

1 **HOUSE RULES RESOLUTION - AMENDMENTS TO HOUSE RULES**

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

2
3 **LONG TITLE**

4 **General Description:**

5 This resolution modifies House Rules.

6 **Highlighted Provisions:**

7 This resolution:

8 ▸ allows a lobbyist who is a former legislator to be present on the House floor when
9 designated by the speaker-elect to preside until the representatives take the oath of office and
10 elect a speaker;

11 ▸ extends the time period during which a representative may use the representative's
12 general session postage allowance;

13 ▸ directs the Office of Legislative Research and General Counsel to share with caucus
14 staff information in a representative's request for legislation, under certain circumstances;

15 ▸ changes the name of the Public Utilities, Energy, and Technology Standing Committee
16 to the Public Utilities and Energy Standing Committee;

17 ▸ adds the House Rules vice chair to the list of members who are not counted in
18 determining a quorum for a standing committee, unless the member is present at the meeting;

19 ▸ modifies the order in which a standing committee chair takes responses to a motion or
20 substitute motion;

21 ▸ updates inconsistent terminology;

22 ▸ removes obsolete language;

23 ▸ incorporates certain language from existing provisions of the Utah Code;

24 ▸ for the first day of an annual general session, removes the requirement that legislation
25 placed on the third reading calendar stay on the third reading calendar until at least the
26 following day; and

27 ▸ addresses remote participation in a House committee meeting.

28 **Other Special Clauses:**

29 None

30 **Legislative Rules Affected:**

31 AMENDS:

32 **HR1-2-101**

33 **HR1-7-101**

34 **HR1-8-101**

35 **HR2-2-106**

36 **HR3-2-201**

37 **HR3-2-203**

38 **HR3-2-313**

39 **HR3-2-402**

40 **HR3-3-101**

41 **HR3-3-102**

42 **HR4-3-101**

43 **HR4-9-103**

44 ENACTS:

45 **HR1-10-101**

46

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

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

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

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

53 (2) (a) Notwithstanding HR2-4-101.2, the speaker-elect may designate under Subsection
54 (1) a lobbyist who is a former speaker to call the House to order and preside until the
55 representatives take the oath of office and elect a speaker.

56 (b) The lobbyist shall comply with HR2-4-101.2 immediately after the representatives
57 elect a speaker.

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

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

60 (1) As used in this chapter:

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

62 (i) honoring or commending an individual who is a resident of Utah, or a group of

- 63 individuals who are residents of Utah or have a substantial presence in or
 64 connection to Utah;
- 65 (ii) commemorating an event or the anniversary of an event that has significant
 66 relevance to Utah; or
- 67 (iii) expressing condolences to the family of a deceased individual who was a
 68 resident of Utah.
- 69 (b) "House of Representatives citation" means a citation issued on behalf of the Utah
 70 House of Representatives under HR1-7-103, that is signed by the representative
 71 sponsoring the citation and the speaker of the House of Representatives.
- 72 (c) "Legislator citation" means a citation issued on behalf of an individual representative
 73 under HR1-7-102.
- 74 (d) "Utah Legislature citation" means a citation issued on behalf of both [~~houses~~]
 75 chambers of the Utah Legislature under HR1-7-104, that is signed by the
 76 representative sponsoring the citation, the speaker of the House of Representatives,
 77 and the president of the Senate.
- 78 (2) A citation honoring or commending the same individual or group of individuals, or
 79 recognizing the same event or anniversary, should not be issued more than once every
 80 10 years.
- 81 (3) A representative may request only one House of Representatives citation or Utah
 82 Legislature citation during a calendar year.

83 Section 3. **HR1-8-101** is amended to read:

84 **HR1-8-101 . House postage allowance.**

- 85 (1) Each representative may deposit:
- 86 (a) up to [~~300~~] 500 letters into the House mail system during the [~~annual general session~~]
 87 period that begins the first day of the annual general session and ends 30 days after
 88 the day on which the Legislature adjourns the annual general session sine die; and
- 89 (b) up to 10 letters per month into the House mail system during the remainder of the
 90 year.
- 91 (2) Upon request from an individual representative, the speaker may grant an additional
 92 postage allowance.

93 Section 4. **HR1-10-101** is enacted to read:

94 **CHAPTER 10. MISCELLANEOUS**

95 **HR1-10-101 . Requests for legislation -- Sharing with caucus staff.**

- 96 (1) As used in this rule, "caucus staff" means House staff assigned to the chief sponsor's
97 caucus.
- 98 (2) After a representative files a request for legislation in accordance with JR4-2-101, the
99 Office of Legislative Research and General Counsel shall provide caucus staff the
100 drafting instructions, as defined in JR4-1-101, provided in the request for legislation and
101 the request's assigned short title, unless the representative:
- 102 (a) elects not to share the drafting instructions and short title with caucus staff; or
103 (b) fails to sign an acknowledgment, for purposes of Rule 1.6 of the Rules of
104 Professional Conduct, that the Office of Legislative Research and General Counsel
105 will share the representative's information in accordance with this rule.
- 106 (3) Caucus staff or staff from the Office of Legislative Research and General Counsel may
107 share information provided under Subsection (2) with other representatives who are
108 members of the chief sponsor's caucus.

109 Section 5. **HR2-2-106** is amended to read:

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

- 111 (1) As used in this rule, "electronic cigarette" means any device, other than a combustible
112 cigarette or cigar, intended to deliver vapor containing nicotine into a person's
113 respiratory system.
- 114 (2) A person may not smoke or use an electronic cigarette in the House chamber or other [
115 house] House controlled areas.
- 116 (3) The sergeant-at-arms shall enforce this rule.

117 Section 6. **HR3-2-201** is amended to read:

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

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

- 121 (1) Business and Labor;
- 122 (2) Economic Development and Workforce Services;
- 123 (3) Education;
- 124 (4) Government Operations;
- 125 (5) Health and Human Services;
- 126 (6) House Rules;
- 127 (7) Judiciary;
- 128 (8) Law Enforcement and Criminal Justice;
- 129 (9) Natural Resources, Agriculture, and Environment;

- 130 (10) Political Subdivisions;
131 (11) Public Utilities~~[,]~~ and Energy~~[, and Technology]~~;
132 (12) Revenue and Taxation; and
133 (13) Transportation.

134 Section 7. **HR3-2-203** is amended to read:

135 **HR3-2-203 . Quorum requirements.**

- 136 (1) Except as provided in Subsection (2), a majority of a standing committee is a quorum.
137 (2) In determining whether a quorum is present, the speaker, majority leader, majority
138 whip, assistant majority whip, House Rules Committee chair, House Rules Committee
139 vice chair, Executive Appropriations Committee chair, Executive Appropriations
140 Committee vice chair, minority leader, minority whip, assistant minority whip, and the
141 fourth member of leadership from the minority party are not counted in determining a
142 quorum for a standing committee, except during the time that the representative is
143 present at the meeting.

144 Section 8. **HR3-2-313** is amended to read:

145 **HR3-2-313 . Chair to allow response to motions before placing motions for a vote.**

- 146 (1) After the chair accepts an original motion, and before the chair places the original
147 motion for a vote, the chair shall permit, in the following order:
148 [~~(a) committee members to debate the original motion;~~]
149 [~~(b)~~] (a) the chief sponsor of the legislation that is affected by the original motion to
150 respond to the original motion; [~~and~~]
151 (b) committee members to debate the original motion; and
152 (c) the committee member who placed the original motion to have the final word on the
153 motion.
154 (2) After a chair accepts a substitute motion, and before the chair places the substitute
155 motion for a vote, the chair shall permit, in the following order:
156 (a) the committee member who placed the original motion to respond to the substitute
157 motion;
158 [~~(b) committee members to debate the substitute motion;~~]
159 [~~(c)~~] (b) the chief sponsor of the legislation that is affected by the substitute motion to
160 respond to the substitute motion; [~~and~~]
161 (c) committee members to debate the substitute motion; and
162 (d) the committee member who placed the substitute motion to have the final word on
163 the motion.

164 Section 9. **HR3-2-402** is amended to read:

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

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

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

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

174 Section 10. **HR3-3-101** is amended to read:

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

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

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

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

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

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

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

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

185 (a) prohibit the following:

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

187 (ii) loud noises;

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

189 (iv) musical instruments;

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

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

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

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

195 (d) request assistance from:

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

197 (ii) the Utah Highway Patrol.

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

200 Section 11. **HR3-3-102** is amended to read:

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

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

203 ~~(+)~~ (a) bring into the meeting room, or possess while in the meeting room, any of the
204 following:

205 ~~(a)~~ (i) a sign, poster, banner, or placard;

206 ~~(b)~~ (ii) glitter or confetti;

207 ~~(e)~~ (iii) a laser pointer;

208 ~~(d)~~ (iv) paint;

209 ~~(e)~~ (v) an open flame;

210 ~~(f)~~ (vi) an incendiary device;

211 ~~(g)~~ (vii) a noise maker;

212 ~~(h)~~ (viii) flammable liquid; or

213 ~~(+)~~ (ix) any harmful or hazardous substance; or

214 ~~(2)~~ (b) engage in any of the following while in the meeting room:

215 ~~(a)~~ (i) commercial solicitation;

216 ~~(b)~~ (ii) leafletting;

217 ~~(e)~~ (iii) throwing an item; or

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

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

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

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

225 Section 12. **HR4-3-101** is amended to read:

226 **HR4-3-101 . Consideration of bills.**

227 (1) Except for the 1st, 43rd, 44th, and 45th day of the annual general session, ~~[a piece of]~~
228 legislation may not be read for the third time until at least the day after it is placed on the
229 third reading calendar.

230 (2) Legislation on third reading calendar shall be considered in the order that it appears on
231 the calendar unless a constitutional majority vote of the members of the House directs

232 other action.

233 Section 13. **HR4-9-103** is amended to read:

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

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

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

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

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

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

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

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

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

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

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

250 Section 14. **Effective date.**

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