

1 **HOUSE RULES RESOLUTION ON STANDING COMMITTEE**

2 **HEARINGS**

3 2014 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kraig Powell**

7 **LONG TITLE**

8 **General Description:**

9 This rules resolution amends the House Rules governing committee hearing
10 requirements for passage of legislation, and modifies related motions and procedures.

11 **Highlighted Provisions:**

12 This resolution:

13 ▶ prohibits the House of Representatives from passing legislation when the legislation
14 has not had a House standing committee hearing, unless the legislation is:

- 15 • specifically exempted from the requirement; or
16 • lifted from a House standing committee by a vote of a majority of the members
17 of the House of Representatives;

18 ▶ prohibits a motion to lift legislation from a House standing committee from being
19 combined with another motion;

20 ▶ prohibits the House Rules Committee from placing legislation directly onto the third
21 reading calendar unless the legislation is:

- 22 • specifically exempted from the House committee review requirements; or
23 • reviewed and approved by the House Rules Committee while acting as a
24 standing committee for the purpose of reviewing legislation; and

25 ▶ revises the announcement requirements for a bill's third reading in order to give
26 notice of the review requirements.

27 **Special Clauses:**



28 None

29 **Legislative Rules Affected:**

30 AMENDS:

31 **HR3-1-102**

32 **HR3-2-102**

33 **HR4-4-201**

34 **HR4-4-203**

35

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

37 Section 1. **HR3-1-102** is amended to read:

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

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

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

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

45 (b) either:

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

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

48 (B) if the legislation is exempted from the standing committee review requirements
49 under HR3-2-102(3), that the legislation be read the second time and placed on the third
50 reading calendar; or

51 (ii) hold the legislation.

52 (c) If the chair of the House Rules Committee receives a summary report from the
53 Occupational and Professional Licensure Review Committee related to newly regulating an
54 occupation or profession within the two calendar years immediately preceding the session in
55 which a piece of legislation is introduced related to the regulation by the Division of
56 Occupational and Professional Licensing of that occupation or profession:

57 (i) the chair of the House Rules Committee shall ensure that the House Rules
58 Committee is informed of the summary report before the House Rules Committee takes action

59 on the legislation; and

60 (ii) if the House Rules Committee refers the legislation to the House as provided for in
61 Subsection (2)(a)(i):

62 (A) the Office of Legislative Research and General Counsel shall make the summary
63 report reasonably available to the public and to legislators; and

64 (B) if the legislation is referred to a standing committee, the House Rules Committee
65 shall forward the summary report to the standing committee.

66 (3) In carrying out its functions and responsibilities under this rule, the House Rules
67 Committee may not:

68 (a) table legislation without the written consent of the sponsor;

69 (b) report out any legislation that has been tabled by a standing committee;

70 (c) amend legislation without the written consent of the sponsor; or

71 (d) substitute legislation without the written consent of the sponsor.

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

74 (5) When the committee is carrying out its functions and responsibilities under this
75 rule, the committee shall:

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

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

78 or

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

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

82 (c) have as its agenda all legislation in its possession for assignment to committee or to
83 the House calendars; and

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

85 (6) Anyone may attend a meeting of the rules committee, but comments and discussion
86 are limited to members of the committee and the committee's staff.

87 Section 2. **HR3-2-102** is amended to read:

88 **HR3-2-102. Standing committee review required -- Exceptions.**

89 (1) As used in this section, "House standing committee" means a committee described

90 in HR3-2-201, excluding the House Rules Committee.

91 ~~[(+)]~~ (2) (a) The House of Representatives may not ~~[pass]~~ consider a bill, joint
92 resolution, or concurrent resolution ~~[during the annual general session]~~ for a third reading and
93 passage unless:

94 ~~[(a) a House standing committee has reviewed the legislation; and]~~

95 ~~[(b) the House standing committee has given a favorable recommendation to the~~
96 ~~legislation.]~~

97 (i) one of the following entities reviews and gives a favorable recommendation to the
98 bill or resolution:

99 (A) a House standing committee; or

100 (B) the House Rules Committee, when meeting in accordance with HR3-1-101(2)(c);

101 or

102 (ii) a representative successfully lifts the legislation from a House standing committee
103 or the House Rules Committee as provided under HR4-4-203.

104 (b) A motion made under Subsection (2)(a)(ii) may not be combined with another
105 motion and shall affect only a single bill or resolution.

106 ~~[(2)]~~ (3) This rule does not apply to:

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

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

109 (c) the revisor's statute; or

110 (d) if the legislation was reviewed and approved by the Executive Appropriations
111 Committee, legislation that:

112 (i) exclusively appropriates monies;

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

114 (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or

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

116 Section 3. **HR4-4-201** is amended to read:

117 **HR4-4-201. Third reading calendar -- Procedures.**

118 (1) As used in this section, "House standing committee" is as defined in HR3-2-102.

119 ~~[(+)]~~ (2) (a) For the third reading on a piece of legislation, the chief clerk of the House
120 or the chief clerk's designee shall read the legislation by title unless the House suspends this

121 requirement by a two-thirds vote.

122 (b) ~~[(i) After reading the title of the legislation,]~~ For each piece of legislation, the chief
123 clerk or the chief clerk's designee shall:

124 (i) if the legislation has been reviewed by a House standing committee, identify the
125 House standing committee that reviewed the legislation and the vote in that committee[-];

126 ~~[(ii) [H] if the legislation has not been reviewed by a House standing committee, [the~~
127 ~~chief clerk or the chief clerk's designee shall]~~ announce that the legislation was not reviewed by
128 a House standing committee[-] because:

129 (A) it is exempted from committee review requirements, as provided under
130 HR3-2-102(3); or

131 (B) it was lifted from committee, as provided under HR4-4-203.

132 ~~[(2)] (3)~~ When the chief clerk or the chief clerk's designee has completed the third
133 reading of the legislation, the legislation is before the House for debate.

134 ~~[(3)] (4)~~ When debate on the legislation is complete, the presiding officer shall take the
135 final vote on the legislation.

136 Section 4. **HR4-4-203** is amended to read:

137 **HR4-4-203. Motion to lift legislation from committee.**

138 (1) As used in this section, "House standing committee" is as defined in HR3-2-102.

139 ~~[(1)] (2)~~ A representative may make a motion to lift a piece of legislation from a House
140 standing committee or the House Rules Committee ~~[and]~~, place ~~[it]~~ the legislation on the third
141 reading calendar[-], and consider the legislation read for the second time.

142 (3) A motion made under this section may not be combined with another motion and
143 shall affect only a single bill or resolution.

144 ~~[(2)] (4)~~ (a) Except as provided in Subsection ~~[(2)] (4)~~(b), if the motion is approved by
145 a majority of the members ~~[present]~~ of the House of Representatives, the presiding officer shall
146 direct that the legislation be placed on the bottom of the third reading calendar and be
147 considered read for the second time.

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

Legislative Review Note
as of 1-15-14 11:14 AM

Office of Legislative Research and General Counsel