

1 **HOUSE RULES RESOLUTION ON HOUSE PROCEDURE**

2 2020 GENERAL SESSION

3 STATE OF UTAH

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

5
6 **LONG TITLE**

7 **General Description:**

8 This rules resolution modifies House Rules.

9 **Highlighted Provisions:**

10 This resolution:

- 11 ▶ modifies the requirements and procedures for issuing citations on behalf of a
12 legislator, the House of Representatives, and the Utah Legislature;
13 ▶ changes procedures related to the consent calendar;
14 ▶ modifies House standing committee procedures for recommending that legislation
15 be placed on the consent calendar; and
16 ▶ requires that nonbinding resolutions be placed on the consent calendar.

17 **Special Clauses:**

18 None

19 **Legislative Rules Affected:**

20 AMENDS:

21 **HR1-7-101**

22 **HR1-7-102**

23 **HR1-7-103**

24 **HR1-7-104**

25 **HR3-1-102**

26 **HR3-1-105**

27 **HR3-2-405**



28 **HR4-4-301**

29

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

31 Section 1. **HR1-7-101** is amended to read:

32 **CHAPTER 7. CITATIONS**

33 **HR1-7-101. Citations -- Definitions -- Use of citations.**

34 (1) As used in this chapter:

35 (a) ~~[(†)]~~ "Citation" means a certificate ~~[issued to honor or commend an individual who~~
 36 ~~is a resident of Utah, or a group of individuals who are residents of Utah, or to express]~~ for the
 37 purposes of:

38 (i) honoring or commending an individual who is a resident of Utah, or a group of
 39 individuals who are residents of Utah or have a substantial presence in or connection to Utah;

40 (ii) commemorating an event or the anniversary of an event that has significant
 41 relevance to Utah; ~~→~~ or ~~←~~

42 (iii) expressing condolences to the family of a deceased individual who was a resident
 43 of Utah ~~→~~ ; ~~or~~

44 ~~— (iv) providing a recommendation for an individual who is a resident of Utah] ~~←~~ .~~

45 ~~[(ii) A citation to honor or commend the same Utah resident should not be issued more~~
 46 ~~than once every 10 years.]~~

47 ~~[(iii) "Citation" includes a legislator citation, a House of Representatives citation, and a~~
 48 ~~Utah Legislature citation.]~~

49 (b) "House of Representatives citation" means a citation issued on behalf of the Utah
 50 House of Representatives under HR1-7-103, that is signed by the representative sponsoring the
 51 citation and the speaker of the House of Representatives.

52 (c) "Legislator citation" means a citation issued on behalf of an individual
 53 representative under HR1-7-102.

54 (d) "Utah Legislature citation" means a citation issued on behalf of both houses of the
 55 Utah Legislature under HR1-7-104, that is signed by the representative sponsoring the citation,
 56 the speaker of the House of Representatives, and the president of the Senate.

57 (2) ~~[Representatives shall use a citation to express the commendation or condolence of~~
 58 ~~a representative, the Utah House of Representatives, or the Utah Legislature.] A citation~~

59 honoring or commending the same individual or group of individuals, or recognizing the same
 60 event or anniversary, should not be issued more than once every 10 years.

61 (3) A representative may request only one House of Representatives citation or Utah
 62 Legislature citation during a calendar year.

63 Section 2. **HR1-7-102** is amended to read:

64 **HR1-7-102. Obtaining a legislator citation.**

65 (1) With the approval of the presiding officer, a representative may request that the
 66 chief clerk of the House prepare a citation for the representative's own signature.

67 (2) A Legislator citation does not require any floor action by the House of
 68 Representatives.

69 (3) When the Legislature is not in session, a representative may request a citation for
 70 the representative's and the speaker of the House of Representative's ~~H~~→ **signature** ←~~H~~ ,which the
 70a speaker may
 71 elect to sign at the speaker's discretion.

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

73 **HR1-7-103. Obtaining a House of Representatives citation.**

74 (1) During [~~any~~] a legislative session, a representative may issue a House of
 75 Representatives citation by:

76 (a) [~~request~~] requesting, in writing, that the chief clerk of the House prepare a citation
 77 for the representative's signature; and

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

80 [(i) ~~approve the citation; and~~]

81 [(ii)] (b) after receiving a copy of the citation prepared by the chief clerk of the House
 82 of Representative's, obtaining the approval of the House of Representatives, on the floor of the
 83 House of Representatives, by:

84 (i) requesting and receiving permission for a personal privilege; and

85 (ii) making a motion that the House of Representatives approve the citation and
 86 authorize the speaker of the House of Representative's to sign the citation on behalf of the
 87 House of Representatives, which must be approved by a majority vote.

88 [~~(2) When the Legislature is not in session, a representative may request a citation for~~
 89 ~~the sponsor's and the speaker's signature.]~~

90 (2) Sponsor presentation for a House of Representatives citation is limited to a
91 maximum of three minutes.

92 Section 4. **HR1-7-104** is amended to read:

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

94 (1) During [~~any~~] a legislative session, a representative may issue a Utah Legislature
95 citation by:

96 (a) [~~request~~] requesting, in writing, that the chief clerk of the House prepare a citation
97 for the representative's signature; and

98 (b) [~~after requesting and receiving permission for personal privilege, make~~] after
99 receiving a copy of the citation prepared by the chief clerk of the House, obtaining the approval
100 of the House of Representatives by, on the floor of the House:

101 (i) requesting and receiving permission for a personal privilege; and

102 (ii) making a motion [of the floor of the House to: (i) approve the citation; (ii) that the
103 House of Representatives approve the citation and authorize the speaker of the House to sign
104 the citation on behalf of the [House of Representatives] Utah Legislature after the citation is
105 approved by the Senate; and

106 [(iii)] (c) present the proposed citation to the Senate for [its approval] the Senate's
107 approval of the citation and authorization for the president of the Senate to sign the citation on
108 behalf of the Utah Legislature.

109 [~~(2) When the Legislature is not in session, a representative may request a citation for~~
110 ~~the sponsor's and the speaker's and the president's signature.]~~

111 (2) Sponsor presentation for a Utah Legislature citation is limited to a maximum of
112 three minutes.

113 Section 5. **HR3-1-102** is amended to read:

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

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

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

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

- 121 (b) either:
- 122 (i) refer legislation to the House with a recommendation that the legislation be:
- 123 (A) [~~that the legislation be~~] referred to a standing committee for consideration; [~~or~~]
- 124 (B) [~~that the legislation be~~] read the second time and placed on the third reading
- 125 calendar if the legislation has received a favorable recommendation from:
- 126 (I) a House standing committee, except for those bills exempted from standing
- 127 committee review requirements under HR3-2-401; or
- 128 (II) the House Rules Committee meeting as a standing committee as permitted under
- 129 HR3-1-101; or
- 130 (C) read for the second time and placed on the consent calendar if the legislation:
- 131 (I) is a nonbinding House resolution as defined in HR3-2-405; or
- 132 (II) was recommended to be placed on the consent calendar as provided in HR3-2-405
- 133 and the rules committee agrees with the recommendation; or
- 134 (ii) hold the legislation.
- 135 (c) If the chair of the House Rules Committee receives a summary report from the
- 136 Occupational and Professional Licensure Review Committee related to newly regulating an
- 137 occupation or profession within the two calendar years immediately preceding the session in
- 138 which a piece of legislation is introduced related to the regulation by the Division of
- 139 Occupational and Professional Licensing of that occupation or profession:
- 140 (i) the chair of the House Rules Committee shall ensure that the House Rules
- 141 Committee is informed of the summary report before the House Rules Committee takes action
- 142 on the legislation; and
- 143 (ii) if the House Rules Committee refers the legislation to the House as provided for in
- 144 Subsection (2)(b)(i):
- 145 (A) the Office of Legislative Research and General Counsel shall make the summary
- 146 report reasonably available to the public and to legislators; and
- 147 (B) if the legislation is referred to a standing committee, the House Rules Committee
- 148 shall forward the summary report to the standing committee.
- 149 (3) In carrying out its functions and responsibilities under this rule, the House Rules
- 150 Committee may not:
- 151 (a) table legislation without the written consent of the sponsor;

- 152 (b) report out any legislation that has been tabled by a standing committee;
- 153 (c) amend legislation without the written consent of the sponsor; or
- 154 (d) substitute legislation without the written consent of the sponsor.
- 155 (4) The House Rules Committee may recommend a time certain for floor consideration
- 156 of any legislation when it is reported out of the House Rules Committee, or at any other time.
- 157 (5) When the committee is carrying out its functions and responsibilities under this
- 158 rule, the committee shall:
 - 159 (a) during a legislative session, give notice of its meetings by either:
 - 160 (i) providing oral notice from the House floor of the time and place of its next meeting;
 - 161 or
 - 162 (ii) when oral notice is impractical, post written notice of its next meeting;
 - 163 (b) when the Legislature is not in session, post a notice of meeting at least 24 hours
 - 164 before the meeting convenes;
 - 165 (c) have as its agenda all legislation in its possession for assignment to committee or to
 - 166 the House calendars; and
 - 167 (d) prepare minutes that include a record, by individual representative, of votes taken.
 - 168 (6) Anyone may attend a meeting of the rules committee, but comments and discussion
 - 169 are limited to members of the committee and the committee's staff.
- 170 Section 6. **HR3-1-105** is amended to read:
- 171 **HR3-1-105. Calendaring interim committee legislation.**
- 172 (1) The presiding officer shall have interim committee legislation that was approved by
- 173 a majority vote of the interim committee members, read for the first time and referred to the
- 174 House Rules Committee for calendaring according to the procedures of HR3-1-102.
- 175 (2) (a) The House Rules Committee may refer [~~the~~] interim committee legislation to
- 176 the calendar without standing committee review, or it may recommend that the legislation be
- 177 referred to a standing committee.
- 178 (b) If the House Rules Committee recommends that [~~the~~] interim committee legislation
- 179 be placed on the third reading calendar without standing committee review, the sponsor or any
- 180 other representative may move that the legislation be reviewed by a standing committee before
- 181 the legislation's consideration on the floor.
- 182 (c) If this motion is approved by a majority of the representatives present, the

183 legislation shall be referred to a standing committee for consideration.

184 Section 7. **HR3-2-405** is amended to read:

185 **HR3-2-405. Consent calendar -- Nonbinding House resolutions -- Committee**
 186 **recommendations -- Licensure review reports.**

187 (1) As used in this section, "nonbinding House resolution":

188 (a) means a House resolution that:

189 (i) is primarily for the purpose of recognizing, honoring, or memorializing an
 190 individual, group, or event;

191 (ii) requests, rather than compels, action or awareness by an individual or group; or

192 (iii) is informational or promotional in nature; and

193 (b) does not mean:

194 (i) a rules resolution;

195 (ii) a resolution for a constitutional amendment; or

196 (c) any resolution that approves or authorizes any action, requires any substantive
 197 action to be taken, or results in a change in law, policy, or funding.

198 (2) A nonbinding House resolution shall be placed on the consent calendar.

199 (3) A standing committee may recommend that legislation in its possession be placed
 200 on the consent calendar if:

201 (a) the committee approves a motion, by a unanimous vote of those present, [that] to
 202 give the legislation [be read a second time and placed on the third reading calendar] a favorable
 203 recommendation;

204 (b) immediately subsequent to that action, [the chief sponsor requests that the
 205 legislation be placed on the consent calendar; (c) in a separate motion and vote, the committee
 206 unanimously approves the sponsor's request to place the legislation on the consent calendar
 207 instead of the second or third reading calendar] the committee approves a separate motion, by a
 208 unanimous vote of those present, to recommend that the legislation be placed on the consent
 209 calendar; and

210 [~~(d)~~] (c) the legislation [~~does not have a fiscal note of~~] has a fiscal note that is less than
 211 \$10,000 [~~or more~~].

212 [~~(2)~~] (4) If, in accordance with [HR3-1-102](#), the House Rules Committee forwards a
 213 summary report from the Occupational and Professional Licensure Review Committee in

214 conjunction with legislation referred to a standing committee, the chair shall ensure that the
215 summary report is read orally to the committee before action is taken by the committee on the
216 legislation that is related to the summary report.

217 Section 8. **HR4-4-301** is amended to read:

218 **HR4-4-301. Consent calendar.**

219 (1) [~~H~~] The chief clerk or the chief clerk's designee shall place legislation on the
220 consent calendar if:

221 (a) a standing committee report recommends that [~~a piece of~~] the legislation be placed
222 on the consent calendar and the standing committee report is adopted by the House[~~the chief~~
223 ~~clerk or the chief clerk's designee shall place the legislation on the consent calendar.]; or~~

224 (b) the legislation is a nonbinding House resolution as provided in HR3-2-405.

225 (2) If the chief clerk receives written objections to a piece of legislation from six or
226 more representatives, the chief clerk shall:

227 (a) remove the legislation from the consent calendar;

228 (b) inform the sponsor that the legislation has been removed from the consent calendar;

229 and

230 (c) place the legislation at the bottom of the third reading calendar.

231 (3) When legislation is removed from the consent calendar, the presiding officer shall
232 inform the House of its removal.

233 (4) (a) If, after two calendar days, no more than five members have registered written
234 objections to the legislation with the chief clerk:

235 (i) the legislation shall be read the third time;

236 (ii) the presiding officer shall grant the sponsor of the legislation two minutes to
237 introduce and explain the legislation; and

238 (iii) the presiding officer shall pose the question and take the final vote on the
239 legislation.

240 (b) The presiding officer may not allow debate on legislation on the consent calendar.

241 (5) (a) If the representative sponsoring the legislation on the consent calendar is absent
242 from the floor when the legislation is ready to be read for the third time and considered for
243 passage, a representative may make a motion to circle the legislation.

244 (b) If the motion to circle is successful and the representative sponsoring the legislation

245 has not moved to uncircle the legislation before floor time is recessed or adjourned, the bill
246 shall be placed on the bottom of the third reading calendar.