

JOINT RULES RESOLUTION ON PROCEDURE

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor: Deidre M. Henderson

LONG TITLE

Committee Note:

The Legislative Process Committee recommended this bill.

Legislative Vote: 7 voting for 0 voting against 1 absent

General Description:

This rules resolution amends and enacts provisions related to legislative procedure.

Highlighted Provisions:

This resolution:

- ▶ provides authority to the legislative general counsel to correct technical errors in legislative rule;
- ▶ addresses the circumstances under which the Senate or House of Representatives may amend or substitute legislation after it passes both houses; and
- ▶ makes technical and conforming changes.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR3-2-901

JR4-3-108

ENACTS:

JR1-1-103



28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR1-1-103** is enacted to read:

JR1-1-103. Legislative general counsel to correct certain technical errors in legislative rules.

The legislative general counsel may correct technical errors in the Rules of the Utah Legislature in preparing the rules for publication, including:

- (1) adopting a uniform system of punctuation, capitalization, numbering, or wording;
- (2) eliminating duplication or the repeal of rules directly or by implication, including renumbering when necessary;
- (3) correcting defective or inconsistent rule or paragraph structure in the arrangement of the subject matter of existing rules;
- (4) eliminating obsolete or redundant words;
- (5) correcting obvious errors or inconsistencies, including those involving punctuation, capitalization, cross references, numbering, or wording;
- (6) changing the boldface to more accurately reflect the substance of each rule, part, chapter, or title; and
- (7) merging or determining priority of any amendments, enactments, or repealers to the same rule provisions.

Section 2. **JR3-2-901** is amended to read:

JR3-2-901. Appointment and chairs -- Notice.

(1) (a) If the Senate refuses to concur in the House amendments to a Senate bill, the secretary of the Senate shall notify the House of the refusal and ask the House to recede from its amendments.

(b) Either house may recede from its position on any difference existing between the two houses by a majority vote of its members.

(c) (i) If the House refuses to recede, the speaker shall appoint a conference committee of three.

(ii) After making the appointment, the speaker shall:

(A) publicly announce the House members of the conference committee and the time and place that the conference committee will meet;

59 (B) ensure that no more than two of the appointees are members of the majority party;
60 and

61 (C) direct House staff to provide electronic notice that identifies the House members of
62 the conference committee and the time and place of the conference committee meeting.

63 (d) If the speaker does not immediately appoint a conference committee, the president
64 may appoint a conference committee as provided in Subsection (2)(c).

65 (e) After the Senate refuses to concur in the House amendments to a Senate bill, the
66 House may not amend or substitute the bill, unless:

67 (i) the sole effect of the amendment or substitute is to recede from one or more House
68 amendments to the bill; or

69 (ii) the amendment or substitute is part of a conference committee report.

70 (2) (a) If the House refuses to concur in the Senate amendments to a House bill, the
71 chief clerk of the House shall notify the Senate of the refusal and ask the Senate to recede from
72 its amendments.

73 (b) Either house may recede from its position on any difference existing between the
74 two houses by a majority vote of its members.

75 (c) (i) If the Senate refuses to recede, the president shall appoint a conference
76 committee of three.

77 (ii) After making the appointment, the president shall:

78 (A) publicly announce the Senate members of the conference committee and the time
79 and place that the conference committee will meet;

80 (B) ensure that no more than two of the appointees are members of the majority party;
81 and

82 (C) direct Senate staff to provide electronic notice that identifies the Senate members
83 of the conference committee and the time and place of the conference committee meeting.

84 (d) If the president does not immediately appoint a conference committee, the speaker
85 may appoint a conference committee as provided in Subsection (1)(c).

86 (e) After the House refuses to concur in the Senate amendments to a House bill, the
87 Senate may not amend or substitute the bill, unless:

88 (i) the sole effect of the amendment or substitute is to recede from one or more Senate
89 amendments to the bill; or

90 (ii) the amendment or substitute is part of a conference committee report.

91 (3) (a) Whenever the president or speaker appoints a conference committee, the
92 secretary of the Senate or chief clerk of the House shall:

93 (i) immediately notify the other house of the action taken; and

94 (ii) request the appointment of conference committee members from that other house.

95 (b) After receiving the notice and request, the presiding officer of the other house shall:

96 (i) appoint a conference committee of three;

97 (ii) publicly announce the members of the conference committee from that house and
98 the time and place that the conference committee will meet; and

99 (iii) direct staff to provide electronic notice that identifies the members of the
100 conference committee and the time and place of the conference committee meeting.

101 (4) (a) The first senator named on the conference committee is the Senate chair of the
102 committee, and the first representative named on the conference committee is the House chair.

103 (b) The conference committee chairs shall direct the preparation of the conference
104 committee report.

105 Section 3. **JR4-3-108** is amended to read:

106 **JR4-3-108. Consideration and action on amendments to legislation made in the**
107 **other chamber.**

108 (1) (a) If the Senate amends and passes, or substitutes and passes, a piece of House
109 legislation, the House:

110 (i) must either "concur" or "refuse to concur" in the amendments or substitute[-]; and

111 (ii) may not amend or substitute the legislation.

112 (b) (i) If the House concurs, the legislation shall be voted on for final passage in the
113 House.

114 (ii) If the legislation passes, the chief clerk of the House shall notify the Senate, obtain
115 the signatures required by [JR4-6-101](#), and send the legislation to the Office of Legislative
116 Research and General Counsel for enrolling.

117 (c) If the House refuses to concur in the Senate amendments or substitute to a piece of
118 House legislation, the chief clerk of the House and the House shall follow the procedures and
119 requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.

120 (2) (a) If the House amends and passes, or substitutes and passes, a piece of Senate

121 legislation, the Senate:

122 (i) must either "concur" or "refuse to concur" in the amendments or substitute[-]; and

123 (ii) may not amend or substitute the legislation.

124 (b) (i) If the Senate concurs, the legislation shall be voted on for final passage in the
125 Senate.

126 (ii) If the legislation passes, the secretary of the Senate shall notify the House, obtain
127 the signatures required by [JR4-6-101](#), and send the legislation to the Office of Legislative
128 Research and General Counsel for enrolling.

129 (c) If the Senate refuses to concur in the House amendments or substitute to a piece of
130 Senate legislation, the secretary of the Senate and the Senate shall follow the procedures and
131 requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.