

Representative James A. Dunnigan proposes the following substitute bill:

**HOUSE RULES RESOLUTION - AMENDMENTS TO HOUSE
RULES**

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James A. Dunnigan

LONG TITLE

General Description:

This rules resolution modifies House rules.

Highlighted Provisions:

This resolution:

- ▶ defines terms;
- ▶ clarifies the number of votes required to adopt, amend, or suspend House rules;
- ▶ modifies a provision related to news media access to certain areas of the House;
- ▶ requires the committee chair's permission before news media may enter the area behind the dais in a committee room;
- ▶ eliminates the House Rules Committee's ability to recommend that a nonbinding resolution be placed on the consent calendar;
- ▶ prohibits a standing committee from considering legislation if a legislative sponsor is not present;
- ▶ modifies who is permitted on the House floor;
- ▶ modifies who may assist a representative sponsoring legislation while the legislation is being debated by the House;
- ▶ clarifies the process by which legislation is reassigned from a standing committee;
- ▶ for legislation on the concurrence calendar, clarifies when a motion to reconsider



- 26 the final vote is in order;
- 27 ▶ provides the voting requirements for a motion to circle legislation and a motion to
- 28 uncircle legislation;
- 29 ▶ clarifies the number of votes required for a motion to pass; and
- 30 ▶ makes technical and conforming changes.

31 **Special Clauses:**

32 None

33 **Legislative Rules Affected:**

34 AMENDS:

- 35 **HR1-1-101**
- 36 **HR2-4-101**
- 37 **HR2-4-101.2**
- 38 **HR3-1-102**
- 39 **HR3-2-101**
- 40 **HR3-2-305**
- 41 **HR3-2-306**
- 42 **HR4-1-101**
- 43 **HR4-3-102**
- 44 **HR4-4-401**
- 45 **HR4-6-202**
- 46 **HR4-7-102**

47 ENACTS:

48 **HR1-9-102**

49 RENUMBERS AND AMENDS:

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



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

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

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

55 (1) The House of Representatives shall adopt House rules, by a constitutional

56 two-thirds vote, at the beginning of each new Legislature convening in odd-numbered years.

57 (2) Except as provided in this rule:

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

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

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

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

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

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

70 ~~[(b)]~~ (ii) rules governing a motion to end debate (call the previous question);

71 ~~[(c)]~~ (iii) rules governing motions for lifting tabled legislation from committee;

72 ~~[(d)]~~ (iv) rules governing consideration or reconsideration of legislation during the last
73 three days of a session; ~~[and]~~

74 ~~[(e)]~~ (v) rules governing voting in Title 4, Chapter 7, Voting; and

75 (vi) rules that include a two-thirds voting requirement.

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

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

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

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

86 ~~[(5)]~~ (4) If a motion to adopt the rules under Subsection (1) meets or exceeds a
87 majority vote but fails to reach a constitutional two-thirds vote:

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

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

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

95 **CHAPTER 9. NEWS MEDIA**

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

98 ~~[(1)(a) News media with House press credentials shall be admitted to the House~~
99 ~~chamber, halls, and committee rooms.]~~

100 (1) (a) News media may access non-public areas of the House, including the chamber,
101 halls, and conference rooms, if the news media:

102 (i) have permission from the speaker or the speaker's designee; and

103 (ii) hold a Utah Capitol media credential.

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

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

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

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

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

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

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

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

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

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

125 **HR2-4-101. Definitions.**

126 As used in this chapter:

127 (1) "Department head" means the same as that term is defined in Utah Code Section
128 63A-17-807 or a department head's designee.

129 ~~[(1)]~~ (2) "Former legislator" means a person who is not a current member of the
130 Legislature, but who served in the Utah House or Utah Senate at one time.

131 ~~[(2)]~~ (3) (a) "Guest" means an individual who is afforded access to the House space
132 under a provision of this chapter, who is not an individual described in Subsection ~~[(2)]~~ (3)(c)
133 or a special guest as described under HR2-4-101.2(5).

134 (b) "Guest" includes:

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

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

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

140 ~~[(3)]~~ (4) "House conference rooms" means one of the conference rooms adjacent to the
141 House lounge, speaker's office, or the majority caucus room.

142 ~~[(4)]~~ (5) "House halls" means the passageways that allow access to:

143 (a) the House chamber;

144 (b) the House lounge;

145 (c) the House offices; or

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

147 ~~[(5)]~~ (6) "House intern" means an individual who is:

148 (a) an official participant in the student intern program sponsored by the Utah

149 Legislature and administered by the Office of Legislative Research and General Counsel; and

150 (b) is assigned to a representative.

151 ~~[(6)]~~ (7) "House offices" means:

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

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

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

155 (d) kitchens, restrooms, elevators, and any auxiliary rooms in the nonpublic areas

156 connected with the offices listed above.

157 ~~[(7)]~~ (8) "House or Senate staff" means an individual who is employed directly by the

158 House or Senate.

159 ~~[(8)]~~ (9) (a) "House space" means the House chamber, House lounge, House offices,

160 House halls, and House conference rooms.

161 (b) "House space" does not mean the common public space outside the House

162 chamber.

163 ~~[(9)]~~ (10) "Immediate family" means any parent, spouse, child, grandparent,

164 grandchild, great-grandparent, great-grandchild, sibling, aunt, uncle, niece, or nephew of a

165 member of the House, provided that the individual is not a lobbyist.

166 ~~[(10)]~~ (11) "Lobbying" means communicating with a legislator for the purpose of

167 influencing the passage, defeat, amendment, or postponement of legislative action.

168 ~~[(11)]~~ (12) "Lobbyist" means an individual who is required to register as a lobbyist by

169 Utah Code Section [36-11-103](#).

170 ~~[(12)]~~ (13) "Professional legislative staff" means an individual employed by one of the

171 Legislature's profession-based staff offices, namely the Office of Legislative Research and

172 General Counsel, the Office of the Legislative Fiscal Analyst, the Office of the Legislative

173 Auditor General, or the Office of Legislative Printing.

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

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

176 ~~[(1) Except as otherwise provided in this rule, while the House is convened in annual~~

177 ~~general session or special session, only the following individuals are permitted on the House~~

178 ~~floor:]~~

179 ~~[(a) a legislator;]~~

180 ~~[(b) a member of House or Senate staff;]~~

181 ~~[(c) a member of professional legislative staff;]~~
182 ~~[(d) a House intern; and]~~
183 ~~[(e) a former legislator who is not:]~~
184 ~~[(i) a lobbyist; or]~~
185 ~~[(ii) the governor, lieutenant governor, state attorney general, state treasurer, or state~~
186 ~~auditor:]~~

187 (1) Subject to the requirements of this rule, while the House is convened in annual
188 general session or special session, only the following individuals are permitted on the House
189 floor:

190 (a) a legislator;
191 (b) a member of House or Senate staff;
192 (c) a member of professional legislative staff;
193 (d) a House intern;
194 (e) a former legislator who is not:
195 (i) a lobbyist; or
196 (ii) the governor, lieutenant governor, state attorney general, state treasurer, or state
197 auditor;
198 (f) a guest; and
199 (g) a department head.

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

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

209 (b) A representative may have no more than one guest on the House floor at any one
210 time.

211 ~~[(3) A lobbyist, a guest, or an individual described in Subsection (1)(c) is prohibited~~

212 from lobbying on the House floor.]

213 (c) An individual described in Subsections (1)(e) through (g) is prohibited from
214 lobbying on the House floor.

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

216 (3) While the House is convened in annual general session or special session, a
217 lobbyist is not permitted on the House floor.

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

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

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

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

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

229 [~~(c) If the representative sponsoring the legislation needs the assistance of the lobbyist~~
230 ~~during the course of debate on the legislation, the representative may request permission of the~~
231 ~~speaker to have the lobbyist approach the representative sponsoring the legislation to provide~~
232 ~~the needed information to the representative.]~~

233 [~~(5)] (4) The speaker or the speaker's designee may authorize special guests to be~~

234 present in the House chamber or on the House floor.
235 (5) (a) A representative sponsoring a piece of legislation being debated by the House
236 may, with the permission of the speaker, invite one department head with expertise on the
237 legislation to assist the sponsor during the course of debate.

238 (b) A representative who invites a department head to assist the representative under
239 Subsection (5)(a) shall ensure that the department head:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

262 (b) hold the legislation.

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

268 (a) the chair of the House Rules Committee shall ensure that the House Rules
269 Committee is informed of the summary report before the House Rules Committee takes action
270 on the legislation; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

296 Section 7. **HR3-2-101** is amended to read:

297 **HR3-2-101. Definitions.**

298 As used in this chapter:

299 (1) "Chair" means:

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

301 (b) a standing committee member who is authorized to act as chair under [HR3-2-202](#).

302 (2) "Committee" means a standing committee created under [HR3-2-201](#).

303 (3) "Dispose of legislation" refers to a committee action that transfers ownership of
304 legislation to the House Rules Committee, to another standing committee, or to the House

305 floor.

306 (4) "Favorable recommendation" refers to a committee action that transfers ownership
307 of legislation to the House second reading calendar.

308 (5) "Legislation" means a Senate bill, House bill, Senate resolution, House resolution,
309 joint resolution, or concurrent resolution.

310 (6) "Legislative sponsor" means:

311 (a) the chief sponsor; or

312 (b) the legislator designated by the chief sponsor to be the opposite chamber floor
313 sponsor.

314 [~~(6)~~] (7) "Majority vote" means a majority of a quorum as provided in [HR3-2-203](#).

315 [~~(7)~~] (8) "Original motion" means a non-privileged motion that is accepted by the chair
316 when no other motion is pending.

317 [~~(8)~~] (9) "Pending motion" refers to a motion starting when a chair accepts a motion
318 and ending when the motion is withdrawn or when the chair calls for a vote on the motion.

319 [~~(9)~~] (10) (a) "Privileged motion" means a procedural motion to adjourn, set a time to
320 adjourn, recess, end debate, extend debate, or limit debate.

321 (b) Privileged motions are not substitute motions.

322 [~~(10)~~] (11) "Substitute motion" means a non-privileged motion that is made when an
323 original motion is pending.

324 [~~(11)~~] (12) "Under consideration" means the time starting when a chair opens a
325 discussion on a subject or piece of legislation that is listed on a committee agenda and ending
326 when the committee disposes of the legislation, moves on to another item on the agenda, or
327 adjourns.

328 Section 8. **HR3-2-305** is amended to read:

329 **HR3-2-305. Four phases when considering legislation.**

330 (1) Legislation under consideration by a standing committee is subject to four distinct
331 phases during a committee meeting:

332 [~~(1)~~] (a) the sponsor's presentation as provided in [HR3-2-306](#);

333 [~~(2)~~] (b) clarifying questions as provided in [HR3-2-307](#);

334 [~~(3)~~] (c) public comment as provided in [HR3-2-308](#); and

335 [~~(4)~~] (d) committee action as provided in [HR3-2-309](#).

336 (2) A standing committee may not consider legislation unless the legislative sponsor is
337 present.

338 Section 9. **HR3-2-306** is amended to read:

339 **HR3-2-306. Sponsor presentation.**

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

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

345 (a) committee questions and debate;

346 (b) public comment as provided in [HR3-2-308](#);

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

349 (d) the committee member who made the motion to amend to have the final word on
350 the motion as required under [HR3-2-313](#).

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

352 (a) permit the ~~[chief sponsor or the legislator designated by the chief sponsor to be the~~
353 ~~floor sponsor in the opposite house]~~ legislative sponsor to present the ~~[chief]~~ sponsor's
354 legislation; and

355 (b) except as provided in Subsection (4), and at the election of ~~[a]~~ the legislative
356 sponsor, permit persons who have expertise on the legislation to assist with the presentation as
357 provided in [HR3-2-304](#).

358 (4) The chair may not permit~~[(a) legislation to be presented if the legislative sponsor~~
359 ~~is not present; or (b) legislative interns or legislative aides]~~ a legislative intern or a legislative
360 aide to present legislation.

361 Section 10. **HR4-1-101** is amended to read:

362 **HR4-1-101. Definitions.**

363 As used in this title:

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

366 (2) "Constitutional majority vote" means ~~[that the matter requires at least 38 votes to~~

367 ~~pass on the House floor~~ an affirmative vote of at least 38 members.

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

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

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

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

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

- 381 (a) the speaker;
382 (b) the speaker pro tempore; and
383 (c) any representative presiding under [HR1-3-103](#).

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

386 Section 11. **HR4-3-102** is amended to read:

387 **HR4-3-102. Reassigning legislation assigned to a standing committee.**

388 (1) Legislation that has been assigned to a standing committee may be ~~[assigned]~~
389 reassigned to the Rules committee or a different standing committee by:

390 ~~[(1)]~~ (a) the presiding officer, subject to Subsection (2);

391 ~~[(2)]~~ (b) the House of Representatives by majority vote upon motion from the floor; or

392 ~~[(3)]~~ (c) the House of Representatives by majority vote if the committee to which the
393 legislation was assigned recommends in [its committee] the committee's report that the
394 legislation be [returned to the House Rules Committee] reassigned to a different committee.

395 (2) Before the presiding officer reassigns legislation under Subsection (1)(a), the
396 presiding officer shall announce on the floor the committee to which the presiding officer
397 intends to reassign the legislation.

398 Section 12. **HR4-4-401** is amended to read:

399 **HR4-4-401. Concurrence calendar.**

400 (1) After the chief clerk or the chief clerk's designee reads the transmittal letter from
401 the Senate informing the House that the Senate has amended a piece of House legislation, the
402 presiding officer shall place the legislation on the concurrence calendar.

403 (2) (a) During the first 43 days of the annual general session, the legislation shall
404 remain on the concurrence calendar for at least one legislative day before the House may
405 consider the question of concurrence.

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

409 (3) (a) When presenting legislation to the House for concurrence, the presiding officer
410 shall ask the sponsor of the legislation for a motion.

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

412 (i) concur with the Senate amendments; or

413 (ii) refuse to concur with the Senate amendments and ask the Senate to recede from
414 [~~their~~] its amendments.

415 (4) (a) If a motion to concur with the Senate amendments passes by majority vote, the
416 presiding officer shall open the vote on final passage of the legislation.

417 (b) (i) If a motion to concur with the Senate amendments passes by a majority vote but
418 the legislation fails to pass the final vote:

419 [(†)] (A) except as provided in Subsection (4)(b)(ii), a motion to reconsider the final
420 vote on the legislation is in order; and

421 [(†)] (B) if a motion to reconsider the final vote on the legislation is successful, the
422 legislation shall be placed on the concurrence calendar and a motion to reconsider the vote to
423 concur with the Senate amendments is in order.

424 (ii) As provided in HR4-9-103(4)(c), the House may not reconsider legislation under
425 this Subsection (4) if the House previously voted to reconsider a final vote on the legislation.

426 (c) If a motion to concur with the Senate amendments fails, a motion to refuse to
427 concur with the Senate amendments and ask the Senate to recede from its amendments is in
428 order.

429 (5) If a motion to refuse to concur with the Senate amendments and ask the Senate to
430 recede from its amendments passes by a majority vote:

431 (a) the chief clerk shall return the legislation to the Senate for its further action; and

432 (b) if the Senate refuses to recede, the Senate and House shall follow the procedures
433 and requirements of [~~JR3-2-601~~] [JR3-2-901](#) relating to the appointment of a conference
434 committee.

435 Section 13. **HR4-6-202** is amended to read:

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

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

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

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

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

443 (a) the chief House sponsor of the legislation; or

444 (b) the representative designated by the chief Senate sponsor to be the House floor
445 sponsor of the legislation.

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

447 (a) amendments already adopted by the House are part of the legislation; and

448 (b) any pending motions to amend at the time the legislation was circled are

449 extinguished and a new motion to amend must be made in order to revive them.

450 (5) A motion to circle and a motion to uncircle require a majority vote to pass.

451 Section 14. **HR4-7-102** is amended to read:

452 **HR4-7-102. Number of votes required for passage.**

453 [~~(+)~~] Unless otherwise specified in these rules:

454 [~~(a)~~] (1) each piece of legislation requires a constitutional majority vote -- 38 votes --
455 to pass;

456 [~~(b)~~] (2) amendments to the Utah Constitution, legislation that is intended to take effect
457 earlier than 60 days after adjournment of the session in which it passes, amendments to court
458 rules, and certain motions specified in these rules require a constitutional two-thirds vote -- 50
459 votes -- to pass; and

460 [~~(c) certain motions require a two-thirds vote -- two-thirds of those present -- to pass;~~
461 and]
462 [~~(d) other motions require a majority vote -- a majority of those present -- to pass.]~~
463 (3) a motion requires a majority vote to pass.
464 [~~(2) The House may only suspend a rule requiring that a motion must receive a~~
465 ~~two-thirds vote or a constitutional two-thirds vote to pass by a two-thirds vote.]~~