

**HOUSE RULES RESOLUTION -  
RECODIFICATION AND REVISIONS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ben C. Ferry**

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**LONG TITLE**

**General Description:**

This resolution recodifies and revises House Rules.

**Highlighted Provisions:**

This resolution:

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

**Special Clauses:**

None

**Legislative Rules Affected:**

**ENACTS:**

**HR1-1-101**

**HR1-1-102**

**HR1-1-103**

**HR1-2-101**

**HR1-3-101**

**HR1-3-102**

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**HR1-4-101**

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149        **REPEALS:**  
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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305        amended, or repealed by a majority vote, except the following, which require a two-thirds vote  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:

(a) rules governing limitation of debate;

(b) rules governing a motion to end debate (call the previous question);

(c) rules governing motions for lifting tabled legislation from committee;

(d) rules governing consideration of legislation during the last three days of a session;

and

(e) rules governing voting in Title 4, Chapter 7, Voting.

(3) (a) A rule that includes a voting requirement of more than a constitutional majority must be adopted and may only be amended, suspended, or repealed by a constitutional two-thirds vote of all Representatives.

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

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

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

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

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

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

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

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

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

**CHAPTER 2. INITIAL ORGANIZATION**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) enforce the House Rules governing debates;

(f) enforce observance of order and decorum;

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

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

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

(j) appoint the members of committees;

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

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

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

(2) The Speaker shall:

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

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

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

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

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

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

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

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

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

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

**CHAPTER 4. OTHER HOUSE OFFICERS**

**Part 1. Chief Clerk**

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

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

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

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

The general duties of the Chief Clerk are to:

(1) act as chief administrative officer of the House, subject to direction by the Speaker 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 and assign them  
415 duties and responsibilities;
- 416       (7) keep a record of the attendance of all House of Representatives' employees and  
417 ensure that any in-session employee who is absent is not paid for the days of absence;
- 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

has authorized that distribution;

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

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

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

**Part 2. Sergeant at Arms.**

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

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

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

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

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

(1) maintain security;

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

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

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

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

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

**Part 1. Convening and Daily Schedule**

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

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

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

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

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

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

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

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

(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

Representatives.

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

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

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

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

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

(i) approve the citation; and

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

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

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

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

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

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

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

(i) approve the citation;

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

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

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

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

**TITLE 2. RULES GOVERNING ATTENDANCE, BEHAVIOR, AND DECORUM IN  
THE UTAH HOUSE OF REPRESENTATIVES**

**CHAPTER 1. ATTENDANCE**

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

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

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

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

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

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

(2) escort them to the chamber.

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

**CHAPTER 2. DECORUM**

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

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

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

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

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

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

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

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

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

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

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

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

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

(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.

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.

(j) "Legislative employee" means persons employed directly by the House or Senate.

(k) (i) "Lobbyist" means either:

(A) a person required to register as a lobbyist by Section 36-11-103; or

(B) a person who is seeking to influence any legislator to vote for or vote against any legislation.

(ii) "Lobbyist" does not mean the governor or lieutenant governor.

(l) "Professional legislative staff" means persons employed by the Office of Legislative Research and General Counsel, the Office of Legislative Fiscal Analyst, the Office of the Legislative Auditor General, and the Office of Legislative Printing.

(2) (a) While the House is convened in annual general session or special session and except as provided in Subsections (2)(b), (c), (d), and (e):

(i) only legislators, legislative employees, professional legislative staff, interns, former legislators who are not lobbyists, the governor, and the lieutenant governor are allowed in the House chamber; and

(ii) a Representative may have no more than one guest in the House chamber at any one time.

(b) A Representative may invite only one of the following to sit next to the Representative in the House chamber:

(i) a member of the Representative's immediate family;

(ii) another legislator;

(iii) a legislative employee;

(iv) a member of professional legislative staff; or

(v) an intern.

(c) The Speaker or the Speaker's designee may authorize special guests to be present in the chamber or to sit with a Representative.

(d) (i) Except as provided in Subsection (2)(d)(ii), lobbyists do not have access to the floor of the House.

(ii) (A) The Representative sponsoring a piece of legislation being debated by the House may invite one lobbyist with expertise on the legislation being considered to be present in the chamber.

(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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(ii) provide a substitute cosponsor for the legislation.

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

## **TITLE 3. RULES GOVERNING THE RULES COMMITTEE AND THE STANDING COMMITTEES OF THE UTAH HOUSE OF REPRESENTATIVES**

### **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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**CHAPTER 2. HOUSE STANDING COMMITTEES**

**Part 1. General Provisions**

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

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

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

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

(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;

(c) Government Operations;

(d) Health and Human Services;

(e) House Rules;

(f) Judiciary;

(g) Law Enforcement and Criminal Justice;

(h) Natural Resources, Agriculture, and Environment;

(i) Political Subdivisions;

(j) Public Utilities and Technology;

(k) Revenue and Taxation;

(l) Transportation; and

(m) Workforce Services and Community and Economic Development.

(2) The members of the Retirement and Independent Entities Committee created in Utah Code Section 63E-1-201 who are appointed from the House of Representatives are a standing committee.

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

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

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

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

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

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

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

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

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

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

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



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

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

(2) The standing committee chair shall:

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

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

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

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

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

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

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

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

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

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

#### **Part 4. Standing Committee Meetings**

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

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

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

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

(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:

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

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

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

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

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

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

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

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

**Part 5. House Standing Committee Parliamentary Procedures****HR3-2-501. Obtaining the Floor in Committee -- Remarks to be Germane.**

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

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

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

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

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

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

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

(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

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

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

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

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

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

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

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

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

(3) (a) An appeal is debatable.

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

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

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

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

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

**CHAPTER 3. SPECIAL HOUSE FLOOR PROCEDURES**

**Part 1. Bills and Resolution**

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

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

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.**



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

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

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

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

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

#### **CHAPTER 4. HOUSE CALENDARS**

##### **Part 1. Second Reading Calendar**

##### **HR4-4-101. Second Reading Calendar.**

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

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

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

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

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

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

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

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

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

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

##### **Part 2. Third Reading Calendar**

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

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 43rd, 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:

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

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

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

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

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

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

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

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

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

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

**CHAPTER 6. HOUSE FLOOR PARLIAMENTARY PROCEDURES****Part 1. General Requirements****HR4-6-101. Obtaining the Floor in the House -- Remarks to be Germane.**

(1) A Representative may speak to the subject under consideration if the Representative is recognized by the presiding officer.

(2) Upon recognition by the presiding officer, the Representative shall ensure that the Representative's remarks are germane to the subject under consideration.

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

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

(1) (a) Except as provided in Subsections (2) and (3), a Representative who is recognized by the presiding officer may make a motion.

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

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

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

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

(b) In speaking to the matter, the Representative shall confine the Representative's remarks to the subject of the motion to be made.

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

(i) a motion to amend; 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**

**Speaking Time.**

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

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

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

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

(3) Unless extended by a majority vote:

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

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

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

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

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

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

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

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

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

(3) A Representative may not:

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

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



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

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

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

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

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

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

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

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

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

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

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

(i) to adjourn, which is nondebatable;

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

(iii) to recess, which is nondebatable;

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

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

(vi) to limit debate, which is debatable;

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

(viii) to circle, which is debatable;

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

(x) to substitute, which is debatable; or

(xi) to amend, which is debatable.

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

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

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

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

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

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

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

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

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

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

(a) to adjourn;

(b) to recess;

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

(d) to extend the time for debate.

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

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

**Part 2. Specific Motions**

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

A motion to adjourn is always in order except:

(1) when a vote is being taken;

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

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.

(ii) The Representative shall ensure that the electronic vote is recorded accurately.

(c) Each Representative shall vote within the time limit fixed by the presiding officer.

(d) Immediately before an electronic vote or a roll call vote, a Representative may, upon recognition by the presiding officer, make a brief statement explaining any conflict of interest.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Part 2. Voting Process

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

(1) The presiding officer shall ensure that the vote on final passage of a piece of legislation is taken by electronic vote or roll call vote.

(2) The presiding officer may place other questions to the House using a voice vote, an electronic vote, or a roll call vote.

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:

2021 **TITLE 5. LOBBYIST ETHICS AND ENFORCEMENT**

2022 **CHAPTER 1. GENERAL PROVISIONS**

2023 **HR5-1-101. Definitions.**

2024 As used in this House Rule:

2025 (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:

2039 **CHAPTER 2. LOBBYIST ETHICS**

2040 **HR5-2-101. Lobbyist Code of Ethics.**

2041 A lobbyist, volunteer lobbyist, or government official may not:

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

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

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

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

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

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

(6) misappropriate or misuse legislative office supplies;

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

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

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

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

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

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

(13) use or disclose for personal financial gain any records classified as private, 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.**

(1) If the Speaker must convene the House Management Committee, the Speaker shall, after consultation with the House minority leader, schedule a House Management Committee meeting to adjudicate the complaint.

(2) (a) The committee must comply with the procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act, including the procedures and requirements for closing a meeting.

(b) The Office of Legislative Research and General Counsel shall staff the committee.

(3) (a) At the hearing, the committee shall review the complaint.

(b) The committee may allow the Representatives who filed the complaint to address and be questioned by the committee.

(c) The committee shall provide the lobbyist, volunteer lobbyist, or government official who is the subject of the complaint with the opportunity to address and be questioned by the committee.

(d) The committee may allow other persons with information relevant to the complaint to address and be questioned by the committee.

(e) (i) The complainants, the lobbyist, volunteer lobbyist, or government official, and any witness appearing before the committee may have legal counsel present.

(ii) That counsel may privately advise their client about the client's legal rights when specifically requested to do so by their client, but may not address the committee, ask questions of any party or witness, or engage in oral arguments with the committee.

(iii) If counsel fails to abide by any of these rules, the committee may exclude the counsel from the meeting.

Section 132. **HR5-3-104** is enacted to read:

**HR5-3-104. Enforcement -- Penalty.**

(1) If the House Management Committee determines by a preponderance of the evidence that the lobbyist, volunteer lobbyist, or government official has violated one or more provisions of HR5-2-101, the committee may impose any sanction against the lobbyist, volunteer lobbyist, or government official that is not forbidden by the United States constitution or the Utah Constitution.

(2) Appropriate sanctions include, but are not limited to, any, all, or some combination 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.**

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**Legislative Review Note**  
**as of 1-25-10 8:53 AM**

**Office of Legislative Research and General Counsel**

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**H.R. 3 - House Rules Resolution - Recodification and Revisions**

**Fiscal Note**

2010 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**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.

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