

1 **JOINT RULES RESOLUTION ON PROCEDURE**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: James A. Dunnigan**

5 Senate Sponsor: Deidre M. Henderson

7 **LONG TITLE**

8 **General Description:**

9 This rules resolution amends and enacts provisions related to legislative procedure.

10 **Highlighted Provisions:**

11 This resolution:

- 12 ▶ provides authority to the legislative general counsel to correct technical errors in
- 13 legislative rule;
- 14 ▶ addresses the circumstances under which the Senate or House of Representatives
- 15 may amend or substitute legislation after it passes both houses; and
- 16 ▶ makes technical and conforming changes.

17 **Special Clauses:**

18 None

19 **Legislative Rules Affected:**

20 AMENDS:

21 **JR3-2-901**

22 **JR4-3-108**

23 ENACTS:

24 **JR1-1-103**

26 *Be it resolved by the Legislature of the state of Utah:*

27 Section 1. **JR1-1-103** is enacted to read:

28 **JR1-1-103.** **Legislative general counsel to correct certain technical errors in**

29 **legislative rules.**

- 30 The legislative general counsel may correct technical errors in the Rules of the Utah
31 Legislature in preparing the rules for publication, including:
32 (1) adopting a uniform system of punctuation, capitalization, numbering, or wording;
33 (2) eliminating duplication or the repeal of rules directly or by implication, including
34 renumbering when necessary;
35 (3) correcting defective or inconsistent rule or paragraph structure in the arrangement
36 of the subject matter of existing rules;
37 (4) eliminating obsolete or redundant words;
38 (5) correcting obvious errors or inconsistencies, including those involving punctuation,
39 capitalization, cross references, numbering, or wording;
40 (6) changing the boldface to more accurately reflect the substance of each rule, part,
41 chapter, or title; and
42 (7) merging or determining priority of any amendments, enactments, or repealers to the
43 same rule provisions.

44 Section 2. **JR3-2-901** is amended to read:

45 **JR3-2-901. Appointment and chairs -- Notice.**

46 (1) (a) If the Senate refuses to concur in the House amendments to a Senate bill, the
47 secretary of the Senate shall notify the House of the refusal and ask the House to recede from
48 its amendments.

49 (b) Either house may recede from its position on any difference existing between the
50 two houses by a majority vote of its members.

51 (c) (i) If the House refuses to recede, the speaker shall appoint a conference committee
52 of three.

53 (ii) After making the appointment, the speaker shall:

54 (A) publicly announce the House members of the conference committee and the time
55 and place that the conference committee will meet;

56 (B) ensure that no more than two of the appointees are members of the majority party;
57 and

58 (C) direct House staff to provide electronic notice that identifies the House members of
59 the conference committee and the time and place of the conference committee meeting.

60 (d) If the speaker does not immediately appoint a conference committee, the president
61 may appoint a conference committee as provided in Subsection (2)(c).

62 (e) After the Senate refuses to concur in the House amendments to a Senate bill, the
63 House may not amend or substitute the bill, unless:

64 (i) the sole effect of the amendment or substitute is to recede from one or more House
65 amendments to the bill; or

66 (ii) the amendment or substitute is part of a conference committee report.

67 (2) (a) If the House refuses to concur in the Senate amendments to a House bill, the
68 chief clerk of the House shall notify the Senate of the refusal and ask the Senate to recede from
69 its amendments.

70 (b) Either house may recede from its position on any difference existing between the
71 two houses by a majority vote of its members.

72 (c) (i) If the Senate refuses to recede, the president shall appoint a conference
73 committee of three.

74 (ii) After making the appointment, the president shall:

75 (A) publicly announce the Senate members of the conference committee and the time
76 and place that the conference committee will meet;

77 (B) ensure that no more than two of the appointees are members of the majority party;
78 and

79 (C) direct Senate staff to provide electronic notice that identifies the Senate members
80 of the conference committee and the time and place of the conference committee meeting.

81 (d) If the president does not immediately appoint a conference committee, the speaker
82 may appoint a conference committee as provided in Subsection (1)(c).

83 (e) After the House refuses to concur in the Senate amendments to a House bill, the
84 Senate may not amend or substitute the bill, unless:

85 (i) the sole effect of the amendment or substitute is to recede from one or more Senate

86 amendments to the bill; or

87 (ii) the amendment or substitute is part of a conference committee report.

88 (3) (a) Whenever the president or speaker appoints a conference committee, the
89 secretary of the Senate or chief clerk of the House shall:

90 (i) immediately notify the other house of the action taken; and

91 (ii) request the appointment of conference committee members from that other house.

92 (b) After receiving the notice and request, the presiding officer of the other house shall:

93 (i) appoint a conference committee of three;

94 (ii) publicly announce the members of the conference committee from that house and
95 the time and place that the conference committee will meet; and

96 (iii) direct staff to provide electronic notice that identifies the members of the
97 conference committee and the time and place of the conference committee meeting.

98 (4) (a) The first senator named on the conference committee is the Senate chair of the
99 committee, and the first representative named on the conference committee is the House chair.

100 (b) The conference committee chairs shall direct the preparation of the conference
101 committee report.

102 Section 3. **JR4-3-108** is amended to read:

103 **JR4-3-108. Consideration and action on amendments to legislation made in the**
104 **other chamber.**

105 (1) (a) If the Senate amends and passes, or substitutes and passes, a piece of House
106 legislation, the House:

107 (i) must either "concur" or "refuse to concur" in the amendments or substitute[.]; and

108 (ii) may not amend or substitute the legislation.

109 (b) (i) If the House concurs, the legislation shall be voted on for final passage in the
110 House.

111 (ii) If the legislation passes, the chief clerk of the House shall notify the Senate, obtain
112 the signatures required by [JR4-6-101](#), and send the legislation to the Office of Legislative
113 Research and General Counsel for enrolling.

114 (c) If the House refuses to concur in the Senate amendments or substitute to a piece of
115 House legislation, the chief clerk of the House and the House shall follow the procedures and
116 requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.

117 (2) (a) If the House amends and passes, or substitutes and passes, a piece of Senate
118 legislation, the Senate:

119 (i) must either "concur" or "refuse to concur" in the amendments or substitute[~~;~~]; and

120 (ii) may not amend or substitute the legislation.

121 (b) (i) If the Senate concurs, the legislation shall be voted on for final passage in the
122 Senate.

123 (ii) If the legislation passes, the secretary of the Senate shall notify the House, obtain
124 the signatures required by [JR4-6-101](#), and send the legislation to the Office of Legislative
125 Research and General Counsel for enrolling.

126 (c) If the Senate refuses to concur in the House amendments or substitute to a piece of
127 Senate legislation, the secretary of the Senate and the Senate shall follow the procedures and
128 requirements of Joint Rules Title 3, Chapter 2, Part 9, Conference Committees.