

1                   **HOUSE RULES RESOLUTION ON VOTING PROCEDURES**

2                                   2013 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Jim Nielson**

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6 **LONG TITLE**

7 **General Description:**

8           This rules resolution modifies House rules relating to voting procedures.

9 **Highlighted Provisions:**

10          This resolution:

11           ▶ makes an exception to the requirement that a Representative be present within the  
12 House chamber when a vote is taken;

13           ▶ allows a Representative who is present within the House chamber when a vote is  
14 taken to abstain from voting;

15           ▶ authorizes the Speaker to recognize, upon request, a Representative who abstained  
16 from voting for the purpose of allowing the Representative to explain why the  
17 Representative abstained; and

18           ▶ makes conforming changes to applicable definitions.

19 **Special Clauses:**

20          None

21 **Legislative Rules Affected:**

22 AMENDS:

23           **HR4-7-101**

24           **HR4-7-103**

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

27          Section 1. **HR4-7-101** is amended to read:



28 **HR4-7-101. Definitions.**

29 (1) "Electronic vote" means that those Representatives present vote using an electronic  
30 system that records and tallies their votes and any abstentions from voting.

31 (2) "Roll call vote" means a verbal voting process where:

32 (a) the Chief Clerk or the Chief Clerk's designee verbally calls the name of each  
33 Representative alphabetically, except the Speaker, who is called last;

34 (b) each Representative present votes "aye," [or] "nay," or "abstain" when the  
35 Representative's name is called;

36 (c) the Chief Clerk or the Chief Clerk's designee:

37 (i) tallies the vote;

38 (ii) records those Representatives who are absent or [~~not~~] abstaining from voting; and

39 (iii) gives a copy of the tally to the presiding officer; and

40 (d) the presiding officer announces the result of the vote.

41 (3) "Voice Vote" means a verbal voting process where the presiding officer:

42 (a) poses the question to be voted upon in this form: "Those in favor (of the question)  
43 say aye." and "Those opposed, say nay."; and

44 (b) based upon the Representative's responses, announces that the question either  
45 passed or failed.

46 Section 2. **HR4-7-103** is amended to read:

47 **HR4-7-103. Representatives Required to Vote -- Exception -- Representatives**  
48 **Must Be Present to Vote.**

49 (1) (a) [~~A~~] (i) Except as provided in Subsection (1)(a)(ii), a Representative present  
50 within the House chamber when a vote is being taken shall vote.

51 (ii) (A) A Representative who is present within the House chamber when a vote is  
52 being taken may abstain from voting.

53 (B) Following a vote and before any other business is transacted, the Speaker may,  
54 upon the request of a Representative who abstained from voting, recognize the Representative  
55 for the purpose of allowing the Representative to explain why the Representative abstained  
56 from voting.

57 (b) (i) The Chief Clerk may record the vote of any Representative who is present in the  
58 House chamber who requests assistance of the Chief Clerk.

- 59           (ii) The Representative shall ensure that the electronic vote is recorded accurately.
- 60           (c) Each Representative shall vote within the time limit fixed by the presiding officer.
- 61           (d) Immediately before an electronic vote or a roll call vote, a Representative may,
- 62 upon recognition by the presiding officer, make a brief statement explaining any conflict of
- 63 interest.
- 64           (2) (a) A Representative may not vote on a piece of legislation or motion unless the
- 65 Representative is present in the House chamber.
- 66           (b) If the vote is by electronic vote or roll call vote, a Representative entering the
- 67 chamber after the question is posed, and before the presiding officer closes the vote or
- 68 announces the result, may have the question stated and vote.

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**Legislative Review Note**  
**as of 1-25-13 3:53 PM**

**Office of Legislative Research and General Counsel**