2280 **HR-30.02, Representatives Not to Vote Unless Present.**
2281 **HR-30.03, Roll Call on Final Passage of Bills.**
2282 **HR-30.04, Electronic Voting and Closing the Vote.**
2283 **HR-30.05, Tally Sheets on Electronic Roll Call.**
2284 **HR-30.06, Number of Votes Required for Passage.**
2285 **HR-30.07, Voting or Changing Vote After Decision Announced.**
2286 **HR-30.08, Changing Vote Before Decision Announced.**
2287 **HR-30.09, Putting the Question; Division.**
2288 **HR-31.01, Call of the House.**
2289 **HR-31.02, Motion for Call of the House**
2290 **HR-31.03, Leaving the Chamber.**

- 2291 **HR-31.04, Sergeant-at-Arms to Bring Absent Representatives.**
2292 **HR-31.05, House Under Call; Lifting the Call; Adjournment.**
2293 **HR-31.06, Lifting the Call of the House of Representatives.**
2294 **HR-32.01, Floor Reconsideration Requires Majority Vote.**
2295 **HR-32.02, Motion to Reconsider.**
2296 **HR-32.03, Notice of Motion to Reconsider; Floor Notice.**
2297 **HR-32.04, No Motion to Reconsider Within Three Days of Adjournment Sine Die.**
2298 **HR-33.01, Admittance to House Chamber.**
2299 **HR-33.02, Representatives' Chairs Not Be Occupied by Others.**
2300 **HR-33.03, Lobbying.**
2301 **HR-33.04, Sergeant-at-Arms to Enforce Legislative Rules.**
2302 **HR-33.05, Recognition of Visiting Groups and Individuals.**
2303 **HR-33.06, News Media.**
2304 **HR-34.01, Adoption, Amendment, or Suspension of House Rules.**
2305 **HR-34.02, Legislative Rules Governed by the Constitution or Statute.**
2306 **HR-34.03, Mason's Manual of Legislative Procedure; Reference.**
2307 **HR-35.01, Executive Sessions.**
2308 **HR-36.01, Impeachment Proceedings Initiated by House.**
2309 **HR-36.03, Officers Subject to Impeachment, Judgment, Prosecution by Law.**
2310 **HR-36.04, Service of Articles of Impeachment.**
2311 **HR-36.05, Removal of Officers.**
2312 **HR-37.10, Impeachment.**
2313 **HR-38.01, Definitions.**
2314 **HR-38.02, Lobbyist Code of Ethics.**
2315 **HR-38.03, List of Lobbyists and Clients.**
2316 **HR-38.04, Enforcement; Written Complaint.**
2317 **HR-38.05, Enforcement; Speaker Review; Minority Leader Review.**
2318 **HR-38.06, Enforcement; Hearing; Staff.**
2319 **HR-38.07, Enforcement; Penalty.**

Legislative Review Note
as of 1-25-10 8:53 AM

Office of Legislative Research and General Counsel

H.R. 3 - House Rules Resolution - Recodification and Revisions

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
