

Senator Daniel McCay proposes the following substitute bill:

**JOINT RULES RESOLUTION -- PROCEDURAL
AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

Senate Sponsor: _____

LONG TITLE

General Description:

This rules resolution amends joint rules related to legislative procedure.

Highlighted Provisions:

This resolution:

- ▶ prohibits the Senate and the House of Representatives from conducting a leadership election before the day on which a regular general election canvass is complete;
- ▶ clarifies the process by which legislation is recalled after the legislation is signed by the president and the speaker; and
- ▶ makes technical and conforming changes.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR4-5-201

ENACTS:

JR1-4-601

JR1-4-602



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Be it resolved by the Legislature of the state of Utah:

Section 1. **JR1-4-601** is enacted to read:

Part 6. Legislative Leadership Elections

JR1-4-601. Definitions.

(1) "House leadership" means:

(a) the following positions, elected by the members of the House of Representatives belonging to the majority party:

- (i) the speaker;
- (ii) the majority leader;
- (iii) the majority whip; and
- (iv) the assistant majority whip; and

(b) the following positions, elected by the members of the House of Representatives belonging to the minority party:

- (i) the minority leader;
- (ii) the minority whip;
- (iii) the assistant minority whip; and
- (iv) the fourth member of leadership from the minority party.

(2) "Regular general election" means the same as that term is defined in Utah Code

Section [20A-1-102](#).

(3) "Senate leadership" means:

(a) the following positions, elected by the members of the Senate who belong to the majority party:

- (i) the president;
- (ii) the majority leader;
- (iii) the majority whip; and
- (iv) the assistant majority whip; and

(b) the following positions, elected by the members of the Senate who belong to the minority party:

- (i) the minority leader;
- (ii) the minority whip;

- 57 (iii) the assistant minority whip; and
- 58 (iv) the fourth member of leadership from the minority party.

59 Section 2. **JR1-4-602** is enacted to read:

60 **JR1-4-602. Electing legislative leadership.**

61 (1) After a regular general election and before January 1 of odd-numbered years, the
62 Senate and the House of Representatives shall elect Senate leadership and House leadership,
63 respectively.

64 (2) The Senate and the House of Representatives may not conduct an election
65 described in Subsection (1) before the day on which the regular general election canvass is
66 complete.

67 Section 3. **JR4-5-201** is amended to read:

68 **JR4-5-201. Recalling legislation after the legislation is signed by the speaker and**
69 **president.**

70 ~~[Legislation in the possession of the other house or the Office of Legislative Research~~
71 ~~and General Counsel may be recalled by a motion and a constitutional majority vote from the~~
72 ~~members of both houses.]~~

73 (1) As used in this rule:

74 (a) "Originating house" means the house in which a piece of legislation originates.

75 (b) "Non-originating house" means the house in which a piece of legislation does not
76 originate.

77 (2) An originating house may recall legislation that is in the possession of the Office of
78 Legislative Research and General Counsel by a motion and constitutional majority vote.

79 (3) (a) A non-originating house may, by motion and constitutional majority vote,
80 request that the originating house recall legislation from the Office of Legislative Research and
81 General Counsel.

82 (b) Upon receipt of a request described in Subsection (3)(a), the originating house may,
83 by motion and constitutional majority vote, recall from the Office of Legislative Research and
84 General Counsel the legislation that is the subject of the request.

85 (c) A non-originating house may not recall legislation from the Office of Legislative
86 Research and General Counsel except as provided in this Subsection (3).

87 (4) The Office of Legislative Research and General Counsel shall return legislation

88 recalled under this rule:

89 (a) for legislation recalled under Subsection (2), to the originating house; or

90 (b) for legislation recalled under Subsection (3), to the non-originating house.