

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

3   2022 GENERAL SESSION

4   STATE OF UTAH

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

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7 **LONG TITLE**

8 **General Description:**

9                   This rules resolution modifies House rules.

10 **Highlighted Provisions:**

11                   This resolution:

- 12                   ▶ defines terms;
- 13                   ▶ clarifies the number of votes required to adopt, amend, or suspend House rules;
- 14                   ▶ modifies a provision related to news media access to certain areas of the House;
- 15                   ▶ requires the committee chair's permission before news media may enter the area
- 16 behind the dais in a committee room;
- 17                   ▶ eliminates the House Rules Committee's ability to recommend that a nonbinding
- 18 resolution be placed on the consent calendar;
- 19                   ▶ modifies who may assist a representative sponsoring legislation while the legislation
- 20 is being debated by the House;
- 21                   ▶ provides the voting requirements for a motion to circle legislation and a motion to
- 22 uncircle legislation;
- 23                   ▶ clarifies the number of votes required for a motion to pass; and
- 24                   ▶ makes technical and conforming changes.

25 **Special Clauses:**

26                   None

27 **Legislative Rules Affected:**



28 AMENDS:

29 **HR1-1-101**

30 **HR2-4-101**

31 **HR2-4-101.2**

32 **HR3-1-102**

33 **HR4-1-101**

34 **HR4-6-202**

35 **HR4-7-102**

36 ENACTS:

37 **HR1-9-102**

38 RENUMBERS AND AMENDS:

39 **HR1-9-101**, (Renumbered from HR2-4-105)



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

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

43 **HR1-1-101. Adoption, amendment, or suspension of House Rules.**

44 (1) The House of Representatives shall adopt House rules, by a constitutional  
45 two-thirds vote, at the beginning of each new Legislature convening in odd-numbered years.

46 (2) Except as provided in this rule:

47 (a) (i) during an annual general session held in an even-numbered year, rules adopted  
48 by the House of Representatives during the immediately preceding general session, as amended  
49 during that general session and any intervening session, apply to the conduct of the House; and

50 (ii) during any special session, House rules apply as provided in JR2-1-101.

51 (b) for a session described in this Subsection (2), the chief clerk shall announce to the  
52 House that the previously adopted rules apply to the newly convened session.

53 (3) (a) Except as otherwise provided in [~~Subsection (4)~~] this Subsection (3), additional  
54 rules may be adopted and existing rules may be suspended, amended, or repealed by a majority  
55 vote[~~, except the following, which~~].

56 (b) The following rules require a two-thirds vote to [~~adopt, suspend, amend, or repeal~~]  
57 suspend:

58 [~~(a)~~] (i) rules governing limitation of debate;

59           ~~[(b)]~~ (ii) rules governing a motion to end debate (call the previous question);  
 60           ~~[(c)]~~ (iii) rules governing motions for lifting tabled legislation from committee;  
 61           ~~[(d)]~~ (iv) rules governing consideration or reconsideration of legislation during the last  
 62 three days of a session; ~~[and]~~

63           ~~[(e)]~~ (v) rules governing voting in Title 4, Chapter 7, Voting; and  
 64           (vi) rules that include a two-thirds voting requirement.

65           ~~[(4) (a) A rule that includes a voting requirement of more than a constitutional majority~~  
 66 ~~must be adopted and may only be amended, suspended, or repealed by a constitutional~~  
 67 ~~two-thirds vote of all representatives.]~~

68           (c) A rule that includes a constitutional majority voting requirement may only be  
 69 suspended by a constitutional majority vote.

70           (d) A rule that includes a constitutional two-thirds voting requirement may only be  
 71 suspended by a constitutional two-thirds vote.

72           ~~[(b)]~~ (e) If the suspension of any House rule is governed by the Utah Constitution or  
 73 Utah statutes, the House may suspend that rule only as provided by that constitutional or  
 74 statutory provision.

75           ~~[(5)]~~ (4) If a motion to adopt the rules under Subsection (1) meets or exceeds a  
 76 majority vote but fails to reach a constitutional two-thirds vote:

77           (a) rules adopted by the House of Representatives during the immediately preceding  
 78 general session, as amended during that general session and any intervening session, apply to  
 79 the conduct of the House; and

80           (b) the chief clerk shall announce to the House that the previously adopted rules apply  
 81 to the newly convened Legislature.

82           Section 2. **HR1-9-101**, which is renumbered from Section HR2-4-105 is renumbered  
 83 and amended to read:

#### CHAPTER 9. NEWS MEDIA

84           ~~[HR2-4-105].~~           **HR1-9-101. News media -- House chamber and designated**  
 85 **House areas.**

86           (1) (a) News media with ~~[House press credentials shall]~~ a Utah Capitol media  
 87 credential may, with the permission of the speaker or the speaker's designee, be admitted to the  
 88 House chamber, halls, and committee rooms.  
 89

90 (b) While the House is convened in the House [~~chambers~~] chamber, news media shall  
91 remain in the area designated for the news media and may not enter the floor of the House, the  
92 circle, lounge, or the speaker's dais.

93 (2) (a) With permission of the speaker or the speaker's designee, the news media may  
94 conduct and record interviews in the House lounge, halls, available committee rooms, or in the  
95 House chamber or gallery.

96 (b) When conducting an interview in the House chamber, the news media may enter  
97 the chamber for the purpose of conducting a specific interview and shall exit the chamber  
98 promptly after completing the interview.

99 (3) A representative may not hold a press conference in the House chamber without the  
100 permission of the speaker of the House.

101 (4) News media shall also comply with the other provisions in [HR2-4-102](#) and  
102 [HR2-4-103](#).

103 (5) The sergeant-at-arms, under the direction of the speaker, shall enforce the  
104 requirements of this rule.

105 Section 3. **HR1-9-102** is enacted to read:

106 **HR1-9-102. News media access -- House committees.**

107 When present for a meeting of a House standing committee or any other special  
108 committee of the House, news media may not enter the area behind the dais without the  
109 permission of the committee chair.

110 Section 4. **HR2-4-101** is amended to read:

111 **HR2-4-101. Definitions.**

112 As used in this chapter:

113 (1) "Department head" means the same as that term is defined in Utah Code Section  
114 [63A-17-807](#) or a department head's designee.

115 [~~(1)~~] (2) "Former legislator" means a person who is not a current member of the  
116 Legislature, but who served in the Utah House or Utah Senate at one time.

117 [~~(2)~~] (3) (a) "Guest" means an individual who is afforded access to the House space  
118 under a provision of this chapter, who is not an individual described in Subsection [~~(2)~~] (3)(c)  
119 or a special guest as described under [HR2-4-101.2\(5\)](#).

120 (b) "Guest" includes:

121 (i) the governor, the lieutenant governor, the state attorney general, the state treasurer,  
122 the state auditor, and governor's staff; and

123 (ii) a former legislator who is an individual described in Subsection [~~(2)~~] (3)(b)(i).

124 (c) "Guest" does not mean a legislator, a member of House or Senate staff, a member of  
125 professional legislative staff, a House intern, or a lobbyist.

126 [~~(3)~~] (4) "House conference rooms" means one of the conference rooms adjacent to the  
127 House lounge, speaker's office, or the majority caucus room.

128 [~~(4)~~] (5) "House halls" means the passageways that allow access to:

129 (a) the House chamber;

130 (b) the House lounge;

131 (c) the House offices; or

132 (d) any other nonpublic areas adjoining the House chamber.

133 [~~(5)~~] (6) "House intern" means an individual who is:

134 (a) an official participant in the student intern program sponsored by the Utah  
135 Legislature and administered by the Office of Legislative Research and General Counsel; and

136 (b) is assigned to a representative.

137 [~~(6)~~] (7) "House offices" means:

138 (a) Representatives' offices adjacent to the House chamber;

139 (b) Representatives' offices on the third and fourth floors of the capitol building;

140 (c) Representatives' offices in the House building; and

141 (d) kitchens, restrooms, elevators, and any auxiliary rooms in the nonpublic areas  
142 connected with the offices listed above.

143 [~~(7)~~] (8) "House or Senate staff" means an individual who is employed directly by the  
144 House or Senate.

145 [~~(8)~~] (9) (a) "House space" means the House chamber, House lounge, House offices,  
146 House halls, and House conference rooms.

147 (b) "House space" does not mean the common public space outside the House  
148 chamber.

149 [~~(9)~~] (10) "Immediate family" means any parent, spouse, child, grandparent,  
150 grandchild, great-grandparent, great-grandchild, sibling, aunt, uncle, niece, or nephew of a  
151 member of the House, provided that the individual is not a lobbyist.

152           ~~[(10)]~~ (11) "Lobbying" means communicating with a legislator for the purpose of  
153 influencing the passage, defeat, amendment, or postponement of legislative action.

154           ~~[(11)]~~ (12) "Lobbyist" means an individual who is required to register as a lobbyist by  
155 Utah Code Section [36-11-103](#).

156           ~~[(12)]~~ (13) "Professional legislative staff" means an individual employed by one of the  
157 Legislature's profession-based staff offices, namely the Office of Legislative Research and  
158 General Counsel, the Office of the Legislative Fiscal Analyst, the Office of the Legislative  
159 Auditor General, or the Office of Legislative Printing.

160           Section 5. **HR2-4-101.2** is amended to read:

161           **HR2-4-101.2. Admittance to House floor -- Prohibition against lobbying.**

162           (1) Except as otherwise provided in this rule, while the House is convened in annual  
163 general session or special session, only the following individuals are permitted on the House  
164 floor:

- 165           (a) a legislator;
- 166           (b) a member of House or Senate staff;
- 167           (c) a member of professional legislative staff;
- 168           (d) a House intern; and
- 169           (e) a former legislator who is not:
  - 170           (i) a lobbyist; or
  - 171           (ii) the governor, lieutenant governor, state attorney general, state treasurer, or state  
172 auditor.

173           (2) (a) While the House is convened in annual general session or special session, a  
174 representative may invite one guest who is not a lobbyist to accompany the representative on  
175 the House floor, provided that:

- 176           (i) the guest sits next to the representative;
- 177           (ii) the representative ensures that the guest does not impede staff work, distract from  
178 the work of the House, or encroach on a neighboring representative's desk;
- 179           (iii) the guest complies with the requirements of this rule, [HR2-4-102](#), and [HR2-4-103](#);
- 180 and
- 181           (iv) no representative objects.

182           (b) A representative may have no more than one guest on the House floor at any one

183 time.

184 (3) ~~[A lobbyist, a guest,]~~ A guest or an individual described in Subsection (1)(e) is  
185 prohibited from lobbying on the House floor.

186 ~~[(4) (a) Except as provided in this Subsection (4), a]~~

187 (4) While the House is convened in annual general session or special session, a  
188 lobbyist is not permitted on the House floor.

189 ~~[(b) A representative sponsoring a piece of legislation being debated by the House may~~  
190 ~~invite one lobbyist with expertise on the legislation being considered to be present on the~~  
191 ~~House floor during the presentation and debate on the legislation, if:]~~

192 ~~[(i) the representative informs the sergeant-at-arms that the lobbyist is present on the~~  
193 ~~House floor;]~~

194 ~~[(ii) the representative ensures that the lobbyist is seated on a bench on the House floor~~  
195 ~~during the presentation and debate on the legislation;]~~

196 ~~[(iii) the representative ensures that the lobbyist does not engage in lobbying on the~~  
197 ~~House floor; and]~~

198 ~~[(iv) the lobbyist leaves the House floor when the House moves to another item of~~  
199 ~~business.]~~

200 ~~[(c) If the representative sponsoring the legislation needs the assistance of the lobbyist~~  
201 ~~during the course of debate on the legislation, the representative may request permission of the~~  
202 ~~speaker to have the lobbyist approach the representative sponsoring the legislation to provide~~  
203 ~~the needed information to the representative.]~~

204 (5) The speaker or the speaker's designee may authorize special guests to be present in  
205 the House chamber or on the House floor.

206 (6) (a) A representative sponsoring a piece of legislation being debated by the House  
207 may, with the permission of the speaker, invite one department head with expertise on the  
208 legislation to assist the sponsor during the course of debate.

209 (b) A representative who invites a department head to assist the representative under  
210 Subsection (6)(a) shall ensure that the department head:

211 (i) does not engage in lobbying while on the House floor; and

212 (ii) promptly exits the House floor when the House moves to another item of business.

213 Section 6. **HR3-1-102** is amended to read:

214 **HR3-1-102. House Rules Committee -- Assignment duties.**

215 (1) The presiding officer shall submit all legislation introduced in the House of  
216 Representatives to the House Rules Committee.

217 (2) For all legislation not specified in HR3-1-103 that is referred to the House Rules  
218 Committee, the committee shall examine the legislation referred to it for proper form,  
219 including fiscal note and committee note, if any, and either:

220 (a) refer the legislation to the House with a recommendation that the legislation be:

221 (i) referred to a standing committee for consideration; or

222 (ii) read the second time and placed on the third reading calendar if the legislation:

223 (A) [~~the bill~~] has received a favorable recommendation from a House standing  
224 committee;

225 (B) [~~the bill~~] is exempted from the House standing committee review requirements  
226 under [HR3-2-401](#);

227 (C) [~~the bill~~] has received a favorable recommendation from the House Rules  
228 Committee meeting as a standing committee as permitted under [HR3-1-101](#); or

229 [~~(D) if the legislation is a nonbinding resolution as defined in HR3-2-405, read the  
230 second time and placed on the consent calendar; or]~~

231 [~~(E)~~] (D) [~~the legislation~~] was approved by a unanimous vote of the members present  
232 at an interim committee meeting and met the posting requirements of [JR7-1-602.5](#); or

233 (b) hold the legislation.

234 (3) If the chair of the House Rules Committee receives a summary report from the  
235 Occupational and Professional Licensure Review Committee related to newly regulating an  
236 occupation or profession within the two calendar years immediately preceding the session in  
237 which a piece of legislation is introduced related to the regulation by the Division of  
238 Occupational and Professional Licensing of that occupation or profession:

239 (a) the chair of the House Rules Committee shall ensure that the House Rules  
240 Committee is informed of the summary report before the House Rules Committee takes action  
241 on the legislation; and

242 (b) if the House Rules Committee refers the legislation to the House as provided for in  
243 Subsection (2)(a):

244 (i) the Office of Legislative Research and General Counsel shall make the summary



245 report reasonably available to the public and to legislators; and

246 (ii) if the legislation is referred to a standing committee, the House Rules Committee  
247 shall forward the summary report to the standing committee.

248 (4) In carrying out ~~[its]~~ the House Rules Committee's functions and responsibilities  
249 under this rule, the ~~[House Rules Committee]~~ committee may not:

250 (a) table legislation without the written consent of the sponsor;

251 (b) report out any legislation that has been tabled by a standing committee;

252 (c) amend legislation without the written consent of the sponsor; or

253 (d) substitute legislation without the written consent of the sponsor.

254 (5) The House Rules Committee may recommend a time certain for floor consideration  
255 of any legislation when it is reported out of the House Rules Committee, or at any other time.

256 (6) When the ~~[committee]~~ House Rules Committee is carrying out ~~[its]~~ the committee's  
257 functions and responsibilities under this rule, the committee shall:

258 (a) when the Legislature is in session, give notice of ~~[its]~~ the committee's meetings  
259 according to the requirements of [HR3-1-106](#);

260 (b) when the Legislature is not in session, post a notice of meeting at least 24 hours  
261 before the meeting convenes;

262 (c) have as ~~[its]~~ the committee's agenda all legislation in ~~[its]~~ the committee's  
263 possession for assignment to committee or to the House calendars; and

264 (d) prepare minutes that include a record, by individual representative, of votes taken.

265 (7) House Rules Committee meetings are open to the public, but comments and  
266 discussion are limited to members of the committee and the committee's staff.

267 Section 7. **HR4-1-101** is amended to read:

268 **HR4-1-101. Definitions.**

269 As used in this title:

270 (1) "Appropriations bill" means a bill that appropriates money and makes no change to  
271 statute.

272 (2) "Constitutional majority vote" means ~~[that the matter requires at least 38 votes to~~  
273 ~~pass on the House floor]~~ an affirmative vote of at least 38 members.

274 (3) "Constitutional two-thirds vote" means ~~[that the matter requires at least 50 votes to~~  
275 ~~pass on the House floor]~~ an affirmative vote of at least 50 members.

276 (4) "Majority vote" means [~~that the matter requires the votes of at least a majority of a~~  
277 ~~quorum to pass on the House floor~~], while a quorum is present, an affirmative vote of a  
278 majority of the members present.

279 (5) "Two-thirds vote" means [~~that the matter requires the vote of at least two-thirds of a~~  
280 ~~quorum to pass on the House floor~~], while a quorum is present, an affirmative vote of at least  
281 two-thirds of the members present.

282 (6) "Point of order" means a question raised by a representative about whether or not  
283 there has been a breach of order, a breach of rules, or a breach of established parliamentary  
284 practice.

285 (7) "Presiding officer" means the person presiding over the Utah House of  
286 Representatives and includes:

- 287 (a) the speaker;
- 288 (b) the speaker pro tempore; and
- 289 (c) any representative presiding under [HR1-3-103](#).

290 (8) "Quorum" means that at least 38 members of the House of Representatives are  
291 present.

292 Section 8. **HR4-6-202** is amended to read:

293 **HR4-6-202. Motion to circle.**

294 (1) A motion to circle legislation holds the legislation in place on the calendar.

295 (2) (a) A motion to circle preserves all amendments to the legislation already adopted  
296 by the House.

297 (b) A motion to circle extinguishes all amendments pending at the time that the motion  
298 is made.

299 (3) Legislation that has been circled may only be uncircled by [~~the~~]:

- 300 (a) the chief House sponsor of the legislation; or
- 301 (b) the representative designated by the chief Senate sponsor to be the House floor  
302 sponsor of the legislation.

303 (4) When a motion to uncircle is made:

- 304 (a) amendments already adopted by the House are part of the legislation; and
- 305 (b) any pending motions to amend at the time the legislation was circled are  
306 extinguished and a new motion to amend must be made in order to revive them.

307 (5) A motion to circle and a motion to uncircle require a majority vote to pass.  
308 Section 9. **HR4-7-102** is amended to read:  
309 **HR4-7-102. Number of votes required for passage.**  
310 [(†) Unless otherwise specified in these rules:  
311 [(a) (1) each piece of legislation requires a constitutional majority vote -- 38 votes --  
312 to pass;  
313 [(b) (2) amendments to the Utah Constitution, legislation that is intended to take effect  
314 earlier than 60 days after adjournment of the session in which it passes, amendments to court  
315 rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 50  
316 votes -- to pass; and  
317 [~~(c) certain motions require a two-thirds vote -- two-thirds of those present -- to pass;~~  
318 ~~and]~~  
319 [~~(d) other motions require a majority vote -- a majority of those present -- to pass.]~~  
320 (3) a motion requires a majority vote to pass.  
321 [~~(2) The House may only suspend a rule requiring that a motion must receive a~~  
322 ~~two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.]~~