

1 **HOUSE RULES RESOLUTION ON LEGISLATIVE PROCESS**

2 **AMENDMENTS**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kraig Powell**

7 **LONG TITLE**

8 **General Description:**

9 This rules resolution amends the House Rules relating to committee hearing
10 requirements for bills and accompanying motions and procedures.

11 **Highlighted Provisions:**

12 This resolution:

13 ▶ prohibits the House of Representatives from passing legislation when the legislation
14 has not had a House standing committee hearing unless the legislation is:

- 15 • specifically exempted from the requirement; or
16 • lifted from a House standing committee by a vote of a majority of the members
17 of the House of Representatives;

18 ▶ prohibits a motion to lift legislation from a House standing committee from being
19 combined with another motion;

20 ▶ prohibits the House Rules Committee from placing legislation on the third reading
21 calendar unless the legislation is:

- 22 • specifically exempted from house committee review requirements; or
23 • reviewed by the House Rules Committee while acting as a standing committee
24 for the purpose of reviewing and recommending legislation; and

25 ▶ revises the announcement requirements for a bill's third reading in order to reflect
26 the changes in the rules.

27 **Special Clauses:**



28 None

29 **Legislative Rules Affected:**

30 AMENDS:

31 **HR3-1-102**

32 **HR3-2-102**

33 **HR4-4-201**

34 **HR4-4-203**

35

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

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

38 **HR3-1-102. House Rules Committee -- Assignment Duties.**

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

41 (2) For all legislation not specified in HR3-1-103 that is referred to the House Rules
42 Committee, the committee shall:

43 (a) examine the legislation for proper form, including fiscal note and interim
44 committee note, if any; and

45 (b) either:

46 (i) refer legislation to the House with a recommendation:

47 (A) that the legislation be referred to a standing committee for consideration; or

48 (B) if the legislation is exempted from the standing committee review requirements
49 under HR3-2-102(3), that the legislation be read the second time and placed on the third
50 reading calendar; or

51 (ii) hold the legislation.

52 (c) If the chair of the House Rules Committee receives a summary report from the
53 Occupational and Professional Licensure Review Committee related to newly regulating an
54 occupation or profession within the two calendar years immediately preceding the session in
55 which a piece of legislation is introduced related to the regulation by the Division of
56 Occupational and Professional Licensing of that occupation or profession:

57 (i) the chair of the House Rules Committee shall ensure that the House Rules
58 Committee is informed of the summary report before the House Rules Committee takes action

59 on the legislation; and

60 (ii) if the House Rules Committee refers the legislation to the House as provided for in

61 Subsection (2)(a)(i):

62 (A) the Office of Legislative Research and General Counsel shall make the summary
63 report reasonably available to the public and to legislators; and

64 (B) if the legislation is referred to a standing committee, the House Rules Committee
65 shall forward the summary report to the standing committee.

66 (3) In carrying out its functions and responsibilities under this rule, the House Rules
67 Committee may not:

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

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

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

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

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

74 (5) When the committee is carrying out its functions and responsibilities under this
75 rule, the committee shall:

76 (a) during a legislative session, give notice of its meetings by either:

77 (i) providing oral notice from the House floor of the time and place of its next meeting;

78 or

79 (ii) when oral notice is impractical, post written notice of its next meeting;

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

82 (c) have as its agenda all legislation in its possession for assignment to committee or to
83 the House calendars; and

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

85 (6) Anyone may attend a meeting of the rules committee, but comments and discussion
86 are limited to members of the committee and the committee's staff.

87 Section 2. **HR3-2-102** is amended to read:

88 **HR3-2-102. Standing Committee Review Required -- Exceptions.**

89 (1) As used in this section, "House standing committee" means a committee described

90 in HR3-2-201, excluding the House Rules Committee.

91 ~~[(+)]~~ (2) (a) The House of Representatives may not [~~pass~~] consider a bill, joint
92 resolution, or concurrent resolution [~~during the annual general session that has not been~~
93 ~~reviewed by~~] for a third reading and passage unless:

94 (i) the legislation has been reviewed and approved by:

95 (A) a House standing committee[-]; or

96 (B) the House Rules Committee, when meeting in accordance with HR3-1-101(2)(c);

97 or

98 (ii) a representative successfully lifts the legislation from a House standing committee
99 as provided under HR4-4-203.

100 (b) A motion made under Subsection (2)(a)(ii) may not be combined with another
101 motion and shall affect only a single bill or resolution.

102 ~~[(2)]~~ (3) This rule does not apply to:

103 (a) a resolution regarding legislative rules or legislative personnel;

104 (b) legislation that has been approved by an interim committee;

105 (c) the revisor's statute; or

106 (d) if the legislation was reviewed and approved by the Executive Appropriations
107 Committee, legislation that:

108 (i) exclusively appropriates monies;

109 (ii) amends Utah Code Title 53A, Chapter 17a, Minimum School Program Act;

110 (iii) amends Utah Code Title 67, Chapter 22, State Officer Compensation; or

111 (iv) authorizes the issuance of general obligation or revenue bonds.

112 Section 3. **HR4-4-201** is amended to read:

113 **HR4-4-201. Third Reading Calendar -- Procedures.**

114 (1) (a) For the third reading on a piece of legislation, the Chief Clerk of the House or
115 the Chief Clerk's designee shall read the legislation by title unless the House suspends this
116 requirement by a two-thirds vote.

117 (b) ~~[(+)]~~ After reading the title of the legislation, the Chief Clerk or the Chief Clerk's
118 designee shall:

119 (i) identify the House standing committee that reviewed the legislation and the vote in
120 that committee[-];

121 (ii) [~~H~~] if the legislation has not been reviewed by a House standing committee, [~~the~~
122 ~~Chief Clerk or the Chief Clerk's designee shall~~] announce that the legislation was not reviewed
123 by a House standing committee~~[-]~~ because:

124 (A) it is exempted from committee review requirements, as provided under
125 HR3-2-102(3); or

126 (B) was lifted from committee, as provided under HR4-4-203.

127 (2) When the Chief Clerk or the Chief Clerk's designee has completed the third reading
128 of the legislation, the legislation is before the House for debate.

129 (3) When debate on the legislation is complete, the presiding officer shall take the final
130 vote on the legislation.

131 Section 4. **HR4-4-203** is amended to read:

132 **HR4-4-203. Motion to Lift Legislation from Committee.**

133 (1) As used in this section, "House standing committee" means a committee described
134 in HR3-2-201.

135 [~~(+)~~] (2) A Representative may make a motion to lift a piece of legislation from a
136 House standing committee [~~or the House Rules Committee and~~], place it on the third reading
137 calendar~~[-]~~, and consider the legislation read for the second time.

138 (3) A motion made under this section may not be combined with another motion and
139 shall affect only a single bill or resolution.

140 [~~(2)~~] (4) (a) Except as provided in Subsection [~~(2)~~] (4)(b), if the motion is approved by
141 a majority of the members [~~present~~] of the House of Representatives, the presiding officer shall
142 direct that the legislation be considered read for the second time and placed on the bottom of
143 the third reading calendar.

144 (b) During the 43rd, 44th, and 45th day of the annual general session, and during any
145 special session, a motion to lift a piece of legislation from a House standing committee [~~or the~~
146 ~~House Rules Committee~~] must be approved by a vote of two-thirds of the members present.

Legislative Review Note
as of 2-8-13 3:49 PM

Office of Legislative Research and General Counsel