

1 **HOUSE RESOLUTION AMENDING STANDING COMMITTEE**

2 **RULES**

3 2015 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: James A. Dunnigan**

7 **LONG TITLE**

8 **General Description:**

9 This resolution repeals and reenacts House standing committee rules.

10 **Highlighted Provisions:**

11 This resolution:

- 12 ▶ defines terms;
- 13 ▶ reorganizes standing committee rules;
- 14 ▶ clarifies and expands the powers of a chair to:
 - 15 • preserve order and decorum; and
 - 16 • adopt time restrictions for witnesses and presenters;
- 17 ▶ authorizes the speaker of the House to appoint a vice chair to standing committees;
- 18 ▶ requires a standing committee chair to enforce standing committee rules;
- 19 ▶ clarifies that review of legislation during a standing committee is subject to four

20 distinct phases:

- 21 • presentation by the sponsor;
- 22 • clarifying questions by committee members;
- 23 • public comment; and
- 24 • committee action; and
- 25 ▶ clarifies that privileged motions:
 - 26 • take precedence over non-privileged motions;
 - 27 • are to be accepted in a specified priority; and



28 • except for a motion to adjourn, do not dispose of other pending motions.

29 **Special Clauses:**

30 None

31 **Legislative Rules Affected:**

32 ENACTS:

33 [HR3-2-203](#)

34 [HR3-2-204](#)

35 [HR3-2-303](#)

36 [HR3-2-305](#)

37 [HR3-2-306](#)

38 [HR3-2-307](#)

39 [HR3-2-308](#)

40 [HR3-2-309](#)

41 [HR3-2-310](#)

42 [HR3-2-311](#)

43 [HR3-2-312](#)

44 [HR3-2-313](#)

45 [HR3-2-314](#)

46 [HR3-2-315](#)

47 [HR3-2-316](#)

48 [HR3-2-317](#)

49 [HR3-2-318](#)

50 [HR3-2-319](#)

51 [HR3-2-411](#)

52 [HR3-2-412](#)

53 [HR3-2-413](#)

54 [HR3-2-507](#)

55 [HR3-2-508](#)

56 [HR3-2-509](#)

57 [HR3-2-510](#)

58 [HR3-2-511](#)

59 **HR3-2-512**

60 REPEALS AND REENACTS:

61 **HR3-2-101**

62 **HR3-2-201**

63 **HR3-2-202**

64 **HR3-2-301**

65 **HR3-2-302**

66 **HR3-2-304**

67 **HR3-2-401**

68 **HR3-2-402**

69 **HR3-2-403**

70 **HR3-2-404**

71 **HR3-2-405**

72 **HR3-2-406**

73 **HR3-2-407**

74 **HR3-2-408**

75 **HR3-2-409**

76 **HR3-2-410**

77 **HR3-2-501**

78 **HR3-2-502**

79 **HR3-2-503**

80 **HR3-2-504**

81 **HR3-2-505**

82 **HR3-2-506**

83 REPEALS:

84 **HR3-2-102**

85 **HR3-2-103**

86 **HR3-2-104**

87 **HR3-2-601**

88

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

90 Section 1. **HR3-2-101** is repealed and reenacted to read:

91 **Part 1. General Provisions**

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

93 As used in this chapter:

94 (1) "Chair" means:

95 (a) the chair of a standing committee; or

96 (b) a standing committee member who is authorized to act as chair under [HR3-2-202](#).

97 (2) "Committee" means a standing committee created under [HR3-2-201](#).

98 (3) "Dispose of legislation" refers to a committee action that transfers ownership of
99 legislation to the House Rules Committee, to another standing committee, or to the House
100 floor.

101 (4) "Favorable recommendation" refers to a committee action that transfers ownership
102 of legislation to the House second reading calendar.

103 (5) "Legislation" means a Senate bill, House bill, Senate resolution, House resolution,
104 joint resolution, or concurrent resolution.

105 (6) "Majority vote" means a majority of a quorum as provided in [HR3-2-203](#).

106 (7) "Original motion" means a non-privileged motion that is accepted by the chair
107 when no other motion is pending.

108 (8) "Pending motion" refers to a motion starting when a chair accepts a motion and
109 ending when the motion is withdrawn or when the chair calls for a vote on the motion.

110 (9) (a) "Privileged motion" means a procedural motion to adjourn, set a time to
111 adjourn, recess, end debate, extend debate, or limit debate.

112 (b) Privileged motions are not substitute motions.

113 (10) "Substitute motion" means a non-privileged motion that is made when a
114 non-privileged motion is pending.

115 (11) "Under consideration" means the time starting when a chair opens a discussion on
116 a subject or piece of legislation that is listed on a committee agenda and ending when the
117 committee disposes of the legislation, moves on to another item on the agenda, or adjourns.

118 Section 2. **HR3-2-201** is repealed and reenacted to read:

119 **Part 2. Creation and Organization of House Standing Committees**

120 **HR3-2-201. Standing committees -- Creation.**

121 (1) There are created the following standing committees:

122 (a) Business and Labor;

123 (b) Economic Development and Workforce Services;

124 (c) Education;

125 (d) Government Operations;

126 (e) Health and Human Services;

127 (f) House Rules;

128 (g) Judiciary;

129 (h) Law Enforcement and Criminal Justice;

130 (i) Natural Resources, Agriculture, and Environment;

131 (j) Political Subdivisions;

132 (k) Public Utilities and Technology;

133 (l) Revenue and Taxation; and

134 (m) Transportation.

135 (2) The members of the Retirement and Independent Entities Committee created in
136 Utah Code Section 63E-1-201 comprise a House standing committee.

137 Section 3. **HR3-2-202** is repealed and reenacted to read:

138 **HR3-2-202. Speaker to appoint committee members, chairs, and vice chairs.**

139 (1) The speaker of the House shall appoint members of the House to each standing
140 committee.

141 (2) The speaker of the House shall appoint a chair to each standing committee.

142 (3) The speaker of the House may appoint a vice chair to each standing committee.

143 (4) A vice chair may perform the duties of a chair:

144 (a) as requested by the chair; or

145 (b) in the absence of the chair.

145a **Ĥ→ (5) The chair, or the vice chair as authorized under Subsection (4), may designate a**
145b **member of the committee to conduct a standing committee meeting when neither the chair nor**
145c **the vice chair are able to attend a meeting.**

145d **(6) A committee member designated under Subsection (5) may conduct a committee**
145e **meeting but may not perform the duties of a chair described in HR3-2-302 and**

145f **HR3-2-303. ←Ĥ**

146 Section 4. **HR3-2-203** is enacted to read:

147 **HR3-2-203. Quorum requirements.**

148 (1) Except as provided in Subsection (2), a majority of a standing committee is a
149 quorum.

150 (2) In determining whether a quorum is present, the speaker, majority leader, majority
151 whip, assistant majority whip, House Rules Committee chair, Executive Appropriations

152 Committee chair, minority leader, minority whip, assistant minority whip, and the fourth
153 member of leadership from the minority party are not counted in determining a quorum for a
154 standing committee, except during the time that the representative is present at the meeting.

155 Section 5. **HR3-2-204** is enacted to read:

156 **HR3-2-204. Committee order of business.**

157 Unless a standing committee chair, or a committee by majority vote, determines
158 otherwise, the order of business for a standing committee is:

159 (1) call to order by the chair;

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

161 (3) announcement of the agenda;

162 (4) announcement of time restrictions, if any, subject to the requirements of

163 [HR3-2-304](#); and

164 (5) consideration of standing committee business.

165 Section 6. **HR3-2-301** is repealed and reenacted to read:

166 **Part 3. Duties of the House Standing Committee Chair**

167 **HR3-2-301. Chair to enforce legislative rules and procedures.**

168 The chair shall ensure the integrity of the standing committee process by enforcing
169 legislative rules and parliamentary procedure without delay.

170 Section 7. **HR3-2-302** is repealed and reenacted to read:

171 **HR3-2-302. Chair to set agenda -- Requirements.**

172 The chair shall:

173 (1) set the agenda for a standing committee meeting; and

174 (2) ensure that legislation tabled by a standing committee is listed on a standing

175 committee agenda as required by [HR3-2-408](#).

176 Section 8. **HR3-2-303** is enacted to read:

177 **HR3-2-303. Chair to post notice and agenda -- Notification to sponsors.**

178 (1) The chair shall cause a public notice and agenda to be posted at least 24 hours

179 before each standing committee meeting as required under Utah Code Title 52, Chapter 4,

180 Open and Public Meetings Act.

181 (2) The chair shall notify the chief House sponsor or chief Senate sponsor of legislation

182 listed on an agenda of the time and place of the committee meeting in which the legislation will

183 be considered not less than 24 hours before the committee meeting.

184 Section 9. **HR3-2-304** is repealed and reenacted to read:

185 **HR3-2-304. Chair may direct order of agenda -- Time restrictions.**

186 The chair, or a committee by majority vote, may adopt committee procedures and time
187 restrictions, including:

188 (1) directing the order of the agenda;

189 (2) directing the order in which a witness or presenter will be heard;

190 (3) directing the number or witnesses or presenters that will be heard; and

191 (4) limiting the time the committee will spend on:

192 (a) an item on the agenda; or

193 (b) an individual witness or presenter.

194 Section 10. **HR3-2-305** is enacted to read:

195 **HR3-2-305. Four phases when considering legislation.**

196 Legislation under consideration by a standing committee is subject to four distinct
197 phases during a committee meeting:

198 (1) the sponsor's presentation as provided in [HR3-2-306](#);

199 (2) clarifying questions as provided in [HR3-2-307](#);

200 (3) public comment as provided in [HR3-2-308](#); and

201 (4) committee action as provided in [HR3-2-309](#).

202 Section 11. **HR3-2-306** is enacted to read:

203 **HR3-2-306. Sponsor presentation.**

204 (1) Except as provided in Subsection (2), during the presentation phase, a committee
205 member may not amend legislation, substitute legislation, or dispose of legislation. All other
206 motions are in order during the presentation phase.

207 (2) During the presentation phase of a committee meeting, the chair may accept a
208 simple motion to amend legislation if the chair permits:

209 (a) committee questions and debate;

210 (b) public comment as provided in [HR3-2-308](#);

211 (c) the sponsor of the legislation affected by the amendment to respond to the motion
212 to amend; and

213 (d) the committee member who made the motion to amend to have the final word on

214 the motion as required under [HR3-2-313](#).

215 (3) During the presentation phase of a standing committee meeting, the chair shall:

216 (a) permit the chief $\hat{H} \rightarrow$ [House] $\leftarrow \hat{H}$ sponsor or $\hat{H} \rightarrow$ [chief Senate sponsor] the legislator
216a designated by the chief sponsor to be the floor sponsor in the opposite house $\leftarrow \hat{H}$ to present the
216b $\hat{H} \rightarrow$ chief $\leftarrow \hat{H}$ sponsor's
217 legislation; and

218 (b) except as provided in Subsection (4), and at the election of a legislative sponsor,
219 permit persons who have expertise on the legislation to assist with the presentation as provided
220 in [HR3-2-304](#).

221 (4) The chair may not permit:

222 (a) legislation to be presented if the legislative sponsor is not present; or

223 (b) legislative interns or legislative aides to present legislation.

224 Section 12. **HR3-2-307** is enacted to read:

225 **HR3-2-307. Clarifying questions.**

226 (1) During the clarifying question phase, a committee member may not amend
227 legislation, substitute legislation, or dispose of legislation. All other motions are in order
228 during the clarifying questions phase.

229 (2) A chair shall allow members of the committee to ask the legislative sponsor
230 questions, provided that the questions help to clarify the intent or purpose of the legislation or
231 the meaning of the language of the legislation.

232 (3) The chair shall allow the legislative sponsor to respond to clarifying questions.

233 (4) The chair may allow, with the legislative sponsor's approval, a person authorized
234 under [HR3-2-306](#) to respond to clarifying questions from members of the committee.

235 Section 13. **HR3-2-308** is enacted to read:

236 **HR3-2-308. Public comment.**

237 (1) During the public comment phase, a committee member may not amend legislation,
238 substitute legislation, or dispose of legislation. All other motions are in order during the public
239 comment phase.

240 (2) During the public comment phase of a committee meeting:

241 (a) the chair, or a committee by majority vote, may limit the time an individual witness
242 or presenter speaks to a committee as authorized under [HR3-2-304](#); and

243 (b) the chair, or the committee by majority vote, may terminate the public comment
244 phase at any time.

245 (3) Unless the chair, or a committee by majority vote, permits additional public
246 comment, once the public comment phase has ended only committee members, legislative
247 sponsors, staff, and those authorized under [HR3-2-307](#) may address the committee.

248 Section 14. **HR3-2-309** is enacted to read:

249 **HR3-2-309. Committee action.**

250 During the committee action phase, a committee member may make motions to amend
251 the legislation, to substitute the legislation, and to dispose of the legislation. All other motions
252 authorized by this chapter are in order during the committee action phase of a committee
253 meeting.

254 Section 15. **HR3-2-310** is enacted to read:

255 **HR3-2-310. Chair to preserve order -- Powers to preserve order.**

256 (1) The chair shall preserve order and decorum during standing committee meetings
257 by:

258 (a) controlling outbursts and demonstrations; and

259 (b) ensuring that committee members, presenters, witnesses, and visitors act in a
260 dignified and respectful manner.

261 (2) To preserve order, the chair may:

262 (a) clear the committee room of any person who engages in disorderly conduct;

263 (b) recess a standing committee meeting; or

264 (c) request assistance from:

265 (i) the sergeant-at-arms; or

266 (ii) the Utah Highway Patrol.

267 Section 16. **HR3-2-311** is enacted to read:

268 **HR3-2-311. Chair to recognize committee members -- Remarks to be germane --**
269 **Committee members may make motions when recognized -- Permission to address**
270 **committee.**

271 (1) The chair shall recognize a committee member who desires to speak to a subject
272 that is under consideration by a standing committee.

273 (2) Upon recognition by the chair, a committee member:

274 (a) shall ensure that the member's remarks are germane to the subject under
275 consideration; and

276 (b) may make a motion that is authorized by this chapter.

277 (3) Presenters, witnesses, visitors, staff, and committee members may not speak to a
278 standing committee unless recognized by the chair.

279 Section 17. **HR3-2-312** is enacted to read:

280 **HR3-2-312. Chair to accept all motions that are in order -- Once accepted, the**
281 **motion is pending.**

282 (1) The chair shall accept a motion requested by a member of a standing committee
283 who has been properly recognized unless the motion is prohibited by this chapter or by
284 parliamentary procedure.

285 (2) To properly accept a motion, the chair shall:

286 (a) restate each verbal motion;

287 (b) identify the number of each written motion to amend or substitute legislation; and

288 (c) distribute copies of each written amendment or substitute to members of the
289 committee.

290 (3) When a chair properly accepts a motion under Subsection (2), the motion is
291 pending.

292 Section 18. **HR3-2-313** is enacted to read:

293 **HR3-2-313. Chair to allow response to motions before placing motions for a vote.**

294 After a motion has been accepted, and before the chair places a motion for a vote, the
295 chair shall permit:

296 (1) members of the committee to ask the committee member who placed the motion
297 questions about the motion;

298 (2) members of the committee to debate the motion;

299 (3) the chief sponsor of the legislation that is affected by the motion to respond to the
300 motion; and

301 (4) the committee member who placed the motion to have the final word on the
302 motion.

303 Section 19. **HR3-2-314** is enacted to read:

304 **HR3-2-314. Chair to place motion for vote.**

305 After the chair has permitted a committee member to sum on a motion as required
306 under [HR3-2-313](#)(4), the chair shall place the motion for a vote unless the motion is withdrawn

307 subject to the requirements of [HR3-2-511](#).

308 Section 20. **HR3-2-315** is enacted to read:

309 **HR3-2-315. Chair to verbally announce vote on motions -- Motions pass with**
310 **majority vote of a quorum -- Exceptions.**

311 (1) After a standing committee votes on a motion, the chair shall:

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

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

314 (c) if the vote on the motion is not unanimous, verbally identify by name either the
315 committee members who voted "yes" or the committee members who voted "no."

316 (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority
317 vote of a quorum as defined in [HR3-2-203](#).

318 Section 21. **HR3-2-316** is enacted to read:

319 **HR3-2-316. Chair may direct a roll call vote.**

320 Although most motions will be determined by a voice vote, the chair, or a committee by
321 majority vote, may direct a roll call vote.

322 Section 22. **HR3-2-317** is enacted to read:

323 **HR3-2-317. Chair to decide points of order -- Committee may appeal chair's**
324 **decision.**

325 (1) A chair shall rule on a point of order without committee discussion or debate.

326 (2) As provided in [HR3-2-506](#), a committee member may:

327 (a) make a point of order; or

328 (b) appeal the decision of the chair.

329 Section 23. **HR3-2-318** is enacted to read:

330 **HR3-2-318. Chair to send standing committee reports to the House.**

331 (1) When a standing committee approves a motion to dispose of legislation under the
332 requirements of [HR3-2-408](#) or [HR3-2-403](#), the chair shall, no later than the next legislative
333 day, submit to the chief clerk of the House:

334 (a) the official version of the legislation; and

335 (b) a committee report, signed by the chair, describing the committee's action.

336 (2) (a) A committee member who dissents from a motion to dispose of legislation may
337 request to be listed by name on the committee report.

338 (b) If a committee member requests to be listed by name on a committee report, the
339 committee report shall include the name of the committee member.

340 (3) If, for any reason, the chair does not submit a committee report to the chief clerk of
341 the House as required in Subsection (1), the chief clerk of the House shall ensure that the
342 official version of the legislation and the committee report are submitted before the end of the
343 second legislative day after the legislation was acted on by a standing committee.

344 Section 24. **HR3-2-319** is enacted to read:

345 **HR3-2-319. Chair to ensure integrity of minutes -- Retention of minutes --**

346 **Content requirements.**

347 (1) The chair shall:

348 (a) ensure that a secretary takes minutes of standing committee meetings;

349 (b) present the minutes to the committee for approval; and

350 (c) send the approved minutes to the office of the chief clerk of the House.

351 (2) The chief clerk of the House shall retain committee minutes for three years.

352 (3) The chair shall ensure that committee minutes comply with the requirements of
353 Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

354 (4) The chair shall ensure that committee minutes include:

355 (a) the date, time, and place of each committee meeting;

356 (b) a list of committee members present;

357 (c) each motion made;

358 (d) the vote on each motion;

359 (e) points of order; and

360 (f) the outcome of each appeal of the decision of the chair.

361 Section 25. **HR3-2-401** is repealed and reenacted to read:

362 **Part 4. Duties of the House Standing Committee**

363 **HR3-2-401. Standing committee review required -- Exceptions.**

364 (1) Except as provided in Subsection (2), the House of Representatives may not pass a
365 bill, joint resolution, or concurrent resolution during the annual general session unless a House
366 standing committee has given a favorable recommendation to the legislation.

367 (2) Subsection (1) does not apply to:

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

369 (b) legislation that has been approved by a unanimous vote of an interim committee;

370 (c) the revisor's statute; or

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

372 Committee, legislation that:

373 (i) exclusively appropriates money;

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

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

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

377 Section 26. **HR3-2-402** is repealed and reenacted to read:

378 **HR3-2-402. Standing committee review of legislation with a fiscal impact.**

379 Except as provided in [HR3-2-401](#), a standing committee in one or both houses shall

380 review legislation before the legislation is held in the opposite house because of its fiscal

381 impact.

382 Section 27. **HR3-2-403** is repealed and reenacted to read:

383 **HR3-2-403. Standing committee duties -- Consider legislation in a reasonable time**

384 **-- Dispose of legislation.**

385 When a committee has completed its review of legislation, a standing committee shall

386 dispose of the legislation by:

387 (1) returning the legislation to the House Rules Committee;

388 (2) tabling the legislation, subject to the requirements of [HR3-2-408](#);

389 (3) recommending that the legislation be read a second time and placed on the third

390 reading calendar; or

391 (4) referring the legislation to a different standing committee.

392 Section 28. **HR3-2-404** is repealed and reenacted to read:

393 **HR3-2-404. Motions to lift from the table, hold, amend, or substitute legislation.**

394 In addition to the actions listed in [HR3-2-403](#)(2), a standing committee may approve

395 one or more of the following motions on a single piece of legislation:

396 (1) hold the legislation;

397 (2) move to the next item on an agenda;

398 (3) amend the legislation, subject to the requirements of [HR3-2-406](#);

399 (4) substitute the legislation, subject to the requirements of [HR3-2-407](#); or

400 (5) lift legislation from the table, subject to the requirements of [HR3-2-408](#).

401 Section 29. **HR3-2-405** is repealed and reenacted to read:

402 **HR3-2-405. Consent calendar.**

403 (1) A standing committee may recommend that legislation in its possession be placed
404 on the consent calendar if:

405 (a) the committee approves a motion, by a unanimous vote, that the legislation be read
406 a second time and placed on the third reading calendar;

407 (b) immediately subsequent to that action, the chief sponsor requests that the
408 legislation be placed on the consent calendar; ~~Ë→~~ **[and]** ~~←Ë~~

409 (c) in a separate motion and vote, the committee unanimously approves the sponsor's
410 request to place the legislation on the consent calendar instead of the second or third reading
411 calendar ~~Ë→~~ **[;] and**

411a **(d) the legislation does not have a fiscal note of \$10,000 or more. ←Ë**

412 (2) If, in accordance with [HR3-1-102](#), the House Rules Committee forwards a
413 summary report from the Occupational and Professional Licensure Review Committee in
414 conjunction with legislation referred to a standing committee, the chair shall ensure that the
415 summary report is read orally to the committee before action is taken by the committee on the
416 legislation that is related to the summary report.

417 Section 30. **HR3-2-406** is repealed and reenacted to read:

418 **HR3-2-406. Amending legislation -- Amendments must be germane.**

419 (1) (a) Except as provided in Subsection (2), and if recognized by the chair during the
420 committee action phase, a committee member may make a motion to amend the legislation that
421 is under consideration.

422 (b) (i) A committee member may propose a verbal amendment to the legislation under
423 consideration if the amendment contains 25 or fewer words.

424 (ii) Before proposing a motion to amend, a committee member shall ensure that a
425 proposed amendment that contains more than 25 words is printed and distributed to committee
426 staff and to all committee members present.

427 (2) (a) A committee member may only make a motion to amend that is germane to the
428 subject of the legislation under consideration.

429 (b) A committee member who believes that an amendment is not germane to the
430 subject of the legislation may make a point of order or appeal as described in [HR3-2-506](#).

431 Section 31. **HR3-2-407** is repealed and reenacted to read:

432 **HR3-2-407. Substitute legislation -- Substitutes must be germane.**

433 (1) Except as provided in Subsection (2), and if recognized by the chair during the
434 committee action phase, a committee member may make a motion to substitute legislation that
435 is under consideration.

436 (2) (a) A committee member may only make a motion to substitute that is germane to
437 the subject of the legislation under consideration.

438 (b) A committee member who believes that an amendment is not germane to the
439 subject of the legislation may make a point of order or appeal as described in [HR3-2-507](#).

440 Section 32. **HR3-2-408** is repealed and reenacted to read:

441 **HR3-2-408. Legislation tabled in a standing committee -- Requirements.**

442 (1) If legislation is tabled, the chair shall list the tabled legislation on the committee
443 agenda for the next committee meeting.

444 (2) At the next committee meeting, the committee may, by a two-thirds vote, lift the
445 tabled legislation from the table.

446 (3) If a motion to lift tabled legislation is successful, the standing committee may make
447 any motion on the legislation that is authorized under this chapter.

448 (4) (a) If legislation is tabled by a committee and the legislation is not lifted from the
449 table at the committee's next meeting, the committee chair shall submit a committee report to
450 the chief clerk of the House informing the House that the legislation was tabled.

451 (b) After reading the committee report on the tabled legislation, the chief clerk of the
452 House shall send the tabled legislation to the House Rules Committee for filing.

453 Section 33. **HR3-2-409** is repealed and reenacted to read:

454 **HR3-2-409. Reconsideration of action.**

455 (1) Except as provided in Subsection (2), and if recognized by the chair, a committee
456 member may make a motion to reconsider the committee's action on legislation if the
457 legislation is:

458 (a) in the possession of the standing committee; and

459 (b) listed on the committee agenda as required by Utah Code Title 52, Chapter 4, Open
460 and Public Meetings Act.

461 (2) A standing committee may not reconsider its action on a piece of legislation:

462 (a) more than once; and

463 (b) until the committee has considered other committee business.

464 Section 34. **HR3-2-410** is repealed and reenacted to read:

465 **HR3-2-410. Testimony may be taken under oath.**

466 (1) At the direction of the chair, or upon a majority vote of the committee, the
467 testimony of a witness, presenter, or visitor who speaks to a committee may be taken under
468 oath.

469 (2) The chair or committee staff shall administer the oath.

470 Section 35. **HR3-2-411** is enacted to read:

471 **HR3-2-411. Additional standing committee meetings.**

472 With permission from the speaker of the House, a chair may hold a committee meeting
473 independent of regularly scheduled committee meetings on:

474 (1) a single piece of legislation; or

475 (2) the subject of two or more pieces of legislation.

476 Section 36. **HR3-2-412** is enacted to read:

477 **HR3-2-412. Closed standing committee meetings.**

478 A standing committee may close a committee meeting in accordance with the
479 procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

480 Section 37. **HR3-2-413** is enacted to read:

481 **HR3-2-413. Prohibited from meeting while House is in session -- Exceptions.**

482 (1) A standing committee may not meet while the House is in session unless:

483 (a) the chair receives permission from the speaker to meet; or

484 (b) a majority of the House approves a motion for the committee to meet while the
485 House is in session.

486 (2) Unless a committee is authorized to meet as provided in Subsection (1), any action
487 taken by a committee while the House is in session is invalid.

488 Section 38. **HR3-2-501** is repealed and reenacted to read:

489 **Part 5. Standing Committee Parliamentary Procedures**

490 **HR3-2-501. Obtaining the floor in committee -- Remarks to be germane.**

491 (1) As required in [HR3-2-311](#), a chair shall recognize a committee member who
492 desires to speak to the committee.

493 (2) A committee member who is recognized by the chair may make a motion consistent
494 with the requirements of this chapter.

495 (3) A second to a motion is not required.

496 Section 39. **HR3-2-502** is repealed and reenacted to read:

497 **HR3-2-502. Committee members shall vote.**

498 A committee member shall vote on every motion placed for a vote while the committee
499 member is present at a meeting.

500 Section 40. **HR3-2-503** is repealed and reenacted to read:

501 **HR3-2-503. Privileged motions in committee -- General requirements, procedure,**
502 **and priority.**

503 (1) Privileged motions:

504 (a) are non-debatable; and

505 (b) take precedence over non-privileged motions.

506 (2) If a privileged motion is requested while another privileged motion is pending, the
507 chair shall grant priority to the privileged motions in the following order:

508 (a) adjourn;

509 (b) set time to adjourn;

510 (c) recess;

511 (d) end debate or call the question;

512 (e) extend debate; and

513 (f) limit debate.

514 (3) Except for a motion to adjourn, a privileged motion, if adopted, does not dispose of
515 other pending motions.

516 Section 41. **HR3-2-504** is repealed and reenacted to read:

517 **HR3-2-504. Original motions in committee -- General requirements, procedure,**
518 **and priority.**

519 (1) Original motions:

520 (a) are debatable; and

521 (b) may be replaced with a substitute motion.

522 (2) A committee member may not make an original motion if:

523 (a) a privileged motion is pending; or

524 (b) a substitute motion is pending.

525 Section 42. **HR3-2-505** is repealed and reenacted to read:

526 **HR3-2-505. Substitute motions in committee -- General requirements, procedure,**
527 **and priority.**

528 (1) Substitute motions:

529 (a) are debatable; and

530 (b) take precedence over original motions.

531 (2) (a) A committee member may make a substitute motion if an original motion is
532 pending.

533 (b) A committee member may not make a substitute motion if:

534 (i) a privileged motion is pending; or

535 (ii) another substitute motion is pending.

536 (c) If a substitute motion is adopted, a substitute motion disposes of the original
537 motion.

538 (d) If a substitute motion is not adopted, the original motion is pending.

539 Section 43. **HR3-2-506** is repealed and reenacted to read:

540 **HR3-2-506. Reserve the right to make a motion.**

541 (1) Once recognized by the chair, a committee member may not make a motion after
542 speaking to the committee unless the chair has first specifically granted the committee member
543 permission to reserve the right to make a motion.

544 (2) If the chair has granted a committee member the right to make a motion as required
545 in Subsection (1), the committee member's remarks shall be confined to the subject of the
546 motion to be made.

547 (3) A committee member may only reserve the right to make a motion to:

548 (a) amend the legislation being debated; or

549 (b) substitute the legislation being debated.

550 Section 44. **HR3-2-507** is enacted to read:

551 **HR3-2-507. Point of order -- Appeal of chair's decision.**

552 (1) A point of order is not a motion and, except during a vote, may be made by a
553 member of a standing committee at any time during a committee meeting.

554 (2) If a member of a standing committee is concerned that legislative rules or

555 procedures are not being followed, the committee member may make a point of order.

556 (3) When a point of order is made, the chair shall immediately allow the committee
557 member to state the member's point.

558 (4) A chair shall rule on the point of order without committee discussion or debate as
559 provided in [HR3-2-315](#).

560 (5) An appeal of the decision of the chair is not a motion and may be made by a
561 committee member after the chair has ruled on a point of order.

562 (6) A standing committee may, by majority vote, override the decision of the chair on a
563 point of order.

564 (a) If the committee overrides the decision of the chair, the ruling of a committee is
565 final.

566 (b) If a committee does not override the decision of the chair, the ruling of a chair is
567 final.

568 Section 45. **HR3-2-508** is enacted to read:

569 **HR3-2-508. Point of information.**

570 (1) A point of information is not a motion and, except during summation or a vote,
571 may be made by a member of a standing committee at any time during a committee meeting.

572 (2) If a member of a standing committee desires clarification on any aspect of a
573 committee meeting, the committee member may make a point of information.

574 (3) When a point of information is made, the chair shall immediately allow the
575 committee member to state the point.

576 Section 46. **HR3-2-509** is enacted to read:

577 **HR3-2-509. Division of a motion.**

578 (1) A division is not a motion and, except during a vote, may be made by a member of
579 a standing committee at any time during a committee meeting without being recognized by the
580 chair.

581 (2) The committee member who divides a motion shall clearly state how the motion is
582 to be divided.

583 (3) A committee member may not divide a motion to amend legislation in such a
584 manner that could create an unintelligible or ambiguous result.

585 Section 47. **HR3-2-510** is enacted to read:

586 **HR3-2-510. Prohibited motions.**

587 (1) (a) Except for a motion to adjourn, a committee member may not make a motion
588 unless a quorum of the standing committee is present.

589 (b) When a quorum is not present, a motion to adjourn is passed with a majority vote
590 of those present.

591 (2) No motion is in order during a vote.

592 (3) A point of order is not in order during a vote.

593 (4) A committee member may not make a motion to:

594 (a) strike the enacting clause of legislation;

595 (b) strike the resolving clause of a resolution;

596 (c) circle legislation; or

597 (d) place legislation on a time certain calendar.

598 Section 48. **HR3-2-511** is enacted to read:

599 **HR3-2-511. Repeating defeated motion.**

600 (1) Except as provided in Subsection (2), a motion that is defeated may not be made by
601 a committee member until the committee has considered other committee business.

602 (2) A motion to postpone legislation to a day certain, to postpone legislation
603 indefinitely, or to return legislation to the House Rules Committee, if defeated, may not be
604 made again by any committee member during the same committee meeting.

605 Section 49. **HR3-2-512** is enacted to read:

606 **HR3-2-512. A motion may be withdrawn.**

607 A committee member who makes a motion may withdraw that motion at any time
608 before the motion is placed for a vote.

609 Section 50. **Repealer.**

610 This resolution repeals:

611 **HR3-2-102, Standing committee review required -- Exceptions.**

612 **HR3-2-103, Standing committee review of legislation with fiscal impact.**

613 **HR3-2-104, Standing committees prohibited from meeting while House is in**
614 **session -- Exceptions.**

615 **HR3-2-601, Committee reports.**

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Office of Legislative Research and General Counsel