

Senator Lincoln Fillmore proposes the following substitute bill:

SENATE RULES RESOLUTION - AMENDMENTS TO

SENATE RULES

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This resolution modifies legislative rules governing the Senate.

Highlighted Provisions:

This resolution:

- ▶ modifies references to members of Senate staff;
- ▶ prohibits a chair from taking public comment from an individual witness unless the individual provides certain information;
 - ▶ if an individual witness is participating via video conference, prohibits a chair from taking the individual's comment unless:
 - the individual provides the individual's place of residence; and
 - the individual's video is enabled;
 - ▶ allows a standing committee member to make a motion to recess without a quorum present; and
 - ▶ makes corrections to Senate rules, including eliminating obsolete language and clarifying existing requirements.

Other Special Clauses:

None

Legislative Rules Affected:



26 AMENDS:

27 SR1-1-101

28 SR1-4-201

29 SR1-4-202

30 SR1-5-201

31 SR2-4-106

32 SR3-1-101

33 SR3-1-102

34 SR3-2-306

35 SR3-2-308

36 SR3-2-310

37 SR3-2-318

38 SR3-2-319

39 SR3-2-401

40 SR3-2-405

41 SR3-2-406

42 SR3-2-408

43 SR3-2-509

44 SR4-2-201

45 SR4-3-101

46 SR4-3-104

47 SR4-4-101

48 SR4-4-201

49 SR4-4-202

50 SR4-4-301

51 SR4-4-501

52 SR4-7-102

53 SR4-7-104

54 SR4-8-104

55 SR4-9-103

56 ENACTS:

57 [SR1-4-301](#)

58 [SR1-4-302](#)

59 REPEALS AND REENACTS:

60 [SR1-4-101](#)

61 [SR1-4-102](#)



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

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

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

66 (1) (a) The Senate shall adopt Senate rules, by a constitutional two-thirds vote, at the
67 beginning of each new Legislature convening in an odd-numbered year.

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

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

73 (ii) the ~~[secretary of the Senate]~~ presiding officer shall announce to the Senate that the
74 previously adopted rules apply to the newly convened Legislature.

75 (2) (a) Except as provided in this rule:

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

79 (ii) during any special session, Senate rules apply as provided in [JR2-1-101](#).

80 (b) For a session described in Subsection (2)(a), the ~~[secretary of the Senate]~~ presiding
81 officer shall announce to the Senate that the previously adopted rules apply to the newly
82 convened session.

83 (3) Except as provided in Subsection (4), additional rules may be adopted and existing
84 rules may be suspended, amended, or repealed by a majority vote, except for those rules that
85 require a two-thirds vote to adopt, suspend, amend, or repeal, including:

86 (a) rules governing motions for lifting tabled legislation from committee under
87 [SR4-3-104](#); and

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

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

92 (b) If the suspension of any Senate Rule is governed by the Utah Constitution or Utah
93 statutes, the Senate may suspend that rule only as provided by that constitutional or statutory
94 provision.

95 Section 2. **SR1-4-101** is repealed and reenacted to read:

96 **Part 1. Senate Chief of Staff**

97 **SR1-4-101. Appointment of the Senate chief of staff.**

98 The president or president-elect of the Senate shall appoint an individual to serve as
99 chief of staff of the Senate.

100 Section 3. **SR1-4-102** is repealed and reenacted to read:

101 **SR1-4-102. Duties of the Senate chief of staff.**

102 The chief of staff shall:

103 (1) appoint the Senate sergeant-at-arms and the secretary of the Senate; and

104 (2) perform other duties as assigned by the president.

105 Section 4. **SR1-4-201** is amended to read:

106 **SR1-4-201. Appointment of sergeant-at-arms.**

107 [~~Before the annual general session of the Legislature is convened, the president or~~
108 ~~president-elect of the Senate shall appoint a person] The chief of staff shall appoint an
109 individual to serve as sergeant-at-arms of the Senate.~~

110 Section 5. **SR1-4-202** is amended to read:

111 **SR1-4-202. Duties of the sergeant-at-arms.**

112 [~~The~~] Subject to the chief of staff's direction, the sergeant-at-arms and the employees
113 under the sergeant's direction shall:

114 (1) maintain security;

115 (2) enforce the Senate Rules and other legislative rules [~~at the direction of the presiding~~
116 ~~officer or the Senate~~]; and

117 (3) provide other service as requested by the [~~secretary of the Senate~~] chief of staff or
118 the president.

119 Section 6. **SR1-4-301** is enacted to read:

120 **Part 3. Secretary of the Senate**

121 **SR1-4-301. Appointment of the secretary of the Senate.**

122 The chief of staff shall appoint an individual to serve as secretary of the Senate.

123 Section 7. **SR1-4-302** is enacted to read:

124 **SR1-4-302. Duties of the secretary of the Senate.**

125 Subject to the chief of staff's direction, the secretary of the Senate shall perform the
126 following duties:

127 (1) certify and transmit legislation to the Senate and inform the Senate of all House
128 action;

129 (2) assist in the preparation of the Senate journal and certify it as an accurate reflection
130 of Senate action;

131 (3) make the following technical corrections to legislation either before or following
132 final passage:

133 (a) correct the spelling of words;

134 (b) correct the erroneous division and hyphenation of words;

135 (c) correct mistakes in numbering sections and their references;

136 (d) capitalize words or change capitalized words to lower case;

137 (e) change numbers from words to figures or from figures to words;

138 (f) underscore or remove underscoring in legislation without a motion to amend; or

139 (g) any combination of Subsections (3)(a) through (f);

140 (4) modify the long title of a piece of legislation to ensure that the long title accurately
141 reflects any changes to the legislation made by amendment or substitute;

142 (5) act as custodian of all official documents related to legislation;

143 (6) receive all numbered legislation from the Office of Legislative Research and
144 General Counsel;

145 (7) record the number, title, sponsor, each action, and final disposition of each piece of
146 legislation on the back of the legislation;

147 (8) prepare and distribute the daily order of business each day;

148 (9) advise the president on parliamentary procedure, constitutional requirements, Joint
149 Rules, and Senate Rules;

150 (10) read, or cause to be read, the title of all bills and other materials as requested by
151 the president;

152 (11) receive committee reports and present them to the Senate;

153 (12) assist with amendments to legislation;

154 (13) record votes and present the results to the president;

155 (14) transmit all enrolled Senate bills and Senate concurrent resolutions to the
156 governor;

157 (15) maintain all calendars for the Senate floor; and

158 (16) other duties as assigned by the chief of staff.

159 Section 8. **SR1-5-201** is amended to read:

160 **SR1-5-201. Special order of business -- Time certain.**

161 (1) (a) A senator, on the senator's own initiative or upon recommendation from the
162 president, may make a motion that a piece of legislation become a special order of business on
163 the time certain calendar.

164 (b) If the motion is approved by a majority of the members present, the [~~secretary of~~
165 ~~the Senate~~] presiding officer shall place the legislation on the time certain calendar.

166 (2) At the time set for consideration of the legislation, the presiding officer shall place
167 the legislation before the Senate.

168 Section 9. **SR2-4-106** is amended to read:

169 **SR2-4-106. Executive sessions.**

170 (1) A senator may make a motion to convene the Senate in executive session.

171 (2) When a motion for executive session is adopted, the presiding officer shall direct
172 the sergeant-at-arms to close the Senate chamber doors.

173 (3) The president may require all [~~persons, except the senators, secretary, reading clerk,~~
174 ~~docket clerk, and sergeant-at-arms~~] individuals, except the senators and specified staff, to leave
175 the Senate chamber.

176 (4) During the discussion, every person present shall remain within the Senate
177 chamber.

178 (5) During and after conclusion of the executive session, each person who was present
179 in the executive session shall keep all matters discussed in executive session confidential.

180 Section 10. **SR3-1-101** is amended to read:

181 **SR3-1-101. Senate Rules Committee -- Appointment -- General responsibilities.**

182 (1) The president shall appoint members of the Senate to serve on the Senate Rules
183 Committee.

184 (2) The Senate Rules Committee shall perform the following functions as further
185 elaborated in this part:

186 (a) when assigned by the president, receive introduced legislation from the Senate and
187 recommend that they be assigned to a Senate standing committee or to the Senate second or
188 third reading calendar;

189 (b) after the Senate has sifted -- sent legislation on the second and third reading
190 calendars back to the Senate Rules Committee -- make recommendations to the Senate about
191 which legislation should be assigned to the third reading calendar and the order in which it
192 should be heard; and

193 (c) function as a standing committee or interim committee when reviewing Joint
194 Rules[, ~~Interim Rules,~~] or Senate Rules.

195 Section 11. **SR3-1-102** is amended to read:

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

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

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

201 (2) The Senate Rules Committee shall:

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

204 (b) (i) refer the legislation to the Senate with a recommendation that the legislation be:

205 (A) referred to a standing committee for consideration;

206 (B) subject to Subsection (3), placed directly onto the second reading calendar;

207 (C) subject to Subsection (3), read the second time and placed onto the consent
208 calendar; or

209 (D) if during the last week of the legislative session, read the second time and placed
210 on the third reading calendar; or

211 (ii) hold the legislation.

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

215 (a) ~~[(i)]~~ a Senate standing committee has given the legislation a favorable
216 recommendation; or

217 ~~[(ii)]~~ (b) the legislation is described in ~~[SR3-2-401(2);and]~~ [SR3-2-401\(2\)](#).

218 ~~[(b) as applicable, the legislation satisfies the posting requirements of JR7-1-602.5.]~~

219 ~~[(4) If the chair of the Senate Rules Committee receives a summary report from the
220 Occupational and Professional Licensure Review Committee related to newly regulating an
221 occupation or profession within the two calendar years immediately preceding the session in
222 which a piece of legislation is introduced related to the regulation by the Division of
223 Occupational and Professional Licensing of that occupation or profession:]~~

224 ~~[(a) the chair of the Senate Rules Committee shall ensure that the Senate Rules
225 Committee is informed of the summary report before the Senate Rules Committee takes action
226 on the legislation; and]~~

227 ~~[(b) if the Senate Rules Committee refers the legislation to the Senate as provided in
228 Subsection (2)(b)(i):]~~

229 ~~[(i) the Office of Legislative Research and General Counsel shall make the summary
230 report reasonably available to the public and to legislators; and]~~

231 ~~[(ii) if the legislation is referred to a standing committee, the Senate Rules Committee
232 shall forward the summary report to the standing committee.]~~

233 ~~[(5)]~~ (4) In carrying out its functions and responsibilities under this rule, the Senate
234 Rules Committee may not amend, substitute, or table legislation without the written consent of
235 the sponsor.

236 Section 12. **SR3-2-306** is amended to read:

237 **SR3-2-306. Sponsor presentation.**

238 (1) Except as provided in Subsection (2), during the presentation phase, a committee
239 member may not amend legislation, substitute legislation, or dispose of legislation. All other
240 motions are in order during the presentation phase.

241 (2) During the presentation phase of a committee meeting, the chair may accept a
242 ~~[simple]~~ motion to amend or substitute legislation if the chair permits:

- 243 (a) committee questions and debate;
- 244 (b) public comment as provided in [SR3-2-308](#);
- 245 (c) the sponsor of the legislation affected by the amendment to respond to the motion
- 246 to amend; and
- 247 (d) the committee member who made the motion to amend to have the final word on
- 248 the motion as required under [SR3-2-313](#).

249 (3) During the presentation phase of a standing committee meeting, the chair shall:

250 (a) permit the chief sponsor or another legislator designated by the chief sponsor to

251 present the chief sponsor's legislation; and

252 (b) except as provided in Subsection (4), and at the election of the chief sponsor or the

253 chief sponsor's designee, permit persons who have expertise on the legislation to assist with the

254 presentation as provided in [SR3-2-304](#).

255 (4) The chair may not permit:

256 (a) legislation to be presented if the chief sponsor or another legislator designated by

257 the chief sponsor is not present; or

258 (b) legislative interns or legislative aides to present legislation.

259 Section 13. **SR3-2-308** is amended to read:

260 **SR3-2-308. Public comment.**

261 (1) During the public comment phase, a committee member may not amend legislation,

262 substitute legislation, or dispose of legislation. All other motions are in order during the public

263 comment phase.

264 (2) During the public comment phase of a committee meeting:

265 (a) the chair, or a committee by majority vote, may limit the time an individual witness

266 or presenter speaks to a committee as authorized under [SR3-2-304](#); ~~and~~

267 (b) the chair, or the committee by majority vote, may terminate the public comment

268 phase at any time[-]; and

269 (c) the chair may not take comment from an individual witness unless:

270 (i) the individual provides the individual's legal name and the entity that the individual

271 represents, if any; and

272 (ii) if the individual is participating via video conference:

273 (A) the individual provides the individual's place of residence; and

274 (B) the individual's video is enabled.

275 (3) Unless the chair, or a committee by majority vote, permits additional public
276 comment, once the public comment phase has ended only committee members, legislative
277 sponsors, staff, and those authorized under [SR3-2-306](#) may address the committee.

278 Section 14. **SR3-2-310** is amended to read:

279 **SR3-2-310. Chair to preserve order -- Powers to preserve order.**

280 (1) The chair shall preserve order and decorum during standing committee meetings
281 by:

282 (a) controlling outbursts and demonstrations; and

283 (b) ensuring that committee members, presenters, witnesses, and visitors act in a
284 dignified and respectful manner.

285 (2) To preserve order, the chair may:

286 (a) clear the committee room of any person who engages in disorderly conduct;

287 (b) recess a standing committee meeting without a vote; or

288 (c) request assistance from:

289 (i) the sergeant-at-arms; or

290 (ii) the Utah Highway Patrol.

291 Section 15. **SR3-2-318** is amended to read:

292 **SR3-2-318. Chair to send standing committee reports to the Senate.**

293 (1) When a standing committee approves a motion to dispose of legislation under the
294 requirements of [SR3-2-408](#) or [SR3-2-403](#), the chair shall, no later than the next legislative day,
295 submit to the secretary of the Senate:

296 (a) the official version of the legislation; and

297 (b) a committee report, signed by the chair, describing the committee's action.

298 (2) If, for any reason, the chair does not submit a committee report to the secretary of
299 the Senate as required in Subsection (1), the secretary of the Senate shall ensure that the official
300 version of the legislation and the committee report are submitted before the end of the second
301 legislative day after the [~~legislation was acted on by a standing committee~~] committee disposed
302 of the legislation.

303 Section 16. **SR3-2-319** is amended to read:

304 **SR3-2-319. Chair to ensure integrity of minutes -- Retention of minutes.**

305 (1) The chair shall:
 306 (a) ensure that a secretary takes minutes of standing committee meetings;
 307 (b) present the minutes to the committee for approval; and
 308 (c) send the approved minutes to ~~[the office of the secretary of]~~ the Senate.
 309 ~~[(2) The secretary of the Senate shall retain committee minutes for three years.]~~
 310 ~~[(3)]~~ (2) The chair shall ensure that committee minutes comply with the requirements
 311 of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

312 ~~[(4) The chair shall ensure that committee minutes include:]~~
 313 ~~[(a) the date, time, and place of each committee meeting;]~~
 314 ~~[(b) a list of committee members present;]~~
 315 ~~[(c) each motion made;]~~
 316 ~~[(d) the vote on each motion;]~~
 317 ~~[(e) points of order; and]~~
 318 ~~[(f) the outcome of each appeal of the decision of the chair.]~~

319 Section 17. **SR3-2-401** is amended to read:

320 **SR3-2-401. Standing committee review required -- Exceptions.**

321 (1) Except as provided in Subsection (2), the Senate may not pass a bill, joint
 322 resolution, or concurrent resolution during the annual general session unless a Senate standing
 323 committee has given a favorable recommendation to the legislation.

324 (2) Subsection (1) does not apply to:

325 (a) a resolution regarding legislative rules or legislative personnel;

326 (b) legislation that ~~[has been approved by a unanimous vote of the members present at~~
 327 ~~an interim committee meeting]~~ is a committee bill as defined in [JR7-1-101](#) that:

328 (i) received its favorable recommendation by a unanimous vote of the members present
 329 at the authorized legislative committee meeting; and

330 (ii) satisfied the posting requirements described in [JR7-1-602.5](#);

331 (c) legislation placed on a reading calendar in accordance with [SR3-1-102\(1\)\(b\)](#);

332 ~~[(c)]~~ (d) the revisor's statute; or

333 ~~[(d)]~~ (e) if the legislation was reviewed and approved by the Executive Appropriations
 334 Committee, legislation that:

335 (i) exclusively appropriates money;

336 (ii) amends Utah Code Title 53F, Chapter 2, State Funding -- Minimum School
337 Program;

338 (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or

339 (iv) authorizes the issuance of general obligation or revenue bonds.

340 Section 18. **SR3-2-405** is amended to read:

341 **SR3-2-405. Consent calendar.**

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

344 (a) the committee approves a motion, by a unanimous vote, to send the legislation to
345 the second reading calendar;

346 (b) immediately subsequent to that action, the chief sponsor or the chief sponsor's
347 designee under [SR3-2-306\(3\)](#) requests that the legislation be placed on the consent calendar;
348 and

349 (c) in a separate motion and vote, the committee unanimously approves the sponsor's
350 request to place the legislation on the consent calendar instead of the second reading calendar.

351 (2) If, in accordance with [SR3-1-102](#), the Senate Rules Committee forwards a
352 summary report from the Occupational and Professional Licensure Review Committee in
353 conjunction with legislation referred to a standing committee, the chair shall ensure that the
354 summary report is read orally to the committee before action is taken by the committee on the
355 legislation that is related to the summary report.

356 Section 19. **SR3-2-406** is amended to read:

357 **SR3-2-406. Amending legislation -- Amendments must be germane.**

358 (1) (a) Except as provided in Subsection (2), and if recognized by the chair during the
359 presentation phase or the committee action phase, a committee member may make a motion to
360 amend the legislation that is under consideration.

361 (b) (i) A committee member may propose a verbal amendment to the legislation under
362 consideration if the amendment contains 25 or fewer words.

363 (ii) Unless an amendment contains 25 or fewer words, before proposing a motion to
364 amend, a committee member shall ensure that a copy of the proposed amendment is available
365 online.

366 (2) (a) A committee member may only make a motion to amend that is germane to the

367 subject of the legislation under consideration.

368 (b) A committee member who believes that an amendment is not germane to the
369 subject of the legislation may make a point of order or appeal as described in [SR3-2-506](#).

370 Section 20. **SR3-2-408** is amended to read:

371 **SR3-2-408. Legislation tabled in a standing committee -- Requirements.**

372 (1) If legislation is tabled, the chair shall list the tabled legislation on the committee
373 agenda for the next committee meeting.

374 (2) At the next committee meeting, the committee may, by a two-thirds vote, lift the
375 tabled legislation from the table.

376 (3) If a motion to lift tabled legislation is successful, the standing committee may make
377 any motion on the legislation that is authorized under this chapter.

378 (4) (a) If legislation is tabled by a committee and the legislation is not lifted from the
379 table at the committee's next meeting, the committee chair shall submit a committee report to
380 the secretary of the Senate informing the Senate that the legislation was tabled.

381 (b) After reading the committee report on the tabled legislation, the [~~secretary of the~~
382 ~~Senate~~] presiding officer shall send the tabled legislation to the Senate Rules Committee.

383 Section 21. **SR3-2-509** is amended to read:

384 **SR3-2-509. Prohibited motions.**

385 (1) (a) Except for a motion to adjourn or a motion to recess, a committee member may
386 not make a motion unless a quorum of the standing committee is present.

387 (b) When a quorum is not present, a motion to adjourn or a motion to recess is passed
388 with a majority vote of those present.

389 (2) No motion is in order during a vote.

390 (3) A point of order is not in order during a vote.

391 (4) A committee member may not make a motion to:

392 (a) strike the enacting clause of legislation; or

393 (b) circle legislation.

394 Section 22. **SR4-2-201** is amended to read:

395 **SR4-2-201. Point of order.**

396 (1) (a) If a senator believes that there has been a breach of order, a breach of rules, or a
397 breach of established parliamentary practice, the senator may rise and, without being

398 recognized, state: "point of order."

399 (b) When a senator raises a point of order:

400 (i) the presiding officer shall interrupt the proceedings;

401 (ii) the senator who has the floor shall yield the floor; and

402 (iii) the presiding officer shall ask the senator raising the point of order to "state your
403 point."

404 (c) When the presiding officer responds "state your point," the senator shall briefly
405 explain the alleged breach to the body, citing to appropriate authority if possible.

406 (2) (a) The presiding officer may speak to points of order in preference to other
407 senators rising for that purpose.

408 (b) The presiding officer may:

409 (i) rule on the point of order immediately;

410 (ii) consult with [~~the secretary of the Senate and then rule~~] staff or another senator
411 before ruling on the point of order; or

412 (iii) defer the point of order until the presiding officer can research and rule on the
413 point of order.

414 (c) (i) Although points of order are generally decided without debate, the presiding
415 officer may submit the point of order to the Senate for decision in doubtful cases.

416 (ii) If submitted to the Senate for decision, a presiding officer shall allow debate or
417 discussion on the point of order by recognizing members of the Senate who wish to speak to
418 the point of order.

419 (iii) A decision by the Senate deciding a point of order is not subject to appeal.

420 (3) When the presiding officer rules on the point of order, any senator who disagrees
421 with the presiding officer's decision may appeal that decision to the Senate by following the
422 procedures and requirements of [SR4-2-202](#).

423 Section 23. **SR4-3-101** is amended to read:

424 **SR4-3-101. Bills placed on calendars.**

425 [~~(1)(a) The secretary of the Senate shall cause each bill~~] The presiding officer shall
426 ensure that:

427 (1) legislation reported to the Senate by a Senate standing committee or the Senate

428 Rules Committee [~~to be placed at the bottom of~~] is placed on the second reading calendar or on

429 the consent calendar [~~in the order that the bill is received.~~];

430 (2) legislation the president directs to a reading calendar in accordance with [SR3-1-102](#)
431 is placed on the specified reading calendar;

432 ~~[(b)] (3) [The presiding officer shall ensure that each bill]~~ legislation that is placed on
433 the second reading calendar without a fiscal note is circled until the fiscal note is received[-];
434 and

435 ~~[(2)] (4) [The secretary of the Senate shall ensure that each bill]~~ legislation on the
436 second reading calendar that is passed by a constitutional majority vote is placed at the bottom
437 of the third reading calendar.

438 Section 24. **SR4-3-104** is amended to read:

439 **SR4-3-104. Action of bills tabled in committee.**

440 (1) (a) A senator may make a motion to lift [~~a bill tabled in the standing committee~~
441 ~~from the secretary of the Senate or from the standing committee that has possession of the bill]~~
442 legislation tabled in a standing committee.

443 (b) If the motion passes by a two-thirds vote of those senators present on the floor of
444 the Senate, the [~~bill]~~ legislation is placed on the Senate second reading calendar.

445 (2) The president of the Senate [~~can reassign a bill]~~ may reassign legislation tabled in a
446 standing committee to another standing committee.

447 Section 25. **SR4-4-101** is amended to read:

448 **SR4-4-101. Second reading calendar.**

449 (1) (a) After the Senate considers all legislation on the third reading calendar that is not
450 circled or tabled, the Senate shall consider legislation on the second reading calendar as
451 follows:

452 (i) [~~the presiding officer shall cause each piece of legislation on the second reading~~
453 ~~calendar to be read]~~ Senate staff shall read each piece of legislation on the second reading
454 calendar by title before debate begins, unless the Senate suspends this requirement by a
455 two-thirds vote;

456 (ii) [~~the secretary of the Senate or the secretary's designee]~~ Senate staff shall read the
457 committee report, noting [~~for the Senate]~~ those instances when the legislation did not receive a
458 Senate standing committee review or an interim committee review;

459 (iii) if the Senate passes a motion to adopt a "favorable" committee report, the

460 legislation, including any substitute or amendment adopted by the standing committee that is
461 identified in the committee report, is before the Senate; and

462 (iv) the presiding officer shall allow debate on the legislation.

463 (b) If the Senate fails to pass a motion to adopt a "favorable" committee report, the
464 legislation will be returned to the ~~[secretary of the Senate]~~ Senate Rules Committee.

465 (2) (a) The final question on second reading is: "Shall the bill (resolution) be read a
466 third time?"

467 (b) The presiding officer shall place the question as a roll call vote.

468 (c) If a constitutional majority of the Senate votes in favor of the motion, the legislation
469 is passed to the third reading calendar.

470 Section 26. **SR4-4-201** is amended to read:

471 **SR4-4-201. Third reading calendar -- Procedures.**

472 (1) ~~[(a)]~~ For the third reading on a piece of legislation, ~~[the secretary of the Senate or~~
473 ~~the secretary's designee]~~ Senate staff shall read the legislation by title, unless the Senate
474 suspends this requirement by a two-thirds vote.

475 (2) When ~~[the secretary of the Senate or the secretary's designee]~~ Senate staff has
476 completed the third reading of the legislation, the legislation is before the Senate for debate.

477 (3) When debate on the legislation is complete, the presiding officer shall:

478 (a) pose the final question: "This bill (resolution) has been read three times. The
479 question is: Shall the bill (resolution) pass?"; and

480 (b) place the question as a roll call vote.

481 Section 27. **SR4-4-202** is amended to read:

482 **SR4-4-202. Disposition of legislation voted on third reading.**

483 (1) Except as provided in Subsection (2), ~~[the secretary of the Senate or the secretary's~~
484 ~~designee]~~ the presiding officer shall:

485 (a) for a piece of Senate legislation passed by the Senate on third reading but not yet
486 acted upon by the House, transmit the Senate legislation to the House for its further action;

487 (b) for a piece of Senate legislation that fails to pass the Senate on third reading, file
488 the legislation;

489 (c) for a piece of Senate legislation that has passed both houses in the same form,
490 ~~[follow]~~ ensure the procedures and requirements of JR4-5-101 are followed;

491 (d) for a piece of House legislation passed by the Senate on third reading and not
492 amended or substituted in the Senate, transmit the House legislation to the presiding officer of
493 the House for the presiding officer's signature;

494 (e) for a piece of House legislation passed by the Senate on third reading that was
495 amended or substituted in the Senate, transmit the legislation to the House with the amendment
496 or substitute for further action by the House; and

497 (f) for a piece of House legislation that fails to pass the Senate on third reading,
498 transmit the legislation to the House with notice of the Senate's action.

499 (2) When a senator gives notice of intention to move for reconsideration, the secretary
500 of the Senate shall:

501 (a) record the notice in the journal; and

502 (b) keep possession of the bill until:

503 (i) the time for reconsideration has expired as provided in Title 4, Chapter 9,
504 Reconsideration of Senate Action; or

505 (ii) the bill has been reconsidered.

506 Section 28. **SR4-4-301** is amended to read:

507 **SR4-4-301. Consent calendar.**

508 (1) If a standing committee report recommends that [~~a piece of~~] legislation be placed
509 on the consent calendar and the [~~standing committee report is adopted by the Senate, the~~
510 ~~secretary of the Senate or the secretary's designee shall~~] Senate adopts the standing committee
511 report:

512 (a) the secretary of the Senate or the secretary's designee shall read the legislation for
513 the second time; and

514 (b) the presiding officer shall place the legislation on the consent calendar.

515 (2) (a) Whenever the consent calendar contains legislation, the presiding officer shall
516 inform the Senate each day that:

517 (i) there are items on the consent calendar; and

518 (ii) if any senator objects to [~~a piece of~~] any legislation on the consent calendar, three
519 or more senators may move the legislation to the second reading calendar by notifying the
520 [~~secretary of the Senate~~] presiding officer verbally or in writing.

521 (b) If the [~~secretary of the Senate~~] presiding officer receives requests to move [~~a piece~~

522 of] legislation from the consent calendar to the second reading calendar from three or more
523 senators, the [secretary] presiding officer shall:

524 (i) remove the legislation from the consent calendar; and

525 (ii) place the legislation at the bottom of the second reading calendar.

526 (3) If, after three days during which the Senate has floor time, no more than two
527 members have registered objections to the legislation, the legislation shall be:

528 (a) read the third time;

529 (b) placed before the Senate; and

530 (c) considered for final passage.

531 (4) (a) The presiding officer shall pose the question on each consent calendar bill in the
532 following form:

533 "The presiding officer has determined that a quorum is present.

534 Those who favor the question say, 'aye.'

535 Does the chair hear a single dissenting nay to the question?"

536 (b) If the presiding officer hears no nays to the question, a unanimous vote of the
537 senators present shall be recorded in favor of the legislation.

538 (c) If the presiding officer hears any nays to the question, a roll call vote shall be taken
539 immediately.

540 (5) Notwithstanding the requirements of Subsection (4), any senator may, before the
541 roll call vote is taken, make a motion to remove the bill from the consent calendar and place it
542 on the bottom of the third reading calendar.

543 (6) Nothing in this rule prevents a senator from challenging the ruling of the chair or
544 asking for a vote on any question.

545 Section 29. **SR4-4-501** is amended to read:

546 **SR4-4-501. Time certain calendar.**

547 The [~~secretary of the Senate or the secretary's designee~~] presiding officer shall place on
548 the time certain calendar legislation or other matters approved by the Senate for a time certain
549 under:

550 (1) **SR1-5-201**; or

551 (2) other rules allowing matters to be set for a time certain.

552 Section 30. **SR4-7-102** is amended to read:

553 **SR4-7-102. Number of votes required for passage.**

554 (1) Unless otherwise specified in these rules:

555 (a) each piece of legislation requires a constitutional majority vote -- 15 votes -- to
556 pass;557 (b) amendments to the Utah Constitution, amendments to court rules, and certain
558 motions specified in these rules require a constitutional two-thirds vote -- 20 votes -- to pass;559 (c) legislation described in Utah Constitution, Article VI, Section 25 that is intended to
560 take effect earlier than 60 days after adjournment of the session in which it passes requires a
561 constitutional two-thirds vote -- 20 votes -- to pass with that immediate effective date;562 (d) certain motions require a two-thirds vote -- two-thirds of those present -- to pass;
563 and

564 (e) other motions require a majority vote -- a majority of those present -- to pass.

565 (2) The Senate may only suspend a rule requiring that a motion must receive a
566 two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.567 Section 31. **SR4-7-104** is amended to read:568 **SR4-7-104. Disturbing Senate staff during voting prohibited.**569 While a roll call vote is being taken, a person may not disturb or remain by the desks of
570 [~~the secretary of the Senate, the docket clerk, the reading clerk, the voting machine operator, or~~
571 ~~the public address system operator~~] Senate staff conducting or helping to conduct the roll call
572 vote.573 Section 32. **SR4-8-104** is amended to read:574 **SR4-8-104. Process for conducting a call of the Senate.**

575 (1) During a call of the Senate:

576 (a) a senator present in the chamber may not leave the chamber; and

577 (b) the sergeant-at-arms or the sergeant's designees shall close the doors to the Senate
578 chamber.

579 (2) After ordering the call of the Senate, the presiding officer may:

580 (a) [~~in consultation with the secretary of the Senate,~~] identify any absent senators; and581 (b) provide the sergeant-at-arms with the names of those senators who are absent but
582 who have not asked to be excused.

583 (3) The sergeant-at-arms or the sergeant's designees shall:

- 584 (a) search for the absent senators;
- 585 (b) if they are found, escort them to the Senate chamber; and
- 586 (c) make a report to the Senate about the sergeant's efforts.

587 Section 33. **SR4-9-103** is amended to read:

588 **SR4-9-103. Rules governing motions to reconsider.**

589 (1) A motion to reconsider a vote on the final passage of a piece of legislation requires
590 approval by a constitutional majority of senators.

591 (2) Upon adoption of a motion to reconsider, the ~~[secretary of the Senate shall ensure~~
592 ~~that the legislation is placed]~~ presiding officer shall place the legislation at the top of the
593 calendar on which it last appeared.

594 (3) The Senate may not reconsider a piece of legislation more than once.