

SR0004S01 compared with SR0004

~~deleted text~~ shows text that was in SR0004 but was deleted in SR0004S01.

inserted text shows text that was not in SR0004 but was inserted into SR0004S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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

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present; and

- ▶ makes corrections to Senate rules, including eliminating obsolete language and clarifying existing requirements.

Other Special Clauses:

None

Legislative Rules Affected:

AMENDS:

SR1-1-101

SR1-4-201

SR1-4-202

~~{ SR1-5-103~~

‡ SR1-5-201

~~{ SR1-7-102~~

~~— SR1-7-103~~

~~— SR1-7-104~~

‡ SR2-4-106

~~{ SR2-5-101~~

‡ SR3-1-101

SR3-1-102

SR3-2-306

SR3-2-308

SR3-2-310

SR3-2-318

SR3-2-319

SR3-2-401

SR3-2-405

SR3-2-406

SR3-2-408

SR3-2-509

~~{ SR4-2-104~~

‡ SR4-2-201

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~~{ SR4-2-202~~

{ SR4-3-101

SR4-3-104

~~{ SR4-3-301~~

{ SR4-4-101

SR4-4-201

SR4-4-202

SR4-4-301

~~{ SR4-4-401~~

{ SR4-4-501

~~{ SR4-7-101~~

{ SR4-7-102

SR4-7-104

SR4-8-104

~~{ SR4-9-101~~

~~SR4-9-102~~

{ SR4-9-103

ENACTS:

SR1-4-301

SR1-4-302

REPEALS AND REENACTS:

SR1-4-101

SR1-4-102

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

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

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

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

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

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

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

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

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

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

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

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

(a) rules governing motions for lifting tabled legislation from committee under SR4-3-104; and

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

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

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

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

Part 1. Senate Chief of Staff

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

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

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

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

The ~~{Senate }~~chief of staff shall:

- (1) appoint the Senate sergeant-at-arms and the secretary of the Senate; and
- (2) perform other duties as ~~{directed}~~assigned by the president.

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

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

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

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

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

~~[The]~~ Subject to the chief of staff's ~~{or the chief of staff's designee's }~~direction, the sergeant-at-arms and the employees under the sergeant's direction shall:

- (1) maintain security;
- (2) enforce the Senate Rules and other legislative rules ~~[at the direction of the presiding officer or the Senate]~~; and
- (3) provide other service as requested by the ~~[secretary of the Senate]~~ chief of staff or the president.

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

Part 3. Secretary of the Senate

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

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

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

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

~~{The}~~ Subject to the chief of staff's direction, the secretary of the Senate shall perform the following duties:

- (1) certify and transmit legislation to the Senate and inform the Senate of all House action;
- (2) assist in the preparation of the Senate journal and certify it as an accurate reflection of Senate action;

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

(a) correct the spelling of words;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(12) assist with amendments to legislation;

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

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

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

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

~~{ Section 8. SR1-5-103 is amended to read:~~

~~SR1-5-103. Daily order of business:~~

~~(1) The daily order of business is:~~

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- ~~—— (a) call to order by the president or the president's designee;~~
- ~~—— (b) prayer and pledge of allegiance;~~
- ~~—— (c) roll call;~~
- ~~—— (d) announcement of excused absences and whether or not a quorum is present;~~
- ~~—— (e) communications from the governor;~~
- ~~—— (f) communications from the House:~~
- ~~—— (i) bills for signature of the president;~~
- ~~—— (ii) bills for consideration; and~~
- ~~—— (iii) bills for reconsideration of House amendments;~~
- ~~—— (g) reference of bills from the president:~~
- ~~—— (i) bills assigned to standing committees; and~~
- ~~—— (ii) bills placed on second reading calendar;~~
- ~~—— (h) reports from standing committees:~~
- ~~—— (i) bills placed on the second reading calendar;~~
- ~~—— (ii) bills placed on the consent calendar; and~~
- ~~—— (iii) bills sent back to [the secretary of] the Senate;~~
- ~~—— (i) reports of special committees, including conference committees;~~
- ~~—— (j) introduction of legislation given to [the secretary of] the Senate:~~
- ~~—— (i) bills referred by the Senate Rules Committee for assignment by the president; and~~
- ~~—— (ii) bills placed on second reading calendar;~~
- ~~—— (k) unfinished business;~~
- ~~—— (l) consideration of legislation on consent calendar;~~
- ~~—— (m) special orders of business;~~
- ~~—— (n) consideration of legislation on the third reading calendar;~~
- ~~—— (o) consideration of bills on second reading calendar; and~~
- ~~—— (p) miscellaneous business.~~
- ~~—— (2) With the approval of a constitutional majority of senators, the Senate may, at any time, proceed out of order to any business:~~
- ~~—— (3) The presiding officer shall decide all questions of priority of Senate business without debate.~~

‡ Section ~~{9}~~8. **SR1-5-201** is amended to read:

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

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

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

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

Section ~~{10}~~9. ~~{SR1-7-102}~~SR2-4-106 is amended to read:

~~{~~ ~~SR1-7-102. Obtaining a legislator citation.~~

~~_____ (1) With the approval of the presiding officer, a senator may request [that the secretary of the Senate prepare] a citation for the senator's own signature.~~

~~_____ (2) A legislator citation does not require any floor action by the Senate.~~

~~_____ Section 11. SR1-7-103 is amended to read:~~

~~_____ SR1-7-103. Obtaining a Senate citation.~~

~~_____ (1) During any legislative session, a senator may:~~

~~_____ (a) request [that the secretary of the Senate prepare] a citation for the senator's signature; and~~

~~_____ (b) after making and receiving permission for personal privilege, make a motion on the floor of the Senate to:~~

~~_____ (i) approve the citation; and~~

~~_____ (ii) authorize the president to sign the citation on behalf of the Senate.~~

~~_____ (2) When the Legislature is not in session, a senator may request a citation for the sponsor's and the president's signature.~~

~~_____ Section 12. SR1-7-104 is amended to read:~~

~~_____ SR1-7-104. Obtaining a Utah Legislature citation.~~

~~_____ (1) During any legislative session, a senator may:~~

~~_____ (a) request [that the secretary of the Senate prepare] a citation for the senator's signature; and~~

~~_____ (b) after making and receiving permission for personal privilege, make a motion of the floor of the Senate to:~~

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- ~~—— (i) approve the citation;~~
- ~~—— (ii) authorize the president to sign the citation on behalf of the Senate; and~~
- ~~—— (iii) present the proposed citation to the House for its approval.~~
- ~~—— (2) When the Legislature is not in session, a senator may request a citation for the sponsor's, the president's, and the speaker's signature.~~

~~—— Section 13. **SR2-4-106** is amended to read:~~

~~‡~~ **SR2-4-106. Executive sessions.**

- (1) A senator may make a motion to convene the Senate in executive session.
- (2) When a motion for executive session is adopted, the presiding officer shall direct the sergeant-at-arms to close the Senate chamber doors.
- (3) The president may require all [~~persons, except the senators, secretary, reading clerk, docket clerk, and sergeant-at-arms~~] individuals, except the senators and specified staff, to leave the Senate chamber.
- (4) During the discussion, every person present shall remain within the Senate chamber.
- (5) During and after conclusion of the executive session, each person who was present in the executive session shall keep all matters discussed in executive session confidential.

Section ~~{14}~~10. ~~{SR2-5-101}~~SR3-1-101 is amended to read:

~~{~~ ~~—— **SR2-5-101. Senators may request and sponsor legislation -- Substituting a sponsor -- Withdrawing as a cosponsor.**~~

- ~~—— (1) A senator may request and sponsor legislation as provided in Joint Rules Title 4, Bills and Resolutions.~~
- ~~—— (2) (a) After a piece of legislation has been introduced, the chief Senate sponsor of the legislation may withdraw from sponsoring the legislation by:~~
 - ~~—— (i) finding another senator to act as chief sponsor of the legislation; and~~
 - ~~—— (ii) filing a substitution of sponsorship form with [the secretary of] the Senate before final passage of the legislation in the Senate.~~
- ~~—— (b) A senator seeking to withdraw as the chief sponsor need not obtain permission from the Senate to withdraw.~~
- ~~—— (3) (a) During a general session, before final passage of a piece of legislation in the Senate, a senator cosponsor of the legislation may withdraw as a cosponsor.~~

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~~(b) A senator seeking to withdraw as a cosponsor need not:~~

~~(i) obtain permission from the Senate to withdraw; or~~

~~(ii) provide a substitute cosponsor for the legislation.~~

~~Section 15. **SR3-1-101** is amended to read:~~

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

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

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

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

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

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

Section ~~{16}~~11. **SR3-1-102** is amended to read:

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

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

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

(2) The Senate Rules Committee shall:

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

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

(A) referred to a standing committee for consideration;

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

(C) subject to Subsection (3), read the second time and placed onto the consent

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calendar; or

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

(ii) hold the legislation.

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

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

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

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

~~[(4) If the chair of the Senate 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:]~~

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

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

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

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

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

Section ~~{17}~~12. **SR3-2-306** is amended to read:

SR3-2-306. Sponsor presentation.

(1) Except as provided in Subsection (2), during the presentation phase, a committee

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member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the presentation phase.

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

- (a) committee questions and debate;
- (b) public comment as provided in SR3-2-308;
- (c) the sponsor of the legislation affected by the amendment to respond to the motion to amend; and

(d) the committee member who made the motion to amend to have the final word on the motion as required under SR3-2-313.

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

(a) permit the chief sponsor or another legislator designated by the chief sponsor to present the chief sponsor's legislation; and

(b) except as provided in Subsection (4), and at the election of the chief sponsor or the chief sponsor's designee, permit persons who have expertise on the legislation to assist with the presentation as provided in SR3-2-304.

(4) The chair may not permit:

(a) legislation to be presented if the chief sponsor or another legislator designated by the chief sponsor is not present; or

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

Section ~~{18}~~13. ~~{SR3-2-310}~~SR3-2-308 is amended to read:

SR3-2-308. Public comment.

(1) During the public comment phase, a committee member may not amend legislation, substitute legislation, or dispose of legislation. All other motions are in order during the public comment phase.

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

(a) the chair, or a committee by majority vote, may limit the time an individual witness or presenter speaks to a committee as authorized under SR3-2-304; [and]

(b) the chair, or the committee by majority vote, may terminate the public comment phase at any time[-]; and

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

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(i) the individual provides the individual's legal name and the entity that the individual represents, if any; and

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

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

(B) the individual's video is enabled.

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

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

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

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

(a) controlling outbursts and demonstrations; and

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

(2) To preserve order, the chair may:

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

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

(c) request assistance from:

(i) the sergeant-at-arms; or

(ii) the Utah Highway Patrol.

Section ~~{19}~~15. SR3-2-318 is amended to read:

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

(1) When a standing committee approves a motion to dispose of legislation under the requirements of SR3-2-408 or SR3-2-403, the chair shall, no later than the next legislative day, submit to ~~{}~~the secretary of ~~{}~~ the Senate:

(a) the official version of the legislation; and

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

(2) If, for any reason, the chair does not submit a committee report ~~{}~~to the secretary of the Senate ~~{}~~ as required in Subsection (1), ~~{}~~the secretary of the Senate ~~{}~~ Senate staff shall ensure that the official version of the legislation and the committee report are submitted

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before the end of the second legislative day after the ~~[legislation was acted on by a standing committee]~~ committee disposed of the legislation.

Section ~~{20}~~16. **SR3-2-319** is amended to read:

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

(1) The chair shall:

- (a) ensure that a secretary takes minutes of standing committee meetings;
- (b) present the minutes to the committee for approval; and
- (c) send the approved minutes to ~~[the office of the secretary of]~~ the Senate.

~~[(2) The secretary of the Senate shall retain committee minutes for three years.]~~

~~[(3)]~~ (2) The chair shall ensure that committee minutes comply with the requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

~~[(4) The chair shall ensure that committee minutes include:]~~

~~[(a) the date, time, and place of each committee meeting;]~~

~~[(b) a list of committee members present;]~~

~~[(c) each motion made;]~~

~~[(d) the vote on each motion;]~~

~~[(e) points of order; and]~~

~~[(f) the outcome of each appeal of the decision of the chair.]~~

Section ~~{21}~~17. **SR3-2-401** is amended to read:

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

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

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

- (a) a resolution regarding legislative rules or legislative personnel;
- (b) legislation that ~~[has been approved by a unanimous vote of the members present at an interim committee meeting]~~ is a committee bill as defined in JR7-1-101 that:

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

(ii) satisfied the posting requirements described in JR7-1-602.5;

~~{(c)}~~ (c) legislation placed on a reading calendar in accordance with SR3-1-102(1)(b);

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

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

- (i) exclusively appropriates money;
- (ii) amends Utah Code Title 53F, Chapter 2, State Funding -- Minimum School

Program;

- (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or
- (iv) authorizes the issuance of general obligation or revenue bonds.

Section ~~{22}~~18. SR3-2-405 is amended to read:

SR3-2-405. Consent calendar.

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

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

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

(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 reading calendar.

(2) If, in accordance with SR3-1-102, the Senate 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 ~~{23}~~19. SR3-2-406 is amended to read:

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

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

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

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

(2) (a) A committee member may only make a motion to amend that is germane to the subject of the legislation under consideration.

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

Section ~~{24}~~20. **SR3-2-408** is amended to read:

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

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

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

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

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

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

Section ~~{25}~~21. **SR3-2-509** is amended to read:

SR3-2-509. Prohibited motions.

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

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

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

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

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

(a) strike the enacting clause of legislation; or

(b) circle legislation.

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Section ~~{26}~~22. ~~{SR4-2-104}~~SR4-2-201 is amended to read:

~~{~~ ~~SR4-2-104. Calling a senator to order for conduct in debate.~~

~~———— (1) (a) If a senator raises a point of order for words spoken in debate, the senator raising the point of order shall repeat the words to which exception is taken.~~

~~———— (b) The [secretary of the Senate] presiding officer shall ensure that the words to which exception is taken are recorded in the journal.~~

~~———— (2) When a point of order for words spoken in debate is made, the senator who spoke the words may not continue to speak until a ruling on the point of order is made, unless the presiding officer grants that senator permission to explain the senator's words.~~

~~———— (3) A senator may not be called to order or censured for words spoken in debate if there has been intervening business.~~

~~———— Section 27. SR4-2-201 is amended to read:~~

~~‡~~ **SR4-2-201. Point of order.**

(1) (a) If a senator believes that there has been a breach of order, a breach of rules, or a breach of established parliamentary practice, the senator may rise and, without being recognized, state: "point of order."

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

(i) the presiding officer shall interrupt the proceedings;

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

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

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

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

(b) The presiding officer may:

(i) rule on the point of order immediately;

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

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

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

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

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

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

Section ~~{28}~~23. ~~{SR4-2-202}~~SR4-3-101 is amended to read:

~~{~~ **SR4-2-202. Appeals from the decision of the chair:**

~~———— (1) Although the tradition in the Senate is to give great weight to the rulings of the presiding officer and to not make appeals lightly, a senator who disagrees with a ruling of the presiding officer may appeal that decision to the Senate by rising and, without waiting to be recognized, saying "I appeal the decision of the chair."~~

~~———— (2) When a senator appeals the decision of the chair, the presiding officer shall clearly state the decision appealed from and may state the reasons for the decision:~~

~~———— (3) (a) An appeal is debatable.~~

~~———— (b) A senator may not speak more than once on the appeal without leave of the Senate.~~

~~———— (4) The question on appeal is: "Shall the decision of the chair stand as the judgment of the Senate?"~~

~~———— (5) When a decision of the presiding officer is appealed, a majority vote of the senators present is required to override that decision.~~

~~———— (6) The [secretary of the Senate] presiding officer shall ensure that the appeal and the action of the Senate on the appeal are entered in the journal.~~

~~———— Section 29. SR4-3-101 is amended to read:~~

~~†~~ **SR4-3-101. Bills placed on calendars.**

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

~~(1) ~~{each bill}~~legislation reported to the Senate by a Senate standing committee or the Senate Rules Committee [to be ~~{is}~~ placed at the bottom of] is placed on the second reading~~

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calendar or on the consent calendar ~~[in the order that the bill is received]~~

~~— [(b)] (2);~~

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

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

~~(2) [(3)] (4) [The secretary of the Senate shall ensure that] each bill~~ legislation on the second reading calendar that is passed by a constitutional majority vote is placed at the bottom of the third reading calendar.

Section ~~{30}~~24. **SR4-3-104** is amended to read:

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

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

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

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

Section ~~{31}~~25. ~~{SR4-3-301}~~SR4-4-101 is amended to read:

~~{~~ ~~— SR4-3-301. Amendments in order on second or third reading -- 10 word rule --~~
~~Passage of amendments by a majority vote.~~

~~— (1) A motion to amend a piece of legislation is in order on second or third reading.~~

~~— (2) (a) Except as provided in Subsection (3) or (4), a senator may, if recognized by the presiding officer while the Senate is debating a piece of legislation, make a motion to amend the legislation.~~

~~— (b) (i) A senator may verbally propose an amendment to a piece of legislation if the amendment contains 10 or fewer words.~~

~~— (ii) Unless the amendment contains 10 or fewer words, before a senator makes a motion to amend, the senator shall ensure that a copy of the proposed amendment is available online.~~

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~~—— (3) (a) The senator making the motion to amend shall ensure that the amendment is germane to the subject of the original legislation under consideration.~~

~~—— (b) If a senator believes that an amendment is not germane to the subject of the original legislation, the senator may raise a point of order alleging that the amendment is not germane.~~

~~—— (c) The presiding officer shall rule on the point of order by determining whether or not the amendment is germane to the subject of the original legislation.~~

~~—— (4) A constitutional amendment, resolution, or bill requiring a constitutional two-thirds vote for final passage may be amended by a majority vote.~~

~~—— (5) When [legislation is amended by the Senate, the secretary of the Senate shall] the Senate amends legislation, the presiding officer shall ensure that:~~

~~—— (a) for each page of the legislation modified by a Senate amendment, [cause a new page to be] a new page is printed that clearly identifies each Senate amendment to that page; and~~

~~—— (b) [print that new page on] the new page is printed on:~~

~~—— (i) tan paper on the second reading [and on]; and~~

~~—— (ii) goldenrod-colored paper on the third reading.~~

~~—— Section 32. **SR4-4-101** is amended to read:~~

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

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

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

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

(iii) if the Senate passes a motion to adopt a "favorable" committee report, the legislation, including any substitute or amendment adopted by the standing committee that is identified in the committee report, is before the Senate; and

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

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

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

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

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

Section ~~{33}~~26. **SR4-4-201** is amended to read:

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

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

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

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

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

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

Section ~~{34}~~27. **SR4-4-202** is amended to read:

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

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

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

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

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

(d) for a piece of House legislation passed by the Senate on third reading and not amended or substituted in the Senate, transmit the House legislation to the presiding officer of

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the House for the presiding officer's signature;

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

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

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

(a) ~~{Senate staff shall}~~ record the notice in the journal; and

(b) ~~{the Senate shall}~~ keep possession of the bill until:

(i) the time for reconsideration has expired as provided in Title 4, Chapter 9,

Reconsideration of Senate Action; or

(ii) the bill has been reconsidered.

Section ~~{35}~~28. SR4-4-301 is amended to read:

SR4-4-301. Consent calendar.

(1) If a standing committee report recommends that ~~[a piece of]~~ legislation be placed on the consent calendar and the ~~[standing committee report is adopted by the Senate, the~~ ~~{}~~secretary of the Senate or the secretary's designee ~~{}~~ presiding officer shall:

~~(a) } shall] Senate adopts the standing committee report:~~

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

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

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

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

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

(b) If the ~~[secretary of the Senate]~~ presiding officer receives requests to move ~~[a piece of]~~ legislation from the consent calendar to the second reading calendar from three or more senators, the ~~[secretary]~~ presiding officer shall:

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- (i) remove the legislation from the consent calendar; and
 - (ii) place the legislation at the bottom of the second reading calendar.
- (3) If, after three days during which the Senate has floor time, no more than two members have registered objections to the legislation, the legislation shall be:
- (a) read the third time;
 - (b) placed before the Senate; and
 - (c) considered for final passage.
- (4) (a) The presiding officer shall pose the question on each consent calendar bill in the following form:
- "The presiding officer has determined that a quorum is present.
Those who favor the question say, 'aye.'
Does the chair hear a single dissenting nay to the question?"
- (b) If the presiding officer hears no nays to the question, a unanimous vote of the senators present shall be recorded in favor of the legislation.
- (c) If the presiding officer hears any nays to the question, a roll call vote shall be taken immediately.
- (5) Notwithstanding the requirements of Subsection (4), any senator may, before the roll call vote is taken, make a motion to remove the bill from the consent calendar and place it on the bottom of the third reading calendar.
- (6) Nothing in this rule prevents a senator from challenging the ruling of the chair or asking for a vote on any question.

Section ~~{36}~~29. ~~{SR4-4-401}~~SR4-4-501 is amended to read:

~~{~~ ~~SR4-4-401. Concurrency calendar.~~

~~———— (1) After [the secretary of the Senate or the secretary's designee] Senate staff reads the transmittal letter from the House informing the Senate that the House has amended or substituted a piece of Senate legislation, the presiding officer shall place the legislation on the concurrency calendar.~~

~~———— (2) (a) During the first 43 days of the annual general session, the legislation shall remain on the concurrency calendar over at least one night before the Senate may consider the question of concurrence.~~

~~———— (b) During the last two days of the annual general session and during any special~~

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session, the Senate may consider legislation for concurrence after the Senate has been given a reasonable time to review the House changes.

~~—— (3) (a) When presenting legislation to the Senate for concurrence, the presiding officer shall ask the sponsor of the legislation for a motion.~~

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

~~—— (i) concur with the House amendments; or~~

~~—— (ii) refuse to concur with the House amendments and ask the House to recede from their amendments.~~

~~—— (c) If a motion to concur with the House amendments passes by majority vote, the presiding officer shall:~~

~~—— (i) pose the question: "This bill (resolution) has been read three times. The question is: Shall this bill (resolution) pass?"; and~~

~~—— (ii) take the final roll call vote on the legislation.~~

~~—— (d) If a motion to refuse to concur with the House amendments and ask the House to recede from their amendments passes by a majority vote, the [secretary of the Senate] presiding officer shall return the legislation to the House for its further action.~~

~~—— (e) If the House refuses to recede, the Senate and House shall follow the procedures and requirements of JR3-2-601 relating to the appointment of a conference committee.~~

~~—— Section 37. **SR4-4-501** is amended to read:~~

~~‡~~ **SR4-4-501. Time certain calendar.**

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

(1) SR1-5-201; or

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

Section ~~{38}~~30. ~~{SR4-7-101}~~SR4-7-102 is amended to read:

~~{~~ **SR4-7-101. Definitions.**

~~——~~ As used in this chapter:

~~—— (1) "Roll call vote" means a verbal voting process where:~~

~~—— (a) [the secretary of the Senate or the secretary's designee] Senate staff verbally calls the name of each senator alphabetically, except the president, who is called last;~~

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- ~~_____ (b) each senator present votes "aye" or "nay" when the senator's name is called;~~
- ~~_____ (c) [the secretary of the Senate or the secretary's designee] Senate staff;~~
- ~~_____ (i) tallies the vote;~~
- ~~_____ (ii) records those senators who are absent or not voting; and~~
- ~~_____ (iii) gives a copy of the tally to the presiding officer; and~~
- ~~_____ (d) the presiding officer announces the result of the vote.~~
- ~~_____ (2) "Voice vote" means a verbal voting process where the presiding officer:~~
 - ~~_____ (a) poses the question to be voted upon in this form: "Those in favor (of the question) say 'aye.'" and "Those opposed say 'nay.'"; and~~
 - ~~_____ (b) based upon the senator's responses, announces that the question either passed or failed.~~

~~_____ Section 39. **SR4-7-102** is amended to read:~~

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

- (1) Unless otherwise specified in these rules:
 - (a) each piece of legislation requires a constitutional majority vote -- 15 votes -- to pass;
 - (b) amendments to the Utah Constitution, amendments to court rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 20 votes -- to pass;
 - (c) legislation described in Utah Constitution, Article VI, Section 25 that is intended to take effect earlier than 60 days after adjournment of the session in which it passes requires a constitutional two-thirds vote -- 20 votes -- to pass with that immediate effective date;
 - (d) certain motions require a two-thirds vote -- two-thirds of those present -- to pass;
- and
- (e) other motions require a majority vote -- a majority of those present -- to pass.
- (2) The Senate may only suspend a rule requiring that a motion must receive a two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.

Section ~~{40}~~31. **SR4-7-104** is amended to read:

SR4-7-104. Disturbing Senate staff during voting prohibited.

While a roll call vote is being taken, a person may not disturb or remain by the desks of ~~[the secretary of the Senate, the docket clerk, the reading clerk, the voting machine operator, or the public address system operator]~~ Senate staff conducting or helping to conduct the roll call

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vote.

Section ~~{41}~~32. **SR4-8-104** is amended to read:

SR4-8-104. Process for conducting a call of the Senate.

(1) During a call of the Senate:

- (a) a senator present in the chamber may not leave the chamber; and
- (b) the sergeant-at-arms or the sergeant's designees shall close the doors to the Senate chamber.

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

- (a) [~~in consultation with the secretary of the Senate,~~] identify any absent senators; and
- (b) provide the sergeant-at-arms with the names of those senators who are absent but

who have not asked to be excused.

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

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

Section ~~{42}~~33. ~~{SR4-9-101}~~SR4-9-103 is amended to read:

~~{~~ **SR4-9-101. Motion to reconsider.**

~~———— (1) As used in this rule, "legislative day" means a day when the Senate convenes in the Senate chamber and conducts Senate business.~~

~~———— (2) (a) Except as provided in Subsection (3), when a question has been decided on the floor of the Senate, a senator voting with the prevailing side may:~~

~~———— (i) move for reconsideration after intervening business; or~~

~~———— (ii) give notice that a motion for reconsideration will be made.~~

~~———— (b) If a motion for reconsideration is made on the floor of the Senate after a piece of legislation has left the possession of the Senate, the [secretary of the Senate] presiding officer shall request that the legislation be returned to the Senate.~~

~~———— (c) The presiding officer shall rule a motion for reconsideration out of order unless the motion is made:~~

~~———— (i) before the 43rd legislative day;~~

~~———— (ii) before the Senate adjourns on the legislative day after the legislative day on which the action sought to be reconsidered occurred; and~~

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~~—— (iii) by a senator who previously served notice.~~

~~—— (3) A senator may not make a motion to reconsider after the 42nd day of the annual general session of the Legislature.~~

~~—— Section 43. SR4-9-102 is amended to read:~~

~~—— SR4-9-102. Notice of motion to reconsider:~~

~~—— When a senator gives notice that the senator intends to make a motion to reconsider, the [secretary of the Senate or the secretary's designee] presiding officer shall:~~

~~—— (1) ensure that the notice is recorded in the journal; and~~

~~—— (2) retain the legislation in the possession of the Senate until the time for reconsideration has expired or until the legislation has been reconsidered.~~

~~—— Section 44. SR4-9-103 is amended to read:~~

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

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

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

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