

1 **SENATE RULES RESOLUTION -- AMENDMENTS TO**

2 **SENATE RULES**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Lyle W. Hillyard**

7 **LONG TITLE**

8 **General Description:**

9 This rules resolution modifies Senate rules.

10 **Highlighted Provisions:**

11 This resolution:

- 12 ▶ modifies the language of rules provisions for improved clarity;
- 13 ▶ moves language placement for consistency of structure between similar House and
- 14 Senate rules;
- 15 ▶ provides clarifying cross references with related rules provisions;
- 16 ▶ modifies provisions governing the adoption of rules at the beginning of a session;
- 17 ▶ modifies provisions governing conflicts of interest;
- 18 ▶ modifies requirements for the rules committee to place certain bills directly on the
- 19 second reading or consent calendars;
- 20 ▶ modifies language in the readings requirements made by the secretary of the Senate
- 21 at the commencement of legislative sessions; and
- 22 ▶ removes duplicative provisions.

23 **Special Clauses:**

24 None

25 **Legislative Rules Affected:**

26 AMENDS:

27 **SR1-1-101**

28 **SR2-3-101**

29 **SR3-1-102**

30 **SR3-1-104**

31

32 *Be it resolved by the Senate of the state of Utah:*

33 Section 1. **SR1-1-101** is amended to read:

34 **SR1-1-101. Adoption, amendment, or suspension of Senate rules.**

35 (1) (a) The Senate shall adopt Senate [Rules] rules, by a constitutional two-thirds vote,
 36 at the beginning of each [legislative session by a constitutional two-thirds vote] new
 37 Legislature convening in an odd-numbered year.

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

40 (i) rules adopted by the Senate during the immediately preceding annual general
 41 session, as amended during that general session and any intervening session, apply to the
 42 conduct of the Senate; and

43 (ii) the secretary of the Senate shall announce to the Senate that the previously adopted
 44 rules apply to the newly convened Legislature.

45 (2) (a) Except as provided in this section:

46 (i) during an annual general session held in an even-numbered year, rules adopted by
 47 the Senate during the immediately preceding general session, as amended during that general
 48 session and any intervening session, apply to the conduct of the Senate; and

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

50 (b) For a session described in Subsection (2)(a), the secretary of the Senate shall
 51 announce to the Senate that the previously adopted rules apply to the newly convened session.

52 ~~[(2)]~~ (3) Except as provided in [this Subsection (2) and in Subsection (3), after the
 53 initial adoption of Senate Rules] Subsection (4), additional rules may be adopted [or] and
 54 existing rules may be suspended, amended, or repealed by a majority vote, except for those
 55 rules that require a two-thirds vote to adopt, suspend, amend, or repeal, including:

56 (a) rules governing motions for lifting tabled legislation from committee[~~, which~~
 57 require a two-thirds vote to adopt, suspend, amend, or repeal.] under [SR4-3-104](#); and

58 (b) rules governing consideration of legislation during the last three days of a session.

59 (4) (a) A rule that includes a voting requirement of more than a constitutional majority
60 must be adopted and may only be amended, suspended, or repealed by a constitutional
61 two-thirds vote.

62 [~~(3)~~] (b) If the suspension of any Senate Rule is governed by the Utah Constitution or
63 Utah statutes, the Senate may suspend that rule only as provided by that constitutional or
64 statutory provision.

65 Section 2. **SR2-3-101** is amended to read:

66 **SR2-3-101. Conflicts of interest.**

67 (1) A Senator shall comply with the conflict of interest requirements provided in:

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

69 (b) JR6-1-201.

70 [~~Immediately preceding or during the roll call, a]~~

71 (2) When on the Senate floor, a senator may make a brief statement explaining any
72 conflict of interest during debate on legislation or immediately preceding or during the roll call.

73 Section 3. **SR3-1-102** is amended to read:

74 **SR3-1-102. Senate Rules Committee -- Assignment duties.**

75 (1) (a) Subject to Subsection (1)(b), the presiding officer shall submit all legislation
76 introduced in the Senate to the Senate Rules Committee.

77 (b) The president may direct legislation to be sent directly to a standing committee or
78 to one of the Senate floor calendars.

79 (2) [~~For all legislation not specified in SR3-1-103 that is referred to the~~] The Senate
80 Rules Committee[~~, the committee~~] shall:

81 (a) examine the legislation referred to it for proper form, including fiscal note and
82 committee note, if any; and

83 [~~(b) either:~~]

84 [~~(i) hold the legislation; or~~]

85 [~~(ii)~~] (b) (i) refer the legislation to the Senate with a recommendation that the

86 legislation be:

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

88 (B) [~~the legislation be~~] subject to Subsection (3), placed directly onto the second
89 reading calendar;

90 (C) [~~the legislation be~~] subject to Subsection (3), read the second time and placed onto
91 the consent calendar; or

92 (D) if during the last week of the legislative session, [~~the legislation be~~] read the
93 second time and placed on the third reading calendar~~[-];~~ or

94 (ii) hold the legislation.

95 (3) During an annual general session, the Senate Rules Committee may not refer
96 legislation to the Senate with a recommendation under Subsection (2)(b)(i)(B) or (2)(b)(i)(C)
97 unless:

98 (a) (i) a Senate standing committee has given the legislation a favorable
99 recommendation; or

100 (ii) the legislation is described in SR3-2-401(2); and

101 (b) as applicable, the legislation satisfies the posting requirements of JR7-1-602.5.

102 ~~[(3) In carrying out its functions and responsibilities under this rule, the Senate Rules~~
103 ~~Committee may not amend, substitute, or table legislation without the written consent of the~~
104 ~~sponsor.]~~

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

110 (a) the chair of the Senate Rules Committee shall ensure that the Senate Rules
111 Committee is informed of the summary report before the Senate Rules Committee takes action
112 on the legislation; and

113 (b) if the Senate Rules Committee refers the legislation to the Senate as provided in

114 Subsection ~~[(2)(b)]~~ (2)(b)(i):

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

117 (ii) if the legislation is referred to a standing committee, the Senate Rules Committee
118 shall forward the summary report to the standing committee.

119 (5) In carrying out its functions and responsibilities under this rule, the Senate Rules
120 Committee may not amend, substitute, or table legislation without the written consent of the
121 sponsor.

122 Section 4. **SR3-1-104** is amended to read:

123 **SR3-1-104. Request to require committee review.**

124 ~~[(1) The presiding officer shall have a piece of interim committee legislation that was~~
125 ~~approved by a majority vote of the interim committee members read for the first time and~~
126 ~~referred to the Senate Rules Committee for calendaring.]~~

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

130 ~~[(b)]~~ (1) If the Senate Rules Committee recommends that ~~[the]~~ legislation be placed on
131 the second or third reading calendar without standing committee review, any three senators
132 may~~[, within three working days,]~~ request that the legislation be reviewed by a standing
133 committee before the legislation's consideration on the floor.

134 ~~[(c)]~~ (2) If a request by three senators is received, the presiding officer may assign the
135 bill to a standing committee.