

1 **HOUSE RULES RESOLUTION - AMENDMENTS TO HOUSE**
2 **RULES**

3 2020 GENERAL SESSION

4 STATE OF UTAH

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

7 **LONG TITLE**

8 **General Description:**

9 This rules resolution modifies House rules.

10 **Highlighted Provisions:**

11 This resolution:

- 12 ▶ modifies the language of rules provisions for improved clarity;
- 13 ▶ provides clarifying cross references with related rules provisions;
- 14 ▶ modifies provisions governing the adoption of rules at the beginning of a session;
- 15 ▶ modifies provisions governing conflicts of interest;
- 16 ▶ modifies requirements for the rules committee relating to placement of certain bills

17 directly on the third reading calendar;

- 18 ▶ modifies language in the readings requirement made by the chief clerk at the

19 commencement of legislative sessions;

- 20 ▶ removes duplicative provisions; and
- 21 ▶ repeals a provision that conflicts with statute.

22 **Special Clauses:**

23 None

24 **Legislative Rules Affected:**

25 AMENDS:

26 **HR1-1-101**

27 **HR2-3-101**



28 **HR3-1-102**

29 **HR3-1-105**

30 REPEALS:

31 **HR5-4-101**

32

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

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

35 **HR1-1-101. Adoption, amendment, or suspension of House Rules.**

36 (1) The House of Representatives shall adopt House rules, by a constitutional
37 two-thirds vote, at the beginning of each [~~legislative session by a constitutional two-thirds~~
38 ~~vote~~] new Legislature convening in odd-numbered years.

39 (2) Except as provided in this section:

40 (a) (i) during an annual general session held in an even-numbered year, rules adopted
41 by the House of Representatives during the immediately preceding general session, as amended
42 during that general session and any intervening session, apply to the conduct of the House; and

43 (ii) during any special session, House rules apply as provided in JR2-1-101.

44 (b) for a session described in this Subsection (2), the chief clerk shall announce to the
45 House that the previously adopted rules apply to the newly convened session.

46 [~~(2)~~] (3) Except as provided in [this Subsection (2) and in Subsection (3), after the
47 initial adoption of House rules] Subsection (4), additional rules may be adopted [or] and
48 existing rules may be suspended, amended, or repealed by a majority vote, except the
49 following, which require a two-thirds vote to adopt, suspend, amend, or repeal:

- 50 (a) rules governing limitation of debate;
- 51 (b) rules governing a motion to end debate (call the previous question);
- 52 (c) rules governing motions for lifting tabled legislation from committee;
- 53 (d) rules governing consideration of legislation during the last three days of a session;

54 and

55 (e) rules governing voting in Title 4, Chapter 7, Voting.

56 [~~(3)~~] (4) (a) A rule that includes a voting requirement of more than a constitutional
57 majority must be adopted and may only be amended, suspended, or repealed by a constitutional
58 two-thirds vote of all representatives.

59 (b) If the suspension of any House rule is governed by the Utah Constitution or Utah
60 statutes, the House may suspend that rule only as provided by that constitutional or statutory
61 provision.

62 (5) If a motion to adopt the rules under Subsection (1) meets or exceeds a majority vote
63 but fails to reach a constitutional two-thirds vote:

64 (a) rules adopted by the House of Representatives during the immediately preceding
65 general session, as amended during that general session and any intervening session, apply to
66 the conduct of the House; and

67 (b) the chief clerk shall announce to the House that the previously adopted rules apply
68 to the newly convened Legislature.

69 Section 2. **HR2-3-101** is amended to read:

70 **HR2-3-101. Conflicts of interest.**

71 [~~(1) (a) Except as provided in Subsection (1)(b), a representative satisfies the~~
72 ~~requirement of Utah Code Section 20A-11-1603 to disclose a conflict of interest by filing the~~
73 ~~declaration of conflict of interest form required by JR6-1-201 with the chief clerk of the~~
74 ~~House.]~~

75 [~~(b) (i) In addition to the declaration of conflict of interest form required by Utah Code~~
76 ~~Section 20A-11-1603 and JR6-1-201, before or during any vote on legislation or any legislative~~
77 ~~matter in which a representative has actual knowledge that the representative has a conflict of~~
78 ~~interest that is not stated on the conflict of interest form, that representative shall orally declare~~
79 ~~to the committee or body before which the matter is pending that the representative may have a~~
80 ~~conflict of interest and what that conflict is.]~~

81 [~~(ii) The declaration of conflict of interest shall be noted in the minutes of any~~
82 ~~committee meeting or in the Senate or House Journal.]~~

83 [~~(2) (a) Before speaking on the floor of the House on any legislation or legislative~~
84 ~~matter in which a representative reasonably believes that the representative may have a conflict~~
85 ~~of interest, the representative should orally disclose to the House that the representative may~~
86 ~~have a conflict of interest and what that conflict is.]~~

87 [~~(b) The chief clerk shall ensure that the declaration of the conflict of interest is noted~~
88 ~~in the House Journal.]~~

89 [~~(3) Nothing in this House rule requires a representative with a conflict of interest on~~

90 legislation or a legislative matter pending before the House to orally disclose that conflict of
 91 interest if the representative does not speak on the legislation or legislative matter and the
 92 conflict has been disclosed on the representative's conflict of interest form.]

93 A House member shall comply with the conflict of interest requirements provided in:

94 (1) Utah Code Title 20A, Chapter 11, Part 16, Conflict of Interest Disclosures; and

95 (2) [JR6-1-201](#).

96 Section 3. **HR3-1-102** is amended to read:

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

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

100 (2) For all legislation not specified in HR3-1-103 that is referred to the House Rules
 101 Committee, the committee shall~~[(a)]~~ examine the legislation referred to it for proper form,
 102 including fiscal note and ~~[interim]~~ committee note, if any~~[-; and (b) either]~~, and either:

103 ~~[(i)]~~ (a) refer the legislation to the House with a recommendation that the legislation
 104 be:

105 ~~[(A)]~~ (i) [that the legislation be] referred to a standing committee for consideration; or

106 ~~[(B)]~~ (ii) [that the legislation be] read the second time and placed on the third reading
 107 calendar if ~~[the legislation has received a favorable recommendation from]:~~

108 ~~[(H)]~~ (A) the bill has received a favorable recommendation from a House standing
 109 committee~~[-; except for those bills];~~

110 (B) the bill is exempted from the House standing committee review requirements under
 111 [HR3-2-401](#); [or]

112 ~~[(H)]~~ (C) the bill has received a favorable recommendation from the House Rules
 113 Committee meeting as a standing committee as permitted under [HR3-1-101](#); or

114 (D) the legislation was approved by a unanimous vote of an interim committee and met
 115 the posting requirements of [JR7-1-602.5](#); or

116 ~~[(i)]~~ (b) hold the legislation.

117 ~~[(e)]~~ (3) If the chair of the House Rules Committee receives a summary report from the
 118 Occupational and Professional Licensure Review Committee related to newly regulating an
 119 occupation or profession within the two calendar years immediately preceding the session in
 120 which a piece of legislation is introduced related to the regulation by the Division of

121 Occupational and Professional Licensing of that occupation or profession:

122 ~~[(†)]~~ (a) the chair of the House Rules Committee shall ensure that the House Rules
123 Committee is informed of the summary report before the House Rules Committee takes action
124 on the legislation; and

125 ~~[(†)]~~ (b) if the House Rules Committee refers the legislation to the House as provided
126 for in Subsection (2)~~[(b)(†)]~~(a):

127 ~~[(A)]~~ (i) the Office of Legislative Research and General Counsel shall make the
128 summary report reasonably available to the public and to legislators; and

129 ~~[(B)]~~ (ii) if the legislation is referred to a standing committee, the House Rules
130 Committee shall forward the summary report to the standing committee.

131 ~~[(3)]~~ (4) In carrying out its functions and responsibilities under this rule, the House
132 Rules Committee may not:

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

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

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

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

137 ~~[(4)]~~ (5) The House Rules Committee may recommend a time certain for floor
138 consideration of any legislation when it is reported out of the House Rules Committee, or at
139 any other time.

140 ~~[(5)]~~ (6) When the committee is carrying out its functions and responsibilities under
141 this rule, the committee shall:

142 (a) ~~[during a legislative session]~~ when the Legislature is in session, give notice of its
143 meetings ~~[by either:]~~ according to the requirements of [HR3-1-106](#);

144 ~~[(i) providing oral notice from the House floor of the time and place of its next
145 meeting; or]~~

146 ~~[(ii) when oral notice is impractical, post written notice of its next meeting;]~~

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

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

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

152 ~~[(6)]~~ (7) ~~[Anyone may attend a meeting of the rules committee]~~ Rules committee
153 meetings are open to the public, but comments and discussion are limited to members of the
154 committee and the committee's staff.

155 Section 4. **HR3-1-105** is amended to read:

156 **HR3-1-105. Motion to require committee review.**

157 ~~[(1) The presiding officer shall have interim committee legislation that was approved~~
158 ~~by a majority vote of the interim committee members, read for the first time and referred to the~~
159 ~~House Rules Committee for calendaring.]~~

160 ~~[(2)(a) The House Rules Committee may refer the legislation to the calendar without~~
161 ~~standing committee review, or it may recommend that the legislation be referred to a standing~~
162 ~~committee.]~~

163 ~~[(b)]~~ (1) If the House Rules Committee recommends that ~~[the]~~ legislation be placed on
164 the third reading calendar without standing committee review, the sponsor or any other
165 representative may move that the legislation be reviewed by a standing committee before the
166 legislation's consideration on the floor.

167 ~~[(c)]~~ (2) If this motion is approved by a majority of the representatives present, the
168 legislation shall be referred to a standing committee for consideration.

169 Section 5. **Repealer.**

170 This resolution repeals:

171 **HR5-4-101, Approved activities.**