

HOUSE RULES RESOLUTION - AMENDMENTS TO HOUSE

RULES

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

LONG TITLE

General Description:

This resolution modifies House Rules.

Highlighted Provisions:

This resolution:

- ▶ allows a lobbyist who is a former legislator to be present on the House floor when designated by the speaker-elect to preside until the representatives take the oath of office and elect a speaker;
- ▶ updates inconsistent terminology;
- ▶ removes obsolete language;
- ▶ incorporates certain language from existing provisions of the Utah Code; and
- ▶ addresses remote participation in a House committee meeting.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

HR1-2-101

HR1-7-101

HR2-2-106

HR3-2-201

HR3-2-402



- 28 [HR3-3-101](#)
- 29 [HR3-3-102](#)
- 30 [HR4-9-103](#)

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

33 Section 1. **HR1-2-101** is amended to read:

34 **HR1-2-101. Calling the House to order.**

35 (1) On the first day of each annual general session of the Legislature during
36 odd-numbered years, the speaker-elect shall designate a person to call the House to order and
37 preside until the representatives have taken the oath of office and elected a speaker.

38 (2) (a) Notwithstanding [HR2-4-101.2](#), the speaker-elect may designate under
39 Subsection (1) a lobbyist who is a former speaker to call the House to order and preside until
40 the representatives take the oath of office and elect a speaker.

41 (b) The lobbyist shall comply with [HR2-4-101.2](#) immediately after the representatives
42 elect a speaker.

43 Section 2. **HR1-7-101** is amended to read:

44 **HR1-7-101. Citations -- Definitions -- Use of citations.**

45 (1) As used in this chapter:

46 (a) "Citation" means a certificate for the purposes of:

47 (i) honoring or commending an individual who is a resident of Utah, or a group of
48 individuals who are residents of Utah or have a substantial presence in or connection to Utah;

49 (ii) commemorating an event or the anniversary of an event that has significant
50 relevance to Utah; or

51 (iii) expressing condolences to the family of a deceased individual who was a resident
52 of Utah.

53 (b) "House of Representatives citation" means a citation issued on behalf of the Utah
54 House of Representatives under [HR1-7-103](#), that is signed by the representative sponsoring the
55 citation and the speaker of the House of Representatives.

56 (c) "Legislator citation" means a citation issued on behalf of an individual
57 representative under [HR1-7-102](#).

58 (d) "Utah Legislature citation" means a citation issued on behalf of both [~~houses~~]

59 chambers of the Utah Legislature under [HR1-7-104](#), that is signed by the representative
60 sponsoring the citation, the speaker of the House of Representatives, and the president of the
61 Senate.

62 (2) A citation honoring or commending the same individual or group of individuals, or
63 recognizing the same event or anniversary, should not be issued more than once every 10 years.

64 (3) A representative may request only one House of Representatives citation or Utah
65 Legislature citation during a calendar year.

66 Section 3. **HR2-2-106** is amended to read:

67 **HR2-2-106. Smoking and electronic cigarettes prohibited.**

68 (1) As used in this rule, "electronic cigarette" means any device, other than a
69 combustible cigarette or cigar, intended to deliver vapor containing nicotine into a person's
70 respiratory system.

71 (2) A person may not smoke or use an electronic cigarette in the House chamber or
72 other ~~house~~ House controlled areas.

73 (3) The sergeant-at-arms shall enforce this rule.

74 Section 4. **HR3-2-201** is amended to read:

75 **HR3-2-201. Standing committees -- Creation.**

76 There are created the following standing committees to consider legislation during an
77 annual general or special session:

- 78 (1) Business and Labor;
- 79 (2) Economic Development and Workforce Services;
- 80 (3) Education;
- 81 (4) Government Operations;
- 82 (5) Health and Human Services;
- 83 (6) House Rules;
- 84 (7) Judiciary;
- 85 (8) Law Enforcement and Criminal Justice;
- 86 (9) Natural Resources, Agriculture, and Environment;
- 87 (10) Political Subdivisions;
- 88 (11) Public Utilities, Energy, and Technology;
- 89 (12) Revenue and Taxation; and

90 (13) Transportation.

91 Section 5. **HR3-2-402** is amended to read:

92 **HR3-2-402. Standing committee review of legislation with a fiscal impact.**

93 (1) (a) A standing committee may not review legislation unless the legislation has an
94 approved fiscal note.

95 (b) Notwithstanding Subsection (1)(a), a standing committee may consider a substitute
96 not previously adopted, regardless of whether the substitute has an approved fiscal note.

97 (2) Except as provided in [HR3-2-401](#), a standing committee in one or both [~~houses~~]
98 chambers shall review legislation before the legislation is held in the opposite [~~house~~] chamber
99 because of [~~its~~] the legislation's fiscal impact.

100 Section 6. **HR3-3-101** is amended to read:

101 **HR3-3-101. Chair to preserve order and decorum.**

102 (1) The chair shall preserve order and decorum during a House committee meeting by:

103 (a) ensuring nothing obstructs a walkway or the view of a meeting attendee;

104 (b) ensuring the meeting is free from any audible or visual disturbance;

105 (c) protecting state property from damage or disarray;

106 (d) prohibiting speech likely to incite or produce imminent lawless action, fighting
107 words, or obscenity; and

108 (e) prohibiting any activity or item that poses a danger to the safety of a meeting
109 attendee.

110 (2) To preserve order and decorum in accordance with Subsection (1), the chair may:

111 (a) prohibit the following:

112 (i) standing, waving, yelling, or clapping;

113 (ii) loud noises;

114 (iii) food or drink, other than water in a closed container;

115 (iv) musical instruments;

116 (v) any item that may require excessive cleanup; or

117 (vi) to the extent necessary to preserve order and decorum, any other item or activity
118 the chair determines necessary;

119 (b) clear the meeting room of one or more individuals;

120 (c) recess the meeting without a motion; or

- 121 (d) request assistance from:
 122 (i) the sergeant-at-arms; or
 123 (ii) the Utah Highway Patrol.

124 (3) To the extent reasonably applicable, any action by a chair under this rule applies to
 125 a member of the public participating in the meeting via video conference.

126 Section 7. **HR3-3-102** is amended to read:

127 **HR3-3-102. Prohibited items and activities in House committee meetings.**

128 (1) A member of the public attending a meeting of a House committee may not:

129 ~~[(1)]~~ (a) bring into the meeting room, or possess while in the meeting room, any of the
 130 following:

131 ~~[(a)]~~ (i) a sign, poster, banner, or placard;

132 ~~[(b)]~~ (ii) glitter or confetti;

133 ~~[(c)]~~ (iii) a laser pointer;

134 ~~[(d)]~~ (iv) paint;

135 ~~[(e)]~~ (v) an open flame;

136 ~~[(f)]~~ (vi) an incendiary device;

137 ~~[(g)]~~ (vii) a noise maker;

138 ~~[(h)]~~ (viii) flammable liquid; or

139 ~~[(i)]~~ (ix) any harmful or hazardous substance; or

140 ~~[(2)]~~ (b) engage in any of the following while in the meeting room:

141 ~~[(a)]~~ (i) commercial solicitation;

142 ~~[(b)]~~ (ii) leafletting;

143 ~~[(c)]~~ (iii) throwing an item; or

144 ~~[(d)]~~ (iv) adhering any item to a furnishing, a wall, or other state property.

145 (2) A member of the public participating in a House committee meeting via video
 146 conference may not:

147 (a) use a virtual background other than one that is simple and free from distracting
 148 visuals; or

149 (b) engage in any behavior that if performed in the meeting room would violate
 150 Subsection (1).

151 Section 8. **HR4-9-103** is amended to read:

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

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

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

156 (b) A motion to reconsider is nondebatable only if the action it seeks to reconsider is
157 nondebatable.

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

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

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

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

162 (4) (a) A motion to reconsider a vote on the final passage of a piece of legislation
163 requires approval by a constitutional majority of representatives.

164 (b) ~~Upon~~ Except as provided in [HR4-4-401](#), upon adoption of a motion to reconsider
165 and if the legislation is in possession of the House, the presiding officer shall ensure that the
166 legislation is placed at the top of the third reading calendar.

167 (c) The House may not reconsider a piece of legislation more than once.

168 **Section 9. Effective date.**

169 This resolution takes effect upon a successful vote for final passage.