

1                   **SENATE RESOLUTION AMENDING SENATE RULES**

2                                   2015 GENERAL SESSION

3                                   STATE OF UTAH

4                   **Chief Sponsor: Kevin T. Van Tassell**

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6 **LONG TITLE**

7 **General Description:**

8           This resolution repeals and reenacts Senate Standing Committee rules and amends  
9 special floor procedures and ~~§~~ **repeals** ~~§~~ postage allowance.

10 **Highlighted Provisions:**

11           This resolution:

- 12           ▶ defines terms;
- 13           ▶ reorganizes standing committee rules;
- 14           ▶ clarifies and expands the powers of a chair to:
  - 15           • preserve order and decorum;
  - 16           • adopt time restrictions for witnesses and presenters;
- 17           ▶ authorizes the president of the Senate to appoint a vice chair to each standing  
18 committee;
- 19           ▶ requires a standing committee chair to enforce standing committee rules;
- 20           ▶ clarifies that review of legislation during a standing committee is subject to four  
21 distinct phases:
  - 22           • presentation by the sponsor;
  - 23           • clarifying questions by committee members;
  - 24           • public comment; and
  - 25           • committee action;
- 26           ▶ clarifies that privileged motions:
  - 27           • take precedence over non-privileged motions;



- 28           • are to be accepted in a specified priority; and
- 29           • except for a motion to adjourn, do not dispose of other pending motions; and
- 30           ▶ makes technical corrections to special floor procedures.

31 **Special Clauses:**

32           None

33 **Legislative Rules Affected:**

34 AMENDS:

35 **Ŝ→ [~~SR1-8-101~~] ←Ŝ**

36           **SR4-3-101**

37           **SR4-3-301**

38           **SR4-4-401**

39           **SR4-7-106**

40 ENACTS:

41           **SR3-2-204**

42           **SR3-2-305**

43           **SR3-2-306**

44           **SR3-2-307**

45           **SR3-2-308**

46           **SR3-2-309**

47           **SR3-2-310**

48           **SR3-2-311**

49           **SR3-2-312**

50           **SR3-2-313**

51           **SR3-2-314**

52           **SR3-2-315**

53           **SR3-2-316**

54           **SR3-2-317**

55           **SR3-2-318**

56           **SR3-2-319**

57           **SR3-2-411**

58           **SR3-2-412**

- 59 SR3-2-413
- 60 SR3-2-507
- 61 SR3-2-508
- 62 SR3-2-509
- 63 SR3-2-510
- 64 SR3-2-511

65 REPEALS AND REENACTS:

- 66 SR3-2-101
- 67 SR3-2-201
- 68 SR3-2-202
- 69 SR3-2-203
- 70 SR3-2-301
- 71 SR3-2-302
- 72 SR3-2-303
- 73 SR3-2-304
- 74 SR3-2-401
- 75 SR3-2-402
- 76 SR3-2-403
- 77 SR3-2-404
- 78 SR3-2-405
- 79 SR3-2-406
- 80 SR3-2-407
- 81 SR3-2-408
- 82 SR3-2-409
- 83 SR3-2-410
- 84 SR3-2-501
- 85 SR3-2-502
- 86 SR3-2-503
- 87 SR3-2-504
- 88 SR3-2-505
- 89 SR3-2-506

90 REPEALS:

91 ~~SR1-8-101~~

92 ~~SR3-2-102~~

93 ~~SR3-2-103~~

94 ~~SR3-2-104~~

95 ~~SR3-2-601~~

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

97 ~~Section 1. SR1-8-101 is amended to read:~~

98 ~~SR1-8-101. Senator postage allowance:~~

99 ~~[(1) Each senator may request 20 first-class postage stamps from Senate staff at the~~  
 100 ~~beginning of the year.]~~

101 ~~[(2) In addition to the postage stamps, each] (1) Each senator may deposit:~~

102 ~~(a) up to five letters per day into the Senate mail system during the annual general~~  
 103 ~~session; and~~

104 ~~(b) up to 10 letters per month into the Senate mail system during each interim period.~~

105 ~~[(3)] (2) Upon request from an individual senator, the president may grant an additional~~  
 106 ~~postage allowance.]~~

107 Section ~~1~~ 2 ~~1~~ . SR3-2-101 is repealed and reenacted to read:

108 **Part 1. General Provisions**

109 **SR3-2-101. Definitions.**

110 As used in this chapter:

111 (1) "Chair" means:

112 (a) the chair of a standing committee; or

113 (b) a standing committee member who is authorized to act as chair under [SR3-2-202](#).

114 (2) "Committee" means a standing committee created under [SR3-2-201](#).

115 (3) "Dispose of legislation" refers to a committee action that transfers ownership of  
 116 legislation to the Senate Rules Committee, to another standing committee, or to the Senate  
 117 floor.

118 (4) "Favorable recommendation" refers to a committee action that transfers ownership  
 119 of legislation to the Senate second reading calendar.

120 (5) "Legislation" means a Senate bill, [House](#) bill, Senate resolution, House resolution,

121 joint resolution, or concurrent resolution.

122 (6) "Majority vote" means a majority of a quorum as described in [SR3-2-203](#).

123 (7) "Original motion" means a non-privileged motion that is accepted by the chair  
124 when no other motion is pending.

125 (8) "Pending motion" refers to a motion starting when a chair accepts a motion and  
126 ending when the motion is withdrawn or until the chair calls for a vote on the motion.

127 (9) (a) "Privileged motion" means a procedural motion to adjourn, set a time to  
128 adjourn, recess, end debate, extend debate, or limit debate.

129 (b) Privileged motions are not substitute motions.

130 (10) "Substitute motion" means a non-privileged motion that is made when a  
131 non-privileged motion is pending.

132 (11) "Under consideration" means the time starting when a chair opens a discussion on  
133 a subject or piece of legislation that is listed on a committee agenda and ending when the  
134 committee disposes of the legislation, moves on to another item on the agenda, or adjourns.

135 Section 3. **SR3-2-201** is repealed and reenacted to read:

136 **Part 2. Creation and Organization of Senate Standing Committees**

137 **SR3-2-201. Standing committees -- Creation.**

138 (1) There are created the following standing committees:

139 (a) Business and Labor;

140 (b) Economic Development and Workforce Services;

141 (c) Education;

142 (d) Government Operations and Political Subdivisions;

143 (e) Health and Human Services;

144 (f) Judiciary, Law Enforcement, and Criminal Justice;

145 (g) Natural Resources, Agriculture, and Environment;

146 (h) Revenue and Taxation;

147 (i) Rules; and

148 (j) Transportation, Public Utilities, and Technology.

149 (2) The Senate members of the Retirement and Independent Entities Committee  
150 created in Utah Code Section [63E-1-201](#) comprise a Senate standing committee.

151 Section 4. **SR3-2-202** is repealed and reenacted to read:

152 **SR3-2-202. President to appoint committee members, chairs, and vice chairs.**

153 (1) The president of the Senate shall appoint members of the Senate to each standing  
154 committee.

155 (2) The president shall appoint a chair to each standing committee.

156 (3) The president may appoint a vice chair to each standing committee.

157 (4) If the president does not appoint a vice chair to a standing committee, the chair may  
158 appoint a vice chair.

159 (5) A vice chair may perform the duties of a chair:

160 (a) as requested by a chair; or

161 (b) in the absence of the chair.

162 (6) The chair, or the vice chair as authorized under Subsection (3), may designate a  
163 member of the committee to conduct a standing committee meeting when neither the chair nor  
164 the vice chair are able to attend a meeting.

165 (7) A committee member designated under Subsection (6) may conduct a committee  
166 meeting but may not perform the duties of a chair described in [SR3-2-302](#) and [SR3-2-303](#).

167 (8) If a chair, vice chair, or the chair's designee are not present at a committee meeting,  
168 the most senior member of the majority party who is a member of the committee may chair a  
169 standing committee meeting, but that person may not perform the duties described in  
170 [SR3-2-302](#) and [SR3-2-303](#).

171 Section 5. **SR3-2-203** is repealed and reenacted to read:

172 **SR3-2-203. Quorum requirements.**

173 (1) Except as provided in Subsection (2), a majority of a standing committee is a  
174 quorum.

175 (2) In determining whether a quorum is present, the president, majority leader, majority  
176 whip, assistant majority whip, Senate Rules Committee chair, Executive Appropriations  
177 Committee chair, minority leader, minority whip, assistant minority whip, and the fourth  
178 member of leadership from the minority party are not counted in determining a quorum for a  
179 standing committee, except during the time that the senator is present at the meeting.

180 Section 6. **SR3-2-204** is enacted to read:

181 **SR3-2-204. Committee order of business.**

182 Unless a standing committee chair, or a committee by majority vote, determines

183 otherwise, the order of business for a standing committee is:

184 (1) call to order by the chair;

185 (2) approval of the minutes of previous meetings;

186 (3) announcement of the agenda;

187 (4) announcement of time restrictions, if any, subject to the requirements of

188 SR3-2-304; and

189 (5) consideration of standing committee business as provided in SR3-2-302(2).

190 Section 7. **SR3-2-301** is repealed and reenacted to read:

191 **Part 3. Duties of the Senate Standing Committee Chair**

192 **SR3-2-301. Chair to enforce legislative rules and procedures.**

193 The chair shall ensure the integrity of the standing committee process by enforcing  
194 legislative rules and parliamentary procedure without delay.

195 Section 8. **SR3-2-302** is repealed and reenacted to read:

196 **SR3-2-302. Chair to set agenda -- Requirements.**

197 The chair shall:

198 (1) set the agenda for a standing committee meeting;

199 (2) ensure that legislation referred to the committee is considered by the committee  
200 within a reasonable time;

201 (3) ensure that legislation tabled by a standing committee is listed on a standing  
202 committee agenda as required by SR3-2-408; and

203 (4) ensure that legislation placed on the time certain calendar in the Senate is listed on  
204 a standing committee agenda before it is scheduled to be heard by the Senate.

205 Section 9. **SR3-2-303** is repealed and reenacted to read:

206 **SR3-2-303. Chair to post notice and agenda -- Notification to sponsors.**

207 (1) The chair shall cause a public notice and agenda to be posted at least 24 hours  
208 before each standing committee meeting as required under Utah Code Title 52, Chapter 4,  
209 Open and Public Meetings Act.

210 (2) The chair shall notify the chief Senate sponsor or chief House sponsor of legislation  
211 listed on an agenda of the time and place of the committee meeting in which the legislation will  
212 be considered not less than 24 hours before the committee meeting.

213 Section 10. **SR3-2-304** is repealed and reenacted to read:

214 **SR3-2-304. Chair may direct order of agenda -- Time restrictions.**

215 The chair, or a committee by majority vote, may adopt committee procedures and time  
216 restrictions, including:

217 (1) directing the order of the agenda;

218 (2) directing the order in which a witness or presenter will be heard;

219 (3) directing the number of witnesses or presenters that will be heard; and

220 (4) limiting the time the committee will spend on:

221 (a) an item on the agenda; or

222 (b) an individual witness or presenter.

223 Section 11. **SR3-2-305** is enacted to read:

224 **SR3-2-305. Four phases when considering legislation.**

225 Legislation under consideration by a standing committee is subject to four distinct  
226 phases during a committee meeting:

227 (1) the sponsor's presentation as provided in [SR3-2-306](#);

228 (2) clarifying questions as provided in [SR3-2-307](#);

229 (3) public comment as provided in [SR3-2-308](#); and

230 (4) committee action as provided in [SR3-2-309](#).

231 Section 12. **SR3-2-306** is enacted to read:

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

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

236 (2) During the presentation phase of a committee meeting, the chair may accept a  
237 simple motion to amend legislation if the chair permits:

238 (a) committee questions and debate;

239 (b) public comment as provided in [SR3-2-308](#);

240 (c) the sponsor of the legislation affected by the amendment to respond to the motion  
241 to amend; and

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

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



245 (a) permit the chief Senate sponsor or chief House sponsor to present the sponsor's  
246 legislation; and

247 (b) except as provided in Subsection (4), and at the election of a legislative sponsor,  
248 permit persons who have expertise on the legislation to assist with the presentation as provided  
249 in [SR3-2-304](#).

250 (4) The chair may not permit:

251 (a) legislation to be presented if the legislative sponsor is not present; or

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

253 Section 13. **SR3-2-307** is enacted to read:

254 **SR3-2-307. Clarifying questions.**

255 (1) During the clarifying question phase, a committee member may not amend  
256 legislation, substitute legislation, or dispose of legislation. All other motions are in order  
257 during the clarifying questions phase.

258 (2) A chair shall allow members of the committee to ask the legislative sponsor  
259 questions, provided that the questions help to clarify the intent or purpose of the legislation or  
260 the meaning of the language of the legislation.

261 (3) The chair shall allow the legislative sponsor to respond to clarifying questions.

262 (4) The chair may allow, with the legislative sponsor's approval, a person authorized  
263 under [SR3-2-306](#) to respond to clarifying questions from members of the committee.

264 Section 14. **SR3-2-308** is enacted to read:

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

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

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

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

272 (b) the chair, or the committee by majority vote, may terminate the public comment  
273 phase at any time.

274 (3) Unless the chair, or a committee by majority vote, permits additional public  
275 comment, once the public comment phase has ended only committee members, legislative

276 sponsors, staff, and those authorized under [SR3-2-306](#) may address the committee.

277 Section 15. **SR3-2-309** is enacted to read:

278 **SR3-2-309. Committee action.**

279 During the committee action phase, a committee member may make motions to amend  
280 the legislation, to substitute the legislation, and to dispose of the legislation. All other motions  
281 authorized by this chapter are in order during the committee action phase of a committee  
282 meeting.

283 Section 16. **SR3-2-310** is enacted to read:

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

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

287 (a) controlling outbursts and demonstrations; and

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

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

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

292 (b) recess a standing committee meeting; or

293 (c) request assistance from:

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

295 (ii) the Utah Highway Patrol.

296 Section 17. **SR3-2-311** is enacted to read:

297 **SR3-2-311. Chair to recognize committee members -- Remarks to be germane --**  
298 **Committee members may make motions when recognized -- Permission to address**  
299 **committee.**

300 (1) The chair shall recognize a committee member who desires to speak to a subject  
301 that is under consideration by a standing committee.

302 (2) It is within the discretion of a chair to recognize a committee member who desires  
303 to speak to the same subject more than twice.

304 (3) Upon recognition by the chair, a committee member:

305 (a) shall ensure that the member's remarks are germane to the subject under  
306 consideration; and

307 (b) may make a motion that is authorized by this chapter.

308 (4) Presenters, witnesses, visitors, staff, and committee members may not speak to a  
309 standing committee unless recognized by the chair.

310 Section 18. **SR3-2-312** is enacted to read:

311 **SR3-2-312. Chair to accept all motions that are in order -- Once accepted, the**  
312 **motion is pending.**

313 (1) The chair shall accept a motion requested by a member of a standing committee  
314 who has been properly recognized unless the motion is prohibited by this chapter or by  
315 parliamentary procedure.

316 (2) To properly accept a motion, the chair shall:

317 (a) restate each verbal motion;

318 (b) identify the number of each written motion to amend or substitute legislation; and

319 (c) distribute copies of each written amendment or substitute to members of the  
320 committee.

321 (3) When a chair properly accepts a motion under Subsection (2), the motion is  
322 pending.

323 Section 19. **SR3-2-313** is enacted to read:

324 **SR3-2-313. Chair to allow response to motions before placing motions for a vote.**

325 After a motion has been accepted, and before the chair places a motion for a vote, the  
326 chair shall permit:

327 (1) members of the committee to ask the committee member who placed the motion  
328 questions about the motion;

329 (2) members of the committee to debate the motion;

330 (3) the chief sponsor of the legislation that is affected by the motion to respond to the  
331 motion; and

332 (4) the committee member who placed the motion to have the final word on the  
333 motion.

334 Section 20. **SR3-2-314** is enacted to read:

335 **SR3-2-314. Chair to place motion for vote.**

336 After the chair has permitted a committee member to sum on a motion as required  
337 under [SR3-2-313](#)(4), the chair shall place the motion for a vote unless the motion is withdrawn

338 subject to the requirements of [SR3-2-511](#).

339 Section 21. **SR3-2-315** is enacted to read:

340 **SR3-2-315. Chair to verbally announce vote on motions -- Motions pass with**  
341 **majority vote of a quorum -- Exceptions.**

342 (1) After a standing committee votes on a motion, the chair shall:

343 (a) determine whether the motion passed or failed;

344 (b) verbally announce that the motion passed or that the motion failed; and

345 (c) if the vote on the motion is not unanimous, verbally identify by name either the

346 committee members who voted "yes" or the committee members who voted "no."

347 (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority  
348 vote of a quorum as described in [SR3-2-203](#).

349 Section 22. **SR3-2-316** is enacted to read:

350 **SR3-2-316. Chair may direct a roll call vote.**

351 Although most motions will be determined by a voice vote, the chair, or a committee by  
352 majority vote, may direct a roll call vote.

353 Section 23. **SR3-2-317** is enacted to read:

354 **SR3-2-317. Chair to decide points of order -- Committee may appeal chair's**  
355 **decision.**

356 (1) A chair shall rule on a point of order without committee discussion or debate.

357 (2) As provided in [SR3-2-506](#), a committee member may:

358 (a) make a point of order; or

359 (b) appeal the decision of the chair.

360 Section 24. **SR3-2-318** is enacted to read:

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

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

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

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

367 (2) If, for any reason, the chair does not submit a committee report to the secretary of

368 the Senate as required in Subsection (1), the secretary of the Senate shall ensure that the official

369 version of the legislation and the committee report are submitted before the end of the second  
370 legislative day after the legislation was acted on by a standing committee.

371 Section 25. **SR3-2-319** is enacted to read:

372 **SR3-2-319. Chair to ensure integrity of minutes -- Retention of minutes -- Content**  
373 **requirements.**

374 (1) The chair shall:

375 (a) ensure that a secretary takes minutes of standing committee meetings;

376 (b) present the minutes to the committee for approval; and

377 (c) send the approved minutes to the office of the secretary of the Senate.

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

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

381 (4) The chair shall ensure that committee minutes include:

382 (a) the date, time, and place of each committee meeting;

383 (b) a list of committee members present;

384 (c) each motion made;

385 (d) the vote on each motion;

386 (e) points of order; and

387 (f) the outcome of each appeal of the decision of the chair.

388 Section 26. **SR3-2-401** is repealed and reenacted to read:

389 **Part 4. Duties of the Senate Standing Committee**

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

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

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

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

396 (b) legislation that has been approved by a unanimous vote of an interim committee;

397 (c) the revisor's statute; or

398 (d) if the legislation was reviewed and approved by the Executive Appropriations  
399 Committee, legislation that:

- 400 (i) exclusively appropriates money;  
401 (ii) amends Utah Code Title 53A, Chapter 17a, Minimum School Program Act;  
402 (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or  
403 (iv) authorizes the issuance of general obligation or revenue bonds.

404 Section 27. **SR3-2-402** is repealed and reenacted to read:

405 **SR3-2-402. Standing committee review of legislation with a fiscal impact.**

406 Except as provided in [SR3-2-401](#), a standing committee in one or both houses shall  
407 review legislation before the legislation is held in the opposite house because of its fiscal  
408 impact.

409 Section 28. **SR3-2-403** is repealed and reenacted to read:

410 **SR3-2-403. Standing committee duties -- Consider legislation in a reasonable time**  
411 **-- Dispose of legislation.**

412 (1) As required by [SR3-2-302](#)(2), a chair shall ensure that legislation referred to the  
413 committee is considered by the committee within a reasonable time.

414 (2) When a committee has complied with the requirements of [SR3-2-302](#)(2), a standing  
415 committee shall dispose of the legislation by:

- 416 (a) returning the legislation to the Senate Rules Committee;  
417 (b) tabling the legislation, subject to the requirements of [SR3-2-408](#);  
418 (c) recommending the legislation to the second reading calendar; or  
419 (d) referring the legislation to a different standing committee.

420 Section 29. **SR3-2-404** is repealed and reenacted to read:

421 **SR3-2-404. Motions to lift from the table, hold, amend, or substitute legislation.**

422 In addition to the actions listed in [SR3-2-403](#)(2), a standing committee may approve  
423 one or more of the following motions on a single piece of legislation:

- 424 (1) hold the legislation;  
425 (2) move to the next item on an agenda;  
426 (3) amend the legislation, subject to the requirements of [SR3-2-406](#);  
427 (4) substitute the legislation, subject to the requirements of [SR3-2-407](#); or  
428 (5) lift legislation from the table, subject to the requirements of [SR3-2-408](#).

429 Section 30. **SR3-2-405** is repealed and reenacted to read:

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

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

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

435 (b) immediately subsequent to that action, the chief sponsor requests that the  
436 legislation be placed on the consent calendar; and

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

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

444 Section 31. **SR3-2-406** is repealed and reenacted to read:

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

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

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

451 (ii) Before proposing a motion to amend, a committee member shall ensure that a  
452 proposed amendment that contains more than 25 words is printed and distributed to committee  
453 staff and to all committee members present.

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

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

458 Section 32. **SR3-2-407** is repealed and reenacted to read:

459 **SR3-2-407. Substitute legislation -- Substitutes must be germane.**

460 (1) Except as provided in Subsection (2), and if recognized by the chair during the  
461 committee action phase, a committee member may make a motion to substitute legislation that

462 is under consideration.

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

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

467 Section 33. **SR3-2-408** is repealed and reenacted to read:

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

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

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

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

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

478 (b) After reading the committee report on the tabled legislation, the secretary of the  
479 Senate shall send the tabled legislation to the Senate Rules Committee.

480 Section 34. **SR3-2-409** is repealed and reenacted to read:

481 **SR3-2-409. Reconsideration of action.**

482 (1) Except as provided in Subsection (2), and if recognized by the chair, a committee  
483 member may make a motion to reconsider the committee's action on legislation if the  
484 legislation is:

485 (a) in the possession of the standing committee; and

486 (b) listed on the committee agenda as required by Utah Code Title 52, Chapter 4, Open  
487 and Public Meetings Act.

488 (2) A standing committee may not reconsider its action on a piece of legislation:

489 (a) more than once; and

490 (b) until the committee has considered other committee business.

491 Section 35. **SR3-2-410** is repealed and reenacted to read:

492 **SR3-2-410. Testimony may be taken under oath.**



493 (1) At the direction of the chair, or upon a majority vote of the committee, the  
494 testimony of a witness, presenter, or visitor who speaks to a committee may be taken under  
495 oath.

496 (2) The chair or committee staff shall administer the oath.

497 Section 36. **SR3-2-411** is enacted to read:

498 **SR3-2-411. Additional standing committee meetings.**

499 With the president of the Senate's permission, a chair may hold a committee meeting  
500 independent of regularly scheduled committee meetings on:

501 (1) a single piece of legislation; or

502 (2) the subject of two or more pieces of legislation.

503 Section 37. **SR3-2-412** is enacted to read:

504 **SR3-2-412. Closed standing committee meetings.**

505 A standing committee may close a committee meeting in accordance with the  
506 procedures and requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

507 Section 38. **SR3-2-413** is enacted to read:

508 **SR3-2-413. Prohibited from meeting while Senate is in session -- Exceptions.**

509 (1) A standing committee may not meet while the Senate is in session unless:

510 (a) the chair receives permission from the president to meet; or

511 (b) a majority of the Senate approves a motion for the committee to meet while the  
512 Senate is in session.

513 (2) Unless a committee is authorized to meet as provided in Subsection (1), any action  
514 taken by a committee while the Senate is in session is invalid.

515 Section 39. **SR3-2-501** is repealed and reenacted to read:

516 **Part 5. Standing Committee Parliamentary Procedures**

517 **SR3-2-501. Obtaining the floor in committee -- Remarks to be germane.**

518 (1) As required in [SR3-2-311](#), a chair shall recognize a committee member who desires  
519 to speak to the committee.

520 (2) A committee member who is recognized by the chair may make a motion consistent  
521 with the requirements of this chapter.

522 (3) A second to a motion is not required.

523 Section 40. **SR3-2-502** is repealed and reenacted to read:

524 **SR3-2-502. Committee members shall vote.**

525 A committee member shall vote on every motion placed for a vote while the committee  
526 member is present at a meeting.

527 Section 41. **SR3-2-503** is repealed and reenacted to read:

528 **SR3-2-503. Privileged motions in committee -- General requirements, procedure,**  
529 **and priority.**

530 (1) Privileged motions:

531 (a) are non-debatable; and

532 (b) take precedence over non-privileged motions.

533 (2) If a privileged motion is requested while another privileged motion is pending, the  
534 chair shall grant priority to the privileged motions in the following order:

535 (a) adjourn;

536 (b) set time to adjourn;

537 (c) recess;

538 (d) end debate or call the question;

539 (e) extend debate; and

540 (f) limit debate.

541 (3) Except for a motion to adjourn, a privileged motion, if adopted, does not dispose of  
542 other pending motions.

543 Section 42. **SR3-2-504** is repealed and reenacted to read:

544 **SR3-2-504. Original motions in committee -- General requirements, procedure,**  
545 **and priority.**

546 (1) Original motions:

547 (a) are debatable; and

548 (b) may be replaced with a substitute motion.

549 (2) A committee member may not make an original motion if:

550 (a) a privileged motion is pending; or

551 (b) a substitute motion is pending.

552 Section 43. **SR3-2-505** is repealed and reenacted to read:

553 **SR3-2-505. Substitute motions in committee -- General requirements, procedure,**  
554 **and priority.**

555 (1) Substitute motions:

556 (a) are debatable; and

557 (b) take precedence over original motions.

558 (2) (a) A committee member may make a substitute motion if an original motion is

559 pending.

560 (b) A committee member may not make a substitute motion if:

561 (i) a privileged motion is pending; or

562 (ii) another substitute motion is pending.

563 (c) If a substitute motion is adopted, a substitute motion disposes of the original

564 motion.

565 (d) If a substitute motion is not adopted, the original motion is pending.

566 Section 44. **SR3-2-506** is repealed and reenacted to read:

567 **SR3-2-506. Point of order -- Appeal of chair's decision.**

568 (1) A point of order is not a motion and, except during a vote, may be made by a

569 member of a standing committee at any time during a committee meeting.

570 (2) If a member of a standing committee is concerned that legislative rules or

571 procedures are not being followed, the committee member may make a point of order.

572 (3) When a point of order is made, the chair shall immediately allow the committee

573 member to state the member's point.

574 (4) A chair shall rule on the point of order without committee discussion or debate as

575 provided in [SR3-2-315](#).

576 (5) An appeal of the decision of the chair is not a motion and may be made by a

577 committee member after the chair has ruled on a point of order.

578 (6) A standing committee may, by majority vote, override the decision of the chair on a

579 point of order.

580 (a) If the committee overrides the decision of the chair, the ruling of a committee is

581 final.

582 (b) If a committee does not override the decision of the chair, the ruling of a chair is

583 final.

584 Section 45. **SR3-2-507** is enacted to read:

585 **SR3-2-507. Point of information.**

586 (1) A point of information is not a motion and, except during a vote, may be made by a  
587 member of a standing committee at any time during a committee meeting.

588 (2) If a member of a standing committee desires clarification on any aspect of a  
589 committee meeting, the committee member may make a point of information.

590 (3) When a point of information is made, the chair shall immediately allow the  
591 committee member to state the point.

592 Section 46. **SR3-2-508** is enacted to read:

593 **SR3-2-508. Division of a motion.**

594 (1) A division is not a motion and, except during a vote, may be made by a member of  
595 a standing committee at any time during a committee meeting without being recognized by the  
596 chair.

597 (2) The committee member who divides a motion shall clearly state how the motion is  
598 to be divided.

599 (3) A committee member may not divide a motion to amend legislation in such a  
600 manner that could create an unintelligible or ambiguous result.

601 Section 47. **SR3-2-509** is enacted to read:

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

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

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

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

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

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

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

611 (b) circle legislation.

612 Section 48. **SR3-2-510** is enacted to read:

613 **SR3-2-510. Repeating defeated motion.**

614 (1) Except as provided in Subsection (2), a motion that is defeated may not be made by  
615 a committee member until the committee has considered other committee business.

616 (2) A motion to postpone legislation to a day certain, to postpone legislation

617 indefinitely, or to return legislation to the Senate Rules Committee, if defeated, may not be  
618 made again by any committee member during the same committee meeting.

619 Section 49. **SR3-2-511** is enacted to read:

620 **SR3-2-511. A motion may be withdrawn.**

621 A committee member who makes a motion may withdraw that motion at any time  
622 before the motion is placed for a vote.

623 Section 50. **SR4-3-101** is amended to read:

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

625 (1) (a) The secretary of the Senate shall cause each bill reported to the Senate by a  
626 Senate standing committee or the Senate Rules Committee to be placed at the bottom of the  
627 second reading calendar or on the consent calendar in the order that the bill is received.

628 (b) The presiding officer shall ensure that each bill that is placed on the second reading  
629 calendar [~~but lacks~~] without a fiscal note is circled until the fiscal note is received.

630 (2) The secretary of the Senate shall ensure that each bill on the second reading  
631 calendar that is passed by a constitutional majority vote is placed at the bottom of the third  
632 reading calendar.

633 Section 51. **SR4-3-301** is amended to read:

634 **SR4-3-301. Amendments in order on second or third reading -- 10 word rule --**  
635 **Passage of amendments by a majority vote.**

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

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

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

642 (ii) A senator shall ensure that a proposed amendment containing more than 10 words  
643 is printed and distributed to the secretary of the Senate and to all senators before the  
644 amendment is proposed.

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

647 (b) If a senator believes that an amendment is not germane to the subject of the original

648 legislation, the senator may raise a point of order alleging that the amendment is not germane.

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

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

653 (5) When legislation is amended by the Senate, the secretary of the Senate shall:

654 (a) for each page of the legislation modified by a Senate amendment, cause a new page  
655 to be printed that clearly identifies each Senate amendment to that page; and

656 (b) print that new page on tan paper on the second reading and on goldenrod-colored  
657 paper on the third reading.

658 Section 52. **SR4-4-401** is amended to read:

659 **SR4-4-401. Concurrence calendar.**

660 (1) After the secretary of the Senate or the secretary's designee reads the transmittal  
661 letter from the House informing the Senate that the House has amended or substituted a piece  
662 of Senate legislation, the presiding officer shall place the legislation on the concurrence  
663 calendar.

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

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

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

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

673 (i) concur with the House amendments; or

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

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

678 (i) pose the question: "This bill (resolution) has been read three times. The question is:

679 Shall [~~the Senate concur with the House amendments~~] this bill (resolution) pass?"; and

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

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

684 (e) If the House refuses to recede, the Senate and House shall follow the procedures  
685 and requirements of [JR3-2-601](#) relating to the appointment of a conference committee.

686 Section 53. **SR4-7-106** is amended to read:

687 **SR4-7-106. Voting or changing vote after the vote is announced.**

688 After the vote is announced, a senator may not vote or change the senator's vote unless:

689 (1) the Senate has possession of the legislation;

690 ~~[(+)]~~ (2) there is unanimous consent of the senators present; and

691 ~~[(2)]~~ (3) the result of the vote is not changed.

692 Section 54. **Repealer.**

693 This resolution repeals:

694 **Ŝ→ SR1-8-101, Senator postage allowance. ←Ŝ**

695 **SR3-2-102, Standing committee review required -- Exceptions.**

696 **SR3-2-103, Standing committee review of legislation with a fiscal impact.**

697 **SR3-2-104, Standing committees prohibited from meeting while the Senate is in  
698 session -- Exceptions.**

699 **SR3-2-601, Committee reports.**

Legislative Review Note  
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