

1                   **HOUSE RULES RESOLUTION - RECONSIDERATION OF**  
2   **ACTION**

3   2022 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Merrill F. Nelson**

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7 **LONG TITLE**

8 **General Description:**

9                   This resolution modifies House legislative rules related to motions to reconsider.

10 **Highlighted Provisions:**

11                   This resolution:

- 12                   ▶ provides that a motion to reconsider a vote on the final passage of a piece of  
13 legislation requires approval by a constitutional two-thirds vote; and  
14                   ▶ makes technical changes.

15 **Special Clauses:**

16                   None

17 **Legislative Rules Affected:**

18 AMENDS:

19                   **HR4-4-401**

20                   **HR4-9-103**

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

23                   Section 1. **HR4-4-401** is amended to read:

24                   **HR4-4-401. Concurrence calendar.**

25                   (1) After the chief clerk or the chief clerk's designee reads the transmittal letter from  
26 the Senate informing the House that the Senate has amended a piece of House legislation, the  
27 presiding officer shall place the legislation on the concurrence calendar.



28 (2) (a) During the first 43 days of the annual general session, the legislation shall  
29 remain on the concurrence calendar for at least one legislative day before the House may  
30 consider the question of concurrence.

31 (b) During the last two days of the annual general session, and during any special  
32 session, the House may consider legislation for concurrence after the House has been given a  
33 reasonable time to review the Senate amendments.

34 (3) (a) When presenting legislation to the House for concurrence, the presiding officer  
35 shall ask the sponsor of the legislation for a motion.

36 (b) The sponsor of the legislation may move to either:

37 (i) concur with the Senate amendments; or

38 (ii) refuse to concur with the Senate amendments and ask the Senate to recede from  
39 ~~their~~ the Senate's amendments.

40 (4) (a) If a motion to concur with the Senate amendments passes by majority vote, the  
41 presiding officer shall open the vote on final passage of the legislation.

42 (b) If a motion to concur with the Senate amendments passes by a majority vote but the  
43 legislation fails to pass the final vote:

44 (i) a motion to reconsider the final vote on the legislation is in order; and

45 (ii) if ~~a~~, in accordance with HR4-9-103, the motion to reconsider the final vote on the  
46 legislation is successful, the legislation shall be placed on the concurrence calendar and a  
47 motion to reconsider the vote to concur with the Senate amendments is in order.

48 (c) If a motion to concur with the Senate amendments fails, a motion to refuse to  
49 concur with the Senate amendments and ask the Senate to recede from ~~its~~ the Senate's  
50 amendments is in order.

51 (5) If a motion to refuse to concur with the Senate amendments and ask the Senate to  
52 recede from ~~its~~ the Senate's amendments passes by a majority vote:

53 (a) the chief clerk shall return the legislation to the Senate for ~~its~~ the Senate's further  
54 action; and

55 (b) if the Senate refuses to recede, the Senate and House shall follow the procedures  
56 and requirements of JR3-2-601 relating to the appointment of a conference committee.

57 Section 2. **HR4-9-103** is amended to read:

58 **HR4-9-103. Rules governing motions to reconsider.**

59 (1) A motion to reconsider takes precedence over all other motions and questions,  
60 except a motion to adjourn.

61 (2) (a) Except as provided in Subsection (2)(b), a motion to reconsider is debatable.

62 (b) A motion to reconsider is nondebatabable only if the action [it] that the motion seeks  
63 to reconsider is nondebatabable.

64 (3) When a motion to reconsider is made, the presiding officer shall:

65 (a) allow the proponents a total of five minutes to address the issue;

66 (b) allow the opponents a total of five minutes to address the issue; and

67 (c) allow the proponents one minute to sum up.

68 (4) (a) A motion to reconsider a vote on the final passage of a piece of legislation  
69 requires approval by a constitutional [~~majority of representatives~~] two-thirds vote.

70 (b) [~~Upon~~] Except as provided in [HR4-4-401](#)(4)(b), upon adoption of a motion to  
71 reconsider a vote on the final passage of a piece of legislation and if the legislation is in  
72 possession of the House, the chief clerk shall ensure that the legislation is placed at the top of  
73 the third reading calendar.

74 (c) The House may not reconsider a vote on the final passage of a piece of legislation  
75 more than once.