

1                   **JOINT RULES RESOLUTION - TECHNICAL AMENDMENTS**

2                                   2020 GENERAL SESSION

3                                   STATE OF UTAH

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

5                                   Senate Sponsor: Lyle W. Hillyard

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7   **LONG TITLE**

8   **General Description:**

9           This joint rules resolution makes technical changes to the joint legislative rules.

10 **Highlighted Provisions:**

11       This resolution:

- 12           ▶ makes existing terms consistent in their use;
- 13           ▶ provides cross-references for existing terms;
- 14           ▶ corrects inconsistent terms; and
- 15           ▶ repeals duplicate provisions.

16 **Special Clauses:**

17       None

18 **Legislative Rules Affected:**

19 AMENDS:

20           **JR3-2-806**

21           **JR6-4-305**

22           **JR7-1-411**

23           **JR7-1-509**

24           **JR7-1-611**

25 REPEALS:

26           **JR4-5-203**

27           **JR4-6-101**

28           **JR4-6-201**

29           **JR4-6-202**

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31 *Be it resolved by the Legislature of the state of Utah:*32 Section 1. **JR3-2-806** is amended to read:33 **JR3-2-806. Point of order -- Appeal of chair's decision.**34 (1) A point of order is not a motion and, except during a vote, may be made by a  
35 member of an appropriations committee at any time during a committee meeting.36 (2) If a member of an appropriations committee is concerned that legislative rules or  
37 procedures are not being followed, the committee member may make a point of order.38 (3) When a point of order is made, the chair shall immediately allow the committee  
39 member to state the member's point.40 (4) A chair shall rule on the point of order without committee discussion or debate as  
41 provided in [JR3-2-612](#).42 (5) An appeal of the decision of the chair is not a motion and may be made by a  
43 committee member after the chair has ruled on a point of order.44 (6) (a) An appropriations committee may, by majority vote, [~~override~~] overrule the  
45 decision of the chair on a point of order.46 (b) If the committee [~~overrides~~] overrules the decision of the chair, the ruling of a  
47 committee is final.48 (c) If a committee does not [~~override~~] overrule the decision of the chair, the ruling of a  
49 chair is final.50 Section 2. **JR6-4-305** is amended to read:51 **JR6-4-305. Vote on allegations and recommendations -- Public meeting --**52 **Standards -- Reconsideration.**53 (1) After conclusion of the deliberations, the committee shall meet in public and, for  
54 each allegation reviewed by the committee, vote on whether the allegation is:

55 (a) proven by clear and convincing evidence; or

56 (b) not proven.

57 (2) For any count that has been voted as proven, the committee shall, by a motion

58 approved by a majority of the members of the committee, recommend one or more of the  
59 following actions:

60 (a) censure;

61 (b) expulsion;

62 (c) denial or limitation of any right, power, or privilege of the respondent, if, under the  
63 Utah Constitution, the Senate or House may impose that denial or limitation, and if the  
64 violation bears upon the exercise or holding of any right, power, or privilege; or

65 (d) any other action that the committee determines is appropriate.

66 (3) Votes shall be taken by verbal roll call and each member's vote shall be recorded.

67 (4) A count is not considered to be proven unless a majority of the committee votes  
68 that the count is proven.

69 (5) The committee, by a motion for reconsideration that is approved by a majority of  
70 the committee, may reconsider and hold a new vote provided that:

71 (a) a motion to reconsider a vote on whether an allegation was proven or not proven  
72 may only be made by a member of the committee who voted that the allegation was not proven;  
73 and

74 (b) a motion to reconsider a vote recommending an action against the respondent may  
75 only be made by a member of the committee who voted against the recommendation.

76 (6) A count that is not voted as "proven" by a majority of the members of the  
77 committee is dismissed.

78 (7) The committee may close the meeting for the purposes of further deliberations,  
79 subject to the requirements of [JR6-4-304](#):

80 (a) at the direction of the chair, subject to ~~[override]~~ being overruled by the committee  
81 as provided in [JR6-2-302](#); or

82 (b) upon a motion approved by a majority of the members of the committee.

83 (8) After a final vote has been cast on each allegation and recommendation, the  
84 committee shall prepare the finding and order as provided in [JR6-4-306](#).

85 Section 3. **JR7-1-411** is amended to read:

86 **JR7-1-411. Creation and organization of subcommittees.**

87 (1) A legislative committee may establish one or more subcommittees if approved by:

88 (a) a majority vote of the legislative committee; and

89 (b) the Legislative Management Committee.

90 (2) The legislative committee shall establish each study assignment of a subcommittee  
91 by majority vote.

92 (3) After a legislative committee establishes a subcommittee, the chairs of the  
93 legislative committee shall:

94 (a) appoint at least four members of the legislative committee to serve on the  
95 subcommittee;

96 (b) appoint at least one and no more than two additional members of the legislative  
97 committee as chair or cochairs of the subcommittee; and

98 (c) establish the subcommittee's powers, duties, and reporting requirements.

99 (4) Each member of a subcommittee shall receive:

100 (a) compensation for attendance of a meeting of the subcommittee that is an authorized  
101 legislative day as defined in [JR5-1-101](#); and

102 (b) reimbursement for expenses in accordance with Title 5, Legislative Compensation  
103 and Expenses.

104 Section 4. **JR7-1-509** is amended to read:

105 **JR7-1-509. Point of order -- Appeal of chair's decision.**

106 (1) (a) If a member of a legislative committee is concerned that the chair is not  
107 following or enforcing legislative rule or procedure, the member may make a point of order.

108 (b) A point of order is not a motion.

109 (2) Except during a vote, a member of a legislative committee may make a point of  
110 order at any time during a meeting of the legislative committee without recognition by the  
111 chair.

112 (3) If a member of a legislative committee makes a point of order, the chair shall:

113 (a) immediately allow the member to state the member's point of order; and

114 (b) rule on the point of order without discussion or debate.

115 (4) (a) A member of the legislative committee may appeal the chair's ruling on a point  
116 of order.

117 (b) An appeal of the chair's ruling on a point of order is not a motion.

118 (5) Except during a vote, a member of a legislative committee may appeal the chair's  
119 ruling on a point of order at any time during a meeting of the legislative committee without  
120 recognition by the chair.

121 (6) (a) If a member of the legislative committee appeals the chair's ruling on a point of  
122 order, the chair shall place a vote asking the members of the legislative committee whether to  
123 [~~override~~] overrule the chair's ruling on the point of order.

124 (b) The legislative committee may overrule the chair's ruling by a majority vote.

125 (7) (a) If the legislative committee [~~overrides~~] overrules the chair's ruling, the ruling of  
126 the legislative committee is final.

127 (b) If the legislative committee does not [~~override~~] overrule the chair's ruling, the  
128 ruling of the chair is final.

129 Section 5. **JR7-1-611** is amended to read:

130 **JR7-1-611. Assignment of committee bills -- Report on committee bills and study**  
131 **items.**

132 (1) The chairs of each legislative committee shall:

133 (a) assign each of the legislative committee's bills a chief sponsor and a floor sponsor  
134 from the opposite chamber; and

135 (b) deliver to the Senate Rules Committee and the House Rules Committee a report  
136 that includes, for each of the legislative committee's committee bills:

137 (i) the short title;

138 (ii) the chief sponsor;

139 (iii) the floor sponsor; and

140 (iv) how each member of the [~~interim~~] legislative committee voted when the [~~interim~~]  
141 legislative committee gave the committee bill a favorable recommendation, including whether

142 a member was absent at the time of the vote.

143 (2) In addition to the items described in Subsection (1), the chairs of each interim  
144 committee shall deliver to the Legislative Management Committee:

145 (a) a copy of the report described in Subsection (1)(b); and

146 (b) the disposition of each issue assigned to or studied by the interim committee during  
147 the preceding calendar year.

148 (3) (a) The chairs of an interim committee shall comply with this rule on or before  
149 December 15.

150 (b) The chairs of a special committee shall comply with this rule as soon as practicable.

151 **Section 6. Repealer.**

152 This resolution repeals:

153 **JR4-5-203, Deadline for passing the final appropriations bill.**

154 **JR4-6-101, Certification and signature.**

155 **JR4-6-201, Recalling legislation before it is signed by the speaker and president.**

156 **JR4-6-202, Recalling legislation from the governor.**