

HR0004S01 compared with HR0004

~~{deleted text}~~ shows text that was in HR0004 but was deleted in HR0004S01.

inserted text shows text that was not in HR0004 but was inserted into HR0004S01.

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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

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;~~{and}~~
- ▶ requires that nonbinding resolutions be placed on the consent calendar~~{,}~~ and
- ▶ limits sponsor presentation time on nonbinding resolutions.

Special Clauses:

None

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Legislative Rules Affected:

AMENDS:

HR1-7-101

HR1-7-102

HR1-7-103

HR1-7-104

HR3-1-102

HR3-1-105

HR3-2-405

HR4-4-301

HR4-6-105

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

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

CHAPTER 7. CITATIONS

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

(1) As used in this chapter:

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

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

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

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

~~{ (iv) providing a recommendation for an individual who is a resident of Utah.~~

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

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

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

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

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

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

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

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

HR1-7-102. Obtaining a legislator citation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) either:

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

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

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

(I) a House standing committee, except for those bills exempted from standing committee review requirements under HR3-2-401; or

(II) the House Rules Committee meeting as a standing committee as permitted under HR3-1-101; or

(C) if the legislation is a nonbinding resolution as defined in HR3-2-405, read ~~for~~ the second time and placed on the consent calendar ~~if the legislation:~~

~~(I) is a nonbinding House resolution as defined in HR3-2-405; or~~

~~(II) was recommended to be placed on the consent calendar as provided in HR3-2-405 and the rules committee agrees with the recommendation~~; or

(ii) hold the legislation.

(c) If the chair of the House Rules Committee receives a summary report from the Occupational and Professional Licensure Review Committee related to newly regulating an occupation or profession within the two calendar years immediately preceding the session in which a piece of legislation is introduced related to the regulation by the Division of Occupational and Professional Licensing of that occupation or profession:

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

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Committee is informed of the summary report before the House Rules Committee takes action on the legislation; and

(ii) if the House Rules Committee refers the legislation to the House as provided for in Subsection (2)(b)(i):

(A) the Office of Legislative Research and General Counsel shall make the summary report reasonably available to the public and to legislators; and

(B) if the legislation is referred to a standing committee, the House Rules Committee shall forward the summary report to the standing committee.

(3) In carrying out its functions and responsibilities under this rule, the House Rules Committee may not:

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

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

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

- (a) during a legislative session, give notice of its meetings by either:
 - (i) providing oral notice from the House floor of the time and place of its next meeting;

or

- (ii) when oral notice is impractical, post written notice of its next meeting;
- (b) when the Legislature is not in session, post a notice of meeting at least 24 hours

before the meeting convenes;

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

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

(6) Anyone may attend a meeting of the rules committee, but comments and discussion are limited to members of the committee and the committee's staff.

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

HR3-1-105. Calendaring interim committee legislation.

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

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

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

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

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

HR3-2-405. Consent calendar -- Nonbinding {House} resolutions -- Committee recommendations -- Licensure review reports.

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

(a) means a {House} resolution that:

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

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

(iii) is informational or promotional in nature; and

(b) does not mean:

(i) a rules resolution;

(ii) a resolution for a constitutional amendment; or

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

(2) (a) A nonbinding {House} resolution shall be placed on the consent calendar.

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

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

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

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

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

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

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

HR4-4-301. Consent calendar.

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

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

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

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

(a) remove the legislation from the consent calendar;

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

and

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

(3) When legislation is removed from the consent calendar, the presiding officer shall

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inform the House of its removal.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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