

1                   **JOINT RULES RESOLUTION ESTABLISHING INTERIM**

2                                   **COMMITTEE RULES**

3   2018 GENERAL SESSION

4   STATE OF UTAH

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

6   Senate Sponsor: Deidre M. Henderson

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**LONG TITLE**

8 **General Description:**

9                   This bill modifies and establishes interim committee rules.

10 **Highlighted Provisions:**

11                   This resolution:

- 12                   ▶ defines terms;
- 13                   ▶ repeals and reenacts provisions establishing interim committees;
- 14                   ▶ requires the speaker and president to appoint interim committee members and
- 15                   chairs;
- 16                   ▶ establishes quorum, voting, and order of business requirements for interim
- 17                   committees;
- 18                   ▶ defines the powers and duties of interim committee chairs;
- 19                   ▶ requires a chair to recognize a committee member that desires to speak in a
- 20                   committee meeting;
- 21                   ▶ defines the powers and duties of interim committees;
- 22                   ▶ provides for procedures in receiving study assignments from the Legislature,
- 23                   president, and speaker;
- 24                   ▶ establishes parliamentary procedures for interim committees; and
- 25                   ▶ provides verbal amendment procedures for interim committees.

26 **Special Clauses:**





28 None

29 **Legislative Rules Affected:**

30 ENACTS:

31 [IR1-1-204](#)

32 [IR1-1-205](#)

33 [IR1-1-301](#)

34 [IR1-1-302](#)

35 [IR1-1-303](#)

36 [IR1-1-304](#)

37 [IR1-1-305](#)

38 [IR1-1-306](#)

39 [IR1-1-307](#)

40 [IR1-1-308](#)

41 [IR1-1-309](#)

42 [IR1-1-310](#)

43 [IR1-1-311](#)

44 [IR1-1-312](#)

45 [IR1-1-313](#)

46 [IR1-1-314](#)

47 [IR1-1-315](#)

48 [IR1-1-316](#)

49 [IR1-1-317](#)

50 [IR1-1-318](#)

51 [IR1-1-401](#)

52 [IR1-1-402](#)

53 [IR1-1-403](#)

54 [IR1-1-404](#)

55 [IR1-1-405](#)

56 [IR1-1-406](#)

57 [IR1-1-407](#)

58 [IR1-1-408](#)

- 59        **IR1-1-409**
- 60        **IR1-1-410**
- 61        **IR1-1-411**
- 62        **IR1-1-412**
- 63        **IR1-1-413**
- 64        **IR1-1-414**
- 65        **IR1-1-415**
- 66        **IR1-1-416**
- 67        **IR1-1-417**
- 68        **IR1-1-418**
- 69        **IR1-1-419**
- 70        **IR1-1-420**
- 71        **IR1-1-501**
- 72        **IR1-1-502**
- 73        **IR1-1-503**
- 74        **IR1-1-504**
- 75        **IR1-1-505**
- 76        **IR1-1-506**
- 77        **IR1-1-507**
- 78        **IR1-1-508**
- 79        **IR1-1-509**
- 80        **IR1-1-510**
- 81        **IR1-1-511**

82    **REPEALS AND REENACTS:**

- 83        **IR1-1-101**
- 84        **IR1-1-201**
- 85        **IR1-1-202**
- 86        **IR1-1-203**

87    **REPEALS:**

- 88        **IR2-1-101**
- 89        **IR2-1-102**

- 90 IR2-2-101
- 91 IR2-2-102
- 92 IR2-2-103
- 93 IR3-1-101
- 94 IR3-1-102
- 95 IR3-1-103
- 96 IR3-1-104
- 97 IR3-1-105
- 98 IR3-2-101
- 99 IR3-2-102
- 100 IR3-2-201
- 101 IR3-3-101
- 102 IR3-3-102
- 103 IR3-3-103
- 104 IR3-3-201
- 105 IR3-4-101
- 106 IR3-4-102
- 107 IR3-4-103
- 108 IR3-4-104
- 109 IR3-4-105
- 110 IR3-4-201
- 111 IR3-4-202



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

114 Section 1. **IR1-1-101** is repealed and reenacted to read:

115 **TITLE 1. RULES GOVERNING INTERIM COMMITTEE MEETINGS**

116 **OF THE UTAH LEGISLATURE**

117 **CHAPTER 1. INTERIM COMMITTEES**

118 **Part 1. General Provisions**

119 **IR1-1-101. Definitions.**

120 As used in this title:

- 121           (1) "Committee chair or chair" means:  
122           (a) the member of the House of Representatives appointed as chair by the speaker  
123 under IR1-1-202;  
124           (b) the member of the Senate appointed as chair by the president of the Senate under  
125 IR1-1-202; or  
126           (c) a member of the interim committee who is authorized to act as chair under  
127 IR1-2-202.  
128           (2) "Committee" or "interim committee" means a committee created under IR1-1-201.  
129           (3) "Committee bill" means draft legislation that received a favorable recommendation  
130 from an interim committee.  
131           (4) "Committee bill file" means a bill file opened by a majority vote of an interim  
132 committee.  
133           (5) "Committee note" refers to a notice attached to a numbered bill indicating that an  
134 interim committee favorably recommended the legislation.  
135           (6) "Favorable recommendation" refers to an interim committee motion to endorse  
136 draft legislation as a bill that results in the bill receiving a committee note and authorizes the  
137 rules committees to send the legislation directly to a reading calendar.  
138           (7) "Draft legislation" means a draft of a proposed Senate bill, House bill, Senate  
139 resolution, House resolution, joint resolution, or concurrent resolution that has not received a  
140 bill number and has not been introduced in a general or special session.  
141           (8) "Majority vote" means a majority of a quorum as provided in IR1-1-204.  
142           (9) "Original motion" means a nonprivileged motion that is accepted by the chair when  
143 no other motion is pending.  
144           (10) "Pending motion" refers to a motion starting when a chair accepts a motion and  
145 ending when the motion is withdrawn or when the chair calls for a vote on the motion.  
146           (11) (a) "Privileged motion" refers to a procedural motion to adjourn, set a time to  
147 adjourn, recess, end debate, extend debate, or limit debate.  
148           (b) Privileged motions are not original motions or substitute motions.  
149           (12) "Subcommittee" means members of an interim committee that are authorized by a  
150 majority vote of an interim committee and the Legislative Management Committee to study an  
151 issue and report the subcommittee's recommendations as described in IR1-1-417 to the interim

152 committee.

153 (13) "Substitute motion" means a nonprivileged motion that is made when a  
154 nonprivileged motion is pending.

155 (14) "Under consideration" means the time starting when a chair opens a discussion on  
156 a subject or draft that is listed on a committee agenda and ending when the committee disposes  
157 of the draft legislation, moves on to another item on the agenda, or adjourns.

158 Section 2. **IR1-1-201** is repealed and reenacted to read:

159 **Part 2. Creation and Organization of Interim Committees**

160 **IR1-1-201. Interim committees -- Creation.**

161 There are created the following interim committees:

- 162 (1) Business and Labor Interim Committee;
- 163 (2) Economic Development and Workforce Services Interim Committee;
- 164 (3) Education Interim Committee;
- 165 (4) Government Operations Interim Committee;
- 166 (5) Health and Human Services Interim Committee;
- 167 (6) Judiciary Interim Committee;
- 168 (7) Law Enforcement and Criminal Justice Interim Committee;
- 169 (8) Natural Resources, Agriculture, and Environment Interim Committee;
- 170 (9) Political Subdivisions Interim Committee;
- 171 (10) Public Utilities, Energy, and Technology Interim Committee;
- 172 (11) Retirement and Independent Entities Interim Committee;
- 173 (12) Revenue and Taxation Interim Committee; and
- 174 (13) Transportation Interim Committee.

175 Section 3. **IR1-1-202** is repealed and reenacted to read:

176 **IR1-1-202. Speaker and president to appoint interim committee members and**  
177 **chairs.**

- 178 (1) The president of the Senate shall appoint:
- 179 (a) members of the Senate to each interim committee; and
- 180 (b) one member of the Senate to serve as Senate chair of each interim committee.
- 181 (2) The speaker of the House of Representatives shall appoint:
- 182 (a) members of the House to each interim committee; and

183 (b) one member of the House to serve as House chair of each interim committee.

184 (3) Committee chairs may designate a member of the interim committee to conduct an  
185 interim committee meeting when the committee chairs are unable to attend a meeting.

186 (4) An interim committee member designated under Subsection (3) may conduct an  
187 interim committee meeting but may not perform the duties of a chair described in IR1-1-302,  
188 IR1-1-303, and IR1-2-422.

189 Section 4. **IR1-1-203** is repealed and reenacted to read:

190 **IR1-1-203. Quorum requirements.**

191 (1) A quorum of an interim committee is at least 50% in one house and more than 50%  
192 in the other.

193 (2) If a member of an interim committee does not attend two consecutive meetings in  
194 any calendar year, that legislator is not counted for the rest of that calendar year in determining  
195 a quorum, except for meetings that the legislator actually attends.

196 (3) Except for meetings that the legislator actually attends, legislators who are  
197 members of the Legislative Management Committee are not counted in determining a quorum.

198 (4) Notwithstanding Subsections (2) and (3), at least one senator shall be present in  
199 order to have an interim committee quorum.

200 Section 5. **IR1-1-204** is enacted to read:

201 **IR1-1-204. Voting requirements.**

202 A majority vote of an interim committee is at least 50% of a quorum in one house and  
203 more than 50% of a quorum in the other.

204 Section 6. **IR1-1-205** is enacted to read:

205 **IR1-1-205. Committee order of business.**

206 Unless an interim committee chair, or an interim committee by majority vote,  
207 determines otherwise, the order of business for an interim committee is:

208 (1) call to order by the chair;

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

210 (3) announcement of the agenda;

211 (4) announcement of time restrictions, if any, subject to the requirements of IR1-1-304;

212 and

213 (5) consideration of interim committee business.



214 Section 7. **IR1-1-301** is enacted to read:

215 **Part 3. Duties of Interim Committee Chairs**

216 **IR1-1-301. Chairs to enforce legislative rules and procedures.**

217 Interim committee chairs are mutually responsible to ensure the integrity of the interim  
218 committee process by enforcing legislative rules and parliamentary procedure without delay.

219 Section 8. **IR1-1-302** is enacted to read:

220 **IR1-1-302. Chair to set agenda.**

221 As described under IR1-1-401, the chair shall set the agenda for an interim committee  
222 meeting.

223 Section 9. **IR1-1-303** is enacted to read:

224 **IR1-1-303. Chair to post notice and agenda.**

225 The chair shall cause a public notice and agenda to be posted at least 24 hours before  
226 each interim committee meeting as required under Utah Code, Title 52, Chapter 4, Open and  
227 Public Meetings Act.

228 Section 10. **IR1-1-304** is enacted to read:

229 **IR1-1-304. Chair may direct order of agenda -- Time restrictions.**

230 The chair, or an interim committee by majority vote, may adopt committee procedures  
231 and time restrictions, including:

- 232 (1) directing the order of the agenda;
- 233 (2) directing the order in which a witness or presenter will be heard;
- 234 (3) directing the number of witnesses or presenters that will be heard; and
- 235 (4) limiting the time the committee will spend on:
  - 236 (a) an item on the agenda; or
  - 237 (b) a witness or presenter.

238 Section 11. **IR1-1-305** is enacted to read:

239 **IR1-1-305. Four phases when considering draft legislation.**

240 (1) Draft legislation under consideration by an interim committee is subject to four  
241 distinct phases:

- 242 (a) if the draft legislation:
  - 243 (i) has a sponsor, the chair shall permit the sponsor to make the presentation as  
244 provided in IR1-1-306; or

245 (ii) does not have a sponsor, the chair shall designate a member of the committee or  
246 committee staff to make the presentation;

247 (b) clarifying questions as provided in IR1-1-307;

248 (c) public comment as provided in IR1-1-308; and

249 (d) committee action as provided in IR1-1-309.

250 (2) The four phases described in Subsection (1) only apply when draft legislation is  
251 under consideration.

252 Section 12. **IR1-1-306** is enacted to read:

253 **IR1-1-306. Sponsor presentation.**

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

257 (2) During the presentation phase of an interim committee meeting, the chair may  
258 accept a simple motion to amend draft legislation if the chair permits:

259 (a) committee questions and debate;

260 (b) public comment as provided in IR1-1-308;

261 (c) the sponsor of the draft legislation affected by the amendment to respond to the  
262 motion to amend; and

263 (d) the committee member who made the motion to amend to have the final word on  
264 the motion as required under IR1-1-313.

265 (3) During the presentation phase of an interim committee meeting, the chair shall,  
266 except as provided in Subsection (4), and at the election of a legislative sponsor, permit  
267 persons who have expertise on the draft legislation to assist with the presentation as provided  
268 in IR1-1-307.

269 (4) Except as permitted in Subsection (5), the chair may not permit:

270 (a) draft legislation to be presented if the legislative sponsor or the sponsor's designee  
271 is not present; or

272 (b) legislative interns or legislative aides to present draft legislation.

273 (5) If a committee bill file does not have a legislative sponsor, the chair of an interim  
274 committee may assign a member of the interim committee or committee staff to present the  
275 draft legislation.

276 Section 13. **IR1-1-307** is enacted to read:

277 **IR1-1-307. Clarifying questions.**

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

281 (2) The chair shall allow members of the committee to ask the legislative sponsor  
282 questions, provided that the questions help to clarify the intent or purpose of the draft  
283 legislation or the meaning of the language of the legislation.

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

285 (4) The chair may allow, with the legislative sponsor's approval, a person authorized  
286 under IR1-1-306 to respond to clarifying questions.

287 Section 14. **IR1-1-308** is enacted to read:

288 **IR1-1-308. Public comment.**

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

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

293 (a) the chair, or a committee by majority vote, may limit the time a witness or presenter  
294 speaks to a committee as authorized under IR1-1-304; and

295 (b) the chair, or the committee by majority vote, may preclude or terminate the public  
296 comment phase.

297 (3) Unless the chair, or a committee by majority vote, permits additional public  
298 comment, once the public comment phase has ended only committee members, legislative  
299 sponsors, staff, and those authorized under IR1-1-306 may address the committee.

300 Section 15. **IR1-1-309** is enacted to read:

301 **IR1-1-309. Committee action.**

302 During the committee action phase, a committee member may make motions to amend  
303 the draft legislation, to substitute the draft legislation, or to adopt the draft legislation as a  
304 committee bill. All other motions authorized by this chapter are in order during the committee  
305 action phase of a committee meeting.

306 Section 16. **IR1-1-310** is enacted to read:

307 **IR1-1-310. Chairs to preserve order -- Powers to preserve order.**

308 (1) The chair shall preserve order and decorum during an interim committee meeting  
309 by:

310 (a) controlling outbursts and demonstrations; and

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

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

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

315 (b) recess an interim committee meeting; or

316 (c) request assistance from the Utah Highway Patrol.

317 Section 17. **IR1-1-311** is enacted to read:

318 **IR1-1-311. Chairs to recognize committee members -- Remarks to be germane --**  
319 **Committee members may make motions when recognized -- Permission to address**  
320 **committee.**

321 (1) The chair shall recognize a committee member who desires to speak to a subject  
322 that is under consideration by an interim committee.

323 (2) Upon recognition by the chair, a committee member:

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

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

327 (3) Presenters, witnesses, visitors, staff, and committee members may not speak to an  
328 interim committee unless recognized by the chair.

329 Section 18. **IR1-1-312** is enacted to read:

330 **IR1-1-312. Chairs to accept all motions that are in order -- Once accepted, the**  
331 **motion is pending.**

332 (1) The chair shall accept a motion requested by a member of an interim committee  
333 who has been properly recognized unless the motion is prohibited by this chapter or by  
334 parliamentary procedure.

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

336 (a) restate the motion; and

337 (b) if the motion is a written motion to amend or substitute, identify the number of the

338 amendment and distribute copies of the amendment to members of the committee.

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

340 Section 19. **IR1-1-313** is enacted to read:

341 **IR1-1-313. Chair to allow response to motions before placing motions for a vote.**

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

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

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

347 (3) if draft legislation is being considered that has a chief sponsor, the chief sponsor or  
348 the chief sponsor's designee to respond to the motion; and

349 (4) the committee member who placed the motion to have the final word on the  
350 motion.

351 Section 20. **IR1-1-314** is enacted to read:

352 **IR1-1-314. Chair to place motions for vote.**

353 After the chair has permitted a committee member to summarize a motion as required  
354 under IR1-1-313, the chair shall place the motion for a vote unless the motion is withdrawn  
355 subject to the requirements of IR1-1-511.

356 Section 21. **IR1-1-315** is enacted to read:

357 **IR1-1-315. Chair to verbally announce vote on motions -- Motions pass with**  
358 **majority vote -- Exceptions.**

359 (1) After an interim committee votes on a motion, the chair shall:

360 (a) determine whether the motion passed or failed in each house of the interim  
361 committee;

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

363 (c) if the vote on the motion is not unanimous, verbally identify by name the committee  
364 members in each house who voted "yes" or the committee members who voted "no."

365 (2) Unless otherwise specifically indicated in this chapter, motions pass with a majority  
366 vote of a quorum as defined in IR1-1-204.

367 Section 22. **IR1-1-316** is enacted to read:

368 **IR1-1-316. Chair may direct a roll call vote.**

369 The chair, or a committee by majority vote, may require a roll call vote.

370 Section 23. **IR1-1-317** is enacted to read:

371 **IR1-1-317. Chair to decide points of order -- Committee members may appeal**  
372 **chair's decision.**

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

374 (2) As provided in IR1-1-506, a committee member may:

375 (a) make a point of order; or

376 (b) appeal the decision of the chair.

377 Section 24. **IR1-1-318** is enacted to read:

378 **IR1-1-318. Chair to ensure integrity of minutes -- Retention of minutes -- Content**  
379 **requirements.**

380 (1) The chair shall cause the minutes of the interim committee to be available for the  
381 committee to review prior to approval.

382 (2) The Office of Legislative Research and General Counsel shall retain a physical or  
383 electronic copy of interim committee minutes for three years.

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

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

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

388 (b) a list of committee members present;

389 (c) each motion made;

390 (d) the vote on each motion;

391 (e) points of order; and

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

393 Section 25. **IR1-1-401** is enacted to read:

394 **Part 4. Powers and Duties of Interim Committees**

395 **IR1-1-401. Receive study assignments from the Legislature.**

396 (1) Each interim committee shall:

397 (a) study issues required by a joint resolution of the Legislature;

398 (b) study issues assigned jointly by the president of the Senate and speaker of the  
399 House of Representatives;

400 (c) solicit and receive approval from the Legislative Management Committee for study  
401 items;  
402 (d) review programs and hear reports as required by statute;  
403 (e) make recommendations to the Legislature for legislative action;  
404 (f) prepare and affirmatively decide if committee bill files should receive a favorable  
405 recommendation; and  
406 (g) receive research reports from professional legislative staff pertaining to its study  
407 agenda.

408 (2) In addition to study assignments received by Subsections (1)(a) through (d), interim  
409 committee chairs, or an interim committee by majority vote, may investigate and study issues  
410 within its subject area.

411 Section 26. **IR1-1-402** is enacted to read:

412 **IR1-1-402. Committee bills.**

413 (1) After review, an interim committee may favorably recommend, by majority vote, a  
414 committee bill file or an individual legislator's bill file as a committee bill.

415 (2) As required under JR4-2-401, the Office of Legislative Research and General  
416 Counsel shall attach a committee note to draft legislation that has received a favorable  
417 recommendation by an interim committee.

418 (3) If a committee bill receives a unanimous vote from an interim committee, the  
419 House or Senate Rules Committee may assign the bill directly to a reading calendar without  
420 standing committee review as authorized under HR3-1-102 or SR3-1-102.

421 (4) Draft legislation that does not receive a unanimous vote of an interim committee is  
422 required to receive a standing committee review unless the legislation is exempted from this  
423 requirement under HR3-2-401 or SR3-2-401.

424 Section 27. **IR1-1-403** is enacted to read:

425 **IR1-1-403. Review audit reports.**

426 When an interim committee receives an audit report from the Audit Subcommittee of  
427 the Legislative Management Committee for its review, the committee shall:

428 (1) review the audit and make an affirmative decision whether the recommendations in  
429 the audit report should be implemented;

430 (2) open a committee bill file to implement the audit recommendations, if appropriate;

431 and

432 (3) recommend appropriations to the Executive Appropriations Committee, if  
433 appropriate.

434 Section 28. **IR1-1-404** is enacted to read:

435 **IR1-1-404. Review rules referred by Administrative Rules Review Committee.**

436 When an interim committee receives an administrative rule for review from the  
437 Administrative Rules Review Committee, the interim committee may review that rule and  
438 make recommendations to the Administrative Rules Review Committee about whether the rule  
439 should be amended or repealed.

440 Section 29. **IR1-1-405** is enacted to read:

441 **IR1-1-405. Devote time to long-term planning.**

442 (1) Each interim committee shall devote part of its May interim meeting to long-term  
443 planning for the areas over which the committee has jurisdiction.

444 (2) As part of the meeting, the committee may:

445 (a) review economic and demographic trends and other applicable data;

446 (b) identify current, emerging, and future issues and challenges; and

447 (c) develop an action plan to address the issues and challenges identified.

448 (3) The action plan under Subsection (2)(c) may include plans to:

449 (a) perform additional research into specific issues and challenges;

450 (b) develop options to address specific issues and challenges; and

451 (c) prepare draft legislation to address specific issues and challenges.

452 (4) The chair of each interim committee is encouraged to seek information, ideas, and  
453 assistance from committee members, state agencies, local government, education, business,  
454 industry, and interest groups in preparing for the meeting, providing presentations for the  
455 meeting, and making assignments related to an action plan.

456 Section 30. **IR1-1-406** is enacted to read:

457 **IR1-1-406. Assignment of committee bills -- Receive study assignments from the**  
458 **Legislature or the Legislative Management Committee -- Report disposition of committee**  
459 **bills and study assignments.**

460 No later than December 15, the chair of each interim committee shall:

461 (1) assign each committee bill file that received a favorable recommendation a chief



462 sponsor and an opposite house floor sponsor;  
 463 (2) deliver to the rules committees in both the House and Senate a report that includes:  
 464 (a) a list of committee bills;  
 465 (b) the chief sponsor of each committee bill;  
 466 (c) the opposite house floor sponsor of each committee bill; and  
 467 (d) a list of committee members from each house who voted "yes," "no," or who were  
 468 absent when the motion to recommend the committee bill was made; and  
 469 (3) deliver to the Legislative Management Committee:  
 470 (a) a list of each committee bill;  
 471 (b) the chief sponsor of each committee bill;  
 472 (c) the opposite house floor sponsor of each committee bill;  
 473 (d) a list of committee members by each house who voted "yes," "no," or who were  
 474 absent on each motion to approve each committee bill; and  
 475 (e) the disposition of each issue that was assigned to or studied by the interim  
 476 committee.

477 Section 31. **IR1-1-407** is enacted to read:

478 **IR1-1-407. Motions to hold, amend, substitute, or favorably recommend draft**  
 479 **legislation.**

480 An interim committee may approve one or more of the following motions on draft  
 481 legislation:

482 (1) hold the draft legislation;  
 483 (2) move to the next item on an agenda;  
 484 (3) amend the draft legislation, subject to the requirements of IR1-1-408;  
 485 (4) substitute the draft legislation, subject to the requirements of IR1-1-409; or  
 486 (5) favorably recommend the draft legislation as an interim committee bill.

487 Section 32. **IR1-1-408** is enacted to read:

488 **IR1-1-408. Amending draft legislation -- Verbal amendments -- Amendments**  
 489 **must be germane.**

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

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

495 (b) A committee member who believes that an amendment is not germane to the  
496 subject of the draft legislation may make a point of order or appeal as described in IR1-1-507.

497 (3) At the last interim committee of a calendar year, an interim committee may only  
498 approve a motion to adopt draft legislation as a committee bill with a verbal amendment if the  
499 verbal amendment is of sufficient clarity and specificity that the interim committee knows how  
500 the legislation will read when the amendment is incorporated in the legislation.

501 Section 33. **IR1-1-409** is enacted to read:

502 **IR1-1-409. Substitute draft legislation -- Substitutes must be germane.**

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

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

508 (b) A committee member who believes that a substitute is not germane to the subject of  
509 the draft legislation may make a point of order or appeal as described in IR1-1-506.

510 Section 34. **IR1-1-410** is enacted to read:

511 **IR1-1-410. Favorably recommend draft legislation as a committee bill.**

512 (1) An interim committee may favorably recommend draft legislation.

513 (2) If draft legislation receives a favorable recommendation from an interim  
514 committee:

515 (a) a committee note shall be attached to the draft legislation as required under  
516 JR4-2-401; and

517 (b) the Office of Legislative Research and General Counsel shall assign the bill a  
518 number.

519 Section 35. **IR1-1-411** is enacted to read:

520 **IR1-1-411. Reconsideration of action.**

521 (1) Except as provided in Subsection (2), a committee member may make a motion to  
522 reconsider an action of the interim committee if:

523 (a) the issue or draft legislation that is being reconsidered is on the committee agenda

524 as required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and

525 (b) the committee considered other business after it voted to take the action that is  
526 being reconsidered.

527 (2) An interim committee may not reconsider its action more than once.

528 Section 36. **IR1-1-412** is enacted to read:

529 **IR1-1-412. Testimony may be taken under oath.**

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

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

534 Section 37. **IR1-1-413** is enacted to read:

535 **IR1-1-413. Location of interim committee meetings -- Additional interim**  
536 **committee meetings.**

537 (1) Each interim committee shall meet at the time and in the room assigned by the  
538 Legislative Management Committee.

539 (2) Notwithstanding Subsection (1), an interim committee chair may start an interim  
540 committee earlier or extend a meeting later than the time assigned by the Legislative  
541 Management Committee if:

542 (a) notice of the meeting meets the requirements of Utah Code Title 52, Chapter 4,  
543 Open and Public Meetings Act;

544 (b) the meeting does not interfere with a House or Senate caucus meeting; and

545 (c) the meeting does not violate IR1-1-415.

546 (3) The chair of an interim committee may only schedule additional interim committee  
547 meetings with the approval of the Legislative Management Committee.

548 Section 38. **IR1-1-414** is enacted to read:

549 **IR1-1-414. Closed interim committee meetings.**

550 An interim committee may only close a meeting in accordance with the procedures and  
551 requirements of Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

552 Section 39. **IR1-1-415** is enacted to read:

553 **IR1-1-415. Prohibited from meeting while the House or Senate is in special or**  
554 **extraordinary session -- Exceptions.**

555 (1) An interim committee may not meet while the House of Representatives or Senate  
556 is in a special or extraordinary session unless:

557 (a) the chairs receive permission from both the speaker of the House of Representatives  
558 and the president of the Senate to meet; or

559 (b) a majority of the House of Representatives and a majority of the Senate approves a  
560 motion for the interim committee to meet while the House or Senate is in session.

561 (2) Unless a committee is authorized to meet as provided in Subsection (1), any action  
562 taken by an interim committee while the House or Senate is in session is invalid.

563 Section 40. **IR1-1-416** is enacted to read:

564 **IR1-1-416. Creation and organization of subcommittees.**

565 (1) An interim committee may establish one or more subcommittees if:

566 (a) a majority of the interim committee votes to create the subcommittee; and

567 (b) the interim committee solicits and receives approval from the Legislative  
568 Management Committee to create the subcommittee.

569 (2) The interim committee, by majority vote, shall establish the study assignments of  
570 subcommittees.

571 (3) Interim committee chairs shall jointly:

572 (a) appoint at least four legislators to serve on the subcommittee from the membership  
573 of the interim committee that created the subcommittee;

574 (b) appoint at least one additional legislator who is a member of the interim committee  
575 that created the subcommittee as chair of the subcommittee; and

576 (c) establish the powers, duties, and reporting requirements of the subcommittee.

577 (4) The chair of a subcommittee shall enforce interim committee rules and  
578 parliamentary procedure without delay.

579 (5) Members of a subcommittee shall receive compensation and expenses.

580 Section 41. **IR1-1-417** is enacted to read:

581 **IR1-1-417. Interim committees meet jointly.**

582 The corresponding interim committees of each house shall meet jointly, unless the chair  
583 of the interim committee solicits and receives approval from the Legislative Management  
584 Committee to meet separately.

585 Section 42. **IR1-1-418** is enacted to read:

586 **IR1-1-418. Rights of legislators to attend interim meetings -- Nonmembers of an**  
587 **interim committee may not vote.**

588 (1) Any member of the Legislature may:

589 (a) attend any meeting of an interim committee, subcommittee, or workgroup that is  
590 not closed; and

591 (b) if recognized by the chair, present the member's views on any subject under  
592 consideration by the committee, subcommittee, or workgroup.

593 (2) (a) Notwithstanding Subsection (1), a legislator must be a member of an interim  
594 committee, subcommittee, or workgroup in order to make a motion or vote on any motion.

595 (b) Legislators may not receive compensation for attending an interim or subcommittee  
596 meeting unless:

597 (i) the legislator is a member of the interim committee or subcommittee; or

598 (ii) the Legislative Expenses Oversight Committee of the chamber in which the  
599 legislator is a member approves a request by the legislator to receive compensation for  
600 attending an interim or subcommittee meeting.

601 Section 43. **IR1-1-419** is enacted to read:

602 **IR1-1-419. Electronic meetings.**

603 (1) As used in this rule:

604 (a) "Anchor location" means the physical location in the building and city where the  
605 committee would normally meet and from which the electronic meeting originates or from  
606 which the participants are connected.

607 (b) "Committee" means an interim committee, special committee, or subcommittee of  
608 the Legislature.

609 (c) "Electronic meeting" means a public meeting of a committee that is partially  
610 convened or conducted by means of a voice telephone or computer web or video conference.

611 (d) "Electronic notice" means electronic mail or fax.

612 (e) "Monitor" means to:

613 (i) hear live, by speaker, or by other equipment, all of the public statements of each  
614 member of the committee who is participating in a meeting; or

615 (ii) see and hear, by computer screen or other visual medium, all of the public  
616 statements of each member of the committee who is participating in a meeting.

617 (f) "Participate" means the ability to communicate with all of the members of a  
618 committee, either verbally or electronically, so that each member of the committee can hear or  
619 see the communication.

620 (g) "Public statement" means a statement made in the ordinary course of business of  
621 the committee with the intent that all other members of the public body receive it.

622 (h) "Remote location" means a location other than the anchor location from which a  
623 committee member may participate in the meeting.

624 (2) A committee chair may, by following the procedures and requirements of this  
625 section, convene and conduct an electronic meeting.

626 (3) (a) A committee member who will be more than 50 miles away from the anchor  
627 location on the day and at the time of a scheduled meeting may request that the chair allow the  
628 member to participate from a remote location.

629 (b) If a committee member wishes to participate in a committee meeting from a remote  
630 location, the committee member shall, at least three days before the meeting, contact the  
631 committee chair and request that the chair convene and conduct an electronic meeting.

632 (c) After receiving the request, the chair shall:

633 (i) determine whether or not the committee member will be more than 50 miles away  
634 from the anchor location on the day and at the time of a scheduled meeting;

635 (ii) if the committee member will be more than 50 miles away from the anchor location  
636 on that day and time, consult with committee staff to determine whether there are sufficient  
637 equipment and connections to allow the committee member to participate from a remote  
638 location; and

639 (iii) obtain permission from the president of the Senate and the speaker of the House of  
640 Representatives to conduct an electronic meeting.

641 (d) If the president and speaker approve, and if sufficient equipment and connections  
642 exist, the chair may grant the committee member's request to participate from a remote  
643 location.

644 (4) A chair convening or conducting an electronic meeting shall:

645 (a) establish the anchor location for the public meeting in the building and city where  
646 the committee would normally meet if it were not holding an electronic meeting;

647 (b) provide space and facilities at the anchor location so that interested persons and the

648 public may attend and monitor the open portions of the meeting; and

649 (c) if necessary, establish and communicate protocols and procedures governing the  
650 electronic meeting to ensure order and fair opportunities to participate by those committee  
651 members participating electronically at one or more remote locations and at the anchor  
652 location.

653 (5) A chair convening or conducting an electronic meeting shall ensure that:

654 (a) public notice of the meeting, as required by Utah Code Section 52-4-202, is given  
655 including posting written notice at the anchor location; and

656 (b) in addition to giving public notice required by Subsection (5)(a), notice of the  
657 electronic meeting given to committee members at least 24 hours before the meeting shall  
658 describe how the committee members will be connected to the electronic meeting.

659 (6) A committee member participating from a remote location is included in  
660 calculating a quorum and may vote.

661 Section 44. **IR1-1-420** is enacted to read:

662 **IR1-1-420. Subpoena powers.**

663 Interim committee chairs may subpoena testimony or documents as authorized under  
664 Utah Code Title 36, Chapter 14, Legislative Subpoena Powers.

665 Section 45. **IR1-1-501** is enacted to read:

666 **Part 5. Interim Committee Parliamentary Procedures**

667 **IR1-1-501. Obtaining the floor in committee.**

668 (1) As required in IR1-1-311, a chair shall recognize a committee member who  
669 requests to speak to the committee.

670 (2) A member of an interim committee who is recognized by the chair may make a  
671 motion consistent with the requirements of this chapter.

672 Section 46. **IR1-1-502** is enacted to read:

673 **IR1-1-502. Committee members shall vote.**

674 A member of an interim committee, subcommittee, or workgroup shall vote on every  
675 motion placed for a vote while the committee member is present at a meeting.

676 Section 47. **IR1-1-503** is enacted to read:

677 **IR1-1-503. Privileged motions in committee -- General requirements, procedure,**  
678 **and priority.**

- 679           (1) Privileged motions:  
680           (a) are nondebatable; and  
681           (b) take precedence over nonprivileged motions.  
682           (2) If a privileged motion is requested while another privileged motion is pending, the  
683 chair shall grant priority to the privileged motions in the following order:  
684           (a) adjourn;  
685           (b) set time to adjourn;  
686           (c) recess;  
687           (d) end debate or call the question;  
688           (e) extend debate; and  
689           (f) limit debate.  
690           (3) Except for a motion to adjourn, a privileged motion, if adopted, does not dispose of  
691 other pending motions.

692           Section 48. **IR1-1-504** is enacted to read:

693           **IR1-1-504. Original motions in committee -- General requirements, procedure,**  
694 **and priority.**

- 695           (1) An original motion:  
696           (a) is debatable; and  
697           (b) may be replaced with a substitute motion.  
698           (2) A committee member may not make an original motion if:  
699           (a) a privileged motion is pending; or  
700           (b) a substitute motion is pending.

701           Section 49. **IR1-1-505** is enacted to read:

702           **IR1-1-505. Substitute motions in committee -- General requirements, procedure,**  
703 **and priority.**

- 704           (1) Substitute motions:  
705           (a) are debatable; and  
706           (b) take precedence over original motions.  
707           (2) (a) A committee member may make a substitute motion only if an original motion  
708 is pending.  
709           (b) A committee member may not make a substitute motion if:



710 (i) a privileged motion is pending; or

711 (ii) another substitute motion is pending.

712 (c) If a substitute motion is adopted, it disposes of the original motion.

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

714 Section 50. **IR1-1-506** is enacted to read:

715 **IR1-1-506. Point of order -- Appeal of chair's decision.**

716 (1) A point of order is not a motion and, except during a vote, may be made by a  
717 member of an interim committee at any time during a committee meeting without being  
718 recognized by a chair.

719 (2) If a member of an interim committee is concerned that legislative rules or  
720 procedures are not being followed, the committee member may make a point of order.

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

723 (4) A chair shall rule on the point of order without committee discussion or debate as  
724 provided in IR1-1-317.

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

727 (6) An interim committee may, by majority vote, override the decision of the chair on a  
728 point of order.

729 (a) If the committee overrides the decision of the chair, the ruling of a committee is  
730 final.

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

733 Section 51. **IR1-1-507** is enacted to read:

734 **IR1-1-507. Point of information.**

735 (1) A point of information is not a motion and, except during summation or a vote,  
736 may be made by a member of an interim committee at any time during a committee meeting.

737 (2) If a member of an interim committee desires clarification on any aspect of a  
738 committee meeting, the committee member may make a point of information.

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

741 Section 52. **IR1-1-508** is enacted to read:

742 **IR1-1-508. Division of a motion.**

743 (1) A division is not a motion and, except during a vote, may be made by a member of  
744 an interim committee at any time during a committee meeting without being recognized by the  
745 chair.

746 (2) (a) The committee member who divides a motion shall clearly state how the motion  
747 is to be divided; and

748 (b) the chair shall restate how the motion is to be divided.

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

751 Section 53. **IR1-1-509** is enacted to read:

752 **IR1-1-509. Prohibited motions.**

753 (1) (a) Except for a motion to adjourn, a committee member may not make a motion  
754 unless a quorum of the interim committee is present.

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

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

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

759 (4) An interim committee member may not make a motion to:

760 (a) strike the enacting clause of draft legislation; or

761 (b) circle legislation.

762 (5) A motion to favorably recommend draft legislation is out of order if the legislation  
763 is not drafted and distributed to members of the interim committee.

764 Section 54. **IR1-1-510** is enacted to read:

765 **IR1-1-510. Repeating defeated motion.**

766 A motion that is defeated may not be made again by a committee member until the  
767 committee has considered other committee business.

768 Section 55. **IR1-1-511** is enacted to read:

769 **IR1-1-511. A motion may be withdrawn.**

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

- 772 Section 56. **Repealer.**
- 773 This resolution repeals:
- 774 **IR2-1-101, Interim committees -- General duties.**
- 775 **IR2-1-102, Favorable recommendation of legislation to the Legislature.**
- 776 **IR2-2-101, Interim committees -- Reviewing audit reports.**
- 777 **IR2-2-102, Interim committees -- Review of rules referred by Administrative Rules**
- 778 **Review Committee.**
- 779 **IR2-2-103, Interim committees -- Long-term planning emphasis.**
- 780 **IR3-1-101, Interim committees -- Joint meetings -- Location of meetings -- Notice**
- 781 **of meetings.**
- 782 **IR3-1-102, Rights of members to attend meetings -- Nonmembers of the committee**
- 783 **or subcommittee may not vote.**
- 784 **IR3-1-103, Order and decorum -- Points of order.**
- 785 **IR3-1-104, Visitors.**
- 786 **IR3-1-105, Electronic meetings.**
- 787 **IR3-2-101, Quorum requirements.**
- 788 **IR3-2-102, Voting requirements.**
- 789 **IR3-2-201, Minutes.**
- 790 **IR3-3-101, Order of business.**
- 791 **IR3-3-102, Obtaining the floor in committee -- Remarks to be germane.**
- 792 **IR3-3-103, Members required to vote.**
- 793 **IR3-3-201, Public hearings.**
- 794 **IR3-4-101, Motions to be stated before debate -- Dividing a motion -- Withdrawing**
- 795 **a motion.**
- 796 **IR3-4-102, Motions in order during debate.**
- 797 **IR3-4-103, Motions to be decided without debate.**
- 798 **IR3-4-104, Substitute motions.**
- 799 **IR3-4-105, Which motions may be amended (Masons Sec. 396).**
- 800 **IR3-4-201, Motion to adjourn.**
- 801 **IR3-4-202, Motion to end debate.**

**Legislative Review Note  
Office of Legislative Research and General Counsel**