

1 **SENATE RESOLUTION AMENDING SENATE RULES**

2 2015 GENERAL SESSION

3 STATE OF UTAH

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

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

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30 ▶ makes technical corrections to special floor procedures.

31 **Special Clauses:**

32 None

33 **Legislative Rules Affected:**

34 AMENDS:

35 **SR4-3-101**

36 **SR4-3-301**

37 **SR4-4-401**

38 **SR4-7-106**

39 ENACTS:

40 **SR3-2-204**

41 **SR3-2-305**

42 **SR3-2-306**

43 **SR3-2-307**

44 **SR3-2-308**

45 **SR3-2-309**

46 **SR3-2-310**

47 **SR3-2-311**

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50 **SR3-2-314**

51 **SR3-2-315**

52 **SR3-2-316**

53 **SR3-2-317**

54 **SR3-2-318**

55 **SR3-2-319**

56 **SR3-2-411**

57 **SR3-2-412**

58 **SR3-2-413**

59 **SR3-2-507**

60 **SR3-2-508**

61 **SR3-2-509**

62 **SR3-2-510**

63 **SR3-2-511**

64 **REPEALS AND REENACTS:**

65 **SR3-2-101**

66 **SR3-2-201**

67 **SR3-2-202**

68 **SR3-2-203**

69 **SR3-2-301**

70 **SR3-2-302**

71 **SR3-2-303**

72 **SR3-2-304**

73 **SR3-2-401**

74 **SR3-2-402**

75 **SR3-2-403**

76 **SR3-2-404**

77 **SR3-2-405**

78 **SR3-2-406**

79 **SR3-2-407**

80 **SR3-2-408**

81 **SR3-2-409**

82 **SR3-2-410**

83 **SR3-2-501**

84 **SR3-2-502**

85 **SR3-2-503**

86 [SR3-2-504](#)

87 [SR3-2-505](#)

88 [SR3-2-506](#)

89 REPEALS:

90 [SR1-8-101](#)

91 [SR3-2-102](#)

92 [SR3-2-103](#)

93 [SR3-2-104](#)

94 [SR3-2-601](#)



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

97 Section 1. [SR3-2-101](#) is repealed and reenacted to read:

98 **Part 1. General Provisions**

99 **SR3-2-101. Definitions.**

100 As used in this chapter:

101 (1) "Chair" means:

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

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

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

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

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

110 (5) "Legislation" means a Senate bill, [House](#) bill, Senate resolution, House resolution,
111 joint resolution, or concurrent resolution.

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

113 (7) "Original motion" means a non-privileged motion that is accepted by the chair

114 when no other motion is pending.

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

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

119 (b) Privileged motions are not substitute motions.

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

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

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

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

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

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

129 (a) Business and Labor;

130 (b) Economic Development and Workforce Services;

131 (c) Education;

132 (d) Government Operations and Political Subdivisions;

133 (e) Health and Human Services;

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

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

136 (h) Revenue and Taxation;

137 (i) Rules; and

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

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

141 Section 3. **SR3-2-202** is repealed and reenacted to read:

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

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

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

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

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

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

150 (a) as requested by a chair; or

151 (b) in the absence of the chair.

152 (6) The chair, or the vice chair as authorized under Subsection (3), may designate a
153 member of the committee to conduct a standing committee meeting when neither the chair nor
154 the vice chair is able to attend a meeting.

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

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

161 Section 4. **SR3-2-203** is repealed and reenacted to read:

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

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

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

170 Section 5. **SR3-2-204** is enacted to read:
171 **SR3-2-204. Committee order of business.**
172 Unless a standing committee chair, or a committee by majority vote, determines
173 otherwise, the order of business for a standing committee is:

- 174 (1) call to order by the chair;
- 175 (2) approval of the minutes of previous meetings;
- 176 (3) announcement of the agenda;
- 177 (4) announcement of time restrictions, if any, subject to the requirements of
178 [SR3-2-304](#); and
- 179 (5) consideration of standing committee business as provided in [SR3-2-302](#)(2).

180 Section 6. **SR3-2-301** is repealed and reenacted to read:

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

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

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

185 Section 7. **SR3-2-302** is repealed and reenacted to read:

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

187 The chair shall:

- 188 (1) set the agenda for a standing committee meeting;
- 189 (2) ensure that legislation referred to the committee is considered by the committee
190 within a reasonable time;
- 191 (3) ensure that legislation tabled by a standing committee is listed on a standing
192 committee agenda as required by [SR3-2-408](#); and

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

195 Section 8. **SR3-2-303** is repealed and reenacted to read:

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

197 (1) The chair shall cause a public notice and agenda to be posted at least 24 hours

198 before each standing committee meeting as required under Utah Code Title 52, Chapter 4,
199 Open and Public Meetings Act.

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

203 Section 9. **SR3-2-304** is repealed and reenacted to read:

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

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

207 (1) directing the order of the agenda;

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

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

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

211 (a) an item on the agenda; or

212 (b) an individual witness or presenter.

213 Section 10. **SR3-2-305** is enacted to read:

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

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

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

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

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

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

221 Section 11. **SR3-2-306** is enacted to read:

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

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

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

228 (a) committee questions and debate;

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

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

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

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

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

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

240 (4) The chair may not permit:

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

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

243 Section 12. **SR3-2-307** is enacted to read:

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

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

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

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

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

254 Section 13. **SR3-2-308** is enacted to read:

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

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

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

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

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

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

267 Section 14. **SR3-2-309** is enacted to read:

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

269 During the committee action phase, a committee member may make motions to amend
270 the legislation, to substitute the legislation, and to dispose of the legislation. All other motions
271 authorized by this chapter are in order during the committee action phase of a committee
272 meeting.

273 Section 15. **SR3-2-310** is enacted to read:

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

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

277 (a) controlling outbursts and demonstrations; and

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

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

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

282 (b) recess a standing committee meeting; or

283 (c) request assistance from:

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

285 (ii) the Utah Highway Patrol.

286 Section 16. **SR3-2-311** is enacted to read:

287 **SR3-2-311. Chair to recognize committee members -- Remarks to be germane --**

288 **Committee members may make motions when recognized -- Permission to address**

289 **committee.**

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

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

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

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

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

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

300 Section 17. **SR3-2-312** is enacted to read:

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

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

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

307 (a) restate each verbal motion;

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

309 (c) distribute copies of each written amendment or substitute to members of the

310 committee.

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

313 Section 18. **SR3-2-313** is enacted to read:

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

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

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

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

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

322 (4) the committee member who placed the motion to have the final word on the
323 motion.

324 Section 19. **SR3-2-314** is enacted to read:

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

326 After the chair has permitted a committee member to sum on a motion as required
327 under [SR3-2-313](#)(4), the chair shall place the motion for a vote unless the motion is withdrawn
328 subject to the requirements of [SR3-2-511](#).

329 Section 20. **SR3-2-315** is enacted to read:

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

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

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

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

335 (c) if the vote on the motion is not unanimous, verbally identify by name either the
336 committee members who voted "yes" or the committee members who voted "no."

337 (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority

338 vote of a quorum as described in [SR3-2-203](#).

339 Section 21. **SR3-2-316** is enacted to read:

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

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

343 Section 22. **SR3-2-317** is enacted to read:

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

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

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

348 (a) make a point of order; or

349 (b) appeal the decision of the chair.

350 Section 23. **SR3-2-318** is enacted to read:

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

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

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

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

357 (2) If, for any reason, the chair does not submit a committee report to the secretary of
358 the Senate as required in Subsection (1), the secretary of the Senate shall ensure that the official
359 version of the legislation and the committee report are submitted before the end of the second
360 legislative day after the legislation was acted on by a standing committee.

361 Section 24. **SR3-2-319** is enacted to read:

362 **SR3-2-319. Chair to ensure integrity of minutes -- Retention of minutes -- Content**
363 **requirements.**

364 (1) The chair shall:

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

- 366 (b) present the minutes to the committee for approval; and
367 (c) send the approved minutes to the office of the secretary of the Senate.
368 (2) The secretary of the Senate shall retain committee minutes for three years.
369 (3) The chair shall ensure that committee minutes comply with the requirements of
370 Utah Code Title 52, Chapter 4, Open and Public Meetings Act.
371 (4) The chair shall ensure that committee minutes include:
372 (a) the date, time, and place of each committee meeting;
373 (b) a list of committee members present;
374 (c) each motion made;
375 (d) the vote on each motion;
376 (e) points of order; and
377 (f) the outcome of each appeal of the decision of the chair.

378 Section 25. **SR3-2-401** is repealed and reenacted to read:

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

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

- 381 (1) Except as provided in Subsection (2), the Senate may not pass a bill, joint
382 resolution, or concurrent resolution during the annual general session unless a Senate standing
383 committee has given a favorable recommendation to the legislation.
384 (2) Subsection (1) does not apply to:
385 (a) a resolution regarding legislative rules or legislative personnel;
386 (b) legislation that has been approved by a unanimous vote of an interim committee;
387 (c) the revisor's statute; or
388 (d) if the legislation was reviewed and approved by the Executive Appropriations
389 Committee, legislation that:
390 (i) exclusively appropriates money;
391 (ii) amends Utah Code Title 53A, Chapter 17a, Minimum School Program Act;
392 (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or
393 (iv) authorizes the issuance of general obligation or revenue bonds.

394 Section 26. **SR3-2-402** is repealed and reenacted to read:

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

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

399 Section 27. **SR3-2-403** is repealed and reenacted to read:

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

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

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

406 (a) returning the legislation to the Senate Rules Committee;

407 (b) tabling the legislation, subject to the requirements of [SR3-2-408](#);

408 (c) recommending the legislation to the second reading calendar; or

409 (d) referring the legislation to a different standing committee.

410 Section 28. **SR3-2-404** is repealed and reenacted to read:

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

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

414 (1) hold the legislation;

415 (2) move to the next item on an agenda;

416 (3) amend the legislation, subject to the requirements of [SR3-2-406](#);

417 (4) substitute the legislation, subject to the requirements of [SR3-2-407](#); or

418 (5) lift legislation from the table, subject to the requirements of [SR3-2-408](#).

419 Section 29. **SR3-2-405** is repealed and reenacted to read:

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

421 (1) A standing committee may recommend that legislation in its possession be placed

422 on the consent calendar if:

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

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

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

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

434 Section 30. **SR3-2-406** is repealed and reenacted to read:

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

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

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

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

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

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

448 Section 31. **SR3-2-407** is repealed and reenacted to read:

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

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

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

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

457 Section 32. **SR3-2-408** is repealed and reenacted to read:

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

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

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

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

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

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

470 Section 33. **SR3-2-409** is repealed and reenacted to read:

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

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

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

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

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

479 (a) more than once; and

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

481 Section 34. **SR3-2-410** is repealed and reenacted to read:

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

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

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

487 Section 35. **SR3-2-411** is enacted to read:

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

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

491 (1) a single piece of legislation; or

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

493 Section 36. **SR3-2-412** is enacted to read:

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

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

497 Section 37. **SR3-2-413** is enacted to read:

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

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

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

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

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

505 Section 38. **SR3-2-501** is repealed and reenacted to read:

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

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

508 (1) As required in SR3-2-311, a chair shall recognize a committee member who desires
509 to speak to the committee.

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

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

513 Section 39. **SR3-2-502** is repealed and reenacted to read:

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

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

517 Section 40. **SR3-2-503** is repealed and reenacted to read:

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

520 (1) Privileged motions:

521 (a) are non-debatable; and

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

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

525 (a) adjourn;

526 (b) set time to adjourn;

527 (c) recess;

528 (d) end debate or call the question;

529 (e) extend debate; and

530 (f) limit debate.

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

533 Section 41. **SR3-2-504** is repealed and reenacted to read:

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

536 (1) Original motions:

537 (a) are debatable; and

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

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

540 (a) a privileged motion is pending; or

541 (b) a substitute motion is pending.

542 Section 42. **SR3-2-505** is repealed and reenacted to read:

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

545 (1) Substitute motions:

546 (a) are debatable; and

547 (b) take precedence over original motions.

548 (2) (a) A committee member may make a substitute motion if an original motion is
549 pending.

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

551 (i) a privileged motion is pending; or

552 (ii) another substitute motion is pending.

553 (c) If a substitute motion is adopted, a substitute motion disposes of the original
554 motion.

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

556 Section 43. **SR3-2-506** is repealed and reenacted to read:

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

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

560 (2) If a member of a standing committee is concerned that legislative rules or
561 procedures are not being followed, the committee member may make a point of order.

562 (3) When a point of order is made, the chair shall immediately allow the committee
563 member to state the member's point.

564 (4) A chair shall rule on the point of order without committee discussion or debate as
565 provided in [SR3-2-315](#).

566 (5) An appeal of the decision of the chair is not a motion and may be made by a
567 committee member after the chair has ruled on a point of order.

568 (6) A standing committee may, by majority vote, override the decision of the chair on a
569 point of order.

570 (a) If the committee overrides the decision of the chair, the ruling of a committee is
571 final.

572 (b) If a committee does not override the decision of the chair, the ruling of a chair is
573 final.

574 Section 44. **SR3-2-507** is enacted to read:

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

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

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

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

582 Section 45. **SR3-2-508** is enacted to read:

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

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

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

589 (3) A committee member may not divide a motion to amend legislation in such a

590 manner that could create an unintelligible or ambiguous result.

591 Section 46. **SR3-2-509** is enacted to read:

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

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

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

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

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

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

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

601 (b) circle legislation.

602 Section 47. **SR3-2-510** is enacted to read:

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

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

606 (2) A motion to postpone legislation to a day certain, to postpone legislation
607 indefinitely, or to return legislation to the Senate Rules Committee, if defeated, may not be
608 made again by any committee member during the same committee meeting.

609 Section 48. **SR3-2-511** is enacted to read:

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

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

613 Section 49. **SR4-3-101** is amended to read:

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

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

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

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

623 Section 50. **SR4-3-301** is amended to read:

624 **SR4-3-301. Amendments in order on second or third reading -- 10 word rule --**

625 **Passage of amendments by a majority vote.**

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

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

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

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

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

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

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

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

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

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

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

648 Section 51. **SR4-4-401** is amended to read:

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

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

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

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

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

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

663 (i) concur with the House amendments; or

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

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

668 (i) pose the question: "This bill (resolution) has been read three times. The question is:
669 Shall [~~the Senate concur with the House amendments~~] this bill (resolution) pass?"; and

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

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

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

676 Section 52. **SR4-7-106** is amended to read:

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

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

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

680 [~~(1)~~] (2) there is unanimous consent of the senators present; and

681 [~~(2)~~] (3) the result of the vote is not changed.

682 Section 53. **Repealer.**

683 This resolution repeals:

684 **SR1-8-101, Senator postage allowance.**

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

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

687 **SR3-2-104, Standing committees prohibited from meeting while the Senate is in**

688 **session -- Exceptions.**

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