

**Representative James A. Dunnigan** proposes the following substitute bill:

**HOUSE RULES RESOLUTION ON HOUSE PROCEDURE**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: James A. Dunnigan**

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**LONG TITLE**

**General Description:**

This rules resolution modifies House Rules.

**Highlighted Provisions:**

This resolution:

- ▶ modifies the requirements and procedures for issuing citations on behalf of a legislator, the House of Representatives, and the Utah Legislature;
- ▶ changes procedures related to the consent calendar;
- ▶ modifies House standing committee procedures for recommending that legislation be placed on the consent calendar;
- ▶ requires that nonbinding resolutions be placed on the consent calendar; and
- ▶ limits sponsor presentation time on nonbinding resolutions.

**Special Clauses:**

None

**Legislative Rules Affected:**

AMENDS:

**HR1-7-101**

**HR1-7-102**

**HR1-7-103**

**HR1-7-104**



- 26 [HR3-1-102](#)
- 27 [HR3-1-105](#)
- 28 [HR3-2-405](#)
- 29 [HR4-4-301](#)
- 30 [HR4-6-105](#)

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

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

34 **CHAPTER 7. CITATIONS**

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

36 (1) As used in this chapter:

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

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

42 (ii) commemorating an event or the anniversary of an event that has significant  
43 relevance to Utah; or

44 (iii) expressing condolences to the family of a deceased individual who was a resident  
45 of Utah.

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

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

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

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

55 (d) "Utah Legislature citation" means a citation issued on behalf of both houses of the  
56 Utah Legislature under HR1-7-104, that is signed by the representative sponsoring the citation,

57 the speaker of the House of Representatives, and the president of the Senate.

58 (2) ~~[Representatives shall use a citation to express the commendation or condolence of~~  
59 ~~a representative, the Utah House of Representatives, or the Utah Legislature.]~~ A citation  
60 honoring or commending the same individual or group of individuals, or recognizing the same  
61 event or anniversary, should not be issued more than once every 10 years.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

86 (ii) making a motion that the House of Representatives approve the citation and

87 authorize the speaker of the House of Representatives to sign the citation on behalf of the

88 House of Representatives, which must be approved by a majority vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

118 (2) For all legislation not specified in HR3-1-103 that is referred to the House Rules

119 Committee, the committee shall:

120 (a) examine the legislation for proper form, including fiscal note and interim

121 committee note, if any; and

122 (b) either:

123 (i) refer legislation to the House with a recommendation that the legislation be:

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

125 (B) [~~that the legislation be~~] read the second time and placed on the third reading

126 calendar if the legislation has received a favorable recommendation from:

127 (I) a House standing committee, except for those bills exempted from standing

128 committee review requirements under HR3-2-401; or

129 (II) the House Rules Committee meeting as a standing committee as permitted under

130 HR3-1-101; or

131 (C) if the legislation is a nonbinding resolution as defined in HR3-2-405, read the

132 second time and placed on the consent calendar; or

133 (ii) hold the legislation.

134 (c) If the chair of the House Rules Committee receives a summary report from the

135 Occupational and Professional Licensure Review Committee related to newly regulating an

136 occupation or profession within the two calendar years immediately preceding the session in

137 which a piece of legislation is introduced related to the regulation by the Division of

138 Occupational and Professional Licensing of that occupation or profession:

139 (i) the chair of the House Rules Committee shall ensure that the House Rules

140 Committee is informed of the summary report before the House Rules Committee takes action

141 on the legislation; and

142 (ii) if the House Rules Committee refers the legislation to the House as provided for in

143 Subsection (2)(b)(i):

144 (A) the Office of Legislative Research and General Counsel shall make the summary

145 report reasonably available to the public and to legislators; and

146 (B) if the legislation is referred to a standing committee, the House Rules Committee

147 shall forward the summary report to the standing committee.

148 (3) In carrying out its functions and responsibilities under this rule, the House Rules

149 Committee may not:

- 150 (a) table legislation without the written consent of the sponsor;
- 151 (b) report out any legislation that has been tabled by a standing committee;
- 152 (c) amend legislation without the written consent of the sponsor; or
- 153 (d) substitute legislation without the written consent of the sponsor.

154 (4) The House Rules Committee may recommend a time certain for floor consideration  
155 of any legislation when it is reported out of the House Rules Committee, or at any other time.

156 (5) When the committee is carrying out its functions and responsibilities under this  
157 rule, the committee shall:

- 158 (a) during a legislative session, give notice of its meetings by either:
  - 159 (i) providing oral notice from the House floor of the time and place of its next meeting;
  - 160 or
  - 161 (ii) when oral notice is impractical, post written notice of its next meeting;
- 162 (b) when the Legislature is not in session, post a notice of meeting at least 24 hours  
163 before the meeting convenes;
- 164 (c) have as its agenda all legislation in its possession for assignment to committee or to  
165 the House calendars; and
- 166 (d) prepare minutes that include a record, by individual representative, of votes taken.
- 167 (6) Anyone may attend a meeting of the rules committee, but comments and discussion  
168 are limited to members of the committee and the committee's staff.

169 Section 6. **HR3-1-105** is amended to read:

170 **HR3-1-105. Calendaring interim committee legislation.**

171 (1) The presiding officer shall have interim committee legislation that was approved by  
172 a majority vote of the interim committee members, read for the first time and referred to the  
173 House Rules Committee for calendaring according to the procedures of HR3-1-102.

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

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

181 (c) If this motion is approved by a majority of the representatives present, the  
 182 legislation shall be referred to a standing committee for consideration.

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

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

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

187 (a) means a resolution that:

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

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

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

192 (b) does not mean:

193 (i) a rules resolution;

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

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

197 (2) (a) A nonbinding resolution shall be placed on the consent calendar.

198 (b) A nonbinding resolution may be moved to the time certain calendar or other  
 199 calendar by a majority vote of those present.

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

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

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

211 ~~[(d)]~~ (c) the legislation [does not have a fiscal note of] has a fiscal note that is less than

212 \$10,000 [~~or more~~].

213 ~~[(2)]~~ (4) If, in accordance with [HR3-1-102](#), the House Rules Committee forwards a  
214 summary report from the Occupational and Professional Licensure Review Committee in  
215 conjunction with legislation referred to a standing committee, the chair shall ensure that the  
216 summary report is read orally to the committee before action is taken by the committee on the  
217 legislation that is related to the summary report.

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

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

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

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

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

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

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

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

230 and

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

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

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

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

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

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

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

242 (5) (a) If the representative sponsoring the legislation on the consent calendar is absent

243 from the floor when the legislation is ready to be read for the third time and considered for  
244 passage, a representative may make a motion to circle the legislation.

245 (b) If the motion to circle is successful and the representative sponsoring the legislation  
246 has not moved to uncircle the legislation before floor time is recessed or adjourned, the bill  
247 shall be placed on the bottom of the third reading calendar.

248 Section 9. **HR4-6-105** is amended to read:

249 **HR4-6-105. Representatives not to speak more than twice -- Maximum speaking**  
250 **time -- Maximum time for debate on a piece of legislation.**

251 (1) (a) Without permission from the House, a representative may not speak more than  
252 twice on the same piece of legislation, substitute legislation, or amendment in any one debate  
253 on the same day and on the same reading of the legislation.

254 (b) (i) Except as provided in Subsection (1)(b)(ii), the presiding officer may not grant a  
255 representative who has spoken once permission to speak again on the same piece of legislation  
256 or substitute if any representative who has not spoken wishes to speak.

257 (ii) The presiding officer may grant a representative who has spoken once permission  
258 to respond to a question if the representative consents to a request that the representative yield  
259 to a question under [HR4-6-104](#).

260 (2) Sponsor presentation for a nonbinding resolution, as defined in HR3-2-405, is  
261 limited to a maximum of three minutes, or a shorter time as provided by rule.

262 ~~[(2)]~~ (3) A representative may not speak longer than 10 minutes at any time, unless  
263 another representative yields that representative's time to the representative who has the floor.

264 ~~[(3)]~~ (4) Unless extended by a majority vote, the presiding officer may not allow the  
265 House to debate a piece of legislation for more than:

266 (a) eight hours, during the first 38 calendar days of an annual general session~~[-the~~  
267 ~~presiding officer may not allow the House to debate a piece of legislation for more than eight~~  
268 ~~hours]; and~~

269 (b) two hours during the last seven calendar days of an annual general session~~[-the~~  
270 ~~presiding officer may not allow the House to debate a piece of legislation for more than two~~  
271 ~~hours].~~