

**Representative James A. Dunnigan** proposes the following substitute bill:

**HOUSE RULES RESOLUTION - AMENDMENTS TO HOUSE**

**RULES**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: James A. Dunnigan**

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**LONG TITLE**

**General Description:**

This resolution modifies House Rules.

**Highlighted Provisions:**

This resolution:

▶ allows a lobbyist who is a former legislator to be present on the House floor when designated by the speaker-elect to preside until the representatives take the oath of office and elect a speaker;

▶ extends the time period during which a representative may use the representative's general session postage allowance;

▶ directs the Office of Legislative Research and General Counsel to share with caucus staff information in a representative's request for legislation, under certain circumstances;

▶ changes the name of the Public Utilities, Energy, and Technology Standing Committee to the Public Utilities and Energy Standing Committee;

▶ adds the House Rules vice chair to the list of members who are not counted in determining a quorum for a standing committee, unless the member is present at the meeting;

▶ modifies the order in which a standing committee chair takes responses to a motion



26 or substitute motion;  
27       ▶ updates inconsistent terminology;  
28       ▶ removes obsolete language;  
29       ▶ incorporates certain language from existing provisions of the Utah Code;  
30       ▶ for the first day of an annual general session, removes the requirement that  
31 legislation placed on the third reading calendar stay on the third reading calendar  
32 until at least the following day; and  
33       ▶ addresses remote participation in a House committee meeting.

34 **Special Clauses:**

35       None

36 **Legislative Rules Affected:**

37 AMENDS:

38       **HR1-2-101**

39       **HR1-7-101**

40       **HR1-8-101**

41       **HR2-2-106**

42       **HR3-2-201**

43       **HR3-2-203**

44       **HR3-2-313**

45       **HR3-2-402**

46       **HR3-3-101**

47       **HR3-3-102**

48       **HR4-3-101**

49       **HR4-9-103**

50 ENACTS:

51       **HR1-10-101**

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

54       Section 1. **HR1-2-101** is amended to read:

55       **HR1-2-101. Calling the House to order.**

56       (1) On the first day of each annual general session of the Legislature during

57 odd-numbered years, the speaker-elect shall designate a person to call the House to order and  
58 preside until the representatives have taken the oath of office and elected a speaker.

59 (2) (a) Notwithstanding [HR2-4-101.2](#), the speaker-elect may designate under  
60 Subsection (1) a lobbyist who is a former speaker to call the House to order and preside until  
61 the representatives take the oath of office and elect a speaker.

62 (b) The lobbyist shall comply with [HR2-4-101.2](#) immediately after the representatives  
63 elect a speaker.

64 Section 2. **HR1-7-101** is amended to read:

65 **HR1-7-101. Citations -- Definitions -- Use of citations.**

66 (1) As used in this chapter:

67 (a) "Citation" means a certificate for the purposes of:

68 (i) honoring or commending an individual who is a resident of Utah, or a group of  
69 individuals who are residents of Utah or have a substantial presence in or connection to Utah;

70 (ii) commemorating an event or the anniversary of an event that has significant  
71 relevance to Utah; or

72 (iii) expressing condolences to the family of a deceased individual who was a resident  
73 of Utah.

74 (b) "House of Representatives citation" means a citation issued on behalf of the Utah  
75 House of Representatives under [HR1-7-103](#), that is signed by the representative sponsoring the  
76 citation and the speaker of the House of Representatives.

77 (c) "Legislator citation" means a citation issued on behalf of an individual  
78 representative under [HR1-7-102](#).

79 (d) "Utah Legislature citation" means a citation issued on behalf of both [~~houses~~]  
80 chambers of the Utah Legislature under [HR1-7-104](#), that is signed by the representative  
81 sponsoring the citation, the speaker of the House of Representatives, and the president of the  
82 Senate.

83 (2) A citation honoring or commending the same individual or group of individuals, or  
84 recognizing the same event or anniversary, should not be issued more than once every 10 years.

85 (3) A representative may request only one House of Representatives citation or Utah  
86 Legislature citation during a calendar year.

87 Section 3. **HR1-8-101** is amended to read:

88 **HR1-8-101. House postage allowance.**

89 (1) Each representative may deposit:

90 (a) up to ~~[300]~~ 500 letters into the House mail system during the ~~[annual general~~  
91 ~~session]~~ period that begins the first day of the annual general session and ends 30 days after the  
92 day on which the Legislature adjourns the annual general session sine die; and

93 (b) up to 10 letters per month into the House mail system during the remainder of the  
94 year.

95 (2) Upon request from an individual representative, the speaker may grant an additional  
96 postage allowance.

97 Section 4. **HR1-10-101** is enacted to read:

98 **CHAPTER 10. MISCELLANEOUS**

99 **HR1-10-101. Requests for legislation -- Sharing with caucus staff.**

100 (1) As used in this rule, "caucus staff" means House staff assigned to the chief  
101 sponsor's caucus.

102 (2) After a representative files a request for legislation in accordance with [JR4-2-101](#),  
103 the Office of Legislative Research and General Counsel shall share with caucus staff the  
104 drafting instructions, as defined in [JR4-1-101](#), provided in the request for legislation and the  
105 request's assigned short title, unless the representative:

106 (a) elects not to share the drafting instructions and short title with caucus staff; or

107 (b) fails to sign an acknowledgment, for purposes of Rule 1.6 of the Rules of  
108 Professional Conduct, that the Office of Legislative Research and General Counsel will share  
109 the representative's information in accordance with this rule.

110 (3) Caucus staff may share information received under Subsection (2) with other  
111 representatives in the chief sponsor's caucus.

112 Section 5. **HR2-2-106** is amended to read:

113 **HR2-2-106. Smoking and electronic cigarettes prohibited.**

114 (1) As used in this rule, "electronic cigarette" means any device, other than a  
115 combustible cigarette or cigar, intended to deliver vapor containing nicotine into a person's  
116 respiratory system.

117 (2) A person may not smoke or use an electronic cigarette in the House chamber or  
118 other ~~[house]~~ House controlled areas.

119 (3) The sergeant-at-arms shall enforce this rule.

120 Section 6. **HR3-2-201** is amended to read:

121 **HR3-2-201. Standing committees -- Creation.**

122 There are created the following standing committees to consider legislation during an annual  
123 general or special session:

124 (1) Business and Labor;

125 (2) Economic Development and Workforce Services;

126 (3) Education;

127 (4) Government Operations;

128 (5) Health and Human Services;

129 (6) House Rules;

130 (7) Judiciary;

131 (8) Law Enforcement and Criminal Justice;

132 (9) Natural Resources, Agriculture, and Environment;

133 (10) Political Subdivisions;

134 (11) Public Utilities[;] and Energy[~~and Technology~~];

135 (12) Revenue and Taxation; and

136 (13) Transportation.

137 Section 7. **HR3-2-203** is amended to read:

138 **HR3-2-203. Quorum requirements.**

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

141 (2) In determining whether a quorum is present, the speaker, majority leader, majority  
142 whip, assistant majority whip, House Rules Committee chair, House Rules Committee vice  
143 chair, Executive Appropriations Committee chair, Executive Appropriations Committee vice  
144 chair, minority leader, minority whip, assistant minority whip, and the fourth member of  
145 leadership from the minority party are not counted in determining a quorum for a standing  
146 committee, except during the time that the representative is present at the meeting.

147 Section 8. **HR3-2-313** is amended to read:

148 **HR3-2-313. Chair to allow response to motions before placing motions for a vote.**

149 (1) After the chair accepts an original motion, and before the chair places the original

150 motion for a vote, the chair shall permit, in the following order:

151 ~~[(a) committee members to debate the original motion;]~~

152 ~~[(b)]~~ (a) the chief sponsor of the legislation that is affected by the original motion to  
153 respond to the original motion; ~~[and]~~

154 (b) committee members to debate the original motion; and

155 (c) the committee member who placed the original motion to have the final word on  
156 the motion.

157 (2) After a chair accepts a substitute motion, and before the chair places the substitute  
158 motion for a vote, the chair shall permit, in the following order:

159 (a) the committee member who placed the original motion to respond to the substitute  
160 motion;

161 ~~[(b) committee members to debate the substitute motion;]~~

162 ~~[(c)]~~ (b) the chief sponsor of the legislation that is affected by the substitute motion to  
163 respond to the substitute motion; ~~[and]~~

164 (c) committee members to debate the substitute motion; and

165 (d) the committee member who placed the substitute motion to have the final word on  
166 the motion.

167 Section 9. **HR3-2-402** is amended to read:

168 **HR3-2-402. Standing committee review of legislation with a fiscal impact.**

169 (1) (a) A standing committee may not review legislation unless the legislation has an  
170 approved fiscal note.

171 (b) Notwithstanding Subsection (1)(a), a standing committee may consider a substitute  
172 not previously adopted, regardless of whether the substitute has an approved fiscal note.

173 (2) Except as provided in [HR3-2-401](#), a standing committee in one or both ~~[houses]~~  
174 chambers shall review legislation before the legislation is held in the opposite ~~[house]~~ chamber  
175 because of ~~[its]~~ the legislation's fiscal impact.

176 Section 10. **HR3-3-101** is amended to read:

177 **HR3-3-101. Chair to preserve order and decorum.**

178 (1) The chair shall preserve order and decorum during a House committee meeting by:

179 (a) ensuring nothing obstructs a walkway or the view of a meeting attendee;

180 (b) ensuring the meeting is free from any audible or visual disturbance;

- 181 (c) protecting state property from damage or disarray;
- 182 (d) prohibiting speech likely to incite or produce imminent lawless action, fighting
- 183 words, or obscenity; and
- 184 (e) prohibiting any activity or item that poses a danger to the safety of a meeting
- 185 attendee.

186 (2) To preserve order and decorum in accordance with Subsection (1), the chair may:

- 187 (a) prohibit the following:
  - 188 (i) standing, waving, yelling, or clapping;
  - 189 (ii) loud noises;
  - 190 (iii) food or drink, other than water in a closed container;
  - 191 (iv) musical instruments;
  - 192 (v) any item that may require excessive cleanup; or
  - 193 (vi) to the extent necessary to preserve order and decorum, any other item or activity
- 194 the chair determines necessary;

- 195 (b) clear the meeting room of one or more individuals;
- 196 (c) recess the meeting without a motion; or
- 197 (d) request assistance from:
  - 198 (i) the sergeant-at-arms; or
  - 199 (ii) the Utah Highway Patrol.

200 (3) To the extent reasonably applicable, any action by a chair under this rule applies to

201 a member of the public participating in the meeting via video conference.

202 Section 11. **HR3-3-102** is amended to read:

203 **HR3-3-102. Prohibited items and activities in House committee meetings.**

- 204 (1) A member of the public attending a meeting of a House committee may not:
  - 205 [~~(+)~~] (a) bring into the meeting room, or possess while in the meeting room, any of the
  - 206 following:
    - 207 [~~(a)~~] (i) a sign, poster, banner, or placard;
    - 208 [~~(b)~~] (ii) glitter or confetti;
    - 209 [~~(c)~~] (iii) a laser pointer;
    - 210 [~~(d)~~] (iv) paint;
    - 211 [~~(e)~~] (v) an open flame;

- 212            [~~f~~] (vi) an incendiary device;
- 213            [~~g~~] (vii) a noise maker;
- 214            [~~h~~] (viii) flammable liquid; or
- 215            [~~i~~] (ix) any harmful or hazardous substance; or
- 216            [~~2~~] (b) engage in any of the following while in the meeting room:
- 217            [~~a~~] (i) commercial solicitation;
- 218            [~~b~~] (ii) leafletting;
- 219            [~~c~~] (iii) throwing an item; or
- 220            [~~d~~] (iv) adhering any item to a furnishing, a wall, or other state property.

221            (2) A member of the public participating in a House committee meeting via video  
222 conference may not:

- 223            (a) use a virtual background other than one that is simple and free from distracting  
224 visuals; or
- 225            (b) engage in any behavior that if performed in the meeting room would violate  
226 Subsection (1).

227            Section 12. **HR4-3-101** is amended to read:

228            **HR4-3-101. Consideration of bills.**

229            (1) Except for the 1st, 43rd, 44th, and 45th day of the annual general session, [~~a piece~~  
230 ~~of~~] legislation may not be read for the third time until at least the day after it is placed on the  
231 third reading calendar.

232            (2) Legislation on third reading calendar shall be considered in the order that it appears  
233 on the calendar unless a constitutional majority vote of the members of the House directs other  
234 action.

235            Section 13. **HR4-9-103** is amended to read:

236            **HR4-9-103. Rules governing motions to reconsider.**

237            (1) A motion to reconsider takes precedence over all other motions and questions,  
238 except a motion to adjourn.

239            (2) (a) Except as provided in Subsection (2)(b), a motion to reconsider is debatable.

240            (b) A motion to reconsider is nondebatable only if the action it seeks to reconsider is  
241 nondebatable.

242            (3) When a motion to reconsider is made, the presiding officer shall:



- 243 (a) allow the proponents a total of five minutes to address the issue;
- 244 (b) allow the opponents a total of five minutes to address the issue; and
- 245 (c) allow the proponents one minute to sum up.
- 246 (4) (a) A motion to reconsider a vote on the final passage of a piece of legislation
- 247 requires approval by a constitutional majority of representatives.
- 248 (b) [~~Upon~~] Except as provided in [HR4-4-401](#), upon adoption of a motion to reconsider
- 249 and if the legislation is in possession of the House, the presiding officer shall ensure that the
- 250 legislation is placed at the top of the third reading calendar.
- 251 (c) The House may not reconsider a piece of legislation more than once.
- 252 Section 14. **Effective date.**
- 253 This resolution takes effect upon a successful vote for final passage.